

**AGENDA  
CITY OF BARABOO COMMON COUNCIL  
Council Chambers, 135 4<sup>th</sup> Street, Baraboo, Wisconsin  
Tuesday, April 26, 2016, 7:00 P.M.**

Regular meeting of the Common Council, Mayor Palm presiding.

*Notices sent to Council members:* Wedekind, Kolb, Plautz, Sloan, Petty, Ellington, Alt, Vacant, and Thurow

*Notices sent to City Staff and Media:* Atty. Bolin, Adm. Geick, Clerk Giese, City Engineer Pinion, Utility Super. Peterson, Street Super. Koss, Police Chief Schauf, Parks & Recreation Dir. Hardy, City Treasurer Laux, Fire Chief Kevin Stieve, Library Director Allen, CDA Director, the News Republic, WBDL, and WRPQ.

*Notices sent to other interested parties:* Town of Baraboo, Village of West Baraboo, Citizen Agenda Group, Media Agenda Group, Penny Johnson

**CALL TO ORDER**

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF PREVIOUS MINUTES** - (Voice Vote): April 19, 2016

**APPROVAL OF AGENDA** (Voice vote):

**COMPLIANCE WITH OPEN MEETING LAW NOTED**

**PUBLIC INVITED TO SPEAK** (Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.)

**MAYOR'S COMMENTS** –

- Congratulations to Library Assistant, Penny Johnson on her 10<sup>th</sup> anniversary with the City of Baraboo.
- The Mayor announces the deadline for letters of interest for District 8, wards 11 and 14 to be April 29, 2016.
- The Mayor will read a proclamation for International Migratory Bird Day on May 16, 2016.

**CONSENT AGENDA** (roll call)

CA-1...Approve the accounts payable to be paid in the amount of \$ \_\_\_\_\_

**NEW BUSINESS RESOLUTIONS**

NBR-1...Consider long term lease with Wisconsin DPI (Department of Public Instruction) for use of Civic Center Room 35.

NBR-2...Consider Driftless Glen Properties, LLC Right of First Refusal for purchase of city property at 1405 Lake Street.

NBR-3...Consider supporting the United States Bike Route 30 (USBR30) through the city.

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

**REPORTS, PETITIONS, AND CORRESPONDENCE** - The City acknowledges receipt and distribution of the following: **Monthly Reports for March, 2016 from** – Treasurer, Fire Dept.

**Minutes from the Following Meetings -**

**Copies of these meeting minutes are included in your packet:**

Finance Comt. 4-12-16 Plan Commission 3-15-16

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

Library Board 3-15-16 BDAS & Ad Hoc Finance Comt. 2-24-16  
 Municipal Canvass Bd 4-11-16 Emergency Management Comm. 3-31-16  
 UW Campus Comm. 3-24-16 Bicycle Route Sub-Comt. 3-14-16  
 Arboretum Sub-Comt. 3-30-16  
 Outdoor Recreation Plan 2-4-16

**Petitions and Correspondence Being Referred**

**INFORMATION**

Great Lakes Basin Transportation – Railroad Proposal in Wisconsin

**ADJOURNMENT** (Voice Vote)

Cheryl Giese, City Clerk-Finance Director

*For more information about the City of Baraboo, visit our website at [www.cityofbaraboo.com](http://www.cityofbaraboo.com).*

**APRIL 2016**

SUN	MON	TUE	WED	THU	FRI	SAT
24	25 Public Safety	26 Finance Council	27 Ambulance	28 Emergency Mgt Public Arts Assoc	29	30

**MAY 2016**

SUN	MON	TUE	WED	THU	FRI	SAT
1	2 Administrative	3 CDA	4	5 BEDC	6	7
8	9 Park & Rec	10 Finance Council	11	12	13	14
15	16 PFC SCDC	17 Library Plan	18 BID	19 UW Campus	20	21
22	23 Public Safety	24 Finance Council	25 Ambulance	26 Emergency Mgt Public Arts Assoc	27	28
29	30 <b>MEMORIAL DAY</b> Offices Closed	31				

**PLEASE TAKE NOTICE** - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, should contact the City Clerk at 135 4th St., or phone 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the City of Baraboo who are not members of the above Council, committee, commission or board may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting, **other than the Council, committee, commission, or board identified in the caption of this notice.**

Agenda jointly prepared by D. Munz and C. Giese  
 Agenda posted by DMM on 04/22/2016

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent: Vacant District 8

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

The Pledge of Allegiance was given.

**OATH OF OFFICE**

Clerk Giese administered the oath of office to Alderpersons Plautz, Ellington and Thurow.

Moved by Wedekind, seconded by Ellington and carried to approve the minutes of April 12, 2016.

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

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

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

**MAYOR’S COMMENTS**

Mayor Palm announced the deadline to express interest in the Alderperson vacancy for District 8 is April 29<sup>th</sup>.

**ELECTION OF COUNCIL PRESIDENT**

Moved by Kolb, seconded by Sloan to nominate Joel Petty as Council President. No further nominations were received. Moved by Ellington, seconded by Alt and carried unanimously to close nominations. Upon secret ballot, Ald. Petty was declared the President of the Council upon unanimous vote.

**ELECTION OF PLAN COMMISSION**

Moved by Petty, seconded by Ellington to nominate Dennis Thurow and Tom Kolb to the Plan Commission. Having heard all nominations, it was moved by Ellington and seconded by Petty to close nominations and cast a unanimous ballot. Upon unanimous vote Thurow and Kolb were elected to the Plan Commission.

**MAYOR’S BUSINESS:**

The Mayor made the following appointments to the Standing Committees, with the first person being the Chairperson.

Public Safety	Phil Wedekind	Thomas Kolb	Michael Plautz
Administrative	Dennis Thurow	John Alt	John Ellington
Finance	Joel Petty	Dennis Thurow	Scott Sloan

**CONSENT AGENDA**

**Resolution No. 16-1**

THAT the Baraboo National Bank qualifies as a public depository under Chapter 34 of the Wisconsin Statutes, and is hereby designated as a depository in which funds of this municipality may, from time to time, be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required Signatures</u>	<u>Authorized Persons</u> <sup>3</sup>
--------------------------------	------------------	---------------------------------	--

Payment Account	101064029	1	Treasurer
Alma Waite Trust Fund NOW	104502957	2	Clerk and Treasurer
Library Segregated Fund	104551192	2	Clerk and Treasurer
Park Dept. House	101001035	2	Clerk and Treasurer
General NOW	101149830	2	Clerk and Treasurer
Parks & Recreation Board NOW	101000888	2	Clerk and Treasurer
Water Utility NOW	101153201	2	Clerk and Treasurer
Sewer Utility NOW	104550099	2	Clerk and Treasurer
Sewer Debt Service NOW	104506359	2	Clerk and Treasurer
Sewer Equip Replacement NOW	104522281	2	Clerk and Treasurer
Stormwater Equip Replacement	104565819	2	Clerk and Treasurer
Friends of the Library	103035891	2	Clerk and Treasurer
HUD Fund	101000934	2	Clerk and Treasurer
General Fund-Bond Issue	104557859	2	Clerk and Treasurer
CDA Block Grant Escrow	101000950	2	Director and Commissioner
Low Rent Checking	101000829	2	Director and Commissioner
Donahue Terrace Checking	101000683	2	Director and Commissioner
LRPH Money Market	104500709	2	Director and Commissioner
CS Security Deposit Money Market	104523946	2	Director and Commissioner
DT Security Deposit Money Market	104523385	2	Director and Commissioner
DTA Premier Money Market	104547551	2	Director and Commissioner
CDA Disbursement	101153805	2	Director and Commissioner

BE IT FURTHER RESOLVED that the persons and the number thereof designated by title below be authorized for and on behalf of this municipality to sign drafts and order checks as provided in Section 66.0607 of the Wisconsin Statutes for payment or withdrawal of money from the following accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required</u>	<u>Authorized Persons</u>
		<u>Signatures</u>	
General Fund Account	101000306	2	Mayor, Clerk and Treasurer
Utilities Account NOW	101000292	2	Mayor, Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-2**

THAT the Wells-Fargo Bank qualifies as a public depository under Chapter 34 of the Wisconsin Statutes, is hereby designated as a depository in which funds of this municipality may, from time to time, be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the Bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required</u>	<u>Authorized Persons</u>
		<u>Signatures</u>	
General Fund	908-640	2	Clerk and Treasurer <sub>4</sub>

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-3**

THAT the Community First Bank qualifies as a public depository under Chapter 34 of the Wisconsin Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund Money Market	86190136	2	Clerk and Treasurer
General Fund Bond Issue MM	86197936	2	Clerk and Treasurer
CDBG Money Market	86142136	2	Director and Commissioner
79 Revolving	86186300	2	Director and Commissioner
ED Revolving	86185500	2	Director and Commissioner
LRPH Money Market	86147236	2	Director and Commissioner

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-4**

THAT the Summit Credit Union qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the city of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
---------------------------------------	-------------------------	--	----------------------------------

None at the present time.

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Summit Credit Union.

**Resolution No. 16-5**

THAT the Baraboo Municipal Employee Credit Union qualifies as a public depository under Chapter 34 of the Wisconsin Statutes, is hereby designated as a depository in which funds of this municipality may, from time to time, be deposited; that the following described account be opened and maintained in the name of this municipality with the Local Government Investment Pool; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b>Name or Type of Account</b>	<b>Account #</b>	<b># of Required Signatures</b>	<b>Authorized Persons</b>
Fire Benefit Fund	99-2-00	2	Clerk and Treasurer
General Fund	1802-8-01	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written transfer order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Credit Union.

**Resolution No. 16-6**

THAT the Local Government Investment Pool qualifies as a public depository under Chapter 34 of the Wisconsin Statutes, is hereby designated as a depository in which funds of this municipality may, from time to time, be deposited; that the following described account be opened and maintained in the name of this municipality with the Local Government Investment Pool; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b>Name or Type of Account</b>	<b>Account #</b>	<b># of Required Signatures</b>	<b>Authorized Persons</b>
Local Government Investment Pool Depositor	856206	1	Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written transfer order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be

affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Pool.

**Resolution No. 16-7**

THAT the Citizens Community Federal Bank qualifies as a public depository under Chapter 34 of the Wisconsin Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund Money Market	20032292	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-8**

THAT the Bank of Prairie du Sac qualifies as a public depository under Chapter 34 of the Wisconsin Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund	471582	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to

**Resolution No. 16-9**

THAT the Bank of Wisconsin Dells qualifies as a public depository under Chapter 34 of the Wisconsin Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund Money Market	163563	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-10**

THAT the First Business Bank – Milwaukee and the First Business Bank - Madison qualify as public depositories under Chapter 34 of the Wisconsin Statutes and are hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with these banks; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund Money Market	7481010	2	Clerk and Treasurer
General Fund Money Market	2027186	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Bank.

**Resolution No. 16-11**

THAT the US Treasury qualifies as a public depository under Chapter 34 of the Wisconsin Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited; that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund	City 57206	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Treasury.

**Resolution No. 16-12**

THAT the River Cities Bank qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
General Fund	10080968	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the River Cities Bank.

**Resolution No. 16-13**

THAT the Investors Community Bank qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality

to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required Signatures</u>	<u>Authorized Persons</u>
General Fund	5031443	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Investors Community Bank.

**Resolution No. 16-14**

THAT the Clare Bank qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required Signatures</u>	<u>Authorized Persons</u>
General	525450	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Clare Bank.

**Resolution No. 16-15**

THAT the Westby Co-operative Credit Union qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<u>Name or Type of Account</u>	<u>Account #</u>	<u># of Required Signatures</u>	<u>Authorized Persons</u>
General Fund	54962-07	2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Wesby Co-operative Credit Union.

**Resolution No. 16-16**

THAT the US Bank National Associates qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
FICA Account		2	Clerk and Treasurer

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Incredible Bank.

**Resolution No. 16-17**

THAT the Charles Schwab and Company, qualifies as a public depository under Chapter 34 of the Wisconsin State Statutes and is hereby designated as a depository in which funds of the City of Baraboo may from time to time be deposited, that the following described accounts have been opened and maintained in the name of this municipality with the bank; that the persons and the number thereof designated by title below be authorized for and on behalf of the municipality to sign drafts or order checks as provided by Section 66.0607 of the Wisconsin Statutes, for payment or withdrawal of money from said accounts:

<b><u>Name or Type of Account</u></b>	<b><u>Account #</u></b>	<b><u># of Required Signatures</u></b>	<b><u>Authorized Persons</u></b>
Schwab One Brokerage account Advisors	3694-7092	1	Clerk, Treasurer or Dana Investment

BE IT FURTHER RESOLVED that withdrawals from savings or time deposits shall be by written order pursuant to 66.0607(3) of the Wisconsin Statutes and each transfer order shall be signed by the Clerk and Treasurer, provided, however, in lieu of personal signatures of the Clerk and Treasurer, the facsimile signature adopted by the person and approved by this Council may be affixed to the transfer order; that pursuant to 66.0607(3m) the use of money transfer

techniques, including electronic funds transfers and automatic clearinghouse methods, may be used and that the Treasurer shall keep a record of date, payee and amount of such transactions.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be delivered to the Incredible Bank.

**Resolution No. 16-18**

THAT the facsimile signatures of the Mayor, Clerk, and Treasurer are hereby approved.

**Resolution No. 16-19**

THAT the Baraboo News Republic be declared the official City newspaper.

