



Common Council Meeting

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

Tuesday, April 16, 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/82620567128?pwd=yNQKWe39zrX_cTmWXImujvrzu0_a-Q.I4HX6aLGTu3eUVWS

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

Webinar ID: 826 2056 7128

Passcode: 065668

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

1. Swearing In of Newly Elected Council Members. Aldermanic District 2- Orin Smith; Aldermanic District 4- Brian Schanen; Councilmember At Large- Greg Majkrzak- **City Clerk**

ROLL CALL

PLEDGE OF ALLEGIANCE

2. Election of Council President- **City Manager**
3. Election of Council President Pro Tem-**City Manager**

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.

4. Urban Forestry Commission Minutes from February 26, 2024.
5. Plan and Architectural Review Commission Minutes for March 11, 2024.
6. EOC Meeting Minutes from March 4, 2024.

- [7.](#) Lakes Advisory Committee Meeting Minutes from March 4, 2024.
- [8.](#) CDA Minutes from January 1, 2024, January 31, 2024, February 15, 2024.
- [9.](#) Finance Committee Meeting Minutes from February 27, 2024.
- [10.](#) Landmarks Commission Meeting Minutes from February 7, 2024.
- [11.](#) Public Works Meeting Minutes from March 12, 2024.

CITY MANAGER REPORT

STAFF REPORTS

- [12.](#) Gala Update- **HR**
- [13.](#) Update on MOU with UWW-**City Clerk**

HEARING OF CITIZEN COMMENTS

No formal Council action will be taken during this meeting although issues raised may become a part of a future agenda. Participants are allotted a three minute speaking period. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

To make a comment during this period, or during any agenda item: On a computer or handheld device, locate the controls on your computer to raise your hand. You may need to move your mouse to see these controls. On a traditional telephone, dial *6 to unmute your phone and dial *9 to raise your hand.

RESOLUTION

- [14.](#) Resolution approving updates to the Whitewater Adjusted Urban Area Boundary-**Public Works**

CONSIDERATIONS

- [15.](#) Update on Common Council Retreat/Good Governance Manual Special Meeting-**HR**
- [16.](#) Discussion and Possible Action regarding Appointments of Vacant Seats for Alcohol Licensing Committee (3), Cable Involvement and Cable TV Commission (1), CDA (2), EOC (2), Finance (3), Landmarks Commission (1), Library Board (1), Parks & Rec (1), Plan & Architectural Review Commission (1 & 1 alternate), Public Works (3), WW University Technology Park Board (1)- **City Manager**
- [17.](#) Discussion and Possible Action Regarding the Resignation of Municipal Judge Patrick Taylor- **City Manager**
- [18.](#) Discussion and Possible Action regarding Changing City Class- **City Manager**
- [19.](#) Discussion and Possible Action regarding Assignment of Whitewater Windup Judge.- **Interim Economic Development Director**
- [20.](#) Discussion and Possible Action regarding Strand Task Order for Construction Administration covering Contracts 1-2024 thru 5-2024- **Public Works**

- [21.](#) Discussion and Possible Action regarding Ayres Old Stone Mill Dam Proposal for Engineering Services for Downstream Wall Repairs- **Public Works**
- [22.](#) Discuss and Possible Action regarding P-Card Policy Update- **Finance**
23. Councilmember Requests for Future Agenda Items or Committee items. Questions

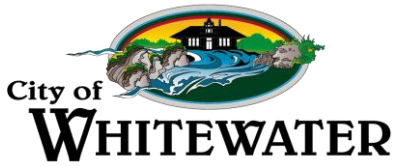
FUTURE AGENDA ITEMS

24. Brown Cab update-**Finance Q2**
25. Staff update on Procurement Policy. - **Finance Q2**
26. Update on 2024 Gala.-**Chief of Staff Q2**
27. Set Date to hold Common Council meeting at UWW Campus-**City Manager/Hicks Q3**
28. Mobile Home Community understanding of special assessment.- **Finance/Hicks Q2**

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.



Office of the City Manager
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

MEMORANDUM

www.whitewater-wi.gov
Telephone: (262) 473-0104
Fax: (262) 222-5901

To: Common Council
From: John Weidl, City Manager
Date: April 9, 2024
Re: President of Common Council

The ordinance stipulates that during the first meeting with the new governing body, the election of a Common Council President will take place.

2.08.020 –

(a) President to Preside. The president of the council, who shall be elected at the first meeting after the election of new councilmembers (second regularly-scheduled meeting in April), shall at the hour stated call the meeting to order. At the first meeting of each year, the council shall also elect a president pro tem who shall act as president in the absence of the regular president. If a president is unable or unwilling to serve permanently a new president shall be elected, rather than the president pro tem automatically becoming president.

Warm regards,

A handwritten signature in black ink that reads "John S. Weidl".

John S. Weidl, City Manager

JSW/TKZ



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312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

MEMORANDUM

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Telephone: (262) 473-0104
Fax: (262) 222-5901

To: Common Council
From: John Weidl, City Manager
Date: April 9, 2024
Re: President Pro Tem of Common Council

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Warm regards,

A handwritten signature in black ink that reads "John S. Weidl". The signature is written in a cursive style.

John S. Weidl, City Manager

JSW/RLM



Urban Forestry Commission

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

Monday, February 26, 2024 - 4:30 PM

Meeting Minutes

CALL TO ORDER

Meeting called to order at 4:30 by Stanek

ROLL CALL

Present: Sherry Stanek, Patrick Taylor, Bill Chandler, Rose Mary Leaver, Brienne Brown

Absent: Ryan Tevis, Nick Alt

Staff: Andrew Beckman (phone), Kevin Boehm

APPROVAL OF MINUTES FROM JANUARY 22, 2024

Approval of Minutes for January 22, 2024. Motioned to approve by Taylor with the addition of the title meeting minutes to the aforementioned minutes. Second by Leaver. Motion passed by voice vote.

HEARING OF CITIZEN COMMENTS

None given

TREASURER'S REPORT

None given

OLD BUSINESS

None

CONSIDERATIONS / DISCUSSIONS / REPORTS

Motion by Stanek to move presentation and discussion from Jaime Wiegel regarding the Whitewater Effigy Mounds to the beginning of the meeting. Brown seconded. Motion passed by voice vote.

1. Jaimie Wiegel gave a presentation on the Whitewater Effigy Mounds.

TREE CITY

2. Community Tree Sale dates are April 26th, 27th and 28th.

We need to establish times for the sale each of those days.

- After discussion by the group, Stanek suggested 10am-2pm for the 26th and 27th and 12pm -2pm on the 28th

We need to discuss the organizing of volunteers for receiving trees/plants, organizing and tagging them for sale.

- Tabled
- 2. Update on Arboretum Grant
 - Boehm gave an update that everything has been submitted
- 3. Discussion regarding Arboretum signage.
 - Stanek stated there was a 5k donation. Boehm to follow up.
- 4. Discussion and update regarding tree tags.
 - Stanek led a discussion on tree tags, Beckman stated he didn't want anything to screw to any trees.
- 5. Discussion and possible approval of Territorial Tree Playground Ideas.
 - Discussion was had on some ideas for using the wood from the Territorial Tree. Group agrees to doing something but not sure what yet. Have discussion with Landmarks committee.

BIRD CITY

- 6. Discussion and update regarding the 2023 Bird City Application.
 - Stanek discussed the changes with the Bird City group

NEW BUSINESS

- 7. Discussion on Spongy Moth and Pest Management Plan.
 - Beckman led a discussion on Spongy Moths being found on City owned trees and updated on other invasive insects and their proximity to Whitewater.
- 9. Discussion regarding how to recruit new members for the Urban Forestry Commission.
 - Tabled
- 10. Discussion regarding the 2024 Bird Fair.
 - Tabled

FUTURE AGENDA ITEMS

ADJOURNMENT

Motion to adjourn by Leaver, seconded by Brown. Motion carried by voice vote. Meeting adjourned at 6:47

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.



Plan & Architectural Review Meeting

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

Monday, March 11, 2024 - 6:00 PM

Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone.
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MINUTES

CALL TO ORDER AT 6:00 P.M.

ROLL CALL

PRESENT:

Councilmember Brienne Brown
Board Member Andrew Crone
Chairperson Tom Miller
Board Member Bruce Parker
Board Member Brian Schanen
Board Member Michael Smith

ABSENT:

Councilmember Neil Hicks
Board Member Carol McCormick
Board Member John Beerman
Board Member Jeffery Weigel
Board Member Sherry Stanek

STAFF

Taylor Zeinert, Interim Economic Director
Allison Schwark, Planner and Zoning Administrator
Jonathan McDonnell, City Attorney
Llana Dostie, Neighborhood Services Administrative Assistant

APPROVAL OF FEBRUARY MINUTES

- 1. Minutes for February 12, 2024.

Motion made by Schanen to approve minutes for February 12, 2024 meeting. Motion was with a second by Miller.

Ayes: Crone, Miller, Parker, Schanen, Smith, Brown this motion passed unanimously

HEARING OF CITIZEN COMMENTS

Citizen Daniel Kitstle stood up to make a comment he was at the wrong meeting date.

- 2. Discussion and possible approval of a Conditional Use Permit for a second wall sign and an 18 foot pylon sign for Aldi's located at 1380 W Main Street, Parcel # /A513300001.

Planner provide a summary of the request. Aldi is requesting two all signs which is one sign over the ordinance and one pylon sign.

John Doyle representative for Aldi's signs stated the summary provided by planner was correct. Pylon would be set back 45 feet from road.

Planner did mention that the comprehensive plan recommends the monument sign not a pylon. City felt that the pylon was a good fit. Approval was recommended.

Parker as about the set back of the east property line.

Doyle didn't have the east lot line on the drawing it is in the area of 15 to 18 ft.

Schanen about the visual triangle. Planner confirmed that it would not create any vision triangle issues.

Crone asked about other pylon signs in the area.

Motion made by Brown to approve Conditional Use Permit with Planners recommendation with a second from Schanen.

Ayes: Crone, Miller, Parker, Schanen, Smith, Brown this motion passed unanimously.

FUTURE AGENDA ITEMS

NEXT MEETING DATE IS APRIL 8, 2024.

ADJOURNMENT AT 6:13 P.M.

Motion made by Parker with a second from Schanen.

Ayes: Crone, Miller, Parker, Schanen, Smith and Brown this motion passed unanimously.

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 312 W. Whitewater Street
Whitewater, WI 53190
or ldostie@whitewater-wi.gov



ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE EQUAL OPPORTUNITIES COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.

EQUAL OPPORTUNITIES COMMISSION MINUTES OF MONDAY, MARCH 4TH

1. Call to Order and Roll Call –The virtual meeting came to order at approximately 5:04 pm. Present at the meeting were Common Council Representative Brienne Brown, and citizen members Terilyn Robles, Tery Tumbarello, and Lauren Smith. Also present was staff support, Chief of Staff Taylor Zeinert
2. Hearing of Citizen Comments. – There were no citizens in attendance.
3. Old Business
- a. Discussion of Walworth County Transitional Housing- Brienne Brown shared that Walworth County is trying to figure out how to deal with the housing crisis. Specifically, how to help families, immigrants, or anyone in need.
4. New Business
 - a. Discussion of New Meeting Schedule- Due to the circumstances within the City the group has decided to meet monthly.
 - b. The motion passed unanimously.

Ayes: Brown, Smith, Robles, Tumbarello
 Noes: None
 Abstained: None
 Absent: None

The motion passed by unanimous voice vote.
5. Considerations/ Discussions/ Reports
 - a. Discussion and Possible actions regarding activities to promote a welcoming and educational environment for new immigrants- The Committee directed staff to make a welcome to Whitewater one-page flyer. The committee asked Tery to reach out to the university and just see if there was anybody who is connected, with Dreamers or Spanish speakers or ESL.
 - b. Discussion and Possible regarding Proactive approaches to address potential NeoNazi activities in the city or on campus- The committee discussed the NeoNazi activities on UW-W Campus. The committee directed staff to continue to make a welcoming flyer in hopes to create a more inclusive environment.
6. Adjournment – Brown asked if there was a motion to adjourn the meeting. Robles made a motion with a second from Tumbarello

The motion passed by unanimous voice vote.

Ayes: Brown, Schreiber, Robles, Tumbarello

Noes: None

Abstained: None

Absent: None

The meeting ended at 5:54 pm.

Respectfully submitted,

Taylor Zeinert, Chief of Staff

DRAFT



Lakes Advisory Committee Special Meeting Minutes
Monday, March 4, 2024 – 8:30 pm
Cravath Lakefront Room
312 W. Whitewater Street
Whitewater, WI 53190
Hybrid Meeting

1. Call to Order and Roll Call

Present: Carol McCormick, Elvira Kau, Ginny Coburn Geoff Hale and Kurt Zipp. Absent: Gayle Stettler

Staff: Michelle Dujardin, and Kevin Boehm

Guest: Justin Poinsette, Danelle Matuszak, and Beverly Stone

2. Approval of Agenda

Motioned by Geoff Hale. Seconded by Ginny Coburn. Ayes: Carol McCormick, Elvira Kau, Ginny Coburn, Geoff Hale and Kurt Zipp Absent: Gayle Stettler

3. Approval of Minutes from January 25, 2024

Motioned by Carol McCormick. Seconded by Elvira Kau. Ayes: Carol McCormick, Elvira Kau, Ginny Coburn, Geoff Hale and Kurt Zipp Absent: Gayle Stettler

4. Approval of Minutes February 9, 2024

Motioned by Ginny Coburn. Seconded by Elvira Kau. Ayes: Carol McCormick, Elvira Kau, Ginny Coburn, Geoff Hale and Kurt Zipp Absent: Gayle Stettler

5. Hearing of Citizen Comments

No Comments

6. Considerations/Discussions/Reports

a. Presentation from Southeastern Wisconsin Regional Planning Commission

- i. Presentation given by Southeastern Wisconsin Regional Planning Commission. Board questions and answers took place.

**Summary with Southeastern Wisconsin Regional Planning Commission at the Lakes Advisory Meeting
on Monday, March 4, 2024.**

Outside of Plan

- Note: we can provide advice to the City on these topics, but they will likely be addressed before the plan is complete
- Formation of lake district
 - Important for plan development and implementation, but sounds likely to occur before plan is completed
- Short-term cattail management
 - Address floating bogs from uprooted cattails if they occur
 - Cattails may die-off as water levels remain high
 - Apply for WDNR Surface Water Restoration grant to help address cattail management in summer 2025
- Fish stocking in 2024

Plan: Short-Term

- Aquatic plant survey of Cravath and Tripp lakes
 - This survey would inform an updated aquatic plant management plan for the lake
- Shoreline survey
 - Complete survey of both lakes' shorelines using WDNR protocol
 - Conducting in 2024 would help document current problems with cattail encroachment
 - Conducting in 2025 or beyond may better document "typical" conditions if cattails begin to die off
- Fisheries
 - Request information from WDNR fisheries biologist regarding next fishery survey for lakes (already completed)
- Water quality monitoring in 2024
 - Cravath and Tripp lakes (ideally collaboration between City/District volunteers and UW-Whitewater)
 - Water clarity (secchi disk), temperature, dissolved oxygen, specific conductance, chloride, total phosphorus, and chlorophyll-a
 - Bluff Creek, Spring Brook, Whitewater Creek upstream, and Whitewater Creek downstream (UW-Whitewater and SEWRPC)
 - Water clarity (transparency tube), temperature, dissolved oxygen, specific conductance, total phosphorus, and total suspended solids
 - Note: we (SEWRPC) have automated water temperature and specific conductance loggers that could be installed into the lakes and creeks
- Recreational use
 - Incidental monitoring while completing other surveys on lake – no intensive survey efforts

Plan: Long-Term

- Aquatic plant management plan
 - Informed by aquatic plant survey
 - Would enable City/District to apply for aquatic plant management permits as a single entity rather than individual homeowners
- Fisheries
 - Enhance warmwater sport fishery (bass, crappie, perch, etc.)
 - Develop long-term plan to help reduce carp population
- Water quality
 - Could request funds to analyze water quality constituents not covered in 2024 monitoring or to continue 2024 monitoring efforts
 - Incorporate 2024 and beyond data with historical data to examine conditions and trends in lakes, tributaries, and Whitewater Creek downstream
- Shorelines
 - Ensure that City/District has permit to address shoreline restoration problems instead of individual homeowners
- Stormwater management
 - Incorporate major elements and actions from 2017 stormwater management plan
 - Investigate potential impact of stormwater pollutants on lake water quality as part of pollutant load modeling
- Recreational use
 - Install signs with QR codes asking lake users about how they recreate, fish that they catch, etc.
 - Ensure that water quality goals for fishable and swimmable lakes are met
 - Tie in with plans to increase recreational activities on lakes through handicap access for fishing, trails, swimming hole in Tripp
- Lake and watershed characterization
 - Lake size, bathymetry, and brief review of dam infrastructure and operations
 - Using available information – no new surveys of dam
 - Characterize land use, civil divisions, households and urban growth, wetlands, etc. within watershed
 - These elements inform the pollutant load modeling as well as other aspects of plan development, e.g. recommending areas where wetland enhancement can trap nutrients
- Pollutant loading
 - Conduct watershed pollutant load modeling (e.g., STEPL model) to examine major pollutant sources and source areas
 - Recommend practices and programs to help reduce pollutant loading
 - Agricultural practices, wetland enhancements, stormwater management, lawn and shoreline care, etc.
- Grants and Funding Opportunities
 - We will recommend grants, programs, and other funding opportunities to help implement the practices and programs that we recommend within the plan. These will include grants that the City, District, and individual homeowners are eligible applicants for.

Next Step: Southeastern Wisconsin regional Planning Commission will begin drafting a scope of work between the City and SEWRPC to address the Plan: Short-Term and Plan: Long-Term items with a

preliminary budget.

7. Discussion and possible action regarding Stormwater Quality Management Plan

- i. Item differed to April Meeting

8. Discussion and possible action regarding creating a Resolution

- i. Committee was supplied a map with Cravath Lake shoreline residents along with residents 1000ft from shoreline. Committee was supplied a map with Tripp Lake shoreline residents along with residents 1000ft from shoreline.

Motioned by Geoff Hale to incorporate the entire City in the creation of a Lakes District.

Seconded by Kurt Zipp. Board discussion stated more education need to happen. No vote taken, motion failed.

9. Future Agenda Items

- b. Whitewater Stormwater Quality Management Plan

10. Adjournment

- c. Motioned by Geoff Hale at 6:00pm, unanimous voice Ayes: Carol McCormick, Elvira Kau, Ginny Coburn, Geoff Hale and Kurt Zipp Absent: Gayle Stettler

Respectfully Submitted,

Michelle Dujardin



Community Development Authority (CDA)

Whitewater Municipal Building Community Room,
312 West Whitewater St., Whitewater, WI 53190

*In Person and Virtual

Thursday, January 18, 2024

MINUTES

CALL TO ORDER: Chairman Singer called the meeting to order at 5:30 p.m.

ROLL CALL: Board Members Present: Jon Kachel, Patrick Singer, Thayer Coburn, Joe Kromholz, Jeff Knight, Lukas Schreiber, Jill Gerber; ABSENT: Jim Allen. CITY STAFF PRESENT: Calli Berg, Economic Development Director), Bonnie Miller (CDA Administrative Assistant), Brad Marquardt (Director of Public Works).

Chairman Singer acknowledged the passing of Common Council President and CDA Board Member Jim Allen and called for a moment of silence in recognition of his life-long service and contributions to the City of Whitewater.

APPROVE AGENDA: Motion by Knight to approve the Agenda, seconded by Schreiber, approve by unanimous voice vote.

DECLARATION OF CONFLICTS OF INTEREST. None.

HEARING OF CITIZEN COMMENTS: Lisa Dawsey-Smith (273 N. Fremont St.) Announced that to two small businesses who applied for and successfully been awarded grants from the Latino Hispanic Chamber of Commerce-Southeastern Wisconsin Division which represent an investment of \$45,000 in our small business community. The grant cycle is ongoing and outreach to other potential small businesses in the community continues. Developer Chip Eldridge (Grayson, IL) introduced himself to the Board.

APPROVAL OF MINUTES: Moved by Schreiber to approve the Minutes of the 12-21, 2023 CDA Board Meeting as presented; seconded by Kachel. Motion passed by unanimous voice vote.

REVIEW & ACKNOWLEDGE FINANCIAL STATEMENTS: December 31, 2023 Financial Statements were unavailable at this time.

PRESENTATIONS:

Presenter: Pam Carper, Program Manager-Housing for the Walworth County Economic Development Association (WCEDA); Topic: Walworth County Workforce Housing Initiative.

Presenter: Dan Berg and Chuck Chamberlain of the Whitewater-Rice Lakes Management District (WRLMD), Topic: Overview of activities associated with maintaining Rice Lake and Whitewater Lake, including annual harvesting of weeds.

ECONOMIC DEVELOPMENT ACTIVITIES UPATE: Economic Development Director Calli Berg provided an update regarding ongoing economic development activities, including public relations and marketing activities, the awarding of the first Down Payment Assistance Loan available through the Affordable Housing Fund Policy, various development projects in the process of working through City Staff, and initiating a business retention program.

ACTION ITEMS:

3. **Discussion and consideration of creating CDA prize fund for a Business Plan Competition project in partnership with UW-Whitewater.** Director Berg requested support from the Board for the proposed business plan competition by the CDA, in cooperation with UW-Whitewater ENACTUS Business Club in the form of funding (prize fund), cooperation in identifying potential business locations for the winner, and selecting a name for the competition. Director Berg provided additional details regarding the components of the competition such as public relations, social networking, four required applicant workshops, and competition logistics. After further discussion, Choton Basu and Russ Kashian from UW-Whitewater provided more detail about what the University would provide and answered questions from the Board. Director Berg recommendation: Establish an entrepreneurial support program seeded with \$320,000 to support at least two contests with unspent funds being returned to the Action Fund. After further discussion, it was moved by Kromholz and seconded by Coburn to direct staff to proceed with the business competition in concert with UW-W for one year and to commit \$160,000 of funding with an option to repeat the competition based on the results of the first competition. Rolls Call Vote: Coburn, Singer, Gerber, Kromholz, Knight, Schreiber. NOES: None; ABSTAIN: Kachel. Motion passed. By unanimous consensus of the Board, the competition name "Whitewater WindUp" was selected.
4. **Discussion and consideration of engaging legal counsel to represent the interests of the CDA.** Director Berg pointed out that there are two separate general ledger items in the budget, one general and one for the loan portfolio totaling approximately \$17,000 that could be used to cover legal fees. Director Berg suggested doing a Request for Proposal (RFP) and the direction was given issue the RFP to get at least three bids.

UPDATES AND DISCUSSION.

5. **Strategic Planning & Vision.** Director Berg summarized the vision session that was held on January 5, 2024 regarding issues and challenges before the Board, the needs of staff, and various properties in the City that would be suitable for future development and how to engage those landowners in the conversation.
6. **Discussion Regarding Open House – Development Map Update.** Board Member Knight would like to see an enhanced effort to support business retention in the community, including a potential open house to bring business stakeholders together for discussion. Director Berg offered support for a "business appreciation" event that would be done in conjunction with an annual report. Board Member Knight also addressed increasing efforts to reach out to property owners reflected on the Potential Development Map and bring them all together for an open house type meeting that would include staff from Neighborhood Services to address any questions regarding planning and zoning issues.

EXECUTIVE SESSION: Moved by Kromholz and seconded by Schreiber 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: Consideration and possible action regarding Offer to Purchase Vacant Parcel of Land located on Starin Road (Tax Parcel /WUP 00018D) at a purchase price of \$403,390. Motion passed by unanimous roll call vote.

