

AGENDA
CITY OF BARABOO COMMON COUNCIL
Council Chambers, 101 South Blvd., Baraboo, Wisconsin
Tuesday, July 10, 2018, 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. Truman, Adm. Geick, Clerk Zeman, Finance Director Haggard, City Engineer Pinion, Utility Super. Peterson, Street Super. Gilman, Police Chief Schauf, Parks & Recreation Dir. Hardy, City Treasurer Laux, Fire Chief Kevin Stieve, Library Director Jessica Bergin, CDA Director, the News Republic, WBDL, and WRPQ, Nathan Rybarczyk

Notices sent to other interested parties: Citizen Agenda Group, Media Agenda Group

CALL TO ORDER

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF PREVIOUS MINUTES - (Voice Vote): June 26, 2018

APPROVAL OF AGENDA (Voice vote):

COMPLIANCE WITH OPEN MEETING LAW NOTED

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

- The appeal of Devine Custom Truck and Auto's Conditional Use Permit application;
- Amending the PUD (Planned Unit Developments) for 325 Lynn Street to allow a 70-unit apartment complex.

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 Nathan Rybarczyk on his 15th anniversary with the Baraboo Public Library.

CONSENT AGENDA (roll call)

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

NEW BUSINESS RESOLUTIONS

NBR-1...Consider proposal for Asbestos Abatement at 325 Lynn Street from Dirty Ducts Cleaning and Environmental, Inc., in the amount of \$15,764.

NEW BUSINESS ORDINANCES

NBO-1...Consider approving the amended PUD for 325 Lynn Street to allow a 70-unit apartment complex.

ORDINANCES ON 2nd READING

SRO-1...Approve revising the Parking Restrictions at City Parking Lot located north of 135 4th Street (Baraboo Fire Station).

OTHER ACTIONABLE ITEMS:

Devine Custom Truck and Auto’s Conditional Use Permit Appeal from June 19, 2018, City Plan Commission Meeting.

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

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/Personnel	06-26-18	Public Safety	04-30-18, 06-11-18
BID Dev.	06-14-18	Plan Commission	06-19-18
Administrative	07-02-18		

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

Friends of Library	05-08-18	Library Board	05-15-18
Park & Recreation	06-11-18		

Petitions and Correspondence Being Referred

INFORMATION

ADJOURNMENT (Voice Vote)

Brenda Zeman, City Clerk

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

JULY 2018

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9 Park & Rec.	10 Finance Council	11	12	13	14	15
16 PFC	17 Library Plan	18 BID	19 UW Campus	20	21	22
23	24 Finance Council	25 Ambulance	26 Em. Mgt.	27	28	29
30 Public Safety	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 101 South Blvd., 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.

Agenda jointly prepared by D. Munz and B. Zeman
 Agenda posted on 07/06/2018

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, June 26, 2018 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Sloan, Petty, Ellington, Alt

Council Members Absent: Kolb, Plautz, Zolper, Thurow

Others Present: Chief Schauf, Clerk Zeman, Adm. Geick, Attny. Truman, C. Haggard, M. Hardy, Chief Stieve, T. Pinion, Bobbie Boettcher, Caflich, members of the press and others.

The Pledge of Allegiance was given.

Moved by Alt, seconded by Wedekind and carried to approve the minutes of June 12, 2018.

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

Compliance with the Open Meeting Law was noted.

PRESENTATION- Bobbie Boettcher, Director of Baraboo Area Chamber of Commerce presented upcoming events for the Big Top Parade & Circus Celebration.

PUBLIC INVITED TO SPEAK – No one spoke.

