

COUNCIL PROCEEDINGS

Mayor McFarland called the regular meeting of the City of Watertown Common Council to order at 7:00 p.m. on Tuesday, January 21, 2020, in the Council Chambers at City Hall.

ROLL CALL

Roll call showed the following present: Ald. Mudler, Ruetten, Larsen, Raether, Maron and Kilps. Absent: Tortomasi, Holthaus and Schmid. Also present: Police Chief Robert Kaminski, Assistant Fire Chief Tim Gordon, City Attorney Rose Simon-Silva, City Engineer Jaynellen Holloway, Zoning Administrator Jacob Maas 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 minute of Common Council meeting held Tuesday, January 7, 2020. There being none, minutes were approved as presented.

COMMITTEE REPORTS

Finance Committee, 01/13/20. Recommend authorizing contract with StrucRite, Inc. of Waukesha for stick build design concession stand for Washington Park. Motion carried to recommend approval of this contract. 2020 Debt Financing presented by Baird. Bradley Viegut, R.W. Baird, was present to explain the borrowing plan for 2020. It was questioned why the City was not borrowing for the Library Project at this time while interest rates are low. After much discussion the committee concluded it was best to wait until a capital schedule was presented to the City Council with regards to the Library Project. Motion carried to approve the borrowing plan for 2020. Resolution providing for the sale of approximately \$3,285,000 General Obligation Promissory Notes. Motion carried to approve recommending this resolution to Common Council. Resolution providing for the sale of approximately \$2,825,000 Taxable General Obligation Promissory Notes. Motion carried to approve recommending this resolution to Common Council. Membership Memorandum of Understanding with WiscNet. Mayor McFarland explained that this MOU would allow the Fiber Optic to be live and includes a membership and monthly fee. The start date will be clarified prior to signing. Motion carried to approve the MOU with WiscNet. Credit Card purchases over \$10K. No action taken. Hiring Charles Schroeder and Nick Parmley, both at Grade F, Step 2, \$18.88/hr, to fill two open positions in Park & Forestry Department. Motion carried to approve these two hires with permission to offer to additional candidates if necessary. Juneau EMS Intercept Agreement. Motion carried to approve the agreement. Hiring of Roxanne Thorman as Public Health Program Assistant Clerk/Typist at Grade B, Step 1, \$14.58/hr. Motion carried to approve this hire with permission to offer to additional candidates if necessary. Resolution for updated 2020 funding agreements with Dodge County Human Services & Jefferson County Human Services Department. Motion carried to approve these agreements. Updated Memorandum of Understanding with Jefferson County Health Department for Environmental Health Services. Motion carried to approve the MOU. Request from Health Department to apply for Watertown Area United Way Grant. Motion carried to approve the request to apply for the grant. Closed Session per Wis. Stat. §19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Claimant, Cheri Herbert). Motion carried to move into closed session. Reconvene to open session. Motion carried to reconvene to open session. Decision regarding claim by Cheri Herbert. Motion carried to recommend denial of this claim to Common Council.

Public Works Commission, 01/14/20. Public Works Commission minutes of 12/10/19 meeting. Motion carried to approve these minutes. Continuing services with MSA of Baraboo for Monitoring the Boomer Street Landfill site. This is a requirement of the DNR. Motion carried to continue services with MSA. Change Order #1, Cured In Place Pipeline (CIPP) Sewer Repair Project with Michels Corp. Water Systems Manager Peter Hartz explained that this is due to repair work needed on a 4' section of unlined pipe on N. First Street. Motion carried to recommend approval of change order #1 in the amount of \$23,000. Michels is also requesting a project time extension to 2/14/20. Motion carried to approve extension of completion date. Purchase copy machine for Water Systems business office from James Imaging Systems at a cost of \$6,263. Motion carried to approve the purchase of a printer from James Imaging Systems for \$6,263. Completed land survey, payment and actual costs associated with completion of survey. Due to having to start over and flooding in the area of the survey, the amount of the survey was increased by \$9,717.50 over the original contract. It was decided the Water Systems Manager should review the details of this contract with the City Attorney to decide the best course of action and bring this item back to the Public Works Commission. Sale of items on Wisconsin Surplus Online Auction. A list of items to be sold was provided. Motion carried to approve the list of items to be sold. 2020 Sidewalk Repair Area. This item was tabled to the next Public Works Commission meeting. 2020 Annual Street Program overview. This item was tabled to the next Public Works Commission meeting.

