

## 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 Tuesday, October 20, 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, October 6, 2015. There being none, the minutes were approved as presented.

### PUBLIC HEARING

Mayor David declared open, at 7:04 p.m., a public hearing to consider the request of Rock River Gymnastics Center, LLC to rezone the property located at 1202 Wakoka Street from GI (General Industrial) to GB (General Business). There being no persons wishing to make comment Mayor David declared the public hearing closed at 7:05 p.m.

### COMMITTEE REPORTS

**Finance Committee, October 12, 2015.** 1. Review and approve the Printing Resolution revocation concerning the Branding Initiative. City Engineer Jaynellen Holloway was present to explain that because of public record laws, the bid amount of the winner would be known to all printers, so others would be able to adjust their rates when contacted for printing needs. A resolution will be presented to recommend the revocation of Resolution #8214. 2. High school intern slate of candidates. Engineer Holloway is recommending we hire Tanner Zweg at a starting pay rate of \$8.00 per hour to be funded out of the Engineering Part-Time Salaries Account. Tanner will work 12 hours a week during the school year and up to 40 hours per week in the summer. 3. College Intern. Engineer Holloway is recommending the hire of Ross Koderl as an intern 4 hours per week through December 31, 2015 and Joy Oliver for 5 hours per week through December 31, 2015 at a rate of \$10.00 per hour each to be funded out of the Engineering Part-Time Salaries Account. These will be limited term temporary employees. 4. Review Civil Staff Engineer slate of candidates and job offer. Engineer Holloway is recommending the hire of Andrew Beyer at a Grade K, Step 2, \$26.24 per hour, with this being an exempt position. Andrew previously worked for the Engineering Department as a summer intern in 2013. 5. Review and approve the Watertown Riverwalk design contract. Engineer Holloway is recommending we hire Ayres Associates of Waukesha at a cost of \$163,070.00. A resolution will be presented. 6. Chicken permit form for the City of Watertown. Zoning Administrator/Grant Writer Jacob Maas was present to explain the permit application for keeping and raising of chickens. It is a one page form with a fee of \$50.00. A few minor changes were made and the Committee recommends this form. 7. Recreate Section 2.02, Chapter 2 of the Municipal Code concerning a Municipal Judge position. City Clerk/Treasurer Cindy Rupprecht was present to explain that our current code, dealing with the replacement of a Judge mid-term is antiquated and does not follow state law. She is recommending an ordinance change that will remove the sections and allow us to follow State Law, which would mean that the Mayor will make a recommendation for approval to the Common Council of a candidate to fill the unexpired term of Judge Ziwisky when his anticipated retirement happens in April of 2016. An ordinance will be presented. 8. Budget discussion by the Finance Committee. The Mayor informed the Committee we will be receiving \$108,197.00 less in road aids in 2016. Because of this, he is recommending some money come from

Fund Balance, and we levy for the rest, which will bring the levy increase up to 2.05%. 9. Employee Handbook Policy update. City Clerk/Treasurer Rupprecht explained that there are some things that need to be corrected in our handbook concerning our Electronic Use Policy and a clarification regarding sick leave usage. A complete Handbook will be brought back to the entire Council for approval in the next several weeks. The report was received and placed on file.

