



COMMON COUNCIL MEETING AGENDA

TUESDAY, MARCH 04, 2025 AT 7:00 PM

MUNICIPAL BUILDING COUNCIL CHAMBERS – 106 JONES STREET, WATERTOWN, WI 53094

Virtual Meeting Info: <https://us06web.zoom.us/join> Meeting ID: 282 485 6600 Passcode: 53098 One tap mobile +16469313860

All public participants' phones will be muted during the meeting except during the public comment period. This meeting will be streamed live on YouTube at: <https://www.youtube.com/c/WatertownTV>

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. MINUTES OF COUNCIL MEETING HELD

A. Meeting minutes from February 17, 2025

5. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Members of the public who wish to address the Council must register their request in writing before the meeting begins. Each individual who requests to address the Council will be permitted up to three minutes for their comments.

6. REPORTS

A. Plan Commission Minutes of February 10, 2025

B. Public Works minutes from February 11, 2025

C. Town Square Programming Commission minutes from February 19, 2025

D. RDA minutes from February 19, 2025

E. Public Works minutes from February 25, 2025

7. COMMUNICATION & RECOMMENDATIONS

A. April 1 Council meeting moved to March 31 (Monday) due to the Spring Election

B. Presentation of Alfred Krahn Citizenship Award, Brian Kolbow, Chickens Unlimited

C. Bridge Update

8. MISCELLANEOUS BUSINESS

A. Payroll Summary - February 5, 2025 through February 18, 2025

9. ORDINANCES

A. Ord. 25-03 - Amend Chapter 288 Erosion and Sediment Control (Sponsor: Ald. Board From: Public Works Commission, Second Reading)

B. Ord. 25-04 - Amend Chapter 453, Stormwater Management (Sponsor: Ald. Board From: Public Works Commission, Second Reading)

10. RESOLUTIONS

A. Exh. 9712 - Resolution to award 2025 Pavement Marking Contract #1-25 to Century Traffic LLC for \$66,955.70 (Sponsor: Ald. Board From: Public Works)

B. Exh. 9713 - Resolution to award 2025 Rout & Crack Fill Contract #2-25 to Thunder Road LLC for \$33,372.60 (Sponsor: Ald. Board From: Public Works)

- C. Exh. 9714 - Resolution to award 2025 Seal Coating Contract #3-25 to Fahrner Asphalt Sealers LLC for \$136,814.44 (Sponsor: Ald. Board From: Public Works)
- D. Exh. 9715 - Resolution to award 2025 Storm Sewer Cleaning & Televising Contract #5-25 to Green Bay Pipe & TV LLC for \$110,286.75 (Sponsor: Ald. Board From: Public Works)
- E. Exh. 9716 - Resolution to award 2025 Bituminous Surfacing Contract #6-25 to Wolf Paving Co Inc for \$526,049.78 (Sponsor: Ald. Board From: Public Works)
- F. Exh. 9717 - Resolution to award 2025 CIPP Lining Contract #7-25 to Visu-Sewer LLC for \$102,400.00 (Sponsor: Ald. Board From: Public Works)
- G. Exh. 9718 - Resolution to award LRIP 2025-2026 Bituminous Surfacing Project 2025 Meadowbrook Drive Contract #9-25 to Wolf Paving Co Inc for \$147,384.24 (Sponsor: Ald. Board From: Public Works)
- H. Exh. 9719 - Resolution to award 2025 Concrete Curb Gutter and Sidewalk Contract #11-25 to Rennhack Construction Co Inc for \$149,031.85 (Sponsor: Ald. Board From: Public Works)
- I. Exh. 9720 - Resolution to award 2025 Crushing Materials to A W Oakes & Son for \$126,790.00 (Sponsor: Ald. Board From: Public Works)

11. COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

Each individual who requests to address the Council will be permitted up to three minutes for their comments and must fill out the sign in sheet provided.

12. ADJOURNMENT

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at cityclerk@watertownwi.gov phone 920-262-4000

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

**Common Council Minutes
Monday February 17, 2025**

Section 4, Item A.

Mayor McFarland called the regular meeting of the City of Watertown Common Council to order at 7:00 p.m. on Monday February 17, 2025. This meeting was open for attendance in the council chambers as well as virtually.

ROLL CALL

Roll call indicated the following Alderpersons present: Ald. Davis, Lampe, Board, Bartz, Blanke (virtual), Smith, Schmid, Wetzel and Moldenhauer. City staff present were City Attorney Steven T. Chesebro, Police Chief David Brower, Finance Director Mark, Public Works Director Andrew Beyer (virtual), Zoning Administrator Brian Zirbes (virtual), and City Clerk Megan Dunneisen.

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 minutes of the Common Council meeting held Tuesday, February 4, 2025. Minutes were accepted with correction to motion names under ordinances.

COMMENTS & SUGGESTIONS FROM CITIZENS PRESENT

No comments were received.

REPORTS

(Complete minutes are open for public inspection in the Finance Department.)

The following reports were received and filed: Licensing Board minutes from December 11, 2024, Tourism minutes from January 9, 2025, Plan Commission minutes of January 13, 2025, Board of Health minutes of January 21, 2025, Public Safety and Welfare minutes from February 5, 2025.

COMMUNICATIONS & RECOMMENDATIONS

Mayor McFarland gave recognition to Julie Kulke-Krueger with the Park, Recreation, & Forestry Department for twenty-five years. The Watertown Fire Department Monthly Report for December was presented and Mayor McFarland gave an update on the Main Street Bridge.

MISCELLANEOUS BUSINESS

Payroll Summary - January 22, 2025 through February 7, 2025, Paid Invoices Report - January 2025, and Cash and Investments - January 31, 2025 were presented.

LICENSES:

Ald. Smith made a motion to approve the application for a "Class B" Malt and Liquor License from Silver Creek Investors LLC DBA Watertown Country Club (Dan Rahfaldt, Agent) located at 1340 N. Water St. for licensing year July 1, 2024 – June 30, 2025 with the conditions of a passed fire inspection, control of premises, and surrender of the current liquor license issued, seconded by Ald. Moldenhauer and carried by unanimous voice vote.

Ald. Smith made a motion to approve the application for Temporary "Class B" Wine and Temporary Class "B" license from Luther Prep School Booster Club at 1300 Western Ave for the Lives Prepared - A Gift of Talents event on Saturday, March 29, 2025 from 5:00 p.m. to 12:00 a.m. seconded by Ald. Bartz and carried by unanimous voice vote.

Ald. Moldenhauer made a motion to approve the applications for Temporary "Class B" Licenses for the Whiskey and Wine Walk event hosted by Watertown Chamber of Commerce on April 26, 2025, during the hours of 1 p.m. and 4:30 p.m. Locations include Ava's Posh Boutique, 209 E. Main St., Blush Hair Beautique, 207 E. Main St., Bradow Jewelers, 217 E. Main St., Brown's Shoe Fit Co., 212 E. Main St., Central Block, 300 E. Main St., Draeger's Floral, 616 E. Main St., Rock River Chimney and Fireplace, 216 S. 3rd St., White Oak Builders, 14 E. Main St., and Studio 9, 9 E. Main St. seconded by Ald. Smith and carried by unanimous voice vote.

Ald. Smith made a motion to deny the application for operator's license from Abel Rivera Cat I and V of the Watertown Licensing Guidelines, seconded by Ald. Bartz and carried by unanimous voice vote.

ORDINANCES

Ord. 25-03 - Amend Ch. 288 Erosion and Sediment Control (Sponsor: Ald. Board From: Public Works Commission, First Reading). Ald. Board moved for adoption of ordinance 25-03 on its first reading, seconded by Ald. Lampe and carried by roll call vote: Yes-9; No-0; Abstain-0.

Ord. 25-04 - Amend Chapter 453, Stormwater Management (Sponsor: Ald. Board From: Public Works Commission, First Reading). Ald. Board moved for adoption of ordinance 25-04 on its first reading, seconded by Ald. Bartz and carried by roll call vote: Yes-9; No-0; Abstain-0.

RESOLUTIONS

Resolutions below are listed in order of the agenda but may not be the order by which they were taken up at the Council meeting.

Exh. 9705 - Resolution to Execute the Waiver of Conflict of Interest from Axley Brynelson, LLP (Sponsor: Mayor McFarland). Ald. Lampe moved to adopt resolution 9705, seconded by Ald. Smith and carried by unanimous voice vote.

Exh. 9706 - Resolution to remove delinquent personal property taxes (Sponsor: Mayor McFarland from: Finance Committee) Ald. Bartz moved to adopt resolution 9706, seconded by Ald. Davis and carried by roll call vote: Yes-9; No-0; Abstain-0.

Exh. 9707 - Resolution to award West Street water tower rehabilitation project to O&J Coatings, Inc. (Sponsor: Ald. Board From: Public Works Commission). Ald. Board moved to adopt resolution 9707, seconded by Ald. Lampe and carried by roll call vote: Yes-9; No-0; Abstain-0.

Exh. 9708 - Resolution to enter into contract with Hydro-Corp Inc. for Cross Connection Inspection Program (Sponsor: Ald. Board From: Public Works Commission). Ald. Smith moved to adopt resolution 9708, seconded by Ald. Wetzel and carried by roll call vote: Yes-9; No-0; Abstain-0.

Exh. 9709 - Resolution to Approve First Amendment to Development Agreement between Greater Watertown Community Health Foundation, Inc., Hoffman Matz, LLC and the City of Watertown, Wisconsin (Sponsor: Mayor McFarland From: Finance Committee). Ald. Moldenhauer moved to adopt resolution 9709, seconded by Ald. Davis and carried by unanimous voice vote.

Exh. 9710 - Resolution to Amend the Employee Handbook of Policies and Procedures for Military Leave (Sponsor: Mayor McFarland From: Finance Committee). Ald. Lampe moved to adopt resolution 9710, seconded by Ald. Bartz and carried by unanimous voice vote.

Exh. 9711 - Resolution to Approve BS&Z Fee Schedule (Sponsor: Mayor McFarland From: Finance Committee). Ald. Moldenhauer moved to adopt resolution 9711, seconded by Ald. Davis and carried by roll call vote: Yes-9; No-0; Abstain-0.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

No comments were received.

ADJOURNMENT

There being no further business to come before the Council at this time, Ald. Schmid moved to adjourn, seconded by Ald. Moldenhauer, and carried by unanimous voice vote at 7:39 p.m.

Respectfully Submitted,

Megan Dunneisen, City Clerk

DISCLAIMER: These minutes are uncorrected; any corrections will be noted in the proceedings at which these minutes are approved. Complete minutes are open for public inspection in the Clerk's Office. Video recording available at Watertown TV's YouTube page: <https://www.youtube.com/c/WatertownTV>

**PLAN COMMISSION
MINUTES
February 10, 2025**

Section 6, Item A.

The Plan Commission met on the above date in the Council Chambers.

The following members were present: Mayor McFarland, Alderman Blanke, Beyer, Krueger, Lampe, Zirbes

Also in attendance: Becky Yenser, Chris Siepmann, Andrew Plichta, Carol Quest, Tim Strobel, Ruth Mack, Michael Carlsom, and Mason Becker

1. Call to order

2. Approval of Minutes

A. Plan Commission minutes January 13, 2025

Motion to approve was made by Lampe and seconded by Krueger, passed on unanimous voice vote.

3. Business

A. Review and take action: 204 N. First Street – Certified Survey Map (CSM) Review

Brian Zirbes presented the request for a CSM for 204 N. First Street for future development.

Alder Blanke expressed concern over the south half of the parking lot should be split into separate lots.

Brian clarified that the CSM is not splitting anything and it is cleaning up the existing lots. Commissioner Lampe also expressed the concerns that this may give developers the impression that the south lot is available for development. Mayor McFarland explained that there are many steps involved in developing the area and thie intent is not to develop the south portion of the parking lot.

Motion to approve with no conditions was made by Krueger, seconded by McFarland and passed on a unanimous voice vote.

B. Review and take action: W4510 Ebenezer Drive Extraterritorial Certified Survey Map (CSM) Review

Brian Zirbes presented the request for a CSM for W4510 Ebenezer Drive.

The county has requested that lot 2 be reduced to 1 acre to maintain the farmland preservation requirement.

Motion to approve with the condition noted was made by Blanke, seconded by Lampe and passed on a unanimous voice vote.

C. Review and take action: 510 S. Second Street Approval to Purchase Property for Health Department

Carol Quest presented the request to purchase 510 S. Second Street for expanded services of the Health Department such as drive through capacity with an enclosed space and storage.

Commissioner Lampe noted that the adjacent properties on Second Street are residential properties and asked what the property would look like upon use by the Health Department.

Alder Blanke expressed concern that this expansion was part of a presentation of the city's future space needs analysis which has not yet been acted upon by the Common Council.

Commissioner Krueger wanted to clarify that the request before the commission is to explore the purchase terms but not to proceed to construction at this time.

Brian Zirbes pointed out that there are several more steps that need to happen before any construction could begin on this lot.

Motion to pursue exploration of terms of purchase for 510 S. Second Street was made by Krueger, seconded by McFarland and passed on a unanimous voice vote.

D. Initial review and Set Public Hearing Date: 1220 Wilbur Street Comprehensive Plan Amendment

Brian Zirbes presented the request from Habitat for Humanity to change 1220 Wilbur Street from institutional to 2 family residential. MATC currently owns the parcel and it has determined that it is no longer needed and is selling the property.

Motion to set the public hearing for March 18th was made by Blanke, seconded by Lampe on a unanimous voice vote.

E. Discussion Only: Concept Review for Clark and Mary Street potential development

The commission was excited and positive for this development. There are some minor concerns about soil condition and the condition of Mary and Clark Streets, but they were informed that they should not be an issue in developing the property.

All materials discussed at this meeting can be found at:

<https://cms4files.revize.com/watertownwi/February%2010,%202025%20Plan%20Commission%20Meeting%20Packet.pdf>

4. Adjournment

Motion to adjourn was made by Lampe and seconded by Krueger and passed on a unanimous voice vote.

Respectfully Submitted,

Alderman Brad Blanke

**City of Watertown
Public Works Commission Meeting
Tuesday, February 11, 2025**

1. Call to Order

Meeting called to order by Chair Board at 5:30 p.m.

Present were Alders Board, Bartz, Smith and Wetzel, and Commissioner Thompson. Also present were Finance Director Mark Stevens, Fire Chief Tanya Reynen, DPW Director/Engineer Andrew Beyer, Water Systems Manager Peter Hartz, Stormwater Project Manager Maureen McBroom, Assistant Water Systems Manager Tim Hayden, Stacy Winkleman Solid Waste Manager, Project Manager Richie Peltz, Bruce Hady of Hady Electric, Trevor Kearns Maas Construction Project Manager, Zack Goodrow of Watertown Times, and one unidentified caller.

2. Comments and Suggestions from Citizens Present

None Received.

3. Review and Approve Minutes

A. Public Works meeting minutes from January 28, 2025.

Motion by Thompson, supported by Wetzel, to approve the minutes as presented.

Motion carried unanimously.

4. Business

A. Review and take action: award furniture package bid.

Mr. Stevens presented the furniture bid package and noted that all remaining items will be under the \$50,000 cost – mostly cabling through Digicorp single source.

Motion by Bartz, supported by Thompson, to award the Fire Station furniture package to OBI for \$191,358 as recommended by staff.

Motion carried 4-1 (Smith).

B. Review and take action: accept bid for fire station storage building.

Discussion regarding the insulation of the Fire Station Storage Building.

Motion by Smith, supported by Bartz, to award the Fire Station Storage Building, uninsulated, to Morton Buildings for \$168,107 with the understanding that as the total project numbers become clearer, the cost of insulation could be revisited.

Motion carried unanimously.

Trevor Kearns discussed the electrical bid of Hady Electric for the Fire Station, specifically the bid for Alternate No. 2 Cold Storage Building. They indicated an add of \$45,291.81 when it should have been a deduct. The contract language was confusing.

