

**AGENDA**  
**CITY OF BARABOO COMMON COUNCIL**  
**Council Chambers, 135 4<sup>th</sup> Street, Baraboo, Wisconsin**  
**Tuesday, August 9, 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, Zolper, 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, Bertie Canepa Reifsteck

**CALL TO ORDER**

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

**APPROVAL OF PREVIOUS MINUTES** - (Voice Vote): July 26, 2016

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

**COMPLIANCE WITH OPEN MEETING LAW NOTED**

**PRESENTATIONS/PROCLAMATIONS**

The Mayor will read the 60<sup>th</sup> Anniversary of the Canepa School of Dance proclamation.

**PUBLIC HEARINGS**

The Mayor announces that this is the published date and time to hear public comment concerning amending City of Baraboo Code of Ordinances §26.02 and adopting a revised Height Limitation Zoning Map for the Baraboo-Wisconsin Dells Airport, Sauk County, Wisconsin, dated April 14, 2016.

The Mayor announces that this is the published date and time to hear public comment concerning an amendment to the City of Baraboo Code of Ordinances §§ 17.08, 17.29, 17.32, and 17.32A to define a Self-Service Storage Facility and Warehouse and regulate them as a conditional use in the I-3 and I-4 Industrial Zoning Districts.

The Mayor announces that this is the published date and time to hear public comment concerning an amendment to the City of Baraboo Code of Ordinances §§ 17.08, 17.20, 17.20A, 17.21, 17.22, 17.23, and 17.24 to restrict short-term rental uses to detached single-family dwellings and regulate them as a conditional use in all residential districts in the City of Baraboo.

**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** -

**CONSENT AGENDA** (roll call)

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

CA-2...Consider appointing Dean Skare to the Community Development Authority (CDA) serving the unexpired term of Theron Hill until November 14, 2017.



**AUGUST 2016**

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

**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 08/05/2016

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, July 26, 2016 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent: none

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

The Pledge of Allegiance was given.

Moved by Kolb, seconded by Wedekind and carried to approve the minutes of June 12, 2016.

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

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

**PRESENTATION-**

The Mayor presented a Gem Award to Joe Ward for his years of community service and proclaimed the month of August as Children’s Vision and Learning month.

**PUBLIC INVITED TO SPEAK** – none.

**MAYOR’S COMMENTS** – none.

**CONSENT AGENDA**

**Resolution No. 16-60**

THAT the Accounts Payable, in the amount of \$3,396,612.09 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

**Resolution No. 16-61**

That the following budget amendments are authorized for the 2<sup>nd</sup> Quarter, 2016;

**2016 BUDGET AMENDMENTS**

2nd Quarter, 2016

Account	Account Name	Original Budget	Amount to Amend	Added to Budget	Amended Budget
Attorney	Use salary savings to pay for contracted services and clerical wages.				
100.13.51300.110	Attorney - Salaries	81,365	(8,000)		73,365
100-13-51300-215	Attorney - Professional Services	7,000	2,000		9,000
100-13-51300-120	Attorney - Wages	3,425	6,000		9,425
Transfer funds to cover additional services					
Public Works	Garbage Truck Repairs				
100.31.53620.00350.000	PW - Garbage & Refuse, Repair & Maint Materials	6,000	3,000		9,000
100-31.53635-00240.000	PW - Recycling, Repair & Maint Service	2,000	(2,000)		0
100.31.53635.00350.000	PW - Recycling, Repair & Maint Materials	5,000	(1,000)		4,000
Transfer funds to cover repair parts					
Ringling grant	Received WEDC grant for Ringling renovations				

