

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, November 13, 2018 – 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, Alt, Zolper, Thurow

Council Members Absent: Plautz

Others Present: Adm. Geick, Atty. Truman, Chief Schauf, Clerk Zeman, C. Haggard, W. Peterson, K. Stieve, T. Pinion, J. Bergin, M. Hardy, 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 October 23, 2018.

Moved by Ellington, seconded by Alt to Amend the agenda moving up the “Public Invited to Speak” and the “Mayor, Administrator, and Council Comments” to before the Public Hearings. Motion carried unanimously.

Compliance with the Open Meeting Law was noted.

PUBLIC INVITED TO SPEAK

- Dr. Leslie Moller, 337 10th Ave. Baraboo is disgusted by what he saw. Prior to moving here upon retirement, they had visited the area often. What disturbed him is the anger and the stupidity of it all. He does not want to dwell on the negative and would like to make the following positive recommendations:
 - Council consider making a statement
 - Consideration of forming a Citizens Committee
 - Dr. Moller himself would offer to volunteer to the City or School Board to assist in designing and/or implementing programs using effective learning for the students of Baraboo
 - If these incidents go any farther, he would like to see the FBI brought in to investigate as a hate crime.

He doesn't feel a lot of people are going to look at Baraboo to start companies. We need to come down on this with law enforcement, school response, parent response. Many of these children have parents or grandparents that fought in Germany. He would like to see the parents involved in the educational program.

- Mary Ann Moller does not care to speak.
- Marcy Huffaker, E12919 Levee Road, Baraboo states that she is Jewish and has three children that are Jewish, one that just graduated from High School. She had family members that died in the Holocaust and to see kids making those signs in the picture is terrifying. She knows many of the kids and does not feel they are racist or anti-Semitic. This picture has opened up other conversation on social media about other kids and community members who are feeling like they have been bullied for being different. She believes that as a community we need to step up and make a real change in this community.
- Buddy Huffaker, E12919 Levee Road, Baraboo noted that they have been reached out to by the School District and the Civic Leaders and they appreciate that. There are a handful of Jewish families that call this community home. Their request of the School District is two-fold:
 - One, short term that they use the tools of practices of restorative justice and the types of techniques that Dr. Moller was talking about to engage in real dialogue and healing. Healing is an important part in the individual and community level. And then two, longer term, learning and changing the curriculum and integrating to not only create awareness around anti-bias feelings, emotions, and thought but

also skill building so that people have the ability to respond and react to those situations where their values are being questioned or compromised.

Shorter term is a way to bring the community together. They have been in touch with civic leaders and faith leaders about holding a vigil next Monday night at 6:00pm at the High School. This will include a short program to have people step up and express the need for love and inclusiveness in our community.

- Nanci Caflisch, 725 Bascom Hill Dr, Baraboo and is proud to be serving as the President of the Baraboo Area Chamber of Commerce. We live in a beautiful area that is filled with thousands of people who work hard every day to make Baraboo a great place to be. We've had members of our community state that this is not the Baraboo we know however we've also had members of the community say yes, this is the Baraboo we know. She feels we must listen to these voices, especially those that share different experiences than our own as we continue our work to make Baraboo a great place for everyone to live or visit. Yesterday's event and subsequent media coverage have given us the opportunity to take a step back and ask ourselves who are we and what do we stand for? We must take action to create lasting change and make Baraboo a great place for all people. Addressing anti-Semitism, racism, and intolerance does not undercut the great things that are happening in Baraboo but gives us the space to educate one another on our differences while becoming a stronger, more tolerant community where all are welcomed and supported to thrive. We must hold everyone accountable, youth and adults alike and provide them the resources to further their own education on diversity and tolerance. The Chamber looks forward to working with the City of Baraboo, the School District and all community leaders to move forward together. Racism and intolerance have no place in Baraboo and while many are feeling hurt, disappointed, and embarrassed, we must remember this: Through all negative experiences, we can grow.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

The Mayor noted that he did an interview with Channel 3 this afternoon and the purpose of the interview was to talk about what Baraboo is going to do in order to move us forward from this incident. An impromptu photo opportunity was arranged on the Court House Steps yesterday to encourage residents to come out for the spirit of love. This photo was shown on the news last night and shows that Baraboo is beginning their fight back. A community forum is being scheduled for Thursday evening at 6:30 at the Civic Center. He also noted the faith based rally at the High School on Monday evening where not only people of the Jewish faith going to be given the opportunity to share their experiences but there will also be other faith communities that are present in Baraboo be there in support.