Bruce Hady of Hady Electric said that his bid was competitive and will do the work for \$125/hour and cost of materials. Their original bid was \$220,000 less than others.

Alder Board recognized that we do not have a scheduled review for this item, and cannot, therefore, discuss. City staff was asked to place this item on our next agenda on February 25, 2025.

- C. Review and take possible action: Award West Street Water Tower Rehabilitation Project base bid to O&J Coatings, Inc. for a total of \$509,000.

Motion by Smith, supported by Thompson, to recommend awarding the West Street Water Tower Rehabilitation project base bid to O&J Coatings for \$509,000.

Motion carried unanimously.

- D. Review and take possible action: Enter into a two-year agreement with Hydro-Corp Inc. for the industrial and commercial cross-connection control program inspections for \$33,371.14.

Though under the \$50,000 limit, this is brought forward since it is a two-year contract.

Motion by Smith, supported by Bartz, to enter into a two-year agreement with Hydro-Corp, Inc. for industrial and commercial cross-connection control program inspections for \$33,371.14.

Motion carried unanimously.

- E. Review and take possible action: Stormwater Ordinance Revisions (CH. 288).

Motion by Bartz, supported by Wetzel, to recommend the revisions to the Stormwater Ordinance (chapter 288)

Motion carried unanimously.

- F. Review and take possible action: Stormwater Ordinance Revisions (CH. 453).

Motion by Bartz, supported by Wetzel, to recommend the revisions to the Stormwater Ordinance (chapter 453).

Motion carried unanimously.

- G. Adjournment

Motion by Smith, supported by Wetzel, to adjourn.

Motion carried unanimously.

Meeting adjourned at 6:30 p.m.; respectfully submitted by Steve Board, Chair.



TOWN SQUARE PROGRAMMING COMMISSION MINUTES

WEDNESDAY, FEBRUARY 19, 2025 AT 12:00 PM

514 S. FIRST STREET, WATERTOWN ROOM

Virtual Meeting Info: <https://us06web.zoom.us/join> Meeting ID: 563 709 0828 Passcode: 53094 One tap mobile +16469313860

All public participants' phones will be muted during the meeting except during the public comment period.

1. **CALL TO ORDER at 12:02pm by Brian Konz. Present: Hertel, Schneekloth, Bartz, Konz, Kaufmann, Juhl, Butteris. Not Present: Zimmerman**
2. **REVIEW AND APPROVAL OF MINUTES**
A. Review and approve January Minutes - Hertel motioned to approve, Schneekloth seconded
3. **REVIEW AND APPROVAL OF FINANCIAL REPORTS**
A. Review and approve financial reports - noted that the \$50, 000 in fund 66 was not an amount we will receive this year as we received it last year instead. Kaufmann motioned to approve, Hertel seconded
4. **CITIZENS TO BE HEARD**
Each individual who requests to address the Council will be permitted up to three minutes for their comments. None present
5. **BUSINESS - No new Business - Put the discussion of privately hosted events discussion on next month agenda. Also possibility of non-profits doing a 50/50 raffle at concerts to help offset the cost of being a vendor.**
6. **EVENT COORDINATOR'S REPORT**
A. Event Coordinators Report - Discussed grants – Kwik Trip Grant, Chamber is a no for this year.
 Maintenance – Quotes for Main Stage – Solar idea is out of budget
 Rotary – looking to assist again this year however there is hesitation on participation because of the rain outs and lack of attendance at those which will cause them to lose money.
 Ordinance updates– we have to redraft and send back to City Atty
 Include sponsors for other events
7. **ADJOURNMENT - Konz motioned to adjourn, Hertel seconded**

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at cityclerk@watertownwi.gov phone 920-262-4000

A quorum of any City of Watertown Council, Committee, Board, Commission, or other body, may be present at this meeting for observing and gathering of information only



Wednesday, February 19, 2025, 6:00 pm

In-PERSON/VIRTUAL MEETING

Room 2044, City Hall

By Phone or Zoom Meeting:

<https://us06web.zoom.us/join>

For the Public, Members of the media and the public may attend by

calling: (US) +1 (646)931-3860

Meeting ID: 617-065-5357

Pass Code: 959083

All public participants' phones will be muted during the meeting except during the public comment period where applicable.

RDA STRATEGIC PRIORITIES

~~1) 100 W. Main St. block demolition, Town Square design etc., and publicizing town square project for possible funding from sources other than the City.~~

2) Facilitating quality development in downtown, and

3) Creating an approach and working to attract development projects downtown.

1. Pledge of Allegiance
2. Roll Call
 - A. Present: Mason Becker, Ald. Lampe, Ald. Board, Ryan Wagner, Jacob Maas, Dave Zimmermann, and Ryan Nowatka
 - B. Virtual: Karissa Hurtgen, a resident
 - C. Absent: None
 - D. Other attendees: 1 resident and Stephanie Juhl, Programming Event Coordinator for Town Square
3. Determination of Quorum and Call to Order at 6:02 pm
4. Approval of meeting minutes
 - A. Regular Board Minutes 1.15.25
Board motioned to approve
Nowatka seconded the motion. Motion carried unanimously.
5. No public comment
6. Steph Juhl presented a summary of events held over the past year and discussed the status of the Future Fund and that it is still in good shape. There was discussion about expected revenues and ways for the Bentzin Family Town Square to possibly secure additional funding in the future.
7. Old Business:
 - A. **Rock River District Vision.**
 - a. Update on the branding concept. Becker discussed the revised Rock River District logo approved by the steering committee. The branding guide includes stock photos. Becker will reach out to the Chamber and Watertown Tourism for photos of Watertown that can be included.
 - B. **Beltz Grants.**
 - a. Becker shared he is still trying to connect with Dr. Beltz so funding can be secured for 2025.
 - C. **111 S. Water St.**
 - a. Becker discussed the status of the Pre-Development agreement with Intrepid Investments.
 - D. **Bentzin Family Town Square: Historic Art Wall & plaques**
 - a. Barton Bentzin was contacted and would like to be present at the unveiling if it aligns with his schedule.

b. Zenith Tech should be pouring concrete for the footings this month.

8. New Business: None

9. Status Reports:

A. **Housing Rehab Grants:**

- a. One new application was received this week.
- b. Waiting to pay out one grant yet, pending the completion of their project.

B. **Social media/messaging update:**

- a. Famularo's report was emailed to the board. There was a discussion. The members appreciate the current messaging and schedule.

C. **Council update:**

- a. Board shared information on the Main Street bridge status and the updated timeline.
- b. Lampe discussed the Feb. primary election turnout and the upcoming April election.

D. **Executive Director update:**

- a. Becker provided a recap in the agenda packet of the WEDA Governor's Conference.
- b. Items for next agenda:
 - a. Members would like to see a summary of redevelopment happening in the Rock River District area.
 - i. Becker will revise the 111 S. Water St update into this.
 - b. Becker will work to get up-to-date data on current rents in Watertown
- c. Next meeting of March 19, 2025, at 6 pm may need to be changed due to availability.
 - a. Becker will send out a Doodle poll.

10. Adjournment at 7:08 pm

Lampe motioned to adjourn. Zimmermann seconded the motion. Motion carried unanimously. Meeting adjourned.

**City of Watertown
Public Works Commission Meeting
Tuesday, February 25, 2025**

1. Call to Order

Meeting called to order by Chair Board at 5:30 p.m.

Present were Alders Board, Bartz, and Commissioner Thompson. Also present were Finance Director Mark Stevens, DPW Director/Engineer Andrew Beyer, Stormwater Project Manager Maureen McBroom, Stacy Winkleman Solid Waste Manager, Project Manager Richie Peltz, Bruce Hady of Hady Electric, Trevor Kearns Maas Construction Project Manager, Eric Graf Maas Brothers Risk Management, Chris Newberry, Nathan Williams City Civil Engineer, Zack Goodrow of Watertown Times, and one unidentified caller.

2. Comments and Suggestions from Citizens Present

None Received.

3. Review and Approve Minutes

A. Public Works meeting minutes from February 11, 2025.

Motion by Thompson, supported by Bartz, to approve the minutes as presented. Motion carried unanimously.

4. Business

A. Review and take possible action: Award Contract #1-25 Base Bids A, B, C, D and Alternate Bid 1 to Century Fence for \$66,955.70.

One bid received.

Motion by Bartz, supported by Thompson, to award Pavement Marking contract #1-25 Base Bids A, B, C, D, and Alternate Bid 1 to Century Fence for \$66,855.70.

Motion carried unanimously.

B. Review and take possible action: Award contract #2-25 Base Bid A, Alternate Bids 1 & 2 to Thunder Road LLC for \$33, 372.60.

Received four bids.

Motion by Thompson, supported by Bartz, to award the Rout and Crack Fill contract #2-25 Base Bid A, Alternate Bids 1 & 2 to Thunder Road LLC for \$33, 372.60.

Motion carried unanimously.

C. Review and take possible action: Award contract #3-25 Alternate Bid C and Alternate Bid F to Fahrner Asphalt Sealers LLC for \$136,814.44.

Received two quotes.

Motion by Board, supported by Thompson, to Award Seal Coating contract #3-25 Alternate Bid C and Alternate Bid F to Fahrner Asphalt Sealers LLC for \$136,814.44.

Motion carried unanimously.

- D. Review and take possible action: Award Contract #5-25 Base Bid A and Alternate Bids 1-3 to Green Bay Pipe and TV, LLC for \$110,286.75.

Motion by Thompson, supported by Bartz, to Award Sewer Cleaning and Televising Contract #5-25 Base Bid A and Alternate Bids 1-3 to Green Bay Pipe and TV, LLC for \$110,286.75

Motion carried unanimously.

- E. Review and take possible action: Award Contract #6-25 Base Bids A, B, C & D and Alternate Bids 1, 2, 3, 4, & 5 to Wolf Paving for \$526,049.78

Motion by Bartz, supported by Thompson, to Award Bituminous Surface Contract #6-25 Base Bids A, B, C & D and Alternate Bids 1, 2, 3, 4, & 5 to Wolf Paving for \$526,049.78

Motion carried unanimously.

- F. Review and take possible action: Award Contract #7-25 Base Bids A & B and Alternate Bid 1 to Visu-Sewer LLC for \$102,400.00

Motion by Thompson, supported by Bartz, to Review and take possible action: Award CIPP Lining Contract #7-25 Base Bids A & B and Alternate Bid 1 to Visu-Sewer LLC for \$102,400.00.

Motion carried unanimously.

- G. Review and take possible action: Award Contract #9-25 LRIP 2025/2026 Bituminous Surfacing Project 2025 Meadowbrook Drive to Wolf Paving for \$147,384.24.

\$58,000 of this project will be “refunded” by the state of Wisconsin to go back to the annual account reserves.

Motion by Board, supported by Thompson, to Award Contract #9-25 LRIP 2025/2026 Bituminous Surfacing Project 2025 Meadowbrook Drive to Wolf Paving for \$147,384.24.

Motion carried unanimously.

- H. Review and Take Possible Action: Award Contract #11-25 Concrete Curb and Gutter and Sidewalk Base Bids A & B with Rennhack Construction for \$149,031.85.

For S. First Street Parking Lot and sidewalk reconstruction in other parts of the downtown.

Motion by Thompson, supported by Bartz, to Award Contract #11-25 Concrete Curb and Gutter and Sidewalk Base Bids A & B with Rennhack Construction for \$149,031.85.

Motion carried unanimously.

Alder Wetzel arrived at 5:48 p.m.

- I. Review and take possible action: Award 2025 Quarry Crushing Project to A. W. Oakes for \$126,790.00.

Motion by Thompson, supported by Wetzel, to Award 2025 Quarry Crushing Project to A. W. Oakes for \$126,790.00.

Motion carried unanimously.

- J. Update, no action required: 2025 Contracts.

Projects yet to come:

- Western Avenue and S. First Street
- Oakwood Lane Watermain extension
- Western Avenue raw water line currently being bid
- Plaza ADA ramp will be re-bid
- Many of the projects are under budget – will look at future additional projects.

- K. Review: Change Order Request from Hady Electric for Fire Station Project for cost not to exceed \$45,000.

Alder Board advised that the purpose of this item was for the commission to gain details as to the issues with the Cold Storage Building.

Attorney Chesebro introduced the issue – challenges with the bidding of the Storage Building at the Fire Station project.

Trevor Kearns, Maas Brothers Project Manager, detailed the issues with the Cold Storage Building Alternate, specifically related to the electrical bid.

Maas recommended accepting the Hady Electrical Proposal to do the work for \$44,791.81.

Bruce Hady reminded the commission that Hady Electric's base bid was \$220,000 below the second low bidder.

Hady will do the work for \$125/hour with 40% mark-up on materials. Mr. Kearns advised that the contract stipulates a 10% mark-up on materials.

- L. Convene into closed session per §19.85(1)(e) & (g) to deliberate or negotiate 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 and to confer 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.

Motion by Bartz, supported by Wetzel, to go to closed session.

Motion carried unanimously by roll call vote.

M. Reconvene to Open Session.

Motion by Bartz, supported by Wetzel, to reconvene into open session.

Motion carried unanimously by roll call vote.

N. Take possible action: Approve or Deny Change Order request from Hady Electric for Fire Station Project for cost not to exceed \$45,000.

Alder Board advised Maas Brothers and Hady Electric that the commission had concluded that the city has a contract with Maas, not Hady.

Motion by Board, supported by Bartz, to authorize the City Attorney to negotiate with Maas Brothers for the cost of the Storage Building.

Motion carried unanimously.

5. Adjournment

Motion by Thompson, supported by Wetzel, to adjourn.

Motion carried unanimously.

Meeting adjourned at 7:01 p.m.; respectfully submitted by Steve Board, Chair.



Watertown
Police Department

David J. Brower, Chief of Police

**Alfred & Helen Krahn Citizenship Award
\$1,000 Annual Award – 2023**

Everyday men and women tirelessly work or volunteer within our community determined to make a difference in some meaningful way. Do you know an individual or group that has made significant contributions to the safety and/or welfare of the citizens of Watertown? If so, you are encouraged to nominate a person or group for the Alfred & Helen Krahn Citizenship Award.

The award is named after Alfred "Mickey" Krahn & Helen Krahn. Mr. Krahn was a twenty-seven-year veteran of the Watertown Police Department who retired in 1970 at the rank of Inspector. Both Mr. & Mrs. Krahn were very active in the community and this annual award in the amount of \$1,000 was created to honor their memory in the community they loved.

Nominee Requirements:

- Nominee(s) must be a citizen or group of citizens who have made a significant contribution to the safety and/or welfare of fellow citizens of Watertown, Wisconsin.
- Nominee(s) must be living and extra consideration will be given to nominations of citizen(s) who performed public service above and beyond their normal work duties.

Details of Person or Group Nominated:

Name: Brian Kobow
Address: 1201 Churchill Rd, Watertown, WI 53094
Telephone: (home) (920)253-6453 (work) _____ (e-mail) _____

Reasons for Nominating the above Person or Group: (Use separate page(s) if necessary)
See attachment.

Nominated by:

Name: Watertown Police Department Employee Advisory Committee
Address: 106 Jones St, Watertown, WI 53094
Telephone: (home) _____ (work) (920)261-6660

How to Submit Nomination – Fill out the online form (above), or mail/bring nominations to: Assistant Chief Ben Olsen, Watertown Police Department Watertown, WI 53094. The deadline for nominations is July 1, 2022.

January 21, 2025

To Whom It May Concern,

I am pleased to nominate Brian Kobow for the Alfred Krahn Citizenship Award in recognition of his significant and ongoing contributions to the safety and welfare of the citizens of Watertown. In 2020 and 2021, Brian generously donated funds to provide essential patrol equipment to the Watertown Police Department, enhancing the department's ability to serve and protect the community. In 2023, he further demonstrated his commitment to community safety by supporting the DARE program, which empowers local youth to make safe and responsible decisions. Most recently, in 2024, Brian's donation helped purchase a new ballistic shield, which is vital for protecting officers and civilians during high-risk situations such as vehicle contacts, armed confrontations, and tactical operations. Brian Kobow's ongoing generosity has had a profound impact on the Watertown Police Department and the safety of our community.