	100-10-43790	Other Local Government grants	5,000	249,455	254,455
	100-10-55190-720	Gen Gvmt - Cultural Expense	24,500	249,455	273,955
Appropriate grant funds to Ringling project					
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Police	Bar Buddies Grant				
	100.20.52110.270	PD - Police Department, Special Services	34,000	2,890	36,890
	100.20.43525	PD - Police Grant	10,000	2,890	12,890
Appropriate grant funds for Bar Buddy services					
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Elections	Purchase 2nd ballot box				
	100-11-51440-814	Elections - Equipment purchase	0	6,065	6,065
	100-10-49300	Fund Balance	525,257	6,065	531,322
Appropriate fund balance for purchase					
<hr/>					
Police	Revise Police contract to include education incentive with salary				
	100-20-52110-125	Police - Education Incentive	12,420	(12,420)	0
	100-20-52120-125	Police Dept Serv - Education Incentive	2,700	(2,700)	0
	100-20-52110-110	Police - Salaries	1,325,397	12,420	1,337,817
	100-20-52120-110	Police - Salaries	283,992	2,700	286,692
Transfer funds for education to salaries					
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Public Works	Replace Truck Box, #8				
	490-31.53240-810	Mach & Equip, Vehicle purchase	0	38,990	38,990
	490-10-49300	Capital Equipment Fund Balance Applied	0	38,990	38,990
Appropriate capital equipment funds to make the repair					
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Police	Wireless Security software support				
	100-20.52130-250	Police-Rec&Support-R & M-Equipment	17,876	1,575	19,451
	100-20.52110-814	Police-Equipment Purchases	41,500	(1,575)	39,925
Transfer funds to cover the 1st year					
	<b>General Fund</b>	<b>Total Additional Appropriation</b>		<b>297,400</b>	<b>297,400</b>
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Stormwater	Sweeper Repairs				
	950.36.81000.00350.000	SW - Street Cleaning, Repair & Maint Materials	10,000	2,300	12,300
	950.36.81000.00250.000	SW - Street Cleaning, Equipment Repairs	6,500	(2,300)	4,200
Transfer funds to cover repair parts					
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CDA	Re-allocation of budgeted funds (Donahue Terrace)				
	980.67.44000.00122.000	Overtime	0	2,000	2,000
	980.67.46000.00260.000	Repairs & Maint serv Buld	10,000	(2,000)	8,000
Transfer funds to cover overages					
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CDA	Re-allocation of budgeted funds (Corson Square)				

981.67.41000.00140.000	Commission Fees	630	270	900
981.67.41000.00220.000	Telephone	0	1,200	1,200
981.67.44000.00122.000	Overtime	0	2,000	2,000
981.67.44000.00340.000	Operating Supplies	500	500	1,000
981.67.75000.00814.000	Equipment Purchases	0	2,000	2,000
981.67.46000.00250.000	Repairs & Main - Equipment	1,000	(1,000)	0
981.67.46000.00260.000	Repairs & Main - Building	5,000	(5,000)	0

Transfer funds to cover overages

Sewer Utility      Transfer funds to cover budget overages

960-36-82810-240	Sludge Trans Repair & Maint	750	550	1300
960-36-82810-348	Sludge Trans Gas & Oil	4550	-550	4000

Moved by Petty, seconded by Wedekind and carried that the Consent Agenda be approved-9 ayes.

**2<sup>ND</sup> READING ORDINANCES**

Moved by Kolb, seconded by Wedekind and carried unanimously to approve the 2<sup>nd</sup> reading of Ordinance 2443 concerning changes to Code 13.15(2) for water service to property outside the municipal border.

**COMMITTEE OF THE WHOLE**

Moved by Alt, seconded by Sloan and carried to convene as a Committee of the Whole to discuss the goal setting survey results.

Geick explained that the top items for both the Council and Department Heads were:

1. Property maintenance
2. Intergovernmental agreements and cooperation
3. Road and infrastructure improvements
4. Staff needs, retention and compensation
5. South Boulevard appearance
6. Street crossings and street maintenance

Ald. Petty supported proper staffing levels, retention of staff and adequate compensation.

Ald. Alt encouraged everyone to explore partnerships with outside organizations.

Ald. Kolb stated infrastructure is very high on citizen's concerns, including roads, sidewalk. Ald. Petty added sewer and water to the infrastructure list.

Geick stated he will create an implementation plan for the priorities identified by the Council.

Ald. Kolb asked if there could be a citizen response survey to gain feedback from the citizens.

Mayor Palm discussed the changing work force, in particular for paid on call volunteer fire fighters. The Council voted on their priorities and Ed offered to summarize for the next meeting.

Moved by Alt, seconded by Sloan and carried unanimously to convene back to regular session.

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

The Mayor announced that a Japanese official is visiting the City for the next two weeks.

Ald. Ellington reported that there are 52 people in the drug program currently. A memorandum of understanding will be channeled to the Council in the near future.

The Mayor recapped the parade and work that staff had put into the parade to make it a safe and pleasant event.

**REPORTS and MINUTES**

The City officially acknowledges receipt and distribution of the following:

**Monthly Reports for June, 2016 from** – Fire Dept., Treasurer, Police Dept.

**Minutes from the Following Meetings –**

**Finance/Personnel Committee – Council Chambers**

**July 12, 2016**

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

**Absent:** none

**Others Present:** Mayor Palm, C. Giese, E. Geick, A. Kleczek Bolin, Carla Gogin, Dan La Haye

**Call to Order** –Ald. Petty called the meeting to order at 6:30 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of June 28, 2016. Motion carried unanimously.

**Accounts Payable** – Moved by Sloan, seconded by Thurow to recommend Council approval of the accounts payable for \$1,430,627.50. Motion carried unanimously.

