

**AGENDA
CITY OF BARABOO COMMON COUNCIL
Council Chambers, 135 4th Street, Baraboo, Wisconsin
Tuesday, September 22, 2015, 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, Robkin, and Thurow

Notices sent to City Staff and Media: Atty. Reitz, 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, Tom Clark, Ryan Werner, Wendy Grant, Mari Jo Burri

CALL TO ORDER

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF PREVIOUS MINUTES - (Voice Vote): September 8, 2015

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 - The Mayor would like to congratulate the following staff on their anniversaries;

- Fire Inspector Tom Clark – 15 years
- Administrative Assistant Wendy Grant – 15 years
- Patrol Sergeant Ryan Werner – 10 years
- Library Tech. Service Coordinator Mari Jo Burri–10 years

CONSENT AGENDA (roll call)

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

ORDINANCES ON 2ND READING

SRO-1...Amend Sections 9.03(2), and 12.08, Code of Ordinances to throwing or shooting of arrows, stones and other missiles.

SRO-2...Approve PUD at 125 9th Street for a multi-family independent living complex for senior citizens who are 55-years or older.

NEW BUSINESS RESOLUTIONS

NBR-1...Approve auditor selection for 2015-2019.

NEW BUSINESS ORDINANCES

NBO-1...Revise 17.80(10), Code of Ordinances, regulating off-premise signs, is repealed and recreated to include a special exception for the Baraboo School District for sporting stadiums and outdoor athletic facilities for four off-premise advertising signs that are visible from Draper Street.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

Report from BDAS Representative.

REPORTS, PETITIONS, AND CORRESPONDENCE - The City acknowledges receipt and distribution of the following:

Minutes from the Following Meetings -

Copies of these meeting minutes are included in your packet:

Finance 9-8-15 Administrative Comt. 8-31-15

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

Parks & Rec Comm. 8-10-15 SCDC 7-20-15
 Library Board 8-18-15 CDA Loan Review 9-1-15
 CDA Executive Comt. 9-1-15 CDA Board 9-1-15
 BID Parking Comt. 9-4-15

Petitions and Correspondence Being Referred

INFORMATION

ADJOURNMENT (Voice Vote)

Cheryl Giese, City Clerk-Finance Director

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

SEPTEMBER 2015

SUN	MON	TUE	WED	THU	FRI	SAT
20	21 SCDC PFC	22 Finance Council	23	24 Arts Ad-Hoc	25	26
27	28 Public Safety	29	30 Ambulance			

OCTOBER 2015

SUN	MON	TUE	WED	THU	FRI	SAT
				1 BEDC	2	3
4	5 Administrative	6 CDA	7	8	9	10
11	12 Park & Rec	13 Finance Council	14	15 Emergency Mgmt UW Campus	16	17
18	19 SCDC PFC	20 Plan Library	21 BID	22	23	24
25	26 Public Safety	27 Finance Council	28 Ambulance	29 Arts Ad-Hoc	30	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 09/18/2015

Council Chambers, Municipal Building, Baraboo, Wisconsin

Tuesday, September 8, 2015 – 7:00 p.m.

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent: Plautz, Alt, Robkin

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

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Kolb and carried to approve the minutes of August 25, 2015.

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

Compliance with the Open Meeting Law was noted.

PUBLIC HEARING – The Mayor opened the public hearing relative to PUD (Planned Unit Development) at 125 9th Street.

Eng. Pinion provided background on the proposed Reese Home of eight 1 bedroom efficiency apartments and 1 manager apartment. Several developers over the past few years have brought forward projects and Mr. Fritz brings the current proposal. This is a zoning matter followed by a conditional use permit for a senior housing complex, 55 yrs or older, and a manager's apartment.

Kathleen Thurow, resident on Ash Street, owns property east and north of the Reese home. The concern of the neighbors continues to be the additional car traffic on the alley, there are numerous children playing in the yards and in the alley. Any resident could own 2 dogs and 2 cats per unit and prefers there be fewer pets in the neighborhood. She expressed concern for radon gas and other costs. The manager apartment should also be 55 and older so the number of children are limited in the neighborhood.

