

AGENDA
CITY OF BARABOO COMMON COUNCIL
Council Chambers, 135 4th Street, Baraboo, Wisconsin
Tuesday, August 11, 2015, 7:00 P.M.

Regular meeting of the Common Council, Mayor Palm presiding.

Notices sent to Council members: Wedekind, Kolb, Plautz, Sloan, Petty, Ellington, Alt, Robkin, and Thurow

Notices sent to City Staff and Media: Atty. Reitz, Adm. Geick, Clerk Giese, City Engineer Pinion, Utility Super. Peterson, Street Super. Koss, Police Chief Schauf, Parks & Recreation Dir. Hardy, City Treasurer Laux, Fire Chief Kevin Stieve, Library Director Allen, CDA Director, the News Republic, WBDL, and WRPQ.

Notices sent to other interested parties: Town of Baraboo, Village of West Baraboo, Citizen Agenda Group, Media Agenda Group, Tom Pinion, Mark Wichner

CALL TO ORDER

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF PREVIOUS MINUTES - (Voice Vote): July 28, 2015

APPROVAL OF AGENDA (Voice vote):

COMPLIANCE WITH OPEN MEETING LAW NOTED

PUBLIC HEARINGS

The Mayor announces that this is the published date and time to hear public comment on the development plan of Diana Lee for converting property at 219 1st street into a mixed use commercial facility that will include a bakery, collectible shop and storage lockers.

PUBLIC INVITED TO SPEAK (Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.)

MAYOR'S COMMENTS - The Mayor would like to congratulate the following employees:

- City Engineer Tom Pinion celebrates his 5th anniversary.
- Police Officer Mark Wichner celebrates his 5th anniversary.

CONSENT AGENDA (roll call)

CA-1...Approve the accounts payable to be paid in the amount of \$_____

NEW BUSINESS RESOLUTIONS

NBR-1...Approve Simplified Water Rate Increase for 2016.

NEW BUSINESS ORDINANCES

NBO-1...Approve Chapter 14, Subchapter II-Construction Site Erosion Control Code to be repealed and recreated as attached.

NBO-2...Approve PUD to convert property located at 219 1st Street into mixed use commercial property.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

Report from BDAS Representative.

Minutes from the Following Meetings -

Copies of these meeting minutes are included in your packet:

| | | | |
|-------------------------|---------|------------------------|---------|
| Public Safety Comt | 5-26-15 | Finance/Personnel Comt | 7-28-15 |
| Public Arts Ad Hoc Comt | 7-23-15 | BEDC | 7-9-15 |

Copies of these meeting minutes are on file in the Clerk's office:

| | | | |
|----------------------|------------------|-----------------------------------|---------|
| District Ambulance | 6-24-15 | District Ambulance Ad Hoc Finance | 6-24-15 |
| SCDC | 5-18-15, 6-18-15 | Police & Fire Comm. | 6-15-15 |
| Emergency Management | 7-23-15 | Plan Commission | 7-21-15 |
| CDA Finance Comt | 7-7-15 | CDA Executive Comt | 7-7-15 |
| CDA Board | 7-7-15 | BID Board | 7-15-15 |

Petitions and Correspondence Being Referred

CLOSED SESSION

The Council will convene into closed session per SS19.85(1)(c) to consider compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and (e) to deliberate or negotiate the purchase of public properties, the investment of public funds. (City Administrator evaluation and compensation)(possible property acquisition)

OPEN SESSION

The Council will reconvene into open session per SS 19.85)(2) to announce findings, if any, during the closed session.

- Consider possible wage adjustment for City Administrator.

INFORMATION

ADJOURNMENT (Voice Vote)

Cheryl Giese, City Clerk-Finance Director

For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com.

AUGUST 2015

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----------------------|-----------------------|-----------------|-----------------------------------|-----|-----|
| 9 | 10 Park&Recreation | 11 Finance Council | 12 | 13 | 14 | 15 |
| 16 | 17 SCDC PFC | 18 Plan Library | 19 BID | 20 Emergency Mgt. UW Campus | 21 | 22 |
| 23 | 24 | 25 Finance Council | 26 Ambulance | 27 Arts Ad-Hoc | 28 | 29 |
| 30 | 31 Public Safety | | | | | |

SEPTEMBER 2015

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|---|----------------------|-----|-----------|-----|-----|
| | | 1 CDA | 2 | 3 BEDC | 4 | 5 |
| 6 | 7 Labor Day City Offices Closed | 8 Finance Council | 9 | 10 | 11 | 12 |

City of Baraboo Common Council Agenda

3

| | | | | | | |
|----|------------------------------------|--------------------------|-----------------|-----------------------------------|----|----|
| 13 | 14 Administrative Park & Rec | 15 Plan Library | 16 BID | 17 Emergency Mgt. UW Campus | 18 | 19 |
| 20 | 21 SCDC PFC | 22 Finance Council | 23 | 24 Arts Ad-Hoc | 25 | 26 |
| 27 | 28 Public Safety | 29 | 30 Ambulance | | | |

PLEASE TAKE NOTICE - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, should contact the City Clerk at 135 4th St., or phone 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the City of Baraboo who are not members of the above Council, committee, commission or board may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting, **other than the Council, committee, commission, or board identified in the caption of this notice.**

Agenda jointly prepared by D. Munz and C. Giese
Agenda posted by DMM on 08/07/2015

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, July 28, 2015 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Sloan, Petty, Alt, Robkin, Thurow

Council Members Absent: Plautz, Ellington

Others Present: Atty. Reitz, Chief Schauf, Clerk Giese, Adm. Geick, members of the press and others.

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Kolb and carried to approve the minutes of July 14, 2015.

Moved by Thurow, seconded by Petty and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATION

The Mayor presented a Baraboo Gem Award to Jerry and Carol Stich for years of community service.

PUBLIC INVITED TO SPEAK –No one spoke.

MAYOR'S COMMENTS

The Mayor presented a proclamation for August as Children's Vision and Learning Month.

CONSENT AGENDA

Resolution No. 15-44

THAT the Accounts Payable, in the amount of \$631,372.04 be allowed and ordered paid.
Moved by Petty, seconded by Kolb and carried on voice vote to approve the Consent agenda.

NEW BUSINESS

Resolutions:

Resolution No. 15-45

A Resolution approving a Revocable Encroachment Agreement with Al Ringling Theatre Friends, Inc. for the existing sidewalk area on the south side of their building at 128/130/136 4th Avenue within the City's 4th Avenue public street right-of-way.

Whereas, The Al Ringling Theatre is celebrating 100 years on the Courthouse Square and is an integral landmark of the City of Baraboo

And whereas, The Al Ringling Theatre is listed on the State and National Register of Historic Properties;

And whereas, The Al Ringling Theatre Friends have steadfastly worked to preserve the Theatre over the last decade, are engaging in substantial historically accurate renovations, have sought and received grant money and private donations for the costs associated with this project;

And whereas, The Al Ringling Theatre Friends are desirous of publically recognizing their donors who have committed to the preservation of this historic property;

Now therefore be it hereby resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

The Common Council hereby approves the Revocable Encroachment Agreement with the Al Ringling Theatre Friends, Inc. for the existing sidewalk area on the south side of their building at 128/130/136 4th Avenue within the City's 4th Avenue public street right-of-way.

Moved by Wedekind, seconded by Sloan, and carried that **Resolution No. 15-45** be approved – 7 ayes.

Resolution No. 15-46

That the Council authorizes the submittal of a Revenue Obligation loan application to the Commissioners of Public Lands for the purpose of obtaining funding for the Donahue Terrace Exterior repair and repainting project. The loan amount request is for an amount not to exceed \$160,000.

Moved by Robkin, seconded by Alt, and carried that **Resolution No. 15-46** be approved - 7 ayes.

Resolution No. 15-47

That the Compliance Maintenance Annual Report for the Wastewater Plant for 2014 is hereby approved.

Moved by Wedekind, seconded by Sloan, and carried that **Resolution No. 15-47** be approved - 9 ayes.

COMMITTEE OF THE WHOLE

Moved by Wedekind, seconded by Kolb and carried to convene as a Committee of the Whole to discuss possible funding sources for the Public Safety/City Hall complex and capital plan and other projects in preparation for the 2016 budget.

Jim Mann of Ehlers and Associates presented a brief report on the City's existing debt burden, debt policies and proposed capital plan—in particular the city hall/police complex. He explained several options for the City to consider in issuing debt to fund the new complex:

1. Refinance existing debt to mortgage revenue and add new GO piece, \$750,000 annual payments
2. CDA Loan, \$750,000 lease payments over 20-25 year loan
3. Rural Development Loan, \$490,000 annual payments over 40 year loan
4. City Hall Utility – allowed by State Statutes, not cleared by bond counsel-not a good option
5. Revenue offsets – CDBG has grant offsets but normally for fire/ems
6. Legislative change as pertains to levy limits to allow CDA lease revenue bond to be treated as off-setting levy limit as traditional revenue bonds.
7. Ask voters to exceed debt limit by referendum.

Ald. Wedekind stated he was not in favor or going above our self-imposed 60% limit. Ald. Petty concurred, recalling review by the Finance Committee of higher limits which were rejected. He preferred considering the USDA loan of 40 years. The Mayor discussed refinancing the debt with revenue streams which frees up about 10% for GO debt. Ald. Kolb questioned if this were problematic down the line and was reassured that it was not. Adm. Geick asked if the Council would grant authority for staff to further study the USDA option and possible refinancing of some debt to keep the debt burden below the 60% limit. Ald. Petty urged moving forward on discussions with Ehlers on reallocation of debt to revenue debt and study USDA loan, and move forward with an RFP for architectural design. All were in agreement.

The Council then discussed the capital plan, reviewing projects for 2016 through 2021 and offered no changes. Sloan commented that he desired more money for street reconstruction, but noted the Council is living within budgetary means. No action taken.

Moved by Petty, seconded by Kolb and carried unanimously to reconvene into regular session.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

Ald. Robkin called for a public campaign for people to keep leaves out of the streets and storm drains.

The Mayor congratulated everyone and thanked departments for their work on the parade.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Minutes of the Public Safety Committee Meeting –**June 29, 2015**

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Administrator Geick, Mayor Palm, Chief Schauf, Chief Stieve, Engineer Pinion, Bob Koss, Wade Peterson, Ben Bromely, Nancy Phelan, Deb Bauer, Stephanie Lamb, Mike Hardy, Greg Slayton, Grant Slayton, Todd Wickus, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at the City Service Building, 450 Roundhouse Court, Baraboo, Wisconsin. Compliance with the Open Meeting Law was noted. It was moved by Kolb, seconded by Plautz to approve the agenda as posted and by voice vote, the motion carried. It was moved by Kolb, seconded by Plautz to approve the minutes of the May 26, 2015 meeting. By voice vote the motion carried.

