

COUNCIL PROCEEDINGS

Mayor John David called the regular meeting of the Common Council of the City of Watertown to order at 7:00 p.m. on Monday, April 6, 2015, in the Council Chambers at City Hall.

ROLL CALL

Roll call showed the following members present: Alderpersons McFarland, Smith, Berg, Larsen, Zgonc, Raether, Tietz, Maron and Romlein. (9) Absent: None (0). Also present were Fire Chief Greg Michalek, Police Chief Tim Roets, City Engineer Jaynellen Holloway, City Attorney Will Gruber and City Clerk/Treasurer Cindy Rupprecht.

PLEDGE OF ALLEGIANCE

The Council recited the Pledge of Allegiance to the American flag.

MINUTES OF PRECEDING MEETING

Mayor David inquired if there were any additions or corrections to the minutes of the meeting held Tuesday, March 17, 2015. There being none, the minutes were approved as presented.

PUBLIC HEARING

Mayor David declared open the Public Hearing at 7:04 p.m. to amend several sections of Chapter 18 of the Zoning Code, pertaining to signs and projections. There being no persons wishing to speak at this public hearing, Mayor David declared the public hearing closed at 7:05 p.m.

Mayor David then declared open, at 7:05 p.m., the Public Hearing regarding a request from Fischer Barton to rezone 612 S. Water Street from GI (General Industrial) to HI (Heavy Industrial). There being no person wishing to speak at this public hearing, Mayor David declared it closed at 7:05 p.m.

Mayor David then declared open, at 7:06 p.m., the Public Hearing for a petition to vacate a portion of Fredrick Street, from S. Water Street to S. Washington Street. There being no persons wishing to speak at this public hearing, Mayor David declared it closed at 7:06 p.m.

COMMITTEE REPORTS

Finance Committee, March 23, 2015. 1. West Street bicycle and pedestrian path. Motion was made and seconded to refer this to the Public Safety & Welfare Committee for action. 2. Discuss the Library Expansion Project. At the last Committee meeting there were three questions that needed to be answered. 1) Estimated land cost for other properties that need to be purchased for the project to move forward. 2) Estimated future staffing costs. 3) Plans regarding the coordination of this expansion with the Downtown Redevelopment Project. Library Board Director Peg Checkai and Board of Trustees President John Ebert were present to answer these questions. The estimated cost of acquiring the three additional properties is \$613,600.00. Estimated future staffing costs would be approximately 4 part-time employees at a total of \$52,000.00 and one full-time staff person at \$63,000.00. Both Peg and John reiterated that they need to work with Redevelopment Resources on the Downtown Plan, but immediate efforts are being put on hold until after the election and Redevelopment Resources explains their plans to the Common Council. 3. Closed Session per Wis. Stat. §19.85(1)(e) to consider acquisition of real estate. Motion was made and seconded to move into closed session. Motion was then made and seconded to return to open session where a motion was made and seconded to recommend the purchase of the Ison Property in Clark Park. This land will be purchased from the Parkland Expansion Account at an accepted offer of \$97,000.00. Motion was then made and seconded to recommend the annexation of the property in the West Side Industrial Park. This is the first step in the process of purchasing this parcel. The City will pay the annexation fees. Motion passed unanimously. Motion was then made and seconded to recommend the purchase of

the property in the Industrial Park, once it is annexed. The purchase price would be \$166,000.00, with money to be borrowed from the State Land Trust Fund for 5 years at 3% interest. The report was received and placed on file.