Sincerely,



Captain Laura Bohlman
Watertown Police Department
Employee Advisory Committee Chairperson



Watertown
Police Department

David J. Brower, Chief of Police

**Alfred & Helen Krahn Citizenship Award
\$1,000 Annual Award – 2024**

Everyday men and women tirelessly work or volunteer within our community determined to make a difference in some meaningful way. Do you know an individual or group that has made significant contributions to the safety and/or welfare of the citizens of Watertown? If so, you are encouraged to nominate a person or group for the Alfred & Helen Krahn Citizenship Award.

The award is named after Alfred "Mickey" Krahn & Helen Krahn. Mr. Krahn was a twenty-seven-year veteran of the Watertown Police Department who retired in 1970 at the rank of Inspector. Both Mr. & Mrs. Krahn were very active in the community and this annual award in the amount of \$1,000 was created to honor their memory in the community they loved.

Nominee Requirements:

- Nominee(s) must be a citizen or group of citizens who have made a significant contribution to the safety and/or welfare of fellow citizens of Watertown, Wisconsin.
- Nominee(s) must be living and extra consideration will be given to nominations of citizen(s) who performed public service above and beyond their normal work duties.

Details of Person or Group Nominated:

Name: Chickens Unlimited
Address: N236 Danbury Dr, Watertown, WI 53098
Telephone: (home) _____ (work) _____ (e-mail) _____

Reasons for Nominating the above Person or Group: (Use separate page(s) if necessary)
See attachment.

Nominated by:

Name: Watertown Police Department Employee Advisory Committee
Address: 106 Jones St, Watertown, WI 53094
Telephone: (home) _____ (work) (920)261-6660

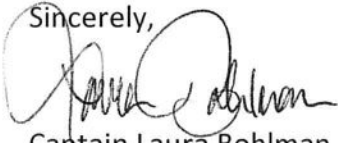
How to Submit Nomination – Fill out the online form (above), or mail/bring nominations to: Assistant Chief Ben Olsen, Watertown Police Department Watertown, WI 53094. The deadline for nominations is July 1, 2022.

January 21, 2025

To Whom It May Concern,

I am pleased to nominate Chickens Unlimited for the 2024 Alfred Krahn Citizenship Award in recognition of their unwavering support for the safety and well-being of Watertown's citizens. Chickens Unlimited has made significant contributions to a wide range of community initiatives supported by Watertown Police Department. They have been a key supporter of the Donut Dash 5K fundraiser in 2014, 2016, 2017, 2018, 2019, and 2021, helping to raise funds to support victims of Domestic and Sexual Abuse. Since 2010, Chickens Unlimited has donated to the bicycle rodeo, which has been instrumental in promoting bicycle safety among local children. From 2019 to 2023, they sponsored Lights N' Sirens, a community safety fair at Riverside Park in July. And in 2018, they supported the K9 fund to assist the department's canine unit. In 2023, Chickens Unlimited generously funded life vests for each squad, enhancing officer and citizen safety around the city's waterways. Chickens Unlimited also contributed to the DARE program in 2014 and 2019. In 2024, their contributions helped purchase laptops for the squad cars, an essential piece of equipment for daily operations. Additionally, they have sponsored ice cream socials in local parks to promote community engagement. Through their consistent and thoughtful donations, Chickens Unlimited has had a lasting impact on the safety and engagement of Watertown's residents.

Sincerely,



Captain Laura Bohlman

Watertown Police Department

Employee Advisory Committee Chairperson

PAYROLL SUMMARIES

For the Period of: 2/5/2025 2/18/2025

Section 8, Item A.

Department	Employees FT PT		Regular Hours	Overtime Hours	Overtime Costs this Pay Period	Y-T-D Overtime Costs	Overtime Budget	Total Payroll
Police	52	2	4,064.00	246.75	12,134.75	37,486.44	183,000.00	161,200.95
Fire	24	6	2,980.25	294.25	8,688.42	34,618.50	170,000.00	89,886.14
Municipal Court	1	1	100.00	-	-	-	-	3,246.52
Mayor	1	-	80.00	-	-	-	-	3,562.89
Bldg. Inspection	3	4	301.00	-	-	-	-	10,649.51
Attorney	2	1	220.00	-	-	-	-	7,929.00
Finance	6	-	480.00	8.00	35.13	546.03	1,500.00	15,627.13
Media	2	3	212.00	-	-	-	-	5,208.95
Administration	2	2	236.00	-	-	-	-	7,780.92
Engineering	4	3	424.00	-	-	-	-	12,944.94
Health	8	3	751.25	-	-	-	3,000.00	25,666.97
Library	9	13	1,045.75	-	-	31.07	-	25,033.38
Municipal Building	1	-	80.00	-	-	108.77	1,546.00	1,933.60
Solid Waste	7	-	560.00	2.25	20.72	504.09	3,000.00	14,017.52
Street	22	-	1,760.00	110.75	519.37	2,215.52	35,500.00	55,667.91
Park	8	-	589.00	2.00	75.96	312.84	11,500.00	18,914.36
Forestry	2	-	160.00	-	-	-	-	4,568.00
Park/Rec Admin	7	2	720.00	9.75	-	-	520.00	17,986.53
Recreation and Pools	-	29	260.75	-	-	-	3,038.00	3,826.70
Wastewater	10	-	798.00	14.75	462.63	2,332.32	19,000.00	25,449.60
Water Dept.	10	-	800.00	5.00	117.29	1,204.31	23,501.00	25,446.26
Crossing Guards	-	8	116.00	-	-	-	-	1,473.75
Police Reserve	-	6	44.50	-	-	-	-	365.10
Alderspersons (2nd PR)		9	9.00	-	-	-	-	-
TOTALS	181 FT	92 PT	16,791.50	693.50	22,054.27	79,359.89	455,105.00	538,386.63

**ORDINANCE TO
AMEND CHAPTER 288, EROSION AND SEDIMENT CONTROL OF THE
CITY OF WATERTOWN GENERAL ORDINANCES**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the City of Watertown is required to adopt and implement an ordinance to control construction site runoff and post-construction stormwater management per the Wisconsin Department of Natural Resources (WDNR) Municipal Separate Storm Sewer System (MS4) Permit No. WI-S050075; and,

WHEREAS, the City of Watertown Chapter 288 Erosion and Sediment Control ordinance requires updates to include stormwater management language in the WDNR NR 151, Wisconsin Administrative Code and NR 216, Wisconsin Administrative Code to effectively implement the City of Watertown stormwater management program; and,

WHEREAS, the Public Works Commission reviewed the proposed amendments to Chapter 288 at its February 11, 2025 meeting and recommends adoption of said revised Chapter 288.

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 288 is hereby amended as follows:

Chapter 288. Erosion and Sediment Control

**Chapter 288
Erosion and Sediment Control**

ARTICLE I

Erosion Control and Stormwater Runoff

**[Adopted by Ord. No. 08-26 (§ 20.16 of the former City Code); amended in its entirety
4-3-2023 by Ord. No. 23-05]**

§ 288-1. Authority.

- A. This article is adopted under the authority granted by § 62.234, Wis. Stats. This article supersedes all provisions of an ordinance previously enacted under § 62.23, Wis. Stats., that relates to construction site erosion control. Except as otherwise specified in § 62.234, Wis. Stats., § 62.23, Wis. Stats., applies to this article and to any amendments to this article.
- B. The provisions of this article are deemed not to limit any other lawful regulatory powers of the same governing body.
- C. The Common Council hereby authorizes the Public Works Director/City Engineer and

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its designees to administer and enforce the provisions of this article.

- D. The requirements of this article do not preempt more stringent erosion and sediment control requirements that may be imposed by any of the following:
- (1) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under §§ 281.16 and 283.33, Wis. Stats.
 - (2) Targeted nonagricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under § NR 151.004, Wis. Adm. Code.

§ 288-2. Findings of fact.

The Common Council finds that runoff from land-disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state in the City of Watertown.

§ 288-3. Purpose.

It is the purpose of this article to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth, by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land-disturbing construction activity to waters of the state in the City of Watertown.

§ 288-4. Applicability and jurisdiction.

A. Applicability.

- (1) This article applies to the following land-disturbing construction activities except as provided under Subsection A(2):
 - (a) A construction site, which has 3,000 or more square feet of land-disturbing construction activity.
- (2) This article does not apply to the following:
 - (a) Land-disturbing construction activity that includes the construction of a one- or two- family residential site less than one acre and is otherwise regulated by the Wisconsin Department of Safety and Professional Services.
 - (b) A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under Chapter 40, Code of Federal Regulations, Part 122, for land-disturbing construction activity.
 - (c) Nonpoint discharges from agricultural facilities and practices.

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- (d) Nonpoint discharges from silviculture activities.
 - (e) Construction projects that do not result in land-disturbing activity including mill and crush operations that do not have soil disturbance, filling or road shoulder grading.
 - (f) Routine maintenance for project sites under five acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.
- (3) Notwithstanding the applicability requirements in Subsection A(1), this article applies to construction sites of any size that, in the opinion of the City, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water pollution by scouring or the transportation of particulate matter or that endangers property or public safety.
- B. Jurisdiction. This article applies to land-disturbing construction activity on construction sites located within the boundaries and jurisdiction of the City of Watertown.
- C. Exclusions. This article is not applicable to activities conducted by a state agency, as defined under

§ 227.01(1), Wis. Stats., but also including the office of District Attorney, which is subject to the state plan promulgated or a memorandum of the understanding entered into under § 281.33(2), Wis. Stats.

§ 288-5. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADMINISTERING AUTHORITY — A governmental employee or his/her designee that is designated by the City of Watertown to administer this article.

AGRICULTURAL FACILITIES AND PRACTICES — Has the meaning in § 281.16(1), Wis. Stats.

AVERAGE ANNUAL RAINFALL — A typical calendar year of precipitation as determined by the Wisconsin Department of Natural Resources for users of models such as WlnSLAMM, P8 or equivalent methodology. The average annual rainfall is chosen from a department publication for the location closest to the City.

BEST MANAGEMENT PRACTICE or BMP — Structural or nonstructural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

BUSINESS DAY — A day the City Hall is routinely and customarily open for business.

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CEASE AND DESIST ORDER — A court-issued order to halt land-disturbing construction activity that is being conducted without the required permit.

CONSTRUCTION SITE — An area upon which one or more land-disturbing construction activities occur, including areas that are part of a larger common plan of development or sale where multiple separate and distinct land-disturbing construction activities may be taking place at different times on different schedules but under one plan.

DESIGN STORM — A hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall.

DIVISION OF LAND — The creation from one parcel of four or fewer parcels or building sites of one or fewer acres each in area where such creation occurs at one time or through the successive partition within a five-year period.

EROSION — The process by which the land's surface is worn away by the action of wind, water, ice or gravity.

EROSION AND SEDIMENT CONTROL PLAN — A comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

EXTRATERRITORIAL — The unincorporated area within three miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.

FINAL STABILIZATION — That all land-disturbing construction activities at the construction site have completed and that a uniform perennial vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

GOVERNING BODY — The City Public Works Commission or the City Council.

LAND-DISTURBING CONSTRUCTION ACTIVITY — Any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or nonvegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land-disturbing construction

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activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

MEP or MAXIMUM EXTENT PRACTICABLE — The highest level of performance that is achievable but is not equivalent to a performance standard identified in this article as determined in accordance with § 288-6 of this article.

PERFORMANCE STANDARD — A narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

PERMIT — A written authorization made by the City of Watertown to the applicant to conduct land-disturbing construction activity or to discharge post-construction runoff to waters of the state.

POLLUTANT — Has the meaning given in § 283.01(13), Wis. Stats.

POLLUTION — Has the meaning given in § 281.01(10), Wis. Stats.

PUBLIC WORKS DIRECTOR/CITY ENGINEER — The individual holding the Public Works Director/ City Engineer title or his/her designees within the City of Watertown.

RESPONSIBLE PARTY — The landowner or any other entity performing services to meet the requirements of this article through a contract or other agreement.

RUNOFF — Stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.

SEDIMENT — Settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.

SEPARATE STORM SEWER — A conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

- A. Is designed or used for collecting water or conveying runoff.
- B. Is not part of a combined sewer system.
- C. Is not draining to a stormwater treatment device or system.

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D. Discharges directly or indirectly to waters of the state.

SILVICULTURE ACTIVITY — Activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.

SITE — The entire area included in the legal description of the land on which the land-disturbing construction activity is proposed in the permit application.

STOP-WORK ORDER — An order issued by the City which requires that all construction activity on the site be stopped.

TECHNICAL STANDARD — A document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.

WATERS OF THE STATE — Includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.

§ 288-6. Applicability of maximum extent practicable.

Maximum extent practicable applies when a person who is subject to a performance standard of this article demonstrates to the City's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, the responsible party shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

§ 288-7. Technical standards.

- A. Design criteria, standards and specifications. All BMPs required to comply with this article shall meet the design criteria, standards and specifications based on any of the following:
 - (1) Design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under Subchapter V of Chapter NR 151, Wis. Adm. Code.
 - (2) Soil loss prediction tools [such as the Universal Soil Loss Equation (USLE)] when using an appropriate rainfall or runoff factor (also referred to as the R

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factor) or an appropriate design storm and precipitation distribution, and when considering the geographic location of the site and the period of disturbance.

- B. Other standards. Other technical standards not identified or developed in Subsection A may be used provided that the methods have been approved by the City.

§ 288-8. Performance standards.

- A. Responsible party. The responsible party shall implement an erosion and sediment control plan, developed in accordance with § 288-10 that incorporates the requirements of this section.
- B. Plan. A written plan shall be developed in accordance with § 288-10 and implemented for each construction site. Simplified plans may be completed for sites with less than one acre of land-disturbing construction activity in accordance with the requirements of this article.
- C. Erosion and other pollutant control requirements. The plan required under Subsection B shall include the following:
 - (1) Erosion and sediment control practices. Erosion and sediment control practices shall be used at each site where more than 3,000 square feet of land-disturbing construction activity is to occur, and shall be used to prevent or reduce all of the following:
 - (a) The deposition of soil from being tracked onto streets by vehicles.
 - (b) The discharge of sediment from disturbed areas into on-site stormwater inlets.
 - (c) The discharge of sediment from disturbed areas into adjacent waters of the state.
 - (d) The discharge of sediment from drainageways that flow off the site.
 - (e) The discharge of sediment by dewatering activities.
 - (f) The discharge of sediment eroding from soil stockpiles existing for more than seven days.
 - (g) The discharge of sediment from erosive flows at outlets and in downstream channels.
 - (h) The transport by runoff into waters of the state of chemicals, cement, and other building compounds and materials on the construction site during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this subsection.
 - (i) The transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.
 - (2) Sediment performance standards. In addition to the erosion and sediment control practices under Subsection C(1), the following erosion and sediment control

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practices shall be employed for all construction sites with more than one acre of land-disturbing construction activity:

- (a) BMPs that, by design, discharge no more than five tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.
 - (b) No person shall be required to employ more BMPs than are needed to meet a performance standard in order to comply with maximum extent practicable. Erosion and sediment control BMPs may be combined to meet the requirements of this subsection. Credit may be given toward meeting the sediment performance standard of this subsection for limiting the duration or area, or both, of land-disturbing construction activity, or for other appropriate mechanisms.
 - (c) Notwithstanding Subsection C(2)(a), if BMPs cannot be designed and implemented to meet the sediment performance standard, the erosion and sediment control plan shall include a written, site-specific explanation of why the sediment performance standard cannot be met and how the sediment load will be reduced to the maximum extent practicable.
- (3) Preventive measures. The erosion and sediment control plan shall incorporate all of the following:
- (a) Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.
 - (b) Minimization of soil compaction and preservation of topsoil.
 - (c) Minimization of land-disturbing construction activity on slopes of 20% or more.
 - (d) Development of spill prevention and response procedures.
- D. Location. The BMPs used to comply with this section shall be located prior to runoff entering waters of the state.
- E. Implementation. The BMPs used to comply with this section shall be implemented as follows:
- (1) Erosion and sediment control practices shall be constructed or installed before land-disturbing construction activities begin in accordance with the erosion and sediment control plan developed in § 288-10.
 - (2) Erosion and sediment control practices shall be maintained until final stabilization.
 - (3) Final stabilization activity shall commence when land-disturbing activities cease and final grade has been reached on any portion of the site.
 - (4) Temporary stabilization activity shall commence when land-disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.