Joan DeSomer, resident on 9th Street, is directly across the Street stated that the facility is beautiful and something needs to be done with it. She favors the development.

Deanna Schultz, resident on 9th Street, stated that the units are small for individual apartments but encourages approval of plan. She wants to see the property used again.

Lynn Brekke, resident on 9th Street, supports the plans to renovate the Reese Home into 55 and older apartments as identified by Mr. Fritz. She like the idea of working kitchens in the apartments and feels that he will address the structural issues with the property.

Bekah Stelling, resident on 10th Street supports the development. Mr. Fritz is a reasonable developer and has put together a reasonable plan.

PUBLIC INVITED TO SPEAK – Steve Paaske explained that Act 71 precipitated the changes we are entertaining today. Urban deer hunting programs were enacted by communities to maintain deer population within city limits. He prefers to allow archery hunting within the City limits in certain circumstances.

MAYOR'S COMMENTS – none.

CONSENT AGENDA

Resolution No. 15-54

THAT the Accounts Payable, in the amount of \$664,760.26 be allowed and ordered paid.

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

ORDINANCES ON 2ND READING

Moved by Wedekind, seconded by Kolb and carried unanimously to approve the 2nd reading of Ordinance 2431 repealing and recreating Chapter 17, Subchapter II-Floodplain Zoning.

Moved by Ellington, seconded by Petty and carried unanimously to approve the 2nd reading of Ordinance 2432 repealing and recreating Chapter 14, Subchapter II-Construction Site Erosion Control Code.

Moved by Wedekind, seconded by Sloan and carried unanimously to approve the 2nd reading of Ordinance 2433 approving a PUD to convert commercial space located at 232 Water Street into residential space.

NEW BUSINESS

Ordinances:

Ordinance No. 2434 was introduced and read for the first time:

Ordinance No. 2434

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

1. Sections 9.03(2), and 12.08, Code of Ordinances, are amended as follows:

9.03 THROWING OR SHOOTING OF ARROWS, STONES AND OTHER MISSILES.

(1) PROHIBITED. No person shall throw or shoot any object, arrow, stone, snowball or other missile or projectile, by hand or by any other means, at any person or at, in or into any building, street, sidewalk, alley, highway, park, playground or other public place within the City.

(2) EXCEPTION. This section shall not apply to archery ranges in City parks which are authorized and supervised by the Park and Recreation Commission, or ~~shooting arrows pursuant to a hunting permit issued pursuant to §12.08, Ordinances, upon parcels approved for hunting, and subject to the restrictions upon the parcel while hunting with a State of Wisconsin issued hunting license.~~ However, while hunting with a bow or crossbow, no person shall hunt within 100 yards from a building located on another person's land, unless that person who owns the land on which the building is located allows the hunter to hunt within the specified distance. Further, all persons hunting with a bow or crossbow shall discharge the arrow or bolt from the respective weapon toward the ground.

12.08 HUNTING REGULATIONS AND PERMIT.

(1) Hunting with a firearm within the City of Baraboo shall be limited to parcels that have been approved for hunting by the Hunting Review Committee, consisting of the Chief of Police, Loss Prevention/Safety Coordinator, and the City Administrator or his designee, based upon an application that has been filed with the City Clerk by the parcel owner. No permit shall be required for bow or crossbow hunting provided that the restrictions of §9.03, Ordinances, and State law are complied with. The Committee shall approve or deny any

parcel submitted for hunting approval, and may place restrictions upon hunting at the parcel, including but not limited to the type (bow, shotgun, rifle) or caliber of weapon (.22 cal, 410 gauge, etc.) used for hunting. In determining whether to allow a parcel of land to be enrolled for hunting, and the restrictions to be placed upon the parcel, if any, the Chief of Police shall consider the following factors: [...]

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

Moved by Sloan, seconded by Petty, and carried that the Ordinance take its regular course - 6 ayes.

Attorney Reitz explained that the City cannot restrict bow and arrow hunting within the city, but we can impose 2 restrictions such as no discharge within 100 yds of occupied dwellings and discharge must be at a downward angle.