Public Safety & Welfare Committee, 01/08/20. Receive public comments. No one present. Minutes of December 18, 2019 meeting. Motion carried to approve these minutes. ATV/UTV permitted on City streets. There was much discussion on this subject with members of the Committee, citizens, and the Police and Fire Chiefs. Many concerns were brought up on costs and liabilities to the City. Motion carried to not allow ATV/UTV use on all City streets. Ordinance revisions to Emergency Management Section of Code. Chief Biefeld presented changes and additions to Chapter 56, including a definitions section and a complete Emergency Management Organization section, as well as changes where redundancies or references to chapter 319 were applicable. Motion carried to approve all ordinance revisions to the Emergency Management Section of code as presented.

COMMUNICATIONS & RECOMMENDATIONS

Peg Checkai, Library Board Director, 100 S. Water St., was present to update the Council stating that a lot of work on the Library expansion is being done behind the scenes, including meeting with the architect. She also mentioned that snow shoes are being checked out at the Library.

Mayor McFarland presented a letter from the insurance company regarding their recommendation for a disallowance of claim by Cheri Herbert. Motion was made by Ald. Maron, seconded by Ald. Raether to disallow this claim per the insurance company's recommendation and carried by roll call vote: Yes-6; No-0.

Mayor McFarland recognized the following City employees for their years of service: Barbara Antonopoulos, 35 years; Thomas Funk, 25 years; Steven Naatz, 20 years; Bruce Williams, 20 years; Ryan Abbott, 10 years; and Jeffrey Hensley, 5 years.

Mayor McFarland presented a list of candidates for Spring Primary to be held Tuesday, February 18, 2020.

ACCOUNTS PAYABLE

Certified accounts in the amount of \$628,301.54 for 2019 Budget and \$358,300.43 for 2020 Budget were presented. Ald. Larsen moved to pay all 2019 Budget certified accounts, seconded by Ald. Raether and carried by roll call vote: Yes-5; No-0; Abstain-Ruetten. Ald. Larsen moved to pay all 2020 Budget certified accounts, seconded by Ald. Raether and carried by roll call vote: Yes-5; No-0; Abstain-Mudler. (Complete listing of accounts payable is open for public inspection in City Clerk/Treasurer's office.)

REPORTS AND MISCELLANEOUS BUSINESS

Reports presented: Airport Commission-12/11/19; Cable TV Regulatory Board-01/14/20; Cash & Investment Summary-12/31/19; Committee of the Whole-01/07/20; Health Board-11/14/19; Historic Preservation & Downtown Design Commission-01/15/20; Housing Authority-11/20/19; Library Board of Trustess-12/05/19 & 12/12/19; Licensing Board-01/15/20; Main Street Program Board of Directors-12/17/19; Police & Fire Commission-12/09/19; Site Plan Review Committee-01/13/20; Tourism Commission-12/12/19; All reports accepted as presented.

LICENSES

The following made application for Beverage Operator licenses: Wayne Arbogast, Bambi Ashcraft, Andrea Bernardy, Lakenya Brown, Stephanie Cresci, Aaron Hinton, JoLynn Kritz, Kaitlyn Mallow, Cassaundra Morris, Adam Passig, Phillip Price, Kristin Reinke, Donald Rice, Jr., Joel Robbert, Even Smothers, Richard Steward, Maxwell Wieder, Addie Zastrow. Motion by Ald. Maron, seconded by Ald. Raether to approve these licenses carried by voice vote.

Amended application for special event permit: American Cancer Society, Relay for Life of Rock River fundraiser on August 14, 2020, 7:00 a.m. through August 15, 2020 12:00 p.m., Riverside Park (Kay Christian). Motion by Ald. Mudler, seconded by Ald. Ruetten to approve this permit carried by voice vote.

ORDINANCES

Ord. #20-1, amend Chapter 319 Article II was presented. *Sponsor: Mayor McFarland.* Ald. Raether moved for adoption of this ordinance on its second reading, seconded by Ald. Mudler and carried by roll call vote: Yes-6; No-0.

RESOLUTIONS

Exh. #8922, to authorize Change Order #1-Final, 2019 Sanitary Sewer Cured in Place Pipelining (CIPP) Contract was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Maron moved for adoption, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0.

