

ADMINISTRATIVE COMMITTEE AGENDA

Date and Time: Monday, October 3, 2016, noon
Location: City Council Chambers, 135 4th Street, Baraboo, WI 53913
Full Paper Notices to Members: Aids. Dennis Thurow, John Ellington, John Alt
Full Paper Notices to Others: Mayor Palm
Paper Notice w/o Closed: Library for Posting
Notice by E-Mail: Administrative Committee e-mail group, Citizen Council/Committee group e-mail, Media-Committee e-mail group, Media Airport meetings e-mail group, Airport e-mail group
Notice by Fax: Media-Committee Fax Group
Notice by Outlook Meeting: Adm. Geick, Chief Schauf, Atty. Kleczek Bolin
Citizens notices: none

1. Call to Order.
2. A. Compliance with Open Meeting Law. B. Approve minutes of September 12, 2016.
3. Approve agenda.
4. Report on Airport Operations.
 - a. Monthly Report.
5. Consider amending 9.23 POSSESSION OF DRUG PARAPHERNALIA PROHIBITED.
6. Member Comments.
7. Date and time of next meeting: November 7, 2016, noon.
8. Adjournment.

Dennis Thurow, Chairman

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

Agenda prepared by Cheryl Giese, 355-2700

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 Baraboo City Clerk at 135 4th Street 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 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 committee, commission or board identified in the caption of this notice.**

Administrative Committee

September 12, 2016

Present: Thurow, Ellington, Alt

Absent: none

Also Present: Mayor Palm, Clerk Giese, Adm. Geick, Atty Kleczek Bolin

The meeting was called to order by Ald. Thurow at noon, noting compliance with the Open Meetings law.

Moved by Ellington and seconded by Alt and carried to approve the minutes of August 23, 2016. Motion by Alt, seconded by Ellington to approve the agenda and carried unanimously.

Airport Operations: Giese reviewed monthly airport activities including meeting with the County who has agreed to fund \$4100 again for airport operations in 2017. The committee also noted that an Owner's meeting is scheduled for Thursday this week and the Mayor will cast the vote for the City concerning the runway reconstruction and/or possible widening. No action taken.

Ordinance 9.06(3), Loud and Unnecessary Noise Prohibited – Alene explained the changes in the noise ordinance exempting the City Public Works and Utilities from the restricted hours. Moved by Ellington, seconded by Alt and carried unanimously to recommend to Council.

The next meeting will be Monday, October 3, 2016 at noon.

Moved by Ellington, seconded by Alt and carried to adjourn.

