

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, December 22, 2015 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent: none

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

The Pledge of Allegiance was given.

Moved by Robkin, seconded by Wedekind and carried to approve the minutes of December 8, 2015.

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

**Compliance with the Open Meeting Law was noted.**

**PUBLIC HEARING** – The Mayor opened the public hearing relative to the City’s Comprehensive Plan, Chapter 8-Economic Development. The BEDC developed GROW BARABOO, which is a work plan to replace existing Chapter 8. The Mayor explained the GROW BARABOO plan. No one spoke and the Mayor closed the hearing.

**PUBLIC INVITED TO SPEAK** –No one spoke.

**MAYOR’S COMMENTS**

The Council held a moment of silence for City Attorney Mark Reitz upon his passing.

**CONSENT AGENDA**

**Resolution No. 15-93**

THAT the Accounts Payable, in the amount of \$784,589.29 be allowed and ordered paid.

Moved by Sloan, seconded by Kolb and carried on voice vote to approve the Consent agenda.

**NEW BUSINESS**

**Resolutions:**

**Resolution No. 15-94**

That the Land Lease with D & W Shaw Farms LLC for property at the Baraboo-Dells Airport is approved.

Moved by Wedekind, seconded by Alt, and carried that **Resolution No. 15-94** be approved – 9 ayes.

**Resolution No. 15-95**

**WHEREAS**, the City Council approved a Resolution on November 24, 2015 authorizing staff to interview the top three firms that submitted a Proposal,

**WHEREAS**, staff interviewed three firms on December 10, 2015 and is recommending that the team of MSA Professional Services / Zimmerman Architectural Studios be selected to provide the Planning and Design Services for a Public Safety/Administration Building;

**NOW, THEREFORE, BE IT RESOLVED** that the City Administrator is authorized to draft an Agreement for Planning and Design Services for the Public Safety/Administration Building project for the Council’s future consideration.

Moved by Wedekind, seconded by Petty, and carried that **Resolution No. 15-95** be approved - 9 ayes.

**Resolution No. 15-96**

**Whereas**, the Finance & Personnel Committee has reviewed this policy at their December 8, 2015 meeting and recommends the adoption of this new policy to the Common Council; and

**Now Therefore be it resolved**, based on the recommendation of the Finance & Personnel Committee the Common Council does adopt the new Leave Donation Policy for the City of Baraboo Employee Policy & Procedure Handbook and it shall be effective immediately.

**Leave Donation Policy****EMPLOYEE TIME DONATION POLICY FOR CATASTROPHIC ILLNESS OR INJURY****(1) INTRODUCTION**

(a) This program is intended to provide financial assistance and support to regular full-time and regular part-time employees of the City who have exhausted all paid time off benefits and are unable to return to work due to a catastrophic illness or injury suffered by themselves or a family member. City of Baraboo employees may donate a portion of their earned and unused sick leave, vacation or floating holiday time as a way to provide income continuation for eligible employees. The City Administrator's Office will administer this program in accordance with the procedures outlined below.

**(2) DEFINITIONS**

(a) Employee - An individual who is employed with the City in a regular full-time or regular part-time position, has been employed for a minimum of one year, and is eligible to use accrued benefit leave balances.

(b) Catastrophic Illness or Injury - A prolonged non-occupational illness or injury which is life threatening as determined by the program administrator and supported by medical substantiation from the employee's or family member's treating physician, and would result in the employee having to go on unpaid leave of absence or terminate their employment.

(c) Donated Leave - The amount of time from an employee's accrued and unused sick leave, vacation or floating holiday time an employee is willing to donate. Donations must be done in half day or full day increments (4.00 hours or 8.00 hours).

(d) Program Administrator - The Finance Director/City Clerk will be responsible for the administration of this program. The Payroll section of the City Clerk's office will monitor status of the donations and time used. The City Administrator must approve of all applications.

**(3) PROGRAM ELIGIBILITY AND REQUIREMENTS**

(a) Employment Status / Severity of Illness - An individual must be employed as a regular full-time or regular part-time employee for at least six calendar months and be eligible to utilize accrued benefit balances. An employee must be suffering from a catastrophic illness or injury.