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

**APPOINTMENTS**

Motion by Ellington, seconded by Sloan and carried that the Mayor’s appointments be voted on as a slate rather than individually, provided that the right to vote separately on any individual appointment is reserved if any Council member so requests. Moved by Petty, seconded by Kolb and carried to approve the following appointments.

<b><u>Incumbent</u></b>	<b><u>Position</u></b>	<b><u>New Appointee</u></b>	<b><u>Term Ends</u></b>
<b><u>Administrative Review Appeals</u></b>			
Tom Kolb	Council	<u>Tom Kolb</u>	04/18/17
<b><u>Al. Ringling Theatre Friends</u></b>			
John Ellington	Council	John Ellington	04/18/17
<b><u>Ambulance Commission</u></b>			
Scott Sloan	Aldersperson	Scott Sloan	04/17/18
Dennis Thurow	Aldersperson	Dennis Thurow	04/17/18
<b><u>BEDC</u></b>			
Scott Sloan	Aldersperson	Scott Sloan	04/18/17
Michael Palm	Mayor	Michael Palm	04/18/17
Aural Umhoefer	Citizen	Aural Umhoefer	2/28/19
Musa Ayer	Citizen	Musa Ayer	2/28/19
<b><u>Business Improvement District</u></b>			
Dennis Thurow	Aldersperson	New Aldersperson	04/18/17
Lacey Steffes	Business Owner	Lacey Steffes	04/16/19
Todd Wickus	Owner-Occupant	Todd Wickus	04/16/19
<b><u>CDA Community Development Authority</u></b>			
Nancy Machtan	Citizen	<u>Eugene Robkin</u>	11/14/18
Eugene Robkin	Aldersperson	New Aldersperson	04/17/18
<b><u>Emergency Management Commission</u></b>			
Wade Peterson	Utility Superintendent/citizen	<u>Wade Peterson</u>	04/18/17 <sub>2</sub>

Dana Sechler	Ambulance Director	<u>Dana Sechler</u>	04/18/17
Kevin Stieve	Fire Dept./Emer. Mgmt. Dir.	<u>Kevin Stieve</u>	04/18/17
Mark Schauf	Police Chief	<u>Mark Schauf</u>	04/18/17
Kelly Lapp	Hospital/citizen	<u>Kelly Lapp</u>	04/18/17
Tom Pinion	Engineer	<u>Tom Pinion</u>	04/18/17

**Ethics Board**

James Bohl	Citizen	<u>James Bohl</u>	04/30/19
Jerome Mercer	Citizen	<u>Jerome Mercer</u>	04/30/19

**Park and Recreation Comm.**

Michael Plautz	Aldersperson	<u>Michael Plautz</u>	04/18/17
----------------	--------------	-----------------------	----------

**Plan Commission**

Kate Fitzwilliams	Citizen	<u>Kate Fitzwilliams</u>	04/30/19
-------------------	---------	--------------------------	----------

**Sauk County Development Corp.**

Michael Palm	Mayor	Mike Palm	4/18/17
--------------	-------	-----------	---------

**Weed Commissioner**

Gordon Ringelstetter	Regular	<u>Gordon Ringelstetter</u>	04/18/17
Allison Goetz	Deputy	<u>Allison Goetz</u>	04/18/17

**Zoning Board of Appeals**

Ann Burton	Citizen	<u>Ann Burton</u>	04/30/19
Bruce Boyd	Citizen	<u>Bruce Boyd</u>	04/30/19
Patrick Liston	Citizen, Alt 1	Patrick Liston	04/30/19

**Appointed by the Mayor:**

**Board of Review**

Phil Wedekind	Aldersperson	<u>Phil Wedekind</u>	04/18/17
Tom Kolb	Aldersperson	<u>Tom Kolb</u>	04/18/17
Dennis Thurow	Aldersperson	<u>Dennis Thurow</u>	04/18/17

The other six members are appointed as alternates.

**UW Campus Commission**

Phil Wedekind	Aldersperson	<u>Phil Wedekind</u>	04/18/17
Tom Kolb	Aldersperson	<u>Tom Kolb</u>	04/18/17
Rudolph (Tom) Geimer	County Citizen	<u>Tom Geimer</u>	04/18/17

**PRESENTATION**

Mayor Palm explained the river corridor plan covering the area along the river from North Freedom to Baraboo, stating that the river near North Freedom is slower and more family friendly. As it comes towards Baraboo, it has faster flow and is more suited for experienced kayaks and canoeists. Working together with neighboring communities helps all of us compete for Stewardship dollars which are in high demand. The Parks Dept is planning an arboretum which will be incorporated into the overall comprehensive plan. The City is planning to apply for stewardship money next year.

**Resolution No. 16-20**

The City of Baraboo hereby declares its support for Phase I of the Baraboo River Corridor Plan. Moved by Kolb, seconded by Petty and carried that **Resolution No. 16-20** be approved – 8 ayes.

**Resolution No. 16-21**

THAT the Final Plat of for Rolling Meadows North subdivision owned by Legacy Housing, LLC is hereby approved subject to the provisions of Wis. Stat. ch. 236, Baraboo Municipal Code ch. 18, and the Agreement for Subdivision Improvements; and

THAT the Agreement for Subdivision Improvements for the Final Plat of Rolling Meadows North subdivision is hereby approved; and

THAT the Mayor and City Clerk are hereby authorized to execute the Agreement for Subdivision Improvements for the Plat of Rolling Meadows North Subdivision.

Moved by Kolb, seconded by Wedekind and carried that **Resolution No. 16-21** be approved- 8 ayes.

Dave Malone, the developer representing Legacy Housing and represented by Counsel, requested approval of the final plat of Rolling Meadows North Subdivision. The preliminary plat was approved in January, and is a planned development off of Hwy T. One requirement by the City was for a developer agreement, and that the final plat cannot be recorded until the improvements are completed and accepted by the Council.

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

Ald. Ellington discussed problems in neighborhood and appreciates police response to drug problems in the neighborhood.

**ADJOURNMENT**

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

---

Cheryl M. Giese, Clerk-Finance Director

The City of Baraboo, Wisconsin

<i>Background:</i>
<b>Fiscal Note: (Check one) [ ] Not Required [ ] Budgeted Expenditure [ ] Not Budgeted</b>
<i>Comments</i>

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Accounts Payable, in the amount of \$ \_\_\_\_\_ as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

**Offered By:** Consent

**Motion:**

**Second:**

**Approved by Mayor:** \_\_\_\_\_

**Certified by City Clerk:** \_\_\_\_\_

The City of Baraboo, Wisconsin

Background: This resolution seeks the approval of entering a long term lease with the Wisconsin Department of Public Instruction for the use of room 35 in the Civic Center

The DPI has rented space in the Civic Center for the past 12 years and wishes to enter into a multi-year lease, through July, 2022. The lease would have a built-in "accelerator" which would increase rent annually by 2.5% on July 1st of the renewal year. Historically, the City has increased rent on tenants near the CPI rate, or between 1-3% annually.

The Parks and Recreation Commission has reviewed lease terms and recommends continuing to rent to the DPI through 2022 at the Civic Center.

Fiscal Note: [ ] Not Required [ x ] Budgeted Expenditure [ ] Not Budgeted

Comments: This resolution approves continuing leasing to the Civic Center's largest tenant (by received revenues).

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Baraboo Civic Center be authorized to enter into a lease through July 2022 with the Wisconsin DPI (Department of Public Instruction) for the continued use of room 35 of the Civic Center, with rent to begin at \$8,579.64 annually and increase 2.5% annually thereafter.

Offered by:

Motion:

Second:

Attest:

Approved: \_\_\_\_\_

\_\_\_\_\_

The City of Baraboo, Wisconsin

**Background:** This resolution authorizes the City to enter into a Right of First Refusal with Driftless Glen Properties, LLC. The City owns a vacant 2.1-acre lot on Lake Street (between Razor Composites and Culligan Total Water). Driftless Glen Properties, LLC, has expressed an interest in said property as a prospective site for their future off-site storage needs. They have sufficient space for their immediate future on their Water Street property so they are requesting a right-of-first refusal for the City's Land on Lake Street. This right would be good for 25 years from the date of the agreement. Attached is a draft copy of the Right of First Refusal.

Also attached is the CSM that shows the property as well as copy of the Restrictive Covenants for the Devil's Lake Business Park. Any property sold in the Devil's Lake Business Park shall be subject to these restrictions.

**Fiscal Note: (check one) [ ] Not Required [ ] Budgeted Expenditure [ ] Not Budgeted**  
**Comments:**

A Resolution authorizing the Mayor and City Clerk to sign a Right of First Refusal for the Property located at 1405 Lake Street to Driftless Glen, LLC.

**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:**

The Mayor and City Clerk are authorized to execute a Right of First Refusal to Driftless Glen, LLC, for property located at 1405 Lake Street in exchange for \$60.00.

**Offered by:**  
**Motion:**  
**Second:**

**Approved:** \_\_\_\_\_  
**Attest:** \_\_\_\_\_

**RIGHT OF FIRST REFUSAL**

Document Number	Document Title
<p><b>Name and Return Address:</b></p> <p>Alene Kleczek Bolin City Attorney 135 4<sup>th</sup> Street Baraboo, WI 53913</p>	

206-1154-10611  
Parcel Identification Number (PIN)

Recording Area

This Right of First Refusal ("Agreement") is made on April\_\_\_\_\_, 2016 by and between Driftless Glen Distillery, LLC, the prospective purchaser of the property described herein ("Grantee"), and the City of Baraboo, a Wisconsin municipal corporation ("Owner").

In consideration of the payment by the Grantee to the Owner of the sum of \$110.00 and other good and valuable consideration, Owner conveys to Grantee a Right of First Refusal to Purchase the following described real estate in Sauk County, State of Wisconsin ("Property"):

A parcel of land located in the E 1/2 of the NW 1/4 of Section 12, T11N, R6E, City of Baraboo, Sauk County, Wisconsin, described as follows:  
Lot 2 of Sauk County Certified Survey Map No. 5764. Said parcel contains 2.10 acres, more or less. Tax Parcel No. 206-1154-10311. This is not homestead property.

In addition, the parties hereby agree as follows:

1. In the event that the Owner receives an offer (the "Offer") from any person relative to the Property, which the Owner is prepared to accept, then the Owner shall forthwith send to the Grantee notice in writing of its desire or intention to sell the Property accompanied by a copy of the Offer.
2. Upon receipt of notice in accordance with paragraph 1, the Grantee shall have twenty (20) days from the date of receipt within which to give the Owner notice ("Intent to Buy") that it desires and agrees to so purchase the Property on the same terms and conditions as are contained in the Offer, provided that:
  - a) If the Grantee shall have given an Intent to Buy, the Grantee shall purchase Property on the same terms as in the Offer;
  - b) If the Grantee shall not have given an Intent to Buy within the time provided, then the Grantee shall be deemed for all purposes to have refused to purchase the Property; and
  - c) In the event that each Grantee elects not to purchase or is deemed to have refused to purchase the Property, then the Owner may accept the Offer and proceed to sell the Property, at the price and on and in accordance with the terms and conditions contained in the Offer provided that, if the transaction contemplated by the Offer is not completed within a period of six (6) months after the expiration of the last day upon which the Grantee has the right to give an Intent to Buy, then the Owner shall not thereafter sell the Property unless and until it again complies with the provisions of this Agreement.
3. Any transaction between the Owner and the Grantee pursuant to the provisions of this Agreement shall be completed no later than the 45<sup>th</sup> day after which the Grantee has become obligated to purchase the Property.
4. The rights granted to the Grantee under this Agreement are personal to the Grantee. Accordingly, the Grantee may not sell, assign or otherwise transfer any of its rights under this Agreement without the prior written consent of the Owner, which consent may be for any reason or no reason withheld. This Agreement shall exist for twenty-five (25) years from the date of this Agreement.
5. Grantee recognizes that the Property shall be subject to Restrictive Covenants upon the Property's sale to Grantee.
6. Notices. Any notice required by this Agreement or given in connection with it, shall be in writing and shall be given to the appropriate party by personal delivery or a recognized overnight delivery service such as FedEx.

If to the Owner: City of Baraboo, Wisconsin, 135 4<sup>th</sup> St., Baraboo, WI 53913.

If to the Grantee: Driftless Glen Properties, LLC., 300 Water St., Baraboo, WI 53913

7. No Waiver. The waiver or failure of either party to exercise in any respect any right provided in this agreement shall not be deemed a waiver of any other right or remedy to which the party may be entitled.
8. Entirety of Agreement. The terms and conditions set forth herein constitute the entire agreement between the parties and supersede any communications or previous agreements with respect to the subject matter of this Agreement. There are no written or oral understandings directly or indirectly related to this Agreement that are not set forth herein. No change can be made to this Agreement other than in writing and signed by both parties.
9. Governing Law. This Agreement shall be construed and enforced according to the laws of the State of Wisconsin and any dispute under this Agreement must be brought in this venue and no other.
10. Headings in this Agreement. The headings in this Agreement are for convenience only, confirm no rights or obligations in either party, and do not alter any terms of this Agreement.

In Witness whereof, the parties have executed this Agreement as of the date first written above.

\_\_\_\_\_  
Driftless Glen Properties, LLC.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor, City of Baraboo

**AUTHENTICATION**

Signature of \_\_\_\_\_  
authenticated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
\* Alene Kleczek Bolin, Bar No. 1044643  
TITLE: MEMBER STATE BAR OF WISCONSIN





**TRANSPORTATION • MUNICIPAL  
DEVELOPMENT • ENVIRONMENTAL**  
1230 South Boulevard Baraboo, WI 53913  
608-356-2771 1-800-362-4505 Fax: 608-356-2770  
Web Address: www.msa-ps.com  
© MSA PROFESSIONAL SERVICES

PROJECT # R00035007  
DRAWN BY: MTS  
CHECKED BY: KHS  
FILE # 29-1-913  
SHEET # 2/2

SAUK COUNTY CERTIFIED SURVEY MAP # 5764

**SURVEYOR'S CERTIFICATE:**

I, Kenneth H. Schuette Registered Land Surveyor, hereby certified that I have surveyed, divided, and mapped a certified survey located in the NE1/4-NW1/4 and the SE1/4-NW1/4, Section 12, T11N, R6E, being a replat of Lot 2, CSM #4335, Document Number 736149, Recorded in Volume 22, Page 4335 at 9:30 AM on October 17, 2000 in the City of Baraboo, Sauk County, Wisconsin, which is bounded by a line described as follows:

Commencing at the north one-quarter corner of said Section 12; thence S00°14'54"E, 1327.03 feet along the north-south 1/4 line to the southeast corner of said NE1/4-NW1/4; thence S89°28'18"W, 168.19 feet along the south 1/16 line to the point of beginning.

thence along the arc of a curve concave to the west, a radius of 4241.28 feet (the chord of which bears S09°22'28"W, 196.68 feet) a distance of 196.70 feet; thence N89°36'28"W, 436.34 feet to the east right of way of Lake Street; thence N00°59'30"W, 456.25 feet along said right of way; thence East 508.50 feet; thence along the arc of a curve concave to the west, a radius of 4241.28 feet (the chord of which bears S06°52'33"W, 258.46 feet) a distance of 258.50 feet to the southeast corner of Lot 2; thence along the arc of a curve concave to the west, a radius of 4241.28 feet (the chord of which bears S08°40'48"W, 8.61 feet) a distance of 8.61 feet to the point of beginning.

Said parcel contains 5.00 acres more or less, and is subject to rights-of-way, easements of record and utilities.

That I have complied with the provisions of Chapter 236.34 & 236.21 Wisconsin Statutes, the subdivision regulations of the City of Baraboo and Sauk County, and A.E. 7.00 of the Administrative Code of the State of Wisconsin to the best of my knowledge and belief, in surveying, dividing and mapping the same;

That such a plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made;

That I have made such certified survey under the direction of City of Baraboo.

**CITY RESOLUTION**

Resolved that the Certified Survey Map, attached hereto, and filed with the City of Baraboo, Wisconsin by the City of Baraboo, owner is hereby approved by the Plan commission and the Common Council of the City of Baraboo, Wisconsin.

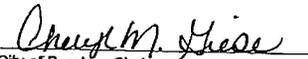
Approved By:

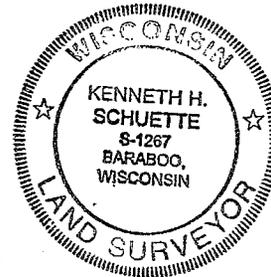
PLAN COMMISSION AND COMMON COUNCIL  
City of Baraboo, Wisconsin

  
Baraboo City Engineer

  
Baraboo City Mayor

I hereby certify that the foregoing Resolution was adopted by the Plan Commission and Common Council of the City of Baraboo, Wisconsin on the 19 day of August, 2008.

  
City of Baraboo Clerk



  
MSA PROFESSIONAL SERVICES, INC.  
KENNETH H. SCHUETTE, REGISTERED LAND SURVEYOR #1267 DATE

NOTE: IF THE SURVEYOR'S SEAL AT LEFT IS NOT RED IN COLOR, THE SURVEY IS A COPY AND SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO COPIES.

**RESTRICTIVE COVENANTS  
DEVIL'S LAKE BUSINESS PARK  
(aka Baraboo Business Park)**

- I. INTENT – The City of Baraboo intends to use the lands located east of Highway 12 and adjacent to Highway 123 and the Baraboo Country Club and Golf Course as the Baraboo Business Park. The lands comprising the Baraboo Business Park are described on Exhibit A, attached hereto and incorporated by reference and shall hereafter be referred to as the “Business Park.” For the purpose of preserving the value of the lands contained within the Business Park, as well as all lands located in its general vicinity, the City hereby declares and provides that, in addition to the Baraboo Municipal Code of Ordinances, all lands within the Business Park shall be subject to the restrictions, covenants and conditions set forth herein. These covenants are further intended to facilitate the above purposes in a contemporary, professional, and office-life setting within the Business Park. In addition to office uses, the City encourages contemporary industrial development, thereby providing a desirable location for those industrial types which are harmonious with and do not constitute a hazard or a nuisance to surrounding communities and lands. The City encourages the development of clean and quiet industrial uses while permitting light manufacturing, warehousing, and other similar industrial uses. These covenants are further intended to insure that the architectural designs of both buildings and sites are consistent with the standards necessary to maintain a quality mixed-use park that is attractive to both the office and industrial owner. The enforcement of these Covenants is intended to provide for the enhancement of property values and to the aesthetic and financial success of the Business Park.
- II. PERMITTED USES – No parcel in the Business Park may be built upon, altered or occupied for any purpose or use unless said purpose or use has been referred to the Baraboo Economic Development Commission (BEDC) and the City of Baraboo Planning Commission (Commission) for their consideration, recommendation and report to the Common Council. The kinds of uses deemed appropriate by the City are set forth below and are for illustrative purposes only. All specific uses must obtain the approval of the Common Council as set forth in this section.
- A. Offices, business, and professional, including:
- Accounting, auditing, and bookkeeping offices,
  - Advertising offices,
  - Banks and financial institutions,
  - Business Associations,
  - Business and management consultant offices,
  - Chiropractic offices,
  - Contractors offices,
  - Dental offices,
  - Educational and scientific research offices,
  - Employment agency offices,
  - Engineering and architectural offices,
  - Finance offices,
  - Insurance offices,
  - Investment service offices,
  - Labor unions,
  - Laboratories, with accessory research and testing,
  - Legal offices,
  - Medical clinics and offices,
  - Real estate offices.

B. Manufacturing activities including:

Bicycles,  
 Cabinets,  
 Cameras,  
 Candy,  
 Clothing,  
 Computers,  
 Electrical appliances,  
 Electronics components,  
 Furniture,  
 Generators,  
 Glass products,  
 Machine shop,  
 Machine tools,  
 Medical equipment,  
 Motors,  
 Musical instruments,  
 Photographic equipment,  
 Plastics products,  
 Printing shops,  
 Printing and publishing establishments,  
 Sporting and athletic equipment,  
 Telephone transmission buildings,  
 Televisions,  
 Toys,  
 Transformers,  
 Warehouse and mini-storage facilities,  
 Wholesale business.

C. Other uses not expressly stated herein provided that any such use is closely related to those included in these Covenants and provided further that the Common Council approves the use conditionally or otherwise.

III. PROHIBITED USES – The following uses shall not be permitted in the Business Park:

Abattoirs,  
 Acid manufacture,  
 Cement, lime, gypsum or plaster of paris manufacture,  
 Drop force,  
 Explosive/hazardous materials manufacture or storage,  
 Fat rendering,  
 Fertilizer manufacture,  
 Junk yards,  
 Smelting of metals,  
 Stockyards,  
 Tannery.

IV. MINIMUM PARCEL SIZE – The minimum parcel size for all parcels in the Business Park shall be five (5) acres.

- V. CONSTRUCTION MATERIALS – All buildings constructed within the Business Park shall provide for attractive profiles. Exterior walls may be constructed of wood, brick, architectural concrete masonry units, stone, architectural concrete and pre-cast concrete, glass, enameled or anodized metal. Materials shall be combined with design and color consistent with the harmonious development of the site.

The stark underdesigned warehouse look shall be eliminated through the use of sidewall and façade materials, e.g., masonry, metal, wood, concrete, and glass, with attractive profiles, textures, and colors. All designs shall provide for the smooth transition between office and light manufacturing building space requirements.

The design of any accessory buildings shall be consistent with the design and materials proposed for the principal building(s).

- VI. ARCHITECTURAL REVIEW – Prior to initiating construction on any parcel in the Business Park, the owner shall submit plans for approval to the Commission. The plans and specifications must include the following elements:

- A. Building plans and elevations.
- B. A complete site plan depicting all setbacks, parking lots, loading docks, signs, refuse collection systems, general landscaping, and circulation patterns, and all exterior lighting proposed for the site.
- C. A landscaping plan accurately depicting the location, number, and type of plantings and/or berms proposed for the site.

The owner shall submit five (5) copies of all documents and plans to the City Clerk. All elevations shall be drawn at a minimum of 1/8" = 1'. All site plans shall be drawn at a scale no smaller than 1" = 20', unless otherwise approved by the City Engineer.

Within fifteen (15) days from the date the plans are received by the City Clerk, BEDC shall review the plans and forward its recommendation, in writing, to the Commission. Within thirty (30) days of submission of the plans and the BEDC recommendations to the Commission, the Commission shall issue its decision thereon. The owner may appeal the Commission's decision to the Baraboo Common Council by filing a written notice of appeal with the City Clerk no later than fifteen (15) days from the date of the Commission's decision. The Council shall duly consider the matter and its decision shall be final. Plans shall be evaluated considering the provisions of these covenants as well as the general welfare of the Business Park occupants and surrounding property owners.

- VII. PERFORMANCE STANDARDS – The following minimum standards shall apply to all developments proposed within the Business Park.

A. Setbacks

- 1. Front: 30 feet \* setback areas shall be landscaped.
- 2. Side: 20 feet \* except for driveways. No parking.
- 3. Rear: 25 feet \* is allowed in setback areas.

B. Parking – There shall be no on-street parking. Off-street parking shall be provided on the following basis:

<u>Use</u>	<u>Requirement</u>
Office	Five (5) spaces plus one (1) space for each three hundred (300) sq. ft. of floor area over one thousand (1,000) sq. ft.
Manufacturing	Two (2) spaces for each three (3) employees or two (2) spaces for each one thousand (1,000) sq. ft. of floor space, as determined by the Plan Commission.

All parking lots shall be permanently surfaced with either asphalt or concrete. At least three (3) percent of the total parking lot surface area shall be landscaped as specified in these Covenants. Corner lots may be exempted from some setback requirements provided that loading and maneuvering areas are screened from public view by careful building orientation and landscaping.

C. Off-Street Loading – Loading docks positioned at the front of any building shall be setback at least seventy (70) feet. Maneuvering areas shall not encroach into the front, side, or rear yard setback areas as specified in Section VII A. of these Covenants.

D. Signs – All signs shall be constructed in accordance with the City of Baraboo Zoning Ordinance. In addition to the requirements contained therein, the following requirements shall also apply:

1. All identity signage not attached to the building shall be set back a minimum of 15 feet from the property line. Signs shall be incorporated into the landscape plan. Sign material shall be as specified by the City. Maximum size overall shall not exceed five (5) feet in height or fifty (50) square feet in area.
2. All identity signage attached to the building shall be incorporated into the building architecture and shall be presented for approval with the architectural plans. Signs may not exceed 10 percent of the square feet contained in the wall to which they are affixed. In addition, signs may not extend above the roof parapet line or project more than 18 inches from the face of the building.
3. Traffic control and directional signage within individual lot developments shall be consistent with the identity signage and submitted for approval with the landscape design.
4. Traffic control and directional signage within public right-of-ways shall be of the standard type used by the City and shall be installed by City personnel.
5. Flashing signs are expressly prohibited.

E. Landscaping – The following landscaping requirements shall be adhered to for all developments within the Park.

1. All developed areas of any lot not used for building, parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers. Areas of the site held or designated for expansion shall be planted with grass sand maintained as specified herein. The Commission shall determine the area of the site acceptable for expansion.

2. It is the owner's responsibility to maintain all landscaping in an attractive and well-trimmed condition at all times. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
3. A landscaping plan shall be prepared and submitted for approval by the Commission at the plan review stage. All landscaping shall be installed prior to the commencement of business operations or the end of the first planting season, whichever is feasible. To insure compliance with these provisions, the owner shall submit a bond in an amount equal to one and one-half (1½) times the estimated cost of the landscaping as specified in the landscaping plan. The bond shall be in a form approved by the City Attorney. The bond will be refunded to owner upon satisfactory installation of all landscaping elements as specified in the approved landscaping plan.

- F. Outdoor Storage and Display – No outside storage of any kind shall be permitted unless such storage material is visually screened from all streets with a suitable fence at least six (6) feet in height. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to the rear two-thirds of the property, and within the building setback lines. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the building. Storage of fuel oil or other bulk fluids must be underground. Fences, walls or hedges may not extend forward of building setback lines.

VIII. CONSTRUCTION – Only such excavation and drilling as are necessary for construction will be allowed. Owner shall plan to minimize erosion, dust, noise, odors, vibrations or other nuisances, which in any way might adversely affect the operation of other park occupants.

- A. During construction, the owner shall clean the working areas each day, shall remove all trash and waste materials, and shall maintain the site in a neat and orderly condition.
- B. All paved City streets shall be cleaned of construction debris at the end of each day's construction leaving the roads in first-class condition.
- C. The owner shall plan and conduct the site grading and construction to minimize erosion and sediment run-off from the areas.
- D. Combination of berms and barriers to direct surface water around the construction sites together with sedimentation basins with overflow weirs shall be employed wherever practical. Finished areas shall be topsoiled and seeded as soon as construction and weather conditions will permit, and areas to be paved should likewise be completed without delay. Owner shall submit an erosion control plan for approval.
- E. The owner shall plan and conduct site grading and haul road use to minimize dust nuisance. To this end, calcium chloride or other wetting agent shall be spread as necessary. Water wagons may also be used to control dust.
- F. The owner shall plan to minimize noise from construction activities to the extent possible.

IX. COMPLETION OF PROJECT/REPURCHASE – In the event any purchaser of land in the Business Park elects to sell any portion which is not being used in connection with the business or industry of the purchaser, or which the purchaser desires to sell separate and distinct from any sale of the business or industry being conducted by the purchaser, the same shall first be offered for sale, in writing, to the City

of Baraboo at the price per acre paid for such land by purchaser, together with the costs of any improvements thereon paid for by the purchaser and any special assessment paid by the purchaser relating to such land, with interest at the rate of 5% per annum on the purchase price from the date of payment of the purchase price of the said land by the purchaser, and 5% per annum on the costs of improvements from the date of payment of any costs for improvements on said lands by the purchaser and 5% per annum on the costs of any special assessments from the date of payment of any special assessments paid by the purchaser relating to such lands to the date of repurchase by the City. Any division of a parcel shall comply with the minimum parcel size requirements of Section IV.

**Added by Resolution 2001-56 adopted by the Baraboo Common Council on July 10, 2001, Article IX shall be amended by adding the following provision to said Article IX:**

*In the event any purchaser of land in the Business Park is required to sell any such lands, voluntarily or involuntarily, pursuant to a condemnation proceeding, the lands subject to the condemnation shall first be offered for sale, in writing, to the City of Baraboo at the price per acre paid for such land by said purchaser, together with the cost of any improvements thereon paid for by the purchaser and any special assessments paid by the purchaser relating to such land, with interest at the rate of 3% per annum on the purchase price from the date of payment of the purchase price of said land by the purchaser, and 3% per annum on the cost of improvements from the date of payment of any cost for improvements on said lands by the purchaser and 3% per annum on the cost of any special assessment from the date of payment of any special assessment paid by the purchaser relating to such lands to the date of repurchase by the City. The seller shall pay any unpaid real estate taxes and real estate taxes for the year of closing shall be pro-rated. The seller shall furnish title insurance at seller's expense for the amount of the purchase price. The procedures for accepting or rejecting such offer and for closing shall be as provided in this subsection, Article IX. If the City of Baraboo is the condemnor, the lands subject to the condemnation shall be sold to the City at the same price and terms as provided in this Amendment.*

The City shall have ninety (90) days from the date of receipt of such offer to accept or reject it, unless an extension of time may be agreed upon in writing. Acceptance or rejection of such offer shall be by resolution adopted by the City Council.

In the event of acceptance of such offer by the City, conveyance shall be by Warranty Deed, free and clear of all liens and encumbrances created by act or default of the purchaser. If the City fails to act on such offer of sale within ninety (90) days from receipt thereof or rejects the offer, the purchaser may then sell the land to any third party and the City shall have no further interest or right therein, except that the use of the land by any subsequent purchaser shall be subject to applicable zoning, ordinances, restrictions and regulations of the City and the Business Park Restrictive Covenants relating to the use of the land at the time of sale.

If a purchaser of land in the Business Park has not or cannot start construction and improvements on the land purchased within twenty-four (24) months of the date of payment of the purchase price, the City of Baraboo shall have the right to repurchase the property from the purchaser at the original purchase price without interest. Any extension of time to permit construction and improvement must be mutually agreed upon in writing between the City and the purchaser and adopted by resolution of the Baraboo City Council.

If the City reclaims the land through non-performance by the purchaser as provided herein, purchaser shall convey the property to the City by Warranty Deed, free and clear of all liens and encumbrances created by act or default of the purchaser. The Deed shall be delivered to the City upon payment of the amounts set forth herein.

If the City reclaims the land through non-performance by the purchaser, the City may sell the land to any party and the subsequent purchaser shall be subject to applicable zoning, ordinances, restrictions,

and regulations of the City and the Business Park Restrictive Covenants relating to the use of the land at the time of the sale.

The provisions of this Section (Section IX) may be amended or modified only by a majority vote of the Baraboo City Council and such amendment shall not require the approval or action of the other property owners within the Business Park as set forth in Section X of these Restrictive Covenants.

- X. ENFORCEMENT – Each parcel in the Business Park shall be conveyed subject to these Restrictive Covenants, all of which are to run with the land and shall be binding on all purchasers, their successors, assigns, and any persons claiming under them for a period of ten (10) years from the recording of the Restrictive Covenants shall be automatically extended for successive periods of ten (10) years each, unless an instrument is recorded containing the signatures of the owners of a majority of the land in the Business Park (based upon the amount of square footage owned as compared to the total square footage in the Business Park), and also containing the approval of the Baraboo City Council as evidenced by a resolution duly adopted by the City Council, which instrument and resolution shall agree to change, modify, or amend the Restrictive Covenants in whole or in part.

If two or more persons own one parcel, any one of such persons may cast a vote for that parcel and such vote shall be deemed to have been cast on behalf of all other owners and with their consent. However, if two or more owners of a single parcel cannot agree among themselves, such parcels shall not be counted in the voting. The unsold lands retained by the City shall be included in the voting.

The Restrictive Covenants of the Business Park, with the exception of the provisions of Section IX, may be modified and amended by the recording of an instrument to said effect duly signed by a majority of the then owners of a majority of the lands in the Business Park and also containing the approval of the Baraboo City Council, as evidenced by a resolution duly adopted by the City Council. The majority of the property owners shall be determined as set forth in this section. The City shall have the right at any time, however, to amend and modify these Covenants as applied to any lands in the Business Park owned by the City by the recording of an instrument to said effect containing the approval of the City Council as evidenced by a resolution adopted by the City Council.

- XI. BINDING EFFECTS – All restrictions and covenants contained herein are imposed for the benefit of lands within the Business Park, and are made for the benefit of the City and of any and all persons who may hereafter own an interest in any lands within the Business Park. All such persons in interest, including the City of Baraboo, are specifically given the right to enforce these covenants, restrictions, and conditions by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages, or both.

If the owner violates any of the provisions contained in these covenants and fails to cure such default within 30 days after receipt of written notice thereof from the City, the City shall have the right, privilege and license to enter upon the premises and take such action as is necessary to cure such violation and all reasonable cost incurred by the City shall be reimbursed to the City by the violator.

No failure to object to a violation of these Covenants, or to take action to enforce any covenants or conditions shall be deemed a waiver of any right to fully enforce the same thereafter.

If any covenant, condition, or restriction set forth herein, or any portion thereof, is determined to be invalid or void because unlawful, such invalidity shall in no way affect any other covenant, condition, or restriction herein provided.

- XII. VARIANCES – The City of Baraboo reserves the right to grant variances to any or all of these restrictions as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of these restrictions will result in practical difficulty or unnecessary hardship or if in the judgment of the Council the development or lack of development of the Business Park makes such course of action necessary or advisable. A variance shall be granted by a duly adopted resolution of the City Council after recommendation and report by the Commission to the Council.
- XIII. OTHER APPLICABLE ZONING ORDINANCES – These Covenants shall not supersede compliance with all other applicable Federal, State, and local codes and ordinances, provided, however, that where these Covenants directly conflict with the Baraboo Municipal Code of Zoning Ordinance, the Covenants set forth herein shall apply.

Dated this 21<sup>st</sup> day of May, 1986.

CITY OF BARABOO

By:

Donald R. Pierce  
Mayor

By:

Dean T. Bothell  
City Clerk

Drafted by:  
Attorney James C. Bohl

COUNCIL CHAMBER

City Hall, Baraboo, Wis., May 20, 1986

RESOLUTION NO. 86-117

RESOLVED, By the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the Restrictive Covenants for the Baraboo Business Park, as presented by the Planning Commission and attached hereto, be approved and adopted; and,

BE IT FURTHER RESOLVED, that a copy of said restrictive covenants shall be kept on file in the Office of the City Clerk and a copy thereof recorded as provided by law.

Offered By Clapper Approved: Donald R. Pierce  
Mayor

Motion Clapper Attest: Devin T. Bockell  
City Clerk

Second Arndt

*adopted 5-20-86  
original in "Declaration  
Industrial Park"*

RESTRICTIVE COVENANTS

Baraboo Business Park

1. INTENT

The City of Baraboo intends to use the lands located east of Highway 12 and adjacent to Highway 123 and the Baraboo Country Club and Golf Course as the Baraboo Business Park. The lands comprising the Baraboo Business Park are described on Exhibit A, attached hereto and incorporated by reference and shall hereafter be referred to as the "Business Park". For the purpose of preserving the value of the lands contained within the Business Park, as well as all lands located in its general vicinity, the City hereby declares and provides that, in addition to the Baraboo Municipal Code of Ordinances, all lands within the Business Park shall be subject to the restrictions, covenants and conditions set forth herein. These covenants are further intended to facilitate the above purposes in a contemporary, professional, and office-like setting within the Business Park. In addition to office uses, the City encourages contemporary industrial development, thereby providing a desirable location for those industrial types which are harmonious with and do not constitute a hazard or a nuisance to surrounding communities and lands. The City encourages the development of clean and quiet industrial uses while permitting light manufacturing, warehousing, and other similar industrial uses. These covenants are further intended to insure that the architectural designs of both buildings and sites are consistent with the standards necessary to maintain a quality mixed-use park that is attractive to both the office and industrial owner. The enforcement of these Covenants is intended to provide for the enhancement of property values and to the aesthetic and financial success of the Business Park.

II. PERMITTED USES

No parcel in the Business Park may be built upon, altered or occupied for any purpose or use unless said purpose or use has been referred to the Baraboo Economic Development Commission (BEDC) and the City of Baraboo Planning Commission (Commission) for their consideration, recommendation and report to the Common Council. The kinds of uses deemed appropriate by the City are set forth below and are for illustrative purposes only. All specific uses must obtain the approval of the Common Council as set forth in this section.

(A) Offices, business and professional, including:

- accounting, auditing, and bookkeeping offices
- advertising offices

banks and financial institutions  
business associations  
business and management consultant offices

chiropractic offices  
contractors offices

dental offices

educational and scientific research offices  
employment agency offices  
engineering and architectural offices

finance offices

insurance offices  
investment service offices

labor unions  
laboratories, with accessory research and testing  
legal offices

medical clinics and offices

real estate offices

(B) Manufacturing activities including:

bicycles

cabinets  
cameras  
candy  
clothing  
computers

electrical appliances  
electronics components

furniture

generators  
glass products

machine shop  
machine tools  
medical equipment  
motors  
musical instruments

photographic equipment  
plastics products

printing shops  
printing and publishing establishments  
  
sporting and athletic equipment  
  
telephone transmission buildings  
televisions  
toys  
transformers  
  
warehouse and mini-storage facilities  
wholesale business

(C) Other uses not expressly stated herein provided that any such use is closely related to those included in these Covenants and provided further that the Common Council approves the use conditionally or otherwise.

### III. PROHIBITED USES

The following uses shall not be permitted in the Business Park:

abattoirs  
acid manufacture  
  
cement, lime, gypsum or plaster of paris manufacture  
  
drop force  
  
explosive/hazardous materials manufacture or storage  
  
fat rendering  
fertilizer manufacture  
  
junk yards  
  
smelting of metals  
stockyards  
  
tannery

### IV. MINIMUM PARCEL SIZE

The minimum parcel size for all parcels in the Business Park shall be five (5) acres.

### V. CONSTRUCTION MATERIALS

All buildings constructed within the Business Park shall provide for attractive profiles. Exterior walls may be constructed of wood, brick, architectural concrete masonry units, stone, architectural concrete and precast concrete, glass, enameled or

anodized metal. Materials shall be combined with design and color consistent with the harmonious development of the site.

The stark underdesigned warehouse look shall be eliminated through the use of sidewall and facade materials, e.g., masonry, metal, wood, concrete and glass, with attractive profiles, textures, and colors. All designs shall provide for the smooth transition between office and light manufacturing building space requirements.

The design of any accessory buildings shall be consistent with the design and materials proposed for the principal building(s).

#### VI. ARCHITECTURAL REVIEW

Prior to initiating construction on any parcel in the Business Park, the owner shall submit plans for approval to the Commission. The plans and specifications must include the following elements:

1. Building plans and elevations.
2. A complete site plan depicting all setbacks, parking lots, loading docks, signs, refuse collection systems, general landscaping and circulation patterns, and all exterior lighting proposed for the site.
3. A landscaping plan accurately depicting the location, number, and type of plantings and/or berms proposed for the site.

The owner shall submit five (5) copies of all documents and plans to the City Clerk. All elevations shall be drawn at a minimum of 1/8"=1'. All site plans shall be drawn at a scale no smaller than 1"=20', unless otherwise approved by the City Engineer.

Within fifteen (15) days from the date the plans are received by the City Clerk, BEDC shall review the plans and forward its recommendation, in writing, to the Commission. Within thirty (30) days of submission of the plans and the BEDC recommendations to the Commission, the Commission shall issue its decision thereon. The owner may appeal the Commission's decision to the Baraboo Common Council by filing a written notice of appeal with the City Clerk no later than fifteen (15) days from the date of the Commission's decision. The Council shall duly consider the matter and its decision shall be final. Plans shall be evaluated considering the provisions of these covenants as well as the general welfare of the Business Park occupants and surrounding property owners.

VII. PERFORMANCE STANDARDS

The following minimum standards shall apply to all developments proposed within the Business Park.

