



ADMINISTRATIVE COMMITTEE AGENDA

Date and Time: Monday, February 5, 2018 at 12:00PM CST
Location: City Council Chambers, 135 4th Street, Baraboo, WI 53913

Notices:

Full Paper to Members:	Alderman: Dennis Thurow, John Ellington & John Alt
Full Paper to Others:	Mayor, Mike Palm
Paper excluding Closed Session:	Library for subsequent posting
E-mail:	Media-Committee e-mail group, Clerks
Outlook Meeting Calendar:	Administrator, Ed Geick and Police Chief, Mark Schauf
Citizens' notices:	BID Chairperson, Sarah Fay; Spin Shack Owner, Tiffany Opperman

1. Call to Order.
 - A. Note Compliance with Open Meeting Law.
 - B. Approve minutes January 8, 2018.
 - C. Approve agenda.
2. Action Items.
 1. Review and recommendation of Leads Online proposal for tracking pawnbroker and secondhand dealers' transactions.
 2. Review and recommendation of amending the fee charged to pawnbrokers and secondhand article dealers from .90/transaction to .45/transaction, contingent upon the Common Council approving the Baraboo Police Department entering into a contract with Leads Online.
 3. Review and recommend adopting an ordinance for the management of fats, oil and grease at food service establishments.
 4. Review and recommend adopting an ordinance for the management of amalgam waste from dental offices.
3. Information Items.
 - A. Date and time of next meeting: March 5, 2018 at 12:00PM CST
4. Adjournment.

Dennis Thurow, Chairman

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

Agenda prepared by Cynthia Haggard, (608) 355-2700

Any person, who has a qualifying disability as defined by the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Baraboo City Clerk at 135 4th Street or phone (618) 355-2700 during regular business hours at least 48 hours before the meeting to ensure reasonable arrangements are made to accommodate each request.

Present: Alderpersons Dennis Thurow, John Ellington and John Alt

Absent: None

Also Present: Mayor Mike Palm, Attorney Emily Truman, Administrator Edward Geick, Finance Director Cynthia Haggard, Lieutenant Ryan La Broschian and Sergeant Jordan Gilbert.

The meeting was called to order by Chairman Thurow at 12:00PM CST., noting compliance with the Open Meetings law.

Moved by Ellington to approve the minutes of December 4, 2017, seconded by Alt and unanimously carried.

Motion by Alt to approve agenda, seconded by Ellington and unanimously carried.

Review and recommendation to revise City Ordinance s. 1.48, "Polling Places."

Attorney Truman recommended a housekeeping item. The City Ordinance should reflect the current polling place as being the ground floor gym in the Civic Center. Moved by Alt to quickly take care of this change, seconded by Ellington and unanimously carried.

Review and recommendation on Leads Online proposal for tacking pawn broker and secondhand article dealer transactions

Sergeant Gilbert stated that the current fee with our current provider is \$0.90 per transaction. We have an opportunity to use Leads Online who charges \$2,238 a year. A breakeven analysis was performed indicating we could charge \$0.45 per transaction to be cost neutral. Ellington inquired of Truman about what the current Ordinance has in it for fees. Truman responded that the Ordinance does not have an amount. However, the Ordinance references a fee schedule that may need to be updated. Alt inquired of Gilbert if this new service broadens the range of coverage. Gilbert confirmed the range of coverage will be broader. Gilbert continued to state that there are 400 agencies nationwide and 94 agencies in Wisconsin using this system. Moved by Ellington to recommend Council approve the Leads Online proposal, seconded by Alt and unanimously carried.

Heard from a concerned business owner. The per-transaction fee will cause hardship for her business, because the dollar amount of her transactions average \$10. The \$0.45 fee has a bigger weight on her business transactions of \$10 than another business who customarily averages transactions of \$100 or greater. She suggested consideration of a flat fee per year, so businesses like hers can budget for the cost.

Truman advised Committee that since the motion carried, further discussion will have to be brought to the January 23rd Council. Truman encouraged the concerned business owner to attend the Council meeting and be sure to sign in so she'll be heard. Ellington further encouraged concerned business owner to draft a letter to Council.

Review and recommendation on agreement between the City and Ho-Chunk Nation (Nation) to provide field training for the Nation's new officer

Lieutenant La Broschian briefed Committee that Sauk County Sheriff's Department is not able to train the Nation's new police officer. Other area police departments assisting with the training will be Lake Dalton and Reedsburg. The Nation's officer will start with our agency and move on to other agencies. Moved by Alt to recommend to Council for action, seconded by Ellington and unanimously carried.

Member comments

The next meeting will be February 5, 2018 at 12:00PM CST. Moved by Ellington to adjourn, seconded by Alt and unanimously carried. Meeting adjourned at 12:17PM CST.

