



PUBLIC SAFETY & WELFARE COMMITTEE MEETING AGENDA

WEDNESDAY, AUGUST 02, 2023 AT 5:00 PM

ROOM 2044, SECOND FLOOR, MUNICIPAL BUILDING, 106 JONES STREET, WATERTOWN, WI

Please join my meeting from your computer, tablet or smartphone. <https://meet.goto.com/WatertownPD/publicsafety2023> You can also dial in using your phone. Access Code: 547-527-765 United States (Toll Free): 1 877 309 2073 United States: +1 (646) 749-3129

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

1. CALL TO ORDER

2. RECIEVE COMMENTS FROM THE PUBLIC

Each individual who would like to address the Committee will be permitted up to three minutes for their comments

3. APPROVAL OF MINUTES

A. Public Safety minutes from July 5, 2023

4. BUSINESS

- A. Review and take possible action: closing a portion of S. Water Street between W. Main Street and Emmet Street
- B. Review and take possible action: Add Safety Precautions at all four crosswalks at the intersection of W. Main and Water Streets
- C. Review and take possible action: Parking Limitations on the south side E. Main Street between 8th to Market Streets
- D. Review and take possible action: No parking on north side of Hill Street between N. Fourth Street and Highland Avenue
- E. Review and take possible action: Parking removal on Ruth Street between N. Concord Avenue and N. Maple Street to accommodate solid waste collection vehicles
- F. Review and take possible action: Left turn prohibited onto Main Street from Sharp Corner Park Main Street entrance
- G. Review and take action: appeal of vicious dog determination pursuant to City Ordinance 410-45B(1) (Toth)
 - 1. Introduction
 - a. City's opening statements
 - b. Mr. Toth's opening statements
 - 2. City Witnesses (Repeat for each witness the City calls)
 - a. Swear in the witness
 - b. City questions the witness
 - c. Mr. Toth cross-examines the City's witness
 - d. Committee Members question the witness
 - e. Repeat b – d until no questions remain
 - 3. Mr. Toth's Witnesses (Repeat for each witness Mr. Toth calls)
 - a. Swear in the witness
 - b. Mr. Toth questions the witness
 - c. City cross-examines Mr. Toth's witness

- d. Committee Members question the witness
- e. Repeat b – d until no questions remain
- 4. Closing Statements
 - a. City's closing statements
 - b. Mr. Toth's closing statements
- H. Convene into closed session per Wis. Stat. Sec. 19.85(1)(a) to deliberate concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. During parts of the deliberation, the Committee may go briefly into open session to speak with the Parties, and then back into closed session to finalize deliberations
- I. Reconvene into open session

5. ADJOURN

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at mdunneisen@watertownwi.gov, phone 920-262-4006

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

PUBLIC SAFETY & WELFARE COMMITTEE

July 5, 2023

6:15 p.m.

1. Roll Call

Members Present	Also in Attendance	Citizens Present
<ul style="list-style-type: none"> Dana Davis, Chair Brad Blanke Eric Schmid 	<ul style="list-style-type: none"> Police Chief Robert Kaminski Assistant Chief Benjamin Olsen Attorney Steven Chesebro – attending virtually 	<ul style="list-style-type: none"> None

2. **Receive Comments from the Public** – No person was present to speak at this point in the agenda.

3. **Approval of Minutes:** The minutes for the June 7, 2023 meeting have been presented to the Common Council without correction, so those minutes are simply noted at this point on this agenda.

4. **Review and take possible action: Ordinance to Amend 410-52(C)(2) Possession of Alcohol Beverage on Public Ways**

DISCUSSION

- Attorney Chesebro presented the issue that predicated this discussion. A proposed vendor for the Town Square Summer Concert Series, Brewfinity, was eligible for a brewer's permit under Wis. Stat. § 125.29. Prior to approving this vendor, a question arose as to whether Watertown Ordinance § 410-52 (B) prohibited any person from possessing alcohol at the Town Square. Watertown Ordinance § 410-52 (B) specifically prohibits any person from possessing an open intoxicant or drinking an intoxicant on the Watertown Riverwalk, the contiguous public property between Cady Street Bridge and the Milwaukee Street Bridge along both the east side and west side of the Rock River.

There are two exceptions incorporated into Watertown Ordinance § 410-52. The first applies only to events for which a Class "B" picnic license has been obtained under Watertown Ordinance Chapter 220. The second exception only applies to public right-of-way areas and parking lots. The Public Safety & Welfare Committee has been asked to provide a recommendation on modifying Watertown Ordinance § 410-52 to allow for the Town Square to host events which may serve alcohol in a safe and responsible manner. This matter is potentially complicated as the Wisconsin Legislature is in the process of revising Wis. Stat. Ch. 125 which addresses the licensing and permitting of the dispensing and sale of alcohol.

- Two Exceptions Considered by the Public Safety Committee:
 - Revise §410-52 (C)(1) so that it reads: "This section shall not apply to such events for which an appropriate license to dispense or sell alcohol under Wis. Stat. Ch. 125 has been obtained and approved by the City or where the City is distributing malt beverages pursuant to Wis. Stat. Sec. 125.06(6)."
 - Revise §410-52 (C)(2) so that it reads "This section shall not apply to those areas that may be temporarily closed for a City-approved event."

- The committee discussed that the Town Square is different from all other parks in Watertown. Davis mentioned that the high visibility, busy traffic of Main Street, proximity to the river and bridge and \$6 million dollar investment necessitated that the Town Square be treated differently than all other parks.
- Chief Kaminski explained that all special events that sell alcohol must also follow the Open Container Outdoor Entertainment guidelines that provide controls and safeguards.
- Schmid expressed concern about the high excessive drinking statistics in our area and city sponsored events that encourage drinking.
- Blanke and Schmid agreed that the Town Square investment needed to be protected and kept pristine.
- All agreed that the Summer Concert Series that have already occurred in the Town Square have been orderly. Chief Kaminski says that concerts have had no problems so far. The procedures that are currently being used to sell alcohol, but keep the participants safe are working.
- Schmid mentioned that he likes the idea of limiting alcohol to just the selling by appropriately permitted vendors (Exception 1) because then they are held responsible for the event.
- Blanke said that there are other parks (like Riverside) that are available for events that want to carry-in alcohol.
- Davis expressed concern that approving exception #2 could cause difficulty for special events that do not sell alcohol. Event attendees could bring their own alcohol and there would be no safeguards in place (like those found in the Open Container Outdoor Entertainment guidelines) to keep the alcohol contained to the park – especially since this is such a busy and congested area.

