City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

COMMON COUNCIL AGENDA

August 26, 2019

REEDSBURG CITY HALL COUNCIL CHAMBERS

7:00 PM

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

THE COUNCIL WILL RECEIVE INFORMATION ON NON-AGENDA TOPICS BROUGHT BEFORE THE COUNCIL BY MEMBERS OF THE PUBLIC. THE COUNCIL WILL NOT DISCUSS THESE TOPICS, AND WILL NOT TAKE ACTION ON ANY OF THEM AT THIS MEETING.

I. CONSENT AGENDA (ONE MOTION APPROVES ALL ITEMS)::

1. Approve minutes for the meeting held on August 12, 2019.

II. MAYOR PROCLAMATIONS, PRESENTATIONS, APPOINTMENTS:

III. GENERAL BUSINESS:

1. Approve/Deny: Resolution 4380-19 authorizing the City Clerk/Treasurer to sign an agreement with the Department of Employee Trust Funds to continue in the Wisconsin Public Employers Group Health Insurance program.
2. Approve/Deny: Resolution 4381-19 Exempting the City of Reedsburg from paying Sauk County Library Tax - 2020.

IV. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS:

1. RICDC: Approve/Deny: Enter into a Memorandum of Understanding with State Cinema, LLC for construction of the 6-screen Reedsburg Cinema in the 100 block of Viking Drive.
2. Ordinance Committee: Approve/Deny: 2nd Reading and Public Hearing for Ordinance 1888-19 relating to the revision, consolidation, amending, supplementation, and codification of the General Code of Ordinances of the City of Reedsburg.
3. Ordinance Committee: Approve/Deny: 1st Reading and set Public Hearing on September 23, 2019 on Ordinance 1889-19 related to Chapter 608 - ATV/UTV Operation.
4. Ordinance Committee: Approve/Deny: 1st Reading and set Public Hearing on September 9, 2019 on Ordinance 1890-19 Chapter 48 - Emergency Management.
5. Ordinance Committee: Approve/Deny: 1st Reading and set Public Hearing for September 9, 2019 on Ordinance 1891-19 Chapter 332 Impact Fees for the Water Utility.
6. Public Works Committee: Approve/Deny: Garbage Pickup proposal from Peterson Sanitation for garbage and recycling collection for 2020-2026.

The City of Reedsburg does not discriminate on the basis of disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings and programs are available by calling (608) 524-6404. To be able to meet the needs of a request for a different format contact the City Clerk-Treasurer at 134 S. Locust Street, Reedsburg, WI at least 48 hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

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V. CITY ADMINISTRATOR REPORTS:

1. Agenda Software - Questions/Concerns

VI. COMMISSION, COMMITTEE, BOARD AND STAFF REPORTS:

1. 2nd Meeting Committees: Ordinance Committee, Parks & Recreation, RICDC, Public Works, Utility Commission, Plan Commission, Historic Preservation, Library Board, Zoning Board, CDA (any other committees or commissions with report).

VII. OFFICE OF THE MAYOR:

VIII. ADJOURN:

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City of Reedsburg Meeting of the Common Council
August 12, 2019

Present: Mayor Dave Estes, Aldermen Craig Braunschweig, Dave Moon, Jason Schulte, Mike Gargano, Calvin Craker, Phil Peterson, Dave Knudsen, Tom Seamonson, and Brandt Werner.

Absent: None.

Others Present: Jacob Crosetto, Tim Becker, Pat Cummings, Brian Duvalle, Derek Horkan, Steve Zibell, Matt Scott, Citizens, Press.

Mayor Estes called the regular session of the Common Council to order at 7:04 p.m. in the Common Council Chambers.

Approve Consent Agenda: consisting the minutes from the Common Council meeting held on July 22, 2019; Temporary Class B/Class B Retailer's License: Reedsburg Wrestling Association, 2019 Sportsman's Night, Reedsburg Jaycees Building, 1403 Viking Drive on September 28, 2019; Approve July 2019 Paid Bills; and Monthly Building Permit Report - July 2019.

Motion: Craker, Second: Seamonson to approve the consent agenda. Motion carried 9-0.

MAYOR PROCLAMATIONS, PRESENTATIONS, AND APPOINTMENTS:

A. Approve/Deny Appointment: Beth Voigt to the Reedsburg Arts Committee
    a. **Motion: Werner, Second: Schulte to approve the appointment as presented. Motion carried 9-0.**

RECOMMENDATIONS FOR BOARDS, COMMITTEES, AND COMMISSIONS

A. Ordinance Committee: Approve/Deny: 2nd Reading and Public Hearing on Ordinance 1887-19 Amending City Code Chapter 2.07(3) regarding Arts in Public Places annual funding amount..
    a. **Motion: Schulte, Second: Gargano to approve Ordinance 1887-19 as presented. Motion carried 9-0.**

B. Ordinance Committee: Approve/Deny: Resolution 4379-19 Relating to the adoption of the City of Reedsburg - Code of General Ordinances
    a. **Motion: Moon, Second: Peterson to approve Resolution 4379-19 as presented. Motion carried 9-0.**

C. Ordinance Committee: Approve/Deny: 1st Reading and set Public Hearing for August 26, 2019 on Ordinance 1888-19 Relating to the revision, consolidation, amending, supplementation, and codification of the General Code of Ordinances of the City of Reedsburg
    a. **Motion: Knudsen, Second: Seamonson to approve setting the public hearing on Ordinance 1888-19 for August 26, 2019 as presented. Motion carried 9-0.**

D. Finance Committee: Approve/Deny: Resolution 4378-19 Relating to un-designated fund balance
    a. **Motion: Werner, Second: Schulte to approve Resolution 4378-19 as presented. Motion carried 9-0.**

E. Finance Committee: Approve/Deny: Webb Fund application: Reedsburg Area Ambulance District for a pediatric training mannequin, $8,840.22
    a. **Motion: Craker, Second: Braunschweig to approve to Webb Fund application as presented from the "city side" of the Fund. Motion carried 9-0.**

F. Finance Committee: Approve/Deny: Notice of Claim from Schneider Enterprises, LLC for damage to door by officers of the Reedsburg Police Department
    a. **Motion: Gargano, Second: Moon to follow the CVMIC and Finance Committee recommendations to deny the claim in full. Motion carried 8-1 with Werner voting no.**

G. Arts Committee: Approve/Deny: Public Art grant application Reedsburg Area Historical Society, Clare Briggs Exhibit, $2,600
    a. **Motion: Peterson, Second: Craker to approve the public art grant application as presented. Motion carried 8-0-1 with Braunschweig abstaining.**

Motion: Knudsen, Second: Seamonson to enter closed session section 19.85(1)(e) of the Wisconsin statutes for the the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically financial projects update.
Motion carried 9-0. Time 7:45 p.m.

Motion: Gargano, Second: Werner to enter back into open session.
Motion carried 9-0. Time 8:16 p.m. No action was taken in closed session.

Motion: Moon, Second: Braunschweig to adjourn. Motion carried 9-0. Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Jacob Crosetto
City Clerk-Treasurer/Finance Director

EXISTING EMPLOYER UPDATE RESOLUTION
WISCONSIN PUBLIC EMPLOYERS' GROUP HEALTH INSURANCE PROGRAM

RESOLVED, by the Common Council (Governing Body) of the City of Reedsburg (Employer Legal Name)

that pursuant to the provisions of Wis. Stat. § 40.51 (7) hereby determines to continue in the Wisconsin Public Employers (WPE) Group Health Insurance program that is offered to eligible personnel through the program of the State of Wisconsin Group Insurance Board (Board), and agrees to abide by the terms of the program as set forth in the *Local Employer Health Insurance Standards, Guidelines and Administration Manual* (ET-1144).

We will continue to participate in the program option in which we are currently enrolled. If we wish to elect a new program option for 2020 we will file a separate resolution to do so.

All participants in the WPE Group Health Insurance program need to be enrolled in a program option. Individual employees cannot choose between program options.

The resolution must be received by the Department of Employee Trust Funds as soon as possible, but no later than October 1, in order to continue participation without lapse. If more time is needed, contact ETF.

The proper officers are herewith authorized and directed to take all actions and make salary deductions for premiums and submit payments required by the Board to provide such Group Health Insurance.

Certification

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the above governing body on the 26 day of August, year 2019 and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 26 day of August, year 2019.

I understand that Wis. Stat. § 943.395 provides criminal penalties for knowingly making false or fraudulent statements, and hereby certify that, to the best of my knowledge and belief, the above information is true and correct.

39-6005582
Federal tax identification number (FEIN/TIN)

Authorized employer representative signature

69-036-0064-000
ETF employer identification number

Jacob Crosetto
Authorized employer representative printed name

City Clerk-Treasurer
Authorized representative title

Number of eligible employees 92

Sauk
Employer county

jstrutz@ci.reedsburg.wi.us
Employer benefit contact email address

PO Box 490, Reedsburg, WI 53959
Mailing address

Submit completed form to ETF at ETFSMBESSNewEmployer@etf.wi.gov or fax to 608-267-4549.

RESOLUTION

File No. 4381-19

A RESOLUTION EXEMPTING THE CITY OF REEDBSURG FROM PAYING SAUK COUNTY LIBRARY TAX - 2020

WHEREAS, The Sauk County Board levies a county library tax;

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides such units of government which levy a tax for public library service and appropriate and expend for a library fund as defined by s.43.52 (1) during the year for which the county tax levy is made a sum at least equal to the county library tax rate in the prior year multiplied by the equalized valuation of property in the city or village for the current year, may apply for exemption from this tax; and

WHEREAS, The City of Reedsburg does levy a library tax in excess of the amount calculated in accordance with 43.64(2)(b),

NOW THEREFORE BE IT RESOLVED:

that the City of Reedsburg be exempted from the payment of any county library tax as provided in Section 43.64(2)(b) inasmuch as it will expend for its own library fund for 2019 an amount in excess of that calculated in accordance with 43.64(2)(b). Exemption from the payment of said county library tax shall not preclude the City of Reedsburg participation in county library service in all other respects; and

BE IT FURTHER RESOLVED, that confirmed copies of the Resolution are forwarded by the City Clerk to the Reedsburg Public Library and to the Sauk County Clerk no later than October 18, 2019.

PASSED AND ADOPTED this 26th day of August, 2019.

ATTEST:

_____
Jacob Crosetto
City Clerk-Treasurer

APPROVED:

_____
Dave G. Estes
Mayor

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MEMORANDUM OF UNDERSTANDING

Between

State Theaters, LLC

And The

City of Reedsburg, Wisconsin

State Theaters, LLC, a Wisconsin limited liability company, (Developer) is proposing to construct a six screen movie theater in Reedsburg resulting in the creation of high quality movie theater. This Memorandum of Understanding is intended to summarize the commitments of the Developer and City of Reedsburg (City). These commitments will be formalized in a Development Agreement which will be executed by the Developer and City.

WITNESSETH:

Whereas, the Developer is proposing to construct a six screen movie theater in Reedsburg to fill the void created by the closing of the existing theater; and,

Whereas, the ability to develop the movie theater in Reedsburg will be based on the financial feasibility of the project; and

Whereas, the City created Tax Increment District No. 9 (TID No. 9) to promote new development opportunities in the City; and

Whereas, the City recognizes having a high quality movie theater is important for the continued development within the City; and

Whereas, it has been concluded that it is in the City's best interest to invest TID No. 9 funds to make the construction of a new movie theater feasible in the City.

NOW, THEREFORE, in consideration of the premises and the mutual obligations of the parties hereto, each of them does hereby covenant and agree with the other as follows:

I. Developer Agreement

1. Developer shall purchase a 1.41-acre parcel on Viking Drive as shown on Exhibit A. The parcel is comprised of tax parcels 2719-00000 and 2720-00000.

2. Developer proposes to construct a six screen movie theater with a total seating capacity of 500 on the development site, generally as shown on Exhibit B. The proposed buildings architectural style will be as illustrated on Exhibit C. The building will be a steel frame structure with steel siding, but will be enhanced with architectural accents on the exterior walls.

3. Developer agrees to operate and maintain the six screen first run movie multiplex with first class amenities such as recliner seating and an expanded food and beverage concession area.

4. Developer intends to begin the construction the movie theater in the fall of 2019, with construction completed in the spring of 2020.

5. Developer shall execute a long term agreement with Viking Foods to use a portion of their parking lot to serve the proposed movie theater. The parking agreement is attached as Exhibit D.

6. Developer's total expenditure for the facility is estimated to be $2,695,000 including land acquisition, construction, furnishings, equipment, signage, inventory, professional fees and working capital.

7. The increase in tax base for the building is estimated to be $2,000,000, which will generate an estimated $49,620 of annual tax increment revenue. For purposes of this agreement, both parties agree the existing assessed value of the two parcels is $373,100 and the 2018 real estate tax revenue is $8,952.73. The 2018 real estate tax revenue will be used to calculate the annual tax increment revenue amount.

8. Obtain all necessary permits; comply with all local, state, and federal requirements. Developer shall be responsible to pay all permit fees and City impact and connection fees.