**Public Works Commission, October 13, 2015.** 1. Update from Applied Technologies on Central Water Plant Upgrade & Booster Station Upgrade. Bill Ericson from Applied Technologies presented two options: Option 1 would reuse our existing Filter Building with a new Pump Building. Option 2 would combine a new Filter & Pump Building into one facility. This option is \$2.2 million cheaper than re-using some of our existing buildings with upgrades, as Option 1 would do. After discussion a motion was made and seconded to go with Option 2. Current construction costs of this project are estimated at \$11.2 million, with funds coming from the State Safe Drinking Water Loan Fund at a projected interest rate of 1.79% over 20 years. The timeline has bids going out in the first quarter of next year and construction beginning in the second quarter of 2016. 2. Review & approve Watertown Riverwalk Design Contract. Engineer Holloway gave an overview of the proposal for design, permitting, and construction services. After review of proposals and interviews, Ayres Associates is being recommended for the Riverwalk Design Contract at a price of \$163,070.00. Engineer Holloway said they would like to open up bids in the spring of next year, but delay construction until 2017 in order to attain as many grants as possible to offset the cost. A resolution will be presented. 3. DNR Grant Update for Urban Nonpoint Source Pollution Planning Grant. Jacob Maas stated that it appears we have qualified for a \$20,000.00 grant, based on a 50% cost sharing formula with the State, for planning purposes related to Urban Nonpoint Source and Storm Water Programs required by the DNR. 4. Review N. Fourth Street Sidewalk Rehabilitation Map. Engineer Holloway went over the map put together by the Engineering Department. The defined area would include E. Division Street, Labaree Street, and N. Fourth Street, in a triangular fashion. After discussion a motion was made and seconded to approve the sidewalk repair map for 2016 as defined by Engineering. 5/6. Review & approve Netwurx Contract Renewal for their use of our water towers/Review & approve Netwurx Panel Addition to West Street Water Tower & upgrading of their infrastructure. Netwurx's contract with the City has expired and is running month to month for now. Netwurx provides free internet services for the City in exchange for a nominal fee per month so they can use four of our water towers as antennas for their business applications. Netwurx is currently over \$5,000.00 in arrears on charges owed to the City and has not paid their monthly user fee for about 2 years. They want a new contract with the City with 5 year lease increments. Water Systems Manager Kevin Freber is confident that Netwurx will pay off their balance in the near future as they want to upgrade their internet technologies on the West Street Tower and need our cooperation. After discussion a motion was made to table negotiations with Netwurx until they have paid off debt owed to Watertown for access and use of our towers. This passed unanimously. 7. Review & approve ATT Tower Contract for O'Connell Street. After discussion on all of the items that ATT is requesting, a motion was made and seconded to table his matter so staff can critique ATT lease terms more completely. Motion passed unanimously. The report was received and placed on file.

**Public Safety & Welfare Committee, October 14, 2015.** 1. Request No Parking on West Street between S. Water and Washington Street. After discussion, the Engineering Department was directed to send notice to all four property owners along this stretch of West Street, informing them that the City is considering removing parking on the south side, between S. Water and Washington Streets and invite them to come to the next meeting on Wednesday, November 4, 2015. 2. Review & discuss the Park & Rec. Commission's Recommendation on Dip Netting. This issue has been reviewed by the Park & Rec. Commission and also by the Public Works Commission. After lengthy discussion, a motion was made and seconded to endorse the Park & Rec. Commission's recommendation to disallow dip netting off

the Milwaukee Street Bridge and directed the Engineering Department to work with the City Attorney to present an ordinance to reflect no dip netting. 3. Discuss Two-Way Traffic on S. Second Street between Jefferson St. and Western Avenue. With the improvements that S. Second Street received this summer, it can now support two-way traffic with parking on both sides. After discussion a motion was made and seconded to allow two-way traffic with parking on both sides between Jefferson Street & Western Avenue. The Engineering Department was to work with the City Attorney to get an amended ordinance before the Council. 4. Request for Railing Extension at the Globe Apartments. After discussion, the Engineering Department was directed to determine where additional railings are needed, the estimated cost of the additional railing, and to verify who's responsibility it is to pay for the railing. This will be brought back to the November meeting. 5. Update on Main Street at Bonner/Dayton Crosswalk Request. Police Department accident reports for that intersection and the Manual on Uniform Traffic Control Devices does not have sufficient criteria to make changes to the intersection at this time. The Street Department is directed to look at the pine tree located at the southeast corner of the intersection to evaluate if it needs trimming or cutting down to allow for more visibility. 6. Update on Sunset Avenue Parking Concern. After review of Police Department accident reports for that stretch of Sunset Avenue between S. Twelfth Street and Richards Avenue, it was determined there was not sufficient evidence to remove parking. No further action is needed. 7. Review Stop Sign on Willow Creek Parkway at Cobblestone Way. After discussion, Chief Roets was directed to research accident reports for this intersection and bring the results of this research back to the November meeting. 8. Request for No Parking on one side of Hoffmann Drive. Water System Manager Kevin Freber requested that No Parking signs be placed on one side of Hoffmann Drive between Johnson Street and Hoffmann Drive. After discussion, the Engineering Department was directed to contact Bethesda and ask them to request that their employees or guests park on only one side of the street. The report was received and placed on file.