MOTION: Schmid presented a motion to Revise §410-52 (C)(1) so that it reads: “This section shall not apply to such events for which an appropriate license to dispense or sell alcohol under Wis. Stat. Ch. 125 has been obtained and approved by the City or where the City is distributing malt beverages pursuant to Wis. Stat. Sec. 125.06(6).” The motion was seconded by Blanke and passed unanimously.

ACTION: Attorney Chesebro will write an ordinance to revise §410-52 (C)(1).

5. **ADJOURNMENT:** There being no additional business to come before the Committee, a motion was made by Alderperson Blanke, seconded by Alderperson Schmid, to adjourn. The motion carried unanimously.

Respectfully Submitted - Dana Davis, Chairperson

Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

TO: Chairperson Dana Davis and Committee Members
FROM: Jaynellen J. Holloway, P.E.
DATE: July 26, 2023
RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: Closing a portion of S. Water St. between W. Main and Emmet Streets

BACKGROUND:

Review and take possible action: Closing a portion of S. Water St. between W. Main and Emmet Streets: The Mayor has received a request to close the portion of S. Water St. between the south boundary of the Bentzin Family Town Square and W. Main Street. Questions are: Close this portion of street permanently? Close seasonally during park programming – May to February? Don't close it all? Close only for programmed events and then reopen (what is currently happening)? A site map is attached for your use.

Attachments:

- Site Map

From: Dana Davis
Sent: Monday, July 24, 2023 9:08 AM
To: Jaynellen Holloway
Cc: Andrew Beyer
Subject: Re: Pedestrian danger

Hi -

I agree that this item is peripherally related to the Water St. closing.

I'd be interested in getting input from the Police Department regarding an uptick in fender-benders and other accidents at that Main St. - Water St. intersection. I'd like to hear their comments regarding safety concerns for both vehicles and pedestrians.

Would there be any value in adding just a general informational item on the Agenda - something like "Update from the Police Department regarding traffic and pedestrian safety issues in and around the Town Square." ?

Perhaps we can discuss more tomorrow afternoon when we meet?

Dana Davis

From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Friday, July 21, 2023 3:39 PM
To: Dana Davis <DDavis@watertownwi.gov>
Cc: Andrew Beyer <ABeyer@watertownwi.gov>
Subject: FW: Pedestrian danger

Dana, I don't know if this is a stand alone agenda item or if it is related to closing Water St. as I am not clear as to what Pine Hill owners are asking or what part of the intersection this took place at.

Thoughts?

*Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWi.gov*



From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Tuesday, July 11, 2023 12:23 PM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>
Subject: FW: Pedestrian danger

Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWI.gov



From: Emily McFarland <emcfarland@watertownwi.gov>
Sent: Tuesday, July 11, 2023 10:05 AM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>
Subject: FW: Pedestrian danger

Please share this email with Ald. Davis and work with her to see what action/potential action can occur at Public Safety and Welfare

From: Pine Hill Farm <info@thepinehillfarm.com>
Sent: Monday, July 10, 2023 11:44 AM
To: Emily McFarland <emcfarland@watertownwi.gov>
Subject: Pedestrian danger

Hi Emily! This is Jackie writing. I've mentioned this to a couple of city members already but thought I would take it to you as well. We are seeing near death experiences of vehicle vs pedestrian every single day at our intersection. Just right now I witnessed two little boys about 9 years old crossing the street at the end of a walk signal and a city garbage truck attempted to turn right on red and they were inches from being hit until he spotted them out of the corner of his eye and quickly screeched to a halt. It was terrifying for both parties and for myself to watch. I don't know what could possibly be done to make that intersection safer, but with the heavier pedestrian traffic as of lately, something bad will happen soon. Like I said, we witness these encounters every single day we are at the store. I don't know what the solution would be though.

Thanks for listening!

Jackie

Pine Hill Farm
www.thepinehillfarm.com

Wellness Collective + Market
200 W. Main Street, Watertown
Ph: 920-390-4462

The Wellness Spa
118 N. Water Street, Watertown
Ph: 920-390-2874



Parcels





Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

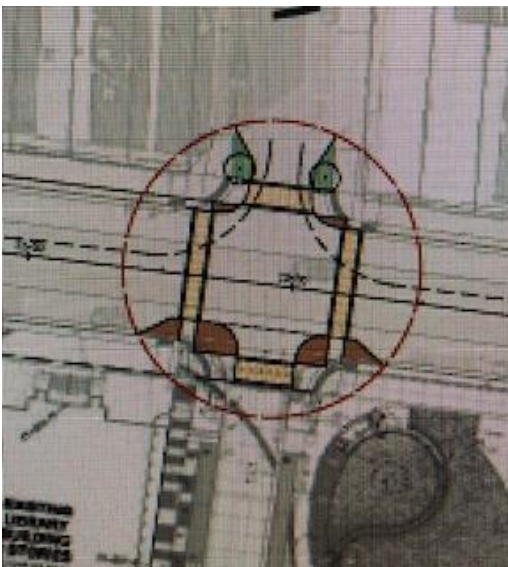
TO: Chairperson Dana Davis and Committee Members
FROM: Jaynellen J. Holloway, P.E.
DATE: July 26, 2023
RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: Add Safety Precautions at all four crosswalks at the intersection of W. Main and Water Streets

BACKGROUND:

Review and take possible action: Add Safety Precautions at all four crosswalks at the intersection of W. Main and Water Streets: Jackie Phillips of Pine Hill Farm shared a concern that all four crosswalks at the intersection of W. Main Street and Water Street seem dangerous and she doesn't really know what could be done to improve the situation for pedestrians. The intersection is a very busy intersection with children & adults visiting the library and Town Square. She doesn't want to see anyone get hurt and feels the activity is wonderful for our city.

NOTE: Bump outs are planned to be added to all four corners of this intersection in the 2028 Main Street Reconstruction project. Bump outs provide a narrowed width of crosswalk for pedestrians to cross the street as well as they serve as a "traffic calming" mechanism. It gives a visual appearance to an oncoming vehicle that the road narrows which slows down traffic moving through the area.



Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

TO: Chairperson Dana Davis and Committee Members

FROM: Jaynellen J. Holloway, P.E.

DATE: July 26, 2023

RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: Parking Limitations on the south side E. Main Street between 8th to Market Streets

BACKGROUND:

Review and take possible action: Parking Limitations on the south side E. Main Street between 8th to Market Streets: Alderperson Bartz received a concern from the property owner at 823 E. Main Street that he doesn't always have adequate parking for his clients. He shared concerns that people that frequent the food trucks at Sharp Corner Park sometimes block the shared driveway. Alderperson Bartz inquired if the signed 2 hour parking on the south side of E. Main Street between 8th to Market could be raised to 4 hours or more to assist the property owner. Currently the above referenced parking area is marked "2 Hour Parking", however there is no ordinance to support it. If the signs are removed, it defaults to 72 hours per Ordinance #500-6(3).

Attachments:

- Site Map



Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

TO: Chairperson Dana Davis and Committee Members
FROM: Jaynellen J. Holloway, P.E.
DATE: July 26, 2023
RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: No Parking on the north side of Hill Street between N. 4th to Highland Avenue

BACKGROUND:

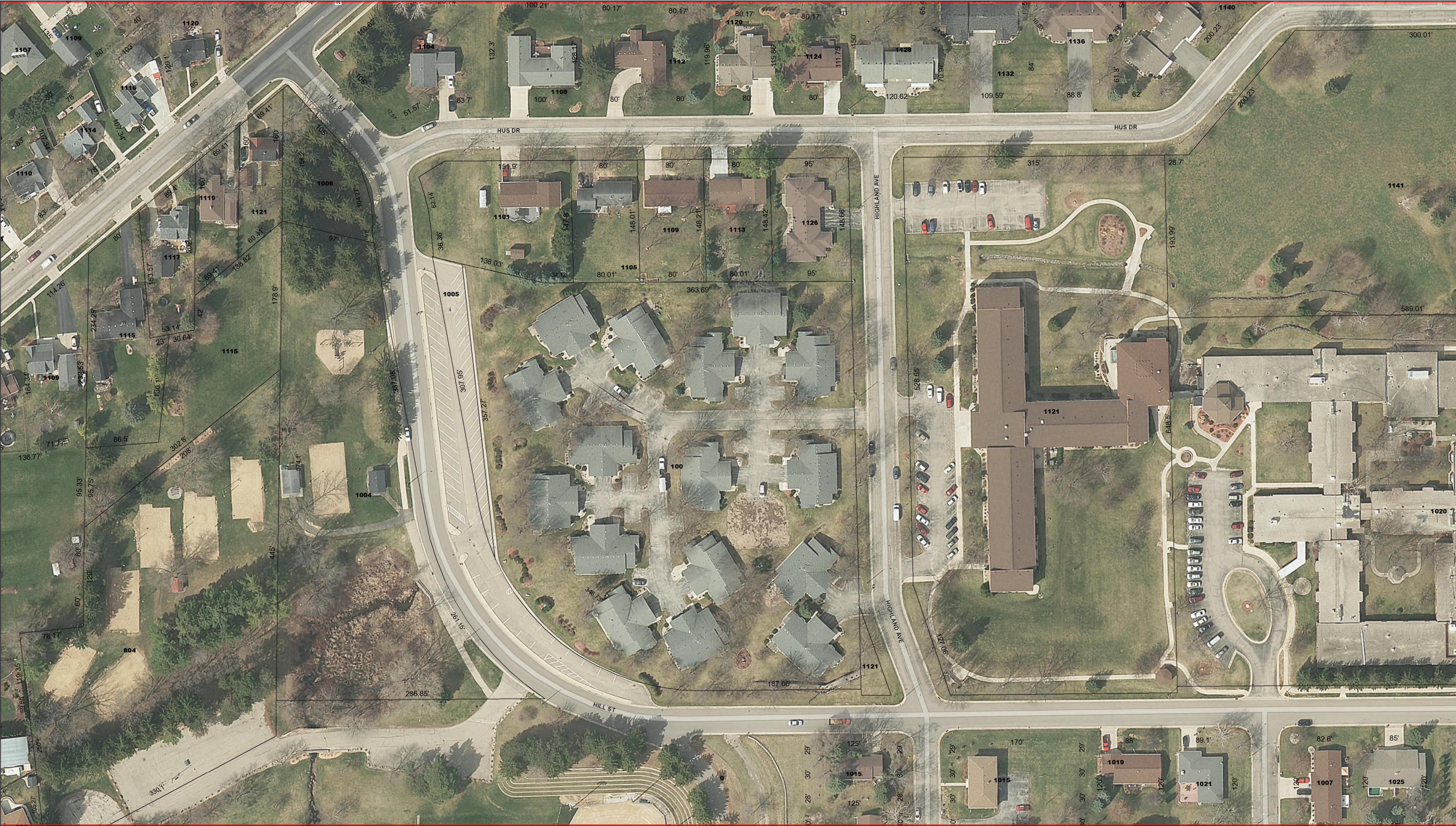
Review and take possible action: No Parking on the north side of Hill Street between N. 4th to Highland Avenue: As this portion of street is to be pavement marked this construction season, Engineering is bringing this topic forward for the following concern: A portion is signed NO PARKING between Hus Dr. and 350' west of Highland Av. However, this section of street is not included in City ordinance 500 – 9, Parking Prohibited in Specified places.

Generally speaking, the north/south stretch of Hill St. is 35' back to back of curb, the east/west portion of Hill Street is 33' back to back curb. City requires 35' back to back of curb for parking on both sides of the street in residential neighborhoods. The north portion meets the requirements; however, it is signed NO PARKING.

Engineering is asking the Committee discuss and make a determination so it knows how to move forward with pavement marking. Depending on the Committee weighs in will determine where the stripe marks are placed.

Attachments:

- Site Map



Parcels



City of Watertown Geographic Information System

Scale: 1 inch = 50 feet Printed on: July 26, 2023

SCALE BAR = 1" Author: Private User

DISCLAIMER: This map is not a substitute for an actual field survey or onsite investigation. The accuracy of this map is limited to the quality of the records from which it was assembled. Other inherent inaccuracies occur during the compilation process. City of Watertown makes no warranty whatsoever concerning this information.



Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

TO: Chairperson Dana Davis and Committee Members

FROM: Jaynellen J. Holloway, P.E.