RECONVENE INTO OPEN SESSION: Motion by Kromholz and seconded by Schreiber to reconvene to open session was approved by unanimous voice vote. Moved by Kromholz to accept Staff recommendation to approve Offer to Purchase contingent upon Buyer and the City entering into a Development Agreement on terms and conditions approved by the Common Council. Motion passed by unanimous roll call vote.

FUTURE AGENDA ITEMS.

ADJOURNMENT: Moved by Schreiber and seconded by Kromholz to adjourn. Chairman Singer adjourned the meeting at 7:55 p.m.

Respectfully submitted,
Bonnie Miller, Recorder

Minutes approved at the March 21, 2024 CDA 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, February 15, 2024

MINUTES

CALL TO ORDER

Board Member Kromholz called the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT: Joe Kromholz, Jon Kachel, Jill Gerber, Jeff Knight, Thayer Coburn. ABSENT: Patrick Singer, Lukas Schreiber. STAFF: John Weidl (City Manager), Bonnie Miller (CDA Administrative Assistant).

Elect Board Chair due to Patrick Singer appointment to Common Council

Board Member Coburn nominated Joe Kromholz to act as Interim Chair; AYES: Coburn, Gerber, Kachel, Knight, Kromholz. NOES: None. ABSENT: Singer, Schreiber.

Moved by Knight to waive the 72-hour notice required by the City of Whitewater Transparency Ordinance to consider electing a new Board Chair; seconded by Kromholz. AYES: Coburn, Gerber, Kachel, Kromholz, Knight. NOES: None. ABSENT: Singer, Schreiber.

APPROVAL OF AGENDA

Moved by Coburn to approve the Agenda; seconded by Kachel. AYES: Gerber, Knight, Kachel, Coburn, Kromholz. NOES: None. ABSENT: Singer, Schreiber.

DECLARATION OF CONFLICT OF INTEREST. Roll Call: NOES: Gerber, Coburn, Kromholz, Knight, Kachel.

HEARING OF CITIZEN COMMENTS.

Daniel Kistle (327 E. Clay Street) representing Alpha Holdings introduced himself and his spouse Jhinelle Kistle to the Board as potential developers of a doggie daycare facility in the City. Kristen Parks of Anderson Commercial Group (5000 Town Drive, New Berlin) provided a short update regarding their real estate marketing efforts on behalf of the City of Whitewater.

APPROVE MINUTES

2. **Approval of January 18, 2024 CDA Board Meeting Minutes.**

Moved by Coburn to approve the January 18, 2024 CDA Board Meeting Minutes; seconded by Gerber; after brief discussion, Coburn withdrew his motion to approve to allow Staff to review the meeting video and update the draft of the Minutes to reflect the request for a report from the Interim-Economic Development Director on the status of CDA funds. The January 18, 2024 Minutes were tabled until the March Board meeting.

3. **Approval of Minutes of January 31, 2024 CDA Special Meeting.** Approval of the Minutes as submitted was tabled until the March meeting.

APPROVE FINANCIAL STATEMENTS

4. **Review and acknowledge Preliminary Financial Statements for period ending December 31, 2023. (Income/Expense & Balance Sheet do not reflect the auditors GASB Pension entries of the fixed asset depreciation entries.)** Miller clarified that the Financials submitted are preliminary only subject to revision. Coburn moved to approve the preliminary Financial Statements subject to revision; seconded by Kromholz. Motion approved by unanimous voice vote.

ACTION ITEMS

5. **Consideration and approval of Whitewater WindUp (WWUP) Business Competition Eligibility Criteria and Application.** Moved by Kachel to approve the Whitewater WindUp business competition eligibility criteria and application as presented, subject to the following modifications: Page 3, add Item 18: "All finalists shall be reviewed by the CDA, and all awards shall be approved by the CDA." Discussion ensued regarding the need for those modifications." Motion seconded by Kromholz. Roll Call: Ayes: Knight, Coburn, Kachel, Kromholz, Gerber. NOES: None. ABSENT: Singer, Schreiber.
6. **Discussion and possible action regarding request for revisions to Downpayment Assistance and the Affordable Housing Fund Program.** City Manager Weidl provided a summary of the changes as suggested by Nate Parrish from First Citizens State Bank to enhance program accessibility and effectiveness. Moved by Knight to approve, seconded by Knight. Moved by Knight to approve the three changes as recommended contingent upon approval as to compliance by the City Attorney; seconded by Kachel. Roll Call: AYES: Kromholz, Gerber, Kachel, Coburn, Knight. NOES: None. ABSENT: Singer, Schreiber.

UPDATES AND DISCUSSIONS

7. **Update regarding economic development activities.** CDA Staff is working on a master list of businesses in Whitewater and updating contact information. Contacted eight business this week and have five BRE's scheduled for next week. We have a working draft of questions that will be used for BREs. Demolition at the Aldi's site has begun and the first building is down. They are doing asbestos removal in the back building which is slated to come down beginning February 22nd. Demolition on the Hawk Bowl is scheduled to follow within the 2-3 weeks. The Re-Plat of Mound Meadows which has been approved by the State has been received and is progressing through the execution process with the City, the JM Meadowview LLC, US Shelter Homes and Walworth County. As soon as the Re-Plat has been recorded, US Shelter Homes can begin application for building permits. Kristen Fish-Peterson is working on a proposal for a housing project on the Pearson Hale Farm LLC property on Warner Road. City Staff did a walk-through of the Bowers House Project at 183 W. Main Street. Repairs to the roof and interior support structure of all three floors of the building is nearing completion. Demolition of interior walls and removal of debris is an ongoing process.

EXECUTIVE SESSION

Moved by Kromholz and seconded by Gerber 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. Items to be discussed:

8. Consideration of Letter of inquiry regarding acquisition of approximately 3 acres of vacant land in the Technology Park (TP) located on Howard Road (part of Tax Parcel No. /A444200003) at a price of \$87,000.
9. Consideration and possible action regarding request for Amendment to Offer to Purchase entered into with Larry Chapman for acquisition of vacant parcel of land located on Prospect Drive (Tax Parcel No. 212-0515-3434-003).
10. Consideration of Offer to Purchase approximately 1 acre of vacant land located on Bluff Road (Tax Parcel No. /A323600002) at a price of \$30,000.
11. Update and possible action regarding Offer to Purchase entered into with Quality Industries Inc. for acquisition of a vacant parcel of land located on Starin Road (Tax Parcel No. /WUP 00018D).
12. Consideration and possible action regarding application from Walworth County Habitat for Humanity for \$25,000 Developer Incentive under the Affordable Housing Policy for new single-family residential at 896-3A South Franklin Street.
13. Negotiation and possible action regarding Whitewater University Innovation Center Lease Agreement with Blue Line Battery, Inc.

Motion passed by unanimous roll call vote.

Moved by Knight and seconded by Coburn to reconvene to Open Session. Motion passed by unanimous roll call vote.

RECONVENE INTO OPEN SESSION. Kromholz noted that there would be no action taken on Item 8.

Moved by Coburn and seconded by Kromholz to approve Item 8 as recommended to amend the Offer to Purchase to extend the due diligence period to allow Buyer to secure a tenant for the facility, provided the proposed the amendment include a 30-day bump clause allowing the City to accept a bona fide secondary Offer to Purchase. Roll Call: AYES: Gerber, Coburn, Kromholz, Knight, Kachel. NOES: None. ABSENT: Singer, Schreiber. Motion passed.

Moved by Coburn to accept the Offer to Purchase approximately 1 acre of vacant land located on Bluff Road (Tax Parcel /A323600002) at a price of \$30,000, contingent upon terms and conditions of a Development Agreement acceptable to the CDA and the Common Council. Roll Call: AYES: Knight, Coburn, Kachel, Kromholz, Gerber. NOES: None. ABSENT: Singer, Schreiber. Motion passed.

Moved by Coburn and seconded by Kachel to terminate the current Offer to Purchase entered into between the CDA and Quality Industries, Inc. for the acquisition of a vacant parcel of land located on Starin Road at a price of \$403,390 based upon the failure of Buyer to provide the escrow payment on time and to enter into a new Offer to Purchase with Buyer on the same terms and conditions, with the addition of a 60-day bump clause. Roll Call: AYES: Kromholz, Gerber, Kachel, Coburn, Knight. NOES: None. ABSENT: Singer, Schreiber. Motion passed.

Moved by Knight to approve the application from Walworth County Habitat for Humanity for a \$25,000 Developer Incentive under the Affordable Housing Fund Policy for new single-family residential home at

896-3A South Franklin Street. Motion by Knight to amend the motion to provide that the grant be in an amount equal to the cost of the well and septic improvements. Motion failed to receive a second. Moved by Kromholz to approve the application from Habitat for Humanity of Walworth County for a \$25,000 Developer Incentive as submitted under the Affordable Housing Fund Policy. Second by Coburn. AYES: Kachel, Knight, Gerber, Coburn, Kromholz. NOES: None. ABSENT: Singer, Schreiber. Motion passed.

Kromholz noted that there would be no action on Whitewater University Innovation Center Lease Agreement with Blue Line Battery, Inc.

FUTURE AGENDA ITEMS:

1. Update on the funds controlled by the CDA in the unrestricted Action Fund.
2. Update on the Hale residential property development.
3. Housing Roundtable with property owners of potential development of vacant land in the City.
4. Finance to report on the status of the CDA Loan Portfolio.

ADJOURNMENT: Moved by Coburn to Adjourn, seconded by Kachel. Upon unanimous voice vote, Interim Chair Kromholz adjourned the meeting at approximately 7:45 p.m.

Respectfully submitted,
Bonnie Miller, Recorder

Minutes approved March 21, 2024



CDA Special Meeting

Whitewater Municipal Building Council Chambers,
312 West Whitewater St., Whitewater, WI 53190

*In Person and Virtual

Wednesday, January 31, 2024 - 5:30 PM

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

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/83688246954?pwd=LVBi54kl-TrsjidK2Pe4l-Mi5V7AYg.S7kDQ-G5qX-5iPsM>

Passcode: 264268

Or Telephone:

Dial: +1 312 626 6799 US (Chicago)

Webinar ID: 836 8824 6954

Passcode: 264268

Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number: (262) 473-0108.

Minutes

CALL TO ORDER

Chairperson Patrick Singer called the meeting to order at 5:30 pm.

ROLL CALL

Present

Board Member Jill Gerber

Board Member Joe Kromholz

Board Member Jeff Knight

Board Member Jon Kachel

Chairperson Patrick Singer

Board Member Thayer Coburn

City Attorney Jonathan McDonell

City Manager John Weidl

HR Director Sara Marquardt

City Clerk Heather Boehm

Absent

Lukas Schreiber

APPROVAL OF AGENDA

A committee member 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 reach meeting even if no changes are being made at that meeting.

Motion made to approve the agenda by Board Member Knight, Seconded by Board Member Kromholz. Voting Yes: Board Member Coburn, Board Member Kachel, Board Member Knight, Board Member Kromholz, Chairperson Singer, Board Member Gerber.

EXECUTIVE SESSION

Adjourn to Closed Session, pursuant to Wisconsin Statutes 19.85(1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (f) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. **May re-enter** open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Items to be discussed: The resignation of the Economic Development Director.

Motion made to go in Closed Session at 5:32 pm by Chairperson Singer, Seconded by Board Member Coburn.

Voting Yes: Board Member Coburn, Board Member Kachel, Board Member Knight, Board Member Kromholz, Chairperson Singer, Board Member Gerber.

RECONVENE INTO OPEN SESSION

No action taken in Closed Session.

Motion made to go back into Open Session at 5:58 pm by Board Member Knight, Seconded by Board Member Kromholz.

Voting Yes: Board Member Coburn, Board Member Kachel, Board Member Knight, Board Member Kromholz, Chairperson Singer, Board Member Gerber.

FUTURE AGENDA ITEMS

Chairperson Singer would like follow up to cover the Economic Development Director either contractually or third party and follow up on the recruitment process to recruit a new Economic Development Director.

ADJOURNMENT

Motion made to adjourn at 6:00 pm by Board Member Knight, Seconded by Board Member Kromholz.

Voting Yes: Board Member Coburn, Board Member Kachel, Board Member Knight, Board Member Kromholz, Chairperson Singer, Board Member Gerber.

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.

Respectfully submitted,

Heather Boehm, Recorder

Minutes approved 03/21/2024.



Finance Committee Meeting

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

Tuesday, February 27, 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.**

Please click the link below to join the webinar:

2/27/2024 Finance Committee Meeting

Feb 27, 2024, 5:00 – 6:00 PM (America/Chicago)

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

<https://meet.goto.com/409820237>

You can also dial in using your phone.

Access Code: 409-820-237

United States: +1 (312) 757-3121

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

AGENDA

CALL TO ORDER

The meeting was called to order by Neil Hicks at 5:00 p.m.

ROLL CALL

Present: Jill Gerber, Neil Hicks, and Lisa Dawsey-Smith (online).

Absent: None.

Additional Attendees: Finance Director, Rachelle Blich

CONSENT AGENDA

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

Motion made by Jill Gerber, Seconded by Lisa Dawsey-Smith to approve the consent agenda. Voting Yes: Lisa Dawsey-Smith, Jill Gerber, and Neil Hicks. Voting No: None.

1. January 23, 2024 Finance Committee Meeting Minutes

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. January 2024 Financials
3. Updated December 2023 Financials
4. Staff Report-Notice of Claim-Jankowski

Motion made by Lisa Dawsey-Smith, Seconded by Jill Gerber to deny claim. Voting Yes: Lisa Dawsey-Smith, Jill Gerber, and Neil Hicks. Voting No: None.

5. Staff Report-Notice of Claim-Ramirez

Motion made by Lisa Dawsey-Smith, Seconded by Jill Gerber to deny claim. Voting Yes: Lisa Dawsey-Smith, Jill Gerber, and Neil Hicks. Voting No: None.

FUTURE AGENDA ITEMS

6. Compensation Study
7. Policy Review Schedule

ADJOURNMENT

Motion made by Jill Gerber, Seconded by Lisa Dawsey-Smith to adjourn. Voting Yes: Lisa Dawsey-Smith, Jill Gerber, and Neil Hicks.

The meeting was adjourned at 5:09 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.



Landmarks Commission

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

Wednesday, February 07, 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.**

Topic: Landmarks Commission

Time: Feb 7, 2024 06:00 PM Central Time (US and Canada)

Please note that although every effort will be made to provide for virtual participation, unforeseen technical difficulties may prevent this, in which case the meeting may still proceed as long as there is a quorum. Should you wish to make a comment in this situation, you are welcome to call this number: (262) 473-0108.

MINUTES

CALL TO ORDER

- Adamitus called the meeting to order at 6:00pm

ROLL CALL

Present Adamitus, Schreiber, Weigel, Richardson, Olm

Absent: None

Others present: Gloria Buley, Kevin Boehm

APPROVAL OF AGENDA

A commission member 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 commission to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.

APPROVAL OF MINUTES

1. Meeting minutes January 4, 2024
 - Motion by Richardson to approve minutes as presented. Seconded by Schreiber.
 - Unanimously approved via voice vote.

HEARING OF CITIZEN COMMENTS

No formal commission 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 commission 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.

UNFINISHED BUSINESS

2. Update on Water Tower Signage Repair
 - a. Kevin Boehm gave an update on the sign and will bring this item back for discussion after getting pricing to replace with an interpretive sign.
3. Birge Fountain Funds
 - a. Kevin Boehm gave an update on the budgeted funds for the Birge Fountain. There is \$500 budgeted for 2024 and 2025 for minor repairs. There is a fund balance of \$10,336 and these funds are to be used to fund repairs and maintenance of the fountain.
 - b. Ben Adamitus asked if this money could be put into the conduit account with the community fund. Boehm said he would find out and bring that back.
4. Territorial Oak Site
 - a. Kevin Boehm gave an update and recommended the Landmark Committee work closely with the Urban Forestry Commission.
 - b. Discussion was had on to who has the stone and the plaque that came from the site. Boehm will find out where it is and report back.
5. Initiating Commission Members
 - a. Ben Adamitus recommended this item be included in the Initial framework for the 5 year strategic plan.

NEW BUSINESS

6. Initial Framework for 5 Year Strategic Plan
 - a. Ben Adamitus recommended having separate meetings on this plan and bring information back to commission meetings for discussion. Planning will include the ordinance, goals, mission statement, how the commission aligns with these items and how to develop interest in joining the commission. Jim Olm and Jaime Weigel both volunteered to assist Ben with working on this.
7. Information Needed to List Landmarks for Sale
 - a. Ben Adamitus discussed his findings of what needed to be done to list properties as being designated as Historic Landmarks. Little is done and Ben has a realtor looking into changing the disclosure documents.
 - b. Dan recommended giving local realtors a complete listing of all properties that are not publicly owned, a copy of the city ordinance, and sending a letter to current residences to thank them for keeping their homes up according to city ordinances and to remind them to disclose the fact their residence is a historical landmark if they go to sell.
 - c. Ben recommends this become part of the strategic plan to update every year and disseminate the information.

CONSIDERATIONS / DISCUSSIONS / REPORTS

8. CLG Annual Report (**Adamitus**)

- a. Ben Adamitus completed and submitted the CLG Annual report. Ben reported on the availability of funds through the CLG partnership and how they could align with the strategic plan. He will invite representatives to visit at a future meeting.
9. Wisconsin Association of Historic Preservation Commissions membership **(Adamitus)**
- a. Ben reported on the membership and he paid the membership dues.

FUTURE AGENDA ITEMS

- Meeting with the state historic preservation office.
- Investigate plaques for historic properties.
 - City funds availability
 - Incorporating QR codes
- Listing of other properties
- Update Clio website
- Update on Walton Oaks site
 - Mowing
 - Invasive species removal and treatment
- White Memorial Building roof replacement on east side of building
- Landmark Hotel update
 - What has been done
 - What has been promised to be done
 - Update status on entrances
- Who owns the Prairie Tiller Landmark Building?
- Information on the future of the Starin Park Water Tower.

ADJOURNMENT

- Motioned to Adjourn by Schreiber, seconded by Olm.
- Unanimously approved via voice vote at 7:13pm.

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.



Public Works Committee Meeting

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

Tuesday, March 12, 2024 - 6:00 PM

**Please note – due to technical difficulties, this meeting was not recorded.*

MINUTES

CALL TO ORDER

Marquardt asked Hicks if he would chair this meeting and the next Public Works Committee Meeting since he was already the vice chairperson. Hicks agreed to this request. Marquardt also advised the committee they would still meet in April before the election of new Council members.

The Public Works Committee Meeting was called to order by Hicks at 6:00 p.m.

ROLL CALL

Present: McCormick, Gerber, Hicks

Others: Marquardt

ELECTION OF CHAIRPERSON/VICE CHAIRPERSON

As previously stated, Hicks will chair this meeting and the next meeting in April.

APPROVAL OF MINUTES

1. Approval of minutes from February 13, 2024

It was moved by McCormick and seconded by Gerber to approve the Public Works Committee minutes from February 13, 2024.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

HEARING OF CITIZEN COMMENTS

None

NEW BUSINESS

2. Discussion and Possible Action regarding Amendment No. 1 to the Emergency Communications Radio System Site Improvement and Use Agreement Between Walworth County and the City of Whitewater

Marquardt stated the City entered into an Agreement with Walworth County in October 2022 to allow construction of a communication tower at the Wastewater Facility property. The County looked at various options to route a signal back to City Hall for 911 redundancy. Options included another "tower" with a receiving antenna at City Hall, putting an antenna on the new water tower, and using fiber. After much investigating with City staff, the County decided to move forward using fiber. There is an unused fiber line that runs from City Hall to UW-Whitewater to Water to Streets to Wastewater. The County is asking to use this line. The County would then run a fiber line through existing conduit from the Wastewater Main Building to the tower site. In addition, the County would like to run fiber from Franklin St. into City Hall to provide additional redundancy.

Todd Neumann, from the Walworth County Sheriff's Office, spoke regarding the use of fiber for this project. Neumann asked the City for the use of this line. He stated Walworth County will pay for the repairs and connections needed for this project to happen. They would also pay for the fiber run from the Wastewater Utility to the tower itself.

Neumann stated the other piece, when dealing with fiber in the ground, because of people digging in the ground, is redundancy. Therefore, the County would have Edge Broadband run another piece of fiber up Franklin St., up Whitewater St. and into the Municipal Building as redundant fiber. That will then connect to our Whitewater Lake Tower providing a redundant connection. If the City's fiber connection were to get severed, the redundant fiber connection would allow the County to stay connected. The fiber is going to connect two things. 1. It will connect the Whitewater Police Department's Console, in their radio system, and 2. It will provide redundant 911 pathways. The City and the County share a 911 telephone system with Next Generation 911 coming in. The City is going to run 911 lines in and the County is going to run 911 lines into the County.

Neumann stated as outlined in the Amendment, the County is paying for all work associated with getting the fiber viable for use from City Hall to Wastewater; installation of fiber from Wastewater to the Tower, and the redundant fiber connection from Franklin St. Per the Amendment, the City is not charging the County for the use of the existing fiber.

Hicks asked if there was a Service Line Agreement (SLA) in order in case something does happen with the City lines in the future. What would the timeframe be in getting the line repaired? Neumann said he could add paragraph E (or add to paragraph D) – the City agrees to be responsible for costs to repair the fiber from the Municipal Building to the Wastewater Treatment Plant (main building), as soon as reasonably possible, or something to that affect. Hicks commented that Edge probably has their own test gear, but on the City's private side, if the County's circuit were to go out overnight, does the County have OTRs or test gear to verify it's not on the County's segment vs. the City's segment? Neumann responded, they don't. He said they would be depending on the City's service entity to provide service. Hicks asked if we have any contract with a company that does fiber repair and do they have specific fiber equipment to test it? Neuman stated, DigiCorp and Marquardt stated, probably WIN Fiber. Marquardt stated the City owns the fiber. Hicks stated this should be added to the Amendment and at some point, should come back to the committee for review. Hicks said it would be nice to have an agreement set up with WIN, or whomever to come in with test gear to verify where the problem is first. Then, you can determine who is going to take onus and responsibility of repairing the fiber.

Neumann will add these two requests from Hicks and will send the updated version to Marquardt to get on the agenda for the March 19, Council meeting.

Gerber recommended approval to the Amendment No. 1 to the Emergency Commutations Radio System Site Improvement and Use Agreement Between Walworth

County and the City of Whitewater to include all sections except for section D, which will include an Amendment to Council on March 19, 2024, and seconded by Hicks.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

3. Discussion and Possible Action regarding wastewater maintenance quotes for televising (CCTV), Cured in Place Pipe (CIPP) – Spot Repairs, and CIPP – Manhole to Manhole

Marquardt stated as part of our ongoing efforts in 2024, the Wastewater Utility will be contracting for several different services to maintain our sanitary sewer collection system. Those services include televising (CCTV), installation of cured in place pipe (CIPP) spot repairs, and CIPP manhole to manhole repairs. As in the past, quotes have been obtained from qualified contractors who have routinely provided quality services at the lowest per unit price. Of note, the cost per lineal foot has increased significantly from years past due to material availability, resin, and labor cost increases.

	Great Lakes TV Seal, Inc.	Aqualis (formerly Northern Pipe, Inc.)	Visu-Sewer
CCTV (41,143 ft.)	\$19,807.21	\$20,650.07	N/A
CIPP-Spot Repairs	N/A	\$16,000	\$17,750
CIPP- MH to MH (1,201 ft.)	N/A	N/A	\$54,945.75

- Wastewater will be conducting 41,143 feet of televising (CCTV) as part of a nine-year rotation for televising the collection system.
- Spot repairs (CIPP) will include six (6) sectional liners in four (4) lines.
- Additionally, 1,201 feet of 8” repairs will be done using cured in place pipe (CIPP).