7. Submit a site plan, building plan and a landscaping plan for the City to review and approve.

10. Execute a Development Agreement between the City and Developer as stipulated in Section IV.

11. Developer shall not seek a reduction of property tax assessment during the term of this agreement.

12. Any costs expended by the Developer will be exclusive to the Developer and will not be a cost of the City.

II. City of Reedsburg Agreement

1. Using CDBG CLOSE funds, the City shall provide a forgivable loan in the amount of $300,000. The funds shall be used for land acquisition. The $300,000 forgivable loan shall be paid into a third party escrow account and disbursed as authorized by the Developer's lender. Each year that the Developer operates the movie theater as stipulated in Section I, one tenth ($1/10^{th}$) of the forgivable loan shall be forgiven. That is after ten years of operation, the forgivable loan will become a grant. If during the ten-year period the Developer does not operate the movie theater as stipulated in Section 1, the Developer shall pay to the City the balance of the forgivable loan that has not been forgiven.

2. Using TID No. 9 funds, the City shall provide TIF funding to the Developer using the "PayGo" methodology. The City shall make annual TIF "PayGo" payments to the Developer equal to One Hundred Percent (100%) of the annual tax increment revenue. Said payments shall be made until the termination of TID No. 9 in 2037.

   The first payment will be made on July 31, 2021 and the last payment on July 31, 2037. Said payments shall be made provided the Developer is in compliance with the terms of the Development Agreement.

3. The terms of the TIF payments shall be incorporated into a Municipal revenue Obligation (MRO) issued by the City. The MRO will be a special limited revenue obligation, not a general obligation of the City, and payable only from TID No. 9 tax increment revenue.

4. The Developer will not be allowed to sell the building during the term of the Development Agreement unless granted written approval from the City, which will not be unreasonably withheld. If approval to sell

is granted, the terms of the Development Agreement between the Developer and the City will be assigned to the buyer.

5. The City agrees to receive a request for approving a Certified Survey Map and will work cooperatively with the Developer to approve the Certified Survey map pursuant to City ordinances.

6. Any money expended exclusively by the City for this project will not be reimbursed by the Developer.

III. Security

1. Insurance. The Developer shall maintain insurance on the Parcel, in an amount not less than the full insurable value of the improvements, for fire, casualty, and external damage coverage and shall name the City as an additional insured, for the term of the Development Agreement. The City shall be in a subordinate position to any bank and/or other lender (collectively, the "Lender") providing construction or long-term financing for the Facility or to the Developer. A copy of an insurance binder or certificate of insurance demonstrating compliance with this Section shall be submitted to the City within thirty (30) days after commencement of construction at the Facility. Thereafter, the Developer shall provide the City with written evidence of compliance with this Section on an annual basis. In the event the improvements on the Parcel are damaged or destroyed before the City has totally recovered its expenditures for this project, the proceeds from the insurance shall be payable to the Developer, and subject to the Lender's requirements, shall be applied toward either (a) the reconstruction of the improvements so destroyed or damaged, or (b) the then outstanding unpaid principal balance of the City's loan taken out to fund the City's Development Costs. The parties agree that solely for purposes of this MOU, the amount of the City's Development Cost is $310,000, which include the Forgivable loan, plus soft costs including administrative, legal and consultant costs.

2. Irrevocable Letter of Credit. The parties acknowledge and agree that the Tax Increment received by the City from TID No. 9 is intended to be sufficient to pay the City those sums which the City will incur in Development Costs, plus interest incurred during the term of the Irrevocable Letter of Credit. The City's Development Costs include the cost for the upfront forgivable loan, plus soft costs including administrative, legal and financing costs. The parties agree that solely for purposes of this MOU, the amount of the City's Development Cost is $310,000.

   Notwithstanding any other provisions herein, if Developer is not in substantial compliance with the conditions set forth in Article I, then the City, at its sole option, may draw upon the Irrevocable Letter of Credit in a sum not exceeding $310,000, plus interest incurred during the term of the Irrevocable Letter of Credit. DEVELOPER, at the time of Closing shall provide the City an Irrevocable Letter of Credit. The Irrevocable Letter of Credit shall be payable at sight to the City, authorize partial draws, and shall include a provision requiring that the City be given written notice not less than 45 days nor more than 60 days prior to expiration of the Irrevocable Letter of Credit. The termination date of the Irrevocable Letter of Credit is December 31, 2020, or the date of occupancy of the six screen movie theater as described in Section I.

3. Tax Increment Revenue. During the term of the Development Agreement, the Developer shall generate an estimated $49,620 of annual amount of tax increment revenue, with the first partial payment being in 2021 and the first full payment being in 2022. In the event the actual tax increment revenue payment is less or more than the estimated amount, the City shall reduce or increase the annual "PayGo" payment to the Developer to be equal to the actual tax increment revenue payment. In no event shall this paragraph be interpreted to allow the Developer to pay less than the legally established annual property tax levied against the property which may be in excess of the guaranteed minimum amount established above; nor

shall the Developer be relieved of its responsibility to pay such taxes levied after termination of the Development Agreement.

4. Second Position Real Estate Mortgage. It is specifically agreed by and between the parties hereto that the City shall have a second position real estate mortgage against the parcel to secure the forgivable loan in the event the Developer does not operate the movie theater as stipulated in Section 1. The second position real estate mortgage shall be in the amount of three hundred thousand and no/100's Dollars ($310,000.00), which is equal to the City Upfront Development Cost. The second mortgage shall stay in place until the forgivable loan has been totally forgiven after ten years of operation.

IV. Acknowledgements & Contingencies

The parties to this MOU acknowledge the commitments included in this document are preliminary and are subject to change as the project scope is finalized. The parties also acknowledge the following contingencies:

1. Developer receives final financing approval.

2. The project site plan approved by the Plan Commission. Note, due to the unique site layout, the site plan may need to be approved by the Plan Commission and Common Council as a Planned Development Group.

3. Recording of the previously approved Certified Survey Map.

4. The City and Developer approves and executes the Development Agreement and a Municipal Revenue Obligation.

5. The Developer acquires title to the parcel on terms satisfactory to Developer.

6. The Developer executes a long term park lot agreement with Viking Foods.

With the approval of this MOU, the City of Reedsburg Common Council is granting authority to the Mayor, City Administrator, City Clerk and City Attorney to prepare and execute a Development Agreement and other documents necessary for the implementation of the project, provided they are consistent with the terms of the MOU.

The term of the Development Agreement is until the final annual "PayGo" payment is made by the City to the Developer, which is estimated to be on July 31, 2037. In no case can TIF annual "PayGo" payments be made after TID No. 9 is terminated, which is estimated to be in 2037.

Both parties mutually understand the City and Developer will execute a Development Agreement. This MOU will expire once both parties sign a Development Agreement, or on September 30, 2019, whichever comes first. The terms stated herein constitute the entire agreement between the Developer and City. The City and the Developer must agree to any amendment to this agreement in writing.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on:

August 26, 2019.

For the Reedsburg Industrial and Commercial Development Commission

_____	_____
Donald H. Lichte, Chair	Witness
_____	_____
Date	Date

For the City of Reedsburg

_____	_____
David G. Estes, Mayor	Jacob Crosetto, City Clerk
_____	_____
Date	Date

State Theater, LLC

_____	_____
Duane DeYoung, Member	Witness
_____	_____
Date	Date

ORDINANCE NO. 1888-19

(Adoption of City Code)

AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND, SUPPLEMENT AND CODIFY THE GENERAL ORDINANCES OF THE CITY OF REEDSBURG

The Common Council of the City of Reedsburg does hereby ordain as follows:

§ 1-5. Adoption of Code.

Pursuant to § 66.0103, Wis. Stats., the ordinances of the City of Reedsburg of a general and permanent nature adopted by the Common Council of the City of Reedsburg, as revised, codified and consolidated into chapters and sections by General Code, and consisting of Chapters 1 through 690, are hereby approved, adopted, ordained and enacted as the "Code of the City of Reedsburg," hereinafter referred to as the "Code."

§ 1-6. Code supersedes prior ordinances.

This ordinance and the Code shall supersede all other general and permanent ordinances enacted prior to the enactment of this Code, except such ordinances as are hereinafter expressly saved from repeal or continued in force.

§ 1-7. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinances.

§ 1-8. Copy of Code on file.

A copy of the Code has been filed in the office of the City Clerk-Treasurer and shall remain there for use and examination by the public for at least two weeks, in accordance with § 66.0103, Wis. Stats., and until final action is taken on this ordinance, and, if this ordinance shall be adopted, such copy shall be certified to by the City Clerk-Treasurer, and such certified copy shall remain on file in the office of said City Clerk-Treasurer to be made available to persons desiring to examine the same during all times while said Code is in effect.

§ 1-9. Amendments to Code.

Any and all additions, deletions, amendments or supplements to the Code, when adopted in such form as to indicate the intention of the Common Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Reedsburg" shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be adopted, they shall thereafter be inserted in the Code as amendments and supplements thereto.

§ 1-10. Publication; filing.

The Clerk of the City of Reedsburg, pursuant to law, shall cause to be published, in the manner required by law, a notice of the adoption of this ordinance. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The publication of notice of the enactment of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-11. Code to be kept up-to-date.

It shall be the duty of the City Clerk-Treasurer, or someone authorized and directed by the Clerk, to keep up-to-date the certified copy of the Code required to be filed in the Clerk's office for use by the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are included as supplements to said Code.

§ 1-12. Sale of Code.

Copies of the Code, or any chapter or portion of it, may be purchased from the City Clerk-Treasurer or an authorized agent of the Clerk upon the payment of a fee to be set by the Common Council. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-13. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Reedsburg to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to a penalty as provided in § 1-3 of the Code.

§ 1-14. Severability of Code provisions.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof. If any provision of this Code or the application thereof to any person or circumstances is held invalid, the

remainder of this Code and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 1-15. Severability of ordinance provisions.

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-16. Repealer.

A. All ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the City of Reedsburg which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. Repeal of specific enactments. The Common Council of the of the City of Reedsburg has determined that the following ordinances are no longer in effect and hereby specifically repeals the following legislation:

   (1) Section 10.06 of the former Municipal Codebook, Dutch Elm Disease and Elm Bark Beetles Declared Public Nuisance, adopted by Ord. No. 1321-95.

   (2) Section 12.14 of the former Municipal Codebook, Garbage and Refuse; Licensing and Regulation of Collector, adopted June 28, 2004.

   (3) Chapter 15, Electrical Code, of the former Municipal Codebook of the City of Reedsburg, as amended.

   (4) Chapter 20, Cable Television, of the former Municipal Codebook of the City of Reedsburg.

   (5) Chapter 32, Fees, of the former Municipal Codebook, as amended.

§ 1-17. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-17 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any ordinance adopted subsequent to April 22, 2019.

B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.

C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.

D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.

E. Any franchise, license, right, easement or privilege heretofore granted or conferred, including Sec. 12.12 of the former Municipal Codebook, Natural Gas Franchise.

F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.

G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the City's indebtedness.

H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.

I. The levy or imposition of taxes, assessments or charges.

J. The annexation or dedication of property or approval of preliminary or final subdivision plats.

K. Ordinances providing for local improvements or assessing taxes or special assessments therefor.

L. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.

M. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.

N. Any ordinances adopting or amending the Zoning Map or otherwise rezoning property, including Chapter 24 of the former Municipal Codebook, Extraterritorial Zoning.

O. Any charter ordinances.

P. Any ordinance or portion of an ordinance establishing or amending a fee or fees.

Q. Any ordinance or portion of an ordinance establishing or amending a deposit or bond schedule.

R. Any ordinance or portion of an ordinance establishing or amending rates or charges for water or sewer service.

§ 1-18. Changes in previously adopted ordinances; new ordinances.

A. In compiling and preparing the ordinances for publication as the Code of the City of Reedsburg, no changes in the meaning or intent of such ordinances have been made, except as provided for in this section. Certain grammatical changes and other minor nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the Common Council that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.

B. The following changes are made throughout the Code:

(1) References to specific chapters and sections of the Wisconsin Statutes and Wisconsin Administrative Code are amended to reflect the numbering of the statutes and Administrative Code as of the publication of this Code.

(2) Throughout the Code:

(a) References to the “Department of Health and Social Services” and “Department of Health and Family Services” are amended to read “Department of Health Services.”

(b) References to the “Department of Industry, Labor and Human Relations” and “Department of Commerce” are amended to read “Department of Safety and Professional Services.”

(c) References to "City Council" are amended to read "Common Council."

(d) References to "City Clerk" or City Treasurer" are amended to read "City Clerk-Treasurer."

(e) References to "Board of Public Works" are amended to "Public Works Committee."

(f) References to "Street Superintendent" are amended to "Public Works Director."

(g) References to "Board of Adjustment" or "Board of Appeals" are amended to "Zoning Board of Appeals."

(h) References to "Planning Commission" are amended to "Plan Commission."

(i) References to "alder" or "alderman" or "aldermen" are amended to "alderperson."

(j) References to "policeman" or "policemen" are amended to "police officer" or "police officers."

(k) References to "fireman" or "firemen" are amended to "firefighter" or "firefighters."

(l) Fee amounts have been removed from and replaced with wording that states fees are "as set from time to time by Common Council" in the following sections: §§ 176-9A and B, 185-20A(6) and E, 192-4, 192-7C(1), 199-3C, 199-12, 199-16, 199-18, 199-21, 210-5A(9) and (11), 210-7A(1), B(1) and C(1), 217-2C, 224-2B, 231-4, 242-18, 349-2, 349-3A, 349-3B, 349-3C, 349-7G, 366-4, 390-3B, 478-7, 478-10C, 485-3B, 548-4, 548-11A, 577-4C, 690-46G(12).

(3) Throughout Chapters 30, Citations, and 690, Zoning, references to "Zoning Commissioner" are revised to "Zoning Administrator," as appropriate.

