

Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, March 12, 2019 – 7:00 p.m.

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Kolb, Plautz, Sloan, Petty, Ellington, Kierzek, Thurow

Council Members Absent: Wedekind, Alt

Others Present: Chief Schauf, Clerk Zeman, Adm. Geick, Atty. Truman, T. Pinion, M. Hardy, W. Peterson, C. Haggard, Rep. Considine, Bobbie Boettcher, Nicole Marklein Bacher, members of the press and others.

The Pledge of Allegiance was given.

Moved by Kolb, seconded by Ellington and carried to approve the minutes of February 26, 2019.

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

Compliance with the Open Meeting Law was noted.

PRESENTATION

- Rep. Considine gave an overview on the recent biennial budget proposal and how it will impact our local communities.
- Bobbie Boettcher presented the Baraboo Area Chamber of Commerce Annual Report.
- The Mayor will read the proclamation declaring the month of April as Fair Housing Month, 2019 at the next Council Meeting, March 26, 2019.

PUBLIC HEARING

The Mayor announces that this is the published date and time to hear public comment concerning:

- The Community Development Block Grant (CDBG) and the CLOSE Program

City Engineer T. Pinon explained that this is a requisite should the City decide to proceed with the application to the State of Wisconsin for the Community Development Block Grant and CLOSE Program. The Department of Administration, at the direction of HUD, is closing the traditional revolving loan fund program. This particular program offers a unique opportunity for communities like Baraboo to buy out those loans. We can use cash reserves, loan it to the state, then apply for noncompetitive grant that will meet their standards, and get the money back. With the Council's approval, it is the City's intention to issue the payment to the State and apply for the Grant as a public facility. To be eligible to get this money back, we have to meet some national criteria for this Community Development Block Grant program. Lake Street, by definition, is a public improvement; it clearly shows signs of physical deterioration. This area also meets the criteria of high occupancy rate turnover or high vacancy rate. The CLOSE Program benefits the City by allowing us to reinvest this money in the community.

No one spoke and the Mayor closed the public hearing.

PUBLIC INVITED TO SPEAK No one spoke.

MAYOR'S BUSINESS

- Mayor congratulated Ron Messer on his 20th Anniversary with the Public Works Dept. Congratulations Ron!
- The Spring Election is April 2, 2019. All City of Baraboo residents vote at the Baraboo Civic Center, polls are open from 7:00am to 8:00pm.

CONSENT AGENDA**Resolution No. 18-126**

THAT the Accounts Payable, in the amount of \$ 673,295.06 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Moved by Kolb, seconded by Plautz and carried that the Consent Agenda be approved-7 ayes.

2ND READING ORDINANCES

Moved by Sloan, seconded by Petty to amend **Ordinance No. 2511** to prohibit only smoking and vaping in City Parks. Carried unanimously to approve amending the ordinance.

Moved by Petty, seconded by Ellington to approve the 2nd reading of **Ordinance No. 2511** as amended.

Moved by Kierzek, seconded by Thurow to send the revisions back to the Park and Recreation Commission. 2 ayes-Kierzek, Thurow; 5 nays-Kolb, Plautz, Sloan, Petty, Ellington. Motion failed.

Moved by Petty, seconded by Ellington to approve the 2nd reading of **Ordinance No. 2511** as amended. 1 nay-Kierzek. Motion carried.

Moved by Sloan, seconded by Kolb and carried unanimously to approve the 2nd reading of **Ordinance No. 2512** amending §9.08 of the Municipal Code to allow the consumption of both fermented malt beverages and wine in certain City parks.

Moved by Kolb, seconded by Ellington and carried unanimously to approve the 2nd reading of **Ordinance No. 2513** amending §17.08 (89L) of the Municipal Code and adding Section §17.13A to regulate Short-Term Rentals.

Moved by Kolb, seconded by Plautz and carried unanimously to approve the 2nd reading of **Ordinance No. 2514** amending Chapter 17 Zoning Code of the Municipal Code to add a definition for Pet Grooming and to add Pet Grooming as a permitted use in §17.27 B-1 Central Business District, §17.28 B-2 Neighborhood Business District, §17.29 B-3 Highway-Oriented Business District, and §17.32A I-4 Planned Industrial/Business District.

Moved by Ellington, seconded by Sloan and carried unanimously to approve the 2nd reading of **Ordinance No. 2515** amending §9.10(3)(b) of the Municipal Code regarding the raising of chickens.

NEW BUSINESS**Resolutions:****Resolution No. 18-127**

THAT the Parks and Recreation Department be authorized to enter into a contract with TruGreen Commercial to treat ash trees against EAB for \$10,339.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-127** be approved-7 ayes.

Resolution No. 18-128

THAT the Parks and Recreation Department be authorized to use up to \$10,000 of Parks Segregated Funds for the purpose of installing a natural water filtration system in the new beaver exhibit at the Ochsner Park Zoo.

Moved by Ellington, seconded by Sloan and carried that **Resolution No. 18-128** be approved-7 ayes.

Resolution No. 18-129

THAT the Parks and Recreation Department be authorized to purchase a new trailer using \$5,000 of budgeted expenditures and \$2,184 of funds remaining from the budgeted skid steer purchase

Moved by Kolb, seconded by Sloan and carried that **Resolution No. 18-129** be approved-7 ayes.

Resolution No. 18-130

THAT the Parks and Recreation Department be authorized to use \$3,710 of Parks Segregated Funds for the purpose of installing Timed Magnetic Locks at the Steinhorst Park restrooms.

Moved by Ellington, seconded by Sloan and carried that **Resolution No. 18-130** be approved-7 ayes.

Resolution No. 18-131

To approve the contract with Donohue & Associates, Inc. for the Design and Bidding services of the Oak Street Booster Station Electrical Upgrade for a lump sum amount of \$20,500.

Moved by Petty, seconded by Ellington and carried that **Resolution No. 18-131** be approved-7 ayes.

Resolution No. 18-132

To approve the contract with MSA for the Design and Bidding services of the Mill Race Water Main & Sanitary Sewer River Crossing Replacement for a lump sum amount of \$22,000 and the Construction phase to be a time & material Not to Exceed in the amount of \$10,000.

Moved by Ellington, seconded by Petty and carried that **Resolution No. 18-132** be approved-7 ayes.

Resolution No. 18-133

That the portion of the roadway between South Blvd and Walnut Street, formerly STH 123) be renamed South Parkway.

Moved by Kolb, seconded by Petty and carried that **Resolution No. 18-133** be approved-7 ayes.

Resolution No. 18-134

That the low bids of:

D.L. Gasser	\$86,320	–	Proposal #1 – Asphaltic Paving
D.L. Gasser	\$40,400	–	Proposal #2 – Asphalt Pavement Materials
ABBS Paving	\$33,070	–	Proposal #3 – Asphaltic Patching
Concrete Service Company repair	\$73,100	–	Proposal #4 – Curb and gutter & sidewalk
Yahara Materials Course	\$ 5,900	–	Proposal #5 – Crushed Aggregate Base
Gerke Excavating	\$35,980	–	Proposal #6 – Concrete and Asphalt Crushing
D.L. Gasser	\$16,576.80	–	Proposal #7 – Grading/Paving (Mill Race Path)

Are hereby accepted and all other bids are rejected.

Moved by Ellington, seconded by Petty and carried that **Resolution No. 18-134** be approved-7 ayes.

Resolution No. 18-135

That the Proposal for mowing of weeds and rank growth from Sunrise Property Care in the amount of \$0.01 per square foot for mowing an improved lot, \$0.05 per square foot for vacant property less than ½-acre, \$0.008 per square foot for vacant property greater than ½-acre, and \$0.04 per square foot for weed control is hereby accepted.

Moved by Kolb, seconded by Plautz and carried that **Resolution No. 18-135** be approved-7 ayes.

Resolution No. 18-136

That the proposal for mowing of the STH 136 median strips from Top 2 Bottom in the amount of \$55.00 per mowing and \$25 per hour for additional weed pulling and trimming is hereby accepted and all other bids are rejected.

Moved by Kolb, seconded by Sloan and carried that **Resolution No. 18-136** be approved-7 ayes.

Resolution No. 18-137

To authorize the City Administrator and City Engineer to negotiate a Time and Expense, Not to Exceed Contract with MSA Professional Services for the design of the 2019 Street Improvement Projects at a cost of no more than \$59,000.

Moved by Ellington, seconded by Petty and carried that Resolution No. 18-137 be approved-7 ayes.

Resolution No. 18-138

WHEREAS, the City of Baraboo has applied for a Community Development Block Grant (CDBG); and

WHEREAS, the State of Wisconsin Department of Administration (DOA) and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community Development Block Grant (CDBG) monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for complaint procedures, and accommodate non-English speaking residents; and

WHEREAS, the City of Baraboo has prepared and publicly reviewed a Citizen Participation Plan,

NOW, THEREFORE, BE IT RESOLVED, that the City of Baraboo officially adopts the City Participation Plan.

Moved by Plautz, seconded by Kolb and carried that Resolution No. 18-138 be approved-7 ayes.

Resolution No. 18-139

A resolution to adopt a Policy to Prohibit the Use of Excessive Force and the Barring of Entrances/Exits for Non-Violent Civil Rights Demonstrations.

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

WHEREAS Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 U.S.C. 69 §5304) prohibits the State from expending or obligating any Community Development Block Grant funds to any unit of general local government that does not have or adopt a policy prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and a policy of enforcing State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction;

AND WHEREAS it is in the interest of the City of Baraboo to pursue Community Development Block Grant Funds and to adopt policy that complies with Section 104 (L)(1) of Title I of the Housing and Community Development Act of 1974 as amended (42 USC 69 §5304);

NOW THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Baraboo;

It is policy of the City of Baraboo to prohibit the use of excessive force by law enforcement agencies within the City of Baraboo’s jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.

It is policy of the City of Baraboo to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within the City of Baraboo’s jurisdiction.

The officials and employees of the City of Baraboo shall assist in the orderly prevention of all excessive force within the City of Baraboo by implementing the authority and enforcement procedures set forth in Title I of the Housing and Community Development Act of 1974.

The City Council directs the Police Chief to implement this Resolution by amending applicable departmental policies and procedures.

Moved by Ellington, seconded by Sloan and carried that Resolution No. 18-139 be approved-7 ayes.

ADMINISTRATOR AND COUNCIL COMMENTS

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Monthly Reports for 2019 from – None.

Minutes from the Following Meetings –

Absent: none

Others Present: Mayor Palm, E. Geick, E. Truman, T. Pinion, Chief Schauf, B. Zeman, M. Hardy, C. Haggard

Call to Order –Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Thurow to approve the minutes of January 22, 2019. Moved by Sloan, seconded by Thurow to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan seconded by Thurow to recommend to Council approval of the accounts payable for \$323,041.82 + \$5,068,784.06 (February 12, 2019), a total of **\$5,391,825.88**. Motion carried unanimously.
- b) **Contract with MSA Professional Services for asbestos inspection, sampling and lead paint sampling at 314 Depot Street at an estimated cost of \$1,125**. T. Pinion noted that this building was acquired from Jim Becker at the same time as 325 Lynn Street. Because we plan to demolish this building, the asbestos and lead sampling are required. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- c) **Four-Way Stop warrant analysis by MSA Professional Services, Inc. for a lump sum fee of \$1,870**. T. Pinion explained that the City has received a request to install a 4-way stop sign at the corner of 5th and Oak Street. Per the Manual Uniform Traffic Control Devices, a warrant analysis must be conducted and will consider things such as 8 hr traffic count, peak hour traffic count, accident history, etc. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- d) **Purchase of Walk-In Freezer for Ochsner Park Zoo using \$4,500 of budgeted expenditures, \$2,500 of funds unused from a Tommy lift purchase and \$4,500 of funds unused from maintenance garage overhead door for a total of \$11,500**. M. Hardy explained that their priority for this year is a walk-in freezer for the Zoo. Delivery costs of frozen foods are increasing. Currently Villas Zoo is ordering our feline diet, we are sharing on delivery costs, and then making trips as needed for pickup. The Zoo currently has several chest freezers that they are looking to get rid of, consolidating into this one freezer. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- e) **Purchase of new truck for Parks & Recreation Dept. using \$28,000 of budgeted expenditures and \$2,572.50 of funds remaining from the skid steer purchase**. Because the purchase of the skid steer came in \$5,000 under budget, M. Hardy is requesting to use part of this money towards the purchase of a new truck. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.
- f) **Approve conceptual design of the Maxwell-Potter Conservancy accessible kayak launch contingent on DNR approval**. M. Hardy reminded the committee that we have received grant money for this kayak launch. This grant money needs to be spent by the end of this year and will be matched by ATC funds. Instead of using the pier system, this more stable launch will be similar to steps going down and ADA accessible. In addition to the steps, they are also proposing putting in a concrete ramp. The plans include a future drop off site and additional parking. Moved by Sloan, seconded by Thurow to recommend to Council for approval. Motion carried unanimously.