These maintenance expenditures are funded annually through the Wastewater Utility Sanitary Sewer Repair/Replacement Fund (SRRF). This year’s amount of \$125,000 was allocated to maintain our sanitary infrastructure.

Based on the amount of work to be completed, the proposal is within the current market range. The total proposal cost is \$90,752.85.

Marquardt stated he is looking for a recommendation to move this item on to Council.

McCormick made a motion to recommend the sanitary collection system maintenance as follows: CCTV to Great Lakes TV Seal, Inc. for \$19,807.21, CIPP-Spot Repairs to Aqualis for \$16,000, and CIPP-MH to MH to Visu-Sewer for \$54,945.75 and seconded by Hicks.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

4. Discussion and Possible Action approving Responsibility Resolution for Urban Non-Point Source and Stormwater Construction Grant

Marquardt stated the City is applying for an Urban Nonpoint Source and Stormwater Construction Grant through the Wisconsin Department of Natural Resources. As part of the grant application, the City is required to pass a resolution which stipulates who at the City is authorized to submit the application and sign the necessary paperwork if a grant is awarded to the City.

The application is for the construction (in 2026) of an underground wet detention basin, located in Starin Park. The project is a collaborative effort between the City and the University of Whitewater, Wisconsin. Both entities will receive credit toward the TSS and Total Phosphorus removal for the DNR MS4 Permit.

This resolution is giving the City Manager the authority to sign future agreements, submit reimbursements, and address other items that are necessary.

The Park & Recreation Board approved the location of the underground basin at their November 15, 2023, meeting. Urban Forestry has also been informed as there are some trees that will need to be taken down.

There is no financial impact for submitting the application. If approved, the grant would be in the amount of \$150,000.

Gerber recommended a motion to recommend approval of the Construction Grant Resolution to full Council and seconded by McCormick.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

5. Discussion and Possible Action regarding Strand Associate's Scope of Services proposal for Lead Service Line Replacement

Marquardt stated this project involves replacing the lead service lines in the City, which consist of both public and private lines. Staff submitted an Intent to Apply to the DNR Safe Drinking Water Loan Program last fall in hopes of receiving money through a low interest loan, and the possibility of some of it being principal forgiveness. The City should find out next month if the project ranks high enough for the funding. If awarded, plans and specifications need to be submitted with the actual application due by June 30, 2024. The Scope of Services is the basis for a Task Order to be prepared. Due to timing, Strand was not able to put a Task Order together in time for tonight's Public Works meeting. If approved, a formal Task Order will be in place for the Council meeting. The Scope of Services is for the design of plans and specifications, and for bidding the project.

McCormick asked how many lead lines were in the City. Marquardt stated about 360. About half of these are on the public side and the other half on the private side.

Gerber asked how much money was in account 610. Marquardt said there is money set aside for design for contractual services. He stated 610 is the broad account for the utility. He said it's not coming out of the general account. The Water Utility will pay for this.

Marquardt stated eventually the City will be mandated to replace the lead lines. He said we are currently mandated to provide a list to the EPA by fall of 2024. The next step will be that the EPA puts out some kind of mandate on water utilities to replace lead lines. There is funding available now, so now is the time to get this project done.

Hicks made a motion to approve the lead service line replacements, seconded by McCormick.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

6. Discussion and Possible Action regarding sidewalk replacement costs and assessments to property owners under Chapter 12.22-Construction Standards Adopted

Marquardt stated The Public Works Committee has been reviewing Chapter 12.22, which relates to sidewalk repair and replacement. The existing Chapter indicates the Building Inspector is to be designated as the Sidewalk Administrator. Sidewalks are to be reviewed annually in one of the wards on a rotating basis. And according to the ordinance, the property owner is 100% responsible for the cost of repair or replacement.

A set of records from 2009 indicated the Neighborhood Service Director was the Sidewalk Administrator. These records indicated the property owners were only responsible for 25% of the repair/replacement. This adjustment may have been in response to a Special Assessment Resolution from 1996 where the Special Assessment Policy was updated. The Policy was again updated in 2015 where Council approved a Resolution where the City paid 100% for sidewalk repair/replacement, among other construction related items.

At the October 10, 2023, Public Works Committee meeting, the committee voted 2-1 to approve the updates to Chapter 12.22. This includes 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. The Council also asked for additional information pertaining to sidewalk cutting/grinding and the Sidewalk Utility policy in the City of Edgerton.

The estimated cost to remove and replace concrete sidewalk is \$10/sq. ft. One square of sidewalk at five feet by five feet would be 25 sq. ft or \$250. If the sidewalk has to be fully replaced across a 60-foot lot, the cost would be \$3,000. Under the current adopted Resolution, the property owner would pay \$0 in both examples. If the Chapter is adopted as attached, the property owner would pay \$125 or \$1,500 for the two examples provided. 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 included a map showing which streets have sidewalk on both sides, one side, or none at all. According to GIS, 21.8 miles of streets have sidewalk on both sides, 14 miles with sidewalk only on one side and 20.5 miles with no sidewalk. This indicates that roughly half of the properties in the City do not have sidewalk. Yet they benefit from being able to use the sidewalk while not having to maintain it. Also included was a sidewalk cost breakdown showing the difference between money spent on defective sidewalk versus curb ramps. Staff also tried to identify trip hazards and have shown a comparison cost between replacement and sidewalk cutting. The City of Edgerton uses a Sidewalk Utility to charge all property in the City a quarterly fee that is collected and used specifically on sidewalk installation and replacement. It went into effect in 2022.

Marquardt stated, at this point, the second reading of the ordinance, which states property owners would pay 50% of the replacement cost of sidewalks is on the agenda for the March 19, 2024, Council meeting. If the Council wishes they could vote down the second reading of the ordinance and direct staff to draft a first reading of the new utility sidewalk policy based on Edgerton's Sidewalk Utility Ordinance.

Gerber made a motion to reconsider the first reading of the sidewalk ordinance and not accept it. Rather, have a first ready brought forward for a new sidewalk ordinance based on the City of Edgerton's existing Sidewalk Ordinance, Chapter 366.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

FUTURE AGENDA ITEMS

Gerber requested the new Sidewalk Ordinance be brought back to the Public Works Committee again for review based on the City of Edgerton's existing Sidewalk Ordinance.

ADJOURNMENT

It was moved by McCormick and seconded by Gerber to adjourn the Public Works Committee meeting at 7:00 p.m.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

Respectfully submitted,

Alison Stoll

Alison Stoll, Administrative Assistant
Department of Public Works



To: City of Whitewater Common Council

From: Sara Marquardt, HR Manager

Date: April 16, 2024

Re: City GALA

During the Common Council meeting on September 19, 2023 regarding the City Manager’s Budget Goals, Council member Hicks requested that the previous City Manager’s goal of a City Gala be carried forward for the present City Manager. Discussion centered around a fancy City-wide/Community-wide event with invitations to the individuals serving on Boards, Committees, Commissions and Top Officials of the City. The goal of the event would be to recognize the volunteer contributions of the many individuals who play a role in the functioning of the City.

At the 2024 Comm Connect event, UW-Whitewater student Alyssa Ostrenga expressed interest to staff regarding an internship assisting with event planning. The City Gala was suggested as a perfect opportunity for Alyssa to gain valuable work experience in an area of interest for her. Alyssa will be speaking to Council regarding the vision, the planning and the timeline.



Council Agenda Item

Meeting Date:	April 16, 2024
Agenda Item:	Staff Update on the MOU with UWW
Staff Contact (name, email, phone):	Heather Boehm hboehm@whitewater-wi.gov 262-473-0102

BACKGROUND

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

At the April 4, 2024 Council meeting, UWW students and Council members asked for a location for the November 5, 2024 Presidential Election Polling place on Campus. Jeremiah and I met with Jan Bilgen on campus in the Hamilton Center and it was determined that the Hamilton Center will be sufficient and meet our needs for a polling place. I did forward a draft MOU to Legal but legal was out of the office the week of 4/8-4/12. Council also asked for cost to have all elections that are held during the school year on UWW Campus.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

The cost of labor, meals and supplies for one location (April 2024) was about \$10,000. For 2028 (next Presidential Election), holding 3 of the 4 elections on campus, just having August only at the Armory, would equal about \$70,000 total so about an additional \$30,000, without the purchase of new ballot machines. (I do not have a quote yet for 2 more DS-200s).

STAFF RECOMMENDATION

The recommendation would be during Presidential years- Spring Election and Presidential Pref., and General Election, on Campus as well as the Armory. During Gubernatorial years, the General Election, on Campus and the Armory. All others those years are only at Armory. Non-Presidential years and Non-Gubernatorial years, polling place would be Armory only.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

Wisvote printout of Presidential 2016 and Gubernatorial 2022 Polling places.
Wisvote printout of Non-Presidential 2023 and 2021 Polling places.

Presidential years and Gubernatorial i.e. 2016 and 2022

WISVOTE Election > Elections > 2016 General Election > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2016 General Election Election Date: 11/8/2016

Reporting Unit	Election Type	Jurisdiction	Polling Place Name	Election
1 Wards 1-2	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 General Election
3 Wards 3-4	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 General Election
5 Wards 5-6	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 General Election
7 Ward 7	General Election	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2016 General Election
8 Wards 8-9	General Election	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2016 General Election
10 Wards 10-11	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 General Election
12 Ward 12	General Election	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2016 General Election

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WISVOTE Election > Elections > 2016 Partisan Primary > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2016 Partisan Primary Election Date: 8/9/2016

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-2,7-8	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Partisan Primary
3	Wards 3-4,9	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Partisan Primary
5	Wards 5-6	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Partisan Primary
10	Wards 10-12	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Partisan Primary

WISVOTE Election > Elections > 2016 Spring Election... > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2016 Spring Election and Presidential Prefe... Election Date: 4/5/2016

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-2	Spring Election and ...	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Election ...
3	Wards 3-4	Spring Election and ...	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Election ...
5	Wards 5-6	Spring Election and ...	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Election ...
7	Wards 7-9	Spring Election and ...	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2016 Spring Election ...
10	Wards 10-11	Spring Election and ...	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Election ...
12	Ward 12	Spring Election and ...	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2016 Spring Election ...

WISVOTE Election > Elections > 2016 Spring Primary > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
2016 Spring Primary Election Date: 2/16/2016

CANDIDATES
ELECTION PLAN

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Ward 1-9	Spring Primary - Even	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Primary
10	Ward 10-12	Spring Primary - Even	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2016 Spring Primary

WISVOTE Election > Elections > 2022 General Election > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
2022 General Election Election Date: 11/8/2022

1	Wards 1-2	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 General Election
3	Wards 3-5	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 General Election
6	Wards 6-8	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 General Election
9	Wards 9-10	General Election	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2022 General Election
11	Wards 11-12	General Election	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 General Election
13	Ward 13	General Election	CITY OF WHITEWATER - MUL...	UWW UC HAMILTON ROOM	2022 General Election

WISVOTE Election > Elections > 2022 Partisan Primary > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
2022 Partisan Primary Election Date: 8/9/2022

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-3	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 Partisan Primary
4	Wards 4-5,9-10	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 Partisan Primary
6	Wards 6-8	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 Partisan Primary
11	Wards 11-13	Partisan Primary	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2022 Partisan Primary

WISVOTE Election > Elections > 2022 Spring Election > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2022 Spring Election Election Date: 4/5/2022

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-3	Spring Election - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Election
4	Wards 4-5,9-10	Spring Election - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Election
6	Wards 6-8	Spring Election - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Election
11	Wards 11-13	Spring Election - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Election

WISVOTE Election > Elections > 2022 Spring Primary > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES VOTE IN-PERSON CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2022 Spring Primary Election Date: 2/15/2022

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-10	Spring Primary - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Primary
11	Wards 11-13	Spring Primary - Even	CITY OF WHITEWATER - MUL..	DOWNTOWN ARMORY	2022 Spring Primary

Non-Presidential years- i.e. 2023 and 2021

WISVOTE Election > Elections > 2023 Spring Primary > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2023 Spring Primary Election Date: 2/21/2023

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-10	Spring Primary - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	
11	Wards 11-13	Spring Primary - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	

WISVOTE Election > Elections > 2023 Spring Election > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2023 Spring Election Election Date: 4/4/2023

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-3	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	
4	Wards 4-5,9-10	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	
6	Wards 6-8	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	
11	Wards 11-13	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	

WISVOTE Election > Elections > 2021 Spring Election > CITY OF WHITEWATER - MULTIPLE COUNTIES

SCAN VOTES CANCEL AUDIT HISTORY RUN REPORT

ELECTION : INFORMATION
 2021 Spring Election Election Date: 4/6/2021

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-2,7-8,13	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Election
3	Wards 3-4,9	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Election
5	Wards 5-6	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Election
10	Wards 10-12	Spring Election - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Election



ELECTION : INFORMATION
2021 Spring Primary

Election Date
2/16/2021

Reporting Units

Reporting Units

Reporting Unit...	Name ↑	Election Type	Jurisdiction	Polling Place Name	Election
1	Wards 1-9,13	Spring Primary - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Primary
10	Wards 10-12	Spring Primary - Odd	CITY OF WHITEWATER - MUL...	DOWNTOWN ARMORY	2021 Spring Primary



Council Agenda Item

Meeting Date:	April 16, 2024
Agenda Item:	Urban Boundary
Staff Contact (name, email, phone):	Brad Marquardt, bmarguardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

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

The City received a request from the Wisconsin Department of Transportation regarding updating the City’s Urban Area Boundary (UAB). Urban Area Boundaries are updated approximately every ten years following the release of decennial census data. Due to the new census numbers, local and regional developments, and new traffic count data, it is necessary to review the Whitewater Urban Area Boundary. Changes made to the attached Proposed Adjusted UAB include:

1. Adjusting the southern boundary from Willis Ray Road to north of Hwy 12 from Franklin Street to County Highway P.
2. Including a parcel of land on the east side of Howard Road that may annex into the City.
3. Including the airport area of Hang Glide Wisconsin.
4. Removing a small triangle piece of property adjacent to E. County Line Road in Jefferson County.
5. Adjusting the west boundary along US HWY 12 between W. Main Street (Business Hwy 12) and Walworth Avenue.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

The Public Works Committee reviewed the updated boundary at their April 9, 2024 meeting and forwarded a recommendation of approval to the Council.

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

Staff recommends a motion to approve the Whitewater Adjusted Urban Area Boundary and accompanying Resolution.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Urban Area Resolution
2. Urban Area Guidance
3. Whitewater Proposed Adjusted UAB

RESOLUTION APPROVING THE CITY OF WHITEWATER ADJUSTED URBAN AREA BOUNDARY

WHEREAS, the City of Whitewater was designated by the Governor of the State of Wisconsin for the purpose of carrying out cooperative, comprehensive, and continuing urban transportation planning in the City of Whitewater; and

WHEREAS, metropolitan transportation planning, including the establishment of adjusted urban area boundaries and metropolitan planning area boundaries, is required of metropolitan planning organizations by U.S. Department of Transportation regulations implementing Title 23, United States Code (Federal Aid Highway Acts) and Title 49, United States Code (Federal Transit Act, as amended); and

WHEREAS, the Federal Highway Administration allows states to adjust the census-defined urban area boundaries for planning and funding purposes; and

WHEREAS, the Wisconsin Department of Transportation, every 10 years following the release of decennial census data, lead a process to adjust Census-defined Urban Area Boundaries (UABs) within the state, in conjunction with the respective office of the Federal Highway Administration; and

WHEREAS, after review by local municipalities, the Wisconsin Department of Transportation, and the Federal Highway Administration, the proposed adjusted Urban Area Boundary has been found to be justified; and

WHEREAS, the Wisconsin Department of Transportation will, after local municipality approval of the boundary, submit the proposed adjusted urban area boundary to the respective FHWA division office;

NOW, THEREFORE, BE IT RESOLVED, that the City of Whitewater informs the Wisconsin Department of Transportation that the Adjusted Urban Area Boundary as reflected in the attached map is hereby approved and adopted.

Resolution introduced by Councilmember _____ who moved its adoption. Seconded by Councilmember _____

AYES: Councilmembers _____ NOES: _____ ABSENT: _____
ADOPTED: _____

John Weidl, City Manager

Heather Boehm, City Clerk



2020 Census: Urban Area Boundary Adjustments

- Part 1: Background and Process – Page 1
- Part 2: Technical Considerations – Page 7
- Part 3: Key Process Steps – Page 9

Part 1: Background and Process

This section includes information explaining Census-defined urban areas, release of urban area boundary data, and the process WisDOT uses for adjusting those urban area boundaries.

Urban Areas are defined by the US Census as individual municipalities or groups of nearby municipalities with a total population of 5,000 or higher. In the past, *urbanized area* was the term for urban areas with populations of 50,000 or higher; all Metropolitan Planning Organizations (MPOs) were urbanized areas. With the 2020 Census, the *urbanized area* category has been discontinued. Large urban areas, with populations of 50,000 and higher, are **MPOs**. All smaller urban areas, with populations of 5,000 to 49,999, are just **urban areas**. MPOs with populations of 200,000 and higher are federally designated as Transportation Management Areas (TMAs).

A. Census-Defined Urban Boundaries and Adjusted Urban Area Boundaries

The Urban Area Boundary (UAB) is important for transportation planning because it is a key factor for federal Surface Transportation Block Grant (STBG) funding eligibility.

WisDOT’s funding program for federal STBG funding is the State Transportation Program (STP). It divides STBG funds into STP-Urban and STP-Rural. The UAB is also a factor for Federal Highway Administration (FHWA) Highway Performance Monitoring System (HPMS) reporting.

Areas *within* the UAB are considered to be **Urban**. All functionally classified, non-local roads within an urban area are eligible for STP-Urban funding. Areas *outside* the UAB are considered to be **Rural**. Functionally classified roads (Major Collectors and higher) outside the UAB are eligible for STP-Rural funding. When a rural county highway continues across the UAB into an urban area; that urban portion is eligible for STBG/STP-Urban rather than STBG/STP-Rural funding. See [WisDOT's Local Program website](#) for additional information.

Functional Classification is a way to define and categorize the various roles that streets and highways play in serving the state’s varied transportation needs. Arterial, Collector, and Local classifications categorize roads based on the amount and types of traffic the roads carry, characteristics of the roadways, land uses in the vicinity of the roadways, and the development and population density of the surrounding area.



Also, the approval process is different for urban and rural areas. Approval for changes in an urban area are carried out by the municipal board or elected official; approval in rural areas is under jurisdiction of the county board.

The criteria used by the US Census Bureau for defining urban areas do not align well with transportation planning needs. Census-defined urban areas often do not correspond to known geographic or municipal boundaries and can be irregularly shaped. For this reason, FHWA allows states to adjust the Census-defined urban boundaries in creating the official urban boundary for planning and funding purposes.

Adjustment of these boundaries allows states and MPOs to smooth out the irregularities, ensure administrative continuity, and encompass fringe areas with residential, commercial, industrial, recreational, and/or national defense significance. Adjusting Census-defined Urban boundaries facilitates planning and programming by creating urban boundaries more appropriate for these purposes. The Adjusted UAB becomes the official Urban Area Boundary after it has been approved by FHWA.

The Urban Area Boundary (UAB) should not be confused with the municipal or corporate boundary of a city, village, or town. These **CVT boundaries** are used for some transportation planning purposes but they do not affect eligibility for federal STBG funding.

WisDOT’s deadline for approval of adjusted Urban Area Boundaries is June 30, 2024. This provides a window of approximately 18 months to complete all review, adjustment, and approval of all UA boundaries, including bi-state MPOs. While FHWA has extended their deadline to April 2025, WisDOT will keep the June 2024 deadline. For any adjusted Urban Area Boundaries not approved by the 2025 deadline, the official urban area boundary will default to the Census-defined urban boundary. This outcome is not an acceptable option; WisDOT will review and work with local officials to adjust and approve every Urban Area Boundary in the state.

B. Initial Preparation

Prior to the release of Census 2020 Urban Area Boundary data—expected late in CY 2022—WisDOT-BPED will hold an informational meeting with DTSD Region Planners to explain the boundary update and approval process, including communication with local governments, and timeline for completion. Then, before or shortly after the Census release of UA Boundary data, BPED and the Region staff will hold individual meetings with MPO staff to discuss the boundary adjustment process and answer any questions before the process gets underway. This advance discussion will hopefully minimize numerous iterations of boundary adjustments and back-and-forth communication during the process.

C. Current Urban Area Boundary and Census-Defined Boundary Overlay Map

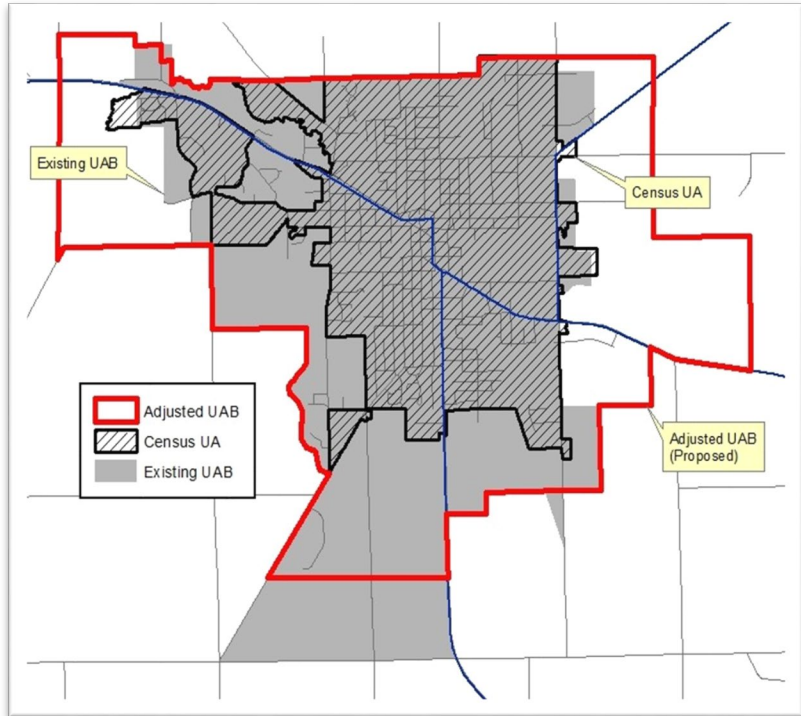
BPED will begin the Urban Area Boundary review and adjustment process. Using Geographic Information Systems (GIS), BPED will overlay the 2020 Census-defined urban boundary on the existing

UA boundary, with the changes highlighted. BPED will then coordinate with the MPOs, other Urban Areas, and respective WisDOT Region staff to create the initial proposed boundary adjustments for each Urban Area.

D. Proposed Urban Area Boundary Adjustments

For the MPOs, BPED will send the initial overlay map to the MPO contact(s), who will then draft the initial adjusted UA boundary map and send it to Region staff, BPED staff, and FHWA staff for review.

For all other urban areas, in addition to the overlay map, BPED will also develop the initial proposed boundary adjustments. and send that map to Region staff and FHWA before to reach concurrence on adjustments. BPED will then send the adjusted UA boundary map to local officials for review and approval. BPED and Region staff will concur on the final proposed adjusted boundary map. For additional information on this process, see WisDOT’s [Functional Classification and Boundary Approval Policy](#).



MPOs: The MPO Director or appropriate staff will coordinate review and approval by their Technical Advisory and/or Policy Board. BPED will coordinate with the MPO Liaison, Region Planner, and FHWA throughout the boundary adjustment development and approval processes.

Other urban areas: WisDOT Region staff will coordinate communication with the urban areas in their respective region. They will initiate contact with the Municipal Clerk or other elected official (e.g., city planner, public works director, mayor, etc.) to explain the process and timeline for completion. This local official will coordinate the boundary map review and approval by the local board, transportation committee, or designated Urban Area committee.

Region staff will coordinate with BPED as needed during the local review and approval process to address any questions or concerns that arise.