Finance Committee, March 31, 2015. 1. Approve Dispatcher hiring/Police Department. Motion was made and seconded to approve the hiring of Katelynn Oreshack as a full-time dispatcher with the Police Department. Motion passed unanimously. 2. Approve full-time temporary summer Engineering Intern and part-time High School Intern wage rate range. City Engineer Holloway was present to request the wage rate for summer High School Intern be set at \$8.00 - \$8.50 per hour and for the full-time College Summer Intern a wage rate of \$11.00 - \$11.50 per hour. Motion was made, seconded and passed unanimously. 3. Approve one of two summer Engineering Interns. Motion was made and seconded to approve the hiring of Joseph Harvat as the full-time College Summer Intern. Motion passed unanimously. 4. Approve candidates for full-time Building Inspector/Engineering Technician position. Motion was made and seconded to approve the hiring of Michael Hedricks for this position to be slotted at a Pay Grade L, Step 5. City Engineer Holloway will also have the flexibility to offer Mr. Hedrick two weeks of vacation starting in his first year of employment, with the position to be re-evaluated in six months for a potential upgrade in the Pay Plan. Motion passed unanimously. 5. Closed Session per Wis. Stat. §19.85(1)(c) regarding update & consideration of Fire labor negotiation, mediation & arbitration. Motion was made and seconded to move into closed session. Following closed session a motion to adjourn was made and seconded. The report was received and placed on file.

Public Works Commission, March 24, 2015. 1. Update on Dip Netting Permit & Resolution. A tour and viewing of the Milwaukee Street Bridge took place. Following this, consensus was to have some sort of barrier or separation type of material to be in place between any rig apparatus and the bridge railing, so no direct contact between metal from the rig and the bridge railing would occur. Second, revised permit rules and guidelines would be adopted and would require all of those persons engaging in dip netting to sign. Thirdly, the only bridge designated for dip netting would be the Milwaukee Street Bridge. Fourth, these guidelines would need to be updated into the permit rules and guidelines. Fifth, there needs to be an inspection at the end of March of 2015 as to the condition of the sidewalk and concrete railing and another by the middle of July, for purposes of a second assessment of this bridge and its physical condition. Lastly, a motion was made and seconded to have Alderperson Berg work with the City Attorney on drafting a resolution or other course of action to allow the continuation of dip netting for 2015 with the conditions as set forth. In the meantime, ordinance 13-30, which allows dip netting, will continue. 2. Review & approve Lighting & Electrical Work at Brandt/Quirk Baseball Diamonds. Motion was made and seconded to recommend a contract with Wil-Surge Electric and with Musco's Lighting for a total of \$85,461.00 to be offset by a donation from the Earl and Eugenia Quirk Foundation, with the balance to be transferred from the City's Contingent Account. A resolution will be presented. 3. Update on Recycling Program for 2014. Street Superintendent Rick Schultz handed out a summary sheet outlining the results of the Solid Waste and Recycling Program. A copy of this report will be made part of the minutes and forwarded to Council members. 4. West Street Bicycle & Pedestrian Path update. City Engineer Holloway informed members that this item was going to be referred to the Public Safety & Welfare Committee, so no action was needed by their Committee. The report was received and placed on file.

COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR

Kim Erdmann, Executive Director of WEDO, was present to update the Council. Kim encouraged all members to read the articles that are appearing periodically in the Daily Times. Kim informed the Council that WEDO is working monthly to talk about obtaining additional industrial land. Their goal is to work with the new Council and informed them that on April 16, 2015 there will be a meeting that will be held regarding key issues within the community.

More information about that would be distributed soon.

Mayor David then presented a letter from WE Energies regarding trespassing and no entry on their property.

Mayor David then presented a letter from Hayes Family Auto, Inc. regarding their most recent positive experience with doing business at the City.

Finally, Mayor David presented his list of appointments: Zoning Board of Appeals, Paul Dettman (Alternate), 223 E. Spaulding Street, 2nd term; Airport Commission, Roger Rothschadl, 815 Cole Street, partial term replacing Scott Harman. Motion was made by Alderperson Smith, seconded by Alderperson Raether to approve these appointments and carried on a roll call vote: Yes – 9. No - none.

ACCOUNTS PAYABLE

Certified accounts in the amount of \$334,409.28 were presented for payment. Alderperson Romlein moved to pay all certified accounts, seconded by Alderperson Maron and carried on a roll call vote: Yes – 9, No – None. (Complete listing of accounts payable is on file and open for public inspection in the office of the City Clerk/Treasurer.)