(4) Throughout Chapter 185, Airport Minimum Standards, the term "commercial activities" is changed to "commercial activity," as appropriate.

C. The amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-19. When effective.

This ordinance shall take effect upon passage and publication as required by law.

Adopted this 26th day of August 2019

_____
David G. Estes
Mayor

ATTEST:

_____
Jacob Crosetto
City Clerk-Treasurer

Public Hearing Noticed:	August 15, 2019 & August 22, 2019
2nd Reading at Council/Public Hearing:	August 26, 2019
Published, Enactment Date:	September 5, 2019

City of Reedsburg
Code Adoption Ordinance

Schedule A
Specific Revisions at Time of Adoption of Code

Chapter 21, Boards, Commissions, Committees and Authority.

A. Section 21-14 is amended to read as follows:

The City Plan Commission is created pursuant to § 62.23(1), Wis. Stats. The commission shall have seven members as follows: the Mayor, who shall be its presiding officer, the Director of Public Works, two members of the Common Council and three citizens. The Common Council member of the commission shall be appointed by the Mayor subject to election by a two-thirds vote of the Council during each April. The three citizen members shall be appointed by the Mayor, subject to confirmation by the Council, to hold office for staggered terms of three years beginning May 1 of each year.

B. Section 21-15, the fifth sentence is amended as indicated: "The Commissioners shall be appointed by the Mayor subject to confirmation by the Council and may include a maximum of two non-City residents based on their expertise."

Chapter 30, Citations.

Section 30-3A is amended to delete the Schedule of Cash Deposits and refer to it as being on file.

Chapter 55, Ethics Code and Board.

In § 55-2, the definition of "anything of value" is amended to match current statute and read as follows:

ANYTHING OF VALUE -- Any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the state, fees and expenses which are permitted and reported under § 19.56, Wis. Stats., political contributions which are reported under Ch. 11, Wis. Stats., or hospitality extended for a purpose unrelated to state business by a person other than an organization.

Chapter 72, Finance and Taxation.

A. Section 72-1 is amended by removing original subsection 2 of the former Municipal Codebook, deleting requirements that have been removed from statute.

B. Section 72-3C is amended to restore the missing phrase "prior to the hearing thereon."

C. Section 72-4 is amended to change 10 days to 15.

D. In § 72-7B(3)(c) and (6), "tax" is revised to "special charge, as defined under § 74.01(4), Wis. Stats."

E. Section 72-8A is amended to insert "6%" before "tax" in the first sentence.

Chapter 79, Fire Department.

A. Section 79-3 is amended to change "Board of Police and Fire Commissioners" to "Police and Fire Commission."

B. In § 79-6A(4) "October 15" is revised to "August 15."

Chapter 104, Mayor and Council.

A. Section 104-15E is amended to delete ", pursuant to Wis. Stats. Sec. 61.01(01),"

B. Section 104-23E is amended to add "and such division shall be made by the presiding officer and a separate vote shall be taken on each division."

Chapter 115, Officers and Employees.

Section 115-9 is amended to read as follows:

The following officers shall give the following bonds:

City Clerk-Treasurer: $400,000.

Chapter 124, Police Department.

Section 124-3 is amended to change Board of the Police Fire Commissioners to Police and Fire Commission.

Chapter 138, Records

A. Section 138-1 is amended by revising "department of state audit or an auditor licensed under Chapter 135, Wis. Stats." to "Legislative Audit Bureau/State Auditor."

B. In § 138-5 the definition of "record" is amended to read as follows:

Any material on which written, drawn, printed, spoken, visual or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library.

C. In § 138-8F(5) $40 is revised to $50.

Chapter 176, Adult-Oriented Businesses.

A. Section 176-3, Definitions:

(1) In the definition of "booth, room or cubicle" "for fire" is amended to "for hire."

(2) In the definition of "specified sexual activities" the phrase "stipulated or actual acts" is amended to "simulated or actual acts."

(3) In the definition of "Uses located together in the same building" the phrase "conducted in the same building" is amended to " located in the same building."

(4) In the definition of "Valid adult-oriented use license" the phrase "that has not been approved" is amended to "has been approved."

B. The first sentence in § 176-6 is amended to add the underlined in "…the operator <u>shall meet</u> with the City's Zoning Administrator…"

Chapter 185, Airport Minimum Standards.

A. Section 185-5D is amended to delete original subsections (4)(A) through (F) of the former Municipal Codebook and to add a reference to Addendum A.

B. Section 185-20A is amended to read: "permit required for self-fueling."

Chapter 192, Alarm Systems.

In § 192-1 in the definition of "alarm system" the term "holdup alarm systems" is deleted.

Chapter 199, Amusements.

A. Section 199-5 is amended to delete the word "not" from the last sentence

B. Section 199-22 is amended to read: "Minors are not permitted to play here unless accompanied by parent or guardian."

Chapter 210, Animals.

A. Section 210-5A(10) is amended to read as follows:

A cat or dog license shall be issued after showing evidence of rabies vaccination and payment of the applicable fee. The Common Council shall establish cat license fees and dog license fees in accordance with § 74.05, Wis. Stats. Evidence of neutering, spaying or other method of rendering the animal sterile, from a licensed veterinarian, will be required.

B. In § 210-5B(1) in the last sentence "four months" is amended to "five months."

C. Section 210-9D(5) is amended to replace "Animal Control, Health and Safety Board of Appeals" with "Ordinance Committee."

D. Section 210-10B is amended to change "for the first offense" to "for the second offense."

E. Section 210-22 is amended to inset "Unless a penalty is specified elsewhere in this article."

Chapter 242, Building Construction.

A. Section 242-3 is amended to add a reference to Ch. SPS 307, Wis. Adm. Code.

B. Section 242-24A and C are amended to add "or as set from time to time by the Common Council. "

C. Section 242-28 is amended to replace reference to original Chapter 32 of the former Municipal Codebook with "the current City Fee Schedule on file in the City’s offices or available on the City’s website."

D. Section 242-32A(2) is amended to replace "under Chapter 32" with "as set forth in the current City Fee Schedule on file in the City's offices or available on the City's website."

E. In § 242-37A, the first sentence is amended to read as follows:

Unless based on accepted engineering designs, all new building materials, appliances, equipment, systems, or methods of construction not provided for in this chapter shall be subjected to tests that simulate the actual conditions which occur in normal use.

F. In § 242-41 "City Building Department" is revised to "City Building Inspection Department." The reference to the former Fees chapter is replaced with a reference to the current City Fees Schedule on file.

G. Section 242-43 is amended to change "Chapter 32 of this Code" to "the current City Fee Schedule on file in the City's offices or available on the City's website."

Chapter 290, Fire Prevention.

A. In § 290-3D "Industrial Commission" is amended to "Industrial and Commercial Development Commission."

B. Section 290-11A is amended to read as follows:

The following orders and codes of the Wisconsin Administrative Code, Rules of the Department of Safety and Professional Services (SPS) are hereby adopted by reference and made a part of the City Fire Prevention Code.

(1) Chapter SPS 332, Public Employee Safety and Health;
(2) Chapter SPS 307, Explosives and Fireworks;
(3) Chapter SPS, 310, Flammable and Combustible Liquids;
(4) Chapter SPS 340, Gas Systems;
(5) Chapters SPS 361-365, Commercial Building Code;
(6) Chapter SPS 314, Fire Prevention.

C. Section 290-12A is amended to refer to the general penalty in § 1-3.

Chapter 297, Fireworks.

Section 297-2 is amended to add: "or as set from time to time by Common Council."

Chapter 315, Health and Sanitation.

Section 315-2A is amended to read: "The health officer under the supervision of the Board of Health shall:"

Chapter 324, Historic Preservation.

A. Section 324-7B is amended by the deletion of "Except as set forth in Section 33.07(3)" from the beginning of the last sentence.

B. Section 324-8C(1) is amended to change the reference to original Section 33.08(1) of the former Municipal Codebook to § 324-8B.

Chapter 332, Impact Fees.

A. Section 332-8A is amended to add provisions that have been added to the statute so that it reads as follows:

A. Funds collected from impact fees shall be used solely for the purpose of paying the proportionate costs of providing public facilities that may become necessary due to land development. These costs may include the costs of debt service on bonds or similar debt instruments when the debt has been incurred for the purpose of proceeding with designated public facilities projects prior to the collection of all anticipated impact fees for that project, to reimburse the City or Utility for advances of other funds or reserves, and such other purposes consistent with Wis. Stats. §66.0617 which are recorded and approved by the Common Council. Section 66.0617, Wis. Stats., was amended by Act 243 of 2017 to:

(1) Require that at the time the municipality collects an impact fee, it shall provide to the developer from which it received the fee an accounting of how the fee will be spent; and

(2) Add to the list of items that cannot be included as impact fees: amounts for an increase in service capacity greater than the capacity necessary to serve the development for which the fee is imposed; or expenses for operation or maintenance of a public facility.

B. Section 332-9A and E are amended to revise seven years to eight years.

Chapter 349, Intoxicating Liquor and Fermented Malt Beverages.

A. Throughout the chapter, "alcoholic beverages" are revised to "alcohol beverages."

B. Section 349-3C is amended from "one" such license to "two" such licenses.

C. Section 349-7C is amended to read "rules and regulations of the State Department of Agriculture, Trade and Consumer Protection applicable to retail food establishments."

D. Section 349-7G(1) is amended to add "and chambers of commerce" after "bona fide clubs."

E. Section 349-11A is amended to revise 12:00 p.m. to 12:00 midnight.

F. Section 349-13 is amended to delete "properly licensed persons" from the second last sentence.

G. Section 349-16H is amended to add: "Fines are per the current bond schedule."

Chapter 366, Licensing.

A. In Article I "and tobacco products" is added after "cigarettes." Section 366-1 is amended to read: "No person shall sell cigarettes and tobacco products in the City without first obtaining an annual license from the City Clerk-Treasurer (§ 134.65, Wis. Stats.) and paying a fee as set from time to time by Common Council."

B. Section 366-8 is amended to read: "Any person, firm or corporation who shall fail to comply with any of the provisions in this chapter shall, upon conviction thereof, be punished as set forth in Chapter 1, General Provisions, § 1-3, of the Code of the City of Reedsburg. The license of the firm, person or corporation so convicted is thereby automatically revoked, and no license shall again be issued to the same licensee for a period of no less than 30 days, nor more than six months after revocation of said license, and that not until he shall have complied fully with the provisions of this chapter and have made application therefor and paid the fee as required by this chapter."

Chapter 382, Minors.

A. Section 382-6A and B are amended to add "or fines as set forth on the current bond schedule" to each.

B. Section 382-7 is amended to read as follows:

Section 118.163(2), Wis. Stats., authorizes the City of Reedsburg to adopt a municipal truancy ordinance based on Juvenile Code § 938.02(8b), 938.13(6), 938.17(2)(a), (d), (g), and 938.342, Wis. Stats.

C. In § 382-8, the definition of "acceptable excuse" is amended to read: "Has the meaning as defined in § 118.15, Wis. Stats."

The definition of "habitual truant" is amended to read: "A pupil who is absent from school without an acceptable excuse for part or all of five or more days on which school is held during a school semester."

D. Section 382-10A is amended to read as follows:

Suspend the child's operating privileges as defined in § 340.01(40), Wis. Stats., for not less than 30 and not more than 90 days. The court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the Department of Transportation of the State of Wisconsin a notice stating the reason for and duration of the suspension.

E. Throughout Article III, the term "alcoholic beverages" is revised to "alcohol beverages."

Chapter 402, Nuisances.

A. Section 402-5E is amended to read: "All limbs of trees will be trimmed to a seven-foot height."

B. Section 402-3K(7) is amended as indicated: " At any time prior to the sale of an impounded motor vehicle, any person establishing his ownership or right of possession of the same ~~by paying~~ may pay the Police Department for the storage and towing thereof along with such other expenses incidental to the care and maintenance of the same and any other expenses incurred in relation thereto."

Chapter 423, Parks and Playgrounds.

Throughout the chapter, the word "alcoholic" is amended to read "alcohol."

Chapter 434, Peace and Good Order.

A. Section 434-2:

(1) Subsection A(2) is amended to read: "Physical abuse of a child (§ 948.03)."

(2) Subsection A(6), (7) and (8) are added to read as follows, respectively:

Battery; substantial battery; aggravated battery (§ 940.19).

Battery to an unborn child; substantial battery to an unborn child; aggravated battery to an unborn child (§ 940.195).

Physical abuse of a child (§ 948.03).

B. Section 434-5A(10) is amended to read: "Unlawful use of license for carrying weapons (§ 946.71)."

C. Section 434-5Q(3) is amended to add: "or fines as established on the current bond schedule"

Chapter 441, Plumbing Standards.

Section 441-5C is amended as indicated: "The fees for permits shall be submitted as set forth in ~~Chapter 274 of this code~~ the current City Fee Schedule on file in the City's offices or available on the City's website."

Chapter 452, Property Maintenance.

In § 452-7 in the definition of "nuisance activity," Subsection A(27), pertaining to loitering by minors, is deleted (as unnecessarily duplicative).

Chapter 485, Secondhand Dealers.

A. Section 485-3F(2) is amended to add: "or as established by Common Council" following bond amount.

B. Section 485-4D is amended to revise $5 to $20 in the following: "for which the total paid by the secondhand dealer is $20 or greater, or as may be amended by Common Council."

Chapter 493, Sewers and Sewage Disposal.

