

## COUNCIL PROCEEDINGS

Mayor McFarland called the regular meeting of the City of Watertown Common Council to order at 7:00 p.m. on Tuesday, July 16, 2019, in the Council Chambers at City Hall.

### ROLL CALL

Roll call showed the following members present: Ald. Tortomasi, Ruetten, Larsen, Holthaus, Raether, Maron and Kilps. Absent: Mudler and Schmid. Also present: Police Captain Dave Brower, Fire Chief Kraig Biefeld, Engineer Jaynellen Holloway, City Attorney Rose Simon-Silva, and Clerk/Treasurer Elissa Friedl.

### PLEDGE OF ALLEGIANCE

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

### MINUTES OF PRECEDING MEETING

Mayor McFarland inquired if there were additions or corrections to the minutes of the meeting held Tuesday, July 2, 2019. There being none, the minutes were approved as presented.

### COMMENTS & SUGGESTIONS FROM CITIZENS PRESENT

Dr. Dean Kurtz, 115 Fremont Street, was present to speak in favor of the e-cigarette ordinance. He stated e-cigarette usage has jumped in recent years and applauds the City for addressing this issue. He doesn't feel that research has kept up with e-cigarette use and stated that e-cigarettes are largely unregulated at this time. Kurtz pointed out that research on second hand smoke led to regulations to protect innocent bystanders and due to lack of research on chemicals in e-cigarettes that the current smoking bans in place could be applied to e-cigarette use. Kurtz indicated he does not feel this is infringing on people's rights, but rather offering reasonable protection for the community.

Andrea Turke, 521 Carl Schurz Drive, was present to speak. She stated that she has been a nurse for many years and is on the Board of Health and Get Healthy Watertown. Turke offered support for both ordinances pertaining to e-cigarettes and feels they are proactive and necessary to keep the community healthy.

Molly Kwapil, 1121 Bayberry Drive, an 8<sup>th</sup> grade student, was present to state that she sees many of her peers using vapes and e-cigarettes and she feels that if restrictions aren't put on them now it could be disastrous in the future.

### COMMITTEE REPORTS

**Finance Committee, July 8, 2019.** Minutes of June 24, 2019 meeting. Motion carried to approve the minutes. Fire Department ladder truck update. Chief Biefeld explained that more issues were found, but repairs are underway and coming in below the original estimate. Fire Department Insurance Services Office Public Protection Classification Report. This is a summary of Watertown's ability to provide fire protection service to the community. We have moved up from Class 3 to Class 2. Advertise Engineering Department full-time Engineering Project Manager position. After not receiving candidates for the Engineering Tech position, City Engineer Holloway is asking permission to hire an Engineering Project Manager. There is sufficient budget to support the higher job. Motion carried to approve advertising for an Engineering Project Manager. Change Order no. 1 for Kapur & Associates for Setting Benchmarks for Upper Dam. Motion carried to approve this Change Order bid for \$1,200. Report received and placed on file.

**Plan Commission, July 8, 2019.** Plan Commission minutes of June 10, 2019. Motion carried to approve the minutes. Site Plan Review Committee minutes of June 10, 2019. Motion carried to approve the minutes. Extraterritorial CSM – W8298 S.T.H. 19. Motion carried to approve the CSM with the condition that the CSM should maintain, at a minimum, the 60 feet from centerline right-of-way dedication. Drainage Overlay District – Section §550-90. Motion carried to postpone a recommendation on this ordinance amendment for additional study. 800 N. Church St. – Conceptual Plan for Design Standards. Ryan Jones is proposing to redevelop this site and presented a proposed Menards plan 29364

“Sooter”, 4 car garage/farmhouse style design. Commission discussion was generally in favor of the proposal. No action was necessary. Report received and placed on file.

**Public Works Commission, July 9, 2019.** Minutes of June 25, 2019 meeting. Motion carried to approve the minutes. Change Order No. 1 for the S. Concord Ave. Local Road Improvement Program Contract. Motion carried to approve this change order. Salt price for snow and ice control for the 2019-2020 season. Motion carried to approve the purchase of salt from Morton Salt through the State of WI Salt Contract at \$355,500 for 4,500 tons. Proposal from Southwest Surveying & Associates, Inc. for Bethesda Land Survey – Wastewater Utility. Motion carried to approve the proposal to perform the Bethesda Land Survey at a cost of \$6,500. Report received and placed on file.