REPORTS AND MISCELLANEOUS BUSINESS

The following reports were presented: Airport Commission – February 11, 2015. Branding Committee – March 20, 2015. Library Board of Trustees – February 12, 2015. Licensing Board – March 17, 2015. Park, Recreation & Forestry Commission – March 2, 2015. Payroll Summaries – March 4 - 17, 2015. Plan Commission – March 23, 2015. Police & Fire Commission – March 9, 2015. Site Plan Review Committee – March 23, 2015. Watertown Family Center Board of Director's – March 24, 2015. Watertown Family Center Finance Committee – March 18, 2015. All reports were accepted as printed. Alderperson Berg asked that the City send condolences to the family of Airport Commission Chairman Art Risser. Mr. Risser recently passed away.

ORDINANCES

Ord. #15-4, to create Section 7.06(2)(z-2) of Chapter 7 of the Traffic Code, Parking Reserved For Vehicles of Disabled was presented. *Sponsor: Alderperson Zgonc. From: The Public Safety & Welfare Committee. And;*

Ord. #15-5, to recreate Section 7.09(1)(z-20) of Chapter 7 of the Traffic Code, Parking Prohibited in Specified Places was presented. *Sponsor Alderperson Zgonc. From: The Public Safety & Welfare Committee.* Alderperson Zgonc moved for the adoption of both of these ordinances on their second reading, seconded by Alderperson Tietz and carried on a roll call vote: Yes – 9. No – 0.

Ord. 15-6, to repeal Section 9.19 3.(a) & (b), to amend Section 9.19 3.(c), (d), (e) & to repeal Section 9.19 4.(d)(1) through 5, (e) & to create Section 9.19 4.(d)(1),(2),(3) and to amend Section 9.19 4.(f) and (g) and to repeal Section 9.19 5.(b) and to amend Section 9.19 5.(c) "False Alarms" of Chapter 9, "Licenses & Permits" was presented. *Sponsor: Alderperson Zgonc. From: The Public Safety & Welfare Committee.* Alderperson Zgonc moved for the adoption of this ordinance on its second reading, seconded by Alderperson Romlein and carried on a roll call vote: Yes – 9. No – 0.

Ord. 15-7, to amend Chapter 18 of the Zoning Code to change 420 E. Horseshoe Road from HI (Heavy Industrial) to GI (General Industrial) zoning was presented. *Sponsor: Mayor David. From: The Plan Commission with a positive recommendation.* Alderperson Smith moved for the adoption of this ordinance on its first reading, seconded by Alderperson Zgonc and carried on a roll call vote: Yes – 9. No – None.

RESOLUTIONS

Exhibit #8155, to vacate a portion of Frederick Street was presented. *Sponsor: Mayor David. From: The Plan Commission.* Alderperson Berg moved for the adoption of this resolution, seconded by Alderperson Tietz and carried on a roll call vote. Yes – 9. No – 0.

Exhibit #8156, to authorize the contracts with Wil-Surge Electric for \$27,461.00 and Musco's Sports Lighting for \$58,000.00 for the Brandt/Quirk Park Baseball/Softball Center Project to be charged to Account #01-58-11-21, and also to amend the budget so the Contingent Fund Account #01-51-81-56 be reduced by \$48,461.00 and the Brandt/Quirk Park Capital Outlay Account #01-58-11-21 be increased by \$48,461.00 was presented. *Sponsor: Ald. Berg. From: Public Works Commission.* Alderperson Tietz moved for the adoption of this resolution, seconded by Alderperson Raether. Yes – 9. No – None.

Exhibit #8157, to enter into the service agreements with the Watertown Humane Society for the period of time from October 1, 2014 through December 31, 2015 was presented. *Sponsor: Mayor David.* Alderperson Smith moved for the adoption of this resolution, seconded by Alderperson Romlein. Alderperson Smith then moved to refer this contract to the Finance Committee for further review, seconded by Alderperson Romlein and carried on a voice vote.

