

Minutes of the Public Safety Committee Meeting – July 25, 2016

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Wade Peterson, Chief Stieve, Mike Palm, Ed Geick, Attorney Alene Kleczek Bolin, Bob Koss, Mike Hardy, Greg Slayton, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at the City Services Center, 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 June 27, 2016 minutes. By voice vote the motion carried.

New Business

- a. Review and recommendation to close Oak Street, between 2nd and 3rd Streets, for a Special Event – “Foo Fest”, on September 10th from Noon to Midnight, sponsored by Brothers on Oak (as a fundraiser for the Baraboo Fire Fighters’ Association) – Pinion said that this month, the petitioner, Greg Slayton is present to answer any questions from the Committee. Greg Slayton then addressed the Committee. He said that this event was not held the same weekend as the Circus Parade due to the scheduling of the band that they are hiring, Madison County, a Country Band is a big following in South Central Wisconsin. He said that he is anticipating up to four times more people in attendance than last year’s event. He said that he has printed tickets already and have done some pre-selling over the weekend. He said that he is forecasting being able to do more for the Fire Department because of longer running hours, last year it started at 4:00 and this year it will start at noon, and there is a bean bag tournament held. He said that they will be having one or two different DJs and a number of raffles. He said the main thing that is being requested this year, other than more space is a variance on time; he knows that there is a special event cutoff at 10:00 p.m. He said that in a preliminary meeting with staff regarding noise, Chief Schauf expressed a number of concerns about after 10:00 because the noise traveling down the street, it seemed to be the consensus that no matter what the band would be stopped at that time because that is what provides the most decibels, and then at 10:00 they could get an extension if the Committee were in agreement it would allow people to still mill around to a later time and there wouldn’t be a noise issue. He said any time extension would be appreciated and if midnight was granted they would start dispersing people at 11:30, but they would not have a band playing. Wedekind asked if he had contacted people in the neighborhood and Slayton said that he has talked to almost all the people that he could get a hold of on his block, and there has been no negativity expressed; however, in that previous meeting it was stated that if there was any noise complaint of any kind called in to the Police Department, it would be shut down. Plautz asked Slayton if there would be music from 10 until midnight and he stated that it would be a very soft “mood music”. Kolb doesn’t like the idea of going past 10:00 p.m. Slayton asked if the reason was because of breaking protocol, Kolb answered that was part of it; however, he felt that whenever there is a large congregation of people downtown, it will be a distraction for a lot of people, not just the people in that block. He felt that the Committee is willing to give Slayton the extra space, but he is not in favor of anything past 10:00 p.m. He feels that if they want to go later, they should possibly look at going to the fairgrounds or some other venue. Slayton said that the earlier the event shuts down the more money the bar makes, and it isn’t about making money in the bar, but for the fire department. He feels that the Fire Department could make double the money by extending the event by one hour or hour and a half in beer and brat sales. Slayton asked if this law could be taken to City Council and asked to be changed. Attorney Bolin said that there is actually no law regarding special events and when they have to end; however, that has been what this body and the Police Department has said would be the time. She said that there is a Noise Ordinance that regulates noise from 10:00 until 6:30; however, when applying for a Special Events License, what this body is doing is deciding what hours within which you can have the event. Therefore, just to clarify, the Committee does have the ability to set the time, but there is not actually anything in the City’s ordinances that state an event has to stop at 10:00 p.m. Slayton said that at a previous meeting said that he did not have a problem with the event going past 10:00 p.m. as long as the band was concluded by 10:00 p.m. and he agreed that if there was a single noise complaint that it would be shut down immediately. Wedekind asked Slayton how long it took to shut it down last year and he stated 30 minutes. Geick said that Schauf had concerns for the band playing later, but with the event going on and people within the fence in area, he wasn’t as concerned about. Kolb said that he would like to see how it goes this year with a bigger following before he would be willing to go longer, with the band shutting down at 10:00, he would be willing to go until 10:30. Slayton then asked the Committee to go until 11:00 and they disperse by 11:30, and if there is a noise complaint phone in to anyone it ends at that time. Kolb said that if it can be controlled this year with the numbers he may be willing to go later next year. It was moved by Kolb, seconded by Plautz that all activities stop at 10:00 p.m. and everyone is dispersed by 10:30 p.m. Motion carried unanimously. Scott, Mr. Slayton’s insurance agent then explained the insurance for the event to the Committee. Slayton said that he would have the band stop at 9:30 and feels he will have no problem getting everyone out by 10:30.
- b. Consideration of waiving the time restriction on construction and machinery noise for the Wisconsin Dept. of Transportation’s pavement improvement project on the existing USH 12 corridor in the City – Pinion said that he was contacted by the DOT, as part of the jurisdictional transfer for the existing Highway 12 corridor they will be redoing some of the pavement surface in West Baraboo primarily; however, it will extend across the river to Walmart and Menards. He said that this is 2018 project and they are just inquiring whether the City would consider allowing nighttime construction. The DOT are not saying that they need to do this to get it done, but that are saying that there is a possibility that we could include in our bidding documents. He said that there is no one person within the City that can make that decision and the City does have a construction noise ordinance that does limit it from 10:00 p.m. to 6:30 a.m. Therefore, if the Committee is interested in allowing that nighttime construction, a waiver will have to be created through the ordinance to do so. Geick said that he would like Attorney Bolin to go through the ordinance because a couple of questions came up this past weekend because PW crews were out sweeping the streets early in the mornings to get ready for the parade and there were some objections to it. He said that Tom Pinion is correct, technically the City’s own crews cannot be out doing anything except emergency repairs or snow removal, for any kind of construction work or street sweeping, except for those hours that are allowed. He said that the Attorney said that the City is in the wrong when this is being done and the ordinance needs to be changed if it is going to continue to be allowed. Koss said that it wouldn’t really be needed except for the downtown and everything around it because there is no parking in this area at that time. Pinion said that in six years he has had four or five complaints and all from the same household. Palm expressed concern at the intersection of City Rd. W and Hwy 12 and felt that the best time for work to be done there is from 10:00 p.m. to 6:00 a.m. Bolin said that if a motion were made that would not allow them to do this, she will change the ordinance to include the street sweeping and then she would like to do is some sort of waiver process for a temporary work. It was moved by Kolb, seconded by Plautz to endorse waiving the time restriction on construction and machinery noise for the Wisconsin DOT pavement improvements project on the existing USH 12 corridor in the City. Motion carried unanimously.
- c. Review and recommendation of the Baraboo School District (Off-Campus) Evacuation Agreement between the Baraboo School District and the City of Baraboo for use of the Baraboo Civic Center building at 142 2nd Street – Chief Stieve said that some time ago the Committee and City Council agreed to use the Library for an evacuation point for West School, this is the same agreement for some of the schools to use the Civic Center as an evacuation point. Plautz moved, Kolb seconded to recommend approve of the agreement. Motion carried.