DATE: July 26, 2023

RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: Parking Removal on Ruth St between N. Concord Av. and N. Maple Street to accommodate Solid Waste Collection Vehicles

BACKGROUND:

Review and take possible action: Parking Removal on Ruth St between N. Concord Av. and N. Maple Street to accommodate Solid Waste Collection Vehicles: An item to address Solid Waste collection in the above reference alley came before Public Works earlier this year. Public Works Commission voted to keep solid waste collection in the alley. In doing so requested Engineering bring forward to Public Safety & Welfare Committee a request to remove three parking spaces on Ruth Street to accommodate the Solid Waste collection vehicles.

Engineering is requesting 2 consecutive parking spaces have parking prohibited on the north side of Ruth Street from a point 142 feet to 184 feet west of N. Concord Ave., and parking prohibited for one parking space on the south side of Ruth Street from a point 117 feet to 138 feet west of N. Concord Ave. to accommodate Solid Waste collection vehicles entering and/or exiting the alley.

Parking would only be prohibited on collection day, which currently is every Wednesday, with exception of National holidays, every Wednesday, with exception of National holidays, then it is the business day before or after a national holiday. Streets will prepare the special no parking signs.

A draft ordinance to amend City ordinance 500 – 9, Parking Prohibited in Specified places is attached for your review. Please note that a new section will need to be added to address National holidays.

Attachments:

- Site Map
- Draft Ordinance



Parcels

Section 4, Item E.

City of Watertown

City of Watertown Geographic Information System

Printed on: July 26, 2011

Author: Private Use

Scale: 1 inch = 40 feet

SCALE BAR = 1"

DISCLAIMER: This map is not a substitute for an actual field survey or aerial photograph. The accuracy of this map is limited to the quality of the records from which it was derived. Other inherent inaccuracies occur during the compilation process. City of Watertown makes no warranty whatsoever concerning this information.

**ORDINANCE TO
AMEND SECTION 500-9 B. PARKING PROHIBITED AT SPECIFIED
TIMES, OF THE CITY OF WATERTOWN GENERAL ORDINANCES**

**SPONSOR: ALDERPERSON SMITH
FROM: PUBLIC SAFETY & WELFARE COMMITTEE**

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

SECTION 1. Section 500-9 B “Parking prohibited at specified times is hereby amended as follows:

Name of Street	Side	Location
Ruth Street	North	From a point 142 feet to a point 184 feet west of N. Concord Avenue, on Solid Waste collection day, every Wednesday, with exception of National holidays, then it becomes the business day before or after a national holiday.
Ruth Street	South	From a point 117 feet to a point 138 feet west of N. Concord Avenue, on Solid Waste collection day, every Wednesday, with exception of National holidays, then it becomes the business day before or after a national holiday.

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:	August 1, 2023		August 15, 2023	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				

ADOPTED _____

CITY CLERK

APPROVED _____

SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

MAYOR

Jaynellen J. Holloway, P.E.
920.262.4050

Andrew Beyer, P.E.
920.262.4052

Maureen McBroom, ENV SP
920-206-4264

Ritchie M. Piltz
920.262.4034

Secretary, Wanda Fredrick
920.262.4368

MEMO

TO: Chairperson Dana Davis and Committee Members
FROM: Jaynellen J. Holloway, P.E.
DATE: July 26, 2023
RE: Public Safety and Welfare Committee Wednesday, August 2, 2023 at 5:00 p.m.

Review and take possible action: Left turn prohibited onto Main Street from Sharp Corner Park Main Street Entrance

BACKGROUND:

Review and take possible action: Left turn prohibited onto Main Street from Sharp Corner Park Main Street Entrance: Alderperson Bartz received concerns from the property owner at 823 E. Main Street that it is difficult to exit the driveway as cars coming east and west on E. Main Street are often driving at excessive speeds, making it difficult to safely enter onto E. Main Street.

Alderperson Bartz remembers there was a discussion back when the park was created that exiting out of the shared driveway would be for right turn only. Discussion concluded back then to “wait and see” how things progressed and not automatically prohibit left turns. Please reference site map for E. Main Street included in the packet.

From: [Robert Kaminski](#)
To: [Jaynellen Holloway](#); [Dan Bartz](#)
Subject: RE: Sharp Corner Park
Date: Friday, July 21, 2023 4:19:52 PM
Attachments: [image001.png](#)

There have been 3. All between April 2022 and July 2022. All property damage accidents. No injuries reports.

From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Friday, July 21, 2023 4:06 PM
To: Dan Bartz <dbartz@watertownwi.gov>; Robert Kaminski <RKaminski@watertownwi.gov>
Subject: RE: Sharp Corner Park

Robert, are there any crashes reported at Sharp Corner Park within the last three years?

Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWI.gov



From: Dan Bartz <dbartz@watertownwi.gov>
Sent: Friday, July 21, 2023 3:10 PM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>
Subject: Re: Sharp Corner Park

hi Jaynellen

I talked to Cory Krueger of Sanft Accounting yesterday and explained our position and what we are doing to help with the Main Street parking.

One issue that came up was safety for anyone exiting the driveway onto Main Street. Even if we make it right turn only, Cory said traffic around that corner is sometimes moving too fast for them to safely enter Main Street. Is there anything we can do there to help slow down traffic and/or alert them to the hidden driveway?

Thanks

Dan

Dan Bartz
Alderman District 4
City of Watertown
(920) 261-8932

From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Friday, July 7, 2023 4:00 PM
To: Dan Bartz <dbartz@watertownwi.gov>
Cc: Andrew Beyer <ABeyer@watertownwi.gov>
Subject: RE: Sharp Corner Park

Dan, great catch. I copied and pasted and didn't review before sending to you. I have revised the agenda item for August meeting below. Thank you.