Newly-Defined Urban Areas: If there are any “new” census-defined urban areas—populated places that did not meet the criteria for urban definition in 2010—they will switch from being rural places to



urban places. Thus, their STBG/STP funding eligibility will change from rural to urban. As a result, the pool of potential funding recipients will change, and with it, the project prioritization factors used to consider and submit projects for STBG/STP funding.

For these newly defined Urban Areas, it is recommended that the Region staff meet with local official(s) (including BPED staff, if desired) to introduce them to the Urban Area concept and what it means for the community—primarily a change in federal funding source and consequent ramifications—as well as an overview of the process and timeline. WisDOT will use the same criteria and analysis for adjusting newly-designated urban area boundaries as are used for pre-existing urban areas. A pre-meeting may be beneficial for any other existing urban areas, too. Region staff will likely make this determination, but BPED also may come across a situation that might benefit from a pre-boundary adjustment meeting with the municipality.

Bi-state MPOs: WisDOT will propose adjustments for the Wisconsin portion of the MPO, through coordination with the DTSD Region Planner and MPO Director or delegated MPO staff person who, in turn, will coordinate closely with the neighboring state on the urban area boundary adjustments in that state. The bi-state MPOs in Wisconsin are:

- Duluth-Superior MPO (MN)
- La Crosse-La Crescent MPO (MN)
- Dubuque MPO (IA)
- Beloit-South Beloit MPO (IL)
- Round Lake Beach TMA (SEWRPC and CMAP (IL) MPOs)
- Metropolitan Council TMA (MN)

E. Review and Approval by MPO/UA Officials

For the MPOs, the MPO policy board reviews the proposed boundary adjustments, can ask questions and suggest changes to WisDOT, and upon concurrence with WisDOT, votes to approve the proposed UA boundary.

For the other urban areas, the municipal clerk—or other local elected official—receives the proposed UA Boundary map and presents it to the appropriate governing body (municipal board/committee) for review and approval. See WisDOT's [Functional Classification and Boundary Approval Policy](#).

If there are questions, or recommendations for changes to the proposed map, the local official should contact the Region Planner who then contacts BPED to discuss them and concur on any changes. BPED will send the revised map back to the Region Planner to send (or present to) the MPO/Local officials. This iterative process continues until all parties concur on the final proposed UA boundary map. The MPO/Local officials approve the proposed UA map and send documentation of approval to the Region Planner who forwards it to BPED.

BPED finalizes the proposed UA map and prepares documentation for internal approval.



F. Governor/WisDOT Secretary Approval

Federal Law (23 USC 101) states that State and local officials are responsible for approval of urban area boundaries. In Wisconsin, the Governor delegates state approval authority for adjusted Urban Area Boundaries to the State Transportation Secretary. WisDOT will send the proposed UA Boundary map to the WisDOT Secretary for approval/signature. Record of the approval is included with the proposed map.

First in the approval process, the MPOs and other urban areas will pass a resolution approving the adjusted UA boundary and send it to WisDOT-BPED. In the event that passage of a formal resolution is not possible in timely manner, passage of a motion to approve the changes and documented in the meeting minutes, is acceptable. Next, BPED will forward the adjusted boundary map to the WisDOT Secretary for written approval. Finally, BPED will send the map, along with both approval documents, in a submittal packet to FHWA-Wisconsin.

The Census-defined Urban Area—not the adjusted Urban Area—is used to determine the population of the Urban Area. This is a factor for urban areas just under the 50,000 population threshold for MPO designation or the 200,000 threshold for TMA designation.

G. FHWA Approval

Upon receipt of the adjusted UA Boundary map and approval documentation from BPED, FHWA will send a letter to WisDOT approving the adjusted boundary map.

H. Final UA Boundary Maps

Once FHWA has approved the adjusted UA boundary, it becomes official, Urban Area Boundary. Upon receipt of the final approval from FHWA-Wisconsin, BPED will add the approval dates to the final UAB maps and posts them on its [website](#). The description of urban areas and UA boundaries on the website will be updated to align with the new urban definitions created from the 2020 Census.

An **outline** of key steps in the UA boundary adjustment process is included at the end of this document.

I. Metropolitan Planning Area (MPA) Boundaries

Federal Regulations governing Metropolitan Planning Area Boundaries are found in 23 CFR 450.312. Whereas the UA boundary typically defines the area of potential growth of the community over 10 years, the MPA boundary typically extends beyond that to encompass the area of expected urbanization of the metropolitan planning area 20 years into the future.

Transportation projects that fall within the MPA boundary are included in the MPO's Transportation Improvement Program (TIP).

The area between the approved Urban Area (UA) boundary and the Metropolitan Planning Area (MPA) boundary is considered **rural** for functional classification and funding purposes.

The MPA boundary is used by the federal government as the delineation between jurisdictions of adjoining MPOs.

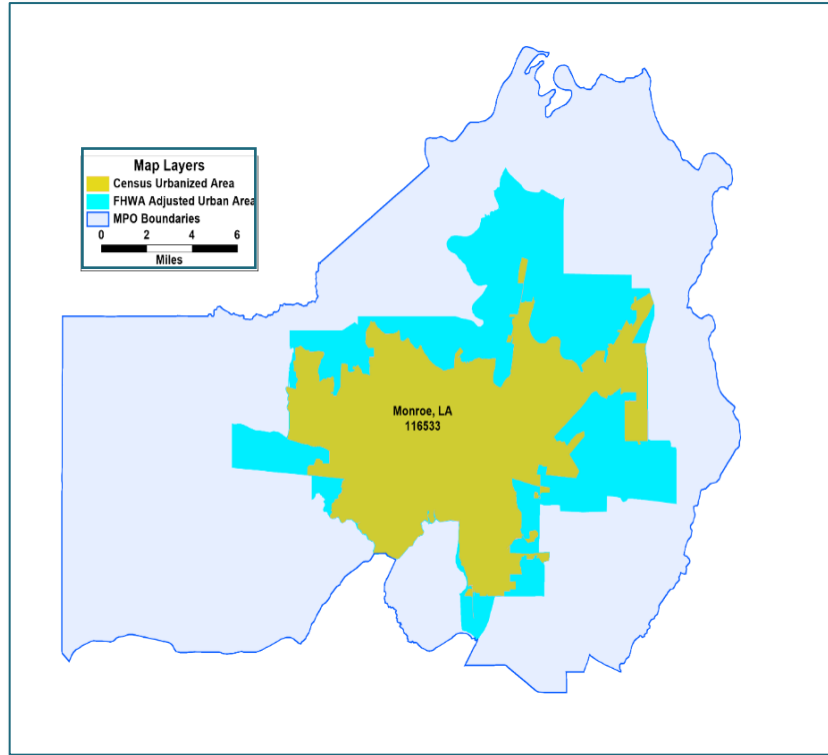
GUIDANCE DOCUMENT

The MPA boundary must include the entire area encompassed by the adjusted UAB. The MPA boundary usually extends beyond the UAB but can coincide with it, depending on the land use, transportation network, and anticipated growth and development in the areas adjacent to or very near the UA (as shown in the example to the right).

MPOs typically update and finalize their MPA boundaries after the adjusted UA boundary has been approved, although review and consideration of the MPA boundary may occur simultaneously with the urban area boundary adjustment process described above.

The final MPA boundary decisions belong to the MPO; WisDOT has more of an advisory role with regard to the location of the MPA boundary. However, as with WisDOT approval of the Adjusted Urban Area

Boundary, the MPA boundary/map has to be signed off by Department Secretary (as the designee of the Governor) and submitted to FHWA. FHWA acknowledges receipt of the MPA boundary but does not have approval responsibility and therefore does not sign off on the MPA boundary/map.



This guidance will be reviewed and may be revised after the US Census Bureau has released the urban area data, or after the urban boundary review and adjustment process has begun, to make sure it appropriately addresses any previously unanticipated situations. BPED will clarify the current information and provide additional guidance that may be helpful.



Part 2: Technical Considerations

This section comprises the various technical considerations and recommendations—the “rules”—for making adjustments to the Census-defined Urban Area Boundary (UAB).

- 1. The adjusted boundary must include all of the Census-defined boundary.** The adjusted UAB can be concurrent with, or outside of, the Census-defined boundary but *cannot be inside it*.
- 2. The adjusted boundary must include only one Census-defined Urban Area.** This is a one-to-one relationship. The adjusted UAB cannot include two or more Census-defined Urban Areas.
- 3. The adjusted boundary should encompass one contiguous area.** If the Census-defined boundary has resulted in a non-contiguous, disconnected portion of the urban area, the adjusted boundary can be expanded to include this area, creating a contiguous urban area.
- 4. Include within the adjusted boundary areas expected to be developed in the next 10 years.** Because the urban boundary adjustment process occurs only once every ten years, include areas that are likely to experience growth and development during the upcoming ten year window—areas which might be included in the next census boundary definition.
- 5. Eliminate inaccurate, unreasonable, or vaguely apparent boundaries.** Use physical features (e.g., roads, rivers, parcel/property lines, water bodies/shorelines) to define the urban area. The availability of maps and satellite imagery through Google, Bing, USGS (US Geological Survey), and NAIP (National Agriculture Imagery Program) has made it relatively easy to see physical features, roads, residential and commercial developments, and other land uses in considering prudent boundary adjustments.
- 6. Adjust portions of the Census-defined boundary that do not follow a recognizable feature.** When the Census-defined boundary results in an irregular dip or bump-out that does not follow a physical, land use, or roadway feature, and has no apparent relationship to the urban area, smooth out this portion of the boundary using a clearly-definable feature as previously discussed.
- 7. Include all of an incorporated city or village.** If the Census boundary includes part of an incorporated community, include all of the community to avoid the situation where a city or village has both urban and rural portions. Funding eligibility is a key consideration here; it is recommended to have all roads within an urban community be eligible for STP-Urban funding, rather having some roads eligible for STP-Urban funds and others eligible for STP-Rural funds. However, these decisions should take into account recent annexations and extraterritorial zoning areas, as well as potential rural versus urban funding implications. In some cases, a rural portion could stay separate from the adjusted urban area (remain outside the adjusted boundary), but only with compelling justification.



This rule also applies to unincorporated developed areas—commercial, industrial, residential, institutional, etc.—*near* an urban area. If the Census-defined boundary cuts through one of these developments, it is recommended to adjust the boundary to include the entire developed area.

8. **Include typically urban land uses within the urban area boundary.** These are generators *other than* commercial, industrial, and residential uses. These include transit service routes such as bus lines and passenger terminals, as well as golf courses, airports, athletic fields, and ferry terminals, for example, even though these types of land uses can be located in rural locations, too.
9. **Ensure that the adjusted boundary includes or excludes all roads that run concurrent with the boundary.** Do not create or perpetuate a situation where some 'border roads' are within the urban area and others are outside the urban area, or where a single roadway has one or more segments inside and one or more segments outside the boundary. The UAB should be adjusted to include all border roads. Again, funding eligibility is a consideration. Note: Adjusting the boundary to *exclude* all 'border roads' is only possible in cases where the *Census-defined boundary does not include any portions of those border roads*. As mentioned at the beginning of this section, adjusting the urban area boundary *inside* of the Census-defined boundary is not permitted. Thus, in such cases, the only option is to adjust the UAB outward to include all border roads.
10. **Include an entire interchange either inside or outside the urban area boundary.** Often, interchanges exist on 'border roads' as described above. In such cases, make sure that the UAB is adjusted to include the entire interchange within the boundary, not just some of the ramps or auxiliary lanes. As is the case with roads, it might not be possible to adjust the boundary to *exclude* the entire interchange because the Census-defined urban boundary cannot be adjusted inward. Thus, if the Census-defined boundary cuts through the interchange, the only option is to adjust the boundary outward to include all interchange roads and ramps.
11. **Consider the functional classification of roads near the urban boundary.** Roadway Functional Classification and urban boundary placement are closely related. See WisDOT's [Functional Classification Criteria and Procedures](#) for detailed information. Functional classification review begins after the boundary adjustment process concludes; therefore, it is important to consider existing classified and unclassified roads, as well as planned roadways near the UAB when considering boundary adjustments, especially within the context of land use, spacing, and continuity. Functional classification issues should not be the primary factor in determining if and where to adjust an urban boundary, but rather, considered alongside the boundary adjustment criteria above.



Part 3: Overview of Process Steps*

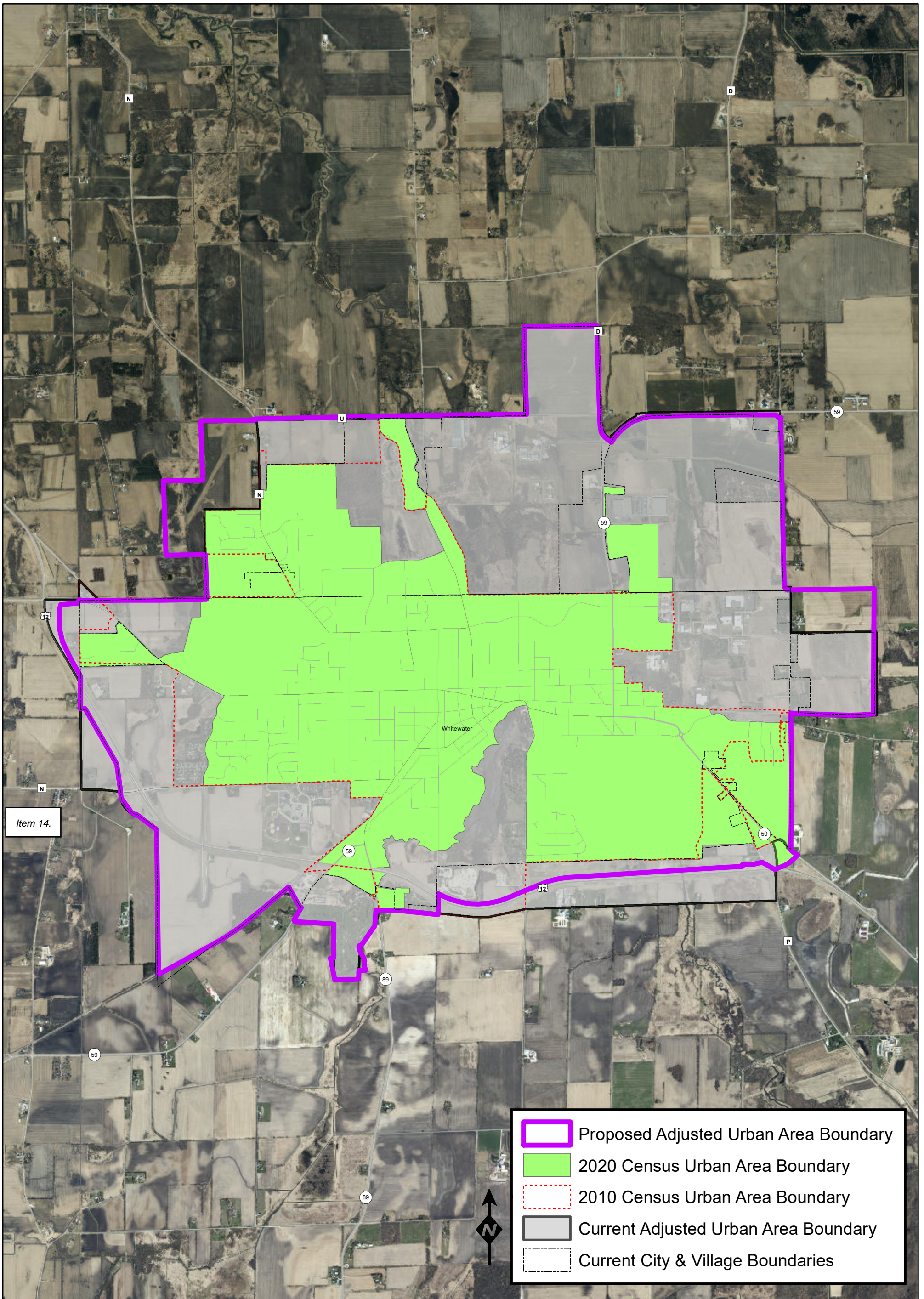
1. US Census releases Urban Area (UA) Boundary data (shape files)
2. BPED creates initial UA maps showing:
 - Previous adjusted UA boundary
 - Current Census-defined UA boundary
 - Differences between the two boundaries highlighted
- 3a. BPED sends initial individual overlay map to each **MPO** (UA w/population = 50,000+)
 - Coordinate initial proposed boundary adjustments with MPO, Region, and FHWA via virtual meeting(s), as often as needed
 - Inform (cc: on communication) Planning Section MPO Liaisons
 - BPED reaches concurrence with MPO and respective Region and create final proposed adjusted UA boundary map
 - MPO (Transportation Advisory Committee and/or Policy Board) reviews proposed adjusted UA boundaries
 - MPO Policy Board approves adjusted UA boundary map
- 3b. BPED sends draft individual adjusted UA map to the other **UAs** (population = 5,000 to 49,999)
 - Coordinate with Region staff and FHWA on initial proposed boundary adjustments
 - Region sends initial communication to Municipal Clerk (or other official) for UAs in their region
 - For new UAs, Region schedules (virtual) meetings to explain the concept/process
 - Affected City/Village boards, designated Urban Area committee, or elected official(s) review proposed adjusted UA boundaries
 - BPED discusses comments/suggestions from municipality with Region (and respective local officials if warranted) and makes any revisions to draft UA map.
 - Affected City/Village boards or designated Urban Area committee reviews and approves proposed adjusted UA boundaries
4. Upon receipt of approval/concurrence from MPOs and other UAs, WisDOT sends maps to SO (as Governor's designee) for approval
5. Upon receipt of approved maps from SO, BPED sends approval packet to FHWA for approval
6. Upon receipt of approval letter from FHWA, BPED creates final UAB maps and posts on WisDOT's internet site
7. Deadline for approval of all adjusted UA Boundary maps is June 30, 2024

* Steps 3a and 3b can occur simultaneously.

Whitewater Urban Area

(Adjusted Urban Area Boundary)

DRAFT





Council Agenda Item

Meeting Date: April 16, 2024

Agenda Item: Council Special Meeting/Retreat

Staff Contact (name, email, phone): Sara Marquardt, smarquardt@whitewater-wi.gov, 262-473-1387

BACKGROUND

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

During the Common Council meeting on February 20, 2024, Council set a special meeting to discuss potential changes to the Good Governance Manual. The Special Meeting was approved for May 28, 2024 at 6:30 p.m.

Additionally, during the Common Council meeting on February 6, 2024, Council approved the concept of a Council retreat to be held in approximately mid-May to discuss topics such as effective communication, conflict resolution, strategic planning and Council goals.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

FINANCIAL IMPACT

(If none, state N/A)

None

STAFF RECOMMENDATION

Staff is seeking feedback regarding the agenda for the May 28, 2024 meeting and/or whether Council wishes to have an additional retreat or combine the meetings into one. Additionally, if the feedback indicates a combined meeting, staff would appreciate information on retreat agenda items.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A



Office of the City Manager
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

MEMORANDUM

www.whitewater-wi.gov
Telephone: (262) 473-0104
Fax: (262) 222-5901

To: Common Council
From: John Weidl, City Manager
Date: April 9, 2024
Re: Board and Commission Vacancies

As a result of the recent election and the establishment of a new governing body, there are now several vacancies on various Boards, Commissions, and Committees within our city. In order to efficiently address these vacancies and ensure the effective functioning of our local government.

Attached to this memo, you will find a spreadsheet detailing all current Boards and Commissions along with their respective vacancies. I encourage you to thoroughly review this document and come prepared to discuss any vacancies that you are interested in filling at our upcoming Common Council meeting.

It is important to note that appointments for the Board of Review are governed by ordinance 2.60.010 Membership, which stipulates that the board shall consist of five members. These members include the city manager, the city clerk (in a nonvoting capacity), and city council members who are serving the second year of their city council term. These individuals cannot be removed from the B.O.R. per ordinance.

Warm regards,

A handwritten signature in black ink that reads "John S. Weidl".

John S. Weidl, City Manager

JSW/RLM

<i>Board / Commission</i>	<i>No. Openings</i>	<i>Council Incumbent</i>	<i>Hicks</i>	<i>Dawsey-Smith</i>	<i>Brown</i>	<i>Marjczak</i>	<i>Smith</i>	<i>Schanen</i>	<i>Singer</i>	<i>Comments</i>
Alcohol Licensing Comm	3	Dawsey-Smith, Hicks								
Board of Review	3	Brown, Singer, Hicks, Dawsey-Smith								
CDA	2	Singer								
Community Involvement and Cable TV Commission	1	Brown								
Equal Opportunities Commission	2	Brown								
Finance Committee	3	Dawsey-Smith, Hicks								
Landmarks Commission	1	vacant								
Library Board	1	Brown								
Parks & Recreation Board	1	Brown								
Plan Commission	1 reg 1 alt	Hicks, Brown								
Public Works Committee	3	Hicks								
Technology Park Board	1	Dawsey-Smith								

4/9/24- RLM



Office of the City Manager
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

MEMORANDUM

www.whitewater-wi.gov
Telephone: (262) 473-0104
Fax: (262) 222-5901

To: Common Council
From: John Weidl, City Manager
Date: 4/9/2024
Re: Timeline for Judicial Appointment Process, Special Meeting Consideration, and Compliance with State Statutes

Please see the attached resignation from Judge Patrick Taylor and corresponding email. In anticipation of the upcoming vacancy resulting from Judge Taylor's departure, the City Manager's Office presents a timeline for the appointment process. This schedule is designed to ensure the seamless integration of the new appointee with the outgoing judge, facilitating an effective onboarding period before June.

Timeline Overview

- Application Period Closure: The period for accepting applications for the judicial vacancy is recommended to conclude on April 30, 2024. This deadline is set to provide ample opportunity for qualified candidates to present their applications, thereby ensuring a diverse and competitive selection pool.

- Applicant Vetting Session: It is recommended that the Common Council schedules a session to vet the applicants at the first meeting in May, which falls on May 7, 2024. This session will enable a comprehensive review and assessment of the candidates, paving the way for a well-informed appointment decision.

Special Meeting Consideration

Should the Common Council deem it beneficial to expedite this timeline, the option to call a special meeting is available. Accelerating the appointment process could facilitate the newly appointed judge's attendance at the upcoming New Municipal Judge Orientation hosted by the Wisconsin Judicial Education division of the Director of State Court's Office. This orientation, scheduled for May 7-10, 2024, in Appleton, is an invaluable resource for newly elected municipal judges. The City of Whitewater's prompt identification and appointment of the new judge could significantly benefit from this educational opportunity, ensuring a well-prepared judiciary to serve our community.

State Statutes Compliance

Pursuant to Wisconsin Statute section 800.06(3), in the event of a permanent vacancy in the office of municipal judge, the Chief Judge of the Judicial Administrative District may designate another municipal judge to perform the duties of the office until the municipal governing body fills the vacancy by temporary appointment under s. 8.50(4)(fm). This power of appointment by the Chief Judge is limited to 90 days under a policy adopted by the Committee of Chief Judges.

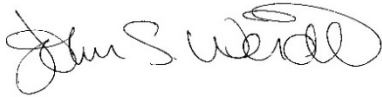
Further, Section 8.50(4)(fm) states that the office shall then be permanently filled by a special election, with the elected individual serving for the remainder of the unexpired term.

Special Election Consideration

The City Manager's Office seeks a decision from the Common Council regarding the scheduling of a special election for the municipal judge. Aligning the special election with the already scheduled November election could provide a streamlined process for the electorate. It is important to note that the winner of the special election will serve out the remainder of the original term that expires in May 2027.

The outlined timeline, considerations for a special meeting, compliance with state statutes, and the special election process are crafted to ensure the continuity and integrity of the judicial process within the City of Whitewater. The City Manager's Office appreciates the Council's cooperation in this critical appointment process and is prepared to assist in any capacity deemed necessary by the Council.