A. Sections 493-2D and 493-26C are amended to change 90 days to 10 days.

B. References to "Wastewater Department" have been revised to "Public Works Department."

C. Section 493-29E, the lead-in sentence is amended to read: "Said prevailing rates shall be assessed as follows:"

Chapter 518, Solid Waste.

In § 518-7A "licensed" is revised to "contracted."

Chapter 530, Stormwater Management and Erosion Control

Section 530-5B(1) is amended as indicated: "Fee amount shall be as set forth in the current City Fee Schedule on file in the City's offices. ~~Chapter 32, City of Reedsburg Code of Ordinances.~~"

Chapter 537, Streets and Sidewalks.

A. In § 537-5 the reference to Sec. 236.06, Wis. Stats., is revised to Ch. 236, Wis. Stats.

B. Section 537-9 is amended to change the reference to original Chapter 32 of the former Municipal Codebook to "the current City Fee Schedule on file in the City's offices or available on the City's website."

C. In § 537-10 "Street Committee" is revised to "Public Works Committee."

D. In § 537-15F and G, the term "non-alcoholic beverages" is changed to "nonalcohol beverages."

E. In § 537-16 "street superintendent" is revised to "City Engineer/Public Works Director."

Chapter 548, Taxicabs.

A. Section 548-5A is amended to add provision that the sums cited may be revised from time to time by Common Council.

B. Section 548-16A is amended to read as follows:

Taxi rates that apply to all destinations within the City limits of the City of Reedsburg:
(1) Fares within City boundaries shall be set as approved by Common Council and the Department of Transportation from time to time.
(2) Children under the age of five shall ride for no charge and shall be accompanied by an adult.

Chapter 556, Tourist Rooming Houses.

In § 556-2D "to disclose" is revised to "verify in writing."

Chapter 565, Towing.

A. Section 565-4 is amended to read as follows:

An application for license or renewal hereunder shall be accompanied with a fee of $27.50, or as amended from time to time by the Common Council, regardless of

the number of months such license may be valid. All licenses shall expire on December 30 of each year.

B. Original Sec. 41.07, License fee, of the former Municipal Codebook is deleted as duplicative.

C. Section 565-5E is amended to insert: "Proof of…"

D. Section 565-6A is amended to read as follows:

Licensees shall maintain records of the amounts charged for tows and shall charge no more than the rates approved by the Common Council for their services while towing for or at the request of the City.

Chapter 577, Transient Merchants.

A. Section 577-7B(2) is amended to read: "…Such notice shall conform to the requirements of § 423.203(1)(a)(b) and (c), (2) and (3), Wis. Stats."

B. Section 577-12 is amended to add the underlined in the following: "Other than annual licenses, <u>all other licenses</u> shall expire at midnight on the date specified in the license."

Chapter 584, Trees and Shrubs.

In this chapter and throughout the Code: Board of Public Works is revised to Public Works Committee.

A. Section 584-11B is amended as indicated: "…the tree must be removed with the root stump grubbed out, or ground out to a depth of at least nine inches below grade measured in a straight line with the normal grade of sidewalk to top of ~~nine inches below grade measured as a straight line, normal grade of sidewalk to top of~~ curb."

B. Section 584-12D is amended as indicated: "<u>No person shall permit</u> ~~Permits~~ any public nuisance to remain…"

Chapter 615, Vehicles and Traffic.

A. Section 615-1 is amended to delete references to Chapter 5, Sections 5.05 to 5.67, Wis. Adm. Code, and update statutory references as needed.

B. Section 615-9J is amended to delete fee amount and refer to fee as set from time to time by Common Council.

C. Section 615-24 is amended to delete reference to Ch. 299, Wis. Stats.

D. Section 615-24C is amended to delete "in triplicate."

E. Original Sec. 7.24 of the former Municipal Codebook, References to statutes, is repealed.

Chapter 650, Floodplain Zoning.

Sections 650-1 and 650-5H(1) are amended to delete statutory references applicable to counties and villages only.

Chapter 665, Shoreland-Wetland Zoning.

A. Section 665-9 is amended to read as follows:

The following maps are hereby adopted and made part of this chapter and are on file in the office of the Clerk of the City of Reedsburg, Wisconsin:
A. Wetlands are delineated by the Wisconsin Department of Natural Resources. The most current maps can be accessed through the City of Reedsburg and Sauk County GIS systems and the WDNR Surface Water Data Viewer.
B. United States Geological Quadrangles, 7 1/2 Minute Series, Reedsburg East and Reedsburg West.
C. Federal Emergency Management Agency (FEMA) Flood Boundary and Floodway Map and FEMA Flood Insurance Rate Map, City of Reedsburg, both dated October 2, 2015.

B. Section 665-28 is amended to provide for a maximum fine of $50.

Chapter 674, Subdivision of Land.

A. "Master plan" throughout this chapter is revised to "Comprehensive Plan." In § 674-2, the definition of "master plan" is revised to a definition of "comprehensive plan" to read as follows:

The comprehensive plan (aka "master plan") for guiding and shaping the growth and development of the City, including all of its component parts, as adopted and certified to by the Plan Commission.

B. Section 674-4A is amended to change "Chapter 32" to "the current City Fee Schedule on file in the City’s offices or available on the City’s website."

C. Section 674-4C(7) is amended to change 40 days to 90 days.

D. Section 674-4D(1) is amended to revise six months to 36 months.

E. Section 674-5H(7) is amended to delete the word "regulator."

Chapter 690, Zoning.

A. In § 690-11C(2), the sentence "Fees for certificates of nonconforming use are set forth in Chapter 274 of this Code" is revised to "Fees for certificates of nonconforming use are per the current City Fee Schedule on file in the City's offices or available on the City's website."

B. Section 690-12A(1) is amended to delete "The Mayor shall designate one of the members as Chairperson."

C. Section 690-13A is amended to change "shall pay the fee set forth in Chapter 32" in the last sentence to " shall pay the fee per the current City Fee Schedule on file in the City's offices or available on the City's website."

D. The lead-in paragraph of § 690-14 is amended as indicated: "For the purposes of this chapter, the City is hereby divided into ~~10~~ 13 districts, as follows:"

E. Original Sec. 17.08, Subsection (4), of the former Municipal Codebook, which contained a statutory provision now removed from §62.23, Wis. Stats., is repealed.

F. Section 690-19 is amended to insert "Plan Commission" after "City" in three places in the introductory section.

G. Section 690-24K is amended to read as follows:

All mobile homes shall meet the current construction standards of 42 U.S.C. §§ 5401 to 5426 (Title 42, Chapter 70, Manufactured Home Construction and Safety Standards).

H. Section 690-37 is amended as indicated:

Fees for a site plan review shall be the same as those for a conditional use permit as ~~established in Chapter 32 of the Municipal Code.~~ per the current City Fee Schedule on file in the City's offices or available on the City's website.

I. Section 690-48.

The phrase "fee as provided by Chapter 32 of the Code" is revised to "fee as per the current City Fee Schedule on file in the City's offices or available on the City's website."

In Subsection A, the phrase "registered land surveyor" is revised to "professional land surveyor."

J. In § 690-59B(1), the phrase "Fees as provided in Chapter 274 of this Code" is revised to "Fees as per the current City Fee Schedule on file in the City's offices or available on the City's website."

K. Section 690-59D(6)(b)[2] is amended as indicated: "A complaint under this subsection shall be made first to the owner of the energy system pursuant to a complaint resolution process developed by the owner."

L. In § 690-97F, the phrase "set forth in Chapter 32 of this Code" is revised to "per the current City Fee Schedule on file in the City's offices or available on the City's website."

ORDINANCE NO. 1889-19
(ATV/UTV Ordinance)

The City of Reedsburg, Sauk County, does hereby ordain as follows:

SECTION I: PURPOSE:

The purpose of this ordinance is to amend the sections regulating ATV/UTV use in the City by allowing them on nay city street but with additional restrictions for riders regarding licensing and insurance.

SECTION II: PROVISIONS AMENDED:

City of Reedsburg Code section 7.34 is amended to read as follows:

7.34 ALL TERRAIN VEHICLES

Wis. Stat. Sec. 23.33(2m), (3), (3g), (4), (4c), (4g), (4j), (4l), (4p), (4t), (4z), (5), (6m), and (13) regulating the operation and use of all-terrain vehicles are adopted herein by reference.

(1) **Authorization.** The City Council has considered the recreational and economic value of all-terrain vehicle and utility-terrain vehicle (ATV/UTV) routes and trail opportunities weighed against protecting the public safety, liability aspects, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created to establish all-terrain vehicle and utility terrain vehicle routes on public roadways and trails on the City property and to regulate the operation of such vehicles on such routes and trails to provide safe and healthful conditions for the enjoyment of ATV/UTV recreation consistent with public rights and interest pursuant to City authority under Wis. Stat. §§ 62.11(5), 23.33(8) and 23.33(11)(a) and (am).

(2) **State laws adopted.** The statutory provisions in Wis. Stat. Chapters 23.33 and 340 to 348, establishing definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code. Chapter NR 64, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Unless otherwise provided in this chapter, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes incorporated herein are made a part of this chapter in order to secure uniform statewide regulation of ATVs and UTVs.

(3) **Designating ATV/UTV Routes and Trails**. ~~The ATV/UTV routes in the City of Reedsburg are designated ATV/UTV Routes Map entitled "Reedsburg ATV Route Map, Reedsburg, Wisconsin" dated June 27, 2016.~~ Authorized ATV/UTV routes include all public streets within the City of Reedsburg city limits. In addition, ATVs/UTVs are authorized to use STH 33 (East and West Main Street) and STH 23 (South Albert Avenue) where the speed limit is 35 MPH or less.

(4) **Trail and Route Signs.** Designated ATV/UTV route and trail signs shall be shall be installed and maintained in accordance with Wisconsin Administrative Code NR 64.12 (7).

(5) **Operation of ATVs and UTVs**

(A) Operation of ATVs and UTVs on designated ATV/UTV routes shall be subject to all provisions of s. 23.33, Wis. stats., which is adopted as a part of this ordinance by reference.

(B) Pursuant to s. 23.33 (8) (d), Wis. stats. the City of Reedsburg restricts operation of ATVs and UTVs on any street or highway in the City of Reedsburg ~~on the designated ATV/UTV routes~~ from 6am – 10pm.

(C) ATVs and UTVs ~~operated on an established ATV/UTV Route and Trails~~ shall operate at a safe speed not to exceed the posted speed limits.

(D) No person under the age of 16 may operate an ATV or UTV on any segment of a street or highway in the City of Reedsburg.

(E) Every person who operates an ATV or UTV on any street or highway in the City of Reedsburg shall have in his or her immediate possession a valid motor vehicle operator's license and if born after January 1, 1988, possess a valid ATV safety certificate issued by Wisconsin or any other state or province. The ATV/UTV operator shall display the operator's license and safety certificate documents upon demand from any law enforcement officer, state patrol officer, inspector under Wisconsin State Stats 110.07(1), conservation warden, or municipal peace officer.

(F) No operator or passenger of an ATV or UTV may possess in or on an ATV or UTV on any street or highway in the City of Reedsburg, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released.

(G) All ATV and UTV equipment is required to have applicable liability insurance and have proof of insurance.

(6) **Notifications.** A copy of this ordinance shall be sent to the Wisconsin State Patrol, Sauk County Sheriff's Department and to the Wisconsin Department of Natural Resources.

(7) **Penalties**. The penalty for operating an ATV/UTV off a designated ATV/UTV Trail or off the roadway of a designated ATV/UTV route to include the sidewalks, grassy in-slope, ditches, or other street right-of-way; other than for direct access from a trail to a roadway on a designated trail, operating outside of permitted times for route or trail use, or operating in excess of permitted speed; shall result in enforcement as provided in this chapter.

SECTION III: VALIDITY:

Should any section, clause or provision of the Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION IV: CONFLICTING PROVISIONS REPEALED:

All ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE:

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code, Chapter 7.

Dated this 23rd day of September, 2019.

David G. Estes, Mayor

Jacob Crosetto, Clerk/Treasurer

1st Reading at Council:	August 26, 2019
Public Hearing Noticed:	September 5, 2019
2nd Reading at Council/Public Hearing:	September 23, 2019
Published, Enactment Date:	October 3, 2019

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

STAFF REPORT AGENDA ITEM: _____

To: City Council & Ordinance Committee
By: Brian Duvalle, Planning/Building
Date of Meeting: August 26, 2019

Subject: Ordinance 1889-19 – Amend ATV Ordinance; 1st Reading

BACKGROUND AND REQUEST
The current ATV ordinance was adopted in 2016. The vast majority of ATV users have been law-abiding and have helped to increase local business. Therefore in order to expand ATV use, lessen route confusion and allow residents to access routes from their properties without trailering, a local ATV group asked the Plan Commission to expand the current map and ordinance.

After discussion, the Plan Commission recommends allowing all city streets be authorized for ATV use. Along with the reasons listed above, it would also eliminate the need for ATV signage. Such authorization would be similar to the City's regulation of NEVs.

To help alleviate concerns of ATV use on all streets, the ordinance would increase the ATV driving age to 16, require driver's license & insurance and prohibit open intoxicants. This would be similar to Sauk County's ordinance.

FINANCIAL IMPACT
NA

STAFF RECOMMENDATION
The Plan Commission recommends approval.

ACTION:
If the Mayor and City Council are ready, the following action may be made:

Motion to approve/deny – 1st Reading of Ordinance 1889-19 & set public hearing for 9/23/19.