Informational Items

- a) City Attorney's report on insurance claims – None.
- b) CVMIC – 2018 Summary Report – No action required, informational item for the Committee.
- c) Review possible changes to the City of Baraboo Purchasing Policy – C. Haggard noted raising the threshold of \$500 to \$1,000 and then some general clean up to the policy. This will go to Department Heads for review.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:22pm.

Minutes of the Public Safety Committee Meeting

February 4, 2019

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Mayor Palm, Chief M. Schauf, Fire Chief K. Stieve, Wade Peterson, Tony Gilman, Ben Bromley, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. It was moved by Plautz, seconded by Kolb to approve the amended agenda as posted. Motion carried unanimously. It was moved by Kolb, seconded by Plautz to approve the minutes of the December 10, 2018 meeting. Motion carried unanimously.

New Business

- a. **Consideration of Proposals to perform a warrant analysis for proposed 4-way stop signs at the intersection of 5th and Oak** – Engineer Pinion said that he solicited proposals from Traffic Engineering Firms, and received two responses. MSA Professional Services would do a study for \$1870 and KL Engineering \$4250. He said that this cost would be only to see if this meets the warrants, which looks doubtful to him. It was moved by Kolb, seconded by Plautz to award the Warrant Analysis Study to MSA Professional Services, for \$1870. Motion carried unanimously.
- b. **Consider proposed revision to the Financial Hardship repayment provision for Special Assessments** – Pinion said that since his time with the City there has been only one property owner who claimed financial hardship for repayment of a

special assessment. He said that this past year there were four. He said that the current policy reads that if a property owner can demonstrate financial hardship, they pay \$100/year until the balance is paid. He said that this year there is one that would take 33 years and one would take 57 years to pay off. Pinion said that due to the life expectancy is around 30 years, it would be bad financial practice to depreciate and pay for something over twice its' life span as opposed to once. Therefore, both the Finance Director and Treasurer has recommended that a change to this to make it commensurate to the 30-year life span. He is then presented the proposed revision to the Financial Hardship Provision of the payment options to the Committee. It was moved by Plautz, seconded by Wedekind to approve the proposed revision to the Financial Hardship repayment provisions for Special Assessments as presented. Motion carried unanimously

- c. Consideration of Proposals for Asbestos Inspection and Sampling for the City-owned buildings at 314 Depot Street – Pinion said that this is the building that the City recently acquired and with the building that is going to be built, these buildings are too dilapidated to be saved; therefore, he took the liberty to getting proposals for asbestos inspections. It was moved by Kolb, seconded by Plautz to accept the proposal of MSA Professional Services for \$1,125. Motion carried unanimously.
- d. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for December 2018 –It was moved by Kolb, seconded by Plautz to approve the Adjustments/Credits as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said that Bio-solids is up and running, but still a few punch list items to fix. He said that the total cost appears to be approximately \$200,000 under budget. Peterson said that there have been three water main breaks, one frozen service, and valve failure. He said that the new Jet Vac, mini excavator, and sewer wheel loader replacement are all here and can be seen on the tour. He said that Request For Proposal are now out for engineering services for the electrical upgrade at the Oak Street booster station and the Sanitary Sewer Inverted Siphon-Water Main replacement across the Baraboo River at the old water pump station.
- b. Street Superintendent's Report – Gilman said that Cleary Building is scheduled to deliver the materials for the building on this week. He said that the plow truck is here, and was just delivered today. The 2018 Autocar refuse truck is expected to arrive the week of 2/11/19. He said that the Crafcro tar kettle will be delivered next week. He said that he is exploring options of monitoring the brush site top reduce illegal dumping. He then presented information regarding the "warning" stickers to try to educate residents on proper cart placement and allowable materials.
- c. Police Chief's Report – Parking issues were discussed. He said that they department to a lot of vehicle being stuck in the snow on Monday and then vehicles not starting Tuesday through Thursday. Schauf gave kudos to Officer Car Ustupski for expertise as a certified Drug Recognition Expert.
- d. Fire Chief's Report – Stieve said that the Department has had two resignations, one due to time commitment, and the other moved out of the area. He said that the Assistance Chief/Training interviews started last week, with a couple of postponements due to weather. He said that with the New Year, the department is continuing to work on items that were in the Operations Study. He thanks the Public Works Department for the help to the department.