1. Review and take possible action: Parking Time Limits on the south side of E. Main Street between 8th to Market Streets;

Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWi.gov



From: Dan Bartz <dbartz@watertownwi.gov>
Sent: Friday, July 7, 2023 3:26 PM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>
Subject: Re: Sharp Corner Park

Jaynellen,

Resending, the parking on the south side of East Main Street is currently at 2 hours between 9am and 5pm. There are 5 parking spots between 8th Street and the Sanft building. I would like to keep those and have more time for parking

Your notes indicate we are removing parking on both the north and south sides of East Main Street. I'm not in favor of that

Dan

Dan Bartz
Alderman District 4
City of Watertown
(920) 261-8932

From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Wednesday, July 5, 2023 1:47 PM
To: Dan Bartz <dbartz@watertownwi.gov>
Cc: Andrew Beyer <ABeyer@watertownwi.gov>; Kristine Butteris <KButteris@watertownwi.gov>; Dana Davis <DDavis@watertownwi.gov>; Robert Kaminski <RKaminski@watertownwi.gov>; Stacy Winkelman <SWinkelman@watertownwi.gov>
Subject: RE: Sharp Corner Park

Dan, Engineering will place on the August 2nd Public, Safety & Welfare Committee agenda the following items:

1. Review and take possible action: Left turn prohibited onto Main Street from Sharp Corner Park Main Street entrance;
2. Review and take possible action: No Parking on the south side E. Main Street between 8th to Market Streets;
3. Review and take possible action: No Parking on the north side of Hill Street between N. 4th to Highland Avenue.

The first one is the one you recommended. The other two have signage, but no ordinance on the books, so will bring them forward as a housekeeping issue.

Thank you.

Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWi.gov



From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Wednesday, July 5, 2023 8:40 AM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>
Subject: FW: Sharp Corner Park

*Jaynellen J. Holloway, P.E.
 Director of Public Works/City Engineer
 City of Watertown
 106 Jones Street
 Watertown, WI 53094
 Office: 920.262.4050
JHolloway@WatertownWi.gov*



From: Dan Bartz <dbartz@watertownwi.gov>
Sent: Sunday, June 25, 2023 8:45 PM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>; Kristine Butteris <KButteris@watertownwi.gov>
Cc: Andrew Beyer <ABeyer@watertownwi.gov>; Stacy Winkelman <SWinkelman@watertownwi.gov>
Subject: Re: Sharp Corner Park

Thanks for researching Main Street parking. I think the 72 hour parking should more than satisfy any of their needs.

I know we are placing a number of signs at the park, but I believe we agreed back during the design phase to have a sign for traffic exiting the park onto Main Street, to be a right turn only. It would be a good addition.

Thanks again

Dan

Dan Bartz
 Alderman District 4

City of Watertown
(920) 261-8932

From: Jaynellen Holloway <JHolloway@watertownwi.gov>
Sent: Friday, June 23, 2023 3:14 PM
To: Dan Bartz <dbartz@watertownwi.gov>; Kristine Butteris <KButteris@watertownwi.gov>
Cc: Andrew Beyer <ABeyer@watertownwi.gov>; Stacy Winkelman <SWinkelman@watertownwi.gov>
Subject: RE: Sharp Corner Park

Dan, the only parking restrictions we were able to find in City code did not include Main Street, South side between 7th – 9th Streets. Code only had 2 hour limited parking on north side of Main for those blocks. So it would appear the south side incorrectly marked – leaving it available for up to 72 hour parking.

We will mention this to Streets to have the south side sign removed.

There is parking available along E. Main Street in front of the park, along Market Street on the West side. So basically, the company has as many on street spots, as well as private parking, it always has.

I will suggest to Kristine that they add a “Do Not Block Driveway” sign in the driveway so that this business’ clients and renters can access the private parking spots.

Once I hear back from Kristine, we’ll formulate a response to the accounting firm.

Please let me know if you need anything else.

Thank you.

*Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown
106 Jones Street
Watertown, WI 53094
Office: 920.262.4050
JHolloway@WatertownWi.gov*



From: Dan Bartz <dbartz@watertownwi.gov>
Sent: Friday, June 23, 2023 2:48 PM
To: Jaynellen Holloway <JHolloway@watertownwi.gov>

Cc: Andrew Beyer <ABeyer@watertownwi.gov>

Subject: Re: Sharp Corner Park

Thanks for the follow up, Jaynellen.

I checked the Main Street parking, just west of the Sharp Corner building, and it is currently 2 hour parking. Would you know of any repercussions if the timing was extended? I was thinking we could offer that as an alternative, since Sanft apparently doesn't feel they have any alternatives.

I also want to find out how many parking spots they feel they need.

Thanks

Dan

Dan Bartz
Alderman District 4
City of Watertown
(920) 261-8932

From: Jaynellen Holloway <JHolloway@watertownwi.gov>

Sent: Thursday, June 22, 2023 3:26 PM

To: Kristine Butteris <KButteris@watertownwi.gov>

Cc: Dan Bartz <dbartz@watertownwi.gov>; Andrew Beyer <ABeyer@watertownwi.gov>

Subject: Sharp Corner Park

Kristine, please see the attached letter of concern Alderperson Bartz received and forwarded onto Engineering.

I have a couple of questions before I structure a response back to Sanft.

1. Would you confirm that permanent food truck parking signage has been installed and by what authority?
2. Does Parks or Streets plow the shared driveway?

I'm just trying to understand the City's position before I reply back.

Let me know your thoughts. Thank you.

Jaynellen J. Holloway, P.E.
Director of Public Works/City Engineer
City of Watertown

106 Jones Street

Watertown, WI 53094

Office: 920.262.4050

JHolloway@WatertownWi.gov





Watertown
Police Department

Appendix B

23-97
23-9764

Section 4, Item G.

**NOTICE OF VICIOUSNESS DETERMINATION
NOTICE OF PROCEDURE FOR REVIEW OF ANIMAL IMPOUNDMENT/SEIZURE**

TO: Nicholas A. Totn

DATE: 6/30/23

Pursuant to provisions of Chapter 410 of the Watertown General Code of Ordinances and or, provisions of Wis. Ch. 173 or 174, you are hereby notified that your animal(s) have been seized by the City of Watertown Police Department. This is to inform you that the seized animal(s) have been determined by a law enforcement officer to be "vicious" as that term is used under City Ordinance at Section 410-45A. If you wish to appeal this determination, you must follow the requirements under City Ordinance Sections 410-45B(1) and (2). The animal(s) will remain in custody prior to the appeal hearing, if any, and you will remain liable for the continuing costs of the animal(s) care and custody. IT IS YOUR OBLIGATION TO READ AND APPLY THE REQUIREMENTS UNDER ORDINANCE SECTION 410-45C-D TO YOUR CONTINUED ASSOCIATION WITH THE ANIMAL(S). IF YOU KEEP, OR CAUSE TO BE KEPT, A VICIOUS ANIMAL(S), FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL RESULT IN FURTHER ENFORCEMENT ACTION INCLUDING CITATION AND IMPOSITION OF FORFEITURES ON A PER-DAY BASIS FOR ANY CONTINUING NON-COMPLIANCE. The City may also pursue other injunctive relief, nuisance abatement measures and/or impose special charges on the owner(s) of real estate. The City may also re-seize and petition for destruction of the animal(s) pursuant to Wis. Ch. 174 or 173, et seq., STATS. Before return of the animal(s), IF SO PERMITTED, you must pay the Humane Society or other holding facility all amounts owing to it for the care and custody of the animal(s) at the time of release (or make payment arrangements agreeable to the Humane Society or other holding facility).