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(5) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

F. Alternate requirements. The City may establish stormwater management requirements more stringent than those set forth in this section if the City determines that an added level of protection is needed for sensitive resources.

§ 288-9. Permitting requirements, procedures and fees.

- A. Permit required. No responsible party may commence a land-disturbing construction activity subject to this article without receiving prior approval of an erosion and sediment control plan for the site and a permit from the City.
- B. Permit application and fees. At least one responsible party desiring to undertake a land-disturbing construction activity subject to this article shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of § 288-10 and shall pay an application fee to the City of Watertown. By submitting an application, the applicant is authorizing the City of Watertown to enter the site to obtain information required for the review of the erosion and sediment control plan.
- C. Review and approval of permit application. The City shall review any permit application that is submitted with an erosion and sediment control plan, and the required fee. The following approval procedure shall be used:
 - (1) Within 20 business days of the receipt of a complete permit application, as required by Subsection B, the City shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this article.
 - (2) If the permit application and plan are approved, the City shall issue the permit.
 - (3) If the permit application or plan is disapproved, the City shall state in writing the reasons for disapproval.
 - (4) The City may request additional information from the applicant. If additional information is submitted, the City shall have 15 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
- D. Financial guarantee. As a condition of approval and issuance of the permit, the City may require the applicant to deposit a surety bond, irrevocable letter of credit or other financial guarantee to guarantee a good faith execution of the approved erosion control plan and any permit conditions. The financial guarantee shall be an amount up to 120% of the estimated cost of the improvements.
- E. Permit requirements. All permits shall require the responsible party to:
 - (1) Notify the City within 48 hours of commencing any land-disturbing construction activity.
 - (2) Notify the City of completion of any BMPs within three days after their installation.
 - (3) Obtain permission in writing from the City prior to any modification pursuant to

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§ 288-10C of the erosion and sediment control plan.

- (4) Install all BMPs as identified in the approved erosion and sediment control plan.
 - (5) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
 - (6) Repair any siltation or erosion damage to adjoining surfaces and drainageways resulting from land-disturbing construction activities and document repairs in a site erosion control log.
 - (7) Inspect the BMPs within 24 hours after each rain of 0.5 inch or more which results in runoff during active construction periods, and at least once each week. Document the findings of the inspections in a site erosion control log with the date of inspection, the name of the person conducting the inspection, and a description of the present phase of the construction at the site. Repair or replace erosion and sediment control best management practices as necessary within 24 hours of an inspection or by the date agreed to between the permittee and the Public Works Director/City Engineer or the appropriate designee. Inspections are only required for construction sites with more than one acre of land-disturbing construction activity.
 - (8) Allow the City to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan at the construction site.
 - (9) Keep a copy of the inspection reports on the site at all times.
- F. Permit conditions. Permits issued under this section may include conditions established by the City in addition to the requirements set forth in Subsection E, where needed to assure compliance with the performance standards in § 288-8.
- G. Permit duration. Permits issued under this section shall be valid for a period of three years from the date of issuance. The City may extend the period once for up to an additional three years. The City may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this article.
- H. Maintenance. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this article until the site has undergone final stabilization.

§ 288-10. Erosion and sediment control plan, statement, and amendments.

- A. Erosion and sediment control plan.
- (1) An erosion and sediment control plan shall be prepared and submitted to the City.
 - (2) The erosion and sediment control plan shall be designed to meet the performance standards in § 288-8 and other requirements of this article. Simplified plans may be completed for sites with less than one acre of land-disturbing construction activity.

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- (3) The erosion and sediment control plan shall address pollution caused by soil erosion and sedimentation during construction and up to final stabilization of the site. The erosion and sediment control plan shall include, at a minimum, the following items:
- (a) The name(s) and address(es) of the owner or developer of the site, and of any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm. The application shall also include start and end dates for construction.
 - (b) Description of the site and the nature of the construction activity, including representation of the limits of land disturbance on a United States Geological Survey 7.5-minute series topographic map.
 - (c) A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.
 - (d) Estimates of the total area of the site and the total area of the site that is expected to be disturbed by construction activities.
 - (e) Estimates, including calculations, if any, of the runoff coefficient of the site before and after construction activities are completed.
 - (f) Calculations to show the expected percent reduction in the average annual sediment load carried in runoff as compared to no sediment or erosion controls.
 - (g) Existing data describing the surface soil as well as subsoils.
 - (h) Depth to groundwater, as indicated by on-site soil borings or Natural Resources Conservation Service soil information where available.
 - (i) Name of the immediate named receiving water from the United States Geological Survey 7.5-minute series topographic maps.
- (4) The erosion and sediment control plan shall include a site map. The site map shall include the following items and shall be at a scale not greater than 100 feet per inch and at a contour interval not to exceed five feet.
- (a) Existing topography, vegetative cover, natural and engineered drainage systems, roads and surface waters. Lakes, streams, wetlands, channels, ditches and other watercourses on and immediately adjacent to the site shall be shown. Any identified 100-year floodplains, flood fringes and floodways shall also be shown.
 - (b) Boundaries of the construction site.
 - (c) Drainage patterns and approximate slopes anticipated after major grading

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activities.

- (d) Areas of soil disturbance.
 - (e) Location of major structural and nonstructural controls identified in the plan.
 - (f) Location of areas where stabilization practices will be employed.
 - (g) Areas which will be vegetated following construction.
 - (h) Area and location of wetland acreage on the site and locations where stormwater is discharged to a surface water or wetland within one-quarter mile downstream of the construction site.
 - (i) Locations of all surface waters and wetlands within one mile of the construction site.
 - (j) Areas used for infiltration of post-construction stormwater runoff.
 - (k) An alphanumeric or equivalent grid overlying the entire construction site map.
- (5) Each erosion and sediment control plan shall include a description of appropriate erosion and sediment control best management practices that will be installed and maintained at the site to prevent pollutants from reaching waters of the state. The plan shall clearly describe the appropriate erosion and sediment control measures for each major land-disturbing construction activity and the timing during the construction process that the measures will be implemented. The description of erosion and sediment controls shall include, when appropriate, the following minimum requirements:
- (a) Description of interim and permanent stabilization practices, including an implementation schedule. Site plans shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.
 - (b) Description of structural practices to divert flow away from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from the site. Unless otherwise specifically approved in writing by the City of Watertown, structural measures shall be installed on upland soils.
 - (c) Management of overland flow at all sites, unless otherwise controlled by outfall controls.
 - (d) Trapping of sediment in channelized flow.
 - (e) Staging construction to limit exposed soil areas subject to erosion.
 - (f) Protection of downslope drainage inlets where they occur.
 - (g) Minimization of tracking via installation of tracking pads at all vehicle and equipment entry and exit locations of the construction site.
 - (h) Clean up of off-site sediment deposits.

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- (i) Proper disposal of building and waste materials at all sites.
 - (j) Stabilization of drainageways.
 - (k) Control of soil erosion from dirt stockpiles.
 - (l) Installation of permanent stabilization practices as soon as possible after final grading.
 - (m) Minimization of dust to the maximum extent practicable.
- (6) The erosion and sediment control plan shall require that velocity dissipation devices be placed at discharge locations and along the length of any outfall channel, as necessary, to provide a nonerosive flow from the structure to a watercourse so that the natural physical and biological characteristics and functions are maintained and protected.
- B. Erosion and sediment control plan statement. For each construction site identified under § 288-4A with more than one acre of land-disturbing construction activity, an erosion and sediment control plan statement shall be prepared. This statement shall be submitted to the City. The control plan statement shall briefly describe the site, including a site map. Further, it shall also include the best management practices that will be used to meet the requirements of the article, including the site development schedule.
- C. Amendments. The applicant shall amend the plan if any of the following occur:
- (1) There is a change in design, construction, operation or maintenance at the site which has the reasonable potential for the discharge of pollutants to waters of the state and which has not otherwise been addressed in the plan.
 - (2) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff.
 - (3) The City notifies the applicant of changes needed in the plan.

§ 288-11. Fee schedule.

The fees referred to in other sections of this article shall be established by the Common Council and may from time to time be modified by resolution. A schedule of the fees established by the Common Council shall be available for review in City Hall. The fee shall cover all City and consultant costs to review the permit application and perform the required site inspections.

§ 288-11.1. Inspection.

If land-disturbing construction activities are being carried out without a permit required by this article, the City may enter the land pursuant to the provisions of § 66.0119(1), (2) and (3), Wis. Stats. The City will inspect any construction site with more than ~~one-acre~~ **three thousand square** feet of land-disturbing construction activity that holds a permit under this chapter **or where construction work began prior to obtaining a permit** as required by the current Wisconsin Department of Natural Resources Municipal Separate

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Storm Sewer System (MS4) Permit or within the first two weeks of construction, at least once a month, and again at the end of construction to ensure compliance with the approved sediment and erosion control plan. If erosion and/or sediment control best management practices (BMPs) are out of compliance during inspections, the City may conduct follow-up inspections within seven days, unless corrections are made and observed by the inspector or verified via photographs submitted to the inspector. The costs of these inspections shall be billed to the responsible party.

§ 288-11.2. Enforcement.

- A. The City may post a stop-work order if any of the following occurs:
 - (1) Any land-disturbing construction activity regulated under this article is being undertaken without a permit.
 - (2) The erosion and sediment control plan is not being implemented in a good faith manner.
 - (3) The conditions of the permit are not being met.
- B. If the responsible party does not cease activity as required in a stop-work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the City may revoke the permit.
- C. If the responsible party, where no permit has been issued, does not cease the activity after being notified by the City, or if a responsible party violates a stop-work order posted under Subsection A, the City may **issue a citation and/or** request the City Attorney to obtain a cease and desist order in any court with jurisdiction.
- D. The City may retract the stop-work order issued under Subsection A or the permit revocation under Subsection B.
- E. After posting a stop-work order under Subsection A, the City may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this article. The City may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this subsection by the City, plus interest at the rate authorized by City shall be billed to the responsible party. In the event a responsible party fails to pay the amount due, the Clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to Subch. VII of Ch. 66, Wis. Stats.
- F. Any person violating any of the provisions of this article shall be subject to a forfeiture of not less than \$100 nor more than \$1,000 and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.
- G. Compliance with the provisions of this article may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.

§ 288-11.3. Appeals.

- A. Public works commission. The Public Works Commission shall act as the review

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and appeal agency and:

- (1) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination in administering this article except for cease and desist orders obtained under § 288-11.2C.
- (2) Upon appeal, may authorize variances from the provisions of this article which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the article will result in unnecessary hardship; and
- (3) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

- B. Who may appeal. Appeals to the Public Works Commission may be taken by any aggrieved person or by any office, department, board, or bureau of the City of Watertown affected by any decision of the City.

§ 288-11.4. Severability.

If a court of competent jurisdiction judges any section, clause, provision or portion of this article unconstitutional or invalid, the remainder of the article shall remain in force and not be affected by such judgment.

ARTICLE II

Control of Post-Construction Stormwater Management

[Adopted by Ord. No. 08-27 (§ 20.17 of the former City Code); amended in its entirety 4-3-2023 by Ord. No. 23-05]

§ 288-12. Authority.

- A. This article is adopted by the Common Council under the authority granted by § 62.234, Wis. Stats. This article supersedes all provisions of an ordinance previously enacted under § 62.23, Wis. Stats., that relate to stormwater management regulations. Except as otherwise specified in § 62.234, Wis. Stats., § 62.23, Wis. Stats., applies to this article and to any amendments to this article.
- B. The provisions of this article are deemed not to limit any other lawful regulatory powers of the same governing body.
- C. The Common Council hereby authorizes the City and its designees to administer and enforce the provisions of this article.
- D. The requirements of this article do not preempt more stringent stormwater management requirements that may be imposed by any of the following:
 - (1) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under §§ 281.16 and 283.33, Wis. Stats.
 - (2) Targeted nonagricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under § NR 151.004, Wis.

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Adm. Code.

§ 288-13. Findings of fact.

The Common Council finds that uncontrolled, post-construction runoff has a significant impact upon water resources and the health, safety and general welfare of the community and diminishes the public enjoyment and use of natural resources. Specifically, uncontrolled post-construction runoff can:

- A. Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperature.
- B. Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing pollutant loading of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants.
- C. Alter wetland communities by changing wetland hydrology and by increasing pollutant loads.
- D. Reduce the quality of groundwater by increasing pollutant loading.
- E. Threaten public health, safety, property and general welfare by overtaxing storm sewers, drainageways, and other minor drainage facilities.
- F. Threaten public health, safety, property and general welfare by increasing major flood peaks and volumes.
- G. Undermine floodplain management efforts by increasing the incidence and levels of flooding.

§ 288-14. Purpose and intent.

- A. Purpose. The general purpose of this article is to establish long-term, post-construction runoff management requirements that will diminish the threats to public health, safety, welfare and the aquatic environment. Specific purposes are to:
 - (1) Further the maintenance of safe and healthful conditions.
 - (2) Prevent and control the adverse effects of stormwater; prevent and control soil erosion; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth.
 - (3) Control exceedance of the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; and prevent conditions that endanger downstream property.
 - (4) Minimize the amount of pollutants discharged from the separate storm sewer to protect waters of the state.
- B. Intent. It is the intent of the Common Council that this article regulates post-

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construction stormwater discharges to waters of the state. This article may be applied on a site-by-site basis. The Common Council recognizes, however, that the preferred method of achieving the stormwater performance standards set forth in this article is through the preparation and implementation of comprehensive, systems-level stormwater management plans that cover hydrologic units, such as watersheds, on a municipal and regional scale. Such plans may prescribe regional stormwater devices, practices or systems, any of which may be designed to treat runoff from more than one site prior to discharge to waters of the state. Where such plans are in conformance with the performance standards developed under § 281.16, Wis. Stats., for regional stormwater management measures and have been approved by the Common Council, it is the intent of this article that the approved plan be used to identify post-construction management measures acceptable for the community.

§ 288-15. Applicability and jurisdiction.

A. Applicability.

- (1) Where not otherwise limited by law, this article applies to a post-construction site which has 21,780 or more square feet of new impervious surface, unless the site is otherwise exempt under Subsection A(2).
- (2) A site that meets any of the criteria in this Subsection is exempt from the requirements of this article:
 - (a) Land-disturbing construction activity that includes the construction of a one- or two- family residential site less than one acre and is otherwise regulated by the Wisconsin Department of Safety and Professional Services.
 - (b) A post-construction site with less than 10% connected imperviousness based on complete development of the post-construction site, provided the cumulative area of all parking lots and rooftops is less than one acre.
 - (c) Nonpoint discharges from agricultural facilities and practices.
 - (d) Nonpoint discharges from silviculture activities.
 - (e) Routine maintenance for project sites under five acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.
 - ~~(f)~~ Underground utility construction such as water, sewer and fiberoptic lines. This exemption does not apply to the construction of any aboveground structures associated with utility construction.
 - ~~(f)(g)~~ Minor reconstruction of a highway. Notwithstanding the exemption under this paragraph, the protective areas requirements in §288.18 apply to minor reconstruction of a highway.
 - ~~(g)(h)~~ The requirements of this article do not preempt more stringent stormwater management requirements that may be imposed by any of the following:

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- [1] Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under § 288.16, Wis. Stats., for nonpoint sources, and § 283.33, Wis. Stats., for stormwater discharge.
- [2] Targeted nonagricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under § NR 151.004, Wis. Adm. Code.
- (3) Notwithstanding the applicability requirements in Subsection A(1), this article applies to post- construction sites of any size that, in the opinion of the City, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water pollution by scouring or the transportation of particulate matter or that endangers property or public safety.
- B. Jurisdiction. This article applies to land-disturbing activities within the boundaries of the City of Watertown, and that portion of the Town of Emmet, Dodge County, Wisconsin, that is subject to the City's Plat Review Jurisdiction as set forth in Resolution Exhibit No. 6152 and recorded on September 25, 1997, in Volume 937 on Page 86 as Document No. 851436 in the Dodge County Office of the Register of Deeds and all subsequent amendments.
- C. Exclusions. This article is not applicable to activities conducted by a state agency, as defined under
 - § 227.01(1), Wis. Stats., but also including the office of the District Attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under § 281.33(2), Wis. Stats.