(A) Setbacks

Front: 30 feet \* Setback areas shall be landscaped  
Side: 20 feet \* except for driveways. No parking  
Rear: 25 feet \* is allowed in setback areas.

(B) Parking

There shall be no on street parking. Off street parking shall be provided on the following basis:

USE	REQUIREMENT
Office	Five (5) spaces plus one (1) space for each three hundred (300) sq. ft. of floor area over one thousand (1000) sq. ft.
Manufacturing	Two (2) spaces for each three (3) employees or two (2) spaces for each one thousand (1000) sq. ft. of floor space, as determined by the Planning Commission

All parking lots shall be permanently surfaced with either asphalt or concrete. At least three (3) percent of the total parking lot surface area shall be landscaped as specified in these Covenants. Corner lots may be exempted from some setback requirements provided that loading and maneuvering areas are screened from public view by careful building orientation and landscaping.

(C) Off-Street Loading

Loading docks positioned at the front of any building shall be setback at least seventy (70) feet. Maneuvering areas shall not encroach into the front, side, or rear yard setback areas as specified in Section VII(A) of these Covenants.

(D) Signs

All signs shall be constructed in accordance with the City of Baraboo Zoning Ordinance. In addition to the requirements contained therein, the following requirements shall also apply:

1. All identity signage not attached to the building shall be setback a minimum of 15

feet from the property line. Signs shall be incorporated into the landscape plan. Sign material shall be as specified by the City. Maximum size overall shall not exceed five (5) feet in height or fifty (5) square feet in area.

2. All identity signage attached to the building shall be incorporated into the building architecture and shall be presented for approval with the architectural plans. Signs may not exceed 10 percent of the square feet contained in the wall to which they are affixed. In addition, signs may not extend above the roof parapet line or project more than 18 inches from the face of the building.
3. Traffic control and directional signage within individual lot developments shall be consistent with the identity signage and submitted for approval with the landscape design.
4. Traffic control and directional signage within public right-of-ways shall be of the standard type used by the City and shall be installed by the City personnel.
5. Flashing signs are expressly prohibited.

(E) Landscaping

The following landscaping requirements shall be adhered to for all developments within the Park.

1. All developed areas of any lot not used for building, parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers. Areas of the site held or designated for expansion shall be planted with grass and maintained as specified herein. The Commission shall determine the area of the site acceptable for expansion.
2. It is the owner's responsibility to maintain all landscaping in an attractive and well trimmed condition at all times. The owner shall also replace any dead or damaged trees or shrubs with a similar

species. Any dead or damaged sod shall also be replaced.

3. A landscaping plan shall be prepared and submitted for approval by the Commission at the plan review stage. All landscaping shall be installed prior to the commencement of business operations or the end of the first planting season, whichever is feasible. To insure compliance with these provisions, the owner shall submit a bond in an amount equal to one and one half (1 1/2) times the estimated cost of the landscaping as specified in the landscaping plan. The bond shall be in a form approved by the City Attorney. The bond will be refunded to owner upon satisfactory installation of all landscaping elements as specified in the approved landscaping plan.

(F) Outdoor Storage and Display

No outside storage of any kind shall be permitted unless such storage material is visually screened from all streets with a suitable fence at least six (6) feet in height. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to the rear two-thirds of the property, and within the building setback lines. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the building. Storage of fuel oil or other bulk fluids must be underground. Fences, walls or hedges may not extend forward of building setback lines.

VIII. CONSTRUCTION

Only such excavation and drilling as are necessary for construction will be allowed. Owner shall plan to minimize erosion, dust, noise, odors, vibrations or other nuisances, which in any way might adversely affect the operation of other park occupants.

1. During construction, the owner shall clean the working areas each day, shall remove all trash and waste materials, and shall maintain the site in a neat and orderly condition.
2. All paved City streets shall be cleaned of construction debris at the end of each

day's construction leaving the roads in first-class condition.

3. The owner shall plan and conduct the site grading and construction to minimize erosion and sediment run-off from the areas.
4. Combination of berms and barriers to direct surface water around the construction sites together with sedimentation basins with overflow weirs shall be employed wherever practical. Finished areas shall be topsoiled and seeded as soon as construction and weather conditions will permit, and areas to be paved should likewise be completed without delay. Owner shall submit an erosion control plan for approval.
5. The owner shall plan and conduct site grading and haul road use to minimize dust nuisance. To this end, calcium chloride or other wetting agent shall be spread as necessary. Water wagons may also be used to control dust.
6. The owner shall plan to minimize noise from construction activities to the extent possible.

#### IX. COMPLETION OF PROJECT/REPURCHASE

In the event any purchaser of land in the Business Park elects to sell any portion which is not being used in connection with the business or industry of the purchaser, or which the purchaser desires to sell separate and distinct from any sale of the business or industry being conducted by the purchaser, the same shall first be offered for sale, in writing, to the City of Baraboo at the price per acre paid for such land by purchaser, together with the costs of any improvements thereon paid for by the purchaser and any special assessment paid by the purchaser relating to such land, with interest at the rate of 5% per annum on the purchase price from the date of payment of the purchase price of the said land by the purchaser, and 5% per annum on the costs of improvements from the date of payment of any costs for improvements on said lands by the purchaser and 5% per annum on the costs of any special assessments from the date of payment of any special assessments paid by the purchaser relating to such lands to the date of repurchase by the City. Any division of a parcel shall comply with the minimum parcel size requirements of Section IV.

The City shall have ninety (90) days from the date of receipt of such offer to accept or reject it, unless an extension of time may be agreed upon in writing. Acceptance or rejection of such offer shall be by Resolution adopted by the City Council.

In the event of acceptance of such offer by the City, conveyance shall be by Warranty Deed, free and clear of all liens and encumbrances created by act or default of the purchaser. If the City fails to act on such offer of sale within ninety (90) days from receipt thereof or rejects the offer, the purchaser may then sell the land to any third party and the City shall have no further interest or right therein, except that the use of the land by any subsequent purchaser shall be subject to applicable zoning, ordinances, restrictions and regulations of the City and the Business Park Restrictive Covenants relating to the use of the land at the time of sale.

If a purchaser of land in the Business Park has not or cannot start construction and improvements on the land purchased within twenty-four (24) months of the date of payment of the purchase price, the City of Baraboo shall have the right to repurchase the property from the purchaser at the original purchase price without interest. Any extension of time to permit construction and improvement must be mutually agreed upon in writing between the City and the purchaser and adopted by Resolution of the Baraboo City Council.

If the City reclaims the land through non-performance by the purchaser as provided herein, purchaser shall convey the property to the City by Warranty Deed, free and clear of all liens and encumbrances created by act or default of the purchaser. The Deed shall be delivered to the City upon payment of the amounts set forth herein.

If the City reclaims the land through non-performance by the purchaser, the City may sell the land to any party and the subsequent purchaser shall be subject to applicable zoning, ordinances, restrictions and regulations of the City and the Business Park Restrictive Covenants relating to the use of the land at the time of the sale.

The provisions of this Section (Section IX) may be amended or modified only by a majority vote of the Baraboo City Council and such amendment shall not require the approval or action of the other property owners within the Business Park as set forth in Section X of these Restrictive Covenants.

#### X. ENFORCEMENT

Each parcel in the Business Park shall be conveyed subject to these Restrictive Covenants, all of which are to run with the land and shall be binding on all purchasers, their successors,

assigns, and any persons claiming under them for a period of ten (10) years from the recording of the Restrictive Covenants, after which time the Restrictive Covenants shall be automatically extended for successive periods of ten (10) years each, unless an instrument is recorded containing the signatures of the owners of a majority of the land in the Business Park (based upon the amount of square footage owned as compared to the total square footage in the Business Park), and also containing the approval of the Baraboo City Council as evidenced by a Resolution duly adopted by the City Council, which instrument and Resolution shall agree to change, modify, or amend the Restrictive Covenants in whole or in part.

If two or more persons own one parcel, any one of such persons may cast a vote for that parcel and such vote shall be deemed to have been cast on behalf of all other owners and with their consent. However, if two or more owners of a single parcel cannot agree among themselves, such parcels shall not be counted in the voting. The unsold lands retained by the City shall be included in the voting.

The Restrictive Covenants of the Business Park, with the exception of the provisions of Section IX, may be modified and amended by the recording of an instrument to said effect duly signed by a majority of the then owners of a majority of the lands in the Business Park and also containing the approval of the Baraboo City Council, as evidenced by a Resolution duly adopted by the City Council. The majority of the property owners shall be determined as set forth in this section. The City shall have the right at any time, however, to amend and modify these Covenants as applied to any lands in the Business Park owned by the City by the recording of an instrument to said effect containing the approval of the City Council as evidenced by a Resolution adopted by the City Council.

#### XI. BINDING EFFECTS

*INSERT*  
^

All restrictions and covenants contained herein are imposed for the benefit of lands within the Business Park, and are made for the benefit of the City and of any and all persons who may hereafter own an interest in any lands within the Business Park. All such persons in interest, including the City of Baraboo, are specifically given the right to enforce these covenants, restrictions and conditions by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages, or both.

No failure to object to a violation of these Covenants, or to take action to enforce any covenants or conditions shall be deemed a waiver of any right to fully enforce the same thereafter.

If any covenant, condition or restriction set forth herein, or any portion thereof, is determined to be invalid or void because unlawful, such invalidity shall in no way affect any other covenant, condition or restriction herein provided.

## XII. VARIANCES

The City of Baraboo reserves the right to grant variances to any or all of these restrictions as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of these restrictions will result in practical difficulty or unnecessary hardship or if in the judgment of the Council the development or lack of development of the Business Park makes such course of action necessary or advisable. A variance shall be granted by a duly adopted Resolution of the City Council after recommendation and report by the Commission to the Council.

## XIII. OTHER APPLICABLE ZONING ORDINANCES

These Covenants shall not supersede compliance with all other applicable Federal, State and local codes and ordinances, provided, however, that where these Covenants directly conflict with the Baraboo Municipal Code of Zoning Ordinance, the Covenants set forth herein shall apply.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1986.

CITY OF BARABOO

By: \_\_\_\_\_  
Donald R. Pierce  
Mayor

By: \_\_\_\_\_  
Dean T. Bothell  
City Clerk

2020

Add to Section XI entitled BINDING EFFECTS the following:

If the owner violates any of the provisions contained in these covenants and fails to cure such default within 30 days after receipt of written notice thereof from the City, the City shall have the right, privilege and license to enter upon the premises and take such action as is necessary to cure such violation and all reasonable cost incurred by the City shall be reimbursed to the City by the violator.

The City of Baraboo, Wisconsin

**Background:** The Baraboo Park and Recreation Commission reviewed and approved the USBR30 Bike Route at their April 11, 2016 meeting. The Plan Commission also reviewed and approved this bike route on April 19, 2016. The American Association of State Highway and Transportation Officials (AASHTO) have designated a corridor crossing southern Wisconsin to be developed as United States Bike Route 30 (USBR30).

*Note: (✓one) [ ] Not Required [ x ] Budgeted Expenditure [ ] Not Budgeted*  
**Comments:**

**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:**

Whereas bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists;

Whereas the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor crossing southern Wisconsin to be developed as United States Bike Route 30 (USBR 30), and

Whereas the City of Baraboo and the Adventure Cycling Association, with the cooperation of the Wisconsin Department of Transportation and other stakeholders, have proposed a specific route to be designated as USBR 30, a map of which is herein incorporated into this resolution by reference, and

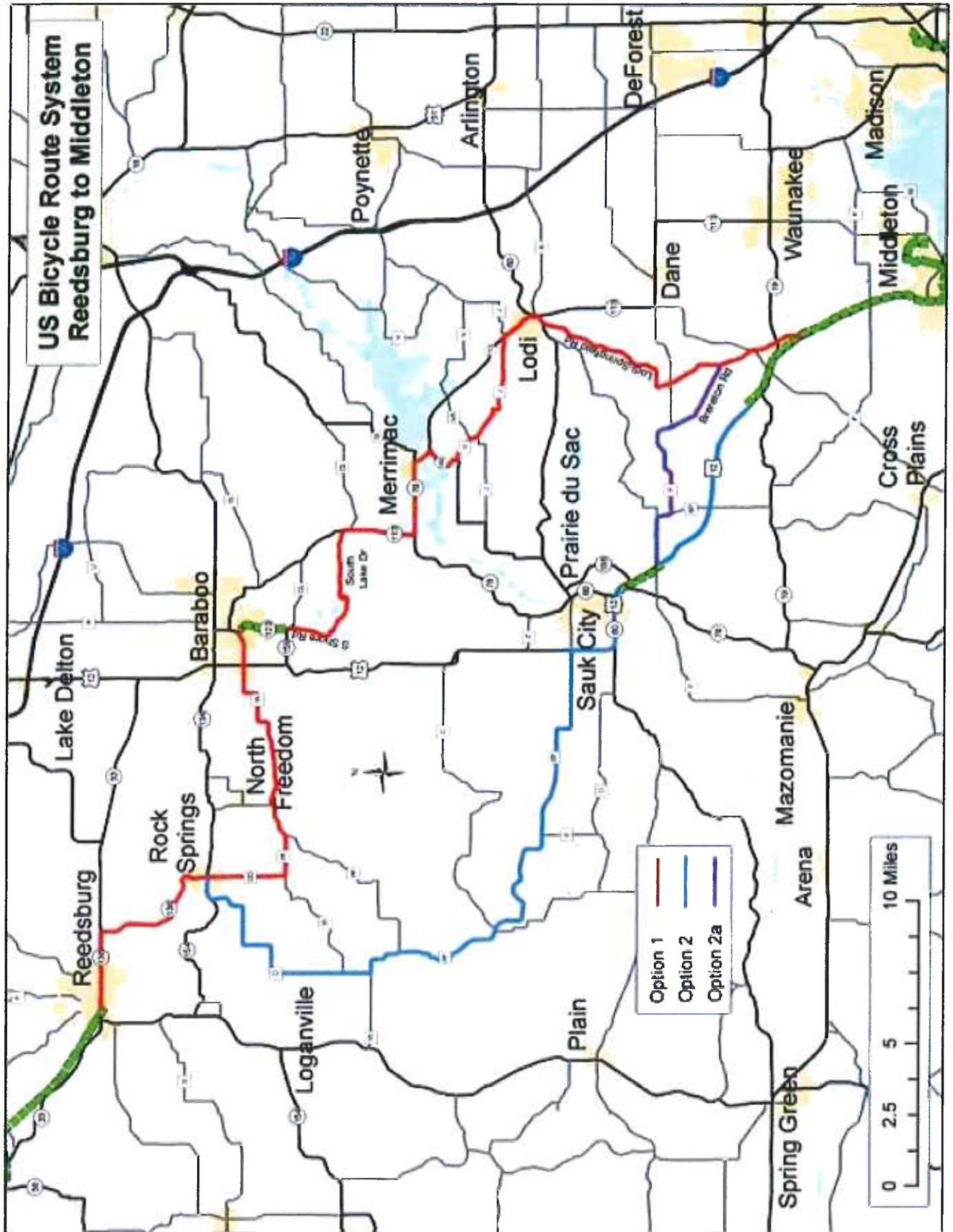
Whereas the proposed route for USBR 30 comes through the City of Baraboo and can therefore provide a benefit to our residents and businesses, and