- (b) Exhaustion of Paid Benefit Balances - An employee must have exhausted all accrued and paid benefit balances before being eligible for Catastrophic Illness and Injury Time Donations. An employee or their designee may submit the required program documents prior to the exhaustion of their leave when it is anticipated that the remaining benefit balances will be exhausted as a result of the catastrophic illness or injury.
- (c) Documentation to Request Donations - An employee must submit the following documents when requesting Catastrophic Illness and Injury Time Donations:
1. An Employee Time Donation Application for Catastrophic Illness and Injury
  2. Physical Medical or FMLA Certification
- (d) Use of Donated Benefit Time - An employee who has been granted the use of Catastrophic Illness and Injury Time Donations will have the donated sick leave, vacation or floating holiday time credited to their benefit balances. An employee must utilize any available donated vacation or floating holiday hours within their statutory Wisconsin and Federal family and medical leaves. Donated leave will be subject to all tax liability associated with regular pay and shall be the responsibility of the recipient.
- (e) Worker's Compensation - An employee will not be eligible for Catastrophic Injury or Illness Time Donations if they have applied for worker's compensation benefits and a determination has not been made as to their eligibility. If a determination has been made that the employee is not eligible for worker's compensation and there is no pending appeal, the employee may submit an Application for Catastrophic Illness and Injury Time Donations.
- (f) Unused Donated Time - If an employee returns to work, terminates, or applies for a WRS disability retirement, the unused vacation and floating holiday hours that were donated will be returned to those employees who donated the benefit time.
- (g) Status Updates - The Finance Director/City Clerk will monitor the use of donated leave under the program and will periodically require program participants to provide updates and additional medical documentation to ensure ongoing eligibility.
- (h) Decisions of Program Administrator - All decisions made or actions taken by the Program Administrator, including but not limited to determination of eligibility, documentation required, or any decision or action made or taken in the administration, modification or termination of the benefits under the program are final and binding on all parties and shall not be grievable or arbitrated under any labor contract or City policy.
- (i) City Right to Modify or Terminate - The City reserves the right to modify or terminate this policy at any time after providing reasonable notice to all applicable labor organizations.
- (4) DONATED BENEFIT TIME**
- (a) Eligibility to Donate Floating Holiday - Any employees with accumulated benefit time are

eligible to voluntarily donate accrued and unused sick leave, vacation or floating holidays to an eligible employee for use under the program.

- (b) Eligibility to Donate Vacation - Any employees with accumulated benefit time who are eligible at the beginning of the calendar year for a minimum of two (2) weeks of vacation are eligible to voluntarily donate accrued and unused vacation to eligible employees under the program. A City employee may not donate more than forty (40) hours in a calendar year.
- (c) Increment for Donations - Any vacation or floating holiday benefit time that is being donated to an eligible program participant must be in half day or full day increments (4.00 or 8.00 hours).
- (d) Documentation to Provide Donation - Any employee donating vacation or floating holiday time must complete a Catastrophic Illness and Injury Time Donation form. This form specifies the type of leave being donated, the amount of hours the employee wishes to donate, to whom the leave is being donated to, a statement certifying that the vacation or floating holiday hours are being donated on a voluntary basis, and that within limited circumstances the donation is irrevocable.
- (e) Value of Donations - Donations will be done on a day for day basis. The program administrator will not be assessing the value of the donation with respect to the value it has to the program participant. The total hours donated will be credited to the appropriate benefit balance and the recipient will take the time off and be paid at their current rate of pay when the time is taken.
- (f) Unused Donated Time - The Program Administrator will record the receipt of donations and will allocate the donations to the program participant on a first in, first out basis. If a program participant terminates employment or returns to work with the City prior to the exhaustion of the donated time, the remaining balances will be returned to those employees whose benefit time had not yet been allocated. These hours will be credited back to the employee's appropriate benefit balance. If the employee is unable to take the returned sick leave, vacation or floating holiday hours before the end of the calendar year they will be allowed to carryover those hours into the next calendar year.
- (g) Maximum Donation Received - Program participants will be eligible to receive a maximum of 1040 hours of donated benefit time per illness or injury. Participation ends once an employee or family member is medically determined to be totally and permanently disabled.
- (h) Earning/Use of Benefit Time While Utilizing Donations - A program participant may be eligible to earn additional benefit time when using Catastrophic Illness or Injury Time Donations. Employees will be required to utilize any eligible and earned sick leave, holiday, or floating holiday time before using the donated vacation or floating holiday hours.
- (i) No Payout of Unused Donations - Program participants will not be eligible for the payout of any remaining donated sick leave, vacation or floating holiday hours upon the termination of their employment with City.
- (j) Remaining Vacation or Holiday Balance - If a program participant has a vacation or holiday balance at the end of the calendar year, the benefit time will be carried over into the next year.

(k) Record keeping - The City Finance Director/City Clerk or representative will maintain all records relating to the program, including the amounts of leave donated, the amount of leave used by program participants, applications for program participation, and supporting documentation.

Moved by Ellington, seconded by Robkin, and carried that **Resolution No. 15-96** be approved - 9 ayes.

**Resolution No. 15-97**

To approve of settlement terms for labor contract negotiations with the Baraboo Professional Police Association (BPPA) Local No. 410 of the Wisconsin Professional Police Association/Law Enforcement Employee Relations Division (WPPA-LEER) and the City of Baraboo and to authorize the Mayor, City Clerk and City Administrator to sign a amended contract based on the changes as follows:

1. Wages
  - a. In 2016 add Detective to wage chart with Patrol Officers
  - b. In 2016, create new base by rolling Education pay into wages + 1%.
  - c. In 2017 create new base by adding in shift differential and 1% or an equivalent percentage COLA as non-union employees receive.
  - d. In 2017, in conjunction with the review of the new 12 hour shift, consider a change to using an hourly wage rate.
  - e. In 2018 = 1% or an equivalent percentage COLA as non-union employees receive.
2. Article 7, Section 6, Change to a 12 hour shift
  - a. In 2016, begin a 1 year trial for the 12 hr shift for Patrol officers. This trial will begin in early January 2016 with the first payroll period or as soon after that as is practical. The terms of this will be laid out in a separate memorandum of understanding separate from the contract.
  - b. Do an assessment in 6 months
  - c. Do 2nd assessment in Oct 2016 and determine if the new shift arrangement will continue into the future.
3. Article 7, Residency
  - a. Change the residency limits to 25 mile radius from the Police Station.
4. The terms above are subject to ratification by the BPAA.

Moved by Wedekind, seconded by Kolb, and carried that **Resolution No. 15-97** be approved - 9 ayes.

**Resolution No. 15-98**

WHEREAS, Wisconsin Statute 7.30 requires that election inspectors be named prior to December 31<sup>st</sup> of all odd numbered years.

NOW THEREFORE BE IT RESOLVED that the following election officials are appointed for 2016-2017 elections.

**Election Workers**

Adkins	Ann	Bodette	Jacklyn	Caflich	Craig
Allen	Karen	Botham	Stephen	Christiansen	Stephanie
Ament	Deri	Briggs	Judith	Clingman	Suzanne
Bobeck	Rosemary	Burton	Ann	Coorough	Robert

Cowan	Bergene	Joachim	James	Pollard	Tom
Dagnon	Nanette	Kalepp	Margo	Pollard	Lila
Deppe	Mary	Kaney	Gaynold	Rogers	Donald
Dills	June	Kelly	Nick	Rogers	Jean
Earl	Barbara	Kingery	Patricia	Roth	Geraldine
Edwards	Mary	Kingery	Vernon	Sauvey	Bonnie
Ellis	Sandy	Kluge	Dennis	Schiller	Ruth
Elsen	Mary Pat	Kluge	Marla	Schubring	Jessie
Feld	Margie	Koepp	Sherryle	Shogren	Raymonda
Fletcher	John	Konen	Janet	Slinde	Cheryl
Frank	Charlene	Kramer	Terry	Smith	Yvonne
Froh	Jeffrey	Krueger	Geraldine	Smith	Dennis
Gilmore	Elsie	Krueger	Jean	Stavnaw	Marilyn
Goethel	Terry	Krueger	Karl	Steiner	Duane
Gollmar	Helen	Kujawa	Anthony	Steiner	Patte
Gorsuch-Froh	Marilyn	Lombard	Andrea	Steinhorst	Lorraine
Hanes	Patricia	Marking	Jeanne	Sturgis	June
Hanke	Delorice	Moore	Sue	Terbilcox	Colleen
Hanley	Mark	Niles	Susan	Thies	Judy
Hendricks	Terri	O'Keefe	Tim	Umhoefer	Aural
Herbst	Jean	Otis	Linda	Voltz	Marilyn
Hovde	Rebecca	Paape	Debra	Waddell	Marlene
Hutchens	Anne	Peidelstein	Nancy	Wick	Bonnie
Jackson	Sandra	Peterson	Gwynne	Wiegand	Victoria
Jauch	Robert	Petrie	Mary		
Jensen	Alice	Pointon	Alonna		

#### **Board of Canvassers**

Donna Munz

Lori Laux

Mary Petrie

#### **Tabulator Alternates**

Cheryl Giese

Lori Laux

Christina Bryant

Brenda Zeman

Mary Klingemeyer

FURTHER, that the election worker wages be set at \$9.00 per hour for election inspectors and \$10.00 per hour for chairpersons effective January 1, 2016.

Moved by Petty, seconded by Ellington, and carried that **Resolution No. 15-98** be approved - 9 ayes.

#### **Resolution No. 15-99**

To approve an offer to purchase for 227 5<sup>th</sup> Ave. for an amount not to exceed \$120,000 and to authorize the Mayor, City Clerk and City Administrator to sign the appropriate documents to complete this transaction.

Moved by Ellington, seconded by Sloan that **Resolution No. 15-99** be approved.

The Council discussed the possible expansion of the parking in that area when combined with adjacent parking facilities. Some expressed that this purchase and parking expansion is a wise decision for the city. Others were concerned for removing property from the tax roll and questioned the total costs for razing, site grading, paving and restriping the parking lot. Roll Call: Ayes: 7, Nays: Wedekind, Kolb

Motion carried.

**Ordinances:**

Ordinance No. 24338 was introduced and read for the first time:

**Ordinance No. 2438**

An Ordinance amending the Comprehensive Plan of the City of Baraboo, Wisconsin.

WHEREAS, pursuant to Section 62.23(2) and (3) of Wisconsin Statutes, the City of Baraboo is authorized to prepare and adopt a Comprehensive Plan as defined in Sections 66.1001(1)(a) and 66.1001(2) of Wisconsin Statutes, and

WHEREAS the Common Council of the City of Baraboo has adopted and followed written procedures designed to foster public participation in every stage of the preparation of a Comprehensive Plan as required by Section 66.1001(4) (a) of Wisconsin Statutes, and

WHEREAS the Plan Commission of the City of Baraboo, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the document entitled *CITY OF BARABOO COMPREHENSIVE PLAN*, containing all of the elements specified in Section 66.1001(2) of the Wisconsin Statutes, and

WHEREAS the City of Baraboo has held a public hearing on this ordinance, in compliance with the requirements of Section 66.1001(4)(d) of Wisconsin Statutes, and

WHEREAS the Common Council of the City of Baraboo, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitled, *GROW BARABOO: CITY OF BARABOO COMPREHENSIVE PLAN*, as an Amendment to the Comprehensive Plan, pursuant to Section 66.1001 of the Wisconsin State Statutes.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO DOES HEREBY ORDAIN AS FOLLOWS:

1. THE CITY OF BARABOO COMPREHENSIVE PLAN dated June 2005, is hereby Amended as follows:

Chapter Eight – Economic Development is repealed and replaced with GROW BARABOO: An Economic Development Workplan for the Baraboo Area, which is on file in the offices of the City of Baraboo together with its appendices.

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

Moved by Kolb, seconded by Wedekind, and carried that the Ordinance take its regular course - 9 ayes.

**COMMITTEE OF THE WHOLE**

Moved by Ald. Petty, seconded by Ald. Alt to convene as a Committee of the Whole to discuss potential redevelopment of 1208 Oak Street and carried unanimously.

The Council discussed the former Ringling Hospital property and noted that the 1940's building does not

qualify for historic tax credits. Estimated costs are \$573,000 for removal of building and site restoration into buildable residential lots. The Council questioned if the oil tank had been removed. Ald. Wedekind requested whether the City would have pre-approval for any of the grants, and was answered that there cannot be any promises until the City owns the property and makes application for grants. There has been strong interest from the County and the State to work with the City on redevelopment plans. The plans are to acquire the property from the State or County, request forgiveness of property taxes from the County, raze the property and restore lots for residential use, paying for costs with a combination of grants and donations from TID 6.

Moved by Wedekind, seconded by Ellington and carried unanimously to reconvene into regular session.

Moved by Ellington, seconded by Plautz and carried unanimously to proceed with the redevelopment plans as outlined above.

### **MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

#### **REPORTS and MINUTES**

The City officially acknowledges receipt and distribution of the following:

**Monthly Reports for Nov. 2015 from** – Fire Dept., Treasurer

#### **Minutes from the Following Meetings -**

##### **Finance/Personnel Committee – Council Chambers**

**December 8, 2015**

**Members Present:** Petty, Sloan and Thurow

**Absent:** none

**Others Present:** C. Giese, E. Geick, T. Pinion and others

**Call to Order** – Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Thurow to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of November 24, 2015. Motion carried unanimously.