- d. Consideration of Parks and Recreation Commission's proposal to designate an official Bike Route through Baraboo – Mike Hardy presented this request to the Committee. He said that the Park Commission has been trying to connect as many parks and schools as possible with a “safe route”. Kolb asked if there would be designated bike lanes on streets. Hardy said that the Commission is not suggesting that bike lanes be painted on the streets, other than possibly South Blvd. and Walnut; however, some signage along the way. He said they are also suggesting brochures or flyers for the public to make them aware of the safe routes through town. Hardy then explained the process how the Commission derived as this route. A question was asked if the Commission has discussed this with West Baraboo and Hardy said that at this time they have not. Attorney Bolin asked the meaning of a “safe route”. Hardy said that it is just a designated route that gives citizens the best route from home to school. Bolin felt that calling it a safe route may give the implication that the City is insuring that citizens will not get hit by a car. Hardy said that it is a “bike route”, and maybe shouldn't be called “safe route”. Kolb moved, Plautz seconded to move the proposed Bike Route forward to Council. Motion carried unanimously. Kolb stated that he would like to see the City engage West Baraboo more.
- e. Review and approval of purchase of de-icing salt for the 2016/2017 winter season – Kolb moved, Plautz seconded to approve the low bid from Compass Minerals in the amount of \$78.71 per ton delivered to Baraboo. Motion carried unanimously.
- f. Consideration of Alliant Energy's request for an easement for new gas and electric facilities on City-owned land on the east side of Moore Street south of that portion of the Blackhawk Manor Manufactured Home Community at 903 Moore Street – Pinion said this would be along the southern line of the Blackhawk property, which would be generally the extension of Hager Street which is a 33-foot L-shaped parcel that was originally acquired for street and utility purposes. Alliant is requesting an easement along the northerly 12 feet of the property for new gas and electric facilities. He said that the City cohabitate with Alliant on a routine basis and there is room to accommodate that if the Committee wishes. It was moved by Kolb, seconded by Plautz to approve Alliant Energy's request for an easement for new gas and electric facilities on City-owned land as presented. Motion carried unanimously.
- g. Review and recommendation concerning Simplified Rate Case submittal to the PSC for a 3% increase in Water Rates for 2017 – Peterson said that this will definitely be the City's last opportunity for the simplified rate case, which costs approximately \$200-\$300 to submit versus a full rate case which is \$5,000-\$10,000. He said the same that has been done the last two years; he shows what the rates are at, what they would be and roughly how much additional revenue would be collected with the 3% increase. It was moved by Plautz, seconded by Kolb to recommend the Simplified Rate Case submittal to the PSC for a 3% increase in Water Rates for 2017. Motion carried unanimously.
- h. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for the months of June and July, 2016 – Peterson explained the adjustments/credits for June and July. It was moved by Kolb, seconded by Plautz to approve the Adjustments/Credits for June and July as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said that the exterior of the Moore Street and County A towers were cleaned. He said that all utilities are in for the Golden Meadows Addition. He said that the Oak Street water main break in front of Vodak's blew out a chunk of pipe losing about 70,000 gallons of water. There were some basements that did get some mud and water, Service Master was contacted to clean up the basements. Peterson said that the Universal pipe was installed in 1963. He said that Department was been working on manhole repairs. The sewer cleaning for the year is done and all the water crew has finished up the annual hydrant maintenance. He then said that the department is starting to look at the 2017 budget.
- b. Street Superintendent's Report – Koss said that two new employees started today which brings the department back up to full staff. He said that the department is working out at Pierce Park on the new ball diamond and improving the drainage swale from Parkside through Pierce Park. He said that when finished the department will move to alleys and then crack filling for the rest of the year.
- c. Police Chief's Report – He was not in attendance; however, did communicate that the fair was busy but went well and that hopefully the parade goes well to0, but is yet to be determined. He also said that staff is working through the hiring process to fill the last opening in the department.
- d. Fire Chief's Report – Stieve said that the parade went well from his department's standpoint; they did have an engine company on standby which was parked on Broadway, south of 3rd for a quicker response if needed. He said that the department was asked to provide a water mist with the ladder truck due to the forecasted warm weather for the animals and people; however, it wasn't needed because of the rain. He said that the fair was down due to lack of events.

ADJOURNMENT – Kolb moved, Plautz seconded to adjourn the meeting at 1:59 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman