

**PUBLIC SAFETY & WELFARE COMMITTEE**

August 2, 2023

5:00 p.m.

**1. ROLL CALL**

Members Present	Also in Attendance	Citizens Present
<ul style="list-style-type: none"><li>• Dana Davis, Chair</li><li>• Steve Board- <i>attending virtually</i></li><li>• Brad Blanke</li><li>• Eric Schmid</li></ul>	<ul style="list-style-type: none"><li>• Police Chief Robert Kaminski</li><li>• Jaynellen Holloway</li><li>• Andrew Beyer</li><li>• Stacy Winkleman</li><li>• Attorney Steven Chesebro</li><li>• Dan Bartz</li><li>• Stephanie Juhl</li><li>• Kristine Butteris</li><li>• Peg Checkai</li></ul>	<ul style="list-style-type: none"><li>• John Kaliebe</li><li>• John Katisch</li><li>• Jim Drinwater</li><li>• Amanda Grove – attended virtually</li><li>• Megan Toth</li></ul>

**2. RECEIVE COMMENTS FROM THE PUBLIC**

John Kaliebe shared ideas for improving S. Water St. to make it more safe. These ideas included painting a stripe down the middle of S. Water St, painting crosswalks on Main St. (Town Square side) and painting a stop line on north bound Main St. He cautioned against closing S. Water St. and moving the traffic to S. Washington St. – already a difficult intersection. He suggested portable ballards or pop-up barriers if the barriers currently used are too heavy or difficult to put up and down. He also asked why parking limitation signs aren't posted on S. Water St. Mr. Kaliebe says that improvements can be made to S. Water St. and the Main St. intersection to improve driving behaviors.

**3. APPROVAL OF MINUTES** The minutes for the July 5, 2023 meeting have been presented to the Common Council without correction, so those minutes are simply noted at this point on this agenda.

**4. BUSINESS**

**A. Review and take possible action: closing a portion of S. Water Street between W. Main Street and Emmet Street**

- Jaynellen Holloway introduced the topic by explaining that Mayor McFarland has received a request to close S. Water St.
- Peg Checkai said that there are safety concerns and based on safety concerns only, S. Water should be closed. However, the area is very congested. Library patrons are having difficulty getting to parking and they have heard from patrons who are choosing to not go to the library because finding parking is difficult. She is concerned about traffic flow and the impact on patrons if S. Water St. is closed.
- Dan Bartz indicated he is in favor of closing S. Water St., however the timing is challenging for two reasons 1) the building of the TWall apartment is set to begin in September and that will impact traffic on S. Water and 2) the reconstruction of the Main St. Bridge will require detours and S. Water St. may be needed during this time.

- Kristine Butteris indicated that programming at the Town Square will be year-round. In the winter, they want to put the Christmas Tree, Santa House and possibly an ice skating rink. However, because the pavers can't support the weight of these things, they would need to be displayed on S. Water St.
- Chief Kaminski reported the traffic incidents at Water-Main and Washington-Main. Both intersections have the same amount of accidents in the last 5 years – roughly 5. The # of accidents in previous years (during the demolition of the 100 block) were greater than they have been recently.
- Dana Davis mentioned that she observed the traffic on a weeknight at 5:15 p.m. and there are a considerable number of cars using S. Water St. With the construction, it seems to be a necessary road. She suggested using rubber speed humps to slow traffic down on S. Water St. Blanke and Chief Kaminski indicated that the City already owns some of those and that it may be a good idea to use them to slow traffic down.
- Blanke agreed with the comments that were made by Mr. Kaliebe, Peg Checkai and Chief Kaminski. He also pointed out that closing S. Water could potentially cause problems at the other end of the street at Milwaukee St.
- Eric Schmid wondered why we are shocked that there is increased traffic because the purpose was to increase the activity downtown. He said it's difficult getting around on a bike when S. Water St. is closed. He said that people are just going to need to slow down and be careful.
- Kristine Butteris says that the TWall Apartment will be staging on S. Water St. and the road will be closed during that time. Blanke said, to his knowledge, that has not been approved and he has concerns about that happening. Kristine says that if we aren't going to close S. Water for the programming season, then there needs to be an easier method for closing the road.
- Andrew Beyer said that painting a crosswalk from the splash pad to the library door facing S. Water St. is not recommended because it is not a good idea to paint crosswalks in the middle of a block.
- Suggestions were made for movable barriers. The barriers that were used at the Grand Opening would cost about \$80,000
- Mr. Board said that he doesn't think S. Water should be closed yet. The Town Square has only been opened for a few months. We need more time to get a better understanding. We can do things like painting crosswalk and put more barriers.
- Jaynellen recommended a swing gate arm that could be used to close S. Water and then, when opened, could be used as an additional barricade. She agrees that problem-solving should be done in incremental steps. She says that a swing gate would be fairly economical. She is hesitant to stripe the crosswalk in the middle of the street because pavers aren't meant to be painted.
- Board and Blanke asked Jaynellen to do the research on a swing gate and bring back information about cost and feasibility. Jaynellen asked for two months (October) to bring that information back to the committee.