§ 288-16. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADEQUATE SOD, OR SELF-SUSTAINING VEGETATIVE COVER — Maintenance of sufficient vegetation types and densities such that the physical integrity of the stream bank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen and woody debris.

ADMINISTERING AUTHORITY — The Public Works Director/City Engineer, the City Public Works Commission, the City Council or other entity empowered under § 62.234, Wis. Stats., that is designated by the City of Watertown to administer this article.

AGRICULTURAL FACILITIES AND PRACTICES — Has the meaning given in § 281.16, Wis. Stats.

ATLAS 14 — The National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Precipitation- Frequency Atlas of the United States, Volume 8 (Midwestern States), published in 2013.

AVERAGE ANNUAL RAINFALL — A typical calendar year of precipitation as determined by the Wisconsin Department of Natural Resources for users of models such

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as WInSLAMM, P8 or equivalent methodology. The average annual rainfall is chosen from a department publication for the location closest to the City.

BEST MANAGEMENT PRACTICE or BMP — Structural or nonstructural measures, practices, techniques or devices employed to avoid or minimize sediment or pollutants carried in runoff to waters of the state.

BUSINESS DAY — A day the City Hall is routinely and customarily open for business.

CEASE AND DESIST ORDER — A court-issued order to halt land-disturbing construction activity that is being conducted without the required permit or in violation of a permit issued by the City of Watertown.

COMBINED SEWER SYSTEM — A system for conveying both sanitary sewage and stormwater runoff.

CONNECTED IMPERVIOUSNESS — An impervious surface connected to waters of the state via a separate storm sewer, an impervious flow path, or a minimally pervious flow path.

DESIGN STORM — A hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall.

DEVELOPMENT — Residential, commercial, industrial or institutional land uses and associated roads.

DIRECT CONDUITS TO GROUNDWATER — Wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, nonmetallic mines, tile inlets discharging to groundwater, quarries, or depressional groundwater recharge areas over shallow fractured bedrock.

DIVISION OF LAND — The creation from one parcel of four or fewer parcels or building sites of one or fewer acres each in area where such creation occurs at one time or through the successive partition within a five-year period.

EFFECTIVE INFILTRATION AREA — The area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.

EROSION — The process by which the land's surface is worn away by the action of wind, water, ice or gravity.

EXCEPTIONAL RESOURCE WATERS — Waters listed in § NR 102.11, Wis. Adm. Code.

EXTRATERRITORIAL — The unincorporated area within three miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.

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FILTERING LAYER — Soil that has at least a three-foot-deep layer with at least 20% fines; or at least a five-foot-deep layer with at least 10% fines; or an engineered soil with an equivalent level of protection as determined by the regulatory authority for the site.

FINAL STABILIZATION — That all land-disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.

FINANCIAL GUARANTEE — A performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the City by the responsible party to assure that requirements of the article are carried out in compliance with the stormwater management plan.

GOVERNING BODY — The City Public Works Commission or the City Council.

IMPERVIOUS SURFACE — An area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots and streets are examples of areas that typically are impervious.

IN-FILL AREA — An undeveloped area of land located within an existing urban sewer service area, surrounded by development or natural or man-made features where development cannot occur.

INFILTRATION — The entry of precipitation or runoff into or through the soil.

INFILTRATION SYSTEM — A device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in previous surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or roadside channels designed for conveyance and pollutant removal only.

KARST FEATURE — An area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.

LAND-DISTURBING CONSTRUCTION ACTIVITY — Any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or nonvegetative soil cover, that may result in runoff and lead to an increase in soil erosion and movement of sediment into waters of the state. Land-disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities.

MAINTENANCE AGREEMENT — A legal document that provides for long-term maintenance of stormwater management practices.

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MEP or MAXIMUM EXTENT PRACTICABLE — The highest level of performance that is achievable but is not equivalent to a performance standard identified in this article. Maximum extent practicable applies when a person who is subject to a performance standard of this article demonstrates to the City's satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the maximum extent practicable, the responsible party shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

MINOR RECONSTRUCTION

A transportation facility construction site where a bid is advertised, a construction contract signed where no bid is advertised or a notice of intent is submitted in accordance with NR216, Wisconsin Administrative Code, reconstruction that is limited to 1.5 miles in continuous or aggregate total length of realignment and that does not exceed 100 feet in width of roadbed widening, and that does not include replacement of a vegetated drainage system with a non-vegetated drainage system except where necessary to convey runoff under a highway or private road or driveway.

NEW DEVELOPMENT — Development resulting from the conversion of previously undeveloped land or agricultural land uses.

NRCS MSE3 DISTRIBUTION — A specific precipitation distribution developed by the United States Department of Agriculture, Natural Resources Conservation Service, using precipitation data from Atlas 14.

OFF SITE — Located outside the property boundary described in the permit application.

ON SITE — Located within the property boundary described in the permit application.

ORDINARY HIGH WATER MARK — Has the meaning given in § NR 115.03(6), Wis. Adm. Code. OUTSTANDING RESOURCE WATERS — Waters listed in § NR 102.10, Wis. Adm. Code.

PERCENT FINES — The percentage of a given sample of soil which passes through a No. 200 sieve.

PERFORMANCE STANDARD — A narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

PERMIT — A written authorization made by the City to the applicant to conduct land-disturbing construction activity or to discharge post-construction runoff to waters of the state.

PERMIT ADMINISTRATION FEE — A sum of money paid to the City by the

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permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit.

PERVIOUS SURFACE — An area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests or other similar vegetated areas are examples of surfaces that typically are pervious.

POLLUTANT — Has the meaning given in § 283.01(13), Wis. Stats.

POLLUTION — Has the meaning given in § 281.01(10), Wis. Stats.

POST-CONSTRUCTION SITE — A construction site following the completion of land-disturbing construction activity and final site stabilization.

PREDEVELOPMENT CONDITION — The extent and distribution of land cover types present before the initiation of land-disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.

PREVENTIVE ACTION LIMIT — Has the meaning given in § NR 140.05(17), Wis. Adm. Code.

PROTECTIVE AREA — An area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of those widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface.

PUBLIC WORKS DIRECTOR/CITY ENGINEER — The individual holding the Public Works Director/ City Engineer title or his/her designees within the City of Watertown.

REDEVELOPMENT — Areas where development is replacing older development.

RESPONSIBLE PARTY — The landowner or any other entity performing services to meet the requirements of this article through a contract or other agreement.

RUNOFF — Stormwater or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.

SEPARATE STORM SEWER — A conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:

- A. Is designed or used for collecting water or conveying runoff.
- B. Is not part of a combined sewer system.
- C. Is not draining to a stormwater treatment device or system.
- D. Discharges directly or indirectly to waters of the state.

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SILVICULTURE ACTIVITY — Activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.

SITE — The entire area included in the legal description of the land on which the land-disturbing construction activity occurred.

STOP-WORK ORDER — An order issued by the Public Works Director/City Engineer which requires that all construction activity on the site be stopped.

STORMWATER MANAGEMENT PLAN — A comprehensive plan designed to reduce the discharge of pollutants from stormwater after the site has undergone final stabilization following completion of the construction activity.

STORMWATER MANAGEMENT SYSTEM PLAN — A comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.

TECHNICAL STANDARD — A document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.

TOP OF THE CHANNEL — An edge, or point on the landscape, landward from the ordinary high water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high water mark, the top of the channel is the ordinary high water mark.

TOTAL MAXIMUM DAILY LOAD or TMDL — The amount of pollutants specified as a function of one or more water quality parameters, that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.

TP-40 — Technical Paper No. 40, Rainfall Frequency Atlas of the United States, published in 1961.

TR-55 — The United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986.

TRANSPORTATION FACILITY — A highway, a railroad, a public mass transit facility, a public-use airport, a public trail or any other public work for transportation purposes such as harbor improvements under § 85.095(1)(b), Wis. Stats. "Transportation facility" does not include building sites for the construction of public buildings and buildings that are places of employment that are regulated by the Department pursuant to § 281.33, Wis. Stats.

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TSS — Total suspended solids.

TYPE II DISTRIBUTION — A rainfall type curve as established in the United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973.

WATERS OF THE STATE — Includes those portions of Lake Michigan and Lake Superior within the boundaries of this state, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within this state or its jurisdiction.

§ 288-17. Technical standards.

The following methods shall be used in designing the water quality, peak flow shaving and infiltration components of stormwater practices needed to meet the water quality standards of this article:

- A. Technical standards identified, developed or disseminated by the Wisconsin Department of Natural Resources under Subchapter V of Chapter NR 151, Wis. Adm. Code.
- B. Where technical standards have not been identified or developed by the Wisconsin Department of Natural Resources, other technical standards may be used provided that the methods have been approved by the City.
- C. In this article, the following year and location has been selected as the average annual rainfall for water quality modeling purposes: Madison, 1981 (Mar. 12-Dec. 2).

§ 288-18. Performance standards.

- A. Responsible party. The responsible party shall implement a post-construction stormwater management plan that incorporates the requirements of this section.
- B. Plan. A written stormwater management plan in accordance with § 288-20 shall be developed and implemented for each post-construction site. Simplified plans may be completed for sites with less than one acre of land-disturbing construction activity in accordance with the requirements of this chapter.
- C. Maintenance of effort. For redevelopment sites where the redevelopment will be replacing older development that was subject to post-construction performance standards of Ch. NR 151, Wis. Adm. Code, in effect on or after October 1, 2004, the responsible party shall meet the total suspended solids reduction, peak flow control, infiltration, and protective areas standards applicable to the older development or meet the redevelopment standards of this article, whichever is more stringent.
- D. Requirements. The plan required under Subsection B shall include the following:
 - (1) Pollutant control. BMPs shall be designed, installed and maintained to control total suspended solids and phosphorus carried in runoff from the post-construction site as follows:
 - (a) BMPs shall be designed in accordance with Table 1 or to the maximum extent practicable as provided in Subsection D(1)(b). The design shall be based on an average annual rainfall, as compared to no runoff management

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controls.

Table 1
Pollutant Reduction
Standards

Development Type	TSS Reduction	Phosphorus
New development	80%	30%
In-fill development	80%	30%
Redevelopment	60% of load from parking areas and roads	30% of load from parking areas and roads

- (b) Maximum extent practicable. If the design cannot meet a total suspended solids or phosphorus reduction performance standard of Table 1, the stormwater management plan shall include a written, site-specific explanation of why the total suspended solids or phosphorus reduction performance standard cannot be met and why the total pollutant loads will be reduced only to the maximum extent practicable.
 - (c) Off-site drainage. When designing BMPs, runoff draining to the BMP from off-site shall be taken into account in determining the treatment efficiency of the practice. Any impact on the efficiency shall be compensated for by increasing the size of the BMP accordingly.
- (2) Peak discharge.
- (a) Unless otherwise provided for in this section, all land development activities subject to this section shall establish on-site management practices to control peak flow rates of stormwater discharged from the site. On-site management practices shall be used to meet the following minimum performance standards:
 - [1] The peak flow rates of stormwater runoff from the development shall not exceed those calculated for the series of design storms specified in Subsection D(2)(a)[2] occurring under development conditions specified in Subsection D(2)(a)[4]. Discharge velocities must be nonerosive to discharge locations, outfall channels, and receiving streams. Safe overland conveyance must be provided for discharges from the development.
 - [2] The stormwater management facilities shall contain sufficient storage to contain the runoff from the 100-year, twenty-four-hour rainfall event under developed conditions, while utilizing a peak discharge rate from the developed site which does not exceed the peak runoff rate from the site for a two-year, twenty-four-hour rainfall event under predevelopment conditions.
 - [3] By design, BMPs shall be employed to maintain or reduce the one-year, twenty-four-hour post-construction peak runoff discharge rates to the

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one-year, twenty-four-hour predevelopment peak runoff discharge rate, or to the maximum extent practicable.

- [4] Predevelopment conditions shall assume "good hydrologic conditions" for appropriate land covers as identified in TR-55 or an equivalent methodology. The meaning of "hydrologic soil group" and "runoff curve number" are as determined in TR-55. However, when predevelopment land cover is woodland, grassland, or cropland, rather than using TR-55 values for these land use types, the runoff curve numbers in Table 2 shall be used. Peak discharges shall be calculated using TR-55 runoff curve number methodology, Atlas 14 precipitation depths, and the appropriate NRCS Wisconsin MSE3 precipitation distribution. On a case-by-case basis, the Public Works Director/City Engineer may allow the use of TP-40 precipitation depths and the Type II distribution.

Table 2 Maximum Predevelopment Runoff Curve Numbers				
Hydrologic Soil Group	A	B	C	D
Woodland curve number	30	55	70	77
Grassland curve number	39	61	71	78
Cropland curve number	55	69	78	83

(b) This subsection of the section does not apply to any of the following:

- [1] A redevelopment post-construction site.
- [2] An in-fill development area less than one acre.
- [3] A post-construction site where the discharge is directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles.

- (3) Infiltration. BMPs shall be designed, installed, and maintained to infiltrate runoff to the maximum extent practicable in accordance with the following, except as provided in Subsection D(3)(f) through (i).
- (a) Low imperviousness. For development up to 40% connected imperviousness, such as parks, cemeteries, and low-density residential development, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 90% of the predevelopment infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 1% of the post-construction site is required as an effective infiltration area.
- (b) Moderate imperviousness. For development with more than 40% and up to 80% connected imperviousness, such as medium- and high-density

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residential, multifamily development, industrial and institutional development, and office parks, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 75% of the predevelopment infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2% of the post-construction site is required as an effective infiltration area.

- (c) High imperviousness. For development with more than 80% connected imperviousness, such as commercial strip malls, shopping centers, and commercial downtowns, infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 60% of the predevelopment infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2% of the post-construction site is required as an effective infiltration area.
- (d) Predevelopment condition shall be the same as in Table 2 of the peak discharge section of this article.
- (e) Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from new road construction in commercial, industrial and institutional areas that will enter an infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality in accordance with Subsection D(3)(k). Pretreatment options may include, but are not limited to, oil/grease separation, sedimentation, biofiltration, filtration, swales or filter strips.
- (f) Exclusions. Runoff from the following areas may not be infiltrated and do not qualify as contributing to meeting the requirements of this section unless demonstrated to meet the conditions of Subsection D(3)(k):
 - [1] Areas associated with Tier 1 industrial facilities identified in § NR 216.21(2)(a), Wis. Adm. Code, including storage, loading, rooftop and parking.
 - [2] Storage and loading areas of Tier 2 industrial facilities identified in § NR 216.21(2)(b), Wis. Adm. Code.
 - [3] Fueling and vehicle maintenance areas. Runoff from rooftops of fueling and vehicle maintenance areas may be infiltrated with the concurrence of the regulatory authorities.
- (g) Location of practices. Infiltration practices may not be located in the following areas:
 - [1] Areas within 1,000 feet upgradient or within 100 feet downgradient of direct conduits to groundwater.
 - [2] Areas within 400 feet of a community water system well as specified

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in § NR 811.12(5)(d)6, Wis. Adm. Code, or within the separation distances listed in § NR 812.08, Wis. Adm. Code, for any private well or noncommunity well for runoff infiltrated from commercial (including multifamily residential), industrial and institutional land uses or regional devices for one- and two-family residential development.