Attachment(s): Ord 1889-19

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

STAFF REPORT **AGENDA ITEM: _____**

To: Mayor and Common Council
Prepared By: Joshua Kowalke, Emergency Management Director
Reviewed By: Timothy M. Becker, City Administrator
Date of Meeting: August 26, 2019
Subject: Emergency Management – Chapter 48 Ordinance Update

BACKGROUND

Chapter six of the current City Ordinances does not have any revision or publication dates, however it refers to the state statutes of 194.89 and a joint resolution between the City and County Board in 1972. The current ordinance does not reflect the current practice of the City as it relates to Emergency Management. Since the early 1990's the City has appointed an Emergency Management Director to fulfill the duties of Emergency Management. The Emergency Manager has been either a local Police, Fire, or EMS official or the City Administrator. The current ordinance gives the powers of the emergency manager to the county emergency manager and does not have any provisions for a local emergency manager. It also does not provide any guidance as to when a state of emergency should be called or who can issue a state of emergency.

RECOMENDATION

Due to the chapter being outdated and not the current practice of the City of Reedsburg, I am recommending that the chapter be repealed and replaced with the attached chapter. Wisconsin Emergency Management legal counsel provided a draft of the attached ordinance which outlines best practices for a City's Emergency Management Department. The draft has been updated with practices that reflect what currently occurs in the City of Reedsburg. The ordinance contains the following chapters:

48-01 Purpose
48-02 Definitions
48-03 Organization
48-04 Emergency Powers
48-05 Powers of the Mayor
48-06 Director of Emergency Management
48-07 Designation of Emergency Temporary Locations
48-08 Departmental Emergency Response and Continuity of Operations Plans
48-09 Duties of Departments
48-10 Utilization of Existing Services and Facilities
48-11 Cooperation
48-12 Funding
48-13 Emergency Management Services Expenses
48-14 Enforcement
48-15 Penalty
48-16 Prior Rights and Obligations Preserved
48-17 Vacancies in the Office of Mayor
48-18 Preservation of Essential Public Records

ORDINANCE NO. 1890-19
(Chapter 48 - Emergency Management)

The City of Reedsburg, Sauk County, does hereby ordain as follows:

SECTION I: PURPOSE:

(1) By reason of the existing and increasing possibility of an emergency existing within the city whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the city, and to insure that preparations of this city will be adequate to deal with such disasters; to provide for the common defense; and to protect the lives and property and to preserve the peace, health, safety and general welfare, it is declared to be necessary:
   (a) To create the office of emergency management.
   (b) To confer upon the mayor, the common council and upon other officers of the city certain extraordinary powers in a period of emergency.
   (c) To provide for cooperation or mutual aid with other political subdivisions, private agencies and individuals relative to emergency management activities, in a manner that is consistent with the incident command system and the city's emergency response plan.

SECTION II: PROVISION AMENDED:

City of Reedsburg Code Chapter 48 is amended in its entirety and shall read as attached hereto.

SECTION III: VALIDITY:

Should any section, clause or provision of the Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION IV: CONFLICTING PROVISIONS REPEALED:

All ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE:

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code Chapter 48.

Adopted this 9th Day of September, 2019.

_____
David G. Estes
Mayor

ATTEST:

_____
Jacob Crosetto
City Clerk-Treasurer

Public Hearing Noticed:	August 29, 2019 & September 5, 2019
2nd Reading at Council/Public Hearing:	September 9, 2019
Published, Enactment Date:	September 12, 2019

CHAPTER 48
EMERGENCY MANAGEMENT

48-01 Purpose
48-02 Definitions
48-03 Organization
48-04 Emergency Powers
48-05 Powers of the Mayor
48-06 Director of Emergency Management
48-07 Designation of Emergency Temporary Locations
48-08 Departmental Emergency Response and Continuity of Operations Plans
48-09 Duties of Departments
48-10 Utilization of Existing Services and Facilities
48-11 Cooperation
48-12 Funding
48-13 Emergency Management Services Expenses
48-14 Enforcement
48-15 Penalty
48-16 Prior Rights and Obligations Preserved
48-17 Vacancies in the Office of Mayor
48-18 Preservation of Essential Public Records

48-01. Purpose.

1. PURPOSE. By reason of the existing and increasing possibility of an emergency existing within the city whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the city, and to insure that preparations of this city will be adequate to deal with such disasters; to provide for the common defense; and to protect the lives and property and to preserve the peace, health, safety and general welfare, it is declared to be necessary:
    a. To create the office of emergency management.
    b. To confer upon the mayor, the common council and upon other officers of the city certain extraordinary powers in a period of emergency.
    c. To provide for cooperation or mutual aid with other political subdivisions, private agencies and individuals relative to emergency management activities, in a manner that is consistent with the incident command system and the city's emergency response plan.
2. POLICY. It is further declared to be the purpose of this chapter and the policy of the city that organization, training and planning for emergency management are the continuing responsibility of each department or office of city government. Emergency management planning and preparation shall follow insofar as possible the normal lines of governmental administration. Such planning and preparation shall provide for the maximum use of volunteer organizations and volunteer efforts on the part of all residents of the city.
3. EXECUTIVE POWERS. It is further declared to be the purpose of this chapter and the policy of the city to permit the temporary suspension by ordinance, resolution or executive proclamation of the requirements of any city ordinance or resolution during a period of emergency which the common council or mayor deems necessary to allow immediate response to meet the exigencies and needs of the extraordinary conditions existing, and to grant to the mayor during such period broad executive powers to discharge the responsibility and duties placed on him or her by statute and this chapter.

48-02. Definitions. In this chapter:

1. BIOLOGICAL AGENT means any of the following:
    a. A select agent that is a virus, bacterium, rickettsia, fungus, or toxin that is specified under 42 CFR 72, Appendix A.
    b. A genetically modified micro-organism or genetic element from an organism under par. a that is shown to produce or encode for a factor associated with a disease.
    c. A genetically modified micro-organism or genetic element that contains nucleic acid sequences coding for a toxin under par. a or its toxic subunit.
    d. An agent specified by the state department of health services by rule.
2. BIOTERRORISM means the intentional use of any biological, chemical or radiological agent to cause death, disease or biological malfunction in a human, animal, plant or other living organism in order to influence the policy of a governmental unit or to intimidate or coerce the civilian population.

3. CHEMICAL AGENT means a substance that has chemical properties that produce lethal or serious effects in humans, plants, animals, or other living organisms.
4. DIRECTOR means the head of the office of emergency management as provided in ch. 323, Wis. Stats.
5. DISASTER means a severe or prolonged natural or human-caused occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of the city, or critical systems, including computer, telecommunications, or agricultural systems.
6. EMERGENCY MANAGEMENT means all measures undertaken by or on behalf of the city to do the following:
    a. To prepare for and minimize the effect of a disaster or the imminent threat of a disaster.
    b. To make repairs to or to restore infrastructure or critical systems that are destroyed or damaged by a disaster.
7. EMERGENCY OPERATIONS CENTER means the facility from which command and control takes place of a large disaster, catastrophic event or incident requiring extraordinary city resources.
8. EMERGENCY RESPONSE PLAN means the plan that identifies the various city department functions to be performed during a disaster.
9. GOVERNOR means the governor of the state of Wisconsin or anyone legally administering the office of governor.
10. INCIDENT COMMAND SYSTEM means a functional management system established to control, direct and manage the roles, responsibilities and operations of all the agencies in a multi-jurisdictional or multi-agency emergency response.
11. PUBLIC HEALTH EMERGENCY means the occurrence or imminent threat of an illness or health condition that meets the following criteria:
    a. Is believed to be caused by bioterrorism or a novel or previously controlled or eradicated biological agent.
    b. Poses a high probability of either of the following:
        i. Many deaths or serious or long-term disabilities among humans.
        ii. A high probability of widespread exposure to a biological, chemical or radiological agent that creates a significant risk of substantial future harm to many people.
12. RADIOLOGICAL AGENT means radiation or radioactive material at a level that is dangerous to humans, animals or other living organisms.

48-03. Organization.

1. CREATED. To carry out the policies and purposes of this chapter, there is created the office of emergency management under the executive direction and control of the mayor.
2. DIRECTOR. The director, who shall be appointed by the mayor and confirmed by the common council shall:
    a. Have administrative control of the office of emergency management.

b. Develop and promulgate emergency plans consistent with state and federal plans, direct the emergency management program and perform such other duties related to emergency management as are required by the common council.
c. Coordinate the city's emergency management preparedness, planning and exercises.
d. Direct participation in emergency management programs and exercises ordered by the Adjutant General of the Wisconsin Department of Military Affairs.
e. Advise the county head of emergency management services on local emergency management programs and submit such reports as he or she requires.

48-04. Emergency Powers.

1. Pursuant to s. 323.14(4), Wis. Stats., the common council is empowered to order, by ordinance or resolution, an emergency existing within the city. The period of emergency shall be limited by ordinance or resolution to an emergency or the imminent threat of an emergency.
2. The emergency power of the common council conferred under sub. 1 includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection and welfare of persons and property within the city in the emergency and includes the power to bar, restrict or remove unnecessary traffic, both vehicular and pedestrian, from the public way, notwithstanding any provision of chs. 341 to 349, Wis. Stats., as amended, or any other provisions of law.
3. If, because of the emergency conditions, the common council is unable to meet with promptness, the mayor or acting mayor shall exercise by proclamation all of the powers conferred upon the common council under sub. 1 or 2 which within the discretion of mayor or acting mayor appear necessary and expedient for the purposes of this chapter. The proclamation shall be subject to ratification, alteration, modification or repeal by the common council as soon as it can meet, but the subsequent action taken by the common council shall not affect the prior validity of the proclamation.

48-05. Powers of the Mayor.

1. EXECUTIVE DIRECTION. The mayor shall have executive direction and control of the office of emergency management and shall be responsible for the carrying out of provisions of this chapter and ch. 323, Wis. Stats., as amended. During a period of emergency, the mayor shall assume command and direct control over all emergency management operations and functions within the city.
2. COOPERATION WITH OTHER AGENCIES. The mayor is authorized to cooperate with other political subdivisions, other states, the federal government, and with federally recognized American Indian tribes and bands in all emergency management matters pertaining to the city, state, and nation. The mayor shall comply, so far as is practicable and consistent with the emergency management requirements of the city, with program guides of the emergency management agencies of the federal government and the state of Wisconsin. He or she shall prepare or cause to be prepared reports of emergency management preparations, programs or progress which are required for eligibility or

participation in financial or other assistance made available by or through the federal government or the state of Wisconsin.

3. DELEGATION OF AUTHORITY. The mayor is further authorized and empowered to:
    a. Make, amend and rescind orders, rules, regulations and emergency management plans within the limits of the authority conferred upon him or her under this chapter, consistent with emergency management statutes and plans of the state of Wisconsin and the federal government.
    b. Enter into shelter licenses or other similar arrangements with other political subdivisions, or governmental or private agencies, or individuals. However, no expenditures of public funds or any obligation of such funds shall be made without prior approval of the common council, except during periods of emergency.
    c. Delegate administrative and contracting authority vested in him or her under this chapter and authorize the sub-delegation of such authority.
    d. Declare by proclamation a state of emergency and the termination thereof unless the common council by resolution shall sooner declare the termination of the state of emergency. When the proclamation is issued, the county emergency manager shall be immediately notified of its contents.
4. SAFETY PROTECTION.
    a. The mayor shall have the power during a period of emergency to take such action as he or she deems necessary to preserve or protect the lives, health and safety of persons and property and to provide emergency assistance to any victims during such period. The mayor shall not be required to comply with the procedures and formalities prescribed by any other ordinance or resolution of the city pertaining to the performance of public work, the issuance of temporary permits, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, or the requisition or purchase of supplies and materials. Such power or authority shall, however, not exceed the amount appropriated by the common council, and set aside and remaining in an emergency management fund. In no event shall the liability of the city exceed the fair and reasonable value of the services, supplies, equipment or materials furnished by virtue of the exercise of such power or authority.
    b. The mayor shall have the power after a proclamation of emergency, and until the state of such emergency is terminated, to commandeer materials, services and property in the public interest and safety.
    c. The mayor shall convene the council as soon as conditions permit.

48-06. Director of Emergency Management.

1. The director shall serve as the manager of the emergency operations center and shall facilitate the coordination among city department and other levels of government when the center is activated.
2. The director shall direct the planning and training of all city departments relating to emergency management. The director shall maintain liaison with and cooperate with

emergency management agencies and organizations of other political subdivisions within the state of Wisconsin, other states and the federal government, and shall have such additional administrative authority, duties and responsibilities as are delegated to him or her by the mayor or as may be granted by ordinance or resolution of the common council. The director shall not exercise command authority over any officer or employee in charge of any other city department.