Cheryl M. Giese
Clerk-Finance Director

REVENUE/EXPENDITURE REPORT

City of Baraboo

For the Period: 1/1/2016 to 9/30/2016	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 630 - Airport							
1000276							
Revenues							
Dept: 35.00000 Airport							
46330.000 Gas Sales	5,700.00	5,700.00	3,869.32	0.00	0.00	1,830.68	67.9
46340.000 Landing Fee	5,000.00	5,000.00	352.08	0.00	0.00	4,647.92	7.0
47300.000 Appropriations	4,100.00	4,100.00	4,100.00	0.00	0.00	0.00	100.0
47300.100 Appropriations- City	55,000.00	55,000.00	47,500.00	0.00	0.00	7,500.00	86.4
48110.000 Interest on Investments	450.00	450.00	432.85	0.00	0.00	17.15	96.2
48210.000 Rents and Leases	17,488.00	17,488.00	13,173.40	857.34	0.00	4,314.60	75.3
48211.000 Ag Land Rental	10,846.00	10,846.00	6,600.00	0.00	0.00	4,246.00	60.9
48212.000 Hangar Lot Lease	19,475.00	19,475.00	19,535.69	0.00	0.00	-60.69	100.3
48990.000 Miscellaneous Income	200.00	200.00	75.54	1.00	0.00	124.46	37.8
49300.000 Fund Balance Applied	19,888.00	19,888.00	0.00	0.00	0.00	19,888.00	0.0
Airport	138,147.00	138,147.00	95,638.88	858.34	0.00	42,508.12	69.2
Revenues	138,147.00	138,147.00	95,638.88	858.34	0.00	42,508.12	69.2
Expenditures							
Dept: 35.53510 Airport							
00120.000 Wages	10,571.75	10,571.75	5,061.32	167.79	0.00	5,510.43	47.9
00130.000 Social Security	808.74	808.74	361.66	11.66	0.00	447.08	44.7
00131.000 Retirement	893.31	893.31	404.87	13.42	0.00	488.44	45.3
00132.000 Health Insurance	2,960.09	2,960.09	1,210.18	48.25	0.00	1,749.91	40.9
00133.000 Life Insurance	10.00	10.00	2.04	0.00	0.00	7.96	20.4
00134.000 Income Continuation	25.00	25.00	0.00	0.00	0.00	25.00	0.0
00200.000 Contracted Services	40,420.00	40,420.00	30,314.97	3,368.33	0.00	10,105.03	75.0
00210.000 Publishing	0.00	0.00	63.58	0.00	0.00	-63.58	0.0
00215.000 Professional Services	10,000.00	10,000.00	0.00	0.00	0.00	10,000.00	0.0
00220.000 Telephone	666.00	666.00	482.38	82.98	0.00	183.62	72.4
00222.000 Electricity	6,813.00	6,813.00	4,687.42	541.35	0.00	2,125.58	68.8
00223.000 Heat	1,298.00	1,298.00	464.64	12.75	0.00	833.36	35.8
00250.000 Repair & Maint Serv-Equipment	9,500.00	9,500.00	4,229.01	0.00	0.00	5,270.99	44.5
00251.000 Fuel Station Maintenance	1,400.00	1,400.00	2,517.88	2,063.38	0.00	-1,117.88	179.8
00260.000 Repair & Maint Serv-Buildings	3,500.00	3,500.00	2,428.65	0.00	0.00	1,071.35	69.4
00270.000 Special Services	2,200.00	2,200.00	2,000.00	0.00	0.00	200.00	90.9
00273.000 DOT Maintenance Agreement	265.00	265.00	0.00	0.00	0.00	265.00	0.0
00280.000 Repair & Maint Serv-Facilities	2,800.00	2,800.00	22.07	0.00	0.00	2,777.93	0.8
00282.000 Lighting Repairs	1,100.00	1,100.00	1,449.59	351.68	0.00	-349.59	131.8
00283.000 Runway & Taxi Repairs	17,000.00	17,000.00	0.00	0.00	0.00	17,000.00	0.0
00310.000 Office Supplies	50.00	50.00	24.91	0.00	0.00	25.09	49.8
00320.000 Publications, Training, Dues	215.00	215.00	240.00	140.00	0.00	-25.00	111.6
00330.000 Travel	30.00	30.00	0.00	0.00	0.00	30.00	0.0
00340.000 Operating Supplies	200.00	200.00	448.56	0.00	0.00	-248.56	224.3
00348.000 Gas, Diesel, Oil, Grease	4,500.00	4,500.00	1,675.27	317.42	0.00	2,824.73	37.2
00350.000 Repair & Maint Materials	1,500.00	1,500.00	2,098.87	65.97	0.00	-598.87	139.9
00360.000 Repair & Maint - Buildings	1,800.00	1,800.00	381.00	0.00	0.00	1,419.00	21.2
00390.000 Other Supplies & Expense	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00	0.0
00392.000 Small Equipment Purchase	500.00	500.00	500.00	0.00	0.00	0.00	100.0
00510.000 Insurance	7,121.00	7,121.00	6,472.27	0.00	0.00	648.73	90.9
00891.000 Equipment Replacement	7,500.00	7,500.00	0.00	0.00	0.00	7,500.00	0.0
Airport	138,146.89	138,146.89	67,541.14	7,184.98	0.00	70,605.75	48.9
Expenditures	138,146.89	138,146.89	67,541.14	7,184.98	0.00	70,605.75	48.9
Grand Total Net Effect	0.11	0.11	28,097.74	-6,326.64	0.00	-28,097.63	

9.23 POSSESSION OF DRUG PARAPHERNALIA PROHIBITED. (1798 03/28/95)

(1) DEFINITIONS.