**Financial Statements** – Carla Gogin and Dan La Haye from Baker Tilly reviewed the audited financial statements for 2015, noting that a clean opinion was issued. The management, discussion and analysis report was written for communication to the general public. The records are in very clean shape and city staff were commended for their work on the financial records. The statements fund balances and communication report to management were reviewed and the Committee had very few comments.

**Committee Comments:** None.

**Adjournment** – Moved by Sloan, seconded by Thurow and carried to adjourn. Motion carried, meeting adjourned at 6:37 p.m.

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

District Ambulance Comm.	5-25-16	Outdoor Recreation Plan Comt.	6-13-16
Parks & Rec Comm.	6-13-16	Bicycle Route Sub-Committee	5-9-16
Baraboo Public Library	6-21-16		

**PETITIONS, AND CORRESPONDENCE**

**Petitions and Correspondence Being Referred -none**

**ADJOURNMENT**

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

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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:** \_\_\_\_\_

RESOLUTION NO. 2016 -

Dated: August 9, 2016

**The City of Baraboo, Wisconsin**

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

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

THAT Dean Skare be appointed to the Community Development Authority (CDA) serving the unexpired term until November 14, 2017.

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

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

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

The City of Baraboo, Wisconsin

**Background:** On September 8, 1998, the Common Council of the City of Baraboo passed Resolution 98-96 authorizing and empowering the Baraboo/Wisconsin Dells Airport Commission to act as the Joint Commission for the City of Wisconsin Dells, Village of Lake Delton, Town of Delton, and the City of Baraboo to formulate an ordinance regulating the height of structures and trees and the use of property in the vicinity of the Baraboo-Wisconsin Dell Airport.

On October 13, 1998, the Common Council of the City of Baraboo passed Resolution 98-116 declared that the Height Limitation Zoning Map dated February 13, 1998 and ordinance regulating the height of structures and trees and the use of property in the vicinity of the Baraboo-Wisconsin Dell Airport shall be adopted and published pursuant to Section 66.035 of the Wisconsin State Statutes and placed the map and ordinance on file and open for inspection in the City Clerk's Office beginning October 14, 1998.

On November 10, 1998, the Common Council of the City of Baraboo passed Ordinance No. 1958, formally adopting the Height Limitation Zoning Map dated February 13, 1998 and ordinance regulating the height of structures and trees and the use of property in the vicinity of the Baraboo-Wisconsin Dell Airport.

On January 13, 2004, the Common Council of the City of Baraboo passed Resolution 03-129 approving an Intergovernmental Agreement creating the Baraboo/Wisconsin Dells Airport Commission.

On November 13, 2007, the Common Council of the City of Baraboo passed Resolution 07-128 approving an Intergovernmental Agreement dissolving the Baraboo/Wisconsin Dells Airport Commission and transferring operation and control of the Airport to the City of Baraboo.

On December 11, 2007, the Common Council of the City of Baraboo passed Resolution 07-128 approving a revised Intergovernmental Agreement dissolving the Baraboo/Wisconsin Dells Airport Commission and transferring operation and control of the Airport to the City of Baraboo. It included a provision whereby the Airport was leased to the City of Baraboo by the other three Owners. The lease gave the City the authority to acquire additional land for the Airport.

On June 24, 2014 Common Council of the City of Baraboo passed Resolution 04-50 approving an the acquisition of lands north of the Airport for approach clearance and protection from encroachment. These lands have been acquired and added to the Airport property.

Section 114.136 of the Wisconsin State Statutes authorizes airports to protect their aerial approaches within 3 miles of the airport boundary. Since the boundary of the airport has changed as a result of the recent land acquisition, it is necessary to revise the Height Limitation Zoning Map and ordinance regulating the height of structure and trees and the use of property in the vicinity of the Baraboo-Wisconsin Dells Airport.

This matter was reviewed by the Plan Commission at their June 21<sup>st</sup> meeting and they unanimously recommended approval of the revise HLZO and corresponding map.

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

An Ordinance amending Section 26.02 of Chapter 26 of the Municipal Code of Baraboo entitled BARABOO-WISCONSIN DELLS AIRPORT thereby adopting a revised Height Limitation Zoning Map for the Baraboo-Wisconsin Dells Airport, Sauk County, Wisconsin, dated April 14, 2016.