**Accounts Payable** – Moved by Thurow, seconded by Sloan to recommend Council approval of the accounts payable for **\$466,400.72**. Motion carried unanimously.

**BID Assessments** – The BID assessment is unchanged from the preliminary report. Moved by Sloan, seconded by Thurow and carried to recommend to Council for action.

**1208 Oak Street** – Ed Geick explained the concept plan for resolving the vacant building at 1208 Oak Street. Since the building is post 1936 the building does not qualify for tax credits which would be highly desired by potential developers. There are some features such as stained glass windows that might be recovered, but most of the building has been vandalized and there is not much salvage value. The neighborhood is asking for something to be done with the building. The roof is beginning to leak and things won't last much longer. Ald. Petty questioned other possible uses for the building and the only suitable use for the property is residential, after razing the building. The Committee in general recommends that the building be razed and the property become available for redevelopment. The Committee recommends that this item be discussed at a future Council meeting.

**Employee Handbook** – The Committee reviewed a proposed policy for employees to donate benefit time to fellow employees. Moved by Thurow, seconded by Sloan to recommend the proposed policy to Council.

**Committee Comments:** None.

**Adjournment** – Moved by Sloan, seconded by Thurow and carried to adjourn. Motion carried, meeting adjourned at 6:23 p.m.

##### **Administrative Committee**

**December 7, 2015**

Present: Ellington and Alt

Absent: Robkin

Also Present: Mayor Palm, Mary Klingenmeyer, Adm. Geick, Chief Schauf, and Media

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

Moved by Alt and seconded by Ellington and carried to approve the minutes of November 2, 2015. Motion by Ellington, seconded by Alt to approve the agenda and carried unanimously.

Airport Operations: Giese included a written monthly report in the Agenda packet. Klingenmeyer noted specifically the property acquisition of the Coolidge Property. The Closing occurred in November. The property will be rekeyed December 11, 2015. The FAA is investigating the crash that occurred the week of December 1<sup>st</sup>. Klingenmeyer also reported remaining funds in the 2015 budget.

Facility Naming Policy: Adm Geick reviewed the proposed policy that had been recommended by the Parks and Recreation Commission and creates a policy for naming facilities or allowing advertising on city property. Moved by Alt, seconded by Ellington to approve the Policy and recommend referral to the Council. Motion carried.

Open Liquor Licenses: The Committee reviewed the proposed policy language for prioritizing vacant liquor license applications. Klingenmeyer noted Cheryl Giese and Atty. Reitz reviewed the matter and agreed the \$10,000 is not a license fee; but rather, an application fee. That distinction defines it as a one-time fee. Moved by Alt, seconded by Ellington to approve the language and refer the Policy to the Council. Motion carried.

Baraboo Country Club-noise: A Town of Baraboo resident complained about the noise of mowers operating at 5:30 a.m. at the Baraboo Country Club during the 2015 Season. City Codes prohibit the operation of equipment before 6:30 a.m. The Committee directed Adm. Geick to contact Clint Hutchens, BCC Pro/Mgr to attend the January meeting to discuss a special exception to the Code. An exception may be possible because the business is seasonal, but Mr. Hutchens must be in attendance.

Farm Land Lease-Airport: Klingenmeyer noted for Giese that the rent per acre offered by Shaw's increased from \$85 per acre to \$100 and she had completed comparisons. It was noted that Shaw's are excellent tenants, and they would like to renew the lease. Giese would recommend approval. Moved by Alt, second by Ellington to approve the recommendation and refer the Resolution to Council. Motion carried.

Member Comments: Alt noted the e-mail received from Gail Sumi of the League of WI Municipalities regarding property rights. He would like a reply to the Legislature. He will be requesting the item be placed on a future Council Agenda at the December 8, 2015 meeting. Ellington noted he will be attending a Drug Task Force meeting at St. Clare Hospital on December 8, 2015.

Next meeting is to be held January 4, 2016 at 12 p.m.

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

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

BID

11-18-15

**PETITIONS, AND CORRESPONDENCE**

**Petitions and Correspondence Being Referred - none**

**INFORMATIONAL ITEMS**

**ADJOURNMENT**

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

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Cheryl M. Giese, Clerk-Finance Director