Exhibit #8158, FINAL RESOLUTION APPROVING THE ACQUISITION OF PARKLAND PROPERTY SITUATED AT 1500 SOUTH THIRD STREET, CITY OF WATERTOWN, JEFFERSON COUNTY, WISCONSIN

PIN: 291-0815-0924-004

Sponsor: Mayor John David
From: Finance Committee

WHEREAS, on March 17, 2015 the Common Council adopted the Resolution Determining Necessity for Acquisition of Parkland Property referred to it by the Park, Recreation and Forestry Commission upon that Commission's special meeting of March 9, 2015 and consistent with that Commission's objective in pursuing the acquisition of the above described property for the purpose of further assembly, expansion and improvement of the parkland property known as, "Clark Park" (all those lands described under Exhibits "A" and "B" of the March 17, 2015 Resolution Determining Necessity for Acquisition of Parkland Property), but only if such acquisition could be accomplished without involuntary taking by a mutually agreed-upon purchase contract; and,

WHEREAS, the City Attorney was directed to negotiate in furtherance of and on those terms, conditions and contingencies deemed most favorable and advancing of the City's best fiscal, legal and risk interests including but not limited to tendering an offer to purchase for a sum equal to ninety-seven thousand dollars (\$97,000) and entering into a fixed term lease agreement with the prospective former owner for no less than, and no more than, three (3) years without rent payment by the prospective former owner and further upon those lease terms which shall be entered into under separate lease agreement upon closing of the conveyance of property as determined by the City Attorney in consultation with the Commission to be in the City's best fiscal, legal and risk interests; and,

WHEREAS, it is necessary to adopt this final measure to approve the expenditure of funds (drawn from acct. no: 07-58-11-13) to accomplish the within-described acquisition;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Watertown, Wisconsin:

Section 1. That the Common Council of the City of Watertown hereby approves the expenditure of funds consistent with the foregoing recitals to acquire fee simple interest of the within-described property with funding for said acquisition to be drawn from acct. no: 07-58-11-13; and,

Section 2. That the City Attorney and any and all other City interests or departments, as needed, by way of this Resolution are further directed and authorized to accomplish the acquisition of the within-described property and further all other necessary actions in connection therewith consistent with the foregoing recitals and the City's best fiscal, legal and risk interests pursuant to the assessment of the City Attorney including but not limited to entering into an Offer to Purchase, Real Estate Purchase Agreement-Rider and separate Lease Agreement; and

Section 3. That the Common Council further directs the City Clerk to send a copy of this Resolution Order, within 20 days subsequent to issuance, to the County Clerk of the county wherein the described lands are located and to publish this Resolution as required by Statute; and,

Section 4. That this Resolution shall be in full force and effect immediately upon its passage and adoption. to authorize the submission of the 2014 Annual Storm Water Report under MS4 General Permit #WI-S050075-1 was presented. *Sponsor: Alderperson Berg. From: Public Works Commission.* Alderperson Berg moved for the adoption of this resolution, seconded by Alderperson McFarland and carried on a voice vote.

Alderperson Tietz moved for the adoption of this resolution, seconded by Alderperson Larsen and carried on the following roll call vote: Yes – McFarland, Berg, Larsen, Zgonc, Raether, Tietz, Maron and Romlein (8). Abstained – Smith (1).

Exhibit #8159, FINAL RESOLUTION APPROVING THE EXPENDITURE OF FUNDS FOR THE ACQUISITION OF PROPERTY SITUATED AT W4742 CTH T, TOWN OF WATERTOWN, JEFFERSON COUNTY, WISCONSIN
PIN: 032-0815-0624-001