New Business

- a. **Review and recommendation to award contract for Engineering Design Services for the Rehabilitation of the Moore Street Bridge** – Engineer Pinion said that this bridge is in rough shape and the bridges in town are subject to annual inspections and bi-annual reports and they are rated on a distress score. He said that the distress score is low enough that it qualifies for eligibility for 80% funding in the local bridge program which he applied for and they agreed to fund it. He said that this is a five-year project window and will probably be constructed in 2017; therefore we will have to hire a consultant which is 100% the City's cost, and there is \$35,000 in the budget this year to do that. He sent the request for proposals to four different consulting firms, only two of them chose to respond. He said that companies are familiar with the bridge, MSA Professional Services designed it in 1983 and Jewel does all types of these projects. He said the scope of service is very comparable and it is odd that the tasks that each identified were identical. He said the total number of hours was 577 to 380, for some reason MSA forecasted a lot of extra involvement in coordinating with the railroad, the local consultant manager, and the DOT themselves. He said that he felt it is difficult to justify the additional \$20,000 in cost; therefore, he is recommending approval of a contract for Jewel Associates Engineers for the Moore Street Rehabilitation Design. Kolb moved, Plautz seconded to award the contract for Engineering Design Services for the Rehabilitation of the Moore Street Bridge to Jewel Associates Engineers. Motion carried unanimously.
- b. **Review and recommendation to close Oak Street, between 1st and 2nd Streets, for a Special Event sponsored by Brothers on Oak (as a fund raiser for the Baraboo Fire Fighters Association)** – Greg Slayton explained the application and event proposal that was submitted. He said that a number of meetings between himself and son, Grant Slayton, the Chamber, Downtown Baraboo, Fire Department, and Police Department have been held and have had all positive responses to holding this event. Chief Schauf said that the first hurdle jumped was that this property is already in a use permit by accommodation of the Chamber and DBI for the Big Top Parade Event; therefore, Slayton was sent to speak with them and it seems that they have worked out issues that there were. He said that he has committed to Slayton that he would have at least one uniformed officer that would be at the event for entirety based on the event is based outside and they have talked about the need for different fencing and things of that nature at the event and he appears to be complying with everything. He said that one concern is that his application does request up until midnight, and he feels that this is in direct contrast with the sidewalk ordinance for outside vending of alcohol, which is 10 p.m., so he feels that this is something that the Committee needs to consider. Kolb said that that was his first concern because everything else is 10 at the latest and there are residences that live above the businesses. Slayton said that there will be an additional gates in place which is not shown on the map and also Grant will be have between five and ten security people in black shirts checking IDs and letting people in and out of the gates. Kolb asked what kind of amplification there would be. Slayton said the basic outdoor band, similar to what is on the square. Slayton said that wrist bands would be used and no one under the age of 21 will be allowed in the gates. He went on to say that this benefit is something that they would like to do on a yearly basis and it will be benefit the Fire Department. The Fire Department will be selling brats, get the beer license and the Slaytons' will be getting the banners, DJ, tent, and all other work necessary. Slayton said that he feels that they can raise approximately \$14,000 for the fire department with this event. The only objection of the Committee is the midnight instead of the 10:00 p.m. Slayton asked if the Committee was objecting to people still being in the street at 12:00 a.m., or the sale of beer after 10:00 p.m. The Committee stated that they objected to everything. Slayton then clarified that the Committee is saying that everything would have to be shut down by 10:00 p.m. and then dispersed at 10:00. Chief Schauf said that this is a working dynamic situation being the first one and Slayton and others have been very open to suggestions from the City and the Police Department. Todd Wickus, DBI said that they are supporting the event. Sandy Deb Bauer of the Chamber sad that they have the permit for both Saturday and Sunday, so actually the dumpsters and portable toilets that are being rented by them for the entire weekend will remain there. She said that the only stipulations to the Slaytons' that her board had was to limit the beer advertising signs because this event is a family, friendly event and make sure it is deemed separate from the Chamber events. It was moved by Kolb, seconded by Plautz to approve the street closure as requested, and all activities are dispersed by 10:00 p.m. Motion carried unanimously.
- c. **Review and recommendation concerning signage to restrict truck traffic on Maxwell Street** – Nancy Phelan said that she lives on Maxwell Street and said that five to six semis go up and down Maxwell Street during a week's time. She said that last year she was laid off and noticed it; however, she attributed it to the work being done on South Blvd. and maybe the trucks were taking a shortcut across Hwy. 123. After following a couple of trucks and speaking with the police department she was told that the drivers are following their GPS's which takes them from Parkway, up Elm Street, Grove to Maxwell. She said occasionally trucks make a left to Mulberry, which is signed on both ends as being not a truck route. She went on to say that she would like to see "No Truck Route" signs on Maxwell Street; however, she fears that the problem would shift to South and Blake Streets. She is suggesting that signs be placed on Maxwell, Blake, South, and Elms Streets and this would possibly keep them where they should be. Pinion said that there are signs that prohibit truck traffic on Mulberry Street. He called and left messages for the managing folks at each of the companies; however, he doesn't know if this has

helped deter the traffic. He said that if the Committee chooses to do something, the most that could be done is put up similar signage to what is on Mulberry and indicate no trucks and then it could be enforceable. Chief Schauf said that he feels that the truck drivers do not get the message because there are so many independent truckers. He said that the reality is the signage is the best way to get the trucks to know and with the signage then the department can work on enforcement; however, enforcement is based on staffing. Kolb moved, Plautz seconded to install no truck signage on one end of Elm and the other at the end of Maxwell. Phelan felt that the signage should also be placed on Blake and South at the Lake Street intersections. Kolb agreed and amended his motion and Plautz seconded. Motion carried unanimously.

- d. Review and recommendation concerning request to install brick pavers in lieu of concrete sidewalk in front of the Al Ringling Theatre – Stephanie Miller Lamb, Executive Director of the Al Ringling Theatre then addressed the Committee. Deb Rosen was also present. Lamb explained that they would like to move forward with engraved pavers. She said that underneath the marquee area is where they would start, and if the program is successfully, as they hope it will be, they would then expand within their property line. She said that the recommendation is that they start under the marquee with the first three feet closest to the building and then building out the last five feet later, and then spreading out to the sides further if needed. She then showed the Committee three different sizes of pavers and stated that they have not chosen a vendor yet at this time. Kolb said that policy is that the City maintains all City sidewalks; however, the pavers are very labor intensive and would not want the City to be responsible to maintain these. Lamb said that they would be responsible for all the maintenance. Wedekind said that he would be in favor of the bigger size pavers. Lamb said that it is a difference of price point, depending on what a person wanted to spend for a paver. Plautz asked if all the pavers would be the same color and Lamb answered that the color has not been decided and asked the Committee if they had any preferences. Wickus asked if there would be a concern in the wintertime regarding damaging the pavers. Koss said that they could get scraped. Koss asked if they wait until all are sold before installing. Lamb said that they will not be installed until they are engraved and ready to be set. She said that she feels that they will do the first three first and then wait until the next five feet are sold before installing them. Pinion said that the City's standard specifications for sidewalks are concrete; therefore, they would have to come up with some type of agreement between the City and the Theatre whereby this would be allowed and any maintenance would be theirs. Kolb moved, Plautz seconded to approve the request of Al Ringling Theatre to install brick pavers in lieu of concrete sidewalk in front of the theatre. Motion carried unanimously.
- e. Review and recommendation regarding final paving for Briar Street Asphalt Path – Pinion said that this was a project that was scheduled in the budget for this year, bids were solicited and the price is known. This project has been talked about at this Committee and it was thought to be a good idea, it went to Parks and was thought to be a little steep when it came back to this Committee last month. He said that the Parks Commission didn't have any issues with it saying it would be closed in the wintertime, gates, signs, railing; therefore, it is now back in front of this Committee. Kolb asked how Parks and Rec got involved in this. Hardy said that they were given the opportunity when the water line was installed that they could put the trail on top of it. He said that they probably wouldn't have considered it if this would not have been the case; it isn't part of the Riverwalk, but just a way to get residents from that area of the downtown to the Dog Park and conservancy. Kolb said that this was looked at rather positively by the Committee at first; however, when it came up again he had already walked the area and realized how steep the slope was and it is not aesthetically pleasing. He doesn't feel that residents on the South side would use it. Hardy said that members of the Parks Commission have also walked it and didn't feel that it was ideal; however, they are looking for any other options, other than going underneath the railroad bridge, which they have gotten a lot of complaints about regarding speed. Kolb feels that if the people from the south side wanted some connectivity there they could drive down to Spirit Point and he asked Koss that in the years to come if they would look at the possibility of widening the mill race out and putting an asphalt path. Hardy said that Parks and Kiwanis both have the trail along Mill Race as part of the Riverwalk in the budget and plans. He said that this isn't part of the riverwalk, it is a way to get from one point to another point. He said that his concern is that people can drive down to Spirit Point; however, a lot of people don't drive, a lot of kids ride their bikes or walk down Potter or underneath the railroad bridge, where there are sight and speed problems. Wedekind feels that the money should be saved for that rather than the Briar Street path. Kolb feels that people will still travel Potter or under the railroad bridge. Hardy said that this doesn't address the people asking how to get their kids safely from one point to another, so possibly lowering the speed limit on Hill Street should be discussed. Mayor said that the issue is the railroad bridge, the pavement narrows and vehicles don't slow down. He said that there are signs in both directions stating that the roadway narrows and Hardy suggested the possibility of a 15 mph posted through that section. He said that this wouldn't solve the problem, but at least it gives the opportunity for people to understand the need to slow down. Plautz suggested if the path did go in that it be terraced. Pinion said that steps would have to be installed. Wedekind and Kolb were not in favor of the Briar Street path. Schauf felt it would be better to use the yellow speed advisory signs instead of a true 15 mph drop, and the problem would be difficult to enforce. It was moved by Plautz, seconded by Kolb to not pave the Briar Street path. Motion carried unanimously.
- f. Review and Approval monthly Billing Adjustments/Credits for Sewer and Water Customers – Peterson explained the credits. It was moved by Kolb, seconded by Plautz to approve the credits as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said that Well #4 is repaired and is back on line. The Mine Street Water Tower exterior painting will be finished today and the logo should be painted tomorrow. He said later in the week, with the help of the Fire Department the inside bowl will be rinsed, and then it will be chlorinated and back in operation next week. The Sanitary Sewer Area Plan is something that has to be done every five years is being discussed. He said that the Commerce Court water and sewer main should be starting this week. He said that the 2016 budget is already starting to be looked at and some increases in water and sewer.
- b. Street Superintendent's Report – Koss said that concrete patches on 8th Street have been done. Cleanup is going on this week from last week's storm.

- c. Police Chief's Report – Schauf said that the department will be beginning the fair and festival season. He said the Big Top Parade is coming up on July 25th and plans are being finalized. He said that the department is still down four officers; however, he has two offers out at the time.
- d. Fire Chief's Report – Stieve said that they are in the process of hiring personnel, they have six applicants, of which two have to be reviewed by one person per their policy and hopefully that will be started next week with testing and interviews. He said that the two shipping containers have arrived. He said it was a great cooperative effort between City departments.

ADJOURNMENT – Kolb moved, Plautz seconded to adjourn the meeting at 1:53 p.m. Motion carried.

Finance/Personnel Committee – Council Chambers **July 14, 2015**

Members Present: Petty, Sloan and Thurow

Absent: none

Others Present: M. Palm, C. Giese, Carla Gogin, media, and the public

Call to Order –Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of June 23, 2015. Motion carried unanimously.

Accounts Payable – Moved by Thurow, seconded by Sloan to recommend Council approval of the accounts payable for \$534,632.04. Motion carried unanimously.

Ehlers Report – Financial plans for Public Safety Building were submitted by Ehlers for the Committee's review. Several items will change before the report is issued in final form, but the language offers several options for funding a public safety building. The Committee reviewed a listing of other Wisconsin communities with Aa3 bond rating debt burden. The report will be vetted at a Committee of the Whole discussion at a future Council meeting. Funding options include creating a city hall utility, seeking a legislative change in mortgage lease revenues, a rural development loan, in additional to traditional financing. No action was taken.

Uncollectible Accounts –Clerk Giese reviewed the listing of uncollectible and doubtful accounts. Moved by Sloan, seconded by Thurow and carried unanimously to recommend writing off the uncollectible accounts.

2014 Financial Statements – Carla presented the 2014 audited financial statements and provided an explanation of fund balances, 2014 budget performance and debt highlights. She noted that the City had strong performance and provided a communication about accounting and GASB information. Moved by Sloan, seconded by Thurow and carried unanimously to accept the report.