Ald. Ellington ~ He received a call from a County Board Member in River Falls. He quoted Frank Sinatra's 1946 album "I see faces of people, all races, all religions, that's America I love them".

Ald. Alt ~ The first thing that came across his mind is the reason his grandparents came here to escape that sort of persecution. It is NOT what Baraboo is about, that's not the way we raise our children here.

Ald. Zolper ~ This has been difficult for him as his son is one of the kids in the picture. The only thing he can talk to him about is integrity and accountability; that words and actions matter. We need to use this as a learning experience.

Ald. Wedekind ~ When he first saw this on the news he was pretty ticked off; He grew up through those years. He started looking at these pictures today and if you look at this picture, you will see a lot of them waving and not using the salute. The German salute is an exact move and many of those boys are not doing it. He wonders how much these boys know about WWII. He has changed his mind to some extent but has to agree that the boys are waving.

Ald. Kolb ~ Aside from the obvious insensitivity displayed in this photo, he was discouraged when he saw it displayed across national networks. He could not help but think of the men and women in this community who have given hours, days, and years of their lives to make this community one in which people want to visit, work, and live. As a community we've tried hard to

garnish national reputation as a place to live, raise and educate our children and now we have this photo which could potentially derail that long effort and he finds this discouraging.

Ald. Sloan ~ He feels these stupid, thoughtless actions by a few certainly does not reflect the entire community. It was a bad decision that was not taught by parents, just young kids not understanding what they were doing. It's sad but he does not feel it reflects on the community as a whole.

Ald. Petty ~ He has lived here 35 years and loves this community. We all know that with adolescence there is a sense of naivety that occurs, it is a lack of life experience and a lack of life knowledge, and he feels this is opportunity as a very teachable moment for all of us, the students, parents, community, community leaders, etc. This is an incident with a great deal of insensitivity but again it's a teachable moment and he trusts the citizens, parents, and teachers in that we will all recover from this and we will be a better community and better people because of it. Disheartened, yes, but this is one moment in time and as a teachable moment the people involved in this, as they recover, will be leaders to prevent these sort of things from happening in the future.

PUBLIC HEARING – The Mayor announced that this is the published date and time to hear public comment concerning:

- Request to vacate that portion of the unimproved right-of-way of Crestview Drive (formerly Lorna Drive) lying north of 2nd Street between Lot 8 of Rehbein's Addition to the City of Baraboo and Outlot 1 of Certified Map No. 4973, City of Baraboo, Sauk County, Wisconsin.

No one spoke and the Mayor closed the hearing.

- Request to rezone the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW ¼ of the NE ¼ of Section 2, T11N, R6E, located at 404 South Parkway, from R-1A Single Family Residential to NRO Neighborhood Residential Office classification by Daniel J. and Adelina Hellenbrand to allow the operation of a beauty shop in the existing single-family residence.

No one spoke and the Mayor closed the hearing.

- Request to amend the City's Zoning Code-Section 17.36C of the City of Baraboo Code of Ordinances to prohibit certain uses in the Conditional Use Overlay District.

No one spoke and the Mayor closed the hearing.

MAYOR'S COMMENTS

The Mayor congratulated Patrol Sergeant Mark Lee on his 20 years with the Baraboo Police Department.

CONSENT AGENDA

Resolution No. 18-86

THAT the Accounts Payable, in the amount of \$ 1,207,451.28 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-8 ayes.

NEW BUSINESS **Resolutions:**

Resolution No. 18-87

Whereas, the Common Council of the City of Baraboo has created a Business Improvement District (BID) for the City of Baraboo, and;

Whereas, the BID has submitted an operating plan for the BID for 2019 and;

Whereas, the Operating Plan for the BID proposes that the implementation of the Plan be funded through a special assessment upon all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The assessment shall be based on the equalized value of property in the BID and the proposed assessment shall be \$1.605804 of \$1000 of assessed value.

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

That the BID operating plan is accepted.

That said Council intends to levy and collect an assessment upon all business, manufacturing and mixed business and residential property in the BID, as follows:

- The purpose of the assessment is to fund the BID Operating Plan for the calendar year 2019
- The limits of the proposed assessment district are as follows:
 - “The centerline of 1st Street and 1st Avenue on the South; the centerline of Birch Street on the West, the centerline of the alley running East and West between 6th and 7th Avenue on the North; and a line running North and South through the center of Block 12,13,24,25,36 and 37 of the Plat of the City of Baraboo, formerly Adams, on the East.”
- The proposed assessment is for calendar year 2019.
- The proposed assessment shall be paid in one installment.
- The proposed assessment shall be on all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The date for determining eligibility for exemption from this BID assessment shall be January 1 of the year of the adoption of the Final Resolution by the City Council.
- The amount of the proposed assessment is \$1.61 per \$1000 of value of said property based on the 2018 tax roll assessment.
- The proposed assessments shall be due the first day of March 2019 which is the first day of the second month following adoption by the City Council of a resolution levying assessments. Those assessments not paid by that date shall become delinquent as per Section 66.60(15) of the Wis. Stats.

BE IT FURTHER RESOLVED that a public hearing to hear public comment concerning BID Assessments will be held on November 27, 2018 at 7:00 p.m. in the Council Chambers. The City Clerk is directed to properly notice all property owners within the BID of the public hearing and proposed assessment.

Moved by Petty, seconded by Kolb and carried that **Resolution No. 18-87** be approved-8 ayes.

Resolution No. 18-88

A Resolution vacating that portion of the unimproved right-of-way of Crestview Drive (formerly Lorna Drive) lying north of 2nd Street between Lot 8 of Rehbein's Addition to the

City of Baraboo and Outlot 1 of Certified Survey Map No. 4973, City of Baraboo, Sauk County, Wisconsin.

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

Whereas the Common Council has determined that the public interest requires the vacation of the unimproved right-of-way of Crestview Drive (formerly Lorna Drive) lying north of 2nd Street between Lot 8 of Rehbein's Addition to the City of Baraboo and Outlot 1 of Certified Survey Map No. 4973, City of Baraboo, Sauk County, Wisconsin;

And whereas on September 25, 2018 the Common Council enacted a Resolution of Intent to pursue the vacation of that portion of Quarry Street;

And whereas a Class III Notice was published in the Baraboo News Republic giving notice of the fact that the Common Council would consider the vacation of this portion of Crestview Drive at its November 13, 2018, meeting, and that the public was invited to advise the Council as to their concerns regarding this matter;

And whereas there are no land owners other than the petitioner, Bruce W. Jackson, with property that abuts that portion of Crestview Drive that the City intends to vacate, and therefore no notice was served upon adjoining land owners as required by §66.1003(4)(b), Stats.;

And whereas no one has filed an objection to the vacation of Crestview Drive in accordance with §66.1003(4)(d), Stats.

Now therefore, based upon the above, IT IS HEREBY RESOLVED by the Common Council of the City of Baraboo that the portion of the unimproved right-of-way of Crestview Drive (formerly Lorna Drive) lying north of 2nd Street between Lot 8 of Rehbein's Addition to the City of Baraboo and Outlot 1 of Certified Survey Map No. 4973, City of Baraboo, Sauk County, Wisconsin is hereby vacated.

Further, the west half of the vacated portion of Crestview Drive shall be assigned to Outlot 1, Certified Survey Map No. 4973, City of Baraboo, Sauk County, Wisconsin; and the east half of the vacated portion of Crestview Drive shall be assigned to Lot 8 of Rehbein's Addition of the City of Baraboo, Sauk County, Wisconsin.

Moved by Ellington, seconded by Alt and carried that **Resolution No. 18-88** be approved-8 ayes.

Resolution No. 18-89

THAT the Civic Center be permitted to extend a special rental agreement to Bike Wisconsin allowing for the use of the Civic Center gymnasium, kitchen, locker rooms and room 12 including allowing overnight camping on Civic Center grounds the night of June 12, 2019 for a total of \$580.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-89** be approved-8 ayes.

Resolution No. 18-90

THAT the City Administrator is authorized on behalf of the City of Baraboo to submit the Notification of General Schedules Adoption form to the State Historical Society, as the first step required to be taken by the City to adopt the Wisconsin Municipal Records Schedule, and

THAT, upon approval by the State Historical Society, the City Attorney is authorized to

submit to the Council an amendment to §1.60, Baraboo Municipal Code, to adopt the Wisconsin Municipal Records Schedule.

Moved by Ellington, seconded by Alt and carried that **Resolution No. 18-90** be approved-8 ayes.

Resolution No. 18-91

A Resolution to Deed Restrict the property comprising the City Services Center campus at 450 Roundhouse Court to prevent the sale of any of the six lots from being sold independent of the others.

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

Whereas the Common Council hereby authorizes the Mayor and City Administrator to sign and record the attached Deed Restriction for the City-owned property at 450 Roundhouse Court in the City of Baraboo.

Moved by Kolb, seconded by Wedekind and carried that **Resolution No. 18-91** be approved-8 ayes.

Resolution No. 18-92

Whereas the Common Council hereby authorizes the City Administrator and City Clerk to sign the Addendum to Lease Agreement to the January 1, 2003 Lease Agreement entered into by and between the City of Baraboo and the Baraboo District Ambulance Service.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-92** be approved-8 ayes

Ordinances:

Moved by Sloan, seconded by Petty and carried unanimously to approve the 1st reading of **Ordinance No. 2505** amending §17.18(4)(a) and the Zoning District Map rezoning tax parcel 206-0988-00000, 404 South Parkway, from R-1A Single-Family Residential to NRO Neighborhood Business/Office district.

Moved by Ellington, seconded by Sloan and carried to approve the 1st reading of **Ordinance No. 2506** amending the City's Zoning Code, §17.36C Conditional Use Overlay District to add a list of Prohibited Uses. 7 ayes, 1 Nay Wedekind

Moved by Sloan, seconded by Alt and carried unanimously to approve the 1st reading of **Ordinance No. 2507** amending §12.03(7)(a)2 of the Baraboo Municipal Code to eliminate the license bond requirement for secondhand article and jewelry dealers.

COMMITTEE OF THE WHOLE

Moved by Petty, seconded by Kolb to convene as a Committee of the Whole to discuss the 2019 Budget Summary.

Finance Director C. Haggard presented the 2019 Budget Summary.

Moved by Ellington, seconded by Petty to reconvene into regular session.

OTHER ACTIONABLE ITEMS

Moved by Sloan, seconded by Petty to recommend approving the 2019 Budget Summary and the Utility Budgets for Storm, Water and Sanitary Sewer.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City acknowledges receipt and distribution of the following: Email from League of Wisconsin Municipalities

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Minutes from the Following Meetings –**Finance/Personnel Committee – Dennis Thurow Committee Rm #205****October 23, 2018**

Members Present: Petty, Sloan, Thurow

Absent:

Others Present: Mayor Palm, E. Geick, E. Truman, B. Zeman, C. Haggard, J. Bergin

Call Meeting 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 approve the minutes of October 9, 2018. Motion carried unanimously. 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 **\$903,093.43**. Motion carried unanimously.
- b) **3rd Quarter 2018 Budget Amendments** – The Committee reviewed the budget amendments. 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
 - o Nothing to report at this time

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:35pm.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID)**October 17, 2018****BOARD OF DIRECTOR'S MEETING**

Members Present: S. Fay, L. Steffes, B. Stelling, M. Zolper, S. Byberg, T. Wickus, D. Ender

Members Absent: L. Stanek, N. Marklein Bacher

Also Attending: Ed Geick

Call to Order: Sarah Fay presided over the meeting, called it to order at 5:45PM and noted compliance with the Open Meeting Law.

Meeting Minutes:

Moved by Byberg, seconded by Stelling and unanimously carried to approve the minutes of September 19, 2018.

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

Reports of Officers and Committees**President**

- Parking

Treasurer

- Ed distributed preliminary assessment roll.

Appearance

- Banners down, poles will have garland.