#### **COMMUNICATIONS AND RECOMMENDATIONS OF THE MAYOR**

Susan Dascenzo, representing the Watertown Chamber of Commerce, Main Street and Tourism Programs, was present to bring the Council up to date. Susan explained that the Chamber is currently working on planning and budgets. The Chamber is electing five new Board members. They are also working on their Community Guide & Maps. The Main Street Program is working on Christmas. Downtown will be adorned with four new banners of four different designs. They are retrofitting the wreaths with new lights and bows and will have those up before the November 28, 2015 Holiday Lights Parade. They are also working on promoting their Gift Certificates, which are very popular at the holidays and encourages citizens to shop local. The Tourism Committee is currently reviewing their coupon sheet which is given to visitors.

Mayor David then presented a Unit Citation from the Fire Chief for Engine 2 and Rescue 3 which states: On October 7, 2015, at approximately 0217 hrs, the Watertown Fire Department was dispatched to a single vehicle accident at S. Concord and Brian Court. Initial information on dispatch was the vehicle crashed after a police chase and there was movement in the vehicle. Engine 2 (with Assistant Chief Gordon, Lt. Riggs, and FF/PM Fox) and Rescue 3 (with FF/PM Pieper and FF/PM Wojnowski) responded. Upon arrival they found a mid-sized vehicle wrapped around a tree, almost cut in half. Inside the vehicle were five (5) victims entangled in a heavily damaged vehicle. Assistant Chief Gordon immediately requested a Box Alarm on a Life-safety card. This brought an Engine and Ambulance from Johnson Creek, Engine, Ambulance and Chief Officer from Ixonia, Ambulance from Fort Atkins Ryan Brothers, Ambulance from Waterloo, Heavy Rescue from Jefferson, and a Chief Officer from Lake Mills. A Lake Mills Engine and Beaver Dam Ambulance changed quarters to our station. Two helicopters were also requested and responded from UW Madison Hospital. Engine 2 and Rescue 3 immediately started the difficult and arduous task of extrication. Due to the extensive damage to

the vehicle and entanglement of the victims, the extrication was very difficult and time consuming. They were able to extricate two victims prior to the arrival of mutual aid companies. All resources were required for the extrication for the victims in the front seats. For their actions, at first with limited manpower and an extremely difficult extrication with multiple victims, Engine 2 and Rescue 3 are awarded Unit Citations. Their professionalism, resourcefulness and skills in a very challenging and trying situation was no less than remarkable.

### **NEW BUSINESS**

Discuss W. Main Street viaduct condition/inspection reports. Alderperson Smith requested this topic be placed on the agenda, as he wished to bring attention to the Council and the citizens of Watertown the deterioration of the W. Main Street viaduct which is evident to anyone who passes through. Alderperson Smith explained that since May the City has been asking for inspection reports and information that would provide confidence that the rail passing over this site is safe. Alderperson Smith laid out the timeline of communications with CP Rail. After numerous attempts to get inspection reports, CP Rail sent an inspector on site on October 15, 2015 and is now reporting that they wish to work with the City next week to get lane closures to work on the abutments. This is anticipated to happen on Monday and Tuesday. Regardless of whether this happens or not, Alderperson Smith is requesting that we hear from citizens who have concerns regarding this viaduct at the next Council meeting on November 3, 2015. Alderperson Smith also requested the Engineering Department go out to the bridge and photograph all angles to have a record of its condition before and after.