Whereas we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area,

Therefore be it resolved that the City of Baraboo hereby expresses its support for the development of USBR30, and requests that the appropriate officials see to it that the route is officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs within the City of Baraboo right-of-way identifying the route through the community once the official designation has been made, conditioned on said signs being in compliance with the City of Baraboo Code of Ordinances and obtaining any needed permits.

**Offered by:**  
**Motion:**  
**Second:**

**Approved:** \_\_\_\_\_  
**Attest:** \_\_\_\_\_





Bank Balance			Bank																	Grand Total				
BANK INVESTMENTS	Type	Fund	Account	Term	Maturity	Rate	BNB	BMECU	LGIP	WF	CFB	SUM	BWD	PDS	FBB	RCB	CLARE	WCCU	ICB	CCF	FICA	SCHWAB	Grand Total	
Airport	Cert of Deposit	630	7058859	18 months	10/16/1	0.95%	50,712.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50,712.72
Alma Waite Account	NOW account	820	104502957	Daily		0.49%	70,454.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	70,454.63
Alma Waite Trust Fund	Cert of Deposit	820	54962-21359	36 months	2/15/18	1.20%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	202,407.20	0.00	0.00	0.00	0.00	202,407.20
			7068814	36 months	4/16/16	0.75%	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00
			19228	36 months	4/17/16	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00
			3839602	36 months	2/18/17	1.15%	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00
			7069241	30 months	3/11/17	1.00%	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00
			6275826	36 months	7/8/18	1.50%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	160,000.00	0.00	0.00	0.00	0.00	160,000.00
	Investment Pool	820	856206-3	Daily		0.41%	0.00	0.00	6,772.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6,772.07
	Dana Investment	820	3694-7092	(blank)	(blank)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250,000.00	0.00	250,000.00
CDA-Grant Accounts	Checking	220	1000934/1146394	Daily		none	10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00
CDA-Loan Accounts	(blank)	983	(blank)	(blank)	(blank)		57,657.57	0.00	210,771.56	0.00	112,676.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	381,105.14
Fire Benefit Fund	Investment	900	99	Daily		0.06%	0.00	648.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	648.13
	Cert of Deposit	900	7069601	8 months	10/29/16	0.50%	70,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	70,000.00
	Investment Pool	900	856206-4	Daily		0.41%	0.00	0.00	30,008.07	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30,008.07
Fire Equipment fr/Airport	Cert of Deposit	420	27348	24 months	4/25/16	1.00%	0.00	0.00	0.00	0.00	50,754.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50,754.44
Fire Equipment Fund	Cert of Deposit	420	27348	24 months	3/13/16	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			27677	36 months	8/26/17	1.05%*	0.00	0.00	0.00	0.00	126,984.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	126,984.55
			6287335	18 months	9/13/16	0.90%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	129,301.28	0.00	0.00	0.00	129,301.28
			54962-24618	36 months	3/16/18	1.20%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	126,508.63	0.00	0.00	0.00	0.00	0.00	126,508.63
			19965	36 months	12/14/1	1.20%	0.00	0.00	0.00	0.00	0.00	0.00	125,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	125,000.00
			7069624	18 months	9/15/17	0.90%	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00
	Dana Investment	420	3694-7092	(blank)	(blank)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	300,000.00
Friends of the Library	Savings	940	103035891	Daily		0.10%	19,093.88	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19,093.88
General Cash Account	Checking / NOW	100	1000306/9830	Daily		0.44%/4%	1,045,346.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,045,346.49
General Fund	Money Market	100	908-640	Daily		0.15%	0.00	0.00	0.00	98,174.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	98,174.31
			86190136	Daily		0.37%	0.00	0.00	0.00	0.00	1,044,926.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,044,926.48
			163563	Daily		0.15%	0.00	0.00	0.00	0.00	0.00	0.00	108,872.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	108,872.83
			7481010	Daily		0.50%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	633,303.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	633,303.39
			202718610	Daily		0.45%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	632,501.48	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	632,501.48
			471582	Daily		0.30%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	361,028.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	361,028.58
			10080968	Daily		0.50%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	641,187.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	641,187.90
			525450	Daily		0.60%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	494,107.55	0.00	0.00	0.00	0.00	0.00	0.00	494,107.55
			54962-07	Daily		0.45%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	584,136.61	0.00	0.00	0.00	0.00	0.00	584,136.61
			5031443	Daily		0.40%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	78,674.05	0.00	0.00	0.00	0.00	78,674.05
			20032292	Daily		0.50%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	448,589.35	0.00	0.00	0.00	448,589.35
	Cert of Deposit	100	54962-22811	36 months	4/22/16	1.15%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75,000.00	0.00	0.00	0.00	0.00	0.00	75,000.00
			6197574	18 months	9/20/16	0.90%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	150,000.00
			3838653	36 months	12/12/16	1.15%	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00
			27482	24 months	4/25/16	1.00%	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00
			54962-24619	30 months	9/20/17	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	150,000.00
			6267661	18 months	10/16/16	0.90%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	0.00	0.00	100,000.00
			3846829	27 months	9/12/17	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00
			40029949	36 months	6/5/18	1.25%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	150,000.00
			54962-25192	36 months	10/22/16	1.30%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150,000.00	0.00	0.00	0.00	0.00	0.00	150,000.00
	Investment Pool	100	856206-1	Daily		0.41%	0.00	0.00	556,188.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	556,188.27
	Deposit Placeme	100	10479111271	Daily		0.35%	0.00																	

**TREASURER'S INVESTMENT REPORT for March 2016**

**Average Rate of Return on Current Deposits:**

**Benchmarks:**

<b>Total Receipts:</b>	482,737.18	General Funds:	Avg Term	10.4 M	0.49%	LGIP	0.41%
<b>Total Disbursements:</b>	1,759,208.88	Utility Funds:	19.3 M	0.65%	90-day T-bill	0.30%	
		Segregated Funds:	38.5 M	0.92%	6M CD:	0.28%	
		All Funds:	17.1 M	0.59%	12M CD	0.59%	
		Liquid:	61%		18M CD	0.78%	
		Term:	39%				

**Policy Objectives:**

- Safety: ▪ \$3,000,000 invested in marketable securities with Dana Investments, these are not guaranteed.
- Liquidity: ▪ Money markets still have better yield than short term CDs.
- Yield: ▪ Adjustable rate securities are rising. LGIP is on a steady rise. Waiting for CD rates to follow.

**TRANSACTIONS**

#	Action	Type	Identification	Bank	Acct #	Note	Term	Maturity Date	Rate	Amount	Interest
(1)	Reinvest	CD	Fire Equipment	CFB	27348		24 month	3/13/2016	1.00%	125,000.00	Reinvested
	New	CD		BNB	7069624		18 mos	9/15/2017	0.90%	100,000.00	Reinvested

Comments: These funds would need to be assessable 2017 for next equipment purchase. Balanced to be combined with another investment.

**INVESTMENT ADVISOR TRANSACTIONS**

#	Action	Type	Identification	Price	Rating	Note	Term/WAL	Maturity Date	Yield to Worst Yield - Maturity	Amount	Interest
(1)	BUY	FMAC 840254 ARM Pool	31347AH72	103.7500	Not Rated	Libor +1.763bps next reset 13 months	4.0 years 20% prepay	7/1/2043	1.55% / 2.294%	193,504.95	Monthly P&I 84 days

Comments: Regular principal repayments

Dana Investment Advisors, Inc.  
PORTFOLIO HOLDINGS



Report as of: 03/31/2016

Portfolio: 2493 - City of Baraboo Reserve Funds

Shares/ PAR	Identifier	Description	Unit Cost	Current Cost	Price	Market Value	Pct. Assets	Income Accrued	Cur. Yield
<b>Cash</b>									
<b>Short Term Investments</b>									
<b>Cash Equivalents</b>									
	000009	Cash - Money Fund		98,283.02		98,283.02	3.28	.00	.01
		<b>Total Cash Equivalents</b>		<b>98,283.02</b>		<b>98,283.02</b>	<b>3.28</b>	<b>.00</b>	<b>.01</b>
		<b>Total Short Term Investments</b>		<b>98,283.02</b>		<b>98,283.02</b>	<b>3.28</b>	<b>.00</b>	<b>.01</b>
<b>Bonds</b>									
<b>Agency Bonds</b>									
<b>Fixed Rate Agency</b>									
<b>FFCB Fixed Rate Agency</b>									
200,000	3133EE5S5	FEDERAL FARM CREDIT BANK 1.5% Due 08/05/2019	100.85	201,699.00	101.16	202,312.80	6.75	466.67	1.48
<b>200,000.00</b>		<b>Total FFCB Fixed Rate Agency</b>		<b>201,699.00</b>		<b>202,312.80</b>	<b>6.75</b>	<b>466.67</b>	<b>1.48</b>
<b>FHLB Fixed Rate Agency</b>									
100,000	3130A6KH9	FEDERAL HOME LOAN BANK 1.19% Due 01/14/2019	100.03	100,025.00	99.68	99,683.00	3.33	254.53	1.19
<b>100,000.00</b>		<b>Total FHLB Fixed Rate Agency</b>		<b>100,025.00</b>		<b>99,683.00</b>	<b>3.33</b>	<b>254.53</b>	<b>1.19</b>
<b>FHLMC Fixed Rate Agency</b>									
150,000	3137EADP1	FREDDIE MAC 0.875% Due 03/07/2018	98.30	147,449.50	100.22	150,328.65	5.02	87.50	.87
200,000	3134G76G1	FREDDIE MAC 1.05% Due 05/17/2018	99.93	199,852.00	99.65	199,300.00	6.65	781.67	1.05
<b>350,000.00</b>		<b>Total FHLMC Fixed Rate Agency</b>		<b>347,301.50</b>		<b>349,628.65</b>	<b>11.67</b>	<b>869.17</b>	<b>.98</b>
		<b>Total Fixed Rate Agency</b>		<b>649,025.50</b>		<b>651,624.45</b>	<b>21.76</b>	<b>1,590.37</b>	<b>1.17</b>
		<b>Total Agency Bonds</b>		<b>649,025.50</b>		<b>651,624.45</b>	<b>21.76</b>	<b>1,590.37</b>	<b>1.17</b>
<b>Mortgage Bonds</b>									
<b>Adjustable Rate Mortgages</b>									
<b>FHLMC - Adjustable Rate Mortgages</b>									
101,451.06	31300MPF4	FH 849422 2.063% Due 02/01/2043	104.31	105,826.14	104.00	105,509.10	3.52	352.80	1.98
126,161.90	31300MWE9	FH 849645 2.31% Due 06/01/2043	104.81	132,233.44	103.77	130,915.43	4.37	490.08	2.23
193,504.95	31347AH72	FH 840254 2.293% Due 07/01/2043	103.75	200,761.39	103.49	200,254.41	6.69	369.76	2.22
<b>421,117.92</b>		<b>Total FHLMC - Adjustable Rate Mortgages</b>		<b>438,820.97</b>		<b>436,678.94</b>	<b>14.58</b>	<b>1,212.64</b>	<b>2.16</b>
<b>FNMA - Adjustable Rate Mortgages</b>									
117,085.50	3138XMRB8	FN AV9481 1.946% Due 07/01/2043	103.56	121,256.67	103.47	121,147.78	4.04	189.87	1.88
<b>117,085.50</b>		<b>Total FNMA - Adjustable Rate Mortgages</b>		<b>121,256.67</b>		<b>121,147.78</b>	<b>4.04</b>	<b>189.87</b>	<b>1.88</b>
<b>GNMA - Adjustable Rate Mortgages</b>									
150,385.74	36225CX92	G2 80703 1.75% Due 06/20/2033	103.13	155,085.30	103.81	156,112.27	5.21	219.31	1.69
150,798.79	36225C4B9	G2 80817 1.75% Due 01/20/2034	103.34	155,841.13	103.62	156,262.83	5.22	219.91	1.69
134,448.12	36225EN40	G2 82210 2% Due 11/20/2038	102.75	138,145.46	102.77	138,173.68	4.61	224.08	1.95
131,232.13	36225EQ47	G2 82274 1.75% Due 01/20/2039	102.62	134,676.94	102.95	135,099.54	4.51	191.38	1.70
132,920.92	36225EUG5	G2 82382 1.875% Due 09/20/2039	102.69	136,493.17	103.40	137,435.31	4.59	207.69	1.81
107,550.34	36225EVG4	G2 82414 2% Due 10/20/2039	103.81	111,650.71	99.81	107,345.89	3.58	179.25	2.00
<b>807,336.03</b>		<b>Total GNMA - Adjustable Rate Mortgages</b>		<b>831,892.71</b>		<b>830,429.52</b>	<b>27.73</b>	<b>1,241.62</b>	<b>1.79</b>
		<b>Total Adjustable Rate Mortgages</b>		<b>1,391,970.35</b>		<b>1,388,256.24</b>	<b>46.35</b>	<b>2,644.13</b>	<b>1.92</b>
		<b>Total Mortgage Bonds</b>		<b>1,391,970.35</b>		<b>1,388,256.24</b>	<b>46.35</b>	<b>2,644.13</b>	<b>1.92</b>
<b>Small Business Administration Bonds</b>									
<b>Adjustable Rate - SBAs</b>									
<b>Prime Rate</b>									
23,799.50	83164KRQ8	SBA508595 2.825% Due 04/25/2018	101.75	24,216.00	100.37	23,886.96	.80	114.32	2.81
145,054.30	83164KNU3	SBA508503 2.825% Due 12/25/2024	105.69	153,304.26	104.11	151,018.93	5.04	685.86	2.71
163,148.52	83164JF50	SBA507388 2% Due 10/25/2030	104.13	169,878.40	103.83	169,399.23	5.66	548.50	1.93
95,173.43	83164LFB2	SBA509162 2.825% Due 12/25/2036	106.44	101,300.22	106.55	101,411.85	3.39	448.77	2.65