Ordinance No. 2435 was introduced and read for the first time:

Ordinance No. 2435

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

1. Section 17.18(4)(d), Code of Ordinances, is amended as follows:

**17.18 ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF
ZONING DISTRICT MAP**

- (4) DISTRICT BOUNDARIES AND MAP AMENDMENTS.

(d) Planned Unit Developments. The following Planned Unit Developments are approved and incorporated into the zoning map: 2015-03.

2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2015-03.
3. This Ordinance shall take effect upon passage and publication as provided by law.

**GENERAL DEVELOPMENT PLAN / SPECIFIC IMPLEMENTATION PLAN
FOR A PORTION OF 125 9th STREET
CITY OF BARABOO, SAUK COUNTY, WISCONSIN,
TO BE ZONED AS A PLANNED UNIT DEVELOPMENT**

Richard Fritz, d/b/a 125 9th Street LLC, has petitioned to rezone the property located at 125 9th Street as a Planned Unit Development (PUD) under the City of Baraboo's Zoning Code, for purposes of a multi-family independent living complex. The property is presently owned by the Church Pension Fund, and Mr. Fritz has an accepted Offer to Purchase for the subject property. The PUD shall be based upon the following General Development and Specific Implementation Plans submitted for approval pursuant to §17.36B(7), of the Baraboo Code of Ordinances:

1. The real property involved in this Planned Unit Development consists of the property located at 125 9th Street (Tax Parcels 206-3460-00000 and 206-3413-00000), in the City of Baraboo, Sauk County, Wisconsin. The legal description for the PUD is as follows:
 - Lots 3 and 4 in Block 3 of Wallace's Addition to the City of Baraboo and Lots 4, 5, and 6, Block 2, Warren's Addition to the City of Baraboo, Sauk County, Wisconsin.
2. The property is presently zoned R-1A Single Family Residential District. The specific intention of the petitioner is to utilize the existing facility as an 8-unit multi-family independent living complex with one additional unit, traditionally used as a manager's apartment.
3. The property is specifically approved for the use and operation of a multi-family independent living complex. The use of the property shall not be changed from such use without the modification of this General Development Plan (GDP) with the approval of the City's Common Council.
4. This GDP is also accepted as the Specific Implementation Plan (SIP) for the property and in accordance with the site plan for development approved by the Baraboo Plan Commission on August 18, 2015.
5. The following relief is granted the Petitioner in relation to the project:
 - a. The required number of parking stalls located on the property shall be ten, which shall include one van-accessible handicap parking stall.
 - b. The property is approved for multi-family residential use.
6. In addition to the relief granted the Petitioner, the following requirements shall be met by the Petitioner in the development of the project:
 - a. The eight one-bedroom rental units shall be used exclusively for Age 55 and older tenants and meet the Senior Housing Exemption of the Federal Fair Housing Act.
 - b. A minimum of ten off-street parking stalls and/or garage stalls for vehicles shall be provided on the premises.
 - c. The intent shall be to provide long term residential rentals to tenants. Tenancies at will, daily, weekly, and monthly rentals shall not be allowed, except that month-to-month leases are allowed for the renewal of longer term leases.
 - d. The maximum number of one-bedroom rental units shall be eight.
 - e. Each of the kitchens in the eight one-bedroom rental units shall include a stove and the reconfiguration of each unit shall be completed in accordance with state-approved plans.

- f. No more than two residents may reside in any single one-bedroom rental unit.
 - g. The two-bedroom “manager’s” apartment shall be limited to the use of a single family.
 - h. There shall be no rental of storage facilities on the premises to non-residents.
 - i. The property shall be limited to one free-standing sign of not to exceed eight square feet in area.
7. The terms of the GDP / SIP shall be covenants running with the land, and applicable not only to the petitioner, but to any and all subsequent owners as well.

Moved by Kolb, seconded by Wedekind , and carried that the Ordinance take its regular course with the condition that the catch basin be connected to the storm sewer before occupancy - 6 ayes.