Respectfully submitted,
Cynthia Haggard, Finance Director

ADMINISTRATIVE COMMITTEE ITEM SUMMARY
February 5, 2018

ITEM: REVIEW AND RECOMMENDATION OF LEADS ONLINE PROPOSAL FOR TRACKING PAWNBROKER AND SECONDHAND DEALERS TRANSACTIONS.

LEGISLATIVE HISTORY:

At the January 8, 2018 Administrative Committee meeting the Committee unanimously recommended Council allow the Baraboo Police Department to enter into a contract with automated tracking software provider Leads Online. After the vote was taken, additional information was presented to the Committee from a local business owner. In order for City staff to present additional information to the Committee on this item, and for the Committee to be able to consider the feedback provided by the local business owner and any other interested person, City staff requests the Committee consider a Motion to Reconsider the original motion in order to allow for additional discussion on the item.

DISCUSSION:

Background. Wisconsin state statute requires that pawnbrokers and secondhand dealers comply with all requirements of the state statutes that regulate these businesses.¹ The law permits a municipality to also adopt ordinances regulating these businesses, but prohibits these ordinances from being less restrictive than the state laws.²

One statutory requirement is that pawnbrokers and secondhand dealers track certain secondhand items they obtain by keeping written records of these transaction.³ This method of tracking is commonly referred to as “paper tracking.” Many Wisconsin municipalities, including the City of Baraboo, have adopted ordinances that requires the use of automated tracking software, or “computer tracking,” in lieu of paper tracking. There are many benefits to computer tracking versus paper tracking, including helping aid in the recovery of stolen property. Nonetheless, “computer tracking” is not a statutory requirement, but rather a requirement of the City of Baraboo per our ordinance.

City Ordinance. The City of Baraboo first adopted an ordinance regulating pawnbrokers and secondhand dealers in 1991. Since then, the ordinance has been revised three times, including an update in 2012 which required the use of computer tracking with Automated Pawn Software (“APS”) instead of paper tracking. The most recent revision to the ordinance was adopted by the Common Council on September 12, 2017. This last update created several changes to the ordinance, including allowing the City to use a computer tracking system other APS.

Leads Online. The Baraboo Police Department is recommending a switch from APS to Leads Online. The recommendation is being made for several reasons, including because of the large number of other Wisconsin municipalities that use Leads Online. By using software that a majority of other Wisconsin municipalities use, including the City of Madison, the chances of being able to track stolen property is much greater. This, in turn, may help the victims of the crime, including a

¹ §134.71, Wis. Stat.

² Id. at 14.

³ Id. at 8(c)1-3 and 8(e).

business that lost money by the transaction, recoup their losses quicker. Additional benefits are that the software is user friendly (for example: it will allow businesses to input their information through an app on their phone, in addition to the traditional computer method), and the service will be less expensive than the current service provided by APS.

ACTION:

Recommend/Not Recommend Leads Online proposal for tracking pawnbroker and secondhand article dealer transactions.

(Note: other motions may also be made by the Committee, such as to amend or postpone.)

ADMINISTRATIVE COMMITTEE ITEM SUMMARY
February 5, 2018

ITEM: REVIEW AND RECOMMENDATION FOR AMENDING THE FEE CHARGED TO PAWNBROKERS AND SECONDHAND ARTICLE DEALERS FROM .90/TRANSACTION TO .45/TRANSACTION, CONTINGENT UPON THE COMMON COUNCIL APPROVING THE BARABOO POLICE DEPARTMENT ENTERING INTO A CONTRACT WITH LEADS ONLINE.

LEGISLATIVE HISTORY:

This is a new item before the Administrative Committee.

DISCUSSION:

State statute requires that pawnbrokers and secondhand dealers comply with all requirements of the state statutes that regulate these businesses.¹ The law permits a municipality to also adopt ordinances regulating these businesses, but prohibits these ordinances from being less restrictive than the state laws.² One statutory requirement is that pawnbrokers and secondhand dealers track certain secondhand items they obtain by keeping written records of these transaction.³ This method of tracking is commonly referred to as “paper tracking.” Many Wisconsin municipalities, including the City of Baraboo, have adopted ordinances that requires automated tracking software, or “computer tracking,” in lieu of paper tracking.

The City’s ordinance contains a provision which allows, but does not require, the Common Council to set a fee to be paid by the businesses to the City for using the computer tracking service.⁴ The current transaction fee approved by the Common Council is .90 (ninety cents) per transaction. City Staff is requesting that the service provider for the computer tracking service be switched to Leads Online, which would cost less than the current service provider, which would result in a per transaction fee of .45 (forty-five cents) per transaction.