Exh. #8923, to support TAP Grant funding S. Church Street Shared Use Path was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Larsen moved for adoption, seconded by Ald. Mudler and carried by roll call vote: Yes-6; No-0.

Exh. #8924, to support TAP Grant funding N. Fourth Street Shared Use Path was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Mudler moved for adoption, seconded by Ald. Ruetten and carried by roll call vote: Yes-6; No-0.

Exh. #8925, to authorize the scope of work for the old landfill monitoring through a contract with MSA of Baraboo, WI was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Maron moved for adoption, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0.

Exh. #8926, to authorize renewal of Jefferson County/City of Watertown Environmental Health Consortium Memorandum of Understanding (MOU) was presented. *Sponsor: Mayor McFarland. From: Finance Committee.* Ald. Mudler moved for adoption, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0.

Exh. #8927, to authorize applying for and accepting a Watertown Area United Way Grant for 2020 was presented. *Sponsor: Mayor McFarland. From: Finance Committee.* Ald. Raether moved for adoption, seconded by Ald. Ruetten and carried by roll call vote: Yes-6; No-0.

Exh. #8928, to authorize signing and submitting the 2020 Service Contract with Dodge County Human Services & Health Department and Jefferson County Human Services was presented. *Sponsor: Mayor McFarland. From: Finance Committee.* Ald. Larsen moved for adoption, seconded by Ald. Raether and carried by roll call vote: Yes-6; No-0.

Exh. #8929, to authorize the 2020 Sidewalk Repair Area was presented. *Sponsor: Ald. Maron. From: Public Works Commission.* Ald. Raether moved for adoption, seconded by Ald. Maron and carried by roll call vote: Yes-6; No-0.

Exh. #8930, to approve a resolution providing for the sale of approximately \$3,285,000 General Obligation Promissory Notes was presented. *Sponsor: Mayor McFarland. From: Finance Committee.* Ald. Mudler moved for adoption, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0.

Exh. #8931, to approve a resolution providing for the sale of approximately \$2,825,000 Taxable General Obligation Promissory Notes was presented. *Sponsor: Mayor McFarland. From: Finance Committee.* Ald. Larsen moved for adoption, seconded by Ald. Mudler and carried by roll call vote: Yes-6; No-0.

Exh. #8932, to approve a contract for County Library Services with Jefferson County was presented. *Sponsor: Ald. Kilps. From: Library Board of Trustees.* Ald. Kilps moved for adoption, seconded by Ald. Raether and carried by roll call vote: Yes-6; No-0.

Exh. #8933, to approve a contract with StrucRite, Inc., Waukesha, for a stick build design of a concession stand for Washington Park was presented. *Sponsor: Pres. Dan Olejniczak. From: Parks, Recreation & Forestry Commission.* Ald. Ruetten moved for adoption, seconded by Ald. Mudler. Ald. Larsen questioned that the resolution was sponsored by a non-Council Member. Ald. Mudler moved to amend the resolution to be sponsored by Ald. Ruetten, seconded by Ald. Raether and carried by voice vote. Passage of the resolution as amended carried by roll call vote: Yes-6; No-0.

Closed Session per Wis. Stat. §19.85(1)(g), discuss confidential settlement regarding ongoing litigation: Wal-Mart Real Estate Business Trust vs. the City of Watertown. Ald. Raether moved to go into closed session, seconded by Ald. Larsen and carried by roll call vote: Yes-6; No-0. The time being 7:25 pm with the following persons present: Ald. Mudler, Ruetten, Larsen, Raether, Maron, Kilps, Mayor McFarland, City Attorney Simon-Silva, City Clerk Friedl, Police Chief Kaminski, and Attorney Braithwaite.

Reconvene to open session. Ald. Larsen moved to reconvene to open session, seconded by Ald. Mudler and carried by voice vote: Yes-6; No-0. The time being 7:51 p.m.

Exh. #8920, to authorize a settlement agreement with Wal-Mart with regard to ongoing property tax assessment litigation was presented. *Sponsor: Mayor McFarland.* Ald. Ruetten moved for adoption, seconded by Ald. Mudler and carried by roll call vote: Yes-6; No-0.

ADJOURNMENT

There being no further business to come before the Council at this time, Ald. Raether moved to adjourn, seconded by Ald. Ruetten and carried by voice vote at 7:52 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.)