Mr. Fritz discussed parking after removing the existing garage and several trees, there would be room for 12 cars. He also stated that he plans to restrict the number of pets that are allowed. He discussed other properties that he owns where he does not allow animals by tenants, but he would leave it up to the City. Many people in the 55 and older age group have companion pets or service animals and he is not comfortable totally restricting animals. Kolb discussed the catch basin in the back yard which tends to overflow and prefers to see that addressed in the PUD. It was clarified that the manager’s apartment would be used by the property manager.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

The Mayor announced the clean sweep at County Landfill on September 26th.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Monthly Reports for August, 2015 from – Fire Dept.

Minutes from the Following Meetings -

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID)

BOARD OF DIRECTOR’S MEETING

August 19, 2015

Members Present: S. Kessenich, D. Cowan, B. Stelling, D. Thurow, N. Marklein Bacher, T. Wickus, S. Fay

Members Absent: F. Kruse, L. Steffes

Others E. Geick

Call to Order: Sandy Kessenich presided over the meeting, called it to order at 5:48P.M., and noted compliance with the Open Meeting Law.

Meeting Minutes:

Moved by Cowan, seconded by Stelling, and unanimously carried to approve the minutes of July 15, 2015.

Agenda: Moved by Stelling, seconded by Cowan, and unanimously carried to approve the agenda as published.

Reports:

President – Reminder to start discussing budget in October.

Treasurer – Will email Committee Chairs with budgets from last year.

Business Development – Grow Baraboo Plan will be discussed again at next City County meeting.

Appearance –

- Revealed farmers market banners
- Sold old planters for \$175.00
- Mural Project will be financed through BID and Public Arts Committee and will reimburse BID. Moved by Wickus, seconded Fay, to make BID holding account for mural and move \$8,000.00 donation from reserves to that account.

New Business:

1. Vouchers –	Display Sales –	\$ 401.40
	(Brackets for Farmers Market banners)	
	Half of Muralist fee paid to Bernie’s Signs	12,500.00
	Minute Man Press – Posters for Mural	32.49

TOTAL: \$12,933.89

Moved by Wickus, seconded by Stelling and unanimously carried to approve the vouchers.

Next Meeting: Wednesday, September 16, 2015 at 5:45 p.m., Room 11, Civic Center.

Adjournment: Moved by Stelling, seconded by Wickus, and unanimously carried to adjourn at 6:08 PM.

Finance/Personnel Committee – Council Chambers **August 25, 2015**

Members Present: Petty, Sloan and Thurow

Absent: none

Others Present: C. Giese, E. Geick, M. Reitz, W. Petersen 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 Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of August 11, 2015. Motion carried unanimously.

Accounts Payable – Moved by Thurow, seconded by Sloan to recommend Council approval of the accounts payable for **\$641,398.93**. Motion carried unanimously.

2016 Budget Issues – Giese reported on 2016 budget preparations including net new construction allows a levy increase of 1.67%, net new construction was about \$12M, equalized value increase was about \$16M, TID increment increase was just under \$400,000. In the preliminary budget, wages, benefits and operating costs were increased 1%. The previously committed debt payments have been included in the budget. Approximately \$515,000 has been applied from Fund Balance that exceeds 25%. All of the capital expenditures shown in the capital plan have been inserted into the preliminary budget for approximately \$13.3M. New debt in the budget of \$11.7M includes Public Safety/Admin building, street reconstruction and Civic Center bathrooms. The Levy for 2015 was \$7,727,452 and if the preliminary budget is approved as is, the levy would be approximately \$650,000 higher. The committee recognized that some work needs to be done to bring the budget into the goal of between 2 to 3% increase in levy. However, several commented that this should be a very achievable goal.

Budget Amendments – The Committee reviewed the 2nd quarter budget amendments. Moved by Sloan, seconded by Thurow and carried to approve the 2nd quarter budget amendments.

Fee Waiver – The Committee reviewed the fee waiver request from the Kiwanis for their annual Run/Walk event. Moved by Sloan, seconded by Thurow and carried to waive the fee for the Kiwanis 5K Run/Walk event and carried unanimously.

Committee Comments: None.

Adjournment – Moved by Thurow, seconded by Sloan and carried to adjourn. Motion carried, meeting adjourned at 6:38 p.m.