The Committee then were given a tour to view the new JetVac, Mini Excavator, Loader, Plow Truck, and Pusher.

ADJOURNMENT – It was moved by Kolb, seconded by Wedekind to adjourn at 1:53 p.m. Motion carried.

Baraboo Economic Development Commission Minutes

February 14, 2019

- I. Call to Meeting to Order and Note Compliance with Open Meeting Law**
Vice -Chairperson John Alt called the meeting to order at 5:30 PM at the Baraboo Municipal Building, 101 South Blvd., Room 205, Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statues regarding open meetings.
- II. Roll Call**
Present: Bowers (5:40) Alt, Umhoefer, Ayar, Johnson, Platt-Gibson, Wastlund, White
Absent: Bingle, Cafilisch, Palm, Reppen, Taylor
Other: Ed Geick, Patrick Cannon
- III. Approve Agenda**
Motion to approve the agenda as presented
Umhoefer (1); White (2)
Aye: All via voice vote
Nay: None
- IV. Approve Minutes**
Motion to approve the minutes as presented for December 6, 2018 as presented
Umhoefer (1); Johnson (2)

Aye: All via voice vote
Nay: None

V. Public Comment
None

VI. Old Business

a. Updates on Development Activities

Ed Geick reported on the following:

- 325 Lynn St project is still moving forward
- City is looking at Opportunity Zones
- New business is coming to 1223 South Blvd.
- The old B& H lumber site has been sold
- The Daycare at 106 Walnut St is looking to re-open

Mr. Bowers enters the meeting at 5:40 PM

b. Updates from Plan Commission and Council

This information was included under item VI a.

c. Update from economic development partners and collaborators

- Ms. Wastlund indicated that the CDA has awarded a CDBG-RLF loan for a new coffee shop.
- Mr. White indicated that SCDC is working on their long term strategy
- Ms. Platt-Gibson updated on changes at the hospital with new equipment being added. She also provided information about upgraded medical services being provided.
- Mr. Bowers announced that the Chamber Director is leaving to pursue a new position with Circus World. He also indicated that the Chamber Board is working on their strategic plan.
- Dr. Ayar indicated that it is "business as usual" at the college.

d. Consideration of development of a strategic plan for BEDC

i. Ad Hoc Committee on Eastside Corridor Study

No additional information

ii. Ad Hoc Committee on Business Walk

The report has been issued to the businesses who participated in the project.

VII. New Business

a. Discussion of recent community forums regarding cultural diversity

The photo incident has begun to quiet down. The High School Senior Class is taking a trip to Skokie, IL to visit the Holocaust Museum.

VIII. Update Partner Presentation Schedule

The following were offered as potential speakers:

St. Clare Hospital President (April)

UW Madison College

Law Enforcement

Understanding the railroad aspect of economic development

WI Dept. of Transportation

State of Agriculture in Sauk County

High School renovations (March)

IX. Commissioner and City Staff comments

Mr. White indicated that a Teacher tour was completed at Sysco with 22 teachers attending

X. Adjournment

Motion to adjourn the meeting was made at 6:36 pm.

Johnson (1); Umhoefer (2)

Aye: All via voice vote

Nay: None

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