You are further notified that Wis. Statutes at section 173.22 provides that a person claiming that an animal(s) that he or she owns was improperly taken into custody under one or more subsections under Wis. Statutes Section 173.13(1)(a), or is wrongfully withheld under Section 173.21(1), may seek return of the animal(s) by petitioning for an Order from the Circuit Court for the county in which the animal(s) was taken into custody or in which it is held. If you believe your animal(s) have been improperly taken into custody or wrongfully withheld, you should consult Wis. Ch. 173 and pursue relief as designated thereunder if/as you see fit. To this end, special attention should be paid to the provisions under Sections 173.22 and 173.23.

Please be advised that the police department is not allowed to provide legal advice. You are encouraged to seek legal advice of your own choosing to pursue any desired legal relief. The Watertown City Attorney's Office (920-262-4033) will be available to discuss the disposition of the animal(s) within approximately two to three business days. The City Attorney's Office is similarly prohibited from providing any legal advice to you.

CITY OF WATERTOWN POLICE DEPT.

BY: J. HENSLEY 7804 #289
(Officer Name)



Watertown
Police Department

WATERTOWN POLICE DEPARTMENT

PAPERWORK CHECK-OFF SHEET

COMPLAINT# 23-9963/9964 OFFICER HENSLEY DATE 6/30/23

NO ATTACHMENTS FROM THIS OFFICER AT THIS TIME.

☒ **OTHER:** Appendix B - Victims Seizure Notice

IF YOU HAVE MISDEMEANOR OR FELONY CHARGES:

- ☐ 1 State CIB Fingerprint Cards
- ☐ 1 Dispo Fingerprint Card for each charge
- ☐ RCC completed and signed for all charges
- ☐ WTPD Local History, Criminal History, QPP, and 10-27, Conditions of Bond Check (for 10-95)
- ☐ Arrest/Release Inventory Sheet
- ☐ Notification and Waiver of Constitutional Rights form
- ☐ No Consent form
- ☐ Medical Record Release (for incidents involving injury)
- ☐ Written Statements
- ☐ Any Pertinent Teletypes (involving arrest or arrested person)
- ☐ Consular Notification (if applicable)
- ☐ Solvability Factor Checklist
- ☒ Mark Digital Download and Report Packet form appropriately (follow download procedure)

DOMESTIC ABUSE CHARGES:

- ☐ Victim Acknowledgement form
- ☐ Arrested Acknowledgement form
- ☐ Domestic Abuse Packet
- ☐ Copy of Receipt for Cash Bond
- ☐ Copy of Completed Bond Paperwork form

IF ARRESTED PERSON IS A JUVENILE:

- ☐ Juvenile Referral completed

IF THE SUBJECT IS GOING TO BE LOCKED UP:

- ☐ Jail Transport Sheet (copy provided to Jail, original in packet)
- ☐ Jefferson County Probable Cause Statement, must be notarized
- Probable Cause Statement (original provided to Jail, officer makes a copy for packet)
- ☐ Dodge County Probable Cause Statement, must be notarized
- Copy of RCC, Copy of Probable Cause Statement with arrestee to Jail.
- If Domestic, a Copy of Victim Acknowledgement form, and a copy of Arrested Acknowledgement form.
- Dodge County Medical Clearance form (for incidents involving injury)
- ☐ E-Mail Investigations with subjects name, charges, and jail facility/notify typists of rush

IF THE SUBJECT IS GOING TO BE PLACED DUE TO EMERGENCY DETENTION

- ☐ Statement of Emergency Detention (original in packet, copy faxed to facility, copy to subject detained)

OWI PAPERWORK ROUTING REMINDER

- ☐ Informing the Accused, Notice of Intent to Revoke, Alcohol/Drug Influence to the SGT/OIC review box
- ☐ Blood/Lab Results

To whom it concerns this Letter
 is to request a appeal for Watertown P.D.s.
 determination that my dog Blu
 is a Vicious dog. He did not
 know intentional harm any of those
 dogs and in fact had part of his
 nose ripped open and my dog
 is not vicious and I can bring several
 people to say the same. If he wanted
 to harm then he would. I have seen him chew through metal
 doors. If someone was treating him Thank You

Nicholas A. Volz

Nicholas A Volz

RECEIVED
 City of Watertown

JUL 10 2023

Office of City Attorney

By:

sen

§ 410-45. Dangerous and vicious dogs. [Amended by Ord. No. 01-23; Ord. No. 13-17; Ord. No. 13-28]

A. Definitions. The terms used in this section shall be defined as follows:

AT LARGE — Off the premises of an owner or on any public street, sidewalk, alley or any other public right-of-way, school grounds, public park or other public grounds or on private property without the specific permission or express invitation of such property's owner or legal possessor or other person in lawful control of the property, and not on a leash that is held or controlled by a human being. For the purposes of this section, the "premises" of an owner shall only mean that property that is owned in title or, if leased or otherwise legally possessed, only if leased or legally possessed exclusive of any other shared or common use by any other lessee, legal possessor or legal occupant other than a cotenant, cosigner or co-legal occupant to or under any lease pertaining to the premises.

DOG — A domesticated member of the *Canis familiaris* or *Canis lupis familiaris* species.

OWN — Owning, possessing, harboring, maintaining charge of, sheltering or keeping, no matter the duration of owning, possessing, harboring, maintaining charge of, sheltering or keeping.

PERSON — Any individual human being, firm, corporation, organization or other legal entity.