Should the Common Council approve the amended transaction fee, the City’s Ordinance states that the fee will be billed to the license holder on a monthly basis, with payment due within thirty (30) calendar days of the date of the invoice. If the Common Council wanted to amend the due date for the fees, or the way in which the business is billed, a change to the ordinance would be required.

ACTION:

Recommend/Not Recommend amending the fee charged to pawnbrokers and secondhand article dealers from .90/transaction to .45/transaction, contingent upon the Common Council approving the Baraboo Police Department entering into a contract with Leads Online.

(Note: other motions may also be made by the Committee, such as to amend or postpone.)

¹ §134.71, Wis. Stat.

² Id. at 14.

³ Id. at 8(c)1-3 and 8(e).

⁴ “The Common Council may determine to charge a fee for billable transactions as described in section (1), above, with a list of the fees available from the City Clerk. Fees shall be billed to the license holder on a monthly basis, with payment due within thirty (30) calendar days of the date of the invoice.” Section 12.03(8)(g)6, Baraboo Municipal Code.

13.XX - Fats, oil and grease management at food service establishments.

- (1) Applicability. This section applies to any industrial, commercial, or institutional (ICI) food service establishment associated with food preparation, food service and/or kitchen cleanup. If a food service establishment is limited to service that does not involve disposing of food waste or food preparation cleanup waste into the sewerage system, then this section does not apply.
 - (a) *Residential discharge.* Residents are governed generally by 13.33 which prohibits the discharge of any pollutant or wastewater that will negatively affect the sewer collection system and/or POTW and receiving waters.

- (2) Grease removal devices. ICI food service establishments (FSEs) which discharge any fats, oils and grease associated with food preparation, food service and kitchen cleanup shall adhere to Code Section 13.33(6). Grease and oil interceptors or traps shall be provided when, in the opinion of the general manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil (interceptors shall not be required for residential users). The plumbing inspector of the municipality in which the FSE resides must approve the installation of any grease removal device.
 - (a) Grease removal devices are the property of the FSE; therefore, the FSE is responsible for proper sizing and installation of a device by a licensed plumber that ensures acceptable FOG removal to prevent any discharge to the sewer system.
 - (b) FSEs shall ensure adequate cleaning and maintenance of any grease and oil interceptors, as necessary, to keep the removal devices in proper working order. This includes, but is not limited to:
 1. Following manufacturer's recommendations;
 2. Following all applicable best management practices (BMPs)(subsection 13.XX(c));
 3. Frequent pumping and cleaning by a licensed waste grease hauler and/or recycler;
 4. Keeping accurate and current records of all cleanings, maintenance, and service;
 5. Maintenance and pumping records must be available for review by the utility upon request. FSEs causing sewer blockage or maintenance issues may be required to submit maintenance, cleaning, and pumping documentation to the utility.
 - (c) Best management practices. All FSEs shall implement best management practices for food service establishments as established by the utility:
 1. Train all staff on BMPs.
 2. Collect and recycle waste cooking oil.
 3. "Dry wipe" pots, pans, and kitchen equipment before cleaning.
 4. Inspect and clean grease traps and interceptors regularly.

5. Post "NO GREASE" signs above sinks and on the front of dishwashers.
6. Dry mop, wipe down, and wash all kitchen equipment inside, including mats, carts, tray racks, exhaust filters, etc.
7. Use absorbent paper under fryer baskets and absorbents such as cat litter or paper towels to pick up oil and grease spills before mopping. Dispose of greasy paper and waste in the garbage.
8. Do not use emulsifiers or solvents other than typical dishwashing detergents.

(d) BMP enforcement. If the FSE is found to be the cause of backups or blockages of the sewer system because of FOG due to lack of a grease removal device or improper maintenance of a grease removal device located in their establishment, the FSE may become responsible for cleanup costs and property damage, and shall be required to make any necessary changes to prevent another such occurrence. This may include any combination of the following at the FSEs expense:

1. Installation of a grease removal device;
2. Upgrading or increasing the capacity of a current grease removal device; or
3. Increasing maintenance of a current grease removal device.
4. The municipal building inspector or designee must approve the installation of any grease removal device.

(e) Inspection. The utility reserves the right to inspect the FSE, as often as necessary, for anything related to FOG discharge, including, but not limited to, files and records, sources of FOG, grease removal devices located both inside and outside of the establishment, the manhole downstream of the establishment, etc. It will be required that a knowledgeable employee of the establishment is present and accompanies the utility representative on these inspections and provides the necessary documentation to prove proper function and compliance.

(f) Survey. The utility representative shall distribute educational material, signage, BMPs and a food service establishment survey. Within 30 calendar days, the FSE shall submit the completed food service establishment survey to the utility.

1. The report can be faxed, emailed or mailed to the utility.
2. The utility shall provide survey forms for reporting the information required by subsection (f).