Sponsor: Mayor John David

From: Finance Committee

WHEREAS, the Common Council deems it in the best economic vitality and business growth interests of the City of Watertown to make possible a contiguous assembly and expansion of the Westside Industrial Park; and,
WHEREAS, the above-referenced property (as described under attachment hereto: Exhibits A and B, incorporated by reference) is currently marketed for sale; and,
WHEREAS, on February 23, 2015 the Finance Committee convened and gave preliminary approval for the pursuit of acquisition of the above-referenced property (as described under attachment hereto: Exhibits A and B, incorporated by reference) on those terms, conditions and contingencies deemed and negotiated to be most favorable to the City and in the City's best fiscal, legal and risk interests including but not limited to tendering an offer to purchase at a sum equal to one-hundred, sixty thousand dollars (\$160,000), Seller's assistance and cooperation (upon City's facilitation) with direct annexation into the City and entering into that separate, mutually agreed-upon Lease Agreement entered into with Seller's on March 10, 2015 including an initial six (6) month term with month-to-month tenancy thereafter (with the City's right to require vacation of premises at any time upon 60 days written notice); and, with further direction and authorization given to the City Attorney to negotiate and execute in furtherance of the foregoing in any and all other necessary respects under terms, conditions and contingencies deemed most favorable and advancing of the City's best fiscal, legal and risk interests; and,
WHEREAS, the City Attorney has pursued and will continue to pursue acquisition in substantial conformity with the foregoing; however, upon March 9, 2015 counter offer by the current owners of the property, there is principled acceptance of an offer to purchase (by the City's counter-offer) price of one-hundred sixty-six thousand dollars (\$166,000) subject to Common Council final approval; and,

WHEREAS, it is necessary to adopt this final measure to approve the expenditure of funds to accomplish the within-described fee simple interest acquisition; and,

WHEREAS, this land acquisition was not included in the 2015 budget process and the budget requires amendment.

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Watertown, Jefferson County, Wisconsin:

Section 1. That the Common Council of the City of Watertown hereby approves the expenditure of funds for the acquisition of the above and within-described property for the public and economic purposes and objectives as stated herein and in a manner consistent with all of the foregoing recitals; and,

Section 2. That the Common Council of the City of Watertown hereby approves that the Borrowings-Loan Proceeds Account # 05-48-20-20 be increased from \$3,000,000 to \$3,168,000 and the budget amount for Land Acquisition Account # 05-58-11-48 be established at \$168,000; and,

Section 3. That the City Attorney and any and all other City interests or departments, as needed by way of this Resolution are further directed and authorized to accomplish the acquisition of the within-described property and further act in all other necessary expeditious manners in connection therewith consistent with the foregoing recitals; and

Section 4. That this Resolution shall be in full force and effect immediately upon its passage and adoption.

Aldersperson Maron moved for the adoption of this resolution, seconded by Aldersperson Smith and carried on a roll call vote: Yes – 9. No – None.

Exhibit #8160, RESOLUTION

Sponsor: Mayor John David

From: The Finance Committee

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the City of Watertown, in the County(ies) of Dodge And Jefferson, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of One Hundred Sixty Eight Thousand and 00/100 Dollars (\$168,000.00) for the purpose of financing land purchase for industrial use and no other purpose.

The loan is to be payable within 5 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 3.00 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the City of Watertown, in the County(ies) of Dodge And Jefferson, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of Watertown by such loan from the state be applied or paid out for any purpose except financing land purchase for industrial use without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the Mayor and clerk of the City of Watertown, in the County(ies) of Dodge And Jefferson, Wisconsin, are authorized and empowered, in the name of the city to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the city pursuant to this resolution. The Mayor and clerk of the city will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this city forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Aldersperson Larsen moved for the adoption of this resolution, seconded by Aldersperson Maron and carried on a roll call vote: Yes – 9. No – None.

Exhibit #8161, to authorize entering into an agreement for the West Street Bicycle & Pedestrian Path Study with Ayres Associates of Madison at a base fee of \$9,500.00, alternate #1 fee of \$850.00 and alternate #2 fee of \$850.00, totaling \$11,200.00 to be charged to Bike Lane Marking Account #05-58-11-22 was presented. *Sponsor: Ald. Zgonc. From: The Public Safety & Welfare Committee.* Aldersperson Zgonc moved for the adoption of this resolution, seconded by Aldersperson Tietz and carried on a roll call vote: Yes – 9. No – None.

ADJOURNMENT

There being no further business to come before the Council at this time, Aldersperson McFarland moved to adjourn, seconded by Aldersperson Larsen and carried on a voice vote, the time being 7:36 p.m.

Cindy Rupprecht

City Clerk/Treasurer

CR/dn

(Complete video of Council Proceedings on DVD.)

(DISCLAIMER: These minutes are uncorrected and any corrections made thereto will be noted in the proceedings at which these minutes are approved.)