**Public Safety & Welfare Committee, July 10, 2019.** Minutes of June 12, 2019 meeting. There was one correction made to Item 8, line 2. Motion carried to approve the minutes. No parking signs at each end of alley behind E. Main St. between the 400-500 block. Ald. Mudler volunteered to speak with a new building owner on this block to see if it was their employees parking in the alley to resolve this issue. Sidewalk crossing pavement marking on W. Cady St. Police Chief Kaminski offered to review traffic and pedestrian accidents/incidents at the intersection of W. Cady and N. Water St. Motion carried to table this item until the next meeting to review the Chief’s report. Signage at Riverside Park pier. Without any complaints specific to this issue it was agreed to not take action but to bring this item back to the committee if any new concerns arise around this issue. Report received and placed on file.

### **COMMUNICATIONS & RECOMMENDATIONS**

Peg Checkai, Library Director, was present to inform the Common Council members that they are still working behind the scenes on the expansion project. Checkai highlighted the paver fundraising effort for the expansion. She told the Council that the Library’s Summer Reading Program has been very busy with many programs being held. She added that the Farmers’ Market in the Library parking lot begins Thursday, August 1<sup>st</sup>.

Mayor McFarland recognized the following employees for their years of service: Pedro Gallegos, 5 years; Dianna Monaghan, 20 years.

### **ACCOUNTS PAYABLE**

Certified accounts in the amount of \$433,981.65 were presented for payment. Ald. Kilps moved to pay all certified accounts, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0. Abstain: Ald. Ruetten. (Complete listing of accounts payable is open for public inspection in City Clerk/Treasurer’s office.)

### **REPORTS AND MISCELLANEOUS BUSINESS**

The following reports were presented: Cash & Investment Summary-June 30, 2019; Employee Advisory Committee-May 14, 2019; Historic Preservation & Downtown Design Commission-June 19, 2019; Housing Authority-May 16, 2019; Licensing Board-July 10, 2019; Payroll Summaries-June 19-July 2, 2019; Redevelopment Authority-July 8, 2019; Reserve Balances-June 30, 2019; Site Plan Review Committee-July 8, 2019. All reports were accepted as presented.

### **LICENSES**

The following made application for Beverage Operator licenses: Julie Allweil, Siart Arslani, Donald Babbitt, Torrey Barnes, Molly Baron, Mary Bellows, Betsy Bright, David Bright, Kasey Caine, Oliver Cole, Shirley Craig, Nicole Degner, Stephen Foster, Victor Garay, Craig Godfroy, Leroy Godfroy, Brittany Haas, Paige Hamann, Joshua Harris, Mary Harris, Diane Higgins, Heather Hogquist, Rachel Italiano, Emma Iverson, Kim Johnson, Janice Jolliff, Stephanie Juhl, Kelly Klecker, Ronald Klimeck, Alyssa Kramer, Taylor Kuehl, Ashly Lewis, Jaci Loeffler, Otilia Madrid, Nathaniel MacDonald, Afredita Mehmedoska, Monique Mims, Elizabeth Morse, Joshua Mueller, Lonnie Parpart, Mikayla Peirick, Alondra Perez,

Amber Perry, Jayne Peter, Randy Poehler, Morgan Pribbenow, Helen Pugh, Cassandra Radomski, Daniel Rinka, Trey Roth, Olivia Ruder, Alex Savath, Christine Saxby, Tory Schlender, Felicia Schmidt, Noelle Seamandel, Deborah Sell, Sara Tobias, Lisa Unkel, Amy Villarreal, Julie Walker, Danielle Webb, Lori Weihert, Sean Winters, Ashley Wolff. Motion was made by Ald. Maron, seconded by Ald. Larsen to approve all licenses except Stephen Foster, Otilia Madrid, Monique Mims and Randy Poehler, which will be referred back to the next Licensing Board meeting. Motion carried by voice vote.

The following made application for "Class A" Malt & Liquor license: La Rosita of Watertown LLC dba Mercadito La Rosita, 307-309 S. Third Street, (Marion Perez Rivera, Agent). Motion was made by Ald. Larsen, seconded by Ald. Raether to approve this license and carried by voice vote.

The following made application for "Class A" Malt & Liquor license: A One Oil LLC dba BP, 821 N. Church Street, (Rajwinder Singh, Agent). Motion was made by Ald. Maron, seconded by Ald. Ruetten to approve this license and carried by voice vote.