WEDC Grant – The Mayor announced the grant award of up to \$259,455 for restoration of the Al. Ringling Theatre. It will be a grant that passes through the City to the eventual recipient. Moved by Sloan, seconded by Thurow and carried unanimously to accept the grant.

FY 2016 Budget Calendar – Ed provided the budget timeline for the 2016 budget.

Committee Comments: None.

Adjournment – Moved by Sloan seconded by Thurow and carried to adjourn. Motion carried, meeting adjourned at 6:45 p.m.

Copies of these meeting minutes are on file in the Clerk's office:

| | | | |
|------------------------|---------|---------------------|---------|
| Friends of the Library | 4-14-15 | Park & Rec Comm. | 6-8-15 |
| UW Campus Comm. | 6-11-15 | BDAS Finance Ad Hoc | 5-20-15 |
| BDAS Ambulance Comm. | 5-20-15 | Police & Fire Comm. | 5-18-15 |
| Emergency Management | 6-25-15 | UW Campus Comm. | 6-11-15 |
| Library Board | 6-16-15 | | |

ADJOURNMENT

Moved by Kolb, seconded by Wedekind, and carried on voice vote, that the meeting adjourn.

RESOLUTION NO. 2015-

Dated: August 11, 2015

The City of Baraboo, Wisconsin

| |
|---|
| <i>Background:</i> |
| Fiscal Note: (Check one) [] Not Required [] Budgeted Expenditure [] Not Budgeted <i>Comments</i> |

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Accounts Payable, in the amount of \$ _____ as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Offered By: Consent
Motion:
Second:

Approved by Mayor: _____
Certified by City Clerk: _____

The City of Baraboo, Wisconsin

Background: Water rates are regulated by the Public Service Commission (PSC) of Wisconsin. In a conventional rate case, the PSC application requires information in regard to the Utility’s financial performance over a period of years, future capital improvements along with associated debt obligations and an explanation of why the Utility is no longer meeting their authorized rate of return. The conventional rate case is a lengthy process taking about two months to collect the requested data, complete the application and file with the PSC. The Public Service Commission reviews the application, along with previously filed annual reports, and schedules a public hearing relating to the requested rate of return increase.

The Baraboo Water Utility has submitted three such rate cases in 1994, 2002, and more recently in 2012. The PSC fees to review the 2012 application totaled \$5,700 which resulted in a rate increase averaging 34%. If you recall the discussion we had in 2012, although the PSC allows utilities a 6% rate of return, the City only authorized a 2% rate of return in an attempt to “curb” the overall rate increase at that time. By waiting 8 to 10 years between rate increases, the rate increase is bound to be pretty significant. Alternatively, the City could consider smaller, more frequent, incremental rate increases. The PSC allows communities a five-year “window” following a formal rate case to adjust water rates by way of a Simplified Rate Case. The Simplified application is much less detailed as it only allows for an “inflationary” rate increase, not an authorized rate of return increase, and requires no public hearing. Attached is various data illustrating overall effects of a proposed 3% water rate increase.

The Public Safety Committee reviewed the proposed rate increase at the Aug 3rd meeting and unanimously recommended approval of this purchase.

Fiscal Note: (one) [Not Required] [Budgeted Expenditure] [Not Budgeted]
Comments:

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

To approve an application for a Water Utility Simplified Rate Case to the Public Service Commission. The rate case request would be for a 3% rate increase starting January 1, 2016. The projected increased revenue would be \$50,000.

Offered by: Public Safety Committee **Approved:** _____

Motion:

Second:

Attest: _____

**BARABOO WATER UTILITY
OPERATING REVENUES
HISTORICAL AND FORECASTED SCHEDULES OF PSC REGULATED WATER REVENUES**

| | <u>ACTUAL 2012</u> | <u>ACTUAL 2013</u> | <u>ACTUAL 2014</u> | <u>ESTIMATED 2015 REVENUE (BUDGET)</u> | <u>ESTIMATED REVENUE (3% Rate Increase)</u> |
|---|------------------------|------------------------|------------------------|--|---|
| SALES OF WATER: | | | | | |
| Residential | \$573,142 | \$587,254 | \$585,311 | \$602,315 | \$620,384 |
| Commercial | 195,581 | 206,333 | 135,933 | 142,715 | \$146,996 |
| Industrial | 427,185 | 452,440 | 429,804 | 419,030 | \$431,601 |
| Public Authorities | 52,528 | 56,413 | 56,048 | 56,870 | \$58,576 |
| Multifamily Residential | 0 | 0 | 77,651 | 79,590 | \$81,978 |
| Wholesale | 3,048 | 3,264 | 3,264 | 3,362 | \$3,463 |
| TOTAL METERED SALES | \$1,251,484 | \$1,305,704 | \$1,288,011 | \$1,303,882 | \$1,342,998 |
| FIRE PROTECTION SERVICE: | | | | | |
| Private Fire Protection-N/A with SRC | 33,117 | 34,506 | 36,023 | 36,838 | 36,838 |
| Public Fire Protection-Municipal Charge | 264,757 | 264,757 | 264,757 | 272,700 | \$280,881 |
| Public Fire Protection-Direct Charge | 69,832 | 93,514 | 94,397 | 98,020 | \$100,961 |
| TOTAL FIRE PROTECTION | \$367,706 | \$392,777 | \$395,177 | \$407,558 | \$418,680 |
| GRAND TOTAL | \$1,619,190 | \$1,698,481 | \$1,683,188 | \$1,711,440 | \$1,761,678 |
| ADD'L ESTIMATED REVENUE WITH PSC SIMPLIFIED RATE CASE APPROVAL | | | | | \$50,238 |

Estimated Additional Quarterly Cost Resulting From Proposed 3% Rate Increase

| | 1st Qtr 2014 | 2nd Qtr 2014 | 3rd Qtr 2014 | 4th Qtr 2014 | Average | Meter Size | Present Public Fire Protection | Present Private Fire Protection | Quarterly Bill Now | Proposed 3% Quarterly Charge less Proposed Fire Protection | Quarterly Increase | Proposed Public Fire Protection Increase | Proposed Private Fire Protection Increase | Total Quarterly Increase |
|-------------------------|-----------------|-----------------|-----------------|-----------------|---------|---------------|-----------------------------------|------------------------------------|--------------------------|--|-----------------------|---|--|--------------------------------|
| Residential | | | | | | | | | | | | | | |
| 338 5th St | 113 | 117 | 113 | 158 | 125 | 5/8" | 2.87 | 0 | \$ 43.36 | \$ 44.57 | \$ 1.21 | \$ 0.09 | \$ - | \$ 1.30 |
| 114 7th St | 50 | 47 | 67 | 47 | 53 | 5/8" | 2.87 | 0 | \$ 31.90 | \$ 32.77 | \$ 0.87 | \$ 0.09 | \$ - | \$ 0.96 |
| 411 5th Ave | 254 | 258 | 273 | 220 | 251 | 5/8" | 2.87 | 0 | \$ 63.27 | \$ 65.08 | \$ 1.81 | \$ 0.09 | \$ - | \$ 1.90 |
| 1220 Crestview | 52 | 71 | 65 | 59 | 62 | 5/8" | 2.87 | 0 | \$ 33.33 | \$ 34.24 | \$ 0.91 | \$ 0.09 | \$ - | \$ 1.00 |
| 464 Russel | 149 | 270 | 201 | 110 | 183 | 5/8" | 2.87 | 0 | \$ 52.41 | \$ 53.89 | \$ 1.49 | \$ 0.09 | \$ - | \$ 1.58 |
| 328 Mulberry | 85 | 104 | 109 | 92 | 98 | 5/8" | 2.87 | 0 | \$ 38.98 | \$ 40.06 | \$ 1.08 | \$ 0.09 | \$ - | \$ 1.17 |
| 1516 Roblee | 84 | 72 | 61 | 26 | 61 | 3/4" | 2.87 | 0 | \$ 33.17 | \$ 34.08 | \$ 0.91 | \$ 0.09 | \$ - | \$ 1.00 |
| 1721 Birch | 17 | 24 | 37 | 17 | 24 | 5/8" | 2.87 | 0 | \$ 27.32 | \$ 28.06 | \$ 0.73 | \$ 0.09 | \$ - | \$ 0.82 |
| 888 Iroquios | 171 | 135 | 146 | 116 | 142 | 5/8" | 2.87 | 0 | \$ 46.01 | \$ 47.30 | \$ 1.29 | \$ 0.09 | \$ - | \$ 1.38 |
| 1200 Walnut #5 | 49 | 51 | 55 | 50 | 51 | 5/8" | 2.87 | 0 | \$ 31.67 | \$ 32.53 | \$ 0.86 | \$ 0.09 | \$ - | \$ 0.95 |
| 427 Lake St | 188 | 167 | 214 | 162 | 183 | 5/8" | 2.87 | 0 | \$ 52.44 | \$ 53.93 | \$ 1.49 | \$ 0.09 | \$ - | \$ 1.58 |
| 1100 Tandom Trl | 164 | 185 | 211 | 165 | 181 | 3/4" | 2.87 | 0 | \$ 52.21 | \$ 53.69 | \$ 1.48 | \$ 0.09 | \$ - | \$ 1.57 |
| 1001 2nd Ave | 112 | 98 | 105 | 104 | 105 | 5/8" | 2.87 | 0 | \$ 40.12 | \$ 41.24 | \$ 1.12 | \$ 0.09 | \$ - | \$ 1.21 |
| 1340 Silver Dr | 25 | 24 | 24 | 22 | 24 | 5/8" | 2.87 | 0 | \$ 27.32 | \$ 28.06 | \$ 0.73 | \$ 0.09 | \$ - | \$ 0.82 |
| 824 6th St | 155 | 158 | 196 | 180 | 172 | 5/8" | 2.87 | 0 | \$ 50.79 | \$ 52.22 | \$ 1.44 | \$ 0.09 | \$ - | \$ 1.53 |
| Commercial | | | | | | | | | | | | | | |
| 1113 12th St | 578 | 655 | 2111 | 508 | 963 | 1.5" | 33.22 | 0 | \$ 228.80 | \$ 234.69 | \$ 5.89 | \$ 1.00 | \$ - | \$ 6.89 |
| 127 4th St | 226 | 258 | 249 | 240 | 243 | 5/8" | 6.64 | 0 | \$ 65.77 | \$ 67.55 | \$ 1.77 | \$ 0.20 | \$ - | \$ 1.97 |
| 117 4th St | 561 | 613 | 800 | 642 | 654 | 5/8" | 6.64 | 0 | \$ 123.42 | \$ 126.93 | \$ 3.51 | \$ 0.20 | \$ - | \$ 3.71 |
| 124 4th Ave | 414 | 429 | 538 | 524 | 476 | 5/8" | 6.64 | 0 | \$ 99.96 | \$ 102.76 | \$ 2.80 | \$ 0.20 | \$ - | \$ 3.00 |
| 1215 8th St | 4619 | 1706 | 2900 | 1664 | 2722 | 1.5" | 33.22 | 0 | \$ 461.02 | \$ 473.94 | \$ 12.93 | \$ 1.00 | \$ - | \$ 13.92 |
| 701 Hwy 12 | 657 | 854 | 1787 | 762 | 1015 | 1.5" | 33.22 | 0 | \$ 235.66 | \$ 241.76 | \$ 6.10 | \$ 1.00 | \$ - | \$ 7.09 |
| Industrial | | | | | | | | | | | | | | |
| 801 Sauk | 742 | 806 | 983 | 813 | 836 | 2" | 53.15 | 0 | \$ 262.86 | \$ 269.17 | \$ 6.31 | \$ 1.59 | \$ - | \$ 7.91 |
| 801 Lynn | 855 | 894 | 917 | 939 | 901 | 2" | 53.15 | 0 | \$ 271.48 | \$ 278.05 | \$ 6.57 | \$ 1.59 | \$ - | \$ 8.17 |
| 1239 Sauk | 167 | 185 | 285 | 161 | 200 | 1.5" | 33.22 | 0 | \$ 123.45 | \$ 126.16 | \$ 2.71 | \$ 1.00 | \$ - | \$ 3.70 |
| 1060 Teel | 17888 | 29005 | 24430 | 21614 | 23234 | 4" | 166.09 | 0 | \$ 3,117.90 | \$ 3,199.31 | \$ 81.41 | \$ 4.98 | \$ - | \$ 86.39 |
| Public Authority | | | | | | | | | | | | | | |
| 707 Center | 693 | 584 | 202 | 551 | 508 | 1.5" | 33.22 | 0 | \$ 168.67 | \$ 172.74 | \$ 4.07 | \$ 1.00 | \$ - | \$ 5.06 |
| 1531 Draper | 2601 | 2103 | 689 | 1786 | 1795 | 1.5" | 33.22 | 0 | \$ 338.59 | \$ 347.80 | \$ 9.22 | \$ 1.00 | \$ - | \$ 10.21 |
| 1000 Manchester | 5065 | 6461 | 5375 | 4741 | 5411 | 2" | 53.15 | 0 | \$ 848.74 | \$ 872.42 | \$ 23.68 | \$ 1.59 | \$ - | \$ 25.27 |
| 1006 Connie | 1233 | 1241 | 1198 | 2129 | 1450 | 2" | 53.15 | 0 | \$ 343.94 | \$ 352.71 | \$ 8.77 | \$ 1.59 | \$ - | \$ 10.36 |
| RR Donnelley | | | | | | | | | | | | | | |
| | 981 | 1078 | 1447 | 1039 | 1136 | 1.5" | 33.22 | 0 | \$ 251.67 | \$ 258.25 | \$ 6.58 | \$ 1.00 | \$ - | \$ 7.58 |
| | 9416 | 5346 | 6387 | 4851 | 6500 | 2" | 53.15 | 0 | \$ 971.85 | \$ 998.80 | \$ 26.95 | \$ 1.59 | \$ - | \$ 28.54 |
| | 136196 | 125769 | 169819 | 127106 | 139723 | 4" | 166.09 | 0 | \$ 16,281.07 | \$ 16,711.95 | \$ 430.88 | \$ 4.98 | \$ - | \$ 435.86 |
| | 744650 | 774418 | 720662 | 791929 | 757915 | 6" | 332.18 | 0 | \$ 86,491.38 | \$ 88,782.49 | \$ 2,291.11 | \$ 9.97 | \$ - | \$ 2,301.08 |