- [3] Areas where contaminants of concern, as defined in § NR 720.03(2), Wis. Adm. Code are present in the soil through which infiltration will occur.

(h) Separation distances.

- [1] Infiltration practices shall be located so that the characteristics of the soil and the separation distance between the bottom of the infiltration system and the elevation of seasonal high groundwater or the top of bedrock are in accordance with Table 3:

Table 3
Separation Distances and Soil Characteristics

Source Area	Separation Distance	Soil Characteristics
Industrial, commercial, institutional parking lots and roads	5 feet or more	Filtering layer
Residential arterial roads	5 feet or more	Filtering layer
Roofs draining to subsurface infiltration practices	1 foot or more	Native or engineered soil with particles finer than coarse sand
Roofs draining to surface infiltration practices	Not applicable	Not applicable
All other impervious source areas	3 feet or more	Filtering layer

- [2] Notwithstanding Subsection D(3)(h), applicable requirements for injection wells classified under Ch. NR 815, Wis. Adm. Code, shall be followed.

(i) Exemptions. Infiltration practices located in runoff from the following areas may be credited towards meeting the requirements when infiltrated, but the decision to infiltrate under these conditions is optional:

- [1] Areas where the infiltration rate of the soil measured at the proposed bottom of the infiltration system is less than 0.6 inch/hour using a scientifically credible field test method.
- [2] Areas where the least permeable soil horizon to five feet below the proposed bottom of the infiltration system using the U.S. Department of Agriculture method of soils analysis is one of the following: sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, or clay.

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- [3] Parking areas and access roads less than 5,000 square feet for commercial development.
 - [4] Parking areas and access roads less than 5,000 square feet for industrial development not subject to the prohibitions/exclusions under Subsection D(3)(f).
 - [5] Redevelopment post-construction sites except as provided under § 288-18C.
 - [6] In-fill development areas less than one acre.
 - [7] Roads in commercial, industrial and institutional land uses, and arterial residential roads.
- (j) Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation, such alternate use shall be given equal credit toward the infiltration volume required by this section.
- (k) Groundwater standards.
- [1] Infiltration systems designed in accordance with this section shall, to the extent technically and economically feasible, minimize the level of pollutants in filtration to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with Ch. NR 140. However, if site- specific information indicates that compliance with a preventive action limit is not achievable, the infiltration BMP may not be installed or shall be modified to prevent infiltration to the maximum extent practicable.
 - [2] Notwithstanding Subsection D(3)(k)[1], the discharge from BMPs shall remain below the enforcement standard at the point of standards application.
- (l) Maximum extent practicable. Where the conditions of Subsection D(3)(f) through (i) limit or restrict the use of infiltration practices, the infiltration performance standard of § 288-18D(3) shall be met to the maximum extent practicable.
- (4) Protective areas.
- (a) "Protective area" means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of the following widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface. However, in this subsection, protective area does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location.
 - [1] For outstanding resource waters and exceptional resource waters: 75 feet.
 - [2] For perennial and intermittent streams identified on a United States

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Geological Survey 7.5-minute series topographic map, or a county soil survey map, whichever is more current: 50 feet.

- [3] For lakes: 50 feet.
 - [4] For wetlands not subject to Subsection D(4)(a)[5] or [6]: 50 feet.
 - [5] For highly susceptible wetlands: 75 feet. Highly susceptible wetlands include the following types: calcareous fens, sedge meadows, open and coniferous bogs, low prairies, coniferous swamps, lowland hardwood swamps and ephemeral ponds.
 - [6] For less susceptible wetlands: 10% of the average wetland width, but no less than 10 feet nor more than 30 feet. Less susceptible wetlands include degraded wetlands dominated by invasive species such as reed canary grass, cultivated hydric soils; and any gravel pits, or dredged material or fill material disposal sites that take on the attributes of a wetland.
 - [7] In Subsection D(4)(a)[4] through [6], determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in § NR 103.03, Wis. Adm. Code.
 - [8] Wetland boundary delineations shall be made in accordance with § NR 103.08(1m), Wis. Adm. Code. This subsection does not apply to wetlands that have been completely filled in accordance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in accordance with all applicable state and federal regulations shall be measured from the wetland boundary delineation after fill has been placed. Where there is a legally authorized wetland fill, the protective area standard need not be met in that location.
 - [9] For concentrated flow channels with drainage areas greater than 130 acres: 10 feet.
 - [10] Notwithstanding Subsection D(4)(a)[1] to [9], the greatest protective area width shall apply where rivers, streams, lakes and wetlands are contiguous.
- (b) This subsection applies to post-construction sites located within a protective area, except those areas exempted pursuant to Subsection D(4)(d).
 - (c) The following requirements shall be met:
 - [1] Impervious surfaces shall be kept out of the protective area entirely or to the maximum extent practicable. If there is no practical alternative to locating an impervious surface in the protective area, the stormwater management plan shall contain a written site-specific explanation.

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- [2] Where land-disturbing construction activity occurs within a protective area, and where no impervious surface is present, adequate sod or self-sustaining vegetative cover of 70% or greater shall be established and maintained. The adequate sod or self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat and filtering of pollutants from upslope overland flow areas under sheet flow conditions. Nonvegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high-velocity flows occur.
 - [3] Best management practices such as filter strips, swales, or wet detention basins that are designed to control pollutants from nonpoint sources may be located in the protective area.
- (d) This subsection does not apply to:
- [1] Except as provided under § 288-18C, redevelopment post-construction sites.
 - [2] In-fill development areas less than one acre.
 - [3] Structures that cross or access surface waters such as boat landings, bridges and culverts.
 - [4] Structures constructed in accordance with § 59.692(1v), Wis. Stats.
 - [5] Areas of post-construction sites from which runoff does not enter the surface water, including wetlands, without first being treated by a BMP to meet the local ordinance requirements for total suspended solids and peak flow reduction, except to the extent that vegetative ground cover is necessary to maintain bank stability.
- (5) Fueling and vehicle maintenance areas. Fueling and vehicle maintenance areas shall, to the maximum extent practicable, have BMPs designed, installed and maintained to reduce petroleum within runoff, such that the runoff that enters waters of the state contains no visible petroleum sheen.
- (6) Site drainage. Measures shall be implemented to ensure proper site drainage, prevent property damage and protect public health and safety, including the following minimum requirements:
- (a) Drainage easement. Perpetual drainage easements or other deed restrictions shall be recorded on the property to preserve major stormwater flow paths and permanent stormwater BMP locations. Covenants in these areas shall not allow buildings or other structures and shall prevent any grading, filling or other activities that interrupt or obstruct flows in any way. Covenants shall also specify maintenance responsibilities and authorities in accordance with § 288-21.
 - (b) Site grading. Site grading shall ensure positive flows away from all buildings, roads, driveways and septic systems, be coordinated with the

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general stormwater drainage patterns for the area, and minimize adverse impacts on adjacent properties.

- (c) Street drainage. All street drainage shall be designed to prevent concentrated flows from crossing the traffic lanes to the maximum extent practicable. Design flow depths at the road center line for on-street drainage shall not exceed six inches during the peak flows generated by the 100-year, twenty-four-hour design storm, using planned land use conditions for the entire contributing watershed area.
 - (d) Bridges and cross-culverts. All new or modified bridges and cross-culverts shall comply with applicable design standards and regulations, facilitate fish passage and prevent increased flooding or channel erosion upstream or downstream from the structure. All bridges and cross-culverts on collector and arterial roadways shall be designed to convey the 100-year, twenty-four-hour design storm. All bridges and cross-culverts on local roadways shall be designed to convey ten-year, twenty-four-hour design storm, while providing an overland flow path that does not impact any structures for the 100-year, twenty-four-hour design storm. A floodplain analysis shall be required for all developments impacting a navigable waterway. This analysis must demonstrate no adverse off-site impacts, in accordance with state and federal regulations and may require larger structures than those specified above. Design flow depths at the road center line for all crossings shall not exceed six inches during peak flows generated by the 100-year, twenty-four-hour design storm, using planned land use conditions for the entire contributing watershed area. All predevelopment runoff storage areas within the flow path upstream of bridges and cross-culverts shall be preserved and designated as drainage easements, unless compensatory storage is provided and accounted for in modeling. As-built documentation shall be submitted for all new or modified structures that are located within a mapped floodplain or that the City determines to be necessary to maintain floodplain modeling for the applicable watershed.
 - (e) Subsurface drainage. To avoid property and other damages from groundwater, all buildings planned for human occupation on a regular basis shall meet all of the following:
 - [1] Basement floor surfaces shall be built a minimum of one foot above the highest groundwater table elevation, as documented in the submitted soil evaluations in accordance with City standards. On sloped sites, basements may be allowed partially below the highest groundwater table only on the upslope side if they meet City drainage system standards for design, discharge, engineering oversight, and long-term maintenance. For these sites, the one-foot groundwater separation will be enforced at the furthest downslope point of the basement.
 - [2] Avoid hydric soils as much as possible.
 - [3] The City shall be notified of any drain tiles that are uncovered during
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construction, which the City may require to be restored or connected to other drainage systems.

- [4] No discharge of groundwater from tile lines, sump pumps or other means shall be allowed onto another person's land or any public space without the written approval of the City and the property owner.
 - [a] Where storm sewer is available, all cistern overflows, drain tile, downspouts, roof leaders, surface or area drains may be connected to it with the appropriate City permit.
 - [b] Where storm sewer is not available, all cistern overflows, drain tile, downspouts, roof leaders, surface or area drains or other clean water may be piped separately to the street curb or other place of disposal with the appropriate City permit.
- (f) Open channels. All open channel drainage systems shall at a minimum be designed to carry the peak flows from a 100-year, twenty-four-hour design storm using planned land use for the entire contributing watershed area. Side slopes shall be no steeper than 4h:1v unless otherwise approved by the City for unique site conditions. Water surface elevations for the 100-year, twenty-four-hour design storm shall be calculated for all existing and proposed open channels.
- (g) Storm sewers. All storm sewers shall be designed to convey the ten-year, twenty-four-hour design storm while providing an overland flow path that does not impact any structures for the 100-year, twenty-four-hour design storm, unless otherwise modified by the City.
- (h) Changes to stormwater discharges. For sites where the City determines the post-development stormwater discharge flow paths will be significantly different than predevelopment conditions, or where proposed stormwater discharges may otherwise have a significant negative impact on downstream property owner(s), the City may require the applicant to submit written authorization, record a drainage easement, or complete other legal arrangements with the affected property owner(s) prior to permit issuance.
- (i) Structure protection and safety. Flows generated by the 100-year, twenty-four-hour design storm under the planned land use conditions may exceed the design capacity of conveyance systems, but shall not come in contact with any buildings. For buildings designed for human occupation on a regular basis, the following additional requirements shall apply:
 - [1] The lowest elevation of the structure that is exposed to the ground surface shall be a minimum of two feet above the maximum water surface elevation produced by the 100-year, twenty-four-hour design storm, including flows through any stormwater BMP that may temporarily or permanently store water at a depth of greater than one foot; and
 - [2] The structure shall be set back at least 50 feet from any stormwater

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BMP that may temporarily or permanently store water at a depth of greater than one foot, including any internally drained area with a significant contributing watershed and/or limited runoff storage capacity, as determined by the City. Setback distance shall be measured from the closest edge of water at the elevation produced by the 100-year, twenty-four-hour design storm. The City may exempt existing structures and structures with no basement from this requirement if the City determines other site risks are minimal based on soil and site conditions.

(7) Swale treatment for transportation facilities.

- (a) Applicability. Except as provided in Subsection D(7)(b), transportation facilities that use swales for runoff conveyance and pollutant removal meet all of the water quality requirements of this section, if the swales are designed to the maximum extent practicable to do all of the following:
 - [1] Be vegetated. However, where appropriate, nonvegetative measures may be employed to prevent erosion or provide for runoff treatment, such as rock riprap stabilization or check dams.
 - [2] Swales shall comply with Wisconsin Department of Natural Resources Technical Standard 1005, "Vegetated Infiltration Swales." Transportation facility swale treatment does not have to comply with other sections of Technical Standard 1005.
- (b) Exemptions. The City may, consistent with water quality standards, require that other provisions be met on a transportation facility with an average daily travel of vehicles greater than 2,500 and where the initial surface water of the state that the runoff directly enters is any of the following:
 - [1] An outstanding resource water.
 - [2] An exceptional resource water.
 - [3] Waters listed in § 303(d) of the federal Clean Water Act that are identified as impaired in whole or in part, due to nonpoint source impacts.
 - [4] Waters where targeted performance standards are developed under § NR 151.004, Wis. Adm. Code, to meet water quality standards.
- (c) The transportation facility authority shall contact the City to determine if additional BMPs beyond a water quality swale are needed under this subsection.

E. General considerations for on-site and off-site stormwater management measures. The following considerations shall be observed in managing runoff:

- (1) Natural topography and land cover features such as natural swales, natural depressions, native soil infiltrating capacity, and natural groundwater recharge areas shall be preserved and used, to the extent possible, to meet the requirements

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of this section.

- (2) Emergency overland flow for all stormwater facilities shall be provided to prevent exceeding the safe capacity of downstream drainage facilities and prevent endangerment of downstream property or public safety.
- (3) Unless deemed not possible by City staff, stormwater facilities may be located on outlots with direct access to adjacent public streets.

F. Location and regional treatment option.

- (1) BMPs may be located on site or off site as part of a regional stormwater device, practice or system, but shall be in accordance with § NR 151.003, Wis. Adm. Code.
- (2) The City may approve off-site management measures provided that all of the following conditions are met:
 - (a) The City determines that the post-construction runoff is covered by a stormwater management system plan that is approved by the City of Watertown and that contains management requirements consistent with the purpose and intent of this article.
 - (b) The off-site facility meets all of the following conditions:
 - [1] The facility is in place.
 - [2] The facility is designed and adequately sized to provide a level of stormwater control equal to or greater than that which would be afforded by on-site practices meeting the performance standards of this article.
 - [3] The facility has a legally obligated entity responsible for its long-term operation and maintenance.
- (3) Where a regional treatment option exists such that the City exempts the applicant from all or part of the minimum on-site stormwater management requirements, the applicant shall be required to pay a fee in an amount determined in negotiation with the City. In determining the fee for post-construction runoff, the City shall consider an equitable distribution of the cost for land, engineering design, construction, and maintenance of the regional treatment option.

- G. Alternate requirements. The City may establish stormwater management requirements more stringent than those set forth in this section if the City determines that an added level of protection is needed to protect sensitive resources, to control stormwater quantity or control flooding, comply with federally approved total maximum daily load requirements, or control pollutants associated with existing development or redevelopment.

§ 288-19. Permitting requirements, procedures and fees.

- A. Permit required. No responsible party may undertake a land-disturbing construction

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activity without receiving a post-construction runoff permit from the City prior to commencing the proposed activity.