WHEREAS, pursuant to Section 114.136 of the Wisconsin State Statutes, the City of Baraboo, as the managing owner of the Baraboo-Wisconsin Dells airport, is authorized to protect the aerial approaches of its airport by ordinance, and

WHEREAS the City of Baraboo held a public hearing on this ordinance, in compliance with the requirements of Section 114.136(2) of the Wisconsin State Statutes, and

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

1. The revised Height Limitation Zoning Map dated April 14, 2016, as set forth on Exhibit A, attached hereto and incorporated herein by reference, is hereby adopted pursuant to Section 114.136 of the Wisconsin State Statutes.
2. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval: \_\_\_\_\_

Clerk's Certification: \_\_\_\_\_

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the \_\_\_\_ of \_\_\_\_\_, 2016 and is recorded on page \_\_\_\_ of volume \_\_\_\_.

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

The City of Baraboo, Wisconsin

<p><b>Background:</b> The City of Baraboo Code of Ordinances Chapter 17 uses the following terms: Warehouse, Self-storage rental shed, Mini storage facility, Mini warehouse. None of these terms are defined. Self-storage rental sheds are listed as conditional uses in B-3 Highway-Oriented Business district and in I-4 Planned Industrial/Business district. However, mini warehouses are also listed as a prohibited use in the I-4 Planned Industrial/Business district. Warehouses and mini-storage facilities are conditional uses in I-3, Industrial/Business District. The intent of the ordinance change is to define the terms in the ordinance, change the terms to be consistent, and to adjust the uses so that they are consistent.</p> <p>The change was considered by the Plan Commission on June 21, 2016 and unanimously approved.</p>
<p><b>Fiscal Note: (check one)</b> <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Budgeted Expenditure <input type="checkbox"/> Not Budgeted <b>Comments:</b></p>

An Ordinance amending §17.08, 17.29, 17.32, and 17.32A.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO  
ORDAIN AS FOLLOWS:

1. Add the following definitions:

§7.08(86m) SELF-SERVICE STORAGE FACILITY. Real property containing individual leased spaces but does not include a warehouse or other facility if the operator of the warehouse or facility issues a warehouse receipt, bill of lading or other document of title for personal property stored in the leased spaces. The facility is rented to a person who has free access to the storage space and is responsible for the property.

§7.08(104m) WAREHOUSE. A person engaged in the business of storing goods for hire or any building, room, structure, or facility used for the storage of property.

2. Amend the following portions of the ordinance:

§17.29 B-3 HIGHWAY-ORIENTED BUSINESS DISTRICT. (2376 04/10/2012)

(4) CONDITIONAL USES. All uses, whether permitted or conditional, shall be considered conditional uses with the overlay zoning district as established in §17.36C of this Code of Ordinances. (2132 12/09/03, 2252 04/10/07, 2376 04/10/2012)

§17.32 I-3 INDUSTRIAL/BUSINESS DISTRICT.

- (4) CONDITIONAL USES.
  - (l) Self-service storage facility
  - (k) Warehouse

§17.32A I-4 PLANNED INDUSTRIAL/BUSINESS DISTRICT

- (4) CONDITIONAL USES
  - (o) Self-service storage facility (2247 02/13/2007)

(5) PROHIBITED USES

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

Mayor's Approval: \_\_\_\_\_

Clerk's Certification: \_\_\_\_\_

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the \_\_\_ day of \_\_\_\_\_, 2016, and is recorded on page \_\_\_\_ of volume \_\_\_\_.

City

Clerk:

\_\_\_\_\_

The City of Baraboo, Wisconsin

**Background:** The Plan Commission reviewed the City’s Zoning Code as it pertains to regulation of short-term rental homes various residential zoning districts. The current zoning does not regulate this type of use. If the City wants to regulate dwellings rented to the traveling public for less than 30 days, a definition of short-term rental must be added and a conditional use permit should be required.

This matter was reviewed by the Plan Commission at their June 21st meeting and they recommended the following change to the Zoning Code.

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

An Ordinance amending Chapter 17 of the City of Baraboo Code of Ordinances to regulate short-term rental uses and allow the use as a conditional use in residential districts.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. City of Baraboo Code of Ordinances §17.08 is hereby amended to read as follows:

(31) DWELLING. A detached residential building designed and constructed for human occupancy that satisfies the following minimum requirements: (1733 05/17/94)

(c) Is firmly fastened to a solid foundation constructed on the site in compliance with Ch. 14 of this Code and the current **DSPS** One- to Two-Family Uniform Dwelling Code with the exterior covering material extending to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.

(32) DWELLING, **SINGLE** FAMILY. A detached residential building designed for or occupied by only one (1) family.