3. The director shall prepare or cause to be prepared and maintain a comprehensive and current emergency response plan for emergency management and continuity of governmental operations plans for the city and its inhabitants. The plan shall be coordinated with the national incident command system and national response plan, and the plans of the state of Wisconsin and the county of Sauk.
4. The director shall, in accordance with the city's emergency response plan, procure, or cause to be procured, supplies and equipment and take and cause to be taken all other preparations for any future partial or full mobilization of emergency management organizations in advance of a disaster, or for the imminent threat of a disaster to assure the availability of adequately trained and equipped forces of necessary emergency management personnel in a period of emergency.
5. The director may recommend to the mayor appointments for emergency management assignments of city officers or employees as may be necessary for an efficient emergency management organization in addition to those expressly provided for in this chapter.
6. The director shall make, or cause to be made with the mayor's approval, studies and surveys of industries, resources, services and facilities in this city and surrounding political subdivisions as may be necessary to ascertain the capabilities of the city relative to emergency management operations and to plan for use thereof.
7. The director shall be the central point for the news media, city employees, public officials and the public regarding the operations of city government during a period of emergency. The director shall inform the public to the maximum extent possible of the necessity of self-help and protection and keep the public informed of the availability of self-help and protection materials and publications.
8. The director may, with the prior approval of the mayor, authorize expenditures within the budgeted funds established or provided by either the common council or the state or federal government or other agencies, in carrying out the provisions of this chapter. Expenditures of such budgeted city funds shall be in accordance with chapter 485, Wis. Stats.

48-07. Designation of Emergency Temporary Locations.

1. ALTERNATE SITES. The mayor may designate, subject to common council approval, alternate sites as the emergency temporary locations of government where all, or any part, of the public business may be conducted whenever during a state of emergency it becomes imprudent, inexpedient or impossible to conduct the affairs of city government at the regular or usual places. The alternate sites may be within or without the territorial limits of the city. With the approval of the mayor, department heads shall

from time to time designate specific places for their subordinates and employees to report upon the commencement of an emergency, if it is desirable for such persons to report to a place other than that designated by the mayor as the temporary site of government.

2. EXERCISE OF AUTHORITY. While the public business is being conducted at a temporary location, the mayor, common council and other city officers shall possess and exercise all executive, legislative, administrative and judicial powers and functions conferred upon the mayor, common council and city officers under state law. Those powers and functions, except judicial, may be exercised in light of the exigencies of the emergency situation without regard to the compliance with time-consuming procedures and formalities prescribed by law. All acts of the mayor, common council and officers shall be valid and binding as if performed within the territorial limits of the city.

48-08. Departmental Emergency Response and Continuity of Operations Plans.

1. Each city department shall develop and maintain a departmental continuity of operations plan. Each departmental emergency response and recovery plan shall include, but not be limited to:
    a. Risk and vulnerabilities assessment.
    b. Identification of key staff and the means of contacting key staff during a period of emergency.
    c. Department heads shall designate by title, if feasible or by named person, emergency interim successors and specify their order of succession.
    d. The activities of the department during a period of emergency.
    e. Identification of critical and non-critical personnel job duties.
    f. Identification of alternate sites for departmental functions.
    g. Identification of alternate locations for storage of supplies, records and other critical items.
    h. An outline of the process of restoring departmental services following a period of emergency.
2. Each department shall annually submit a copy of the department's continuity of operations plan to the director for review to assure consistency with the city's emergency response plan.

48-09. Duties of Departments.

1. It shall be the duty of all city departments to perform the functions and provide the necessary resources identified in the city's emergency response plan to respond to a disastrous or catastrophic incident.
2. All city departments shall cooperate with the director in developing, maintaining and exercising the city's emergency response plan.

48-10. Utilization of Existing Services and Facilities.

1. In carrying out the provisions of this chapter, the director shall utilize the services, equipment, supplies and facilities of existing departments, bureaus, offices, commissions, committees, authorities and agencies of the city to the maximum extent practicable. The officers, agents, employees and personnel of all such departments, bureaus, offices, commissions, committees, authorities and agencies of the city shall cooperate with the office of emergency management.
2. It shall be a condition of employment by the city that every city employee, present and future, may be required to receive training in and assignment to an emergency management position, consistent with the education, training, experience and the job classification or position occupied by the employee. The mayor or director may exempt employees from this requirement.

48-11. Cooperation.

1. The city may cooperate with other jurisdictions under s. 4848.0301, Wis. Stats., to furnish services, combine offices and finance emergency management services.
2. The mayor may, subject to the approval of the common council, in collaboration with other public or private agencies, enter into mutual aid agreements or arrangements for reciprocal emergency management aid. The agreements or arrangements shall be consistent with the currently existing state of Wisconsin statutes and the state of Wisconsin emergency management plan and the currently existing plan and program of the federal government. In a period of emergency, the office of emergency management shall render assistance in accordance with provisions of any mutual aid agreement or arrangement.

48-12. Funding.

1. APPROPRIATION. The common council shall appropriate such money as it deems necessary for the carrying out of the purposes of this chapter, such money to be deposited in a special account to be known as the "emergency management fund." The money, except as otherwise specifically provided, shall be disbursed in the manner prescribed for the disbursement of public funds, excepting in case of a period of emergency, in which event the mayor may disburse such appropriated funds within his or her discretion for emergency management or homeland security services without the signature or countersignature of any other city officer or compliance with any other ordinance.
2. SUPPLIES. Whenever during a period of emergency the federal government or the state of Wisconsin or any agency or officer thereof, or any person, firm or corporation shall offer to the city or to the office of emergency management , equipment, supplies, materials, aids, expenses, assistance or funds by way of gift, grant, contribution or loan or otherwise for the purposes of emergency management or homeland security, the mayor, on behalf of the city, may accept such offer, and upon such acceptance, may authorize any officer of the city or the director to receive the same, subject to the terms of the offer and the rules and regulations, if any, of the offeror or agency making the

offer. The acceptance or receipt shall not create or cause any liability on the part of the city, the director, or any officer, agent or employee thereof or of the city for failure to comply with the terms of such offer and the rules and regulations, if any, of the offeror or agency making the offer. All funds or moneys so received shall be disbursed in the manner prescribed for the disbursement of public funds.

3. PROGRAM GRANTS. City agencies applying for emergency management or homeland security grants shall coordinate with the director to ensure continuity with the goals of the city's emergency response plan and overall homeland security strategy.

48-13. Emergency Management Services Expenses.

1. Except as expressly provided for in this chapter, no person shall expend any funds of the city in carrying out any emergency management activity authorized herein without prior approval by the common council, nor shall any person have any right to bind the city by contract, agreement or otherwise without prior approval of the common council.

48-14. Enforcement.

1. The director, department heads, officers, agents, employees and all other city and emergency management personnel shall execute, enforce and obey such lawful orders, rules and regulations as may be issued by the mayor during a period of emergency.

48-15. Penalty.

1. Any person, who willfully refuses to comply with any lawful order of the mayor during a period of emergency shall upon conviction by a court of record forfeit a sum not exceeding $1,000, and in default of payment be imprisoned not exceeding 40 days.

48-16. Prior Rights and Obligations Preserved.

1. This chapter shall not invalidate any act done, obligation or contract made or incurred by the city or in its behalf by any officer or duly authorized emergency management or homeland security organization, committee or agency pursuant to the authorization of any ordinance or resolution existing prior to August 15, 2018, nor shall this chapter divest the city, any committee, agency, or officer thereof of any rights of property, contracts or any other rights or of any liability or obligation which may have been created or accrued prior to the effective date of this chapter.

48-17. Vacancies in the Office of Mayor.

1. During the period of emergency, the position of mayor shall be deemed temporarily vacant if he or she is unable to perform his or her assigned duties or cannot be located. Vacancies in the office of mayor shall automatically be filled during the period of the

emergency, until the elected mayor resumes his or her duties, by a direct line of succession by those persons elected to the following offices prior to the emergency.

a. The president of the Common Council.
b. Public Safety Committee Chair
c. Public Works Committee Chair

48-18. Preservation of Essential Public Records.

1. Each department head shall establish a system for the preservation of essential city records necessary for the continuity of governmental functions in the event of emergencies or natural or man-made disasters.

CHAPTER 6

CIVIL DEFENSE

6.01 Purpose
6.02 Ratification of Joint Action Ordinance
6.03 Emergency Director
6.04 Sauk County Joint Action Ordinance

6.01 PURPOSE

A Joint Action Ordinance of the Board of Supervisors of Sauk County providing for a county-municipal joint action emergency government plan of organization has been adopted by said County Board on the 18th day of July, 1972. A copy of said county ordinance is attached hereto and set forth as Section 6.04, and is hereby ratified and accepted by the City of Reedsburg, County of Sauk.

6.02 RATIFICATION OF JOINT ACTION ORDINANCE

This ratification and acceptance of the Joint Action Ordinance shall constitute a mutual agreement between the City of Reedsburg and the County of Sauk as provided by Section 3 of said Joint Action Ordinance.

6.03 EMERGENCY DIRECTOR

The County-Municipal Emergency Government Director appointed and employed by the Sauk County Board as provided in the referred to Ordinance is hereby designated and appointed Emergency Government Director for the City of Reedsburg, subject to the conditions and provisions set forth in Wisconsin Statutes, and the Sauk County Joint Action Ordinance.

6.04 SAUK COUNTY JOINT ACTION ORDINANCE

(1) POLICY AND PURPOSE

(a) To ensure that the County of Sauk will be prepared to cope with emergencies resulting from man-made and natural disasters, an Emergency Government Organization is created to carry out the purposes set out in Chapter 22 of Wisconsin Statutes, 1969.

(b) Definitions. As used in this ordinance:

1. "Emergency Government" includes "civil defense" and means all measures undertaken by or on behalf of the State and its subdivisions: 1. To prepare for and minimize the effect of enemy action and natural or man-made disaster upon the civilian population, and 2. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action of disaster.
2. "Civil Defense" means all measures undertaken by or on behalf of the State and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.
3. "Enemy Action" means hostile action by a foreign power which threatens the security of this State or portion thereof.

(2) COUNTY EMERGENCY GOVERNMENT COMMITTEE

(a) How constituted. The Executive Committee of the County Board as created under its rules is hereby designated as the County Emergency Government Committee. When acting as such committee, the Chairman of the County Board shall be its Chairman.

(b) Duties of County Emergency Committee. The County Emergency Government Committee shall be an advisory and planning group and shall advise the County Emergency Director, Coordinator and the County Board of Supervisors on all matters pertaining to emergency government. It shall meet upon call of the Chairman.

(3) COUNTY EMERGENCY GOVERNMENT DIRECTOR.

(a) Joint Director. There is hereby created the Office of County-Municipal EG Director. The County Government Director of such municipalities of Sauk County as may hereafter enact an ordinance parallel to this ordinance. In addition to his duties as County Emergency Government Director, he shall have the additional duties and responsibilities of a Municipal Emergency Government Director as provided for in Section 66.30 of the Wisconsin Statutes.

(b) Salary, Term, Appointment and Statutory Provision.

1. Salary. The salary of the Director and members of his staff shall be as determined by the County Board.
2. Terms. The term of the Sauk County Emergency Government Director shall be at the pleasure of the County Board.
3. Appointment. The Emergency Government Director shall be appointed by the Emergency Government Committee subject to approval by the County Board.
4. Statutory Provision. The provisions of Section 22.16(9), Laws of 1969, Wisconsin Statutes, relating to personnel, shall apply to the selection of the Director and his staff.

(c) Status. The County Emergency Government Director shall be considered to be an employee of the County not under civil service and shall be entitled to all of the rights, privileges and benefits that County employees have. He shall report to the County Emergency Government Committee.

(d) Municipal Deputy Emergency Government Director.

1. Each municipality passing a joint action ordinance with the County may appoint a Deputy Emergency Government Director.
2. The Municipal Deputy Emergency Government Director will operate under the administrative direction of the County Emergency Government Director.
3. Remuneration, if any, for the Deputy Municipal Emergency Government Director will be determined and paid by the governing body of that municipality.

(4) SHARING OF COSTS

(a) Office and Staff. The Sauk County Board shall provide offices, office furniture, stenographic help and such office supplies as may be necessary to carry out the functions of the County Emergency Government Director.

(b) Major Equipment and Services. Costs of equipment and services shall be borne 100 percent by the municipal government requiring such procurement with Federal matching funds procured by the County-Municipal Director when applicable. Federal matching fund reimbursements shall be returned to the Treasurer of the municipality procuring the equipment or services.

(5) JOINT ACTION MEETINGS. Whenever it is deemed necessary by either the County Emergency Government Committee, or the Emergency Government Committee of a municipality participating in joint action, there shall be a joint meeting of the committees to decide such matters as may arise.

(6) DUTIES OF THE COUNTY EMERGENCY GOVERNMENT DIRECTOR.

(a) County-Wide Duties. The Director, in his capacity as County Director, subject to the control and direction of the County Emergency Government Committee and under the general supervision of the County Board, shall:

1. Develop and promulgate emergency government plans for the County including planning for joint action municipalities consistent with the State plan of emergency government;
2. Coordinate and assist in the development of non-joint action municipal emergency government plans within the County, and integrate such plans with the County plan;

3. Direct the County and joint action municipality emergency government programs;
4. Direct County-wide emergency government programs and exercises;
5. Advise the State Administrator of Emergency Government of all emergency government planning for the County and render such reports as may be required by the Administrator;
6. In case of a state of emergency proclaimed by the Governor, direct the County and joint action municipalities in emergency government activities and coordinate the non-joint action municipal emergency government activities within the County, subject to coordinating authority of the State Administrator;
7. Perform such other duties relating to emergency government as may be required by the County Board.

(b) Municipal Duties. The Director, in his capacity as director for a municipality participating in joint action, shall:

1. Direct the Municipal Emergency Government Organization;
2. Develop, promulgate, and integrate into the County plan emergency government plans for the operating services of the municipality;
3. Direct participation of the municipality in such emergency government training programs and exercises as may be required on the County level or by the State Administrator;
4. Direct the municipality emergency government training programs and exercises;
5. Perform all administrative duties necessary for the rendering of reports and procurement of Federal matching funds for each municipality requesting Federal matching funds;
6. In case of a state of emergency proclaimed by the Governor, direct the activities of the Municipal Emergency Government Organization.
7. Perform such other duties, relating to emergency government, as may be required by the municipal governing body.