- B. Permit application and fees. Unless specifically excluded by this article, any responsible party desiring a permit shall submit to the City a permit application made on a form provided by the City for that purpose.
- (1) Unless otherwise excepted by this article, a permit application must be accompanied by a stormwater management plan, a maintenance agreement and a nonrefundable permit administration fee.
 - (2) The stormwater management plan shall be prepared to meet the requirements of §§ 288-18 and 288-20, the maintenance agreement shall be prepared to meet the requirements of § 288-21, the financial guarantee shall meet the requirements of § 288-22, and fees shall be those established by the City of Watertown as set forth in § 288-23.
- C. Review and approval of permit application. The City shall review any permit application that is submitted with a stormwater management plan, maintenance agreement, and the required fee. The following approval procedure shall be used:
- (1) Within 20 business days of the receipt of a complete permit application, including all items as required by Subsection B, the City shall inform the applicant whether the application, plan and maintenance agreement are approved or disapproved based on the requirements of this article.
 - (2) If the stormwater permit application, plan and maintenance agreement are approved, or if an agreed upon payment of fees in lieu of stormwater management practices is made, the City shall issue the permit.
 - (3) If the stormwater permit application, plan or maintenance agreement is disapproved, the City shall detail in writing the reasons for disapproval.
 - (4) The City may request additional information from the applicant. If additional information is submitted, the City shall have 20 business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either approved or disapproved.
- D. Permit requirements. All permits issued under this article shall be subject to the following conditions, and holders of permits issued under this article shall be deemed to have accepted these conditions. The City may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the City to suspend or revoke this permit may be appealed in accordance with § 288-25.
- (1) Compliance with this permit does not relieve the responsible party of the responsibility to comply with other applicable federal, state, and local laws and regulations.
 - (2) The responsible party shall design and install all structural and nonstructural stormwater management measures in accordance with the approved stormwater management plan and this permit.

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- (3) The responsible party shall notify the City at least three business days before commencing any work in conjunction with the stormwater management plan, three days prior to commencing work on the stormwater management practices, and within three business days upon completion of the stormwater management practices. If required as a special condition under Subsection E, the responsible party shall make additional notification according to a schedule set forth by the City so that practice installations can be inspected during construction.
- (4) Practice installations required as part of this article shall be certified "as built" by a licensed professional engineer and furnished to the City in digital AutoCad format (.dwg or .dxf file format), in Adobe PDF format, and in ArcGIS shapefile format (.shp or FileGDB format) or other format as approved by Public Works Director/City Engineer. Files shall be tied to a coordinate system approved by the Public Works Director/City Engineer. Completed stormwater management practices must pass a final inspection by the City or its designee to determine if they are in accordance with the approved stormwater management plan and ordinance. The City or its designee shall notify the responsible party in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.
- (5) The responsible party shall notify the City of any significant modifications it intends to make to an approved stormwater management plan. The City may require that the proposed modifications be submitted for approval prior to incorporation into the stormwater management plan and execution by the responsible party.
- (6) The responsible party shall maintain all stormwater management practices in perpetuity in accordance with the stormwater management plan until the practices either become the responsibility of the City of Watertown, or are transferred to subsequent private owners as specified in the approved maintenance agreement.
- (7) The responsible party authorizes the City to perform any work or operations necessary to bring stormwater management measures into conformance with the approved stormwater management plan, and consents to a special assessment or charge against the property as authorized under Subch. VII of Ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under § 288-22.
- (8) If so directed by the City, the responsible party shall repair at the responsible party's own expense all damage to adjoining municipal facilities and drainageways caused by runoff, where such damage is caused by activities that are not in compliance with the approved stormwater management plan.
- (9) The responsible party shall permit property access to the City or its designee for the purpose of inspecting the property for compliance with the approved stormwater management plan and this permit.
- (10) Where site development or redevelopment involves changes in direction, increases in peak rate and/or total volume of runoff from a site, the City may require the responsible party to make appropriate legal arrangements with

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affected property owners concerning the prevention of endangerment to property or public safety.

- (11) The responsible party shall provide a five-year guarantee on all facilities installed as part of the stormwater plan.
- (12) The responsible party is subject to the enforcement actions and penalties detailed in § 288-24, if the responsible party fails to comply with the terms of this permit.
- E. Permit conditions. Permits issued under this subsection may include conditions established by the City in addition to the requirements needed to meet the performance standards in § 288-18 or a financial guarantee as provided for in § 288-22.
- F. Permit duration. Permits issued under this section shall be valid for a period of three years from the date of issuance. The City may extend the period once for up to an additional three years or until all stormwater management practices have passed the final inspection required under Subsection D(4).

§ 288-20. Stormwater management plan.

- A. Plan requirements. The stormwater management plan required under § 288-18B shall contain any such information the City may need to evaluate the environmental characteristics of the area affected by land development activity, the potential impacts of the proposed development upon the quality and quantity of stormwater discharges, the potential impacts upon water resources and drainage utilities, and the effectiveness and acceptability of proposed stormwater management measures in meeting the performance standards set forth in this section. Unless specified otherwise by this section, stormwater management plans shall contain, at a minimum, the following information:
 - (1) Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; and person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party.
 - (2) A proper legal description of the property proposed to be developed, referenced to the U.S. Public Land Survey system or to block and lot numbers within a recorded land subdivision plat.
 - (3) Predevelopment site conditions, including:
 - (a) One or more site maps at a scale of not greater than one inch equals 50 feet. The site maps shall show the following: site location and legal property description; predominant soil types and hydrologic soil groups; existing cover type and condition; topographic contours of the site at a scale not to exceed two feet; topography and drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; watercourses that may affect or be affected by runoff from the site; flow path and direction for all stormwater conveyance sections; watershed boundaries used in hydrology determinations to show compliance with

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performance standards; lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site; limits of the 100-year floodplain; location of wells and wellhead protection areas covering the project area and delineated pursuant to § NR 811.16, Wis. Adm. Code.

- (b) Hydrology and pollutant loading computations as needed to show compliance with performance standards. Computations of the peak flow discharge rates and discharge volumes from each discharge point in the development. At a minimum, computations must be made for the following storms: one-, two-, ten-, and 100-year. All major assumptions used in developing input parameters shall be clearly stated. The geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s).
- (4) Post-development site conditions, including:
 - (a) Explanation of the provisions to preserve and use natural topography and land cover features to minimize changes in peak flow runoff rates and volumes to surface waters and wetlands.
 - (b) Explanation of any restrictions on stormwater management measures in the development area imposed by wellhead protection plans and ordinances.
 - (c) One or more site maps at a scale of not greater than one inch equals 50 feet showing the following: post-construction pervious areas including vegetative cover type and condition; impervious surfaces including all buildings, structures, and pavement; post-construction topographic contours of the site at a scale not to exceed two feet; post-construction drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; locations and dimensions of drainage easements; locations of maintenance easements specified in the maintenance agreement; flow path and direction for all stormwater conveyance sections; location and type of all stormwater management conveyance and treatment practices, including the on-site and off-site tributary drainage area; location and type of conveyance system that will carry runoff from the drainage and treatment practices to the nearest adequate outlet such as a curbed street, storm drain, or natural drainageway; watershed boundaries used in hydrology and pollutant loading calculations and any changes to lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
 - (d) Hydrology and pollutant loading computations as needed to show compliance with performance standards. The computations shall be made for each discharge point in the development, and the geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s). Computations of the peak flow discharge rates and discharge volumes from each discharge point in the development including analysis of the safe capacity of downstream conveyance systems. At a minimum, computations must be made for the following storms: one-, two-, ten-, and

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- 100-year. All major assumptions used in developing input parameters shall be clearly stated.
- (e) Results of investigations of soils and groundwater required for the placement and design of stormwater management measures. Detailed drawings including cross-sections and profiles of all permanent stormwater conveyance and treatment practices.
- (5) A description and installation schedule for the stormwater management practices needed to meet the performance standards in § 288-18.
 - (6) A maintenance plan developed for the life of each stormwater management practice including a map showing the BMP, access routes, easements and corresponding streets and water resources, the required maintenance activities and maintenance activity schedule. A vegetation plan should be included if applicable.
 - (7) Cost estimates for the construction, operation, and maintenance of each stormwater management practice.
 - (8) Results of impact assessments on wetland functional values, as applicable.
 - (9) Design computations and all applicable assumptions for stormwater conveyance (open channel, closed pipe) and stormwater treatment practices (sedimentation type, filtrations, infiltration type) as needed to show that practices are appropriately sized and capable of meeting the discharge performance standards of this section.
 - (10) Other information requested in writing by the City to determine compliance of the proposed stormwater management measures with the provisions of this article.
 - (11) All site investigations, plans, designs, computations, and drawings shall be certified by a licensed professional engineer to be prepared in accordance with accepted engineering practice and requirements of this article.
 - (12) Total amount of new/revised impervious area on property in square feet.
- B. Simplified plans. The City may allow simplified stormwater management plans for sites with less than one acre of land-disturbing construction activity.
- (1) Erosion Control Plans are required for construction sites with 3,000 square feet or more of land disturbance.
 - (2) Stormwater management plans including modeling or other calculations accepted for review by the Public Works Director/City Engineer detailed construction plans and stormwater maintenance agreements and are required for construction sites with 21,780 square feet or more of new impervious surface.
- C. Alternate requirements. The City may prescribe alternative submittal requirements for applicants seeking an exemption to on-site stormwater management performance standards under § 288-18D.

(February 17, 2025) Ord. 25-03

§ 288-21. Maintenance agreement.

A. Maintenance agreement required. The maintenance agreement required under § 288-19B for stormwater management practices shall be an agreement between the City and the responsible party to provide for maintenance of stormwater practices beyond the duration period of this permit. The maintenance agreement shall be filed with the County Register of Deeds as a property deed restriction so that it is binding upon all subsequent owners of the land served by the stormwater management practices.

B. Agreement provisions. The maintenance agreement shall contain the following information and provisions and be consistent with the maintenance plan required by § 288-20A(6):

- (1) Identification of the stormwater facilities and designation of the drainage area served by the facilities.
- (2) A schedule for regular maintenance of each aspect of the stormwater management system consistent with the stormwater management plan required under § 288-19B.
- (3) Identification of the party(s) responsible for long-term maintenance of the stormwater management practices identified in the stormwater management plan required under § 288-19B.
- (4) Requirement that the responsible party(s) shall maintain stormwater management practices in accordance with the schedule included in Subsection B(2) and shall submit an inspection and maintenance summary report to the City per the inspection frequency described in the maintenance plan and at least once every three years.
- (5) Authorization for the City to access the property to conduct inspections of stormwater management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.
- (6) A requirement of the City to maintain public records of the results of the site inspections, to inform the responsible party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the stormwater management practice into proper working condition.
- (7) Agreement that the party designated under Subsection B(3), as responsible for long-term maintenance of the stormwater management practices, shall be notified by the City of maintenance problems which require correction. The specified corrective actions shall be undertaken within a reasonable time frame as set by the City.
- (8) Authorization of the City to perform the corrected actions identified in the inspection report if the responsible party designated under Subsection B(3) does not make the required corrections in the specified time period. The City shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to Subch. VII of Ch. 66, Wis. Stats.

(February 17, 2025) Ord. 25-03

§ 288-22. Financial guarantee.

- A. Establishment of the guarantee. The City may require the submittal of a financial guarantee, the form and type of which shall be acceptable to the City. The financial guarantee shall be up to an amount determined by the City to be 120% of the estimated cost of construction and the estimated cost of maintenance of the stormwater management practices during the period which the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the City the authorization to use the funds to complete the stormwater management practices if the responsible party defaults or does not properly implement the approved stormwater management plan, upon written notice to the responsible party by the City that the requirements of this article have not been met.
- B. Conditions for release. Conditions for the release of the financial guarantee are as follows:
 - (1) The City shall release the portion of the financial guarantee established under this section, less any costs incurred by the City of Watertown to complete installation of practices, upon submission of as-built plans by a licensed professional engineer. The City may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages.
 - (2) The City shall release the portion of the financial guarantee established under this section to assure maintenance of stormwater practices, less any costs incurred by the City, at such time that the responsibility for practice maintenance is passed onto another entity via an approved maintenance agreement.

§ 288-23. Fee schedule.

The fees referred to in other sections of this article shall be established by the Common Council and may from time to time be modified by resolution. A schedule of the fees established by the Common Council shall be available for review in City Hall. The fee shall cover all City and consultant costs to review the permit application.

§ 288-24. Enforcement.

- A. Any land-disturbing construction activity or post-construction runoff initiated after the effective date of this article by any person, firm, association, or corporation subject to the article provisions shall be deemed a violation unless conducted in accordance with the requirements of this article.
- B. The City shall notify the responsible party by certified mail of any noncomplying land-disturbing construction activity or post-construction runoff. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action which may be taken.
- C. Upon receipt of written notification from the City under Subsection B, the responsible party shall correct work that does not comply with the stormwater management plan or other provisions of this permit. The responsible party shall make corrections as

(February 17, 2025) Ord. 25-03

necessary to meet the specifications and schedule set forth by the City in the notice.

- D. If the violations to a permit issued pursuant to this article or violations to the requirements of this article on a site where work began prior to obtaining a permit are likely to result in damage to properties, public facilities, or waters of the state, the City may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the City plus interest, consultant and legal costs shall be billed to the responsible party.
- E. The City is authorized to post a stop-work order on all land-disturbing construction activity that is in violation of this article, issue a citation, or to request the City Attorney to obtain a cease and desist order in any court with jurisdiction.
- F. The City may revoke a permit issued under this article for noncompliance with article provisions.
- G. Any permit revocation, stop-work order, or cease and desist order shall remain in effect unless retracted by the City or by a court with jurisdiction.
- H. The City is authorized to refer any violation of this article, or of a stop-work order or cease and desist order issued pursuant to this article, to the City Attorney for the commencement of further legal proceedings in any court with jurisdiction.
- I. Any person, firm, association, or corporation who does not comply with the provisions of this article shall be subject to a forfeiture of not less than \$100 nor more than \$1,000 per offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.
- J. Compliance with the provisions of this article may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.
- K. When the City determines that the holder of a permit issued pursuant to this article has failed to follow practices set forth in the stormwater management plan, or has failed to comply with schedules set forth in said stormwater management plan, or a permit was not obtained prior to the start of work on site, the City or a party designated by the City may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The City shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial security posted pursuant to § 288-22 of this article. Where such a security has not been established, or where such a security is insufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon for the year in which the work is completed.

§ 288-25. Appeals.

- A. Public works commission. The Public Works Commission shall act as the review and appeal agency and:

(February 17, 2025) Ord. 25-03

- (1) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made in administering this article except for citations and cease and desist orders obtained under § 288-24E;
- (2) Upon appeal, may authorize variances from the provisions of this article which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the article will result in unnecessary hardship; and
- (3) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

B. Who may appeal. Appeals to the Public Works Commission may be taken by any aggrieved person or by any office, department, board, or bureau of the City of Watertown affected by any decision of the City.

§ 288-26. Severability.

If any section, clause, provision or portion of this article is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall remain in force and not be affected by such judgment.

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	February 17, 2025		March 4, 2025	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

**ORDINANCE TO
AMEND CHAPTER 453 OF THE CITY OF WATERTOWN GENERAL
ORDINANCES**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, Chapter 453, Stormwater Management, is in need revision due to an incorrect references; and,

WHEREAS, the City of Watertown Public Works Commission has reviewed the proposed amendment to Chapter 453 at its February 11, 2025 meeting and recommends adoption.

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS FOLLOWS:

SECTION 1. Sections 453-36C and 453-39D of Chapter 453, Stormwater Management, are amended to read as follows:

§ 453-36. Ultimate responsibility.

- A. Where no stormwater maintenance agreement exists, all lot and tract owners within a subdivision and property owners whose property benefits from the stormwater management system and facilities shall be ultimately responsible for the maintenance of the stormwater management system and facilities, whether or not a homeowners' association or property owners' association is the designated responsible entity.
- B. In the event the City obtains ownership of stormwater management systems and facilities once privately owned or owned by another governmental entity as the result of or arising from enforcement action under this section, as the result of annexation, or by any other means, the City shall have the right to continue to assess and charge each of the property owners benefiting from the stormwater management systems and facilities for ongoing maintenance, repair, replacement and administrative expenses relating to such stormwater management systems and facilities.
- C. Where existing City-approved private storm sewer and/or best management practices are in a state of disrepair, not constructed in accord with approved plans, or present an obstruction to the drainage system, and the resulting drainage overflows cause damage to the roadway or adjacent public or private lands, the Director of Public Works/City Engineer is authorized to resolve the drainage problem such that the system is functioning in accord with the approved designed. Authorized actions include, but are not limited to: removal of any drainage obstructions (at existing inlets, at existing ditch lines and similar locations); regrading of existing ditch lines; repairing best management practices to bring them into compliance with the approved design; and construction of improvements to the stormwater management systems such that they are constructed in accordance with the approved plans. The costs of this work shall be charged back to the owner per ~~§ 453-39D.~~ **§ 453-41D.**

§ 453-39. Drainage and stormwater utility easements.