(33A)DWELLING, TWO-FLAT. A **two story** single-family residence, which is in complete compliance with the State of Wisconsin Uniform Dwelling Code (UDC), which has been converted into a two-family residence. The two residences are both located on the same lot. (2250 04/10/07)

(89M) SIDE-BY-SIDE SINGLE FAMILY ATTACHED DWELLINGS. A duplex building containing two dwelling units, each having its own independent outside access, with no other dwelling units located directly above or below it, and having a shared wall in common with one adjacent similar dwelling unit. (2257 05/22/07)

2. City of Baraboo Code of Ordinances §17.08 is hereby added as follows:

**(89L) SHORT-TERM RENTAL DWELLING. Any single-family dwelling that is rented to any person on a day-to-day basis or for a period of time of less than 30 consecutive nights. Any advertising of a short term rental dwelling shall be conclusive proof that a dwelling is being used as a short-term rental dwelling. Any real property that is used for**

short-term rental shall no longer be considered a single-family dwelling.

3. City of Baraboo Code of Ordinances are hereby added as follows:

**§17.20 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.** (1652 09/14/92)

(4) CONDITIONAL USES.

(l) Short-term rental dwelling.

**§17.20A R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT.** (2148 04/13/04)

(4) CONDITIONAL USES.

(s) Short-term rental dwelling.

**§17.21 R-2 TWO-FAMILY RESIDENTIAL DISTRICT.** (1652 01/15/92, 2250 04/10/07)

(4) CONDITIONAL USES.

(v) Short-term rental dwelling.

**§17.22 R-3 THREE- AND FOUR- FAMILY RESIDENTIAL DISTRICT.** (1652 09/14/92, 2250 04/10/07)

(4) CONDITIONAL USES.

(z) Short-term rental dwelling.

**§17.23 R-4 FOUR- THROUGH TWELVE-FAMILY RESIDENTIAL DISTRICT.** (1652 09/14/92, 1868 05/14/96, 1980 07/27/99)

(4) CONDITIONAL USES.

(z) Short-term rental dwelling.

**§17.24 R-5 THIRTEEN-FAMILY AND UP RESIDENTIAL DISTRICT.** (1652 09/14/92)

(3) CONDITIONAL USES.

(bb) Short-term rental dwelling.

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

Mayor's Approval: \_\_\_\_\_

Clerk's Certification: \_\_\_\_\_

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the \_\_\_ day of \_\_\_\_\_, 2016 and is recorded on page \_\_\_ of volume \_\_\_\_.

\_\_\_\_\_  
City

Clerk:

The City of Baraboo, Wisconsin

**Background:** The Public Safety Committee considered a request to restrict parking on the west side of Waldo Street between South Blvd and Quarry Street at their May 31<sup>st</sup> 2016 meeting.

Based on recommendations from the City Engineer and Chief of Police, the Committee unanimously recommended that the Common Council approve this change.

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

An Ordinance revising the City of Baraboo Code of Ordinances §7.02 (2)(b)2 to provide for no parking on the west side of Waldo Street between South Blvd and Quarry Street.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

1. The City of Baraboo Code of Ordinances § 7.02(2)(b)2, the Official Traffic Map, is revised to provide for no parking anytime on the west side of Waldo Street from South Blvd to Quarry Street
2. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval: \_\_\_\_\_

Clerk's Certification: \_\_\_\_\_

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the \_\_\_\_ day of August, 2016 and is recorded on page \_\_\_\_ of volume \_\_\_\_.

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

**The City of Baraboo, Wisconsin**

**Background:** This is a renewal of the agreement between the City and the Baraboo Area Chamber of Commerce for the use of room tax funds, with some small changes. The Agreement mirrors in most respects the Chamber’s Agreement with the Village of West Baraboo. The current agreement has expired so it is necessary to complete the renewal in order to continue the regular payments to the Chamber. The annual revenues from the City to the Chamber for room tax average \$6,500-7,000 per year.

The Finance/Personnel Committee reviewed the Agreement at its July 26<sup>th</sup> and August 9<sup>th</sup> meeting and unanimously recommended approval.

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

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

To approve of the attached 2016 to 2017 Room Tax agreement with the Baraboo Area Chamber of Commerce.

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

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

## ROOM TAX AGREEMENT

THIS AGREEMENT made this \_\_\_\_ day of August, 2016, by and between the CITY OF BARABOO (hereinafter "CITY") and the BARABOO AREA CHAMBER OF COMMERCE, a non-profit corporation (hereinafter "CHAMBER").