(7) UTILIZATION OF EXISTING SERVICES AND FACILITIES.

(a) Policy. In preparing and executing the Emergency Government Program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate and extend such services and facilities as are required of them.

(b) Joint Action. Municipalities entering into joint action with Sauk County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this section of the County ordinance.

(8) OTHER EMERGENCIES.

(a) Joint Action Municipalities. In the event the Governor determines that an emergency exists growing out of natural or man-made disaster, the County Emergency Government Director will activate and direct the emergency government services at the appropriate level of government affected by the emergency.

(b) Non-joint Action Municipalities. In the event of a natural or man-made disaster, the County Director will coordinate the municipalities affected and render such assistance as is required and available for County resources.

(c) Penalties. It shall be unlawful for any person to wilfully obstruct, hinder, or delay any member of the Emergency Government Organization in the enforcement of any order, rule, regulation or plan issued pursuant to this ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. For a violation of any of the provisions of this ordinance, he shall forfeit not more than $200.00, or be imprisoned in the County Jail for a period not exceeding 90 days, or both.

REEDSBURG UTILITY COMMISSION

Light Speed

STAFF REPORT AGENDA ITEM: 10b

To: Utility Commission
Prepared By: Brett Schuppner & Jon Craker
Date of Meeting: August 19, 2019
Subject: 2019 Water Impact Fees

Background:
Please see the 2019 RUC Water Impact Fee Report.

Impact fees are fees that are collected in order to pay for the capital costs to construct, expand or improve public facilities which are necessary to accommodate development. The imposition of impact fees is intended to ensure that public facilities are adequate to meet the development needs of the City and that new development pays a proportionate share of new, expanded or improved facilities required by such development. This keeps water rates lower and prevents existing rate payers from subsidizing infrastructure required for new developments.

The current Impact Fees have been in place since 2002. The 2002 and proposed 2019 impact fees are shown in Table 6 on page 6 of the report. The proposed impact fees are approximately 30% less than the current fees.

A public hearing may be required on the proposed impact fees and approval by the City Council to update the ordinance.

Recommendation:
Approve the 2019 RUC Water Impact Fee Report and proposed impact fees, and recommend to the Ordinance Committee and City Council adoption and updating of City Ordinance 3.10 Impact Fees for Capital Projects.

executed. The developer's agreement assigns 50% of these project costs to be assessed to the school district and therefore this share of costs are not included as part of the new impact fee analysis. All other projects will serve to primarily provide better service to the new developments around which these projects are based.

V. IMPACT FEE ASSESSMENT

Project costs summarized in Table 5 and land areas summarized in Table 1 were used to determine the appropriate impact fees which are summarized in Table 6. The new 10-year impact fees were calculated for the meter size factor of 1.0 by dividing total project cost estimates allocated to the RUC ($3,604,166) by the total growth REUs (5,716). Other meter size impact fees are calculated by multiplying the appropriate meter size factor by the base impact fee for a standard meter size (5/8" or 3/4") on a single family dwelling. For example, the impact fee for a 1" service is calculated by multiplying the meter size factor (2.5) by the base impact fee ($631.00) to get an impact fee of $1,576.00 for a customer using a 1" diameter meter.

Table 6: Impact Fee per Meter Size Summary

Meter Size	Meter Size Factor	2002 Impact Fee	2019 Impact Fee
5/8" & 3/4" Multi-Family	0.75	$663.00	$473.00
5/8" & 3/4" Single Family	1	$884.00	$631.00
1"	2.5	$2,211.00	$1,576.00
1 1/2"	5	$4,421.00	$3,153.00
2"	8	$7,074.00	$5,044.00
3"	15	$13,264.00	$9,458.00
4"	25	$22,106.00	$15,763.00
6"	50	$44,212.00	$31,527.00
8" or Larger	80	$70,740.00	$50,443.00

Table 6 shows that the new 10-year impact fees are lower than those determined by the previous 2002 assessment. The new base impact fee for a meter size factor of 1.0 is almost 30% less than that of the prior study. However, this new lower impact fee will sufficiently recover the estimated project costs associated with the expected land developments to occur over the next ten years.

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Meter Size	Meter Size Factor	Impact Fee
5/8" & 3/4" Multi Family	0.75	$ 473.00
5/8" & 3/4" Single Family	1	$ 631.00
1"	2.5	$ 1,576.00
1 1/2"	5	$ 3,153.00
2"	8	$ 5,044.00
3"	15	$ 9,458.00
4"	25	$ 15,763.00
6"	50	$ 31,527.00
8" or Larger	80	$ 50,443.00

Amended Ordinance #332-3 Impact Fees for Water Utility

WATER UTILITY

The Water Utility of the Reedsburg Utility Commission of the City of Reedsburg.

ZONING DISTRICTS

Those areas designated in Chapter **690**, Zoning, as being reserved for specific land uses, subject to development and use regulations specified in Chapter **690**.

ZONING ORDINANCE

The official adopted Zoning Map and text regulating all development and land use in the City of Reedsburg.

§ 332-3 Impact fees for water utilities.

The impact fees for water utilities to be paid at the time of issuance of a building permit are:

Meter Size	Equivalency	Impact Fee
5/8″ and 3/4″ multifamily	0.75	$663
5/8″ and 3/4″	1	$884
1″	2.5	$2,211
1 1/2″	5	$4,421
2″	8	$7,074
3″	15	$13,264
4″	25	$22,106
6″	50	$44,212
8″ or larger	80	$70,740

§ 332-4 Exemptions for water utilities impact fees.

A. An impact fee will not be required in the following cases:

(1) Alterations or expansion of an existing building where no additional or larger water meter connections are requested.

(2) The replacement of a building or structure with a new building or structure of the same size and use where no additional or larger water and/or sewer connections are requested and where the use is not changed.

B. A change in water meter size shall not be exempted from payment of the impact fee; however, a credit shall be given for the current impact fee on the old meter size. For example, at the time of an application for a change from a five-eighths-inch meter to a one-inch meter, the impact fee would equal the current impact fee for a one-inch meter less the current impact fee for a five-eighths-inch meter.

C. No impact fee shall be required, nor credited, for a change in water meter size that results in a decrease in meter size.

D. Any claim for exemption must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

§ 332-5 Impact fees for park facilities.

A. Impact fees for park facilities imposed pursuant to this chapter shall be due and payable at the time of issuance of a building permit for new construction of a residential dwelling.

B. Impact fee for dwelling units shall be $800 for a single unit. For seasonal employee housing development with more than 12 units, the fee can be reduced to $400 pending the inclusion of recreation facilities, and open space is required for these developments.
[Amended 2-12-2018 by Ord. No. 1863-18]

§ 332-6 Payment of impact fees.

ORDINANCE NO. 1891-19
(Chapter 332 – Impact Fees for Water Utility)

The City of Reedsburg, Sauk County, does hereby ordain as follows:

SECTION I: PURPOSE:

(a) Impact fees are fees that are collected in order to pay for the capital costs to construct, expand or improve public facilities which are necessary to accommodate development. The imposition of impact fees is intended to ensure that public facilities are adequate to meet the needs of the City and that new development pays a proportionate share of new, expanded or improved facilities required by that development.

SECTION II: PROVISION AMENDED:

City of Reedsburg Code Chapter 332-3 is amended to reflect the new impact fee schedule for water utilities.

SECTION III: VALIDITY:

Should any section, clause or provision of the Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION IV: CONFLICTING PROVISIONS REPEALED:

All ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION V: EFFECTIVE DATE:

This Ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VI: PART OF CODE:

This Ordinance becomes part of the City of Reedsburg Code Chapter 332.

Adopted this 9th Day of September, 2019.

_____
David G. Estes
Mayor

ATTEST:

_____
Jacob Crosetto
City Clerk-Treasurer

Public Hearing Noticed:	August 29, 2019 & September 5, 2019
2nd Reading at Council/Public Hearing:	September 9, 2019
Published, Enactment Date:	September 12, 2019

2019 RUC Water Impact Fee Report

Reedsburg Utility Commission
Sauk County, WI

Project No. 03219016

May 2019

MSA

2019 RUC Water Impact Fee Report

Reedsburg Utility Commission
Sauk County, WI

Project No. 003219016

Prepared by:

MSA Professional Services, Inc.
1230 South Boulevard
Baraboo, WI 53913
Phone: (608) 356-2771

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APPENDIX A 10-YEAR LAND DEVELOPMENT MAP

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I. INTRODUCTION

In response to the growth experienced by cities, water utilities, and water customer bases, water impact fee studies are meant to assess future expected land development, increased customer water demands, and identify necessary future water infrastructure project costs. Such studies allow the utility commission to determine future required project costs and distribute those costs amongst the predicted new customers that will benefit directly from these projects. This particular water impact fee study for the Reedsburg Utility Commission (RUC) considers a ten year time period (2019 to 2029). This report is a summary of significant findings gathered through the efforts of this study and outlines the predicted land development areas, new customers, existing utility capabilities and ability to service the future demands, predicted project costs, and final suggested water impact fees to be assessed.

II. LAND DEVELOPMENT AREA ESTIMATE

Land area developments over the next 10 years followed a thorough review of existing utility extents, recent subdivision expansions, mapped wetlands, and locations both near and within the current city limits that would be well-suited for future development. Both residential and commercial future development areas were considered and delineated as shown by the map included in the attached Appendix A. Areas outlined by the map are summarized in Table 1 by development type and total acreage.

Table 1: 10-year Development Estimates by Land Area

Development Type	Total Acres
Residential	962
Commercial	551
Total	**1,513**
Multi-Family (20% Res.)	192
Single Family (80% Res.)	770

As shown in Table 1, the total 10-year estimated acreage likely to be developed and incorporated into the RUC utility service network is just over 1,500 acres. Of that total acreage, almost two-thirds is estimated to be residential. In order to develop more accurate residential equivalency units (REUs), the residential area is further broken down into multi-family residential and single

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family residential areas. Multi-family residential areas are those areas allocated for multi-unit apartment buildings and duplexes while single family residences are single dwelling units. The estimated percentage of each type of development is shown in Table 1 with the respective development type description.

Table 2 shows a summary of all assumptions made to determine total growth REUs which is a key component in determining the new water impact fee. Population percentages and densities are the same assumptions as were made in the 2002 study to maintain consistency. These assumptions are shown in Table 2 (population percentages, densities, and multi-family ratios). Acreage, densities, and multi-family ratios were multiplied to determine the respective categorical growth REUs over the next ten years.

Table 2: Total Growth REUs Determination

Land Use	Multi-Family Residential	Single Family Residential	Commercial	Total
Population Percentage	12%	68%	20%	100%
Acreage	192	770	551	1,513
Density/Acre	16	3	2	-
Multi-Family Ratio	0.75	1.0	1.0	-
REUs	2,304	2,310	1,102	**5,716**

Table 2 shows that the total growth REUs over the next ten years is estimated to be 5,716. This means that there will be an estimated 5,716 new metered customers over the next ten years which will both benefit from new outlined infrastructure expansion and maintenance projects and be responsible for a portion of the projected capital outlay.

III. ASSESSMENT OF CURRENT AND FUTURE WATER DEMANDS

In order to determine the full scope of future projects to accommodate the outlined land developments, the existing infrastructure was considered to determine if any new wells or storage facilities would be required. Table 3 provides a summary of existing wells and storage facilities in operation by the RUC.

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Table 3: Current Infrastructure Summary

Existing Well Capacities		Existing Storage Capacities	
Well No.	Well Capacity (gpm)	Storage Facility	Capacity (gallons)
3	1,000	No. 1 Steel Elevated (14th St.)	500,000
4	1,000	No. 4 Elevated (Webb Ave.)	200,000
6	1,060	No. 2 Conc. Ground (Zobel)	500,000
7	1,200	No. 3 Conc. Ground (Moyer)	500,000
8	1,200	-	-
Totals	**5,460 gpm**	-	**1,700,000 gal.**

Table 3 shows that RUC existing wells have a total capacity of 5,460 gpm. The firm well capacity, or pumping capacity with the largest well out of service, is 4,260 gpm. Water sales data from a five-year period was used to help determine if the current wells and storage facilities are sufficient to service the proposed ten-year developments. Table 4 shows a summary of water demands per customer based on land use category.

Table 4: Five-Year Water Usage Trends Summary

	Residential		Commercial		Industrial	
Year	Avg. gal/day[a]	Avg. gpm[b]	Avg. gal/day[a]	Avg. gpm[b]	Avg. gal/day[a]	Avg. gpm[b]
2013	122.5	0.085	643.4	0.447	36,597	25.41
2014	141.8	0.098	671.4	0.466	35,983	24.99
2015	142.7	0.099	779.8	0.542	29,128	20.23
2016	141.2	0.098	780.7	0.542	29,442	20.45
2017	135.1	0.094	747.9	0.519	27,349	18.99
Avg.	**137**	**0.095**	**725**	**0.50**	**31,700**	**22.0**

a. Average water usage in gallons per day per customer

b. Average water usage in gallons per minute per customer

Using the data in Tables 2 and 4, it is determined that the estimated increase in average day water demands is 438 gpm for residential customers and 551 gpm for commercial customers. Future increases are determined by multiplying the REUs in Table 2 (2,304 + 2,310 = 4,614 residential REUs and 1,102 commercial REUs) by the respective average water usage in gallons per minute per customer shown in Table 4 (0.095 gpm for residential and 0.50 gpm for commercial). These increases total an estimated 989 gpm of increased average day demand on

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the existing systems. The current average day demand is 1,293 gpm (1,978,690 gallons/day) with a maximum day demand of 2,268 gpm (3,266,000 gallons/day). The calculated future average day demand considering the increase in serviced customers is then 2,282 gpm while the maximum day demand is estimated to be 3,257 gpm. Both of these demands are well below the current firm well pumping capacity of 4,260 gpm so there are no additional wells required for inclusion in this study.