- A. Easements. Stormwater utility/drainage easements should be identified on the preliminary and final plats, maintenance agreement or other document and recorded with the local county register of deeds to run in perpetuity with the property.
- B. Access. The City has the authority to enter the easement area to access the stormwater utility/drainage swale and/or the stormwater BMP to inspect and perform maintenance.
- C. Maintenance responsibilities. The owner(s) is responsible for the ongoing routine maintenance activities including but not limited to mowing and removal of debris within the stormwater utility/drainage swale. Items that are prohibited from being stored within the stormwater utility/drainage swale or easement include:
 - (1) Brush and compost bins and piles, fertilizers.
 - (2) Wood piles.
 - (3) Permanent structural landscaping features including but not limited to fences, retaining walls, raised garden beds, trees, shrubs, and filling or grading or land.
 - (4) Recreational furniture and equipment including but not limited to swingsets, sandboxes, firepits, and above ground pools.
 - (5) Grills.
 - (6) Vehicles, trailers, boats or campers.
 - (7) Sheds and other storage structures.
 - (8) Any items that may prevent or block the managed flow of stormwater during a rain or snow melt event whether resting in place or by floating downstream.
- D. The City is authorized to perform the corrected actions identified in the inspection report if the owner(s) does not make the required corrections in the specified time period. The City may perform corrective maintenance in the event of an emergency without prior notification to the owner. The costs of this work shall be charged back to the owner per ~~§ 453-39D~~ **§ 453-41D**.

§ 453-41. Enforcement.

- A. The City shall notify the owner(s) by certified mail of any noncompliance with this article. The notice shall describe the nature of the violation, remedial actions needed, a scheduled for remedial action, and additional enforcement action which may be taken.
- B. Upon receipt of written notification from the City under Subsection A, the owner(s) shall correct work that does not comply with this article. The owner(s) shall make corrections as necessary to meet the specifications and schedule set forth by the City in the notice.
- C. The City is authorized to refer any violation of this article to the City Attorney for the commencement of further legal proceedings in any court with jurisdiction.

- D. Any person, firm, association or corporation who does not comply with the provisions of this article shall be subject to a forfeiture of not less than \$100 nor more than \$1,000 per offense, together with the costs of prosecutions. Each day that the violation exists shall constitute a separate offense.
- E. Compliance with the provisions of this article may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease-and-desist order before petitioning for or obtaining an injunction.
- F. When the City determines that the owner of a property has failed to be compliant with the requirements of this article, or has failed to comply with the schedules set forth in the applicable stormwater management plan, the City or a party designated by the City may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The City shall keep a detailed account of the costs and expenses of performing this work. The costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon from the year in which the work is completed.

SECTION 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	February 17, 2025		March 4, 2025	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

**RESOLUTION TO AWARD
2025 PAVEMENT MARKING CONTRACT #1-25 TO
CENTURY TRAFFIC LLC FOR \$66,955.70**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the following sealed bid was received for the 2025 Pavement Marking Contract; and,

BIDS	CONTRACTOR:	Century Traffic LLC Pewaukee, WI
Base Bid A: Pavement Marking Removal prior to Seal Coating		\$15,609.50
Base Bid B: Pavement Marking Seal Coat Streets		\$37,928.70
Base Bid C: Pavement Marking, N. Fourth Street, Carl Schurz Dr. to STH 16		\$5,457.50
Base Bid D: Pavement Marking, Humboldt Street		\$4,000.00
Alternate Bid 1: Pavement Marking, Neenah Street		\$3,960.00

WHEREAS, Century Traffic LLC, was the sole responsive & responsible bidder and accepting the bid received from Century Traffic LLC, appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Pavement Marking Contract with Century Traffic LLC, Pewaukee, Wisconsin for Base Bids A, B, C, and D, and Alternate Bid for the Total Amount: \$66,955.70. Said money is to be taken out of the Annual Street Reserve Account #05-58-11-69 and Seal Coat Reserve Account #05-58-11-92.

DATE:	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

**RESOLUTION TO AWARD
2025 ROUT & CRACK FILL CONTRACT #2-25 TO
THUNDER ROAD LLC FOR \$33,372.60**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the following sealed bid was received for the 2025 Rout & Crack Fill Contract; and,

CONTRACTOR	Base Bid A: Rout & Crack Fill prior to Seal Coating	Alternate Bid 1: Rout & Crack Fill Only: N. Second St. Parking Lots	Alternate Bid 2: Rout & Crack Fill Only: Airport Taxiway
Thunder Road LLC, Geneseo, WI	\$19,597.60	\$750.00	\$13,025.00
Fahrner Asphalt Sealers, LLC, Waunakee, WI	\$22,946.40	\$3,490.00	\$14,227.00
Denler, Inc., Elgin, IL	\$33,229.78	\$2,497.50	\$13,912.50
Parking Lot Maintenance, Pewaukee, WI	\$63,620.00	\$6,580.00	\$22,940.00

WHEREAS, Thunder Road LLC, was the lowest responsive & responsible bidder and accepting the bid received from Thunder Road LLC, appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Rout & Crack Fill Contract with Thunder Road LLC, Geneseo, Wisconsin for Base Bid A, and Alternate Bids 1 and 2 for the Total Amount: \$33,372.60. Said money is to be taken out of the Seal Coat Reserve Account #05-58-11-92 and Runway Maintenance Account #01-54-53-19.

DATE:	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

**RESOLUTION TO AWARD
2025 SEAL COATING CONTRACT #3-25 TO
FAHRNER ASPHALT SEALERS, LLC FOR \$136,814.44**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the following sealed bid was received for the 2025 Seal Coating Contract; and,

CONTRACTOR	Alternate Bid C: Seal Coating Streets	Alternate Bid F: Seal Coating Streets: Neenah St.
Fahrner Asphalt Sealers, LLC Waunakee, WI	\$110,922.00	\$25,892.44
Scott Construction Lake Delton, WI	\$116,343.00	\$27,157.86

WHEREAS, Fahrner Asphalt Sealers, LLC was the lowest responsive & responsible bidder and accepting the bid received from Fahrner Asphalt Sealers, LLC appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Seal Coating Contract with Fahrner Asphalt Sealers, LLC, Waunakee, Wisconsin for Alternate Bid C, and Alternate Bid F for the Total Amount: \$136,814.44. Said money is to be taken out of the Seal Coat Reserve Account #05-58-11-92.

DATE:	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

RESOLUTION TO AWARD
2025 STORM SEWER CLEANING & TELEVISIONING CONTRACT #
TO GREEN BAY PIPE & TV LLC FOR \$110,286.75

Section 10, Item D.

SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION

WHEREAS, the following sealed bid was received for the 2025 Storm Sewer Cleaning & Televising Contract; and,

CONTRACTOR	Base Bid A: 2025 Storm Sewer Cleaning & Televising	Alternate Bid 1: 2025 Storm Pipe Deep Cleaning	Alternate Bid 2: Miscellaneous Pipe Throughout the City	Alternate Bid 3: North/South Line, Old Settlement Dr. to W. Main St.
Green Bay Pipe & TV, LLC, Green Bay, WI	\$90,684.25	\$6,075.00	\$5,155.00	\$8,372.50
AQUALIS Green Bay, WI	\$93,583.86	\$5,955.00	\$7,894.75	\$12,274.95
Visu-Sewer LLC Pewaukee, WI	\$211,002.40	\$41,850.00	\$8,698.40	\$25,014.40
National Power Rodding Corp. Chicago, IL	\$500,308.65	\$21,000.00	\$25,393.00	\$141,915.00

WHEREAS, Green Bay Pipe & TV, LLC was the lowest responsive & responsible bidder and accepting the bid received from Green Bay Pipe & TV, LLC appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Storm Sewer Cleaning & Televising Contract with Green Bay Pipe & TV, LLC, Green Bay, Wisconsin for Base Bid A, and Alternate Bids 1, 2, & 3 for the Total Amount: \$110,286.75. Said money is to be taken out of the Stormwater Utility MS4 Maintenance Account #16-58-16-43.

<i>DATE:</i>	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

(March 4, 2025) Exhibit 9715

**RESOLUTION TO AWARD
2025 BITUMINOUS SURFACING #6-25 TO
WOLF PAVING CO., INC. FOR \$526,049.78**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the following sealed bid was received for the 2025 Bituminous Surfacing Contract; and,

BID	CONTRACTOR		
	Wolf Paving Co., Inc. Hartland, WI	Kartechner Brothers LLC Waupun, WI	Payne & Dolan, Inc. Waukesha, WI
BASE BID A: Misc. Pavement Patches	\$154,800.00	\$157,394.00	\$185,925.00
BASE BID B: Mill & Overlay, N. Fourth St., Carl Schurz Dr. to STH 16	\$39,818.68	\$54,200.32	\$54,624.65
BASE BID C: Full Depth Resurface Oakwood Ln., Bittersweet Ln. to Milford St.	\$47,880.00	\$57,446.46	\$54,194.50
BASE BID D: S. First St. Parking Lot	\$20,486.00	\$20,325.66	\$27,069.50
ALT. BID 1: Full Depth Resurface, Rock St. Alley	\$18,656.00	\$20,037.62	\$27,260.00
ALT. BID 2: Mill & Overlay W. Main St., S. Monroe St. to S. Warren St.	\$13,872.10	\$17,132.19	\$17,668.25
ALT. BID 3: Full Depth Resurface, Country Ln. and Sweetbriar Ln.	\$144,337.50	\$182,511.11	\$151,834.00
ALT. BID 4: Full Depth Resurface, Bittersweet Ln. and Cobblestone Way	\$69,832.50	\$88,299.65	\$79,412.30
ALT. BID 5: Full Depth Resurface, West St. Frontage Rd.	\$16,367.00	\$18,895.01	\$22,819.75

WHEREAS, Wolf Paving Co., Inc. was the lowest responsive & responsible bidder and accepting the bid received from Wolf Paving Co., Inc. appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Bituminous Surfacing with Wolf Paving Co., Inc., Hartland, Wisconsin for Base Bids A, B, C, & D, and Alternate Bids 1, 2, 3, 4, & 5 for the Total Amount: \$526,049.78. Said money is to be taken out of Stormwater Utility Street Repairs account #16-58-16-39; Stormwater Utility Outlay account #16-58-16-60; Water Utility funding account #03-99-99-99; Wastewater funding account #02-97-30-11; and the Annual Street Reserve account #05-58-11-69.

DATE:	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

RESOLUTION TO AWARD
2025 CIPP LINING #7-25 TO VISU-SEWER, LLC FOR \$102,400

SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION

WHEREAS, the following sealed bid was received for the 2025 CIPP Lining Contract; and,

CONTRACTOR	Base Bid A: Sanitary CIPP	Base Bid B: Interior Rehabilitation of Sanitary Sewer Manholes	Alternate Bid 1: Sanitary CIPP
Visu-Sewer, LLC Pewaukee, WI	\$69,865.50	\$13,282.00	\$19,252.50
National Power Rodding Corp Chicago, IL	\$69,370.00	\$29,000.00	\$25,500.00
Insituform Technologies USA, LLC Chesterfield, MO	\$97,710.20	\$23,403.00	\$27,326.18

WHEREAS, Visu-Sewer, LLC was the lowest responsive & responsible bidder and accepting the bid received from Visu-Sewer, LLC appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 CIPP Lining with Visu-Sewer, LLC, Pewaukee, Wisconsin for Base Bids A & B, and Alternate Bid 1 for the Total Amount: \$102,400.00. Said money is to be taken out of the Wastewater Utility Account #02-97-30-11.

<i>DATE:</i>	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

**RESOLUTION TO AWARD
LRIP 2025/2026 BITUMINOUS SURFACING PROJECT
2025 MEADOWBROOK DRIVE #9-25 TO
WOLF PAVING CO., INC. FOR \$147,384.24**

**SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

WHEREAS, the following sealed bid was received for the LRIP 2025/2026 Bituminous Surfacing Project 2025 Meadowbrook Drive Contract; and,

CONTRACTOR	Base Bid A: Mill and Overlay
Wolf Paving Co., Inc. Hartland, WI	\$147,384.24
Payne & Dolan, Inc. Waukesha, WI	\$167,144.40

WHEREAS, Wolf Paving Co., Inc. was the lowest responsive & responsible bidder and accepting the bid received from Wolf Paving Co., Inc. appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the LRIP 2025/2026 Bituminous Surfacing Project 2025 Meadowbrook Drive with Wolf Paving Co., Inc., Hartford, Wisconsin for Base Bid A for the Total Amount: \$147,384.24. Said money is to be taken out of the Annual Street Reserve Account #05-58-11-69.

DATE:	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

RESOLUTION TO AWARD
2025 CONCRETE CURB & GUTTER AND SIDEWALK PROJECT #
TO RENNHACK CONSTRUCTION CO., INC. FOR \$149,031.85

Section 10, Item H.

SPONSOR: ALDERPERSON BOARD
FROM: PUBLIC WORKS COMMISSION

WHEREAS, the following sealed bid was received for the 2025 Concrete Curb & Gutter and Sidewalk Contract; and,

CONTRACTOR	Base Bid A: S. First St. Parking Lot and Plaza	Base Bid B: Concrete Sidewalk and Steps
Rennhack Construction Co., Inc. Reeseville, WI	\$106,561.98	\$42,469.87
Black Earth Pavement Delafield, WI	\$104,573.00	\$47,324.75
Parking Lot Maintenance Pewaukee, WI	\$115,000.04	\$92,983.80

WHEREAS, Rennhack Construction Co., Inc. was the lowest responsive & responsible bidder and accepting the bid received from Rennhack Construction Co., Inc. appears to be in the best interest of the City of Watertown, and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Watertown that the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Concrete Curb & Gutter and Sidewalk Project with Rennhack Construction Co., Inc., Reeseville, Wisconsin for Base Bids A and B for the Total Amount: \$149,031.85. Said money is to be taken out of the Stormwater Utility Outlay account #16-58-16-60; Water Utility funding account #03-99-99-99; and Annual Street Reserve Account #05-58-11-69.

<i>DATE:</i>	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4, 2025

CITY CLERK

APPROVED March 4, 2025

MAYOR

RESOLUTION TO

AWARD 2025 CRUSHING MATERIALS CONTRACT

TO A W OAKES & SONS FOR \$126,790

SPONSOR: ALDERPERSON BOARD

FROM: PUBLIC WORKS COMMISION

WHEREAS, the following bids were received for the 2025 Crushing Contract; and,

Contractor	Crushing Bid
A.W. Oakes & Son	\$126,790.00
MD Crushing & Excavating	\$149,041.00
Baumhardt Sand & Gravel	\$168,116.60

WHEREAS, A.W. Oakes & Son was the lowest responsive & responsible bidder and accepting the bid received from A.W. Oakes & Son appears to be in the best interest of the City of Watertown.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WATERTOWN, WISCONSIN: That the proper City Officials be and are hereby authorized to enter into an agreement for the 2025 Crushing Materials Contract with A.W. Oakes & Son, Racine, Wisconsin for the Total Amount \$126,790.00. Funds for said work to be taken from Storm Water Utility-Excavate/Repair/Install Account #16-58-16-46 and Annual Street Reserve Account #05-58-11-69.

	YES	NO
DAVIS		
LAMPE		
BOARD		
BARTZ		
BLANKE		
SMITH		
SCHMID		
WETZEL		
MOLDENHAUER		
MAYOR MCFARLAND		
TOTAL		

ADOPTED March 4,2025

CITY CLERK

APPROVED March 4,2025

MAYOR