WHEREAS, City of Baraboo Code of Ordinances § 3.14 provides, among other things, for the collection of a room tax;

WHEREAS, the City is willing to allow the Chamber to use a portion of the room tax revenues to promote tourism in the Baraboo area provided that the Chamber and the City enter into a contract containing provisions satisfactory to the City;

WHEREAS, the City finds that the recreational opportunities in the City of Baraboo are a significant attraction to transient tourists and that construction of tangible improvements to recreational facilities within the City is an effective way to promote transient tourism;

WHEREAS, the Chamber qualifies as a tourism entity within the meaning of Wis. Stat. §66.0615 (1)(f);

WHEREAS, it is understood by the City and the Chamber that it is necessary for the Chamber to regularly account for and report upon the use of said room tax proceeds to the City Council; and

NOW, THEREFORE, in consideration of the recitals, terms and conditions contained herein, and the anticipated room tax proceeds to be paid hereunder, the receipt and sufficiency of which are hereby acknowledged, the City and Chamber agree as follows:

1. Use of Room Tax Proceeds. The room tax proceeds distributed to the Chamber pursuant this agreement shall be used by the Chamber for tourism promotion and tourism development as defined in Wis. Stat. § 66.0615(1)(fm).

2. Required Reports and Accounting. The representative of the Chamber shall regularly attend meetings of the City and report on its efforts to promote tourism in the City of Baraboo. The Chamber shall report and account in writing to the City no later no later than forty-five (45) days after December 31 of each year during the term of this agreement. The information contained in the reports and accountings shall include, but not be limited to the following:

A. An accounting of the room tax proceeds received and expended by the Chamber for the preceding year and the budget for the coming year. The report shall specifically identify each expenditure of at least one thousand dollars (\$1,000);

B. Planned future projects or promotions, if any, and the anticipated costs thereof;

C. Identification of the portion of room tax proceeds allocated for Chamber salaries, wages, office maintenance and other administrative expenses;

D. Reasonably specific identification of the benefits derived from tourism in the City of Baraboo as a result of Chamber projects or promotions during the period for which the report is made, including an analysis of benefits conferred on Baraboo businesses due to the Chamber's efforts in promoting tourism; and

E. Reasonably specific identification of the reasons why transients use the hotels and motels in the Baraboo Area.

3. Distribution of Proceeds of Room Tax. The City hereby agrees that the room tax revenue collected by the City, less collection expenses shall be distributed to the Chamber as follows:

a. For the year 2016, fifty (50%) per cent of the first 5% of the net room tax and 70% of the net room tax over the amount distributed in the first portion of this sentence.

b. For the year 2017, the proceeds of the room tax to be distributed by the City shall be the greater of 30% of the room tax collected or \$6422.65, but in no case shall the amount distributed be greater than the amount of room tax collected by the City.

4. City Businesses Representation on Chamber Committees. It is understood and agreed that the Chamber intends to create a committee of the Chamber, the duty and purpose of which, among other things, will be to review, monitor, and otherwise act upon promotions and programs consistent with the purposes of paragraph 1 of this agreement. The Chamber shall by rule provide that the member businesses located in the City of Baraboo shall be fairly represented on any such committee.

5. Payment. Payment of the Chamber's portion of room tax revenues shall be made quarterly. Such quarterly payment shall be made no later than forty-five (45) days after the end of the quarter for which such proceeds were collected.

6. Baraboo River Project. The Chamber agrees to support and promote the Baraboo River Project and promote the use of the Baraboo River for tourism activities.

7. Hold Harmless and Indemnification. The Chamber shall indemnify and hold harmless the City, its agents, servants, employees, officers, directors and representatives from, and shall at the Chamber's expense and at the City's option, defend against all demands, actions, suits, claims, damages and liabilities, including reasonable attorney's fees, or proceedings of any kind whatsoever arising directly or indirectly from the advertising and promotional activities of the Chamber, including, but not limited to, actions based on misleading, defamatory, or discriminatory activities, advertising or promotion, or arising directly or indirectly by, through or from the operations of, including any acts or omissions by, the Chamber, its employees, volunteers, agents, officers, directors and representatives.

8. Liability Insurance. During the term of this Agreement and during such time as the Chamber shall use the room tax revenues to finance Chamber operations as provided herein, the Chamber shall, at no cost to the City, maintain and provide comprehensive general liability insurance, with "personal injury" endorsement, which covers advertising, promotions, defamation, disparagement, libel, slander and discriminatory activities, and said insurance shall name the City, its officers, directors, employees, commissions, boards and agents, as additional insured in an amount not less than One Million Dollars (\$1,000,000.00) for bodily injury, disability or death to one person, or for damages to property in an amount not less than Five Hundred Thousand Dollars (\$500,000.00). A certificate of insurance verifying the Chamber's insurance coverage by a reputable insurance company licensed to do business in the State of Wisconsin shall be delivered to the City together with proof of payment of the premium therefore and such certificate shall evidence the obligation of the insured not to cancel or materially amend the policy without thirty (30) days prior written notice to the City.