Additional analysis of the current storage capacity shows no requirements for additional storage facilities over this study period. The current average storage turnover rate is (1,978,690 gallons/day / 1,700,000 gallons storage) 1.16 times/day based on average day demands. Similarly, the current average maximum day storage turnover rate is 1.92 times/day. This means that even at maximum day pumping rates, the current storage facilities have enough capacity to provide service for greater than 12 hours. Considering the added demands of (989 gpm x 1,440) 1,424,160 gallons/day, the future average day flows are estimated to be 3,402,850 gallons/day. Dividing this by the current storage capacity of 1.7 million gallons equates to a storage turnover rate of 2.0 times/day. At average day demands, it is therefore estimated that the current storage facilities have enough capacity to provide service for 12 hours. Future maximum day pumping rates are estimated to be (3,266,000 gallons/day + 1,424,160 gallons/day) 4,690,160 gallons/day. Dividing the future maximum day demands by the current storage capacity of 1.7 million gallons equates to a storage turnover rate of 2.8 times/day. At future maximum demands, it is estimated that the current storage facilities have enough capacity to provide service for just over 4 hours. Based on these findings, it is assumed that the current storage capacities are sufficient for current water demands. However, in a longer time period (10 to 20 year period), it is foreseen that additional storage facilities will be required.

IV. PROJECT COST ESTIMATES

Considering the future development areas shown in the attached map in Appendix A and summarized in Table 1, necessary accompanying water infrastructure improvements and expansions were then determined and costs estimated. These water infrastructure projects are those determined to be both critical to the development of the assumed areas on which this report

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is based as well as upgrades to existing infrastructure to foster and enhance serviceability of such areas within the next ten years. In total, there are six primary water main extensions and looping projects deemed necessary to sustain an acceptable level of water service, which are summarized in Table 5.

Table 5: Proposed Project Cost Summary

Proposed Project	Project Limits/Description	Total Estimated Cost	Percent Allocated to RUC	RUC Total Estimated Cost
New 12" WM Loop and 8" WM Loop	Meme Lane to Russell Ct. (12") Meme Lane to Ernstmeyer (8")	$617,277	100%	$617,277
New 12" WM Extension	Ridgeview Rd. to Zobel Reservoir	$326,389	100%	$326,389
New 12" WM Loops	Golf Course Rd. to East Side Industrial Park	$1,130,910	100%	$1,130,910
New 12" WM Loop	E. Reedsburg Rd. to Fawn Valley Ct.	$311,926	50%	$155,963
New 10" WM Loop	'K' St. to Bindl Subdivision	$311,197	100%	$311,197
New 12" WM Loop	Fawn Valley to Golf Course Rd. to Reedsburg Rd.	$1,062,430	100%	$1,062,430
Totals		**$3,760,129**		**$3,604,166**

Table 5 shows both the total estimated project costs and the cost allocated to RUC for the basis of water impact fee assessment. Total estimated project costs include both materials, labor based on current pricing, engineering fees, and contingencies. As is shown, all projects with the exception of E. Reedsburg Rd. to Fawn Valley Ct. water main extension has a 100% allocation to the RUC. The E. Reedsburg Rd. to Fawn Valley Ct. has a 50% cost allocation for the determination of the water impact fee because this project serves to both enhance current customer service while also enhancing service and fire protection to the new intermediate school. Because the intermediate school is one of the primary beneficiaries of this infrastructure improvement, a developer's agreement between RUC and the Reedsburg school district was

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executed. The developer's agreement assigns 50% of these project costs to be assessed to the school district and therefore this share of costs are not included as part of the new impact fee analysis. All other projects will serve to primarily provide better service to the new developments around which these projects are based.

V. IMPACT FEE ASSESSMENT

Project costs summarized in Table 5 and land areas summarized in Table 1 were used to determine the appropriate impact fees which are summarized in Table 6. The new 10-year impact fees were calculated for the meter size factor of 1.0 by dividing total project cost estimates allocated to the RUC ($3,604,166) by the total growth REUs (5,716). Other meter size impact fees are calculated by multiplying the appropriate meter size factor by the base impact fee for a standard meter size (5/8" or 3/4") on a single family dwelling. For example, the impact fee for a 1" service is calculated by multiplying the meter size factor (2.5) by the base impact fee ($631.00) to get an impact fee of $1,576.00 for a customer using a 1" diameter meter.

Table 6: Impact Fee per Meter Size Summary

Meter Size	Meter Size Factor	2002 Impact Fee	2019 Impact Fee
5/8" & 3/4" Multi-Family	0.75	$663.00	$473.00
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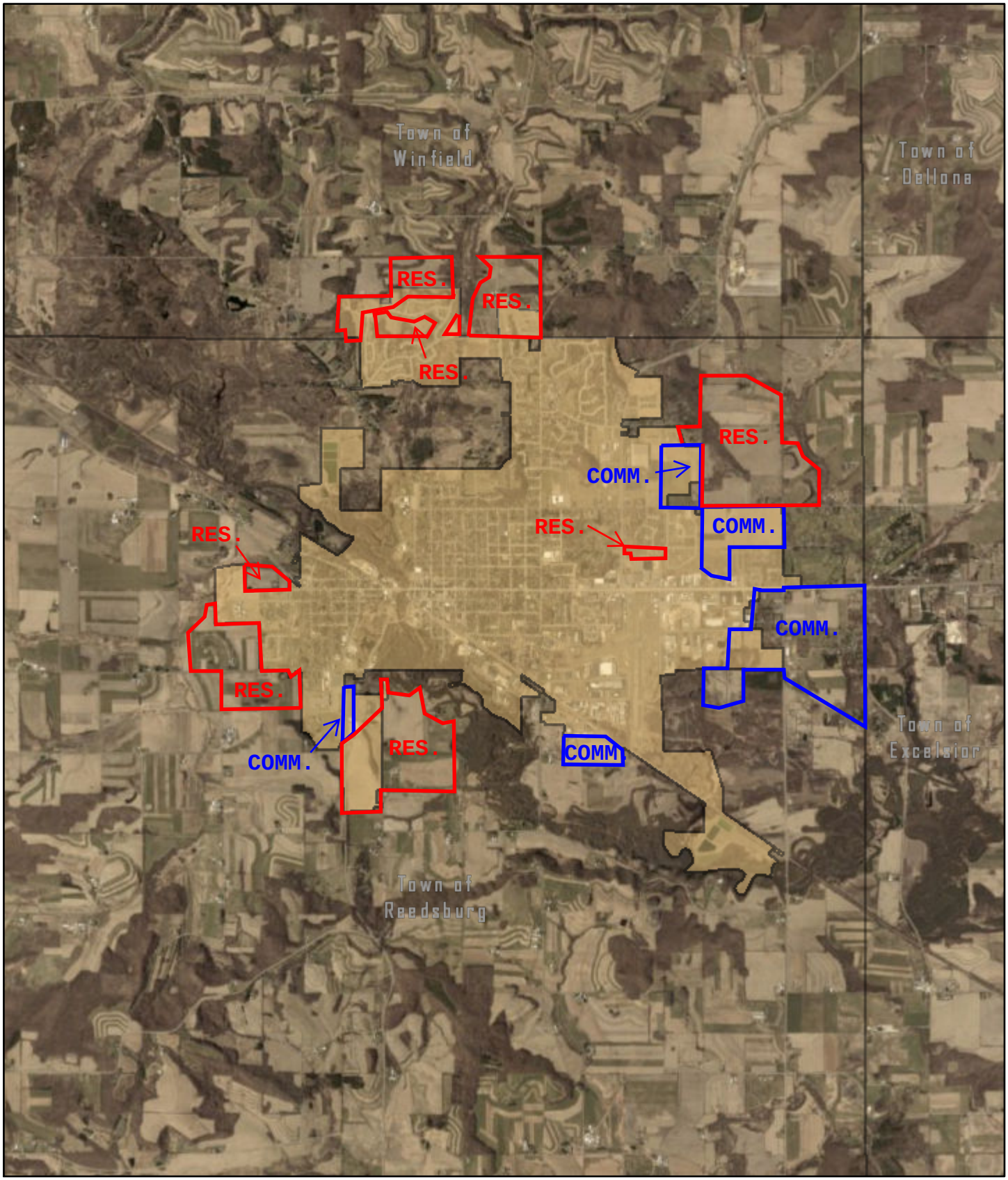
APPENDIX A

10-Year Land Development Map

2019 Reedsburg Water Impact Fee



August 19, 2019

1:72,224

0 0.45 0.9 1.8 mi

0 0.5 1 2 km

Sauk County Land Information/GIS, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

City of Reedsburg
134 South Locust Street, P.O. Box 490
Reedsburg, WI 53959
Ph. 608-524-6404 Fax. 608-524-8458
www.reedsburgwi.gov

STAFF REPORT AGENDA ITEM: _____

To: Common Council
Prepared By: Steven Zibell, Public Works
Date of Meeting: August 22, 2019

Subject: Garbage Pickup proposal 2020 thru 2026

BACKGROUND AND REQUEST

Next year our current contract with Peterson expires so we received a proposal from them to continue with their garbage and recycling service. Peterson would like to go to a one pass system (automated truck) which would require new totes. Currently everyone has a 65-gallon garbage tote along with a small recycle bin. The new one pass would require a 95 gallon recycle container along with an optional 95-gallon garbage container. The proposal also changes the recycling pickup to every other week. One drawback with this pickup is everything has to be in the totes.

Current rate $12.34 per month
Proposed rate next two years at $12.34 per month

STAFF RECOMMENDATION

Public Works and staff recommend approving this proposal from Peterson Sanitation.

Attachment:
2015 Current letter approved by Council
2019 Proposal Letter

PETERSON SANITATION, INC.
P.O. BOX 276
BOSCOBEL, WI 53805

OFFICE 608-375-2228 OR 608-524-6603 FAX 608-375-5990

JUNE 29, 2015

TO: CITY OF REEDSBURG

FROM: PETERSON SANITATION, INC

SUBJECT: BID FOR SERVICE

ATTN: BOARD MEMBERS

THE FOLLOWING IS A BID FOR YOUR REFUSE AND RECYCLING SERVICES FOR THE NEXT FIVE(5) YEARS. THIS BID WILL LOCK IN YOUR RATES FOR THE NEXT FIVE(5) YEARS WITH THE EXCEPTION THAT IF THE LANDFILL STATE TAX WAS TO INCREASE FOR RECYCLING, WE WOULD BE ALLOWED TO PASS THIS TAX ONTO OUR MUNICIPALITIES .

1ST YEAR=$11.84 PER HOME PER MONTH
2ND YEAR=$11.84 PER HOME PER MONTH
3RD YEAR=$12.09 PER HOME PER MONTH
4TH YEAR=$12.34 PER HOME PER MONTH
5TH YEAR=$12.59 PER HOME PER MONTH

WE HOPE THIS BID IS OF INTEREST TO THE CITY OF REEDSBURG, SO WE CAN CONTINUE OUR EXCELLENT SERVICE TO YOU.

IF YOU HAVE ANY QUESTIONS PLEASE CALL (608)524-6603.

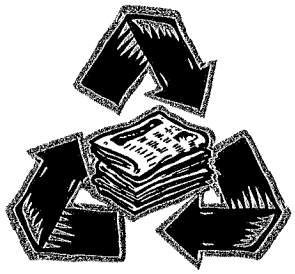
THANK YOU,

Doug Enke

DOUG ENKE
PETERSON SANITATION, INC

approved by Common Council on 9/28/15

Mary T. Gilm
9/29/15



PETERSON SANITATION
PO BOX 276
BOSCOBEL, WI 53805

OFFICE 608-375-2228 OR 1-608-524-6603
FAX 877-809-6022

July 10, 2019

TO: City of Reedsburg
FROM: Peterson Sanitation, Inc.
RE: New proposal for One-Pass Trucks.

Peterson Sanitation is excited to announce our "One-Pass" (automated) garbage and recycle program. This is a new service we are offering to Municipalities currently on a door-to-door pickup.

We currently have several Towns and Villages signed up and would like to make this program available to you.

Garbage: Peterson Sanitation, Inc will switch out a 65 gallon toter with a 95 gallon toter per customer request. Pickup will be weekly, on the designated day of service.

Recycles: 1-95 gallon toter/container, to be delivered to each resident at the beginning of the contract. Pickup will be Every Other Week, on the designated day of service.

Under this new program we are asking for a seven (7) year contract, 1/1/20 – 12/31/26. See schedule below.

2020 = $12.34 per home per month
2021 = $12.34 per home per month
2022 = 3% increase per home per month
2023 = 3% increase per home per month
2024 = 3% increase per home per month
2025 = 3% increase per home per month
2026 = 3% increase per home per month

Please feel to contact our office if you have any questions regarding this new program

Sincerely:

Doug Enke
Owner/President