Sauk County Utilities - Comparison of Water Rates

| Ranking | Sauk County Utility | Rate Name | County | Utility Type | Average Usage (18,750 Gallons) | Last rate Increase |
|---------|--------------------------------------|-----------|--------|--------------|--------------------------------|--------------------|
| 1 | SPRING GREEN MUNICIPAL WATER UTILITY | MG1 | Sauk | D | \$ 47.96 | 1/1/2015 |
| 2 | BARABOO CITY WATER WORKS | MG1 | Sauk | AB | \$ 50.33 | 1/1/2015 |
| 2 | BARABOO CITY WATER WORKS | MG1 | Sauk | AB | \$ 51.84 | 1/1/2016 |
| 3 | SAUK CITY MUN WATER & LIGHT UTIL | MG1 | Sauk | C | \$ 53.51 | 6/18/2014 |
| 4 | REEDSBURG UTILITY COMMISSION | MG1 | Sauk | C | \$ 57.50 | 1/27/2015 |
| 5 | IRONTON WATER UTILITY | MG1 | Sauk | D | \$ 66.38 | 4/23/1993 |
| 6 | PRAIRIE DU SAC MUN ELECTRIC & WTR | MG1 | Sauk | C | \$ 67.84 | 3/15/2013 |
| 7 | LAKE DELTON VILLAGE OF WATER UTIL | MG1 | Sauk | C | \$ 70.46 | 7/1/1998 |
| 8 | LA VALLE MUNICIPAL WATER UTILITY | MG1 | Sauk | D | \$ 70.78 | 7/1/2009 |
| 9 | ROCK SPRINGS MUNICIPAL UTILITY | MG1 | Sauk | D | \$ 80.66 | 4/1/2014 |
| 10 | MERRIMAC MUNICIPAL WATER UTILITY | MG1 | Sauk | D | \$ 85.50 | 1/12/2015 |
| 11 | LOGANVILLE MUN WATER & SEWER UTILITY | MG1 | Sauk | D | \$ 95.44 | 12/31/2011 |
| 12 | PLAIN MUNICIPAL WATER UTILITY | MG1 | Sauk | D | \$ 107.44 | 12/23/2013 |
| 13 | WEST BARABOO MUN WTR & SWR UTY | MG1 | Sauk | D | \$ 112.50 | 3/1/2013 |
| 14 | NORTH FREEDOM MUN WATER UTILITY | MG1 | Sauk | D | \$ 125.29 | 12/16/2013 |
| 15 | BLUFFVIEW SANITARY DISTRICT | MG1 | Sauk | D | \$ 130.13 | 2/1/2013 |
| | | AVERAGES | | | \$ 81.45 | |

Class AB Utilities - Comparison of Water Rates

| Ranking | Utility Name | Rate Type | County | Utility Class | Average Bill (18,750 gallons) | Last Rate Increase |
|---------|---------------------------------------|-----------|-------------|---------------|-------------------------------|--------------------|
| 1 | RIVER FALLS MUNICIPAL UTILITY | MG1R | Pierce | AB | \$ 42.00 | 4/13/2012 |
| 2 | SHEBOYGAN WATER UTILITY | MG1 | Sheboygan | AB | \$ 46.20 | 3/1/2014 |
| 3 | JANESVILLE WATER UTILITY | MG1R | Rock | AB | \$ 46.33 | 1/19/2015 |
| 4 | MENOMONIE CITY OF WATER DEPT | MG1 | Dunn | AB | \$ 46.58 | 12/1/2002 |
| 5 | FITCHBURG WATER UTILITY | MG1R | Dane | AB | \$ 46.95 | 7/1/2012 |
| 6 | LAKE GENEVA UTILITY COMMISSION | MG1 | Walworth | AB | \$ 47.10 | 11/26/1991 |
| 7 | ONALASKA MUNICIPAL WATER UTILITY | MG1R | La Crosse | AB | \$ 47.50 | 6/11/2015 |
| 8 | LA CROSSE WATER UTILITY | MG1 | La Crosse | AB | \$ 48.00 | 1/1/2013 |
| 9 | HUDSON PUBLIC UTILITIES | MG1 | Saint Croix | AB | \$ 48.45 | 7/1/1997 |
| 10 | BARABOO CITY WATER WORKS | MG1 | Sauk | AB | \$ 50.33 | 1/1/2015 |
| 10 | BARABOO CITY WATER WORKS | MG1 | Sauk | AB | \$ 51.84 | 1/1/2016 |
| 11 | SUN PRAIRIE UTILITIES | MG1R | Dane | AB | \$ 54.90 | 7/3/2014 |
| 12 | MANITOWOC PUBLIC UTILITIES | MG1 | Manitowoc | AB | \$ 56.20 | 6/1/2015 |
| 13 | CHIPPEWA FALLS DEPT OF PUBLIC UTIL | MG1 | Chippewa | AB | \$ 56.70 | 1/1/2015 |
| 14 | EAU CLAIRE MUNICIPAL WATER UTILITY | MG1R | Eau Claire | AB | \$ 57.00 | 4/1/2014 |
| 15 | GERMANTOWN WATER UTILITY | MG1 | Washington | AB | \$ 58.21 | 12/15/2014 |
| 16 | BELOIT WATER UTILITY | MG1R | Rock | AB | \$ 58.40 | 12/1/2010 |
| 17 | MONROE MUNICIPAL WATER UTILITY | MG1 | Green | AB | \$ 59.30 | 3/5/2014 |
| 18 | VERONA WATER UTILITY | MG1R | Dane | AB | \$ 60.25 | 7/1/2011 |
| 19 | WESTON WATER UTILITY | MG1R | Marathon | AB | \$ 60.31 | 3/18/2009 |
| 20 | MIDDLETON MUNICIPAL WATER UTILITY | MG1R | Dane | AB | \$ 60.94 | 7/1/2015 |
| 21 | WAUNAKEE WATER AND LIGHT COMMISSION | MG1 | Dane | AB | \$ 61.13 | 7/1/2012 |
| 22 | STOUGHTON WATER UTILITY | MG1R | Dane | AB | \$ 61.61 | 7/1/2015 |
| 23 | FORT ATKINSON CITY OF WATER UTILITY | MG1 | Jefferson | AB | \$ 61.95 | 9/1/2013 |
| 24 | CUDAHY CITY OF WATER UTILITY | MG1R | Milwaukee | AB | \$ 64.14 | 7/1/2014 |
| 25 | STEVENS POINT MUN WATER UTILITY | MG1 | Portage | AB | \$ 65.00 | 5/1/2012 |
| 26 | KENOSHA WATER UTILITY | MG1 | Kenosha | AB | \$ 65.15 | 6/1/2015 |
| 27 | MILWAUKEE WATER WORKS | MG1R | Milwaukee | AB | \$ 65.95 | 11/1/2014 |
| 28 | MADISON WATER UTILITY | MG1R | Dane | AB | \$ 66.00 | 5/9/2011 |
| 29 | BROOKFIELD MUNICIPAL WATER UTILITY | MG1R | Waukesha | AB | \$ 66.94 | 9/3/2014 |
| 30 | WAUSAU WATER UTILITY | MG1R | Marathon | AB | \$ 68.10 | 4/1/2015 |
| 31 | GRAFTON WATER & WASTEWATER UTILITY | MG1R | Ozaukee | AB | \$ 69.00 | 3/19/2014 |
| 32 | GREEN BAY WATER UTILITY | MG1 | Brown | AB | \$ 69.50 | 7/15/2014 |
| 33 | BEAVER DAM WATER UTILITY | MG1 | Dodge | AB | \$ 71.45 | 3/1/2005 |
| 34 | SHAWANO CITY OF WATER & SEWER UTILITY | MG1 | Shawano | AB | \$ 71.75 | 2/28/2015 |
| 35 | DARBOY JOINT SANITARY DISTRICT NO. 1 | MG1 | Outagamie | AB | \$ 71.89 | 7/1/2014 |
| 36 | WEST ALLIS MUNICIPAL WATER UTILITY | MG1 | Milwaukee | AB | \$ 73.16 | 1/1/2015 |
| 37 | WEST BEND CITY OF WATER UTY | MG1 | Washington | AB | \$ 73.60 | 4/1/2011 |
| 38 | WHITEFISH BAY VILLAGE OF WTR UTY | MG1 | Milwaukee | AB | \$ 76.45 | 7/1/2012 |
| 39 | RACINE WATER WORKS COMMISSION | MG1 | Racine | AB | \$ 77.88 | 8/24/2014 |