Warmest Regards,

A handwritten signature in black ink, appearing to read "John S. Weidl". The signature is fluid and cursive, with a large loop at the end.

John S. Weidl, City Manager



Patrick Taylor
Whitewater Municipal Judge
P.O. Box 690
Whitewater, WI 53190

PHONE: (262) 473-1384
FAX: (262) 222-5903
Email: petaylor.law@gmail.com
WEBSITE: www.whitewater-wi.gov

Monday, April 01, 2024

John Weidl
City Manager
City of Whitewater

Dear City of Whitewater,

It is with sadness but profound gratitude that after five years I must resign my position as Whitewater Municipal Judge effective June 1, 2024. My wonderful and talented wife Grace Crickette has taken a position as vice president of her alma mater, the University of Redlands in California, and I must follow her there.

Many thanks to my staff, Beatriz Aranda and Mike Ciardo, for their support and guidance. I am also grateful for the participation of WUSD high school and middle school administrators who wholeheartedly accepted my invitation to be active participants, as well as Walworth County Health and Human Services professionals who provide needed services beyond the significant capacities of the schools. It was also a privilege to work with the city attorney and witness the professionalism of the WPD as few people can.

Preparation, understanding, impartiality, and creative resolutions are among the keys to successfully administering community justice and are prerequisites to steering lives onto a more constructive path. To my successor I would suggest adopting this philosophy and an inclusive 360-degree approach, and never underestimate the positive effect you can make. I will be available to assist as needed.

Above all, I am exceptionally grateful to this community filled with kind, thoughtful and generous people. It has been an honor and privilege to serve you.

Patrick E. Taylor
Judge, City of Whitewater

From: [Patrick Taylor](#)
To: [Sara Marquardt](#)
Cc: [John Weidl](#); [JonathanMcDonell](#); [Bea Aranda](#)
Subject: Whitewater Municipal Court
Date: Wednesday, March 27, 2024 1:55:35 PM

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.

Hello Sara. I hope all is well. I'd like to make clear some things about the operation of the municipal court, court hiring and the impending judicial vacancy. I am including the city manager and the city attorney for any input they may have.

Municipal courts are governed by an entire chapter of Wisconsin Statutes, Chapter 755. Section 755.01(1) states that “[a] municipal court created under this subsection is a **coequal branch** [not department] of municipal government, subject to the superintending authority of the supreme court, through the chief judge of the judicial administrative district.” The court does not answer to the city manager or to the council, but to the supreme court and the citizens of Whitewater. In other words, in this regard, the municipal court is no different than any state or federal court.

The municipal court is not only a separate and co-equal branch of government, but the municipal judge is exclusively entrusted with setting the court's own hours and court dates. Wisconsin Statute 755.06 governs sessions of court. It states that “The municipal court shall be open daily or as determined by the judge and approved by the governing body.” The city council previously decided that “The municipal court for the city shall be open as determined by order of the municipal judge.” Whitewater City Ordinance 2.36.070.

The municipal judge is also exclusively entrusted with supervision of court personnel. This is specifically granted to the municipal judge in Wisconsin Statutes Chapter 755. The judge may appoint personnel that “are authorized by the council or board.” Wis. Stat. 755.10(1). “[T]he **hiring**, termination, hours of employment, and work responsibilities of the court personnel, when working during hours assigned to the court, shall be under the judge's authority. Their salaries shall be fixed by the council or board.” Id. The council has approved both a part time clerk and part time bailiff. Therefore, both these positions are hired and supervised by the judge.

As you know, Sgt. Ciardo (ret.) is retiring as bailiff and Capt. Gempler (ret.) has expressed an interest in filling this position. By the authority conveyed to me by the legislature of the state of Wisconsin, please make arrangements for Capt. Gempler (ret.) to begin work as soon as possible following Sgt. Ciardo's last day.

As I have discussed with John and others, my wife has taken a position in California and I must join her there. I am finalizing a formal resignation letter that I plan to submit to John by the end of this week. The effective date will be June 1, 2024. The procedure to fill the position is clear.

Wisconsin Statute section 800.06(3) states: “. . . if there is a permanent vacancy in the office of municipal judge, the chief judge of the judicial administrative district may designate

another municipal judge to perform the duties of the office until the municipal governing body fills the vacancy by temporary appointment under s. 8.50 (4) (fm). The municipal judge designated under this subsection may exercise all of the authority of the municipal court to which he or she is assigned." This power of appointment is limited to 90 days under a policy adopted by the Committee of Chief Judges.

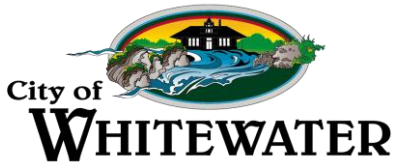
Section 8.50(4)(fm) states "A permanent vacancy in the office of municipal judge may be filled by temporary appointment of the municipal governing body The office shall then be permanently filled by special election. A person so elected shall serve for the residue of the unexpired term."

Therefore, commencing June 2, the Chief Judge of the district (for up to 90 days) and the council may appoint an interim municipal judge until a special election is held. Following the special election the voters decide who will fill the position until the conclusion of my term in May 2027.

I trust this answers any questions you may have. If not, please feel free to contact me.

Regards,

Patrick Taylor
Judge, City of Whitewater
925.323.5070



Office of the City Manager
312 W. Whitewater Street, P.O. Box 178
Whitewater, Wisconsin 53190

MEMORANDUM

www.whitewater-wi.gov
Telephone: (262) 473-0104
Fax: (262) 222-5901

To: Common Council
From: John Weidl, City Manager
Date: April 9, 2024
Re: Requirement to be a 3rd class city

During the recent election, concerns were raised regarding the number of signatures required for a candidate to get on the ballot. In light of this confusion, I have directed our City Attorney, Jonathan McDonell, to investigate the steps necessary to change our city's status from a 4th class to a 3rd class.

Attached to this memo, you will find a detailed report from Jonathan McDonell outlining the process of transitioning from a 4th class to a 3rd class city. Jonathan has provided thorough guidance on the legal and procedural aspects involved in making this transition.

Warm regards,

A handwritten signature in black ink that reads "John S. Weidl".

John S. Weidl, City Manager

JSW/RLM

City of Whitewater Memorandum

To: Common Council & Staff
From: Attorney Jonathan K. McDonell
Date: March 25, 2024
Re: In re: Change in City Classification for the City of Whitewater

As per Wisconsin law, cities are divided into four classes for governmental administration and exercise of corporate power based on population, determined by the federal decennial census or special interim census. The current classification of the City of Whitewater is a fourth-class City. The City of Whitewater could meet the criteria to be classified as a third-class city if the following conditions are met:

A city transitions from one class to another only when the following conditions are met:

1. A federal census demonstrates that the city's population has reached the required threshold for the desired class.
2. Provisions for any necessary changes in government have been properly made.
3. A proclamation by the mayor (manager), declaring the change, has been published under ch. 985, Sec. 62.05(2), Stats.

The classifications and corresponding population thresholds are as follows:

- Cities of 150,000 population and over: First Class
- Cities of 39,000 and less than 150,000 population: Second Class
- Cities of 10,000 and less than 39,000 population: Third Class
- Cities of less than 10,000 population: Fourth Class

Additionally, it's important to note that statutory references to a particular class of city under s. 62.05(1) do not automatically include cities with a population eligible for that class unless the city has completed the necessary actions to transition into that class under s. 62.05(2). Library boards in fourth class cities consist of seven members while library boards in cities of the second or third class consist of nine members.

Moreover, specific regulations and requirements vary based on the class of the city. For instance, fourth-class cities have extraterritorial zoning and plat approval jurisdiction for one and one-half miles beyond their corporate boundaries as contrasted with three miles for other classes of cities. Wis. Stat. secs. 62.23(7a)(a) and 236.02(s). Wis. Stat. secs. 62.13(11a) requires all but fourth-class cities to split firefighters into two or more platoons and Wis. Stat. Sec 213.13 requires minimum hours of rest for firefighters based on classification of city.

Furthermore, Wis. Stat. s. 145.05 outlines different appointment requirements for plumbing supervisors based on the city's class. The common council of a 1st, 2nd or 3rd class city with a water system or sewerage system, or the officer or board in charge, shall appoint one or more plumbing supervisors, who shall be licensed plumbers, and unless under civil service shall serve for a term of 4 years or more.



Council Agenda Item

Meeting Date:	April 10, 2024
Agenda Item:	Judges for Whitewater WindUp
Staff Contact (name, email, phone):	Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-0149

BACKGROUND

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

The Whitewater WindUp is competitive business plan competition sponsored by the CDA. 25 contestants have entered in hopes to win the competition and the grand prize. The grand prize is one year's of rent in a storefront in Whitewater and any additional built ins that are needed for that business. The contestants have attended a series of workshops covering finances, marketing, business basics and how to create a final pitch deck. All contestants must take the skills that they learned and turn into a video explaining to community members about why they should vote for their business. Once the video is completed contestant can upload their video to the Whitewater WindUp App. The community can vote for their favorite business via the app. After the community voting has closed, the finalist will face a panel of judges. We are looking for a Common Council representative to serve as judge. The finale is May 18th is 9 AM to Noon at the Innovation Center. We are asking the judges be there at 8:30 AM.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

N/A

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

A Common Council member be appointed to as a judge.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

N/A



Council Agenda Item

Meeting Date: April 16, 2024

Agenda Item: Strand Task Order 24-05

Staff Contact (name, email, phone): Brad Marquardt, bmarquardt@whitewater-wi.gov, 262-473-0139

BACKGROUND

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

The City has awarded five contracts (Ann-Fremont Street Reconstruction, Forest Street Reconstruction, Fremont Street Reconstruction and Paving, Walworth Avenue Storm Sewer, and 2024 Street Maintenance) all of which will require some level of construction administration services. This Task Order would serve all five projects. Services include staking, construction inspection, pay requests reviews, and record drawings. Strand is proposing to have one representative onsite full time from May until the end of September, and part time from the middle of April to May and from the end of September to the end of October. A second representative is planned to be onsite full time for a period of 8 weeks when it is possible for multiple projects to be ongoing.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

All five projects were included in the 2024 budget approved by Council in November 2023. Contracts 1-2024 through 5-2024 were all awarded in February and March of 2024 by Council. The Public Works Committee recommend approval to the full Council at their April 9, 2024 meeting.

FINANCIAL IMPACT

(If none, state N/A)

The estimated fee, is \$348,000. Monies for construction administration were included within the budgeted amount for each respective project. The costs are further split between the Water Utility, Wastewater Utility, Stormwater Utility and General Fund.

STAFF RECOMMENDATION

Staff recommends a motion to approve Strand Task Order 24-05.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Strand Task Order 24-05



Strand Associates, Inc.®
910 West Wingra Drive
Madison, WI 53715
(P) 608 251 4843
www.strand.com

Task Order No. 24-05
City of Whitewater (OWNER)
and Strand Associates, Inc.® (ENGINEER)
Pursuant to Agreement for Technical Services dated December 30, 2020

Project Information

Project Name: 2024 Street and Utility Construction

Project Description: Reconstruction of street utility infrastructure on Fremont Street, Ann Street, Forest Avenue, and Walworth Avenue.

Services Description: Construction-related services. ENGINEER has completed design and bidding-related services for OWNER.

Scope of Services

ENGINEER will provide the following services to OWNER:

- 1. Provide contract administration services including conducting a preconstruction conferences, review of contractor's shop drawing submittals, review of contractor's periodic pay requests, observation and measurement of constructed quantities, attendance at up to six construction progress meetings, and participation in project closeout.
2. Provide one iteration of construction staking for sanitary sewer, water main, storm sewer, force main, street subgrade, curb and gutter, and finished base course. Up to 22 staking site visits are included. Any additional iterations of construction staking required as a result of contractor's negligence will be considered additional services.
3. Provide resident project representative for up to 1,500 hours of full-time construction observation.
4. Provide record drawings in electronic format from information compiled from contractor's records. ENGINEER is providing drafting Services only for record drawings based on the records presented to ENGINEER by contractor and OWNER. ENGINEER will not be liable for the accuracy of the record drawings information provided by contractor and OWNER.

Compensation

OWNER shall compensate ENGINEER for Services under this Task Orde on an hourly rate basis plus expenses an estimated fee of \$348,000.

Schedule

Services will begin upon execution of this Task Order, which is anticipated the week of April 15, 2024. Services are scheduled for completion on December 31, 2025.

TASK ORDER AUTHORIZATION AND ACCEPTANCE:

ENGINEER:
STRAND ASSOCIATES, INC.®

OWNER:
CITY OF WHITEWATER



Joseph M. Bunker Date
Corporate Secretary

John Weidl Date
City Manager

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Council Agenda Item

Meeting Date:	April 16, 2024
Agenda Item:	Ayres Dam Proposal
Staff Contact (name, email, phone):	Brad Marquardt, bmarguardt@whitewater-wi.gov , 262-473-0139

BACKGROUND

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

The City of Whitewater has been using Ayres Associates for dam inspection and design services for necessary repairs. The last inspection in 2022 on the Old Stone Mill Dam (Cravath Lake) indicated necessary repairs to the downstream masonry sidewalls. Repairs were to be completed by December 31, 2023. The City was granted an extension to complete this work until August 1, 2025. The City is also required to update the Emergency Action Plan (EAP) and the Inspection, Operation & Maintenance (IOM) Plan by June 30, 2024. The attached proposal from Ayres Associates includes preparing design plans and specifications, bidding the project and providing construction administration services. The Proposal also includes updating the EAP and IOM Plan.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

The Public Works Committee recommended approval to the full Council at their April 9, 2024 meeting.

FINANCIAL IMPACT

(If none, state N/A)

The estimated not to exceed fee is \$45,000. \$130,000 has been included in the 2024 Capital Improvement Plan budget for design and construction.

STAFF RECOMMENDATION

Staff recommends a motion to approve Ayres' Old Stone Mill Dam Proposal for Engineering Services.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Ayres Old Stone Mill Dam Proposal

March 20, 2024

Mr. Kevin Boehm
Parks and Recreation Director
City of Whitewater
312 W. Whitewater St.
Whitewater, WI 53190

Re: Old Stone Mill Dam Proposal for Engineering Services for Downstream Wall Repairs

Dear Mr. Boehm:

Thank you for the opportunity to submit this proposal for professional services in support of downstream wall repairs for the Old Stone Mill Dam. This letter presents our proposed scope of services, time schedule, fee, and contract terms and conditions.

Project Description

An inspection of the Old Stone Mill Dam was completed by Ayres in 2022 and identified deterioration of the stone masonry sidewall on the downstream left (west) side of the East Main Street Bridge. The inspection recommended that this wall be repaired by December 31, 2023, and the Wisconsin Department of Natural Resources (WDNR) concurred with this recommendation. Based on recent correspondence from the City, the WDNR granted an extension of the repair directive for the left stone masonry wall until August 1, 2025.

The 2022 inspection of the Old Stone Mill Dam also recommended monitoring ongoing concrete deterioration of the sidewall on the downstream right (east) side of the East Main Street Bridge. While this wall does not appear to be on the verge of failure, its poor condition does indicate that repair will likely be needed within the next few years, therefore the design of repair to this wall is recommended and included in this proposal.

Lastly, based on recent correspondence with the City, the WDNR also extended the directive deadline to update the Emergency Action Plan (EAP) and Inspection, Operation & Maintenance (IOM) Plan for the Old Stone Mill Dam until June 30, 2024. This proposal includes updating both the EAP and IOM.

Scope of Services

Design Phase

1. Visit the site to survey, measure and identify areas in need of repair. This includes both the left and right downstream side walls.
2. Prepare Drawings and Specifications for repairs of both the left stone masonry and right concrete sidewalls.
3. Provide draft Drawings, Specifications, and an opinion of probable construction cost to the City for review. Based on review comments received, revise the draft Drawings and Specifications to produce a final set ready for permit application submittal.
4. Submit a Ch. 31 plan approval application to WDNR for the repairs.
5. Coordinate any review comments with WDNR and obtain Ch. 31 plan approval.

Bidding Phase

1. Prepare a complete project manual for bidding. The repair of the left stone masonry sidewall will be presented as a required base bid item (as repair of this wall is a required directive by the WDNR), and the repair of the right concrete sidewall will be presented as an alternate bid item (as repair is not a directive at this time but may be worth undertaking if it can be accomplished within the City's budget).
2. Let the project for bids using our online QuestCDN plan room.
3. Answer contractor questions and issue addenda, if needed.
4. Host a virtual QuestCDN bid opening via conference line.
5. Assist the City with awarding a construction contract to the selected bidder.

Construction Phase

1. Review Contractor submittals and shop drawings.
2. Make up to three site visits during construction, at times and intervals to be determined based on project schedule, to observe progress and to confirm work conforms with the contract documents. Site visits will be documented by photographs of ongoing work and daily field reports.
3. Review Contractor payment applications.
4. Prepare and issue change orders, if needed and appropriate.
5. Prepare a set of record drawings.
6. Prepare a letter of conformance stating the work was completed according to the approved Drawings and Specifications.
7. File the record drawings and letter of conformance with the WDNR.
8. Assist the City with construction contract closeout.

EAP & IOM Updates

1. Review existing EAP and IOM for the Old Stone Mill Dam.
2. Update the existing EAP and IOM for the Old Stone Mill Dam. The current EAP and IOM on file are from 2015.
3. Submit updated EAP and IOM to the City for review and approval.
4. Upon approval from the City, submit final EAP and IOM to the Regional Water Management Engineer with the WDNR for review and approval.

Responsibilities of Owner and Others

The Owner shall designate in writing a representative authorized to act in the Owner's behalf, and shall furnish required information, approvals, and decisions as expeditiously as necessary for the orderly progress of Ayres' services. The owner will also provide access to the site during visits.

Ayres shall be entitled to rely on the accuracy and completeness of necessary project information supplied by the Owner.

Additional Services

The current scope of services includes repair of both the left and right downstream sidewalls and updating the EAP and IOM for the Old Stone Mill Dam. We did not budget for attendance at an onsite pre-bid meeting. Since the site is publicly accessible and the project is of a relatively small scale, we believe an onsite pre-bid meeting to be unnecessary. If the City is interested in holding a pre-bid meeting, we can provide this as an additional service to be negotiated at that time. Additional repairs, including potential directives as a result of the 2024 WDNR inspection, are also not included in this scope of services. The scope can be amended if additional directives are identified by the WDNR as part of the 2024 inspection. This includes a fee estimate update.

Time Schedule

A draft set of Drawings and Specifications will be completed and sent to the City for review within 90-days of the initial site visit. Upon review and approval from the City, Ayres will submit the Drawings and Specifications to the WDNR for a Ch. 31 plan approval within 10 calendar days.

Bidding-phase services will start upon receipt of the Ch. 31 plan approval from the WDNR and City's authorization to proceed.

Construction-phase services will start upon full execution of a Construction Contract Agreement for the project between the Owner and Contractor.

If the City elects to pursue updating the EAP and IOM, updated drafts of each plan will be completed within 30-days of notice to proceed.

Fee

We will perform the above services for an amount based on a standard hourly rate for each class of employee, plus reimbursable expenses and subconsultant charges. The estimated cost of services is \$40,010. We will not exceed an amount of \$45,000 without your prior approval. The Reimbursable Expenses Schedule and Standard Hourly Rates Schedule are attached as Appendices 1 and 2, respectively. The total estimate cost of services is based on the following assumed distribution of compensation:

Design Phase: \$19,600
Bidding Phase: \$5,500
Construction Phase: \$11,600
EAP & IOM Update: \$3,400

If the City elects to pursue only the repair of the left and right downstream sidewalks, and not update the EAP and IOM as part of this scope of services, the estimated cost is \$36,610.

Contract Terms and Conditions

Attached are "Contract Terms and Conditions" which will apply to the services and which are incorporated into this proposal by reference.

Acceptance

If this proposal and terms and conditions are acceptable to you, a signature on the enclosed copy of this letter will serve as our authorization to proceed.

This proposal is valid until June 15, 2024 unless extended by us in writing.

Proposed by Consultant:

Ayres Associates Inc.



Anthony Alvarado, P.E., CFM
Vice President



Mike Rogney, P.E.
Water Resources Engineer

Accepted by Owner:

City of Whitewater
Owner's Name

Signature

John Weidl
Name

City Manager
Title

Date

Attachments: Contract Terms and Conditions,
Reimbursable Expenses Schedule
Standard Hourly Rates Schedule

**AYRES ASSOCIATES
CONTRACT TERMS AND CONDITIONS**

1. Performance of Services: Consultant shall perform the services outlined in its proposal to Owner in consideration of the stated fee and payment terms.

2. Billing and Payment: Invoices for Consultant's services shall be submitted to Owner on a monthly basis. Invoices shall be due and payable within 30 days from date of invoice. If any invoice is not paid within 30 days, Consultant may, after giving 7 days' notice, without waiving any claim or right against Owner, and without liability whatsoever to Owner, suspend or terminate the performance of services. Accounts unpaid 30 days after the invoice date will be subject to a monthly service charge of 1.5% on the unpaid balance, or the maximum rate of interest permitted by law, if less. Payment will be credited first to any interest owed to Consultant, then to principal. The amount of any excise, value-added, gross receipts, or sales taxes that may be imposed on payments shall be added to the Consultant's compensation. Owner shall pay all costs of collection, including reasonable attorney's fees and costs incurred by consultant, in collecting any amounts due from Owner. No deductions or offsets shall be made from Consultant's compensation or expenses on account of any setoffs or back charges. If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Consultant in writing of the specific basis for doing so, may withhold only the portion so disputed, and must pay the undisputed portion.

3. Access to Site: Owner shall furnish right-of-entry on the project site for Consultant and, if the site is not owned by Owner, warrants that permission has been granted to make planned explorations pursuant to the scope of services. Consultant will take reasonable precautions to minimize damage to the site from use of equipment, but has not included costs for restoration of damage that may result and shall not be responsible for such costs.

4. Location of Utilities: Consultant shall use reasonable means to identify the location of buried utilities in the areas of subsurface exploration and shall take reasonable precautions to avoid any damage to the utilities noted. However, Owner agrees to indemnify and defend Consultant in the event of damage or injury arising from damage to or interference with subsurface structures or utilities which result from inaccuracies in information or instructions which have been furnished to Consultant by others.

5. Hazardous Materials: In the event that unanticipated potentially hazardous materials are encountered during the course of the project, Owner agrees to negotiate a revision to the scope of services, time schedule, fee, and contract terms and conditions. If a mutually satisfactory agreement cannot be reached between both parties, the contract shall be terminated and Owner agrees to pay Consultant for all services rendered, including reasonable termination expenses. Owner acknowledges that Consultant is performing professional services for Owner and that Consultant is not and will not be required to become an "owner", "arranger", "operator", "generator" or "transporter" of hazardous substances, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, which are or may be encountered at or near the site in connection with Consultant's activities under this agreement.

6. Insurance: Consultant shall maintain Workers' Compensation, General Liability, and Automobile Liability Insurance during its services for Owner. Consultant shall furnish a Certificate of Insurance to Owner upon written request. Owner agrees that Consultant shall not be liable or responsible to Owner for any loss, damage, or liability beyond the amounts, limits, exclusions, and conditions of such insurance.

7. Limitation of Professional Liability: Owner agrees to limit Consultant's professional liability for any and all claims for loss, damage or injury, including but not limited to, claims for negligence, professional errors or omissions, strict liability, and breach of contract or warranty, to an amount of \$50,000.00 or Consultant's fee, whichever is greater. In the event that Owner does not wish to limit Consultant's professional liability to this sum, Consultant agrees to raise the limitation of liability to a sum not to exceed \$1,000,000.00 for increased consideration of ten percent (10%) of the total fee or \$500.00, whichever is greater, upon receiving Owner's written request prior to the start of Consultant's services.