### **ACCOUNTS PAYABLE**

Certified accounts in the amount of \$329,560.63 were presented for payment. Alderperson Romlein moved to pay all certified accounts, seconded by Alderperson Larsen 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 – September 10, 2015. Community Development Authority – September 17, 2015. Historic Preservation & Downtown Design Commission – August 19, 2015. Library Board of Trustees – September 10, 2015. Licensing Board – October 14, 2015. Payroll Summaries – September 30 – October 13, 2015. Plan Commission – October 12, 2015. Police & Fire Commission – October 12, 2015. Site Plan Review Committee – October 12, 2015. Watertown Family Center Board of Directors – September 29, 2015. All reports were accepted as printed.

Alderperson Smith moved to amend the Licensing Board minutes of Wednesday, October 14, 2015 to remove the name of Carina Mares as a recommended denial and recommend that her application be referred back to the Licensing Board for further consideration. This was seconded by Alderperson Tietz and carried on a roll call vote: Yes – 9. No – none.

### **LICENSES**

The following have made application for Beverage Operator License for year ending June 30, 2016: Chrystal M. Begovatz, N2479 Halter Ln., Watertown, WI; Ryan R. Behlke, N8814 Co. Rd. SC, Ixonia, WI; Zachery T. Britten, 208 Western Ave., Watertown, WI; Joshua F. butler, 710 S. Third St., Watertown, WI; Elizabeth G. Courtois, 422 N. Church St., Watertown, WI; Kiesha N. Demetropoulos, 720 N. Church St., Watertown, WI; Judith L. Draeger, 1120 Schiller St., Watertown, WI; Kathy L. Hoefler, 1019 N. Fourth St., Watertown, WI; Rebecca A. janny, N50 W34376 Road P, Okauchee, WI; Collyn Rae Kohls, 209 Jenna Ct., Watertown, WI; Taylor J. Kuehl, N1508 Cty. Rd. EM, Watertown, WI; Zachary J. McInnis, 926 Shamrock Ln., Watertown, WI; Nicole R. Mephram, 225 Air Park Dr., Watertown, WI; Elayna M. O'Bryon, 1210 Allermann Dr., Watertown, WI; Kevin W. Osterhoff, 705 Pheasant Run, Watertown, WI; Gregg Peirick, W8635

Highland rd., Watertown, WI; Megan M. Pirkel, 1011 Carr St., Watertown, WI; Jared R. Price, W6661 Timberline Ct., Watertown, WI; Melinda S. Simon, 722 Milford St., Watertown, WI; Stephanie L. Strang, 617 Cole St., Watertown, WI; Tina M. Thrane, W4367 Morningside Rd., Watertown, WI; Kirstina L. Ulm, 128 Dayton St., #4, Watertown, WI; Molly J. Wierschke, 1415 S. Ninth St., Watertown, WI; Eric J. Winter, 307 ½ S. Montgomery St., Watertown, WI. Alderperson Tietz moved to recommend the granting of these licenses, seconded by Alderperson Maron and carried on a voice vote.

The following made application: Agent change for Aldi's, 1520 S. Church St. (Tammy Vesper, Agent) and "Class A" (CIDER ONLY) Liquor License, Speedway, 104 N. Church St. (David Griffin, Agent). Alderperson Maron moved to recommend the granting of these licenses, seconded by Alderperson Tietz and carried on a voice vote.

### ORDINANCES

**Ord. #15-33**, to amend Chapter 18, Section 18.206(8)(x), Keeping & Raising of Chickens

**Ord. #15-34**, to amend Chapter 18, Section 18.105(2)(c)3.a, Single Family Residential List of Allowable Accessory Uses Permitted

**Ord. #15-35**, to amend Chapter 18, Section 18.105(2)(d)3.a, Two-Family Residential List of Allowable Accessory Uses Permitted