PROHIBITED DANGEROUS DOG —

- (1) Any dog that has inflicted substantial bodily harm upon or caused or contributed to the death of any person on public or private property, whose owner, at the time of such infliction or involvement in fatal attack, failed to demonstrate sufficient provocation consistent with Subsection (2)(a) to (g) of the definition of "vicious dog" below to an investigating law enforcement officer or a court of competent jurisdiction;
- (2) Any dog, caused to be present in this City, from another city, village, town, county or state, which has been declared or found to be dangerous, vicious or otherwise given a similar designation by that or any other jurisdiction via a judicial or quasi-judicial process, irrespective of whether or not such declaration or finding is in an appealable, final form;
- (3) Any dog that is, or has been, subject to being destroyed under § 174.02(3), Wis. Stats., irrespective of whether such petition or action was disposed of in a manner ordering or otherwise requiring destruction of the dog;
- (4) Any rabid dog;
- (5) Any wild animal hybrid, including but not limited to wolf hybrids; or
- (6) Any dog trained, owned, sold, purchased or transferred for the purpose of dogfighting or similar activity.

SUBSTANTIAL BODILY HARM — Bodily injury that causes a laceration that requires stitches, staples or a tissue adhesive; any fracture of a bone; a broken nose; a burn; a petechia; a puncture of the skin; a temporary loss of consciousness, sight or hearing; a concussion; or a loss or fracture of a tooth.

VICIOUS DOG —

- (1) Any dog with a propensity, tendency and/or disposition to attempt to attack, cause injury, contribute to the destruction of public or private property, or otherwise endanger the safety of human beings or other domestic animals, which may be evidenced by habitual or repeated chasing, scratching, snapping or barking, snarling or growling in a reasonably perceived

§ 410-45

threatening manner.

(2) Any dog that attacks, bites, attempts to attack or bite, or has attacked or bitten a human being or another domestic animal; however, a dog shall not be a "vicious dog" under this subsection or Subsection (1) above by sole reason of having engaged in any of the behavior described under this subsection or Subsection (1) above toward, or in relation to:

- (a) Any person who attacked, attempted to attack or otherwise accosted such dog or who engaged in conduct that should be reasonably calculated to provoke such dog to attack or bite such person or another person or otherwise engage in behavior reasonably perceived as threatening, including but not limited to directing such behavior towards the dog's owner or an acquaintance thereof;
- (b) Any person who engaged in provoking or inciting a dogfight or any form of altercation between such dog and another dog or other domestic animal;
- (c) Any person who engaged in stopping or dispersing an actual or reasonably believed to be imminent dogfight or any form of altercation involving the dog, so long as such dog, in response to any such intervention, was not the aggressing dog in the dogfight or other form of altercation;
- (d) Any person engaged in attacking or accosting or attempting to attack or accost any other person or domestic animal;
- (e) Any person engaged in unlawful entry into or upon the fenced or substantially or completely enclosed portion of the premises upon which such dog is kept or into or upon any automobile or other vehicle parked or stored in or upon the street adjacent to such premises;
- (f) Any dog or other domestic animal engaged in unauthorized entry into or upon the fenced or substantially or completely enclosed portion of the premises upon which such dog is kept; or
- (g) Any person engaged in unlawful or unauthorized entry into any automobile or other vehicle in which such dog is kept or confined.

B. Impoundment; vicious dog determination; status. Any law enforcement officer employed by the City may impound any dog found to be at large or reasonably believed, upon personal observation and/or thorough investigation, to have committed or involved itself in one or more of the acts or otherwise having a presence within the City in failed conformity with any provisions or requirements under this section and that poses a substantial risk to human health or safety. Any such dog may be conveyed to the custody of the Watertown Humane Society or other similar and suitable facility as designated by the Chief of Police. Any dog so impounded may be held for a period of not less than five days and, at the end of such period, become the property of the custodial facility unless the owner thereof shall reclaim such dog and pay the custodial facility the reasonable costs of keeping such dog and an impounding fee as set by the Common Council and provided under separate fee schedule. Whenever acting under this subsection, a law enforcement officer may determine whether the dog is a "vicious dog" pursuant to Subsection A. In the event that the law enforcement officer determines that a dog is a vicious dog, the owner shall be advised of the same in writing by the law enforcement officer making such determination and provided a copy of this section and Subsection B(1) and (2) below. **[Amended 9-2-2014 by Ord. No. 14-22¹]**

(1) Appeal of vicious dog determination. Any owner aggrieved by a determination of viciousness,

§ 410-45

§ 410-45

as provided in Subsection B above, may appeal such determination within 15 calendar days following the law enforcement officer's personal service or first class mail issuance of the written determination of viciousness to the owner's last known address. Such appeal may only be taken by the owner's personal hand delivery to the City Clerk, with a copy to the City Attorney, of a written objection to the determination of viciousness, setting forth the specific reasons for contesting the determination. Upon receipt of a timely written objection, the matter shall be considered at the next available meeting of the Public Safety and Welfare Committee that is no less than five days from receipt of the written objection. The Public Safety and Welfare Committee shall act as a quasi-judicial body affording the owner reasonable opportunity to present evidence and argument as to why the investigating law enforcement officer's determination as to viciousness should not be affirmed. A nonrefundable administrative fee as set by the Common Council and provided under separate fee schedule shall be tendered with an owner's timely written objection under this subsection. **[Amended 7-5-2022 by Ord. No. 22-63]**

- (2) Compliance. After 15 calendar days following personal service or first class mail issuance of the written determination of viciousness to the owner's last known address, or within 10 days of the Public Safety and Welfare Committee's affirmation of the investigating law enforcement officer's determination of viciousness, if any, the owner of a vicious dog shall, in addition to all other requirements of this section, comply with all provisions under Subsection D(2) for the balance of such dog's life. Alternatively, the owner shall, within 10 days of the Public Safety and Welfare Committee's affirmation of the investigating law enforcement officer's determination of viciousness, dispose or cause the disposal of the dog in such manner that humanely euthanizes the dog.