**ACTION:** The Committee directed the City staff to gain more information about the cost and feasibility of installing a swing gate-arm on S. Water St. and to bring that information back to the Committee for the October meeting.

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

- A Main Street business owner is concerned for the safety of pedestrians at the Water St. – Main St. intersection. Peg Chekai is also very concerned about the safety in that intersection as there is increased pedestrian traffic.
- Blanke mentioned that there is a plan with the Main Street Reconstruction to deal with the pedestrian issues. He is hesitant to put a lot of money into this intersection because it is going to be dug up to for the reconstruction. In the 2028 project there will be crosswalks that are Continental style crosswalks. Painting those types of crosswalks are expensive because they use a special epoxy. The Streets Dept. is going to paint the crosswalks and center line this year on Main St. from the Bridge to Church St. That's in the plan for this calendar year.

No formal action taken. There is a plan in place already to paint crosswalks, the center line, curbs, etc on Main from the Bridge to Church St.

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

**MOTION:** Since the current 2-hour parking signs are not in the ordinance and there is a request for 4-hour parking, Blanke made the motion to remove the signs so that the parking limitation reverts to 72 hours by ordinance. Davis seconded the motion. Motion passed unanimously.

**D. Review and take possible action: No parking on north side of Hill Street between N. Fourth Street and Highland Avenue**

**MOTION:** Since the current no parking signs are not in the ordinance, Blanke made a motion to remove the parking signs. Board seconded the motion. Motion passed unanimously.

**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**

**MOTION:** Board made a motion to remove parking on Ruth Street between N. Concord Avenue and N. Maple Street. Schmid 2<sup>nd</sup> the motion with the stipulation that the draft ordinance times be corrected. Board agreed to that amendment. Motion passed unanimously.

**F. Review and take possible action: Left turn prohibited onto Main Street from Sharp Corner Park Main Street entrance**

Turning left on Main Street from Sharp Corner Park is challenging for the residents and business owners that live and work in the adjacent building.

**MOTION:** Schmid made a motion to table this item. Blanke seconded. Motion passed unanimously.

Schmid made a motion to take a 5-minute recess. Blanke seconded. Motion passed unanimously.

Davis called the meeting to order at 6:06 p.m.

**G. Review and take action: appeal of vicious dog determination pursuant to City Ordinance 410-45B(1) (Toth)**

- Davis introduced the quasi-judicial meeting order to the Committee and asked for questions. Committee members agreed to the plan.

**1. Introduction**

**a. City's opening statements**

- i. Mr. Chesebro introduced the case. Read the ordinance and instructed the committee on the events of June 30 when Mr. Toth's dog escaped his harness and ran away from his residence. Mr. Toth's dog bit two different dogs at two different locations within a short amount of time. At the second location, Mr. Toth was able to catch up to his dog and restrain him. Mr. Toth admitted that his dog bit the two other dogs.

**b. Mr. Toth's opening statements**

- i. Mr. Toth recounted the events of the evening from his perspective. He says that his dog was trying to play with the other dogs. Mr. Toth's dog also got bit and he contends that the owner of that dog should have restrained the dog so that it didn't bite his dog. Mr. Toth has witnesses to prove that if his dog had wanted to seriously harm the dogs it would have. His dog was just being goofy and trying to play. Mr. Toth says that is a good dog and has never done anything like this before.

**2. City Witnesses**

- a. The City called the following witnesses and the Committee heard testimony from each regarding the events of June 30.

- i. Laura Wolter
- ii. Nicholas Wolter
- iii. Vanessa Morales
- iv. Officer Hensley
- v. Officer Sauter
- vi. Officer Thies
- vii. Scott Kind

- b. Mr. Toth and the Committee had the opportunity to question each witness

**3. Mr. Toth's Witnesses**

Mr. Toth called the following witnesses and the Committee heard testimony from each regarding their interactions and observations of Mr. Toth's dog. Both witnesses said that they have never observed the dog being aggressive and have only observed the dog to be a good dog.

- i. Beth Bartell
- ii. Travis Beerbohm

- b. Mr. Chesebro and the Committee had the opportunity to question each witness.
  - 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.**
  - I. **Reconvene into open session**

The Public Safety & Welfare Committee reaffirms the determination that Mr. Toth's dog is a vicious dog in accordance with ordinance 410-45 with a vote of 3-1.

**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