Class AB Utilities - Comparison of Water Rates

| | | | | | | |
|----|---|----------|-------------|----|-----------|------------|
| 40 | SPARTA MUNICIPAL WATER DEPT | MG1 | Monroe | AB | \$ 78.72 | 11/15/2010 |
| 41 | GREENDALE VILLAGE OF WATER UT | MG1 | Milwaukee | AB | \$ 81.75 | 4/1/2015 |
| 42 | PLOVER VILL OF MUN WTR UTY | MG1 | Portage | AB | \$ 83.06 | 9/14/2001 |
| 43 | OCONOMOWOC CITY OF UTILITIES | MG1 | Waukesha | AB | \$ 85.54 | 9/16/2011 |
| 44 | STURGEON BAY UTILITIES | MG1 | Door | AB | \$ 85.88 | 8/30/2013 |
| 45 | WAUKESHA WATER UTILITY CITY OF | MG1R | Waukesha | AB | \$ 86.84 | 4/24/2015 |
| 46 | ASHWAUBENON WATER AND SEWER UTILITY | MG1 | Brown | AB | \$ 87.38 | 6/1/2006 |
| 47 | OAK CREEK WATER & SEWER UTILITY | MG1 | Milwaukee | AB | \$ 88.47 | 6/2/2014 |
| 48 | WATERTOWN WATER DEPARTMENT | MG1 | Jefferson | AB | \$ 88.50 | 5/2/2014 |
| 49 | WAUWATOSA WATER UTILITY | MG1 | Milwaukee | AB | \$ 91.27 | 6/15/2015 |
| 50 | GLENDALE WATER UTILITY | MG1 | Milwaukee | AB | \$ 91.31 | 6/17/2015 |
| 51 | MENOMONEE FALLS VILLAGE OF WTR UTY | MG1 | Waukesha | AB | \$ 91.57 | 11/1/2014 |
| 52 | LITTLE CHUTE MUNICIPAL WATER DEPT | MG1 | Outagamie | AB | \$ 93.92 | 8/31/2014 |
| 53 | NEW BERLIN WATER UTILITY | MG1 | Waukesha | AB | \$ 94.21 | 11/1/2014 |
| 54 | SOUTH MILWAUKEE WATER UTILITY | MG1 | Milwaukee | AB | \$ 94.54 | 12/31/2013 |
| 55 | CALEDONIA VILLAGE OF WATER UTILITY | MG1 | Racine | AB | \$ 96.30 | 9/15/2014 |
| 56 | ANTIGO UTILITIES | MG1 | Langlade | AB | \$ 96.40 | 7/5/2012 |
| 57 | MARSHFIELD UTILITIES | MG1 | Wood | AB | \$ 97.38 | 7/1/2015 |
| 58 | PORT WASHINGTON MUN WATER UTILITY | MG1 | Ozaukee | AB | \$ 104.62 | 1/3/2011 |
| 59 | WISCONSIN RAPIDS WATER WORKS & LIGHTING | MG1R | Wood | AB | \$ 104.79 | 6/1/2015 |
| 60 | PLEASANT PRAIRIE VILL OF WTR UTY | MG1 | Kenosha | AB | \$ 112.89 | 6/1/2015 |
| 61 | FRANKLIN MUNICIPAL WATER UTILITY | MG1R | Milwaukee | AB | \$ 112.93 | 6/2/2014 |
| 62 | MENASHA - TOWN OF - UTILITY DISTRICT | MG1R | Winnebago | AB | \$ 113.02 | 3/1/2012 |
| 63 | FOND DU LAC WATER UTILITY | MG1 | Fond du Lac | AB | \$ 122.89 | 1/1/2010 |
| 64 | KAUKAUNA UTILITIES | MG1 | Outagamie | AB | \$ 126.25 | 1/1/2015 |
| 65 | TWO RIVERS WATER & LIGHT UTILITY | MG1 | Manitowoc | AB | \$ 127.85 | 1/1/2015 |
| 66 | NEENAH CITY OF WATER UTILITY | MG1 | Winnebago | AB | \$ 129.94 | 1/1/2011 |
| 67 | HARTFORD CITY OF UTILITIES | MG1 | Washington | AB | \$ 133.31 | 1/8/2011 |
| 68 | OSHKOSH CITY OF WATER UTILITY | MG1 | Winnebago | AB | \$ 134.00 | 4/29/2014 |
| 69 | DE PERE WATER DEPARTMENT | MG1 | Brown | AB | \$ 135.19 | 3/22/2011 |
| 70 | APPLETON WATER DEPT | MG1 | Calumet | AB | \$ 135.65 | 12/30/2010 |
| 71 | ALLOUEZ VILLAGE OF WATER DEPT | MG1R | Brown | AB | \$ 136.09 | 1/1/2012 |
| 72 | BELLEVUE WATER UTILITY | MG1 | Brown | AB | \$ 139.93 | 7/20/2015 |
| 73 | GRAND CHUTE TOWN OF SANITARY DIST 1 | MG1 | Outagamie | AB | \$ 140.96 | 11/18/2013 |
| 74 | MARINETTE MUNICIPAL WATER UTILITY | MG1 | Marinette | AB | \$ 145.40 | 4/21/2015 |
| 75 | ELKHORN LIGHT AND WATER | MG1 | Walworth | AB | \$ 152.60 | 1/1/2015 |
| 76 | MENASHA ELECTRIC & WATER UTILITIES | MG1 | Winnebago | AB | \$ 153.00 | 3/1/2012 |
| 77 | SUPERIOR WATER LIGHT AND POWER CO | WG1 | Douglas | AB | \$ 177.25 | 1/1/2013 |
| 78 | HOWARD VILLAGE OF WTR & SWR DEP | MG1 | Brown | AB | \$ 179.14 | 11/20/2014 |
| | | AVERAGES | | | \$ 86.96 | |

NBO - 1

The City of Baraboo, Wisconsin

Background: This is an update to the City’s Construction Site Erosion Control Code ordinance as contained in Chapter 14, Subchapter II. The DNR recently amended their standards for Erosion and Sediment Control and the changes are reflected in this Ordinance.

This revised Ordinance we reviewed by the Public Safety Committee at their August 3rd, 2015 meeting with a unanimous recommendation for approval.

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted **Comments:**

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DOES ORDAIN AS FOLLOWS:

- 1. Chapter 14, Subchapter II – Construction Site Erosion Control Code is hereby repealed and recreated to read as follows:

See Attachment

- 2. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor’s Approval: _____

Clerk’s Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the ___ day of August, 2015, and is recorded on page ____ of volume _____.

City Clerk: _____

CHAPTER 14 - SUBCHAPTER II:

CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL CODE

Table of Contents

| | |
|---------|--|
| 14.23 | Authority |
| 14.23.1 | Findings of Fact |
| 14.23.2 | Purpose |
| 14.23.3 | Applicability and Jurisdiction |
| 14.24 | Definitions |
| 14.25 | Applicability of Maximum Extent Practicable |
| 14.26 | Technical Standards |
| 14.27 | Performance Standards for Construction Sites Under One Acre |
| 14.27.1 | Performance Standards for Construction Sites of One Acre or More |
| 14.28 | Permitting Requirements, Procedures, and Fees |
| 14.28.1 | Erosion and Sediment Control Plan, Statement, and Amendments |
| 14.28.2 | Fees |
| 14.29 | Inspection |
| 14.30 | Enforcement |
| 14.31 | Appeals |
| 14.32 | Severability |
| 14.33 | Effective Date |

SUBCHAPTER II: CONSTRUCTION SITE EROSION CONTROL CODE

14.23 AUTHORITY.

- (1) This ordinance is adopted under the authority granted by §62.234, Wis. Stats. This ordinance supersedes all provisions of an ordinance previously enacted under §62.23, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in §62.234 Wis. Stats., §62.23, Wis. Stats., applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Common Council hereby designates the Building Inspector or City Engineer to administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under §§281.16 and 283.33, Wis. Stats.
 - (b) Targeted non-agricultural performance standards promulgated in rules by the Wisconsin Department of Natural Resources under §NR 151.004, Wis. Adm. Code.

14.23.1 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 City of Baraboo.

14.23.2 PURPOSE. It is the purpose of this ordinance to maintain 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 Baraboo.

14.23.3 APPLICABILITY AND JURISDICTION.

- (1) **APPLICABILITY.**
 - (a) Except as provided under Sub. (b), this ordinance applied to any construction site as defined under Sec. 14.24 (6):
 - (b) This ordinance does not apply to the following:
 1. Transportation facilities, except transportation facility construction projects that are part of a larger common plan of development such as local roads with a residential or industrial development.
 2. 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 Ch. 40, Code of Federal Regulations, part 122, for land disturbing construction activity.
 3. Nonpoint discharges from agricultural facilities and practices.
 4. Nonpoint discharges from silviculture activities.
 5. Routine maintenance for project sites under 5 acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

- (c) Notwithstanding the applicability requirements in paragraph (a), this ordinance applies to construction sites of any size that, as determined by the Building Inspector or City Engineer, 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, or that increases water pollution by scouring or the transportation of particulates.
- (2) JURISDICTION. This ordinance applies to land disturbing construction activities on lands within the boundaries and jurisdiction of the City of Baraboo, and, optionally to the public and private lands subject to extraterritorial review under §§236.45(2) and (3), Wis. Stats.
- (3) EXCLUSIONS. This ordinance is not applicable to activities conducted by a state agency, as defined under §227.01 (1), Wis. Stats.

14.24 DEFINITIONS

- (1) ADMINISTERING AUTHORITY means a governmental employee, or a regional planning commission empowered under §62.234, Wis. Stats., that is designated by the Common Council to administer this ordinance.
- (2) AGRICULTURAL FACILITIES AND PRACTICES has the meaning in §281.16(1), Wis. Stats.
- (3) BEST MANAGEMENT PRACTICE or BMP means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.
- (4) BUSINESS DAY means a day the office of the Building Inspector or City Engineer is routinely and customarily open for business.
- (5) CEASE AND DESIST ORDER means 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 Baraboo.
- (6) CONSTRUCTION SITE means 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. A long-range planning document that describes separate construction projects, such as a 20-year transportation improvement plan, is not a common plan of development.
- (7) DESIGN STORM means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency and total depth of rainfall.
- (8) DIVISION OF LAND means the creation from one parcel of one or more parcels or building sites, regardless of size, where such creation occurs at one time or through successive partition within a 5-year period.
- (9) EROSION means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (10) EROSION AND SEDIMENT CONTROL PLAN means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.
- (11) EXTRATERRITORIAL means the unincorporated area within 3 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.
- (12) FINAL STABILIZATION means 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 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.
- (13) GOVERNING BODY means town board of supervisors, county board of supervisors, Common Council, village board of trustees or village council.

- (14) LAND DISTURBING CONSTRUCTION ACTIVITY means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative 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.
- (15) LANDOWNER means any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of storm water BMPs on the property.
- (16) MEP or MAXIMUM EXTENT PRACTICABLE means a level of performance that is achievable but is not equivalent to a performance standard identified in this ordinance as determined in accordance with Sec. 14.25 of this ordinance.
- (17) PERFORMANCE STANDARD means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (18) PERMIT means a written authorization made by the Building Inspector or City Engineer to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (19) POLLUTANT has the meaning given in §283.01 (13), Wis. Stats.
- (20) POLLUTION has the meaning given in §281.01 (10), Wis. Stats.
- (21) RESPONSIBLE PARTY means the landowner or other entity performing services to meet the requirements of this ordinance through a contract or other agreement.
- (22) RUNOFF means storm water or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (23) SEDIMENT means settleable solid material that is transported by runoff, suspended within runoff or deposited by runoff away from its original location.
- (24) SILVICULTURE ACTIVITY means 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.
- (25) SITE means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- (26) STOP WORK ORDER means an order issued by the Building Inspector or City Engineer which requires that all construction activity on the site be stopped.
- (27) TECHNICAL STANDARD means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (28) TRANSPORTATION FACILITY means 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.
- (29) 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.

14.25 APPLICABILITY OF MAXIMUM EXTENT PRACTICABLE.

Maximum extent practicable applies when a person who is subject to a performance standard of this ordinance demonstrates to the [administering authority]’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.