C. Owner's duty with respect to any dog.

- (1) An owner shall see to it that his or her dog does not go at large.
- (2) No person may own a dog that does any of the following:
 - (a) Damages or attempts to damage any public or private property, except the exclusive private property of the dog's owner. "Damage" shall include, but not be limited to, defacing, scratching, marring or any type of behavior that contributes to a diminution of value.
 - (b) Barks, whines or howls in excessive or continuous fashion to the annoyance of any reasonable complainant; this subsection shall not apply to any veterinary facility, humane society or similar entity.
 - (c) Bites or attempts to bite a person or domestic animal.
 - (d) Attempts to scratch or otherwise promote harm or engage in any other form of accostment to a human being or domestic animal.
 - (e) Puts any person in reasonable fear of attack or accostment.
- (3) Any dog shall be rebuttably presumed to have engaged in any behavior described in Subsection C(2)(a) to (e) above without provocation. It shall be upon the owner to demonstrate sufficient provocation to preclude conviction under these subsections. Sufficient provocation shall be demonstrated consistent with Subsection (2)(a) to (g) of the definition of "vicious dog" in

§ 410-45

§ 410-45

Subsection A.

D. Restrictions on keeping of certain dogs.

- (1) No person may own a prohibited dangerous dog. Any person present with, by any reasonably observed physical association or means of control whatsoever, or causing the presence of a prohibited dangerous dog within the City limits shall be irrefutably considered to own such prohibited dangerous dog.
- (2) No person may own a vicious dog except in conformity with the following requirements:

(a) Leash.

- [1] No owner of a vicious dog may permit such a dog to go outside its premises or a form of secure confinement unless the dog is securely restrained with a chain, rope or other type of leash no longer than six feet in length. For the purposes of this subsection, the "premises" of an owner shall only mean that property that is owned in title, or, if leased or otherwise legally possessed, only if leased or legally possessed exclusive of any other shared or common use by any other lessee, legal possessor or legal occupant other than a cotenant, cosigner or co-legal occupant to or under any lease pertaining to the premises.
- [2] No person may permit a vicious dog to be kept on a chain, rope or other type of leash outside its premises or a form of secure confinement, unless a person who is 16 years of age or older, competent to govern the dog's behavior and capable of physically controlling and restraining the dog, is in physical control of the leash. For the purposes of this subsection, the "premises" of an owner shall only mean that property that is owned in title or, if leased or otherwise legally possessed, only if leased or legally possessed exclusive of any other shared or common use by any other lessee, legal possessor or legal occupant other than a cotenant, cosigner or co-legal occupant to or under any lease pertaining to the premises.

(b) Confinement.

- [1] Except when an owner is in conformity with Subsection D(2)(a)[1] and [2] above, all vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen, kennel or other structure that is located on the exclusive premises of the owner and constructed in a manner that does not allow the dog to exit the pen, kennel or other structure inadvertently or upon its own volition. The pen, kennel or other structure shall have secure sides and a secure top attached to all sides. Any structure used to confine a vicious dog shall be securely locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to its sides or the sides of such structure must be embedded in the ground at a depth of no less than two feet. A dog may be confined as required under this subsection by its secured enclosure within an area entirely surrounded by a fence of such height, depth of installation, design, structural integrity and strength so as to confine a dog and prevent its ungoverned egress from the confined area. All structures erected to house or confine vicious dogs shall comply with all zoning and building regulations of the City.
- [2] Indoor confinement. No vicious dog may be kept on a porch, patio or similar curtilage upon any premises or in any part of a house, building or other structure that would

§ 410-45

§ 410-45

allow the dog to exit the house, building or other structure inadvertently or upon its own volition. No vicious dog may be kept in a house, building or other structure when the windows are open or when screen windows or screen doors fail to prevent such dog from exiting the house, building or other structure.

- (c) Warning signage. The owner of a vicious dog shall display, in prominent places upon his or her premises near or about all entrances or possible access points to the premises, signs containing letters of not less than two inches in height and width against a pronounced and visible contrasting color field, warning that there is a vicious dog upon or about the property. An identical version of such sign is required to be posted on the kennel, pen or other confining structure of the dog. Language such as "Beware of Dog" or substantially similar and effective words shall be conforming to the requirements of this subsection.
- (d) Spay and neuter requirements. Any vicious dog must be spayed or neutered if it is known or reasonably believed or observed to be older than six months. The owner of any vicious dog shall possess written proof endorsed by a licensed veterinarian that the dog has been spayed or neutered.
- (e) Insurance and special licensing/registration. Any owner of any vicious dog shall, on or before November 1, 2013, and annually thereafter on or before April 1 of each ensuing year, register such dog with the City Clerk as a vicious dog and, additionally, provide at the time of registration a high quality current color photograph of such dog, supply proof of spaying or neutering and pay a special registration fee as set by the Common Council and provided under a separate fee schedule. At the time of registration, each owner of any vicious dog kept within the City limits shall provide verifiable proof of an in-force and effective policy of liability insurance in amounts of at least \$100,000 to be paid for any acts of property damage, injury or other liability incurred by virtue of any injury or damage inflicted by such vicious dog. Such insurance shall name the City of Watertown as a coinsured solely for the purpose of notice of cancellation of such insurance policy. The City Clerk shall not issue a license for any such vicious dog except in conformity with the requirements of this subsection, and any license so otherwise issued shall be void. **[Amended 10-4-2016 by Ord. No. 16-18; 7-5-2022 by Ord. No. 22-63]**
- (f) Multifamily buildings. No vicious dog may be owned or otherwise made present within, upon or about any portion of any multiple-living-unit dwelling building or upon the lands associated therewith. For the purposes of this subsection, a multiple-living-unit dwelling shall mean only such building that contains three or more separate living units such as, by nonlimiting example only, a building commonly known as a "triplex" or larger. Real property that has been declared a condominium pursuant to the Wisconsin Condominium Act² shall not constitute a multiple-living-unit dwelling building under this subsection.
- (g) Notifications. The owner of any vicious dog shall, as soon as practical, but not more than 24 hours after any of the following events occur, notify or cause notification to the Police Department that such dog:
 - [1] Is at large.
 - [2] Has attacked a human being or domestic animal, whether provoked or not.
 - [3] Is dead.

§ 410-45

§ 410-45

- [4] Has been sold, transferred or otherwise given away and to whom (with valid telephone number and valid mailing address), for what purpose and for what, if any, exchange of value.
- (h) Limit on number of vicious dogs. The owner of any vicious dog shall not own more than one additional dog.
- (i) Orders of Municipal Court and agreements. No owner may own any vicious dog contrary to any order issued by the Municipal Court or agreement reached with the City Attorney and/or the Public Safety and Welfare Committee related to the ownership of such dog.