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

Police & Fire Comm.	7-20-15	Emergency Management	8-27-15
Plan Commission	8-18-15	Public Arts Ad-Hoc	8-27-15
Insurance Claims	8-28-15		

CLOSED SESSION

Moved by Petty, seconded by Kolb and carried unanimously to adjourn to closed session per SS 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (property acquisition)

OPEN SESSION

Moved by Kolb, seconded by Wedekind and carried on a unanimous roll call vote to return to Open Session as per WI Stats 19.85(2) to address any business that may be the result of deliberations made in Closed Session.

ADJOURNMENT

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

Cheryl M. Giese, Clerk-Finance Director

The City of Baraboo, Wisconsin

<i>Background:</i>
Fiscal Note: (Check one) [] Not Required [] Budgeted Expenditure [] Not Budgeted
<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 The City accepted proposals from qualified auditing firms and received 6 proposals. A panel reviewed and scored the proposals and then interviewed the top 3 scoring firms. The interview scores were added to the technical and cost scores, and the proposers ranked in the following order: 1-Baker Tilly, 2-Schenck, 3-Kerber Rose. The overall cost for the 5 year contract is \$256,925 and costs are split between the City, Utilities, CDA, BID and TIDs.

Company	Address	Contact	Technical Score	Interview Score	Total Score	Rank
Schenck	311 Financial Way Wausau, WI 54401	David Maccoux & Jon Trautman	93.45	43	93.45	2
Baker Tilly	Ten Terrace Court Madison, WI 53718	Carla Gogin	94.63	45	94.63	1
Kerber Rose	115 E Fifth St. Shawano, WI 54166	Karen Kerber	87.56	41	87.56	3
Johnson Block & co.	1315 Bad Axe Court Viroqua, WI 54665	Kevin Krysinski & Carrie Leonard	83.80		83.80	5
Hawkins, Ash, Baptie	500 South Second St., Suite 200 La Crosse, WI 54601- 4029	Monica Hauser	86.02		86.02	4
Reilly, Penner & Benton LLP	1233 North Mayfair Road, Suite 302 Milwaukee, WI 53226	Carrie Gindt	69.81		69.81	6

The Finance-Personnel Committee considered this matter at their September 22, 2015 meeting and a member of the Committee will be present to announce their findings.

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

Comments: The audit fees will be added to the upcoming year budgets.

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

That the City Council accept the proposal of Baker Tilly for auditing services for the years 2015 through 2019.

Offered by: Finance/Personnel Comt.

Motion:

Second:

Approved: _____

Attest: _____

The City of Baraboo, Wisconsin

Background: By ordinance, the City does not allow off-premises advertising. In August, the Baraboo School District placed wrap-around signs at the football field, and the signs included off-premises signage. When the completed project came to the attention of the City, the School was contacted and advised that major portions of their sign are not allowed. There is no conditional use or exception that the School would be able to apply for. The School then asked that the City craft a special exception to be added to the Code of Ordinances, allowing the signs that have already been placed. Through negotiations between the City and the School, a draft ordinance was prepared. This draft was reviewed by the Plan Commission at its September 15, 2015, meeting, and recommended to Council for approval.

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

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

- 1. Section §17.80(10), Code of Ordinances, regulating off-premise signs, is hereby repealed and recreated as follows:

17.80 REGULATION OF SIGNS

(10) PROHIBITED SIGNS. The following signs shall be prohibited within all zoning districts in the City of Baraboo:

(e) Off-Premise Signs. Such signs are prohibited, except for temporary signs permitted by §12 of this Subch.:

...

A special exception is granted for the Baraboo School District for sporting stadiums and outdoor athletic facilities for four (4) off-premise advertising signs that are visible from Draper Street. Such off-premises signs shall be allowed with a valid sign permit, without regard to size or percentage of area covered, provided that such signs were installed prior to September 1, 2015. This special exception shall expire June 30, 2020, for off-premises signs, and June 30, 2030, for the signage relating to Flambeau Field. After these respective dates, all non-conforming and prohibited signs shall be removed.