14.26 TECHNICAL STANDARDS.

All BMPs required for compliance with this ordinance shall meet 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 Subch. V of Ch. 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 factor) or an appropriate design storm and precipitation distribution, and when considering the geographic location of the site and period of disturbance.
- (3) TECHNICAL STANDARDS and methods have been approved by the Building Inspector or City Engineer.

14.27 PERFORMANCE STANDARDS FOR CONSTRUCTION SITE UNDER ONE ACRE.

- (1) RESPONSIBLE PARTY. The responsible party shall comply with this section.
- (2) EROSION AND SEDIMENT CONTROL PRACTICES. Erosion and sediment control practices at each site where land disturbing construction activity is to occur 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 storm water inlets.
 - (c) The discharge of sediment from disturbed areas into adjacent waters of the state.
 - (d) The discharge of sediment from drainage ways 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 7 days.
 - (g) 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 subdivision.
- (3) LOCATION. The BMPs shall be so located that treatment occurs prior to runoff entering waters of the state.
- (4) IMPLEMENTATION. The BMPs used to comply with this section shall be implemented as follows:
 - (a) Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin.
 - (b) Erosion and sediment control practices shall be maintained until final stabilization.

- (c) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
- (d) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
- (e) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

14.27.1 PERFORMANCE STANDARDS FOR CONSTRUCTION SITES OF ONE ACRE OR MORE.

- (1) RESPONSIBLE PARTY. The responsible party shall comply with this section and implement the Erosion and Sediment Control Plan developed in accordance with Sec. 14.28.1.
- (2) EROSION AND SEDIMENT CONTROL PLAN. A written site-specific Erosion and Sediment Control Plan shall be developed in accordance with Sec. 14.28.1 and implemented for each construction site.
- (3) EROSION AND OTHER POLLUTANT CONTROL REQUIREMENTS. The Erosion and Sediment Control Plan required under sub. (2) shall include the following:
 - (a) EROSION AND SEDIMENT CONTROL PRACTICES. Erosion and sediment control practices at each site where land disturbing construction activity is to occur shall be used to prevent or reduce all of the following:
 - 1. The deposition of soil from being tracked onto streets by vehicles.
 - 2. The discharge of sediment from disturbed areas into on-site storm water inlets.
 - 3. The discharge of sediment from disturbed areas into adjacent waters of the state.
 - 4. The discharge of sediment from drainage ways that flow off the site.
 - 5. The discharge of sediment by dewatering activities.
 - 6. The discharge of sediment eroding from soil stockpiles existing for more than 7 days.
 - 7. The discharge of sediment from erosive flows at outlets and in downstream channels.
 - 8. 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 subdivision.
 - 9. The transport by runoff into waters of the state of untreated wash water from vehicle and wheel washing.
 - (b) SEDIMENT PERFORMANCE STANDARDS. In addition to the erosion and sediment control practices under par. (a), the following erosion and sediment control practices shall be employed:
 - 1. BMPs that, by design, discharge no more than 5 tons per acre per year, or to the maximum extent practicable, of the sediment load carried in runoff from initial grading to final stabilization.
 - 2. 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 paragraph. Credit may be given

toward meeting the sediment performance standard of this paragraph for limiting the duration or area, or both, of land disturbing construction activity, or for other appropriate mechanisms.

3. Notwithstanding subd. 1., 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.
- (c) PREVENTIVE MEASURES. The Erosion and Sediment Control Plan shall incorporate all of the following:
1. Maintenance of existing vegetation, especially adjacent to surface waters whenever possible.
 2. Minimization of soil compaction and preservation of topsoil.
 3. Minimization of land disturbing construction activity on slopes of 20 percent or more.
 4. Development of spill prevention and response procedures.
- (d) LOCATION. The BMPs used to comply with this section shall be located so that treatment occurs prior to runoff entering waters of the state.
- (4) IMPLEMENTATION. The BMPs used to comply with this section shall be implemented as follows:
- (a) 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 Sec. 14. 27.1(2).
 - (b) Erosion and sediment control practices shall be maintained until final stabilization.
 - (c) Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site.
 - (d) Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days.
 - (e) BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.

14.28 PERMITTING REQUIREMENTS, PROCEDURES, AND FEES.

- (1) PERMIT REQUIRED. No responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an Erosion and Sediment Control Plan for the site and a permit from the Building Inspector or City Engineer.
- (2) PERMIT APPLICATION AND FEES. At least one responsible party that will undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an Erosion and Sediment Control Plan that meets the requirements of Sec. 14.28.1 and shall pay an application fee as set by the Building Inspector or City Engineer and as shown in the Official Fee Schedule. By submitting an application, the applicant is authorizing the Building Inspector or City Engineer to enter the site to obtain information required for the review of the Erosion and Sediment Control Plan.

- (3) PERMIT APPLICATION REVIEW AND APPROVAL. The Building Inspector or City Engineer 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:
- (a) Within 45 business days of the receipt of a complete permit application, as required by Sub. (2), the Building Inspector or City Engineer shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this ordinance.
 - (b) If the permit application and Erosion and Sediment Control Plan are approved, the Building Inspector or City Engineer shall issue the permit.
 - (c) If the permit application or Erosion and Sediment Control Plan is disapproved, the Building Inspector or City Engineer shall state in writing the reasons for disapproval.
 - (d) The Building Inspector or City Engineer may request additional information from the applicant. If additional information is submitted, the Building Inspector or City Engineer shall have 30 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
 - (e) Failure by the Building Inspector or City Engineer to inform the permit applicant of a decision within 45 business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- (4) SURETY BOND. As a condition of approval and issuance of the permit, the Building Inspector or City Engineer may require the applicant to deposit a surety bond or irrevocable letter of credit to guarantee a good faith execution of the approved Erosion and Sediment Control Plan and any permit conditions.
- (5) PERMIT REQUIREMENTS. All permits shall require the responsible party to:
- (a) Notify the Building Inspector or City Engineer within 48 hours of commencing any land disturbing construction activity.
 - (b) Notify the Building Inspector or City Engineer of completion of any BMPs within 14 days after their installation.
 - (c) Obtain permission in writing from the Building Inspector or City Engineer prior to any modification pursuant to Sec. 14.28.1(3) of the Erosion and Sediment Control Plan.
 - (d) Install all BMPs as identified in the approved Erosion and Sediment Control Plan.
 - (e) Maintain all road drainage systems, storm water drainage systems, BMPs, and other facilities identified in the Erosion and Sediment Control Plan.
 - (f) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in a site inspection log.
 - (g) Inspect the BMPs within 24 hours after each rain of 0.5 inches or more which results in runoff during active construction periods, and at least once each week. Make needed repairs and install additional BMPs as necessary, and document these activities in an inspection 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.
 - (h) Allow the Building Inspector or City Engineer 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 Erosion and Sediment Control Plan at the construction site.

- (6) PERMIT CONDITIONS. Permits issued under this section may include conditions established by Building Inspector or City Engineer in addition to the requirements set forth in Sub. (5), where needed to assure compliance with the performance standards in Sec. 14.27 or 14.27.1.
- (7) PERMIT DURATION. Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Building Inspector or City Engineer may extend the period one or more times for up to an additional 180 days. The Building Inspector or City Engineer may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this ordinance.
- (8) MAINTENANCE. The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this ordinance until the site has undergone final stabilization.

14.28.1 EROSION AND SEDIMENT CONTROL PLAN, STATEMENT, AND AMENDMENTS.

- (1) EROSION AND SEDIMENT CONTROL PLAN STATEMENT. For each construction site identified under Sec. 14.26(1)(c), an Erosion and Sediment Control Plan Statement shall be prepared. This statement shall be submitted to the Building Inspector or City Engineer. The Erosion and Sediment Control Plan Statement shall briefly describe the site, the development schedule, and the BMPs that will be used to meet the requirements of the ordinance. A site map shall also accompany the Erosion and Sediment Control Plan Statement.
- (2) EROSION AND SEDIMENT CONTROL PLAN REQUIREMENTS.
 - (a) Preparation and Submission. An Erosion and Sediment Control Plan shall be prepared and submitted to the Building Inspector or City Engineer.
 - (b) Performance Standards. The Erosion and Sediment Control Plan shall be designed to meet the performance standards in Sec 14.27 or 14.27.1 and other requirements of this ordinance.
 - (c) Pollution. 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:
 - 1. 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.
 - 2. Description of the site and the nature of the construction activity, including representation of the limits of land disturbance on a United States Geological Service 7.5 minute series topographic map.
 - 3. A description of the intended sequence of major land disturbing construction activities for major portions of the construction 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.
 - 4. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by construction activities.
 - 5. Calculations to show compliance with the performance standard of Sec. 14.27.1(3)(b).
 - 6. Existing data describing the surface soil as well as subsoils.

7. Depth to groundwater, as indicated by Natural Resources Conservation Service soil information where available.
 8. Name of the immediate named receiving water from the United States Geological Service 7.5 minute series topographic maps.
- (d) Site Map. The Erosion and Sediment Control Plan shall include a site map. This 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.
1. 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 flood plains, flood fringes, and floodways shall also be shown.
 2. Boundaries of the construction site.
 3. Drainage patterns and approximate slopes anticipated after major grading activities.
 4. Areas of soil disturbance.
 5. Location of major structural and non-structural controls identified in the Erosion Control and Sediment Plan.
 6. Location of areas where stabilization BMPs will be employed.
 7. Areas that will be vegetated following land disturbing construction activities.
 8. Area(s) and location of wetland on the construction site, and locations where storm water is discharged to a surface water or wetland within one-quarter mile downstream of the construction site.
 9. Area(s) use for infiltration of post-construction storm water runoff.
 10. An alphanumeric or equivalent grid overlying the entire construction site map.
- (e) Controls and Measures. Each Erosion and Sediment Control Plan shall include a description of appropriate controls and measures that will be installed and maintained at the construction site to prevent pollutants from reaching waters of the state. The Erosion and Sediment Control Plan shall clearly describe the appropriate erosion and sediment control BMPs for each major land disturbing construction activity and the timing during the period of land disturbing construction activity that the Erosion and Sediment Control BMPs will be implemented. The description of erosion and sediment control BMPs shall include, when appropriate, the following minimum requirements:
1. Description of interim and permanent stabilization practices, including a BMP implementation schedule. The Erosion and Sediment Control Plan shall ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.
 2. 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 Building Inspector or City Engineer, structural measures shall be installed on upland soils.
 3. Management of overland flow at all areas of the construction site, unless otherwise controlled by outfall controls.
 4. Trapping of sediment in channelized flow.

5. Staging land disturbing construction activities to limit exposed soil areas subject to erosion.
 6. Protection of downslope drainage inlets where they occur.
 7. Minimization of tracking at all vehicle and equipment entry and exit locations on the construction site.
 8. Clean up of off-site sediment deposits.
 9. Proper disposal of building and waste materials.
 10. Stabilization of drainage ways.
 11. Installation of permanent stabilization practices as soon as possible after final grading.
 12. Minimization of dust to the maximum extent practicable.
- (f) Velocity Dissipation Devices. 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 non-erosive flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected.
- (3) **EROSION AND SEDIMENT CONTROL PLAN AMENDMENTS**. The applicant shall amend the Erosion and Sediment Control Plan if any of the following occur:
- (a) 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 Erosion and Sediment Control Plan.
 - (b) The actions required by the Erosion and Sediment Control Plan fail to reduce the impacts of pollutants carried by construction site runoff.
 - (c) The Building Inspector or City Engineer notifies the applicant of changes needed in the Erosion and Sediment Control Plan.

14.28.2 FEE SCHEDULE. The fees referred to in other sections of this ordinance shall be **adopted by the City of Baraboo Common Council** and may from time to time be modified by resolution. A schedule of the fees shall be available for review in City Hall.