**Ord. #15-36**, to amend Chapter 10, Section 10.10(4)(e), Limitations on Keeping of Domestic Animals

All of the above ordinances were presented. *All Sponsor: Mayor David. All From: The Plan Commission with Positive Recommendations.* Alderperson Smith moved for the adoption of all four ordinances on their second reading, seconded by Alderperson Berg. Alderperson Larsen moved to amend Ordinance #15-33, Sections (x)1.e.iii. & v., where it reads "at least 25 feet from all property lines" to read "at least 3 feet from all property lines". Following discussion this motion failed on the following vote: Yes – Larsen (1). No – McFarland, Smith, Berg, Zgonc, Raether, Tietz, Maron & Romlein (8). Alderperson Larsen then moved to amend the same sections (x)1.e.iii. & v., to read "at least 10 feet from all property lines". This motion was seconded by Alderperson Berg. This motion failed on the following roll call vote: Yes – Berg, Larsen & Romlein (3). No – McFarland, Smith, Zgonc, Raether, Tietz & Maron (6). The motion to adopt all four ordinances on their second reading carried on a roll call vote: Yes – 9. No – none.

**Ord. #15-37**, to amend 2.01(3) of Chapter 2 and to amend 2.07(2)(a) of Chapter 2, Officials, Boards and Commissions was presented. *Sponsor: Mayor David. From: The Finance Committee.* Alderperson Romlein moved for the adoption of this ordinance on its first reading, seconded by Alderperson Larsen and carried on a roll call vote: Yes – 9. No – none.

**Ord. #15-38**, to repeal Section 7.05(2), of Chapter 7 of the Traffic Code, to repeal the following: On south Second Street, from Western Avenue to Jefferson Street, vehicular traffic shall move only in a northerly direction. *Sponsor: Alderperson Zgonc. From: The Public Safety & Welfare Committee.* Alderperson Zgonc moved for the adoption of this ordinance on its first reading, seconded by Alderperson Raether and carried on a roll call vote: Yes – 9. No – none.

### RESOLUTIONS

**Exhibit #8221**, Final Resolution to Discontinue Public Way on Carl Schurz Driver, Near and About its Intersection with Douglas Avenue was presented: *Sponsor: Mayor David. From: The Plan Commission.* Alderperson Raether moved for the adoption of this resolution, seconded by Alderperson McFarland and carried on a roll call vote: Yes – 9. No – none.

**Exhibit #8225**, to request exemption from County Library Tax for Jefferson County. *Sponsor: Mayor David*

**Exhibit #8226**, to request exemption from County Library Tax for Dodge County. *Sponsor: Mayor David.* Alderperson Smith moved for the adoption of these two resolutions, seconded by Alderperson Maron and carried on a roll call vote: Yes – 9. No – none.

**Exhibit #8227**, to authorize entering into a contract with Ayres Associates of Waukesha for related design, permitting and construction services for construction of the Riverwalk along the Rock River at a base bid price of \$113,980.00 and alternate bid of \$49,090.00, for a total of \$163,070.00 was presented. *Sponsor: Mayor David. From: Finance Committee with full support by the Public Works Commission.* Alderperson Zgonc moved for the adoption of this resolution, seconded by Alderperson Larsen and carried on a roll call vote: Yes – 9. No – none.

**Exhibit #8228**, to revoke a City-Wide Printing Contract as presented in Resolution #8214 was presented. *Sponsor: Mayor David. From: The Finance Committee.* Alderperson Tietz moved for the adoption of this resolution, seconded by Alderperson Zgonc and carried on a voice vote.

#### **COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT**

Judith Mueller, 205 E. Water Street, was present to express her concerns regarding the keeping of urban chickens. She is in the health care business and has concerns because chickens are the largest carriers of salmonella. There has already been an issue in her neighborhood regarding loose chickens. She fears this will encourage coyotes, fox, and other animals to come into the City. She questioned who was going to enforce all of these rules and didn't feel the City employees should have to be paid to be taking care of chicken issues.

#### **ADJOURNMENT**

There being no further business to come before the Council at this time, Alderperson Berg moved to adjourn, seconded by Alderperson Zgonc and carried on a voice vote, the time being 8:22 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.)*