Business Development:

- Pop-up shops open. Good weekend. Class full for next season.

Promotions

- Billboards up by Nov. 1st

Old Business:

Branding committee update – On second round “Welcome to Real” discussed.

New Business:

1. Vouchers

Downtown Baraboo	\$376.11
Lorraine Ortner-Blake	102.30
Gatehouse Gardens	680.00
Lacey Steffes	176.00
Rachel Rosenblum	450.00
GKJ Holdings LLC	750.00
Downtown Baraboo	157.99
Baraboo Burger Co.	60.00
Broadway Diner	527.50
Downtown Baraboo	<u>172.37</u>
TOTAL:	\$ 3,452.27

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

2. Bench Quotes and Thoughts – General discussion of options. Consider pulling the worst benches. Check on how many benches were pulled. Consider rotating worst benches through painting each year.
3. Trees in Downtown Baraboo – Matt from Parks & Recreation discussed Plastic \$300 vs. Cast Iron \$1000 Grates. Ron Bobeck has old metal grates, discussion of pros and cons. Get estimate cost for installation. \$225/ea. Ornamental or large options; 10 year life; conflicts with canopies.

Correspondence & Announcements:

Next Meeting: Wednesday, November 21, 2018 at 5:45pm, Committee Room #205.

Adjournment: Moved by Wickus, seconded by Zolper to adjourn at approximately 6:32 p.m.

Administrative Committee

November 5, 2018

Present: Alderpersons John Alt and John Ellington

Absent: Alderperson Michael Zolper

Also Present: Mayor, Mike Palm; City Administrator, Edward Geick; Police Chief, Mark Schauf and Finance Director, Cynthia Haggard

The meeting was called to order by Chairman John Alt at 12:00PM CST., with roll call and noting compliance with the Open Meetings Law.

Moved by Ellington to approve the minutes of September 3, 2018, seconded by Alt and unanimously carried.

Motion by Ellington to approve agenda, seconded by Alt and unanimously carried.

Review and recommendation to amend §12.03(7)(a)2 of the Baraboo Municipal Code to eliminate the license bond requirement for secondhand article and jewelry dealers.

Chief Schauf began with mentioning the recent change in the Code for Leads Online. Businesses began applying for licenses. We soon realized there was some confusion with our Code. Part of the confusion was requiring a surety bond for a second-hand dealer. A surety bond by State Statute is only required for pawn shops. The surety bond ensures the City is compensated for things if rules are not followed. We currently have something in place in lieu of the surety bond. We will be able to go after any business in the form of a citation. Our current Code also allows for punishment by issuing code violations and by taking away licenses.

Therefore, the recommendation is to take the surety bond language out of our Code for second-hand dealers and leave it in for pawn shops.

Motion to recommend to the Council to change the City Code by Ellington, seconded by Alt and unanimously carried.

Review and recommendation to allow the City Administrator to submit the Notification of General Schedules Adoption form to the Historical Society and, upon approval by the Historical Society, allow the City Attorney to submit to the Common Council an amendment to §1.60 of the Baraboo Municipal Code stating that the City has adopted the Schedule.

City Administrator Geick stated that this request stems back to earlier work Cheryl Giese and Emily Truman started in getting the City records sorted requiring some filings to be made with the Historical Society. There has been a change in the law for records. The recommendation today will take into consideration all the changes and allow the City Administrator to work with the City Clerk and City Attorney to submit records.

Motion by Ellington to recommend to the Council to change the City Code, seconded by Alt and unanimously carried.

Member comments

The next meeting will be December 10, 2018 at 12:00PM CST. Meeting location will be 101 South Boulevard. Moved by Ellington to adjourn, seconded by Ellington and unanimously carried. Meeting adjourned at 12:09PM CST.

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

Library Board	10-16-18, 10-18-18, 10-19-18		
Friends of the Library	10-01-18	CDA	10-02-18, 10-15-18
Library Building & Grounds	10-22-18	Fire Joint Meeting	10-18-18
Park & Recreation	10-08-18		

INFORMATIONAL ITEMS

ADJOURNMENT

Moved by Kolb, seconded by Petty, and carried on voice vote, that the meeting adjourn at 8:23pm.

Brenda Zeman, City Clerk