14.29 INSPECTION. If land disturbing construction activities are occurring without a permit required by this ordinance, the Building Inspector or City Engineer may enter the land pursuant to the provisions of §§66.0119(1), (2), and (3), Wis. Stats.

14.30 ENFORCEMENT.

- (1) The Building Inspector or City Engineer may post a stop work order if any of the following occurs:
 - (a) Land disturbing construction activity regulated under this ordinance is occurring without a permit.
 - (b) The Erosion and Sediment Control Plan is not being implemented in a good faith.
 - (c) The conditions of the permit are not being met.
- (2) 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 Building Inspector or City Engineer may revoke the permit.

- (3) If the responsible party, where no permit has been issued or the permit has been revoked, does not cease the activity after being notified by the Building Inspector or City Engineer, or if a responsible party violates a stop work order posted under Sub. (1), the Building Inspector or City Engineer may request the City Attorney to obtain a cease and desist order in any court with jurisdiction.
- (4) The Building Inspector or City Engineer may retract the stop work order issued under Sub. (1) or the permit revocation under Sub. (2).
- (5) After posting a stop work order under Sub. (1), the Building Inspector may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Building Inspector or City Engineer 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 or at the direction of the Building Inspector or City Engineer, plus interest at the rate authorized by the Building Inspector or City Engineer 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.
- (6) Any person violating any of the provisions of this ordinance shall be subject to a penalty as provided in §25.04 of this code and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.
- (7) Compliance with the provisions of this ordinance 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.

14.31 APPEALS.

- (1) **BOARD OF ZONING APPEALS.** The board of zoning appeals created pursuant to Sec. 1.17 of the city's ordinance pursuant to §62.23(7)(e), Wis. Stats.:
 - (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Building Inspector or City Engineer in administering this ordinance except for cease and desist orders obtained under Sec. 14.30(3).
 - (b) Upon appeal, may authorize variances from the provisions of this ordinance which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and
 - (c) Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) **WHO MAY APPEAL.** Appeals to the Board of Zoning Appeals may be taken by any aggrieved person or by any office, department, board, or bureau of the City of Baraboo affected by any decision of the Building Inspector or City Engineer.

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

14.33 EFFECTIVE DATE. This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Common Council of the City of Baraboo on the 25th day of August, 2015.

NBO – 2

The City of Baraboo, Wisconsin

Background: Diana Lee, managing member of March Hare, LLC, filed an application for a planned unit development in order to convert the property located at 219 1st Street into mixed use commercial property. Her plan is to include a bakery, collectible store, and climate controlled storage inside the present building. This request is appropriate as a PUD, as the present B-1 zoning classification does not allow for storage as a permitted or conditional use.

The PUD application came on for review before the Plan Commission at its July 21, 2015, meeting, and was unanimously recommended for approval to the Council.

This PUD, if approved, will grant permission to March Hare, LLC, to operate a mixed use commercial building, to include a bakery, collectible store, and climate controlled storage at the property.

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted **Comments:**

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DOES ORDAIN AS FOLLOWS:

- 1. Section 17.18(4)(d), Code of Ordinances, is amended as follows:

17.18 ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF ZONING DISTRICT MAP

- (4) DISTRICT BOUNDARIES AND MAP AMENDMENTS.

(d) Planned Unit Developments. The following Planned Unit Developments are approved and incorporated into the zoning map: 2015-01.

- 2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2015-01.
- 3. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor’s Approval: _____

Clerk’s Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the ___ day of August, 2015, and is recorded on page ___ of volume ____

City Clerk: _____

**GENERAL DEVELOPMENT PLAN / SPECIFIC IMPLEMENTATION PLAN
FOR 219 1ST STREETCITY OF BARABOO, SAUK COUNTY, WISCONSIN,
TO BE ZONED AS A PLANNED UNIT DEVELOPMENT**

Diana Lee, member of March Hare, LLC, has requested that the property at 219 1st Street be rezoned as a Planned Unit Development (PUD) under the City of Baraboo's Zoning Code upon the following General Development Plan submitted for approval pursuant to §17.36B(7), of the Baraboo Code of Ordinances:

1. The real property involved in this General Development Plan (GDP) consists of that property located at 219 1st Street (Tax Parcel 206 1646-00000), in the City of Baraboo, Sauk County, Wisconsin. There is a pre-existing structure on the property that is presently not in use. The property was formerly used as the offices of the Baraboo News Republic.
2. The property is presently zoned B-1 Central Business Zoning District. The specific intention of the petitioner is to use the existing structure on the property as a bakery, a collectible store, and for indoor climate controlled storage.
3. The property is specifically approved for use as a bakery, a collectible store, and for indoor climate controlled storage. The use of the property shall not be changed from such use without the modification of this GDP with the approval of the City's Common Council. Modification of use to provide for the exclusive use of the property as storage shall constitute a change of use which must be reviewed and approved by the Plan Commission.
4. This GDP is also accepted as the Specific Implementation Plan (SIP) for the property.
5. Signs upon the property shall be allowed pursuant to the Baraboo Sign Ordinance, §17.80, Code of Ordinances.
6. The terms of the GDP / SIP shall be covenants running with the land, and applicable not only to the petitioner, but to any and all subsequent owners as well.

Minutes of the Public Safety Committee Meeting – May 26, 2015

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Administrator Geick, Mayor Palm, Chief Schauf, Chief Stieve, Engineer Pinion, Bob Koss, Wade Peterson, Ben Bromely, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at the City Service Building, 450 Roundhouse Court, Baraboo, Wisconsin. Compliance with the Open Meeting Law was noted. It was moved by Kolb, seconded by Plautz to approve the agenda as posted and by voice vote, the motion carried. It was moved by Kolb, seconded by Plautz to approve the minutes of the April 27, 2015 meeting. By voice vote the motion carried.

New Business

- a. Discuss prospective new sidewalk project(s) for 2015 since School District is installing new sidewalk that was planned along the north side of 9th Avenue. (Prospective candidates include Park Street between 7th & 8th, Mound Street from Council to Water, Elizabeth Street from Rivercrest to Water) – Wedekind asked how much money was available and how far would that go. Pinion said that \$12,500 is available and that should do approximately 500 feet. He stated the original plan was on 9th Avenue and Draper, from the edge of parking lot to Berkley Blvd; however, the School District has included this in their referendum projects. Plautz asked if all three could be done and Pinion said that only two would be able to be done. Wedekind and Kolb said that Park Street needs to be done. Plautz would like to see Elizabeth to Water be done. Pinion said that would be approximately 250 feet. This would be done as an assessment project and would require a little bit of retaining wall. Pinion. Pinion said that he would get the numbers for the next meeting. Kolb Moved, Plautz seconded to do as many of the three sidewalk projects as can be done; however, if they all cannot be done, then Elizabeth, from Rivercrest to Water and 8th and Park Street should be done. Motion carried unanimously.
- b. Review reconstruction project plan for Washington Avenue and consider installation of sidewalk on the west side of Washington between College and 2nd – Pinion said that this is the project that is budgeted. He said that sidewalks were not anticipated. He said that the individual that lives on top of the hill on Washington has called and indicated that she has an interest in seeing sidewalks on Washington. He said the east side of the road precludes sidewalk installation. He said the policy states that if the cost is going to exceed three times the cost of the sidewalk, it has to be thought long and hard about. Pinion said installing sidewalks on the east side would need very high retaining walls and would be very expensive to install. Peterson said that the wall would sit right on top of the water main. Pinion said that on the west side of the road would be easy at 2nd Street by Mrs. Ziegler's, as it goes of the hill it still wouldn't be too bad, but south of that there is a steep wall that is right on top of anything and would be an expensive proposition to get sidewalk to go down the snake hill to Water Street. He went on to say adding sidewalks to the south side of 2nd Street can be done; however, it would be a costly project. He felt that installing sidewalk from 2nd to the house on top of the hill on Washington wouldn't accomplish much without providing connectivity, and it would be a very expensive venture. Kolb feels that installing sidewalks down to Water Street should be looked at, at some point. Plautz asked how expensive this would be, and Pinion said that it would be approximately \$200,000 in just wall costs. It was moved by Wedekind, seconded by Plautz to not install sidewalks on Washington at this time. Motion carried two to one, Kolb voting no.
- c. Discussion and possible action on designating honorary names for portions of existing municipal streets – Pinion said that a request came up from Flambeau looking to try and commemorate their business and legacy in town. He said that he has not found anything in the ordinances or policies that relates to naming streets or honorary names. Wedekind felt to change the name of a street would change home addresses, etc. Pinion said that a street name could be changed completely, or it could be designated with an honorary name that wouldn't affect the addresses, somewhat like Ringling Blvd. It was moved by Kolb, seconded by Plautz to table this issue until a later date. Motion carried unanimously.
- d. Review and approve siting the Fire Department's live-fire training props on City-owned property on the east side of Briar Street, south of former DPW garage – Chief Stieve that there are 102 properties that are affected; however only four property owners were in attendance at the informational meeting held last Monday evening. He is looking for a recommendation to leave the proposed live training prop site where it is for one year for evaluation purposes. Kolb said that there was more concern shown for the incinerator than the fire department training. Stieve said that it would be October before the department would begin. Kolb asked Stieve if he would have a problem with there being a sunset clause on this. Stieve said that that this would be his recommendation, that the current siting, based on any input or complaints from surrounding residents be reviewed after one year of it being constructed and operation begins. Kolb moved to approve the siting for live-fire training props and have it reviewed one year from the date begins. Plautz seconded the motion. Motion carried unanimously.
- e. Review and recommendation regarding final paving for Briar Street Asphalt Path – Pinion said that this was something talked about last year, but never constructed. The path comes down Effinger, down Manchester to the dog park. He said the Park Department looked at getting some grant money to provide some connectivity from the dog park to the intersection. He said that the short stretch at the end is a very steep one and would require the installation of a railing on one side. Pinion said that there would be other alternatives to get from Point A to Point B, but he did talk to the Mike Hardy and the Committee did recognize that the path would have a slope to it and were not that concerned about it. Kolb suggested. Kolb feels that the path coming through the yard and the extreme slope is a terrible idea and the paving and railing should not be done. Kolb moved to table this item until which time discussions with Park and Recreation Department takes place. Plautz seconded the motion. Motion carried unanimously.
- f. Review operation of Air Curtain Destructor and neighbor's concerns about smoke and ash – Pinion said that there has been casual talk since it has been sited here regarding relocating this to perhaps the old landfill site or the Jackson farm and that could be possible because it is mobile. Koss said that the only alternative to burning is chipping. He said that in the past the City didn't generate enough from chipping to make it viable to go to the different power plants with the chips; however, what we are getting in now there is a possibility that the City could look at that and get rid of the burner. Koss then said that if you move it out to the old landfill, the smoke will be open to the Town residents. Also, would it be open to the public for all hours or put a man out there for certain hours. He said if it is placed in the outlying area there will be garbage dumped. Pinion said that it is a viable piece of equipment; the City burns most of their brush. Pinion said that there is a clay caps on

both cells that were active at the old landfill. It was stated that the wooded area is not capped. Koss said that if this site were used the entire road would have to be fenced in to keep it channelized to this area. It was stated that if the burner were moved, there would be more brush to be collected at the curb; citizens wouldn't be hauling it themselves. Kolb asked if there will be a market for the stringy mulch that we have now. Koss stated that he would have an answer for that at the next meeting. It was moved by Kolb, seconded by Plautz to leave the burner the way it is at this time. Motion carried unanimously. Koss stated that the compost is turned once every two weeks in the summer time to keep the action going to hold the smell down.