The following made application for Temporary "Class B" wine licenses: Watertown Area Chamber of Commerce, annual Wine Walk, at Elegant Arrangements (112 N. 3<sup>rd</sup> St.), Central Block (300 E. Main St.), Draeger's Floral (616 E. Main St.), 2 OH! 2 (202 E. Main St.), Blush Hair Beautique (207 E. Main St.), Jefferson Travel (404 E. Main St.), Oswald Konz (118 W. Main St.), Chic Boutique (14 E. Main St.), Keck Furniture (110 E. Main St.), Pidder Padder Paws (209 E. Main St.), Sandra D's (115 E. Main St.), Bradow Jewelers (217 E. Main St.), The Loft (317 E. Main St.), from 5:30 p.m. to 9:00 p.m., Thursday, Sept. 12, 2019. Motion was made by Ald. Raether, seconded by Ald. Kilps to approve these licenses and carried by voice vote.

The following made application for a Special Event Permit: St. Paul's Episcopal Church, annual picnic, Sunday, Aug. 25, 2019, from 10:00 a.m. to 3:00 p.m. (Rev. Elizabeth Tester). Motion was made by Ald. Larsen, seconded by Ald. Tortomasi to approve this permit and carried by voice vote.

The following applied for a Temporary Class "B" Malt license: Bartelme Schwefel Detachment Marine Corps League, annual pig roast at MCL Aero Park, 907 Boomer Street, Saturday, August 17, 2019, from 12:00 p.m. to 9:00 p.m. Motion was made by Ald. Raether, seconded by Ald. Maron to approve this license and carried by voice vote.

The following applied for a Special Event Permit: Heroes for Heroes, run/walk, Saturday, Sept. 7, 2019, from 5:00 p.m. to 1:00 p.m. (Karen Lanser). Motion was made by Ald. Kilps, seconded by Ald. Holthaus to approve this permit and carried by voice vote.

The following applied for Class "B" Malt & "Class C" Wine licenses: Berres Brothers Café LLC, 202 Air Park Drive, (Peter Berres, Agent). Motion was made by Ald. Tortomasi, seconded by Ald. Ruetten to approve these licenses and carried by voice vote.

The following applied for a Special Event Permit: Block party/street closing (Emmet St.) on July 20, 2019, from 1:00 p.m. to 9:00 p.m. (Brett White). Motion was made by Ald. Larsen, seconded by Ald. Ruetten to approve this permit and carried by voice vote.

The following applied for a Special Event Permit: Trail Run for Tomorrow, run/walk on July 13, 2019, from 6:00 a.m. to 11:00 a.m. (Tim Gifford). Motion was made by Ald. Larsen, seconded by Ald. Raether to approve this permit and carried by voice vote.

The following applied for a Special Event Permit: Watertown Family Center, Inc. – Family Fun Fest at Riverside Park on Saturday, August 17, 2019, from 11:00 a.m. to 2:00 p.m. (Stephanie Curtis). Motion was made by Ald. Kilps, seconded by Ald. Raether to approve this permit and carried by voice vote.

## ORDINANCES

**Ord. #19-12**, to amend Section 410-50 "Use of Cigarettes and Tobacco Products Prohibited" of Chapter 410, "Peace and Good Order" was presented. *Sponsor: Ald. Raether. From: Public Safety & Welfare Committee.* Ald. Raether moved for adoption of this ordinance on its second reading, seconded by Ald. Maron and carried by roll call vote; Yes-7; No-0.

**Ord. #19-13**, to amend Section 410-56 "Smoking in Prohibited Places" of Chapter 410, "Peace and Good Order" was presented. *Sponsor: Ald. Raether. From: Public Safety & Welfare Committee.* Ald. Raether moved for adoption of this ordinance on its first reading, seconded by Ald. Maron. Ald. Larsen moved to refer Ord. 19-13 back to the Public Safety and Welfare Committee to develop an advisory referendum on the matter for the Spring 2020 ballot. The motion failed without a second. The motion to adopt Ord. 19-13 on its second reading passed by vote of Yes-6; No-1 (Larsen).

## RESOLUTIONS

**Res. Exh. #8842**, to approve Change Order No. 1 – Final LRIP 2018/2019 Bituminous Surfacing Project 2019 S. Concord Avenue was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Maron moved for adoption of this resolution, seconded by Ald. Raether and carried by roll call vote: Yes-7; No-0.

## ADJOURNMENT

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

Elissa Friedl, Clerk/Treasurer

(Complete video of Council Proceedings on DVD.)

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