A special exception is also granted for off-premise advertising that is visible from a public street that appears upon the Baraboo School District’s scoreboards, so long as such advertising does not substantially increase the size of the scoreboard. This special exception shall not expire. All signs under this special exception require a valid sign permit.

- 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 October, 2015, and is recorded on page ____ of volume ____.

City Clerk: _____

Members Present: Petty, Sloan and Thurow

Absent: none

Others Present: C. Giese, E. Geick, M. Reitz, W. Petersen and others

Call to Order –Ald. Petty called the meeting to order at 6:30 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 August 25, 2015. Motion carried unanimously.

Accounts Payable – Moved by Sloan, seconded by Thurow to recommend Council approval of the accounts payable for **\$664,760.26**. Motion carried unanimously.

Committee Comments: None.

Adjournment – Moved by Thurow, seconded by Sloan and carried to adjourn. Motion carried, meeting adjourned at 6:31 p.m.

Cheryl Giese, Clerk-Finance Director

Administrative Committee

August 31, 2015

Present: Ellington, Robkin, Alt

Absent: none

Also Present: Mayor Palm, Cheryl Giese, Adm. Geick, Chief Schauf, Steve Pribbenow, Joe Collosa, Greg Slayton

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

Moved by Ellington, seconded by Alt and carried to approve the minutes of July 6, 2015. Motion by Alt, seconded by Ellington to approve the agenda and carried unanimously.

Airport Operations: Giese gave a report of airport activities for the last month, highlighting a meeting with Airport Owners concerning the runway reconstruction project and application of Ho-Chunk to place properties in Trust.

ADA Report:

Adm Geick reviewed the ADA report updating the Committee on projects at Ochsner bandstand, City View ADA path, Civic Center ramp, Dog Park and City Hall. Renovations to city hall are being planned along with the USDA bond issue. Steve Pribbenow commented that the water fountain at the dog park does not meet ADA specifications. Ed responded that the Parks and Rec Director is working on that item.

Open Liquor Licenses

Atty. Reitz discussed the process for issuing liquor licenses when they become available. He discussed the recent transfer of the Quindt's license. They recently retired and sold their business to their son and their preference was to sell the business with the idea that the new applicant would be issued the license. The general thought is that a FIFO system would throw a lot of turmoil into the license process and that preference should be shown to wishes of the current license holder. Only 2 cases in the last 18 years is known where a license came available without a successor license application. Staff recommends absolute preference be given to business transfers to require conditionally surrendering the license to be reissued to the qualified business purchaser. Open licenses will be advertised that license is available, with a deadline for applying and all qualified applicants will make proposal to the Council who will then grant license to one of the pre-qualified applicants. The Committee decided that they would appreciate a policy statement on these matters to review at their next meeting.

Hunting and Bow Ordinance

Attorney Reitz explained that the State enacted law prohibiting municipalities from placing restrictions on bow hunting. The City's current ordinance does allow hunting in certain areas of the city, but this modification will allow bow hunting after complying with the State restrictions concerning residential occupancy and shooting in a downward angle. Moved by Ellington, seconded by Alt and carried unanimously to recommend the changes for Hunting and Bow Ordinance.

Greg Slayton

Greg reported that he attended prior meetings concerning a liquor license for Garden Party and that a license extension was given to the Garden Party. The Council granted the extension based on her promise to work with them to take over her business. Once the meeting occurred, they were unable to achieve results and come to an agreement. Therefore, there is no agreement in place and no business plan as requested by the Committee. Once the approval was given for extension, they sought other tenants. Slayton feels that they did not negotiate in good faith. Joe Collosa was also an applicant for the same license. If they had known that the building owner would not negotiate with them, they would not have spent over \$3000 in attorney fees, and Joe should have been issued the license. They recommend that the Council rescind the Garden Party license. Atty Reitz opined that the license has been issued and the Council cannot rescind the license. Slayton remarked that Terry is nonresponsive and Janet's attorney does not return e-mails. Slayton said that they were unable to reach an agreement and will not be operating a business plan and wanted to report their findings to the Committee. No action taken.

Next meeting is to be held October 5, 2015 at 12 p.m.

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

Cheryl Giese,
Clerk-Finance Director