9. Independent Status of Chamber. The Chamber acknowledges and agrees that it is independent of the City and that its business is independently owned and operated and that nothing in this Agreement shall be interpreted to cause or result in, directly or indirectly, a principal/agent or employer/employee relationship between the Chamber and the City and nothing in this Agreement shall, in any way, be construed as an agreement of partnership, general or limited, joint venture, or as an agency relationship whatsoever between the Chamber and the City. The Chamber agrees not to represent or advertise in any way that its relationship with the City is other than as provided in this paragraph.

10. Non-Discrimination. The Chamber agrees to conduct such business where the City room tax revenues are used in a manner so as not to discriminate against any person because of age, race, creed, color, handicap, marital status, sex, national origin, ancestry, arrest record or conviction, or any other form of discrimination specifically prohibited by applicable state or federal laws.

11. Term. This Agreement shall take effect retroactively to January 1, 2016 and shall expire on December 31, 2017.

12. No portion of the room tax from the City shall be used for July 4<sup>th</sup> fireworks.

13. General Provisions.

A. Construction. The headings used in this Agreement are for convenience and shall not be resorted to for purposes of interpretation or construction hereof.

B. Entire Agreement. This agreement constitutes the entire agreement pertaining to the subject matter and supersedes all prior and contemporaneous agreements of the parties in connection with the subject matter of this agreement.

C. Amendment. This Agreement may be modified or amended only by a writing duly authorized and executed by the City and the Chamber. This Agreement may not be amended or modified by oral agreements or understandings between the parties, or their agents, unless the same shall be reduced to writing duly authorized and executed by both the City and the Chamber.

D. Enforcement. The City and Chamber acknowledge and agree that each party shall have the right at all times to enforce the provisions of this Agreement in accordance with the terms hereof, notwithstanding any conduct or custom on the part of either party in refraining from doing so at any time or times. The failure of either party at any time or times to enforce its right under the provisions of this Agreement strictly in accordance with the same shall not be construed as having created a custom in any way or manner contrary to the specific of this Agreement or as having in any way or manner modified or waived the same. No waiver of any breach or breaches of any provisions of this Agreement shall be construed to be a waiver of any preceding or succeeding breach of such provision, or any other provision hereof.

BARABOO AREA CHAMBER OF  
COMMERCE, a nonprofit corporation

By:

City of Baraboo

By:

\_\_\_\_\_  
[name], Executive Director (date)

\_\_\_\_\_  
Michael J. Palm, Mayor

\_\_\_\_\_  
Cheryl Giese, City Clerk

**The City of Baraboo, Wisconsin**

**Background.** The City and the School District Staffs have been working on emergency planning for the School’s facilities. If an off-campus evacuation is needed, the School District would like to use the Baraboo Civic Center for their reunification site. The proposed Agreement is a result of a collaborative effort between the City’s Emergency Management staff and School District Staff.

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

Comments:

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

THAT the Mayor is authorized to sign the Emergency Evacuation Agreement with the Baraboo School District utilizing the Baraboo Civic Center as specified in the attached agreement.

**Offered by:** Public Safety Committee  
**Motion:**  
**Second:**

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

# SCHOOL DISTRICT OF BARABOO

101 Second Avenue  
Baraboo, WI 53913  
(608) 355-3950 • Fax (608) 355-3960

## Emergency Evacuation Agreement between Baraboo School District City of Baraboo

At any given time, a situation can occur that requires the need for an off-campus emergency evacuation of one or more school buildings.

1. The City of Baraboo has agreed to allow the Baraboo School District the use of the Civic Center located at 124 Second Street within the Baraboo School District as an evacuation and reunification site. In the event of an emergency:
  - a. The Baraboo School District is responsible for transporting students.
  - b. Baraboo School District employees will supervise students while on the premises.
  - c. The Baraboo School District will notify the City before any students are brought onto the premises.
  - d. All parties agree that the City Services Building will only be accessible to the district during their regular operational hours when the facility is open to the public.
  - e. City employees will assist to supervise the building during emergencies.
  - f. The School District will be responsible for communications at the building.
  - g. The School District will coordinate their activities with the Baraboo Police and Fire Departments.
  - h. The City and School District agree to follow the principles of the Incident Command System during any emergency.
  
2. In consideration of the Baraboo School District's use of the premises during an emergency, the Baraboo School District agrees to hold the City of Baraboo harmless for any loss or injuries arising out of such use.

By signing of this agreement by the representatives of each respective agency, they agree to the above stipulations. However, the representatives of either agency may revoke this agreement at any time.