(g) FOG discharge limit waiver. If a FSE is implementing the best management practices required by subsection 13.XX(c) and is operating and maintaining the grease removal device required by subsection 13.XX(b), then any numerical discharge limit for fats, oil and grease (FOG) established in any other section of this chapter does not apply.



Amalgam Management – The 2013 Wisconsin Pollutant Discharge Elimination System (WPDES) permit for the Water Resource Recovery Facility (treatment plant) required us to implement a Mercury Reduction program. The theory is if we reduce the incoming mercury strength, the effluent strength will reduce. We have seen some improvement in the last 5 years, but our effluent levels are still too high so we will continue the program for the 2018-2023 permit. Typical sources of mercury are dentist offices, oral surgery facilities, schools, hospitals, clinics, manufacturing, and heating system contractors.

Annually we have to submit a report to the DNR and we receive points for the different programs that we use to reduce mercury. One of those areas is to adopt an Amalgam Management at Dentist Offices ordinance. Most, if not all, of our existing facilities already have separators. So there should be no monetary costs to our customers.

Fats, Oil and Grease (FOG) – One area of our system that we continue to see increase issues is FOG in our sanitary sewer system. Annually we spend \$13,500 in degreaser chemicals, not including the monthly labor costs to add the degreaser. We also have certain areas of the sewer system that we have to jet/clean more than once every 3 years (some lines 4X annually).

Our existing ordinance briefly identifies FOG. This ordinance change would allow the Utility to work with facilities to establish Best Management Practices (BMP). The ordinance would also establish BMP enforcement, facility inspections, and surveys.

Both of these ordinance changes would also apply to our outlying sanitary sewer systems. Their agreements/contracts state that they have to follow our Chapter 13 ordinances. We would not be asking for any manpower requirements from them.

PROPOSED CITY OF BARABOO ORDINANCE
CHAPTER 13 – MUNICIPAL UTILITIES

13.XX. AMALGAM MANAGEMENT AT DENTAL OFFICES.

- (1) DEFINITIONS. For the purposes of this section the following words and phrases shall be as defined herein.
 - (a) Amalgam Separator. A device that employs filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.
 - (b) Amalgam Waste. Includes, but is not limited to, noncontact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chairside traps, vacuum pump filters, screens, and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.
 - (b) ISO 11143. The International Organization for Standardization’s standard for amalgam separators. Amalgam separators meeting ISO 11143 standards accomplishes ninety-five percent (95%) or greater mercury removal efficiency.
- (2) All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following waste management practices:
 - (a) No person shall rinse chairside traps, vacuum screens, or amalgam separators equipment in a sink or other connection to the sanitary sewer.
 - (b) Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and fixer containing solutions, and shall maintain training records that shall be available for inspection by the Utility Superintendent or designee during normal business hours.
 - (c) Amalgam waste shall be stored and managed in accordance with the instructions of the recycler or hauler of such materials.
 - (d) Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.
 - (e) The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is permitted.
- (3) All owners and operators of dental vacuum suction systems shall comply with the following:
 - (a) An ISO 11143 certified amalgam separator device shall be installed for each dental vacuum suction system on or before December 31, 2018; provided, however, that all dental facilities that are newly constructed on and after the effective date of this ordinance shall include an installed ISO 11143 certified amalgam separator device. The

installed device must be ISO 11143 certified as capable of removing a minimum of ninety-five percent (95%) of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units from the same manufacturer and of the same technology are ISO-certified.

- (b) Proof of certification and installation records shall be submitted to the Utility Superintendent by December 31, 2018, or within thirty (30) days of installation for new sources.
- (c) Amalgam separators shall be maintained in accordance with manufacturer recommendations. Installation, certification, and maintenance records shall be maintained for a minimum of five (5) years and shall be made available to the Utility Superintendent or designee for inspection and copying within 72-hours upon request.
- (d) Dental offices shall obtain from contractors used to remove amalgam waste the records for each shipment showing the following:
 - 1. The volume or mass of amalgam waste shipped.
 - 2. The name and address of the destination.
 - 3. The name and address of the contractor.

These records shall be maintained for five (5) years and made available to the Utility Superintendent or designee for inspection and copying within 72-hours upon request.

- (e) Dental clinics shall allow the Utility Superintendent or designee to inspect the vacuum system, amalgam separator, amalgam waste storage area, and other areas deemed necessary to determine compliance with this section. Inspections shall occur by appointment during the normal operating hours of the dental clinic as long as advance notice does not impede enforcement of this section.
- (4) Failure to comply with sections (2) and (3) by December 31, 2018, shall result in the owner, agent and/or tenant of the dental facility being subject to the penalties found in §13.40 of this Code. All dental facilities that handle amalgam wastes shall additionally comply with all additional state and federal regulations, as now exist or may be enacted in the future regarding the disposal of said wastes.