(a) The definition of "Drug paraphernalia" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, selling, distributing, delivering, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance or a controlled substance analog, as defined in Wis.Stat. § 961.01, in violation of this chapter. It includes but is not limited to:

1. Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.

2. Kits used, intended for use or designed for use in manufacturing, selling, distributing, delivering, compounding, converting, producing, processing or preparing controlled substances.

3. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.

4. Testing equipment used, intended for use or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.

5. Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances.

6. Diluents and adulterants, such as quine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances.

7. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from or in otherwise cleaning or refining marijuana.

8. Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in packaging small quantities of controlled substances.

9. Capsules, balloons, envelopes or other containers used, intended for use or designed for use in packaging small quantities of controlled substances.

10. Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.

11. Hypodermic syringes needles or other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.

12. Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, including but not limited to:

13. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes, with or without screens, permanent screens, hashish heads or punctured metal bowls.

14. Water pipes.

15. Carburetion tubes and devices.

16. Smoking and carburetion masks.
17. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.
18. Miniature cocaine spoons and cocaine vials.
19. Chamber pipes.
20. Carburetor pipes.
21. Electric pipes.
22. Air-driven pipes.
23. Chillums.
24. Bongs.
25. Ice pipes or chillers.

stated in §961.571, Wis. Stats., is hereby adopted by reference.

(b) ~~The definition of "controlled substance" as stated in Chapter 961 of the Wisconsin Statutes, is hereby adopted by reference.~~

(2) POSSESSION OF DRUG PARAPHERNALIA PROHIBITED. No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance. Possession of drug paraphernalia shall give rise to a rebuttable presumption of prohibited use.

(3) DETERMINATION OF DRUG PARAPHERNALIA. In determining whether an object is drug paraphernalia, the following shall be considered, without limitation of other considerations a court shall deem relevant:

- (a) Statements by an owner or by anyone in control of the object concerning its use.
- (b) Prior convictions, if any, of an owner or of anyone in control of the object under any village, municipal, state or federal law relating to any controlled substances.
- (c) The proximity of the object in time and space to a direct violation of this chapter.
- (d) The proximity of the object to controlled substances.
- (e) The existence of any residue of controlled substance on the object.
- (f) Direct or circumstantial evidence of the intent of an owner or of anyone in control of the object to deliver it to persons whom the person knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter. The innocence of the owner or of anyone in control of the object as to a direct violation of this chapter shall not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.
- (g) Oral or written instructions provided with the object concerning its use.
- (h) Descriptive materials accompanying the object which explain or depict its use.
- (i) National and local advertising concerning its use.

- (j) The manner in which the object is displayed for sale.
- (k) Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.
- (l) Direct or circumstantial evidence of the ratio of sales of the object to the total sale of the business enterprise.
- (m) The existence and scope of legitimate uses for the object in the community.
- (n) Expert testimony concerning its use.

(4) OTHER PROHIBITED ACTIVITY.

(a) MANUFACTURE, SALE OR DELIVERY OF DRUG PARAPHERNALIA. No person may sell, deliver, possess with intent to deliver or manufacture with intent to deliver drug paraphernalia knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this chapter.

(b) DELIVERY OF DRUG PARAPHERNALIA TO A MINOR. Any adult, as defined in Wis. Stat. § 938.02(1), who violates Subsection C(2) by delivering drug paraphernalia to a person 17 years of age or under shall be subject to the maximum penalty authorized hereunder.

(c) ADVERTISEMENT OF DRUG PARAPHERNALIA. No person may place in any newspaper, magazine, handbill or other publication or upon any outdoor billboard or sign any advertisement knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

(5) EXEMPTION. This section does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with that permitted under the provisions of Wis. Stat. ch. 961. This section does not prohibit the possession, manufacture or use of hypodermics in accordance with that permitted under Wis. Stat. ch. 961.