\_\_\_\_\_  
Lori Mueller, District Administrator  
Baraboo School District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mike Palm, Mayor  
City of Baraboo

\_\_\_\_\_  
Date



The City of Baraboo, Wisconsin

Background: The Baraboo Water Utility purchased new meter reading hardware as part of the automated meter program that was approved in 2011. One of the two hard disks in that server recently crashed. Although we could replace it, the vendor no longer provides technical support for on-site standalone servers or the corresponding software. This resolution seeks Council Approval for a contract with Sensus and HD Supply, Inc to replace the current meter reading hardware and software with a new cloud-based hosted solution or Software as a Service (SaaS).

Some of the benefits of the SaaS system are: hardware refresh every two years, daily backups, disaster recovery, yearly licenses, Anti-Virus scanning, support, troubleshooting, security patches and software upgrades. Utilities that choose the SaaS solution are getting more than just software, they are securing the confidence and peace of mind that comes with an updated hardware system and enhanced ongoing support

Hosting allows full and continuous access to our data via web portal; even though our data is hosted, all system screens and reports appear as if servers are installed locally. The Water Utility would maintain exclusive operational control of the system and Sensus monitors the entire system 24X7, initiates and tracks trouble tickets, and provides disaster recovery/data backup.

Full training and set-up of the software is provided and will be customized for the Baraboo Water Utility. The Proposal from HD Supply includes software upgrades during the hosted term.

The initial purchase price, which includes SaaS Setup, Sensus Analytics Setup, Sensus Analytics Integration, and Sensus On-Site Training, is \$15,225; the annual license fee is \$12,230. The Agreement would be a five-year commitment and with a 3% annual increase for the license fee.

The Finance/Personnel Committee approved staff's recommendation to purchase software services from Sensus and HD Supply Inc. at their August 09, 2016 regular meeting.

Fiscal Note: [ ] Not Required [ X ] Budgeted Expenditure [ X ] Not Budgeted
Comments:

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

THAT the Baraboo Water Utility is hereby authorized to contract for hosted software services from Sensus and HD Supply, Inc. for the initial purchase price of \$15,225 and an annual maintenance cost of \$12,230 upon approval of the contract by the City Attorney.

Offered by: Finance/Personnel

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

Motion:

Second:

Attest: \_\_\_\_\_

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

**Absent:** none

**Others Present:** Mayor Palm, C. Giese, E. Geick, A. Kleczek Bolin

**Call to Order** –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of July 12, 2016. Motion carried unanimously.

**Accounts Payable** – Moved by Sloan, seconded by Thurow to recommend Council approval of the accounts payable for **\$3,396,612.09**. Motion carried unanimously.

**Budget Amendments** – The Committee reviewed the budget amendments for the 2<sup>nd</sup> quarter, 2016 for the City, CDA and Utilities. Moved by Sloan, seconded by Thurow and carried to recommend to Council for approval.

**Donation Policy** – Alene explained the donation policy whereby the City accepts donations. Parameters were set up based on the value of the donations. Moved by Sloan, seconded by Thurow and carried unanimously to recommend to Council for action.

**Room Tax Agreement** – Alene explained the Room Tax agreement with the Chamber of Commerce and they use the funds for local projects and operations. The revised agreement for 2016 mirrors the agreement with the Village of West Baraboo. No action taken.

**Committee Comments:** None.

**Adjournment** – Moved by Sloan, seconded by Thurow and carried to adjourn. Motion carried, meeting adjourned at 6:35 p.m.

Cheryl Giese, Clerk-Finance Director

## **Minutes of the Public Safety and Administration Building Stakeholder Group Meeting**

Date and Time: Tuesday, July 12, 2016 at 8:00a.m.

Location: Council Chambers, City Hall, 135 4<sup>th</sup> Street, Baraboo, WI

Members in Attendance: Bekah Stelling, Lacey Steffes, Kevin Vodak, Anthony Kujawa, Scott O'Donnell

Others Present: Ed Geick, Cheryl Giese, Tom Pinion, Mayor Mike Palm, Police Chief Schauf, Phil Wedekind, Pat Cannon, Jeff Smith

Mayor Palm called the meeting to order at 8:00AM and noted compliance with the Open Meeting Law.

### Items discussed:

Tom Pinion presented to the group the latest design drawings for the proposed Public Safety/Administration building from Zimmerman Architects. These drawings included colored renderings for the building exterior. The group discussed the drawings and made the following comments:

1. Should we consider permanent public restrooms
2. Metal roof and colors are okay.
3. Should the building be named; there was no consensus on this.
4. Spire is okay.
5. Prairie style is good.
6. Do more on City Hall main entry.
7. Consider solar.

Adjournment: Kujawa moved and Kolb seconded a motion to adjourn at 8:40AM and unanimously approved.