Dana Investment Advisors, Inc.  
PORTFOLIO HOLDINGS



Report as of: 03/31/2016

Portfolio: 2493 - City of Baraboo Reserve Funds

Shares/PAR	Identifier	Description	Unit Cost	Current Cost	Price	Market Value	Pct. Assets	Income Accrued	Cur. Yield
188,652.22	83164LSA0	SBA509513 2% Due 06/25/2039	106.00	199,971.38	103.55	195,351.45	6.52	629.73	1.93
195,353.55	83164LXM8	SBA509684 2.25% Due 06/25/2040	105.81	206,708.47	105.32	205,742.06	6.87	733.53	2.14
<b>811,181.51</b>		<b>Total Prime Rate</b>		<b>855,378.73</b>		<b>846,810.48</b>	<b>28.27</b>	<b>3,160.71</b>	<b>2.23</b>
		<b>Total Adjustable Rate - SBAs</b>		<b>855,378.73</b>		<b>846,810.48</b>	<b>28.27</b>	<b>3,160.71</b>	<b>2.23</b>
		<b>Total Small Business Administration Bonds</b>		<b>855,378.73</b>		<b>846,810.48</b>	<b>28.27</b>	<b>3,160.71</b>	<b>2.23</b>
		<b>Total Bonds</b>		<b>2,896,374.58</b>		<b>2,886,691.17</b>	<b>96.38</b>	<b>7,395.21</b>	<b>1.84</b>
		<b>Total Portfolio</b>		<b>2,994,657.60</b>		<b>2,984,974.19</b>			
		<b>Paydown Receivable</b>		<b>10,069.23</b>		<b>10,069.23</b>			
		<b>Interest Accrued</b>		<b>7,395.21</b>		<b>7,395.21</b>			
		<b>Dividends Accrued</b>		<b>0.00</b>		<b>0.00</b>			
		<b>Total Portfolio with Accruals &amp; Receivables</b>		<b>3,012,122.04</b>		<b>3,002,438.63</b>			

The market prices shown on these pages represent the last reported sale on the stated report date as to listed securities or the bid price in the case of over-the-counter quotations. Prices on bonds and some other investments are based on round lot price quotations and are for evaluation purposes only and may not represent actual market values. Bonds sold on an odd lot basis (less than \$1 million) may have a dollar price lower than the round lot quote. Where no regular market exists, prices shown are estimates by sources considered reliable by Dana Investment Advisors. While the prices are obtained from sources we consider reliable, we cannot guarantee them. Dana Investment Advisors is not a custodian. Clients should be receiving detailed statements from their custodian at least quarterly. While Dana Investment Advisors regularly reconciles to custodian information, we encourage clients to review their custodian statement(s).

**Dana Investment Advisors, Inc.**  
**Performance Report**  
**Gross of Fees**



From March 31, 2015 to March 31, 2016

**Portfolio: 2493 - City of Baraboo Reserve Funds**

12 month Performance

	<u>Market</u>	<u>Cost</u>
<b>Portfolio Value on 03/31/2015</b>	\$3,010,277.24	\$3,012,386.38
<b>Interest</b>	\$43,727.74	\$43,727.74
<b>Dividends</b>	\$0.00	\$0.00
<b>Unrealized Gain/Loss</b>	(\$9,495.11)	\$0.00
<b>Realized Gain/Loss</b>	(\$13,280.13)	(\$15,200.97) premium amortization
<b>Change in Accrued Income</b>	\$2,608.46	\$2,608.46
<b>Portfolio Value on 03/31/2016</b>	\$3,002,438.63	\$3,012,122.04
<b>Total Gain</b>	\$23,560.96	\$31,135.23
<b>Unannualized Returns For the Period</b>	0.77 %	1.04 %

**Baraboo Fire Department  
Monthly Report - March 2016**

Incident Responses	March	Year to Date	Totals	Year to Date	Percentage
	2016	2015	2015	2016	Increase/Decrease
Fire, Other	0	2	4	1	
Building Fire	0	5	14	2	
Fire in Mobile Home used as a Fixed Structure	0	0	0	0	
Fire in Structures other than Building	0	0	1	0	
Cooking Fire	0	2	9	2	
Chimney Fire	0	0	0	0	
Vehicle Fire	0	3	10	4	
Wildland Fire	0	1	11	0	
Trash or Rubbish Fire Contained	0	0	0	0	
Outside Rubbish, Trash or Waste Fire	0	0	2	0	
Dumpster or other Trash Receptacle Fire	0	0	4	0	
Outside Storage Fire	0	0	0	0	
Outside Gas or Vapor Combustion Explosion	0	0	0	0	
Medical Assist	1	1	17	1	
Vehicle Crash	5	15	72	12	
Motor vehicle/pedestrian crash	0	0	2	1	
Search for Person on Land	1	0	0	3	
Extrication of Victim(s) from Building/Structure	0	0	1	0	
Extrication from Vehicles	0	0	5	2	
Extrication, Other	0	0	1	0	
Elevator Rescue	0	0	0	0	
Water/Ice Rescue	0	0	0	0	
High Angle Rescue	0	0	3	0	
Hazardous Material	0	0	5	1	
Carbon Monoxide Incident	0	0	1	5	
Hazardous Call, Other	2	4	24	2	
Vehicle Accident - General Cleanup	0	1	9	0	
Animal Rescue	0	0	1	0	
Water Problem, Other	0	0	2	1	
Smoke or Odor Removal	0	1	1	0	
Sevice Call, Other	0	0	0	0	
Lock-out	0	0	0	0	
Assist Police	0	0	10	0	
Public Service	0	0	6	2	
Unauthorized Burning	0	1	5	0	
Authorized Burning	0	0	1	0	
Good Intent Call	2	17	41	5	
Dispatched/Cancelled	1	3	20	4	
Wrong Location	0	0	0	0	
Smoke Scare, Odor of Smoke	0	2	3	0	
Steam, Vapor, Fog or Dust thought to be Smoke	0	0	0	0	
Malicious Alarm	0	1	4	1	
Bomb Threat	0	0	0	0	
Alarm	3	13	41	10	
Carbon Monoxide Alarm	0	3	15	6	
Lightning Strike	0	0	0	0	
Severe Weather Standby	0	0	0	0	
Mutual Aid - City	2	1	8	2	
Mutual Aid - Rural	2	0	9	3	
<b>Totals</b>	<b>19</b>	<b>76</b>	<b>362</b>	<b>70</b>	
			<b>-4</b>		<b>-7.89%</b>
			<b>358</b>		<b>Exposure Fires</b>
					<b>Total Incidents</b>

Incident Responses by Municipality	Total Incidents	Percent		
City of Baraboo	10	52.63%	43	61.43%
Village of West Baraboo	0	0.00%	5	7.14%
Town of Baraboo	4	21.05%	11	15.71%
Town of Fairfield	0	0.00%	2	2.86%
Town of Greenfield	1	5.26%	4	5.71%
Town of Sumpter	0	0.00%	0	0.00%
Mutual Aid - City	2	10.53%	2	2.86%
Mutual Aid - Rural	2	10.53%	3	4.29%
<b>Totals</b>	<b>19</b>	<b>100.00%</b>	<b>70</b>	<b>100.00%</b>

**Baraboo Fire Department  
Monthly Report - March 2016**

<b>Fire Inspections</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>Sept.</b>	<b>Oct.</b>	<b>Nov.</b>	<b>Dec</b>
City of Baraboo	17	48	154									
Village of West Baraboo	42	85	0									
Town of Baraboo	2	0	0									
Town of Fairfield	2	0	0									
Town of Greenfield	0	0	0									
Town of Sumpter	0	0	0									
<b>Totals</b>	<b>63</b>	<b>133</b>	<b>154</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
								<b>Total Inspections Year to Date</b>				<b>350</b>

<b>Fire Prevention Education - Current Month</b>	<b>Number of Activities</b>	<b>Number of Adults</b>	<b>Number of Children</b>	<b>Total Participants</b>	
Fire Extinguisher and Fire Safety Training	3	33	0	33	
Fire Safety Presentations	3	75	0	75	
Fire Safety House Training	0	0	0	0	
Other (Open House)	0	0	0	0	
<b>Grand Totals</b>	<b>6</b>	<b>108</b>	<b>0</b>	<b>108</b>	
			<b>Total Fire Safety Contacts Year to Date</b>		<b>180</b>

	<b>Number of Smoke Alarms</b>	<b>Number of CO Alarms</b>	<b>Total</b>
<b>Install Smoke and Carbon Monoxide Alarms</b>	0	0	0
			<b>0 Year to Date Total</b>

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

**Absent:** none

**Others Present:** Mayor Palm, C. Giese, E. Geick, A. Kleczek-Bolin, M. Hardy, and others

**Call to Order** –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Thurow to adopt the agenda and carried unanimously. Moved by Thurow, seconded by Sloan to approve the minutes of March 22, 2016. Motion carried unanimously.

**Accounts Payable** – Moved by Sloan, seconded by Thurow to recommend Council approval of the accounts payable for **\$1,219,015.38**. Motion carried unanimously.

**Menard Claim** – Attorney Bolin explained that Menards is disputing their 2015 assessment and she does not see merit to their claim and recommends disallowing the claim. Moved by Sloan, seconded by Thurow to recommend disallowing the claim and carried unanimously.

**Civic Center Bathroom Renovation** – Park & Recreation Director Hardy provided bids for renovating the locker rooms in the civic center. He received 6 interested bidders and only 2 submitted by the deadline. The Park and Recreation Commission have recommended the bid of Friede & Associates for approval in the amount of \$114,756 and the work can be done by August. They are expecting very little interruption in the gym and with the facility users. Moved by Thurow, seconded by Sloan and carried to recommend the low bid of Friede & Associates.

**Park & Recreation Maxwell Potter Conservancy** – Mike Hardy explained the shelter and restroom project at Maxwell Park Conservancy. Only two bids were received and the low bidder was Friede & Associates for \$60,386 who can complete the project this summer. Moved by Sloan, seconded by Thurow to accept the low bid of Friede & Associates and carried unanimously.

**Property Acquisition** – City Administrator Geick explained that the property at 212 14<sup>th</sup> Street could be offered for sale by the County for back taxes. The County has instead offered the property to the City at no cost. The house is dilapidated and needs to be removed. If acquired, the plans would be to remove the current house and move the house at 227 5<sup>th</sup> Avenue to this location and any remnant property be resold to neighboring properties. Moved by Sloan, seconded by Thurow to proceed with acquiring the property at 212 14<sup>th</sup> Street from the County at no cost.

**Committee Comments:** None.

**Adjournment** – Moved by Thurow, seconded by Sloan and carried to adjourn. Motion carried, meeting adjourned at 6:39 p.m.

Cheryl Giese, Clerk-Finance Director

## Minutes of Plan Commission Meeting March 15, 2016

**Call to Order** – Mayor Palm called the meeting of the Commission to order at 5:15 PM.

Mayor Palm introduced Attorney Alene Bolin to the Commission and then the Commissioners introduced themselves to Attorney Bolin.

**Roll Call** – Present were Mayor Palm, Dennis Thurow, Roy Franzen, Pat Liston, Jim O'Neill, Tom Kolb, and Kate Fitzwilliams.