8. Opinions of Probable Costs: Consultant's opinions of probable project costs are made on the basis of Consultant's experience, qualifications and judgment; but Consultant cannot and does not guarantee that actual project costs will not vary from opinions of probable cost.

9. Construction Review: Consultant does not accept responsibility for the design of a construction project unless the Consultant's contract includes review of the contractor's shop drawings, product data, and other documents, and includes site visits during construction in order to ascertain that, in general, the work is being performed in accordance with the construction contract documents.

10. Construction Observation: On request, Consultant shall provide personnel to observe construction in order to ascertain that, in general, the work is being performed in accordance with the construction contract documents. This construction observation shall not make Consultant a guarantor of the contractor's work. The contractor shall continue to be responsible for the accuracy and adequacy of all construction performed. In accordance with generally accepted practice, the contractor will be solely responsible for the methods of construction, direction of personnel, control of machinery, and falsework, scaffolding, and other temporary construction aids. In addition, all matters related to safety in, on, or about the construction site shall be under the direction and control of the contractor and Consultant shall have no responsibility in that regard. Consultant shall not be

required to verify any part of the work performed unless measurements, readings, and observations of that part of the construction are made by Consultant's personnel.

11. Standard of Performance: The standard of care for all professional services performed or furnished by Consultant under this contract will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Consultant does not make any warranty or guarantee, expressed or implied, nor is this contract subject to the provisions of any uniform commercial code. Similarly, Consultant will not accept those terms and conditions offered by Owner in its purchase order, requisition, or notice of authorization to proceed, except as set forth herein or expressly agreed to in writing. Written acknowledgement of receipt or the actual performance of services subsequent to receipt of such purchase order, requisition, or notice of authorization to proceed is specifically deemed not to constitute acceptance of any terms or conditions contrary to those set forth herein.

12. Ownership and Use of Documents: All documents produced by Consultant under this contract are instruments of Consultant's professional service and Consultant owns the documents including all associated copyrights and the right of reuse at the discretion of the Consultant. Engineer grants Owner a limited license to use the documents on the project, project extension and for related uses of the Owner subject to receipt of full payment due, and such license to Owner shall not create any rights in third parties. Owner shall indemnify and hold harmless Consultant and its officers, directors, employees and Subconsultants from all claims, damages, losses, and expenses, including reasonable attorney fees, arising out of or resulting from any use, reuse, or modification of documents without written verification, completion or adaptation by Consultant.

13. Electronic Files: Owner and Consultant agree that any electronic files furnished by either party shall conform to the specifications agreed to at the time this contract is executed. Electronic files furnished by either party shall be subject to an acceptance period of 60 days during which the receiving party agrees to perform appropriate acceptance tests. The party furnishing the electronic file shall correct any discrepancies or errors detected and reported within the acceptance period. After the acceptance period, the electronic files shall be deemed to be accepted and neither party shall have any obligation to correct errors or maintain electronic files. Owner is aware that differences may exist between the electronic files delivered and the printed hard-copy documents. In the event of a conflict between the hard-copy documents prepared by Consultant and electronic files, the hard-copy documents shall govern.

14. Financial and Legal Services: Consultant's services and expertise do not include the following services, which shall be provided by Owner if required: (1) Accounting, bond and financial advisory (including, if applicable, "municipal advisor" services as described in Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) and the municipal advisor registration rules issued by the Securities and Exchange Commission), independent cost estimating, and insurance counseling services; (2) Legal services with regard to issues pertaining to the Project as Owner requires, Contractor(s) raises, or Consultant reasonably requests; and (3) Such auditing services as Owner requires to ascertain how or for what purpose any Contractor has used the money paid.

15. Termination of Services: This contract may be terminated at any time by either party should the other party fail to perform its obligations hereunder. In the event of termination for any reason whatsoever, Owner shall pay Consultant for all services rendered to the date of termination, all reimbursable expenses incurred prior to termination, and reasonable termination expenses incurred as the result of termination. Consultant shall have no liability to Owner on account of termination for cause by Consultant.

16. Controlling Law: This contract is to be governed by the law of the place of business of Consultant at the address in its proposal to Owner.

17. Assignment of Rights: Neither Owner nor Consultant shall assign, sublet or transfer any rights under or interest in this contract (including, but without limitation, moneys that may become due or moneys that are due) without the written consent of the other, except to the extent mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this contract. Nothing contained in this paragraph shall prevent Consultant from employing such independent subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

18. Third Party Benefits: This contract does not create any benefits for any third party.

19. Dispute Resolution: Owner and Consultant agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice prior to exercising their rights under the following dispute resolution provision. If direct negotiations fail, Owner and Consultant agree that they shall submit any and all unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this contract or the breach thereof to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association effective on the date of this contract prior to exercising other rights under law.

20. Exclusion of Special, Indirect, Consequential, and Liquidated Damages: Consultant shall not be liable, in contract or tort or otherwise, for any special, indirect, consequential, or liquidated damages including specifically, but without limitation, loss of profit or revenue, loss of capital, delay damages, loss of goodwill, claim of third parties, or similar damages arising out of or connected in any way to the project or this contract.

21. Betterment: If, due to Consultant's negligence, a required item or component of the project is omitted from the construction documents, Consultant's liability shall be limited to the reasonable cost of correction of the construction, less what Owner's cost of including the omitted item or component in the original construction would have been had the item or component not been omitted. It is intended by this provision that Consultant will not be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the project.

22. Severability: To the extent that any provision of this contract is finally adjudged invalid by a court of competent jurisdiction, that provisions shall be deleted or modified, as necessary, to make it enforceable, and the remaining provisions of this contract shall remain in full force and effect and be binding upon the parties hereto.

23. California Privacy Rights Act Employer

24. Entire Agreement: This agreement contains the parties entire understanding and supersedes all prior negotiations or agreements over the services described herein. This contract may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

25. Notice of Lien Rights: Ayres Associates Inc. hereby notifies owner that persons or companies furnishing labor or materials, including engineering, architectural, and surveying services, for the improvement of or construction on owner's land may have lien rights on owner's land and buildings if not paid. Owner should give a copy of this notice to their mortgage lender, if any. Ayres Associates Inc. agrees to cooperate with the owner and owner's lender, if any, for resolution of POTENTIAL LIEN claims made as part of this contract.

Reimbursable Expense Schedule (Revised May 7, 2023)

Policy: It's the policy of Ayres Associates that costs associated with equipment and supplies identified as having been used on a specific project be charged to that project and not to general overhead. All equipment rates are based on actual costs and are reviewed/updated annually.

Company-Owned Equipment

ENVIRONMENTAL MONITORING, SAMPLING, TESTING:

FID/PID/OVA	\$175.00	Day
FLOW 3D Model Processing	\$0.60	Core hour
Flowmeter	\$220.00	Month
Groundwater Sampling	\$11.65	Sample
Nuclear Density	\$75.40	Day
Peristaltic Pump	\$63.00	Day
Soil Sampling	\$6.60	Sample
Temp/pH Conductivity Meter	\$8.35	Day
Water Level Meter	\$12.00	Day

CONSTRUCTION TESTING AND SAMPLING:

Concrete/Testing Equipment	\$95.00	Day
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PHOTOGRAMMETRIC AND SURVEYING:

Digital Photogrammetric Workstation	\$8.85	Hour
Drone	\$135.00	Day
GPS	\$72.40	Day
High Precision Digital Level	\$25.35	Day
Laser/Automatic Level	\$38.65	Day
Total Station (Robotic)	\$110.00	Day
TX8 HD LiDAR System	\$655.00	Day
360 Camera	29.90	Day

STRUCTURAL ABOVE/UNDER WATER INSPECTION:

Air Tank	\$13.75	Tank
NDT/Testing Equipment	\$380.00	Day
Resistograph	\$320.00	Day



SUBSURFACE UTILITY EQUIPMENT:

Hammer Drill & Accessories	\$40.00	Day
RD Electronic Locating Device	\$110.00	Day
RD Ground Penetrating Radar	\$150.00	Day
VAC Truck	\$1080.00	Day

TRAFFIC DATA COLLECTION:

Miovision Scout VCU	\$48.30	Day
Traffic Counter	\$62.20	Day

TRANSPORTATION:

All-Terrain Utility Vehicle (ATV/UTV)	\$235.00	Day
Boat/Motor/Trailer	\$465.00	Day
Company Trucks	\$1.15	Mile
Personal Auto	Current IRS Rate	

Rented Equipment

Employee-owned Dive Gear	\$15.00	Day
Employee-owned Wet Suit	\$10.00	Day
Rental Bucket Lift Truck	\$800.00	Day

2024 FEE SCHEDULE

Billing Category	(\$)
Principal	\$ 240.00
Senior Project Manager	\$ 210.00
Project Manager II	\$ 190.00
Project Manager I	\$ 160.00
Senior Professional IV	\$ 220.00
Senior Professional III	\$ 200.00
Senior Professional II	\$ 185.00
Senior Professional I	\$ 170.00
Professional IV	\$ 160.00
Professional III	\$ 150.00
Professional II	\$ 140.00
Professional I	\$ 125.00
Engineering Technician	\$ 90.00
Senior Designer	\$ 145.00
SUE/Survey Lead	\$ 140.00
SUE/Survey Technician	\$ 110.00
Field Technician	\$ 85.00
Project Administrator	\$ 120.00
Administrative Assistant	\$ 90.00

DIRECT PROJECT CHARGES

Actual costs incurred. Includes subcontractors, analytical services, printing/graphic services, freight and courier services and use of outside vendors for supplies and materials.

ASSOCIATED PROJECT CHARGES

Associated Project Costs (APC) based on labor fees.....4.85%
 APC includes PPE, construction monitoring software, in-house supplies, telecommunications charges, postage (excluding freight costs and courier service), project specific materials and/or small equipment needed, and routine in-house reproduction. Printing and large volume reproduction costs will be invoiced as an outside service.

OTHER COSTS

Ayres Reimbursable Expense Schedule for company owned equipment, vehicles, and software is attached. In addition, reasonable employee's expenses, including meals and lodging incurred during authorized travel, are billed at actual cost or the current CONUS per diem rate. Automobile rental and airfare costs will be invoiced at actual cost.

An administration fee of ten (10) percent will be applied on all direct charges (including subcontractors, travel, direct costs, and service providers).



Council Agenda Item

Meeting Date:	April 16, 2024
Agenda Item:	P-Card Policy Update
Staff Contact (name, email, phone):	Rachelle Blicht, rblitch@whitewater-wi.gov , 262-473-1380

BACKGROUND

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

The Finance Department is diligently reviewing operational policies to ensure their alignment with present processes. The P-Card Policy has undergone a thorough review and has been updated to reflect current information. The original and the revised versions of the policy are included for your examination.

Most of the updates stem from switching to a new vendor. Since the City utilizes the state's contract, a change in the state's vendor led the City to also make a switch. Consequently, the job aids have been revised to align with the procedures associated with the new vendor's platform.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

3/27/2013 – Common Council approved the policy.

3/26/2024 – Finance Committee reviewed and recommended it to Common Council for approval.

FINANCIAL IMPACT

(If none, state N/A)

N/A


STAFF RECOMMENDATION

Staff recommends approval of the revised policy.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. 3/2013 P-Card Policy
2. 3/2024 Revised P-Card Policy

		<p style="text-align: center;">Policy 501.04.11 Purchasing Card Program</p>			
Owner:	Finance Director	Approving Position:	Common Council	Pages:	19
Issue Date:	3/27/2013	Revision Date:	3/26/2024	Review Date:	
Special Instructions:					

I. PURPOSE

The City of Whitewater is providing an alternate approach to purchasing goods and services by offering a Purchasing Card Program to select City employees, administered US Bank. The Purchasing Card Program is designed to make it easier and more cost effective for City personnel to make purchases of goods and services from any supplier that accepts Credit cards. Purchasing cards will not replace the normal purchasing policies and procedures established in the City’s Procurement Policy. This program is simply an alternate method of payment.

These policies and procedures are intended to provide guidelines to cardholders in utilizing their purchasing cards, and all cardholders should carefully read this document. A cardholder’s signature on the Cardholder Agreement Form indicates that the cardholder understands the intent of the program and agrees to adhere to these guidelines.

II. GUIDELINES

III. PROCEDURE

A. PROGRAM ADMINISTRATION

1. The City’s Purchasing Card Program is administered through US Bank, under a contract negotiated through V.A.L.U.E., a cooperative purchasing organization of government agencies in southeastern Wisconsin of which the City is a member. The City’s purchasing card Program Administrator is the Comptroller or the Comptroller’s designee. The Program Administrator’s responsibilities include the following:
 - a. Authorization, set-up, and issuance of all purchasing cards.
 - b. Authorization and execution of changes to cardholder limits.
 - c. Conduct cardholder training.
 - d. Primary contact for cardholder questions.

B. GENERAL INFORMATION

Purchasing Card Program

1. The City issues purchasing cards to designated employees. Elected officials are not included in the purchasing card program.
2. The cardholder's name is embossed on the card, as well as the City's name.
3. No person other than the person to whom the purchasing card is issued is authorized to use the assigned purchasing card, unless authorized by the assigned user on a onetime basis.
4. The card is to be used for official City business only.
5. Use of the card for personal items is not permitted.
6. The purchasing cards are issued to the City of Whitewater by US Bank and assigned to specific users.
7. US Bank is provided with a cardholder's name, date of birth, social security number and the employee's phone extension for verification purposes only.
8. Card activity is not reported on a cardholder's personal credit report, and, likewise, activity on the card is not used to compute a cardholder's credit score with reporting agencies.
9. Activity from this program is reported on the City's credit report.
10. The purchasing card is as easy to use as any other credit card and is just as widely accepted. The only difference between a credit card and a purchasing card is that the latter is a corporate liability charge card with certain restrictions and limitations imposed on the cardholder.
11. Card privileges may be rescinded at any time at the discretion of the Program Administrator if policies and/or procedures are not followed by the cardholder.
12. Purchasing cards must be kept in a secure place.
13. Although the purchasing card is issued in the cardholder's name, the card remains the property of US Bank and the City of Whitewater.
14. Account access information should not be kept in the same location as the purchasing card.
15. Prior to making a purchase with a vendor, the cardholder must perform reasonable due diligence to assure that the company is reputable. This includes looking for the "SSL" lock logo online and assessing the company's credibility prior to giving out card information over the phone.
16. If a fraudulent transaction is suspected, the cardholder must notify US Bank (use the phone number on the back of the card or dispute filed online through the Access site) and the Program Administrator immediately. This notification must never take longer than five days.
17. All charges made on City purchasing cards are billed directly to the City on a monthly summary invoice. This process minimizes paperwork and streamlines the payment process.
18. GL account numbers and purchase descriptions are assigned to the transaction by the cardholder or administrative staff when reconciling the monthly transactions using US Bank's online Access web-based program.

Purchasing Card Program

19. When a purchasing card is issued, it must be endorsed immediately.
20. Each cardholder will be required to review and verify their purchasing card transactions on a monthly basis. Please refer to the “Cardholder Recordkeeping Requirements” section below.

C. CARDHOLDER LIMITS

1. MCC Limits

- a. The cardholder will only be able to use the purchasing card for specific Merchant Category Codes (MCCs) assigned for each user group, based on necessity specific to each group.
- b. If the cardholder attempts to use the purchasing card for an MCC not set up, the transaction will be denied.
- c. The City’s Program Administrator can adjust the MCCs assigned to each cardholder.
- d. High risk (a.k.a. “sin” codes) cannot be allowed without ongoing additional review and audit by the Program Administrator.

2. Credit Limit

- a. A reasonable limit will be imposed on each cardholder for the maximum amount the cardholder is authorized to spend in any given billing cycle.
- b. Note: The billing cycle for the City’s purchasing card program is the period ending on the 10th day of each month.

3. International Transactions/Cash Advances –

- a. These types of transactions are disallowed by the program. If international transactions are necessary, contact the Program Administrator for a temporary modification.

D. Change Request

1. To request a change to an existing cardholder’s limits or MCC group please contact the Program Administrator.
2. To add a new cardholder, complete the “New Card Request”, and “Cardholder Agreement Form” and submit both to the Program Administrator.
3. A copy of all forms can be found on the shared network drive under “G:\Shared\Finance\P-Card Forms and Docs”.

E. UNAUTHORIZED USES

1. In addition to the controls discussed above that disallow certain purchases, the following purchases are expressly forbidden under this program. Purchases that:
 - a. Are split into multiple transactions to stay within your limits
 - b. Are split across days to stay within your limits
 - c. Are split amongst cardholders to stay within your limits

Purchasing Card Program

- d. Are made to avoid or circumvent the purchasing process
 - e. Are not immediately available at time of credit card use.
 - f. No back-ordering of merchandise is allowed. Back-ordering will cause the City to pay for goods before they are received.
2. A cardholder that makes unacceptable or unauthorized purchases or carelessly uses the Purchase card may be liable for the total dollar amount of such unauthorized purchases plus any administrative fees charged in conjunction with the misuse. The cardholder will also be subject to disciplinary action, up to and including termination.

F. PURCHASING PROCEDURES

1. Making City purchases for goods and services' using your purchasing card is as simple as using any credit card.
2. Following are the procedures for making purchases using your purchasing card:
 - a. General Guidelines
 - 1) Efforts should be made to use vendors who accept the purchasing card where appropriate in order to maximize administrative cost savings and the rebate earned.
 - 2) Only the cardholder named on the purchasing card can authorize a purchase on his/her card. The cards maybe temporarily loaned to another person for a single purchase with the prior consent and authorization of the cardholder. The card can be used to make purchases for another employee in your department.
 - 3) Purchases utilizing your purchasing card can be made in person, by phone, or over the internet from any vendor that accepts Visa. Card information should not be provided to a vendor unless reasonable due diligence has been performed to assure the company is reputable (including looking for the "SSL" lock logo when making purchases online).
 - 4) Whether paying for orders in person, by phone, or over the internet, the cardholder is responsible for obtaining and retaining proper documentation of all transactions, i.e., receipts, invoices, or other documentation showing the item(s) purchased and the amount paid. See the "Cardholder Recordkeeping Requirements" section below for information on submitting your receipts/documentation to the Finance Department for processing.
 - 5) All City purchases are exempt from Wisconsin sales tax. It is the cardholder's responsibility to ensure that sales tax is not paid on any purchases that he/she makes using a purchasing card. If sales tax is charged, the cardholder is responsible for working with the vendor to get the tax reimbursed. If a vendor requires a copy of the City's tax-exempt certificate (Form S-211), a scanned copy is available on the shared network drive under "G:\shared\Finance\P-Card Forms and Docs".

Purchasing Card Program

- 6) If the merchant/business charges a fee to accept credit cards as payment the purchase should not be processed through the credit card, and a check request should be submitted to Finance for payment processing
 - 7) A purchasing card purchase may be declined at the point of sale if the purchase falls outside of any of the parameters listed in the “Cardholder Limits” section. If a transaction is declined, the cardholder should cancel the transaction and contact the Program Administrator to determine the reason for the declined transaction.
 - 8) Any returns or credits on purchases paid for by a purchasing card must be credited to that cardholder’s account (no cash refunds). The cardholder should obtain and retain the appropriate documentation.
- b. Reporting Lost, Stolen, or Damaged Cards:
- 1) If your purchasing card is lost or stolen, contact US Bank immediately at 1-800-344-5696 and notify the Program Administrator as soon as possible.
 - 2) If a card becomes damaged and needs to be replaced, the cardholder must notify the Program Administrator and return the damaged card to the Finance Department.
 - 3) Once the damaged card has been returned to the Program Administrator a replacement card will be requested from US Bank.
- c. Disputed Items:
- 1) If there is a discrepancy on your monthly statement, contact the vendor immediately to try and resolve the matter. If successful, make a note on the monthly statement and be sure to verify the correction on the following month’s statement.
 - 2) If you cannot resolve the discrepancy with the vendor, contact the Program Administrator.
- d. Unauthorized Account Usage:
- 1) The cardholder is responsible for keeping track of how the card is used and for its safekeeping. Just like any credit card, the cardholder should protect against fraudulent use of the card.
 - 2) If the cardholder detects or suspects that his/her card has been used fraudulently, he/she should contact US Bank immediately at 1-800-344-5696 and notify the Program Administrator immediately. This notification must never take longer than five days.
- e. Card Deactivation:
- 1) Upon termination of employment of a cardholder, the purchasing card must be returned to the Program Administrator or Immediate Supervisor prior to the employee’s last day of work. The purchasing card will be deactivated immediately.
 - 2) A purchasing card may be deactivated if the Program Administrator determines that the cardholder has continuously violated the policies and procedures set forth in this

Purchasing Card Program

manual. This will include habitual tardiness in reconciling the cardholder's monthly statement and turning in receipts to the Finance Department.

G. CARDHOLDER RECORDKEEPING REQUIREMENTS

1. Cardholders must keep all original sales documents (receipts, packing slips, cash register tape, credit card slips) from purchases made on their purchasing card. These documents will be required to be submitted to the Finance Department with the cardholder's monthly statement printed from US Bank Access site, as described in this section.
2. The City's monthly billing cycle runs through the 10th day of each month. At the end of each billing cycle, all cardholders will receive a reminder email from the program administrator to review, enter the GL expense code, and enter a description of the purchase for all posted transactions for that billing period along with the due date for turning in receipts and the monthly statement to the Finance Department. The email notification is meant to be a friendly reminder and does not eliminate the need to submit the paperwork timely if the email is not received.
3. Each cardholder will be required to login to the US Bank Access site via the Internet and review all transactions that he/she is responsible for. The review process includes matching receipts and other documentation to the Transaction Summary, providing an expense description for each transaction, and assigning a general ledger account number to each transaction. The paperwork and data entry function can be delegated to another individual in the department; however, the cardholder is still ultimately responsible for the transactions and is required to review and approve the expense report.
4. Once the cardholder's review process has been completed, print the monthly statement, attach all original sales documents, and submit to the Finance Department. The Finance Department will review the charges, account numbers, and documentation for accuracy. The monthly statement and receipts packet should be sent to the Finance Department for review by the due date assigned by Finance in the reminder email. The due date is necessary to ensure that proper documentation and review is completed prior to the payment due date.

H. US Bank Access site/system

1. To log into the US Bank Access site, you will need the following 4 items:
 - a. Site address: access.usbank.com
 - b. Organization short name: whtwtr
 - c. User ID: Assigned to you by the Program Administrator at card issuance
 - d. Password: Temporary password is assigned by the Program Administrator at card issuance
2. [Access.usbank.com](http://access.usbank.com) (Access site) is a US Bank/Visa online system that allows cardholders, supervisors, and Program Administrators to monitor and manage purchasing card accounts and transactions. Detailed instructions on the use of the Access system are included in the Job Aids sections of this manual. In addition to the instructions provided in the job aids section, US Bank provides an online training course within the Access site. This training

Purchasing Card Program

course can be accessed through clicking on the “Trainings” link on the first screen that you see after logging into the system. This will open a new tab with various User Guides and tutorials within general topics you can choose from the left-hand side menu. The “Transaction Management” user guide is downloaded and available on the shared drive at “G: Shared/ Finance/ P-Card Forms and Docs”.