- g. Review and Approval monthly Billing Adjustments/Credits for Sewer and Water Customers – Peterson stated that a new style report has been generated so for each credit the Committee will be able to tell what transpired. It was moved by Kolb, seconded by Plautz, to approve the monthly billing adjustments/credits for sewer and water customers as presented. Motion carried unanimously.
- h. Review and Approval to file Body Worn Camera Grant Application for the Police Department – Chief Schauf said that there has been a push recently for officers to wear body worn camera. He said that he has had some officers wearing body worn cameras for approximately five years. He said that the department has small, concealable style cameras that are clipped to the front of the officer's shirts. He said that these cameras were relatively inexpensive at the time purchased and they have already exceeded their life expectancy; therefore, they are looking at technology as it changes. He said that as part of a grant he is looking at upgrading the body worn camera system to be similar to the in-car camera system. He said that every one of the marked police cars have a full video camera with a microphone attached to it inside the car, the problem is, is that is mounted to car and doesn't move. He said the system that he is looking at getting hooks into the arbitrator system, with the benefit being that the department has the same backend software so it is all digital and all the evidence is stored in the same way. He said that camera that he was using before were \$85.00/each; however, the new system will cost \$900/each. He said that the department is looking at getting about \$21,000 in grant monies to cover, and then there would be approximately \$25,000 in City expenses. He said that some is already pre-planned expense. He said that this would not change the 2016 budget a lot to get the system. He said that he is applying for \$21,000 for the grant, which would purchase 23 cameras, and then as part of the match they would cover the training and purchase the new camera for the squad next year. It was moved by Kolb, seconded by Plautz to approve the application for the Body-Worn Camera grant. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said that the Mine Street project was scheduled to start the end of June; they showed up last week, so that work has started. He said that the bottom color of the tank was changed to an evergreen, instead of blue. He said that a televising crew in televising some sanitary lines. Sanitary manhole rehab projects will be started tomorrow. He said that he has contracted out 18 manholes to have some type of work to them, and Bob's crew will have approximately ten that will have some minor work to the top. He said on the water side, Well #4, which is over by East School was in their Capital Plan to take down and rehab in 2017; however, 1-1/2 weeks ago it snapped the shaft off the pipe and it is out of service. He said with the tower project going on, there will be a little bit of communication issues with Wells 2 & 7; therefore, the soon Well #4 is back on line if better. It was estimated that Well #4 will be back in operation the third week in June. He said Water and Sewer crews are busy with valves and hydrant flushing. Sewer Sanitary crews have all the spring bio-solids spread and are presently working on cleaning sewer lines.
- b. Street Superintendent's Report – Pinion said that South Blvd. is done. Kolb asked the chances of painting a designated bike lane. Pinion said that typically that is done when it is an exclusive bike lane, but when it is shared with other vehicles, it tends to send the wrong message and is not recommended. He said that there is a possibility that some signage showing that is a shared use could be done. The Mayor asked for extra paint on the two crosswalks by the round-a-bout. Pinion said that he could have some options and pictures at the next meeting. Pinion said there has been some truck traffic that has been using Elm and Maxwell, instead of Mulberry, or Walnut and Water. He said that that is did notify both the industries, both Razor Composites and Hammond Power. Wedekind directed Pinion to try a persuade them; otherwise put the item on next month's agenda. Pinion said he attends the by-pass weekly progress meetings and that seems to be moving along. He then said that he applied for a couple of TIGER grants for South Blvd. in 2011 and 2012 and now there is another round of TIGER grants; therefore, with the Committee's blessing he would like to submit an application for 8th Street. Koss said that on June 5th, Rollie Moffit will be retiring, which will create an opening in the Street Department and hope to have someone on board shortly after Moffit's retirement.
- c. Police Chief's Report – Schauf said that the Department is short bodies; however, are actively involved in backgrounds of multiple people at this time. He said this is a busy time of year for the Department with all the special events coming up. They are still actively working with the planning of the Big Top Parade.
- d. Fire Chief's Report – Chief Stieve said that the department has reassigned some duties and he has updated some position descriptions. He said that he took them to the PFC last week and he can distribute them to the Committee next month to look at. He said that they have more stringent educational requirements. He said the responsibilities have been shifted and one of the other radical changes that he is working on is that since he has been chief for almost 15 years it has always been questioned why so many people are on the calls. He is looking running some type of shifts on nights. He said there are four companies where that could be divided up; there would be a maximum of 11 people on the shift. He said that would save some money for the professional development that has to be done as far as training; however, this is still in the infancy stage.

ADJOURNMENT – Kolb moved, Plautz seconded to adjourn the meeting at 2:35 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman

Baraboo Public Arts Ad-Hoc Committee Meeting

Thursday, July 23, 2015, 8:00AM

Members Attending: B. Stelling, R. Robkin

Members Absent: Mark Tully

Others Attending: Mayor Mike Palm, City Administrator Ed Geick, Morgan McArthur, Bernie & Susan Poff, Gene Robkin, Mary Hultman

Call to Order: 8:00AM

Agenda: Moved by R. Robkin, seconded by Stelling, and unanimously carried to approve the agenda as published.

Minutes: No action taken.

New Business:

Possible Board Members:

Jennifer Fox Joe Colossa **Larry McCoy**

Morgan McArthur Arlene Began **Mayor Palm**

Moved by Stelling, seconded by R. Robkin, and unanimously carried to appoint new Board Members.

New Board Members Appointed:

- Moved by Palm, seconded by McArthur, and unanimously carried to elect Bekah Stelling as chair.
- Moved by Stelling, seconded by R. Robkin, and unanimously carried to elect Ed Geick as treasurer.

Mural:

Mayor Palm explained mural details and talks with Century Link. The mural contract will be run thru BID. Ed will talk with Lori Laux about account.

Moved by Stelling, seconded by Palm, and unanimously carried to approve letter and partnership with BID.

- Bekah Stelling will contact Andy at Baraboo Tent & Awning regarding aluminum frame.

Moved by R. Robkin, seconded by Stelling, and unanimously to award contract to Bernie Poff and not to exceed \$25,000 without board approval.

- Start date for mural is August 7, 2015.
- Summerset at Al Ringling Mansion is August 22.
- Circus World – September (date to be set later)
- Mayor Palm will talk to Scott for September date.

- Bekah Stelling will talk with Loren Love and Baraboo Tent & Awning
- Maggie Poff, Bernie's daughter will help manage the mural project.
- Morgan McArthur will check with Tim Stieve regarding posts for mural.
- Bekah Stelling will call Buddy Huffaker about donation and event involving Aldo Leopold Foundation.
- Mayor Palm will call Kurt about changing bank account.
- Discussion of using first event for sign painting demonstration. Get local merchant support. Use as a fundraiser.
- Do Welcome to Baraboo sign at first event along with a second sign. (1.5 hours/sign)

Mural Subcommittee: Bekah Stelling, Morgan McArthur and Mayor Palm. Moved by Stelling, seconded by McArthur, and carried unanimously to appoint subcommittee members.

Next regular meeting will be held on Thursday, August 27, 2015

Adjourn: 9:17AM.

Members Present: Petty, Sloan and Thurow

Absent: none

Others Present: M. Palm, C. Giese, E. Geick, and others

Call to Order –Ald. Petty called the meeting to order at 6:30 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of July 14, 2015. Motion carried unanimously.

Accounts Payable – Moved by Thurow, seconded by Sloan to recommend Council approval of the accounts payable for \$631,372.04. Motion carried unanimously.

CDA Trust Fund Loan – Pat Cannon discussed bids that \$139,900 for painting at Donahue Terrace. They would like to fund the project with a mortgage revenue loan from the State Trust fund. The exposure to the City is if the CDA would fail to make their payments, the State would intercept Shared Revenues. The City is the applicant and the loan is passed through to the CDA. The term is 5 years and payments would be \$35,000 per year with no prepayment penalty. Moved by Sloan, seconded by Thurow and carried unanimously to recommend to Council for action.

Committee Comments: None.

Adjournment – Moved by Thurow, seconded by Sloan and carried to adjourn. Motion carried, meeting adjourned at 6:43 p.m.

Cheryl Giese, Clerk-Finance Director

Baraboo Economic Development Commission
Meeting Minutes
July 9, 2015

I. Call to Meeting to Order and Note Compliance with Open Meeting Law

Chairperson Greg Wise called the meeting to order at 6:00 PM in dining room of the Driftless Glen Restaurant, 300 Water St., Baraboo, WI. The meeting was properly noticed in compliance with Wisconsin State Statutes.

II. Roll Call & Approve Agenda

Present: Wise, Burgi, Umhoefer, Bowers, Palm, Stauffacher, Taylor

Absent: Alt, Ayar

Other: Ed Geick, Carolyn Wastlund, Meg Allen, Patrick Cannon

III. Approve Minutes

Motion to approve the minutes as presented for June 4, 2015

Umhoefer (1); Taylor (2)

Aye: All via voice vote

Nay: None

IV. Public Comment

None

**V. Presentation and Discussion: Economic Development Partners
Brian & Renee Bemis - Owners Driftless Glen Restaurant**

Mr. & Mrs. Bemis gave an over view of their operation. The restaurant has been open for several months and the distillery has begun production. They discussed their goal of making the restaurant a destination for people to travel to for both a tour and food. They briefly outlined their marketing plan for reaching this goal.

They indicated that they would like to see some additional “clean-up” of businesses in the area. They felt this would help to attract additional business in this area.

They also indicated that they would like to see the detention pond relocated so that more people could enjoy the outdoor dining experience by the river.

VI. Old Business

A. Update on Development Activities

City Administrator Ed Geick gave an update on the following items:

- a. Mr. Deppe is looking at a possible relocation of some of his businesses along South Blvd.
- b. The State Department of Revenue has shared an opinion that Wine Walks are not legal. Downtown Business leaders have begun action to help convince the State to again allow these types of events.
- c. The former hotel located on Water St. will be presenting before the Plan Commission their concept to renovate the apartments inside the building.

B. Update on the Plan Commission and Council

Mayor Palm indicated that the 2016 Budget timetable has been provided to the Elected Officials and staff. The projected date of passage is the last council meeting in November.

C. Updates from economic development partners and collaborators

Ms. Wastlund indicated that the CDA has awarded a contract for the exterior work to be completed at Donahue Terrace. In addition, the CDA has awarded several bids to complete the work to renovate a single family home at 620 Second Ave.

VII. New Business

A. Update on Economic Development Plan:

Chairperson Wise gave an update on the progress of the draft plan. Along with the Mayor and city staff, he has been working on revisions to the plan document. The plan includes three areas of action. The plan outlines how these areas will be addressed.

Mayor Palm indicated that most likely the City will no longer be a member of SCDC. Several other communities in Sauk County have already indicated that they will no longer be an active member.

B. Update on Partner Presentation Schedule

UW-Baraboo/Sauk County campus Dean Dr. Tracy White has agreed to be our speaker for the August meeting. The meeting will be held at Campus. Aural Umhoefer will be securing a room for the meeting.

Mayor Palm requested that the SCORE program be added as a speaker in November.

Commissioner and City Staff comments

Mayor Palm indicated that Sandy Anderson had been formally recognized by the City Council for her efforts on BEDC for the past years.

VIII. Adjournment

A motion was made to adjourn the meeting at 7:45 PM.

Stauffacher (1); Taylor (2)

Aye: All via voice vote

Nay: None

Greg Wise
Chairperson

Patrick Cannon
Recorder

Baraboo Economic Development Corporation
Speaker/Presenters Schedule

| <u>Month</u> | <u>Topic</u> | <u>Presenter</u> | <u>BEDC Member</u> |
|--------------|---|------------------|--------------------|
| August | University of Wisconsin Baraboo- Sauk County | Dr. Tracy White | Aural Umhoefer |
| September | Why Baraboo? | Nick Dornaski | Musa Ayar |
| October | | | |
| November | SCORE | John Wiese | Mayor Palm |