Also in attendance were Tom Pinion, Atty. Bolin, Pam Mjelde, Legacy Housing LLC, Gary Woolever, Don & Karen Stanley, Mike Bisbach, Ben Letendre, Mike Cahoon, and Brittany Lewis.

### **Call to Order**

- a. Note compliance with the Open Meeting Law. Palm noted compliance with the Open Meeting Law.
- b. Agenda Approval: Liston moved, Kolb seconded to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Kolb, seconded by Franzen to approve the minutes of the February 16, 2016 meeting. Motion carried unanimously.

**Public Invited to Speak.** *(Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)* – Mike Cahoon, 519 6<sup>th</sup> Street addressed the Commission. He said that he lives on the 6<sup>th</sup> Street side of the Mjelde project. He said that he is a retired Baraboo Police Officer and he has no concerns regarding the addition of two more apartments, it would improve the area aesthetically. He said that his concern is the proposal for three parking stalls on the north side of their property, which would enter and exit 7<sup>th</sup> Street. He said 7<sup>th</sup> Street not only has Mjelde's apartments on the south side, Bill Weitzel's apartments are on the north side. He said that Weitzel has parking for all of his apartments under a canopy, a great setup; however, his tenants don't park under it. He said that 7<sup>th</sup> Street, especially the 500 block always has cars parked on both sides of the street. He said that the proposal to put the three parking stalls on their property, with a 22-foot driveway, by State Statute you have to stay 4-feet away from the edge of a driveway, so that would add up to 30-feet; therefore, basically two parking stalls. He said that another concern is that the three parking stalls that are shown in their diagram, all three of the vehicles would have to back on to 7<sup>th</sup> Street, which is always busy with vehicles going to Kwik Trip. He felt that this would be worse in the winter time when the streets are not plowed to the curb. He said another concern that he has is that this property never has their sidewalks clean in the winter time, so if cars will be driving over a portion of the sidewalk and they are not cleared that particular area will be icy and a danger for pedestrians. Cahoon felt that more practical parking for Mjelde would be to move the driveway down closer to the intersection so cars would be slowing down for the stop sign and put the parking area on his front lawn area and make it big enough for cars to back around and drive out of the driveway.

### **New Business**

- a. Request by Roy Mjelde, managing member of Roy & Pam Properties, LLC, to review a GDP&SIP in accordance with Steps 3 and 4 of the PUD Process to expand the existing 10-unit multi-family residential complex to a 12-unit multi-family residential complex by converting two existing storage buildings to two residential dwelling units, located on the southeast corner of 7<sup>th</sup> and Barker Streets in an R-4 Multi-Family Residential zoning district – Pinion said that this was a conceptual plan review at last month's meeting. He said under the PUD process, it is a unique way to provide zoning and to provide certain restrictions from the City's perspective and certain flexibility from the developer's perspective. He said that there are nine existing parking stalls and the proposal is to add three more, and if approved would make one stall per unit. Pinion said that if the Commission approves the project, it will move forward for a public hearing at the Common Council level. He said that he did receive a call from the property owner to the immediate east voicing concerns with the general maintenance of the property and certain trash being left that isn't picked up by the dumpster company and concern about the snow removal, but wasn't concerned about the nature of the development. Kolb questioned Cahoon's comment on the footage regarding parking stalls. Pinion said that he was referring to the State Statute that says that there is no parking within 4-feet of a private driveway opening. Pinion said that with it being 22-feet wide at the sidewalk, he is adding 4-feet, which is 30-feet. A typical on-street stall is 19-feet long; therefore, two stalls would be 38-feet, which is more than what this is. He said he would be adding three off-street stalls and losing the space for two on-street stalls, so there is the net increase of parking for one more vehicle than there is with no additional off-street parking. He said that he isn't sure that he shares the same concerns as Cahoon, if it was a single-family residence with two or three cars, which is not abnormal, they back on to streets without any issues. He said that his preference is to see driveways further from an intersection so that there is a better site distance rather than tight to the intersection. He further stated that the Mjeldes were looking to preserve the open green space rather than turn it into a sea of asphalt, so they were looking at being more efficient and minimizing the amount of impervious surface. It was moved by Liston to recommend approval of the request as presented. Kolb seconded the motion. On roll call vote for the motion, Ayes – Thurow, Franzen, Liston, O'Neill, Kolb, Fitzwilliams, Palm. Nays – 0, and the motion carried.
- b. Review a concept plan for a prospective 3-lot certified survey map on the 15.58-acre parcel north of the Pleasant View Subdivision, located in the Sw<sup>1</sup>/<sub>4</sub> of Section 30, T12N, R7E, for Don and Karen Stanley – Pinion said that this was included in the packet last month when it was a 4-lot CSM, but it was withdrawn in favor of going back to the drawing board. Pinion then explained the CSM to the Commission saying that the subject of this evening's discussion is southeast of Rolling Meadows Subdivision. Mike Bisbach then addressed the Commission regarding the Stanley's plan.

- c. Review and approve Final Plat of Rolling Meadows North, a 23-lot subdivision located in the NE¼ of the SW¼ & a fractional part of the NW¼ of the SW¼ of Section 30, T12N, R7E, City of Baraboo, Sauk County, Wisconsin, by Legacy Housing, LLC – Pinion said the Commission looked at the Preliminary Plat two months ago for the balance of the vacant land what was originally Rolling Meadows Estates. He said this is the Final Plat of 23 lots. He said when the Commission reviewed and approved the Preliminary Plat a couple of conditions were imposed, those being that they provide a Subdivider’s Agreement, they complete the plans and specs, and they pay all review fees. Pinion said that the review fees have been paid. He said that the Commission is not the last stop for the Final Plat, so this will go to the Council for final approval. It was moved Liston, seconded by O’Neill to recommend approval of the Final Plat with the three conditions as stated above. On roll call vote for the motion, Ayes – Franzen, Liston, O’Neill, Kolb, Fitzwilliams, Palm, Thurow. Nay– 0, and the motion carried unanimously.
  
- d. Request by Wal-Mart for an amendment to their Conditional Use Permit, which was approved on August 17, 1999 and subsequently amended on June 17, 2008, to change the exterior of the building and signage, located at 920 USH 12 – Pinion presented the history of the Walmart Conditional Use to the Commission. He said that he was surprised that in 2008 they amended their conditional use to change the building colors to the earthy browns and tans that exist today, and they will be going to blues and grays, which are now Wal-Mart’s normal colors. Palm asked Brittany Lewis when the work was to start and she answered in June. Pinion said that Walmart is doing 51,000 square feet of renovations inside as well. It was moved by Liston, seconded by Kolb to approve the amendment to the Conditional Use Permit as presented. On roll call vote for the motion, Ayes – Liston, O’Neill, Kolb, Fitzwilliams, Palm, Thurow, Franzen. Nay – 0, and the motion carried unanimously.

**Adjournment** - It was moved by O’Neill and seconded Kolb to adjourn at 5:53 p.m. The motion carried unanimously.

Phil Wedekind,  
Mayor Designee



Department of Transportation  
Office of the Secretary  
4802 Sheboygan Ave, Room 120B  
PO Box 7910  
Madison, WI 53707-7910

Info 4/26  
Scott Walker, Governor  
Mark Gottlieb, P.E., Secretary  
wisconsindot.gov

Telephone: (608) 266-1113  
FAX: (608) 266-9912

CHERYL M GIESE, CLERK  
CITY OF BARABOO  
135 4TH ST  
BARABOO, WI 53913-2148

April 12, 2016

Re: Great Lakes Basin Transportation, Inc. - Railroad Proposal in Wisconsin

Dear Stakeholder:

The Wisconsin Department of Transportation (WisDOT) is monitoring the above listed proceeding with interest. Great Lakes Basin Transportation, Inc. (GLBT) proposes to construct and operate a new railroad on a 278-mile long, 200-foot wide railroad corridor, from Indiana, around Chicago, and into southern Wisconsin. This is an extensive and complex construction project, which may affect your municipality, organization or group.

The federal Surface Transportation Board (STB) Office of Environmental Analysis (OEA) is coordinating the initial "scoping" phase of the environmental process, which will identify potential alternative routes. OEA will then analyze potential impacts of the proposed railroad and alternative corridors, up to 30 miles of each side of the corridors.

This is a significant proposal which may have short- and long-term impacts upon Wisconsin transportation systems and the environment, as well as local, state and regional economies. WisDOT strongly encourages you to review the enclosed material, as well as the information available at the STB website, listed below. We also encourage you to consider participating in the upcoming meeting, as well as future meetings, if you believe it may affect your municipality, organization or group.

In addition, your municipality, organization or group should consider whether to submit a comment on the Environmental Scoping phase. Comments are due June 15, 2016 (extended from May 15, 2016).

- GLBT plans to seek authority from the STB to construct and operate an approximately 278-mile rail line, which would extend generally from La Porte, Indiana through Illinois to Milton, Wisconsin and would connect with existing Class I railroads.
- STB OEA is preparing an Environmental Impact Statement to analyze the potential environmental impacts of the proposed rail line.

- See more at: <http://greatlakesbasinraileis.com/index.html>
- STB CONTACT:  
Dave Navecky  
Surface Transportation Board  
Docket No. FD35952  
395 E Street SW  
Washington, D.C. 20423-0001  
202-245-0294  
[david.navecky@stb.dot.gov](mailto:david.navecky@stb.dot.gov)

Comments may also be submitted electronically by accessing the following website:

<http://www.stb.dot.gov/Ect1/ecorrespondence.nsf/incoming?OpenForm>

The only STB public information meeting currently scheduled in Wisconsin will be held at 5:30 p.m. – 8:00 p.m., April 18, 2016, at:

Janesville Craig High School Cafeteria  
401 S Randall Ave  
Janesville, WI 53545

WisDOT will continue to monitor this proceeding closely and work with our partners during the entire process. Please find enclosed a copy of a March 18, 2016 informational letter to WisDOT from the STB OEA. It describes the intent of GLBT's proposal, the role of the STB, and opportunities for public comment. For information about WisDOT's participation, please contact John Alley, Director of WisDOT Bureau of Transit, Local Roads, Railroads and Harbors at 608-266-2963 or [john.alley@dot.wi.gov](mailto:john.alley@dot.wi.gov).

Sincerely,



Mark Gottlieb, P.E.  
Secretary



**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

*Office of Environmental Analysis*

March 18, 2016

Michael Hoelker  
Wisconsin Department of Transportation  
4802 Sheboygan Avenue  
Madison, WI 53705

RE: Docket No. FD 35952, Great Lakes Basin Transportation, Inc (GLBT)—Authority to Construct and Operate a Rail Line in Indiana, Illinois, and Wisconsin: Notice of Intent to Prepare an Environmental Impact Statement, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on Draft Scope

Dear Michael Hoelker:

Great Lakes Basin Transportation, Inc (GLBT) plans to file either a petition for exemption pursuant to 49 U.S.C. § 10502, or an application pursuant to 49 U.S.C. § 10901, seeking authority from the Surface Transportation Board (Board) to construct and operate an approximately 278-mile rail line. According to GLBT, the proposed rail line would extend generally from La Porte, Indiana through Illinois to Milton, Wisconsin and would connect with existing Class I railroads.

The construction and operation of the proposed GLBT rail line has the potential to result in significant environmental impacts; therefore, the Board's Office of Environmental Analysis (OEA) has determined that the preparation of an Environmental Impact Statement (EIS) is appropriate pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. § 4321 et seq.).

Today, OEA issued a Notice of Intent (NOI) to prepare an EIS for the project, Draft Scope of Study, Notice of Scoping Meetings, and Request for Comments on the Draft Scope, which can be viewed on a Board-sponsored project website at [www.GreatLakesBasinRailEIS.com](http://www.GreatLakesBasinRailEIS.com) by clicking on "Notice of Intent" under "Related Links and Documents." This project website includes a map of the project area including GLBT's proposed alignment.

Following the scoping period, OEA will review the scoping comments and then finalize the Scope of Study including the list of alternatives for the proposed rail line to be carried forward for detailed study in the EIS. ICF International, OEA's third-party contractor, will be assisting OEA throughout its EIS process and may contact you directly regarding scoping, data required for the EIS, etc.

We invite you to participate in this EIS scoping process and would appreciate your written comments on the Draft Scope of Study and potential alternatives to GLBT's proposed alignment by the close of the scoping comment period on **May 16, 2016**.

We encourage you to submit scoping comments electronically on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link on the home page and then selecting "Environmental Comments." Log-in accounts are not needed to file environmental comments electronically, and comments may be typed into the text box provided or attached as a file. If you have difficulties with the e-filing process, please call 202-245-0350.

You may also send your written comments to Dave Navecky, OEA's Project Manager for the EIS, at:

Dave Navecky  
Surface Transportation Board  
Docket No. FD 35952  
395 E Street SW  
Washington, DC 20423-0001

OEA will be hosting a webinar to discuss the project on Wednesday, April 6, 2016 at 9:00 AM Central Time for Indiana, Illinois, and Wisconsin Federal Highway Administration state divisions, state Departments of Transportation, Indiana Toll Road, and Illinois Tollway Authority. If you are interested in participating in the webinar please contact Dave Navecky by phone at 202-245-0294 or by email at [David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov).

If you have any questions, please feel free to contact Dave Navecky by phone at 202-245-0294 or by email at [David.Navecky@stb.dot.gov](mailto:David.Navecky@stb.dot.gov). We look forward to your participation in the Board's environmental review process.

Sincerely,



Victoria Rutson  
Director  
Office of Environmental Analysis