IV. REPORTING

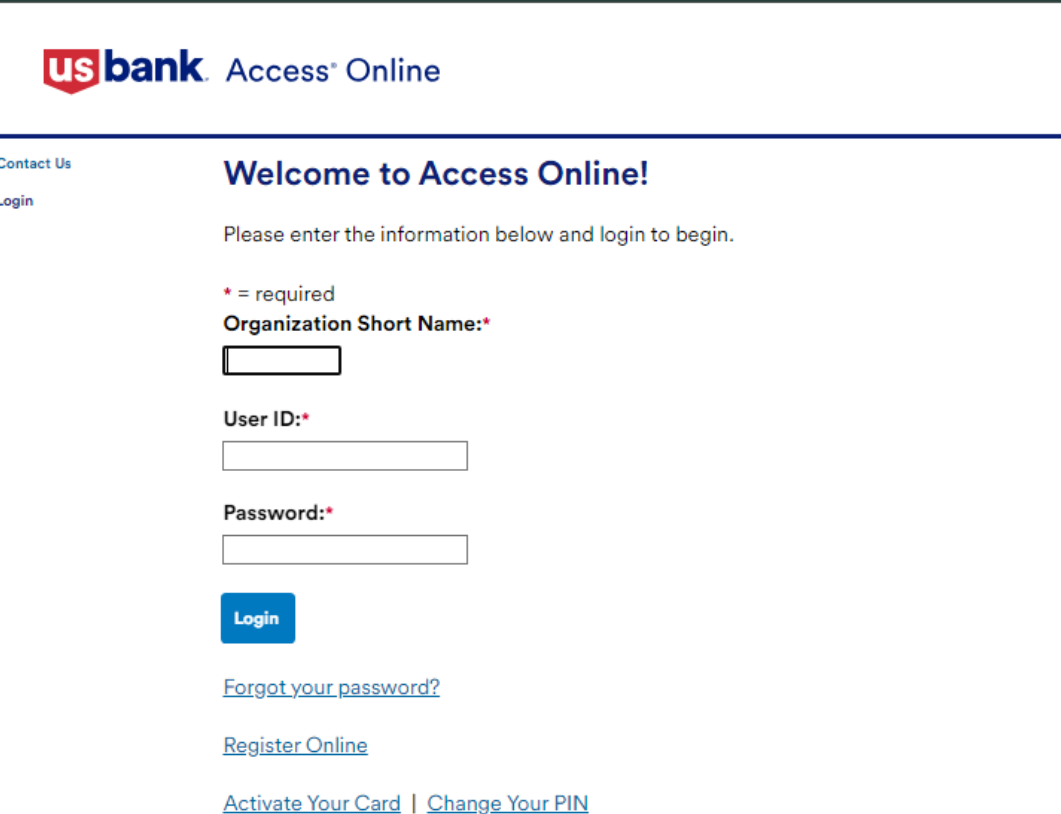
V. JOB AIDS

Transaction Management Entry How to Guide.

US Bank Access Site: access.usbank.com

Organization Short Name: whtwtr

What the site looks like below:



The image shows the US Bank Access Online login page. At the top, there is a blue header with the US Bank logo and the text "Access Online". Below the header, there is a navigation menu with "Contact Us" and ".login". The main content area is titled "Welcome to Access Online!" and contains a message: "Please enter the information below and login to begin." Below this message, there is a legend: "* = required". The login form consists of three fields: "Organization Short Name:*" with a text input box, "User ID:*" with a text input box, and "Password:*" with a text input box. Below the password field is a blue "Login" button. At the bottom of the form, there are three links: "Forgot your password?", "Register Online", and "Activate Your Card | Change Your PIN".

Purchasing Card Program

Once you log into the Access Online site your landing page should have a message center and options on the left-hand side. Transaction Management and Account information options will be explored further. An example of the welcome page is shown below:

us bank Access Online Chat With Us Log Out

Welcome to Access Online Jeremiah Thomas
Your last login was 02/28/2024

Message Center
[Message\(s\) from Access Online](#)

Quick Links
[Manage Home Page Settings](#)

Transaction Management
Account Information
Reporting
My Personal Information

Home
Email Center
Contact Us
Training
TravelBank Travel & Expense

© 2024 U.S. Bank [Privacy Policy](#) | [Accessibility Policy](#) | [Terms of Use](#)
R024.02.02b20240216-1616 col 5 02-28-2024 11:48:43 CST

Statement Viewing/Printing

To view/print your monthly statement click on “Account Information” from the options on the left-hand side of the screen. Then click on “Cardholder Account Statement” to bring a listing of the monthly statement you can choose to view. Click on the monthly statement you wish to view or print and it will open as a PDF.

us bank Access Online Cha

Request Status Queue
Active Work Queue
System Administration
Account Administration
Transaction Management
Account Information
• Statement
• Account Profile
Reporting
Data Exchange
My Personal Information

Home
Email Center
Contact Us
Training
TravelBank Travel & Expense

Account Information

Statement

View account statement(s).

- [Cardholder Account Statement](#)
- [Managing Account Statement](#)
- [Diversion Account Statement](#)

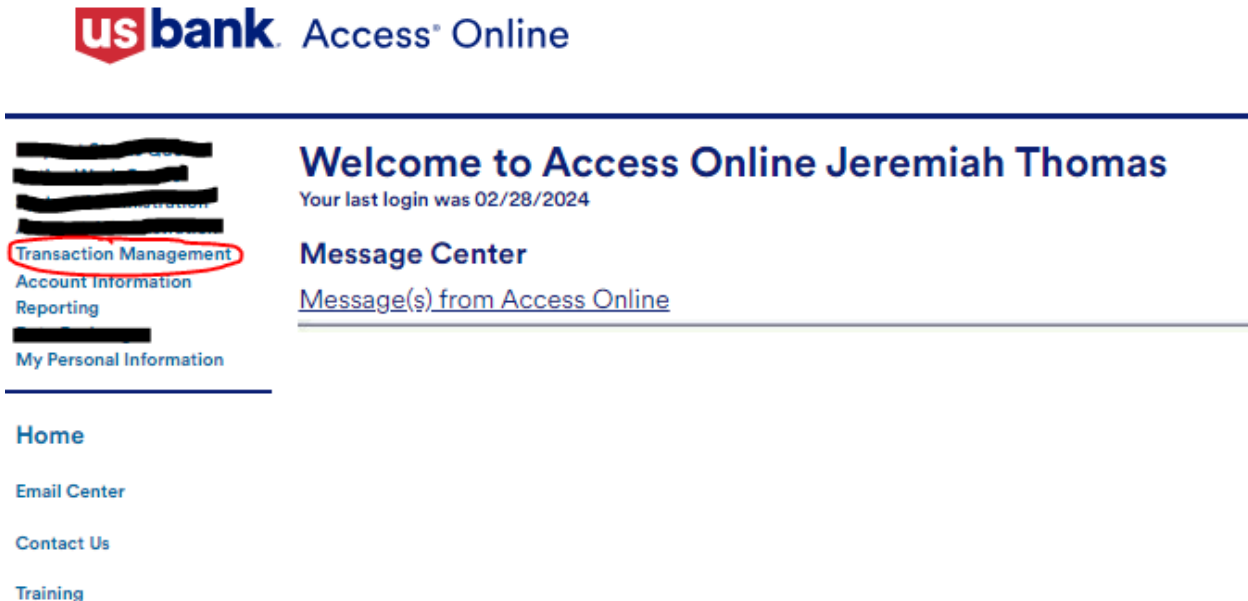
Account Profile

View account demographics, limits, accounting code, and other related information.

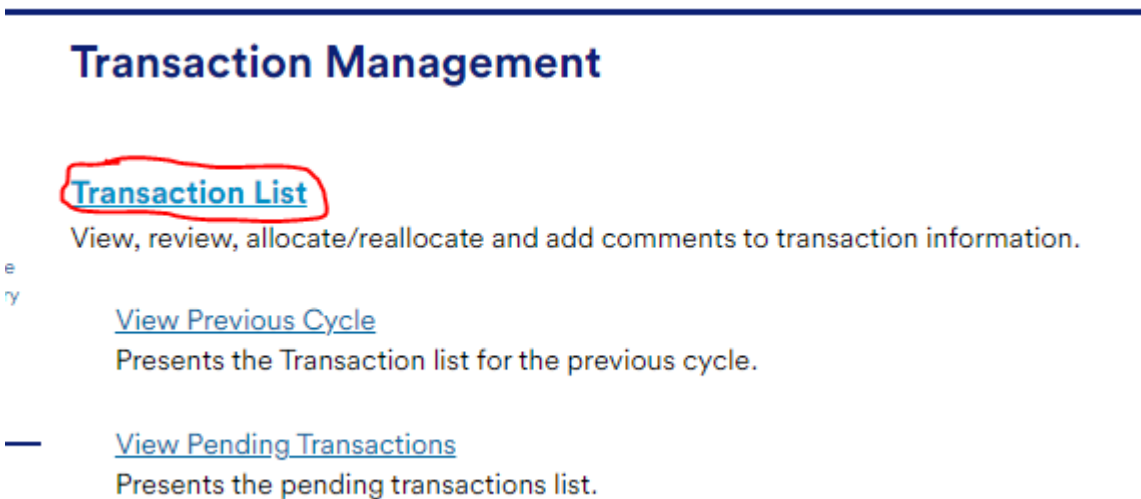
- [Cardholder Account Profile](#)
- [Managing Account Profile](#)
- [Diversion Account Profile](#)

How to review, GL Expense coding and entering a description for your purchases

First click on “Transaction Management” from the options on the left-hand side of the screen from the welcome page.



Next click on “Transaction List” as in the screen shot below:



Purchasing Card Program

After clicking “Transaction Management” with either bring you to a current listing of your open purchase or to a Cardholder Account Search screen in which you will need to enter the **last 4 digits of your card number** under “Account Number”. The screen show below shows the Cardholder search screen and you will enter the last 4 of your card number in the area circled in red and finally you will click “Search”

Transaction Management Search & Select an Account

Cardholder Account Search

Search for an account by Cardholder Account Number, Account Unique ID, Name, or Social Security Nu
You can also find a cardholder account by first [Searching for a Managing Account](#).

Account Number (Last 4 digits):

Account Unique ID: [i](#)
OR

Last Name: **First Name:**

OR

Social Security Number:
OR

After you have searched for your account number (or you might have been directly directed to the Card Account Summary) you will be on the Card Summary Screen.

If you are needing to Review, GL Expense Code, and enter a description for your monthly statement that you printed or was sent to you; you will need to click on the drop down circled below next to “Billing Cycle Close Date” and choose the billing cycle you need. Then you **MUST** click “Search” to bring up the transactions in that billing cycle

Transaction Management Card Account Summary with Transaction List

Card Account Number: *****2430, JEREMIAH THOMAS [Switch Accounts](#)
Card Account ID: 722151000379
[Trans List](#) | [Manager's Queue](#)

Card Account Summary

Account Number: ...2430
Account Name: JEREMIAH THOMAS

Billing Cycle Close Date:

Open Account

Search Criteria

[Return to top](#)

Purchasing Card Program

Once you have clicked search the system will load your transactions. To then add the GL expense code and the description click on “Add Allocation”. If there is not an “Add Allocation” link click on the Date (XX/XX) under the heading “Trans Date”.

[Check All Shown](#) | [Uncheck All Shown](#)

Select	Status	Approval Status	Trans Date	Posting Date	Merchant	City/State	Amount	Detail	Trans Unique ID	Purchase ID	Comments	Accounting Code
<input type="checkbox"/>	Pending		02/23	02/26	AMZN.COM/BILL, WA	AMZN.COM/BILL, WA	\$79.99		03757151220037892024-02-2600004	113-1940181-49770		Add Allocation
<input type="checkbox"/>	Pending		02/23	02/26	AMZN.COM/BILL, WA	800-288-2020, TX	\$111.80		03757151220037892024-02-2600003	4142910010305		Add Allocation
<input type="checkbox"/>	Pending		02/23	02/26	AMZN.COM/BILL, WA	800-288-2020, TX	\$111.80		03757151220037892024-02-2600002	4142910006201		Add Allocation
<input type="checkbox"/>	Pending		02/23	02/26	AMZN.COM/BILL, WA	800-704-4808, TX	\$952.72		03757151220037892024-02-2600001	2624730551291		Add Allocation
<input type="checkbox"/>	Pending		02/22	02/23	SUPPLIES CHEMICAL	920-457-4481, WI	\$229.37		03757151220037892024-02-2300001	295990004		Add Allocation

Once you are in the single transaction make sure you are on the “Allocations” tab and your screen should look similar to the screen shot below. First add the GL Expense code under “Account Number” and use the full account number including dashes (111-11111-111), the add a description of the purchase under the “Description” box and finally click on “Save Allocations”. If you do not click on “Save Allocations” and move off of the page it will not save what you typed in.

[Summary](#) | [Allocations](#) | [Transaction Line Items](#) | [Comments](#) | [Approval History](#)

The Allocations tab provides the ability to reallocate a transaction by changing the accounting information to allocate an amount to a different cost center. The reallocation can be to one or to multiple accounting codes.

You can allocate amounts by dollar amount or percentage. Total allocation amounts must equal 100% of the transaction. To allocate to additional accounting codes, click the "Add" button.

After adding, modifying or deleting allocations, click the "Save Allocations" button to save changes.

* = required Allocation Source: Default Acct Code Last Changed By: System

Remove	Amount	Percent	Accounting Code - Segment Name (Length)	Favorite
			ACCOUNT NUMBER (13) DESCRIPTION (100)	
<input type="checkbox"/>	\$ 111.80	OR 100.00%	<input type="text" value="111-11111-111"/> <input type="text" value=""/>	Add as Favorite

Search

[Remove](#)

Total Allocated: \$ 111.80 100.00% Apply Accounting Code: [Apply](#)

Amount Remaining: \$ 0.00 0.00% Additional Allocation(s): 1 [Add](#)

Note: Rows marked for deletion are subtracted from Total Allocated and Amount Remaining values.

[Save Allocations](#)

Purchasing Card Program

If your purchase is for multiple items and/or for multiple GL Expense codes you can add lines to allocate the purchase to more than one spot. To do this you will type in the number of additional lines you need in the box next to “Additional Allocation(s) and click “Add”

Transaction Summary

Status	Trans Date	Posting Date	Merchant	City, State/Province	Amount	Detail	Purchase ID	Accounting Code
	02/23	02/26	ATT*CONS PHONE PMT	800-288-2020, TX	111.80		414Z910010305	

Disputed | Trans Detail Level | Reallocated

Summary | Allocations | Transaction Line Items | Comments | Approval History

The Allocations tab provides the ability to reallocate a transaction by changing the accounting information to allocate an amount to a different cost center. The reallocation can be to one or to multiple accounting codes. You can allocate amounts by dollar amount or percentage. Total allocation amounts must equal 100% of the transaction. To allocate to additional accounting codes, click the "Add" button. After adding, modifying or deleting allocations, click the "Save Allocations" button to save changes.

* = required Allocation Source: Default Acct Code Last Changed By: System

Remove	Amount	Percent	Accounting Code - Segment Name (Length)	
			ACCOUNT NUMBER (13)	DESCRIPTION (100)
<input type="checkbox"/>	\$ 111.80	OR 100.00%		

Search Remove

Total Allocated: \$ 111.80 100.00% Apply Accounting Code: Apply

Amount Remaining: \$ 0.00 0.00% Additional Allocation(s): 1 Add

Note: Rows marked for deletion are subtracted from Total Allocated and Amount Remaining values.

Save Allocations

An example of 2 additional allocations are showed in the screen shot below. To allocate the amount you will enter the amount for each allocation in each line and the corresponding GL Expense code and description to each amount and finish with clicking “Save Allocations”.

Transaction Summary

Status	Trans Date	Posting Date	Merchant	City, State/Province	Amount	Detail	Purcha
	02/23	02/26	AMZN MKTP US*RW2KX6562	AMZN.COM/BILL, WA	79.99		113-19

Disputed | Trans Detail Level | Reallocated

Summary | Allocations | Transaction Line Items | Comments | Approval History

The Allocations tab provides the ability to reallocate a transaction by changing the accounting information to allocate an amount to a different cost center. The reallocation can be to one or to multiple accounting codes. You can allocate amounts by dollar amount or percentage. Total allocation amounts must equal 100% of the transaction. To allocate to additional accounting codes, click the "Add" button. After adding, modifying or deleting allocations, click the "Save Allocations" button to save changes.

* = required Allocation Source: Default Acct Code Last Changed By: System

Remove	Amount	Percent	Accounting Code - Segment Name (Length)	
			ACCOUNT NUMBER (13)	DESCRIPTION (100)
<input type="checkbox"/>	\$ 79.99	OR 100.00%		
<input type="checkbox"/>	\$ 0.00	OR 0.00%		
<input type="checkbox"/>	\$ 0.00	OR 0.00%		

Search Remove

Total Allocated: \$ 79.99 100.00% Apply Accounting Code: Apply

Amount Remaining: \$ 0.00 0.00% Additional Allocation(s): 1 Add

Note: Rows marked for deletion are subtracted from Total Allocated and Amount Remaining values.

Save Allocations

Purchasing Card Program

If you have successfully entered the Amount(s), GL Expense Code and the Description you will see “Request has been successfully completed” when the screen refreshes. To then go to the next transaction, you will need to click on “Trans List” and repeat the process above until all purchases have been reviewed and have both a GL Expense code and a description.

Card Account Number: *****2430, JEREMIAH THOMAS [Switch Accounts](#)
 Card Account ID: 722151000379

[Trans List](#) | [Manager's Queue](#)

↑

Request has been successfully completed.

Transaction Summary

Status	Trans Date	Posting Date	Merchant	City, State/Province	Amount	Detail	Purchase ID
	02/23	02/26	ATT*CONS PHONE PMT	800-288-2020, TX	111.80	Ⓜ	414Z91001

[Disputed](#) | [Trans Detail Level](#) | [Reallocated](#)

[Summary](#) | [Allocations](#) | [Transaction Line Items](#) | [Comments](#) | [Approval History](#)

The Allocations tab provides the ability to reallocate a transaction by changing the accounting information to allocate an amount to a different cost center. The reallocation can be to one or to multiple accounting codes. You can allocate amounts by dollar amount or percentage. Total allocation amounts must equal 100% of the transaction. To allocate to additional accounting codes, click the “Add” button. After adding, modifying or deleting allocations, click the “Save Allocations” button to save changes.

* = required Allocation Source: User Last Changed By: Thomas, Jeremiah

Remove	Amount	Percent	Accounting Code - Segment Name (Length)
			ACCOUNT NUMBER (13) DESCRIPTION (100)
<input type="checkbox"/>	\$ 111.80	OR 100.00%	<u>220-55110-225</u> * Q <u>JAN 2024 ALARM LINES</u>

[Search](#)

[Remove](#)

Total Allocated: \$ 111.80 100.00% **Apply Accounting Code:** [Apply](#)

Amount Remaining: \$ 0.00 0.00% **Additional Allocation(s):** [Add](#)

Note: Rows marked for deletion are subtracted from Total Allocated and Amount Remaining values.

[Save Allocations](#)



Purchasing Card Program

If you are unsure of the GL Expense code or are receiving an error stating the code/Account number is not found you can search for the GL Expense codes. Click on the magnifying glass to where you enter the GL Expense code.

Transaction Summary

Status	Trans Date	Posting Date	Merchant	City, State/Province	Amount	Detail
	02/23	02/26	AMZN MKTP US*RW2KX6562	AMZN.COM/BILL, WA	79.99	

Disputed Trans Detail Level Reallocated

Summary
Allocations
Transaction Line Items
Comments
Approval History

The Allocations tab provides the ability to reallocate a transaction by changing the accounting information to allocate an amount to a different cost center. The reallocation can be to one or to multiple accounting codes.

You can allocate amounts by dollar amount or percentage. Total allocation amounts must equal 100% of the transaction. To allocate to additional accounting codes, click the "Add" button.

After adding, modifying or deleting allocations, click the "Save Allocations" button to save changes.

* = required Allocation Source: Default Acct Code Last Changed By: System

Remove	Amount	Percent	Accounting Code - Segment Name (Length)
			ACCOUNT NUMBER (13) DESCRIPTION (100)
<input type="checkbox"/>	\$ 79.99	OR 100.00%	<input type="text" value=""/>

Search

Total Allocated: \$ 79.99 100.00% **Apply Accounting Code:**

Amount Remaining: \$ 0.00 0.00% **Additional Allocation(s):**

Note: Rows marked for deletion are subtracted from Total Allocated and Amount Remaining values.

Purchasing Card Program

This will bring you to a screen where you will search using a partial GL expense code. Enter at least the first eight numbers to search most effectively (111-11111). Then click on “Search” to see a list of GL Expense codes

Enter full or partial segment values, segment value descriptions, or leave blank to view all valid values. Then click the "Search" button.

ACCOUNT NUMBER (13)	
Value:	<input type="text"/>
Description:	<input type="text"/>
Search Type:	Begins with ▾

Display Values per page

[<< Back to TM Allocations](#)

Transaction Management Search & Select Valid Value

Enter full or partial segment values, segment value descriptions, or leave blank to view all valid values. Then click the "Search" button.

ACCOUNT NUMBER (13)	
Value:	<input type="text" value="100-51500"/>
Description:	<input type="text"/>
Search Type:	Begins with ▾

Display Values per page

[<< Back to TM Allocations](#)

DRAFT

Purchasing Card Program

Once you have searched the account number and the list of possible GL numbers shows below you will click on “Select” next to the one you want to choose.

ACCOUNT NUMBER (13)	
Value:	<input type="text" value="100-51500"/>
Description:	<input type="text"/>
Search Type:	<input type="text" value="Begins with"/>

Display Values per page

Search

Select a valid value from the results list below.

Records 1 - 25 of 30
Page: 1 | 2

	ACCOUNT NUMBER	Value Description
Select	100-51500-111	SALARIES/PERMANENT
Select	100-51500-112	SALARIES/OVERTIME
Select	100-51500-114	WAGES/PART-TIME/PERMANENT
Select	100-51500-115	LABOR TRANSFER COSTS
Select	100-51500-117	LONGEVITY PAY
Select	100-51500-150	MEDICARE TAX/CITY SHARE
Select	100-51500-151	SOCIAL SECURITY/CITY SHARE
Select	100-51500-152	RETIREMENT
Select	100-51500-153	HEALTH INSURANCE
Select	100-51500-155	WORKERS COMPENSATION
Select	100-51500-156	LIFE INSURANCE
Select	100-51500-157	L-T DISABILITY INSURANCE
Select	100-51500-160	125 PLAN CONTRIBUTION-CITY
Select	100-51500-210	PROFESSIONAL SERVICES
Select	100-51500-211	PROFESSIONAL DEVELOPMENT
Select	100-51500-214	AUDIT SERVICES
Select	100-51500-217	CONTRACT SERVICES-125 PLAN
Select	100-51500-219	ASSESSOR SERVICES
Select	100-51500-222	ASSESSMENT-TAXES-DUE TOWNSHIPS
Select	100-51500-225	MOBILE COMMUNICATIONS

Purchasing Card Program

After click select it should bring you back to the individual purchase and the account number you selected will show in the “Account Number” box. You now can continue adding the Description and save as above.

* = required Allocation Source: Default Acct Code Last Changed By: System

Remove	Amount	Percent	Accounting Code - Segment Name (Length)	
			ACCOUNT NUMBER (13)	DESCRIPTION (100)
<input type="checkbox"/>	\$ 79.99	OR 100.00%	100-51500-210	

[Search](#)

DRAFT

Purchasing Card Program

CITY OF WHITEWATER PURCHASING CARD PROGRAM APPENDIX 1 – PROCESS

The following forms are available in the internal forms directory:

- **Affidavit of Receipt:** Each purchase needs to have supporting documentation attached (i.e. receipt). The Affidavit of Receipt should be used when documentation is not available for a transaction. Excessive use of this form may result in revocation of the cardholder's purchasing card privileges.
- **New Card Request:** This form should be completed when requesting a card for a new cardholder. The form includes lines to indicate the restrictions on the card requested.
- **City of Whitewater Procurement Policy:** This is the city's procurement policy that should be reviewed prior to making any purchases when issued a new card.
- **Menards Tax exempt Bar Code:** If making a purchase at Menards we have a barcode that must be presented at the time of purchase to remove the sales tax from any goods purchased.
- **Sales and Use Tax Exemption Certificate (Form S-211):** This should be presented to a merchant to remove sales tax from any purchases made on the city's behalf.
- **US Bank Access Online Transaction Management Users Guide:** Users guide to the transaction management portion of the US Bank Access Online system
- **How to Guide – Transaction Management:** A custom created how to guide with screenshots showing how to enter your monthly GL expense code and Description in preparation to turning in your receipts and monthly statement to the Finance Department.

Definitions:

Cardholder: An employee that has been issued a purchasing card and is authorized to make purchases in accordance with these procedures.

Program Administrator: Individual responsible for issuing cards, providing training, and responding to questions related to the p-card program.

Form S-211: Wisconsin Sales and Use Tax Exempt form given to businesses/merchants to avoid paying state sales tax on purchases.

Receipt/Invoice: Proof of purchase that needs to be retained and submitted to Finance with your monthly statement for verification of your purchase of goods or services for the city.

Purchasing Card Program

CITY OF WHITEWATER PURCHASING CARD PROGRAM FREQUENTLY ASKED QUESTIONS

1. When should I use my Purchasing Card?

In general, use your purchasing card to purchase goods or services from any vendor that accepts credit cards, unless the merchant charges a fee to accept credit cards.

2. Can a co-worker use my Purchasing Card?

Yes, with your, the cardholder, prior authorization/permission only on a case by case basis. The cardholder named on the purchasing card can authorize a purchase on the card and is ultimately responsible for the purchase. The card may be used to make purchases for an employee in your department with the cardholder processing the transaction as well.

3. What if my Purchasing Card is declined when making a purchase?

Your purchasing card purchase may be declined if the purchase you are making falls outside the parameters set-up for your card. Cancel the transaction and contact the Program Administrator as soon as possible.

Note: Be aware of the cardholder limits for your card to avoid a situation where your purchase might be declined.

4. What do I do if my card is lost or stolen?

If your purchasing card is lost or stolen, contact US Bank immediately at 1-800-344-5696 and notify the Program Administrator immediately.

5. Who should I contact to resolve a disputed transaction?

If a discrepancy appears on your monthly statement, contact the vendor to resolve the matter. If you cannot resolve the discrepancy with the vendor, contact the Program Administrator and you can file a dispute directly online through the US Bank Access site within transaction management.

6. What do I do if I need to return an item purchased with my purchasing card?

Contact the vendor directly and make arrangements for the return. Make sure that the returned item is credited to your purchasing card account. Cash refunds are not allowed under any circumstances!

7. What do I do if I was mistakenly charged sales tax on a purchase made with my purchasing card?


Contact the vendor directly and have the sales tax amount credited back to your account. If necessary, obtain a copy of the City's tax exempt certificate from the City's shared network drive under "G:\Shared\Finance\P-Card Forms and Docs".

8. What do I do if unauthorized charges appear on my account?

If you detect or suspect that your card has been used fraudulently, contact US Bank immediately at 1-800-344-5696 and notify the Program Administrator as soon as possible. Under no circumstances should the notification take longer than five days.

9. What do I do to have my cardholder limits or MCC group changed?

Complete a Cardholder Request for Change Form, have your Department Head approve it, and submit it to the Program Administrator. Upon approval you will be notified when the requested changes become effective.

		<p style="text-align: center;">Policy 501.04.11 Purchasing Card Program</p>			
Owner:	Finance Director	Approving Position:	Common Council	Pages:	10
Issue Date:	3/27/2013	Revision Date:		Review Date:	
Special Instructions:					

I. PURPOSE

The City of Whitewater is providing an alternate approach to purchasing goods and services by offering a Purchasing Card Program to select City employees, administered by JPMorgan Chase Bank. The Purchasing Card Program is designed to make it easier and more cost effective for City personnel to make purchases of goods and services from any supplier that accepts MasterCard. Purchasing cards will not replace the normal purchasing policies and procedures established in the City’s Procurement Policy. This program is simply an alternate method of payment.

These policies and procedures are intended to provide guidelines to cardholders in utilizing their purchasing cards, and all cardholders should carefully read this document. A cardholder’s signature on the Cardholder Agreement Form indicates that the cardholder understands the intent of the program and agrees to adhere to these guidelines.

II. GUIDELINES

III. PROCEDURE

A. PROGRAM ADMINISTRATION

1. The City’s Purchasing Card Program is administered through JPMorgan Chase Bank, under a contract negotiated through V.A.L.U.E., a cooperative purchasing organization of government agencies in southeastern Wisconsin of which the City is a member. The City’s purchasing card Program Administrator is Karen Dieter, Finance Support Services Manager. The Program Administrator’s responsibilities include the following:
 - a. Authorization, set-up, and issuance of all purchasing cards.
 - b. Authorization and execution of changes to cardholder limits.
 - c. Conduct cardholder training.
 - d. Primary contact for cardholder questions.

Purchasing Card Program

B. GENERAL INFORMATION

1. The City issues purchasing cards to designated employees. Elected officials are not included in the purchasing card program.
2. The cardholder's name is embossed on the card, as well as the City's logo.
3. No person other than the person to whom the purchasing card is issued is authorized to use the assigned purchasing card.
4. The card is to be used for official City business only.
5. Use of the card for personal items is not permitted.
6. The purchasing cards are issued to the City of Whitewater by JPMorgan Chase and assigned to specific users.
7. JPMorgan Chase is provided with a cardholder's name, date of birth, social security number and the employee's phone extension for verification purposes only.
8. Card activity is not reported on a cardholder's personal credit report, and, likewise, activity on the card is not used to compute a cardholder's credit score with reporting agencies.
9. Activity from this program is reported on the City's credit report.
10. The purchasing card is as easy to use as any other MasterCard credit card and is just as widely accepted. The only difference between a credit card and a purchasing card is that the latter is a corporate liability charge card with certain restrictions and limitations imposed on the cardholder.
11. Card privileges may be rescinded at any time at the discretion of the Program Administrator if policies and/or procedures are not followed by the cardholder.
12. Purchasing cards must be kept in a secure place.
13. Although the purchasing card is issued in the cardholder's name, the card remains the property of JPMorgan Chase Bank and the City of Whitewater.
14. Account access information should not be kept in the same location as the purchasing card.
15. Prior to making a purchase with a vendor, the cardholder must perform reasonable due diligence to assure that the company is reputable. This includes looking for the "SSL" lock logo online and assessing the company's credibility prior to giving out card information over the phone.
16. If a fraudulent transaction is suspected, the cardholder must notify JPMorgan Chase (use the phone number on the back of the card) and the Program Administrator immediately. This notification must never take longer than five days.
17. All charges made on City purchasing cards are billed directly to the City on a monthly summary invoice. This process minimizes paperwork and streamlines the payment process.

Purchasing Card Program

18. Account numbers are assigned to a transaction by the cardholder or administrative staff when reconciling the monthly transactions using JPMorgan Chase's Smart Data Online (SDOL) web-based program.
19. When a purchasing card is issued, it must be endorsed immediately.
20. Each cardholder will be required to review and verify their purchasing card transactions on a monthly basis. Please refer to the "Cardholder Recordkeeping Requirements" section below.

C. CARDHOLDER LIMITS

1. MCC Limits

- a. The cardholder will only be able to use the purchasing card for specific Merchant Category Codes (MCCs) assigned for each user group, based on necessity specific to each group.
- b. If the cardholder attempts to use the purchasing card for an MCC not set up, the transaction will be denied.
- c. The City's Program Administrator can adjust the MCCs assigned to each cardholder.
- d. High risk (a.k.a. "sin" codes) cannot be allowed without ongoing additional review and audit by the Program Administrator.

2. Credit Limit

- a. A reasonable limit will be imposed on each cardholder for the maximum amount the cardholder is authorized to spend in any given billing cycle.
- b. Note: The billing cycle for the City's purchasing card program is the period ending on the 10th day of each month.

3. Single Purchase Limit –

- a. A reasonable limit will also be imposed on each cardholder for the maximum amount that a cardholder is authorized to spend on any single purchase.

4. International Transactions/Cash Advances –

- a. These types of transactions are disallowed by the program. If international transactions are necessary, contact the Program Administrator for a temporary modification.

D. Change Request

1. To request a change to an existing cardholder's limits or MCC group please call the Program Administrator.
2. To add a new cardholder, complete the "New Card Request" form and submit it to the Program Administrator.
3. A copy of all forms can be found on the shared network drive under "\Finance\P-Card Forms and Docs".

E. UNAUTHORIZED USES

Purchasing Card Program

1. In addition to the controls discussed above that disallow certain purchases, the following purchases are expressly forbidden under this program. Purchases that:
 - a. Are split into multiple transactions to stay within your limits
 - b. Are split across days to stay within your limits
 - c. Are split amongst cardholders to stay within your limits
 - d. Are made to avoid or circumvent the purchasing process
 - e. Are not immediately available at time of credit card use.
 - f. No back-ordering of merchandise is allowed. Back-ordering will cause the City to pay for goods before they are received.
2. A cardholder that makes unacceptable or unauthorized purchases or carelessly uses the Pcard may be liable for the total dollar amount of such unauthorized purchases plus any administrative fees charged in conjunction with the misuse. The cardholder will also be subject to disciplinary action, up to and including termination.

F. PURCHASING PROCEDURES

1. Making City purchases for goods and services' using your purchasing card is as simple as using any **other MasterCard** credit card.
2. Following are the procedures for making purchases using your purchasing card:
 - a. General Guidelines
 - 1) Efforts should be made to use vendors who accept the purchasing card where appropriate in order to maximize administrative cost savings and the rebate earned.
 - 2) Only the cardholder named on the purchasing card can authorize a purchase on his/her card. The cards cannot be loaned to another person. The card can be used to make purchases for another employee in your department.
 - 3) Purchases utilizing your purchasing card can be made in person, by phone, or over the internet from any vendor that accepts **MasterCard**. For security reasons, fax orders should be avoided as you do not know who at the other end has access to your card information. Card information should not be provided to a vendor unless reasonable due diligence has been performed to assure the company is reputable (including looking for the "SSL" lock logo when making purchases online).
 - 4) Whether paying for orders in person, by phone, or over the internet, the cardholder is responsible for obtaining and retaining proper documentation of all transactions, i.e., receipts, invoices, or other documentation showing the item(s) purchased and the amount paid. See the "Cardholder Recordkeeping Requirements" section below for information on submitting your receipts/documentation to the Finance Department for processing.
 - 5) **All City purchases are exempt from Wisconsin sales tax.** It is the cardholder's responsibility to ensure that sales tax is not paid on any purchases that he/she makes

Purchasing Card Program

using a purchasing card. If sales tax is charged, the cardholder is responsible for working with the vendor to get the tax reimbursed. If a vendor requires a copy of the City's tax exempt certificate, a scanned copy is available on the shared network drive under "\Finance\P-Card Forms and Docs", our tax exempt number is also located on the back of **the laminated card that was issued to you.**

- 6) A purchasing card purchase may be declined at the point of sale if the purchase falls outside of any of the parameters listed in the "Cardholder Limits" section. If a transaction is declined, the cardholder should cancel the transaction and contact the Program Administrator to determine the reason for the declined transaction.
 - 7) Any returns or credits on purchases paid for by a purchasing card must be credited to that cardholder's account (no cash refunds). The cardholder should obtain and retain the appropriate documentation.
- b. Reporting Lost, Stolen, or Damaged Cards:
- 1) If your purchasing card is lost or stolen, contact **JPMorgan Chase immediately at 1-800-316-6056** and notify the Program Administrator as soon as possible.
 - 2) If a card becomes damaged and needs to be replaced, the cardholder must notify the Program Administrator and return the damaged card to the Finance Department.
 - 3) Once the damaged card has been returned to the Program Administrator a replacement card will be requested from **JPMorgan Chase.**
- c. Disputed Items:
- 1) If there is a discrepancy on your monthly statement, contact the vendor immediately to try and resolve the matter. If successful, make a note on the monthly statement and be sure to verify the correction on the following month's statement.
 - 2) If you cannot resolve the discrepancy with the vendor, contact the Program Administrator.
- d. Unauthorized Account Usage:
- 1) The cardholder is responsible for keeping track of how the card is used and for its safekeeping. Just like any credit card, the cardholder should protect against fraudulent use of the card.
 - 2) If the cardholder detects or suspects that his/her card has been used fraudulently, he/she should **contact JPMorgan Chase immediately at 1-800-316-6056** and notify the Program Administrator immediately. This notification must never take longer than five days.
- e. Card Deactivation:
- 1) Upon termination of employment of a cardholder, the purchasing card must be returned to the Program Administrator prior to the employee's last day of work. The purchasing card will be deactivated immediately.

Purchasing Card Program

- 2) A purchasing card may be deactivated if the Program Administrator determines that the cardholder has continuously violated the policies and procedures set forth in this manual.

G. CARDHOLDER RECORDKEEPING REQUIREMENTS

1. Cardholders must keep all original sales documents (receipts, packing slips, cash register tape, credit card slips) from purchases made on their purchasing card. These documents will be required to be submitted to the Finance Department with the cardholder's monthly expense report printed from the Smart Data Online application, as described in this section.
2. The City's monthly billing cycle runs through the 10th day of each month. At the end of each billing cycle, most cardholders will receive a reminder email notification to review and approve posted transactions for that billing period. The email notification is meant to be a friendly reminder and does not eliminate the need to submit the paperwork timely if the email is not received.
3. Each cardholder will be required to login to the Smart Data Online application via the Internet and review all transactions that he/she is responsible for. The review process includes matching receipts and other documentation to the Transaction Summary, providing an expense description for each transaction, assigning a general ledger account number to each transaction, and approving his/her transactions. The paperwork and data entry function can be delegated to another individual in the department; however, the cardholder is still ultimately responsible for the transactions and is required to review and approve the expense report.
4. Once the cardholder's review process has been completed, print a monthly expense report, sign and date the report, attach all original sales documents, and submit to the Finance Department. The Finance Department will review the charges, account numbers, and documentation for accuracy and sign the expense report. The authorized expense report packet should be sent to the Finance Department for review within 1 week of the billing cycle end. This is a short time-frame but necessary to ensure that proper documentation is obtained prior to the payment due date.

H. SMART DATA ONLINE

1. Smart Data Online is a JPMorgan Chase/MasterCard online system that allows cardholders, supervisors, and Program Administrators to monitor and manage purchasing card accounts and transactions. Detailed instructions on the use of the Smart Data Online system are included in the next sections of this manual. In addition to the instructions provided in this manual, JPMorgan Chase provides an online training course for Smart Data Online. This training course can be accessed through the Links section on the first screen that you see after logging into the system (see below). Click on the "Access the JPMorgan Chase Training Tool" line and follow the instructions. An account holder guide can also be printed from Smart Data Online. This document includes more details regarding the various aspects of the online tool.

IV. REPORTING

V. JOB AIDS

DRAFT

Purchasing Card Program

JPMorganChase Account Details Financial Reports User LOG OUT

CITY OF OCONOMOWOC
MISTY DODGE

Welcome Back - MISTY DODGE
Last Visit: 06/20/2007 17:08:46 GMT

Summary Information
Most Recent Posting Date

Links
[NEW! - Use the Purchase Optimizer™ tool to get the most from your card program](#)
[Upcoming Educational Webinars](#)
[Access the JPMorgan Chase Training Tool](#)
[SDOL 8.1 Changes - Web Training](#)
[SDOL 8.1 Release Notes - Company Admin](#)
[SDOL 7.2.0 Export Fields Reference Guide](#)
[MasterCard Home Page](#)
[Have questions or comments? Email us](#)

User Documents
[Account Holder Guide](#)

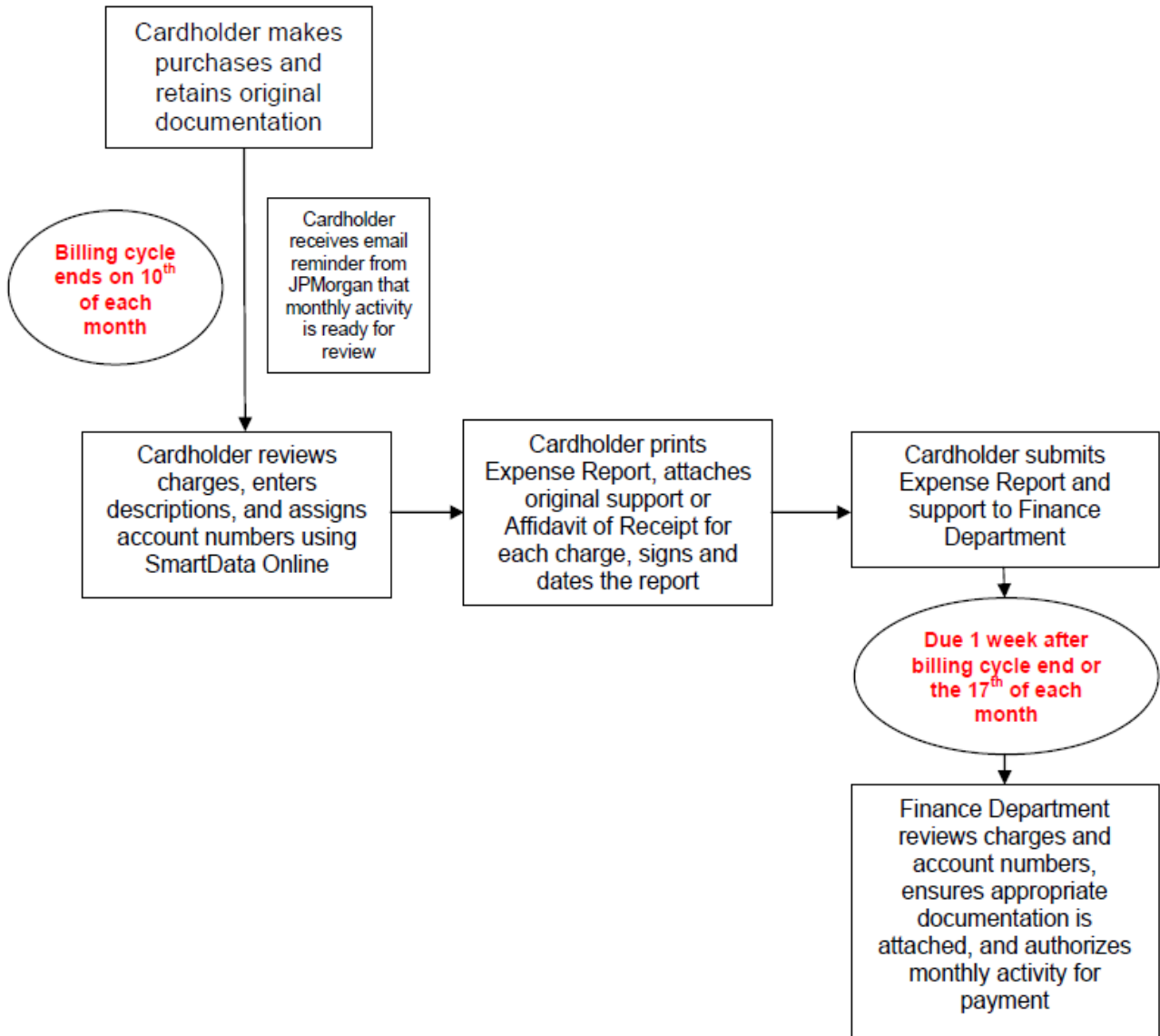
News
06/14/2007 We cordially invite you to attend an informative educational webinar on Hierarchy. Establishing a hierarchy in Smart Data OnLine is essential for reporting as well as ensuring your users have the appropriate scope of view. For July's webinar we will discuss best practices in structuring your organization within SDOL. In addition you will see how to manage your hierarchy as well as move cardholders throughout. Understanding hierarchy will allow you to optimize your Smart Data OnLine site. Click on the "Upcoming Educational Webinars" link on this homepage to the left for complete details. If you have questions contact our CAS Help Desk at (877) 967-1100.
06/12/2007 SDOL Release 8.1 was implemented on Sunday 6/10/07. Major Enhancements in this release include:
· Improvements to the Hierarchy display supporting programs that have a large number of hierarchy levels or cards
· Enhancements and design changes to the Transaction Summary page improving usability
· Enhancements to the Split Transaction page allowing allocations to be performed on the same page as the split
· Improvement to the creation and display of non-card transactions and related account code allocation
· A new user type named "Non-Card Account" has been added to allow employees without company issued cards to enter cash expenses or expenses charged to personal credit cards. Full release notes and a recorded webinar session demonstrating these enhancements are now available under the 'Links' section on this homepage. If you have any questions, you can call our CAS Help Desk at 877-967-1100.

Online Testing

User Manual

Note: The online training course includes audio, so turn on/up your speakers. If you have any questions, please contact the Program Administrator.

**CITY OF WHITEWATER
PURCHASING CARD PROGRAM
APPENDIX 1 – PROCESS**



Purchasing Card Program

CITY OF WHITEWATER PURCHASING CARD PROGRAM APPENDIX 1 – PROCESS

The following forms are available in the internal forms directory:

- **Affidavit of P-Card Receipt:** Each purchase needs to have supporting documentation attached (i.e. receipt). The Affidavit of P-Card Receipt should be used when documentation is not available for a transaction. Excessive use of this form may result in revocation of the cardholder's purchasing card privileges.
- **New Card Request:** This form should be completed when requesting a card for a new cardholder. The form includes lines to indicate the restrictions on the card requested.

Definitions:

Cardholder: An employee that has been issued a purchasing card and is authorized to make purchases in accordance with these procedures.

Program Administrator: Individual responsible for issuing cards, providing training, and responding to questions related to the p-card program. (Currently Karen Dieter and Mary Hennessy as backup.)

Purchasing Card Program

CITY OF WHITEWATER PURCHASING CARD PROGRAM FREQUENTLY ASKED QUESTIONS

1. When should I use my Purchasing Card?

In general, use your purchasing card to purchase goods or services from any vendor that accepts credit cards.

2. Can a co-worker use my Purchasing Card?

No, only the cardholder named on the purchasing card can authorize a purchase on the card. However, the card may be used to make purchases for an employee in your department.

3. What if my Purchasing Card is declined when making a purchase?

Your purchasing card purchase may be declined if the purchase you are making falls outside the parameters set-up for your card. Cancel the transaction and contact the Program Administrator as soon as possible.

Note: Be aware of the cardholder limits for your card to avoid a situation where your purchase might be declined.

4. What do I do if my card is lost or stolen?

If your purchasing card is lost or stolen, contact JPMorgan Chase immediately at 1-800-316-6056 and notify the Program Administrator immediately.

5. Who should I contact to resolve a disputed transaction?

If a discrepancy appears on your monthly statement, contact the vendor to resolve the matter. If you cannot resolve the discrepancy with the vendor, contact the Program Administrator.

6. What do I do if I need to return an item purchased with my purchasing card?

Contact the vendor directly and make arrangements for the return. Make sure that the returned item is credited to your purchasing card account. Cash refunds are not allowed under any circumstances!

7. What do I do if I was mistakenly charged sales tax on a purchase made with my purchasing card?

Contact the vendor directly and have the sales tax amount credited back to your account. If necessary, obtain a copy of the City's tax exempt certificate from the City's shared network drive under "Finance\P-Card Forms and Docs".

8. What do I do if unauthorized charges appear on my account?

If you detect or suspect that your card has been used fraudulently, contact JPMorgan Chase immediately at 1-800-316-6056 and notify the Program Administrator as soon as possible. Under no circumstances should the notification take longer than five days.

9. What do I do to have my cardholder limits or MCC group changed?

Complete a Cardholder Request for Change Form, have your Department Head approve it, and submit it to the Program Administrator. Upon approval you will be notified when the requested changes become effective.