MAYOR’S COMMENTS –

- The Mayor read the 2018 Big Top Parade & Circus Celebration Proclamation.
- The Goal Setting that was originally scheduled for June 18th, 2018 has been rescheduled for Monday, July 2nd at 5:15pm for a potluck followed by Goal Setting at 6pm
- The Council observed a moment of silence to recognize the passing of former Alderperson Eugene Robkin

CONSENT AGENDA

Resolution No. 18-46

THAT the Accounts Payable, in the amount of \$654,379.72 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 18-47

WHEREAS, the following delinquent personal property account(s) be written off in the amount of \$28.83; and

<u>Business Name</u>	<u>Tax Year</u>	<u>Amount</u>	<u>Reason</u>
Baraboo Ink and Toner	2016	\$ 28.83	Moved to West Baraboo 2014

WHEREAS, the following account(s) receivable balance(s) be written off in the amount of \$1,431.08; and

<u>Name</u>	<u>Tax Year</u>	<u>Amount</u>	<u>Reason</u>
Martin, Kevin	2017	\$ 316.02	Bankrupt
Bracey, Jeffrey	2016	\$ 314.20	Deceased
Wiatrok, Betty	2017	\$ 222.55	Deceased
Hernandez, Rob	2017	\$ 159.93	Unable to locate
Schmidt, Sandra	2016	\$ 286.08	Deceased
Stromberg, Giner	2013	\$ 132.30	State Debt Collection determined uncollectible

WHEREAS, the following CDA account(s) receivable balance(s) be written off in the amount of \$1,015.57; 3

and

<u>Name</u>	<u>Tax Year</u>	<u>Amount</u>	<u>Reason</u>
Wintersteen, Carol	2017	\$1,015.57	Deceased

WHEREAS, the following allowance for doubtful accounts be created in the amount of \$5,298.58; and

<u>Name</u>	<u>Tax Year</u>	<u>Amount</u>	<u>Reason</u>
Kingsley, Casey	2016	\$5,298.58	Deemed uncollectible

NOW, THEREFORE, BE IT RESOLVED, that the above referenced delinquent accounts be written off, thus removed from or netted against receivables.

Resolution No. 18-48

THAT, Roy Franzen and Angela Witczak, be reappointed to the Park & Recreation Commission for a term beginning August 1, 2018 thru July 31, 2021.

Moved by Wedekind, seconded by Sloan and carried that the Consent Agenda be approved-5 ayes.

NEW BUSINESS

Resolutions:

Resolution No. 18-49

THAT the Mayor and City Clerk are authorized to sign the Agreement for the use of the City of Baraboo's Property, Apparatus and Equipment for the Baraboo High School Fire Academy.

THAT the Fire Chief is authorized to make equitable arrangements with the School District of Baraboo for use of Fire Department vehicle for transportation of students to and from the high school.

THAT the Fire Chief and other Fire Department personnel are authorized to work with Madison College (MATC) as instructors for the Baraboo High School Academy as long as all of the requirements of the City's policy regarding moonlighting are complied with.

Moved by Wedekind, seconded by Alt and carried that **Resolution No. 18-49** be approved with the addition to the agreement of a term of one year-5 ayes.

Resolution No. 18-50

That a permanent easement along the unimproved right-of-way of 12 Avenue, west of Oak Street, for a paved driveway not exceeding 12 feet in width is hereby granted by the City of Baraboo to Richard Manthe and Steven Ramsey as described in the attached Easement Agreement.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-50** be approved-5 ayes.

Resolution No. 18-51

THAT the City of Baraboo enter into an Inter-Governmental Agreement with the Village of West Baraboo to accept a Stewardship Grant of \$64,000 for the purpose of river access and stabilization at Maxwell-Potter Conservancy.

Moved by Ellington, seconded by Alt and carried that **Resolution No. 18-51** be approved-5 ayes.

Ordinances:

Moved by Petty, seconded by Sloan and carried unanimously to approve the 1st reading of **Ordinance No. 2494** revising the City of Baraboo Code of Ordinances §7.08 Speed Limits.

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

1. The City of Baraboo Code of Ordinances § 7.09 is revised as follows:

7.09 PARKING RESTRICTIONS.

(16) RESERVED PARKING FOR OFFICIALS. (1534 03/02/89)

(b) The following officials, departments, and department heads shall have a reserved parking space in the City parking lot or in the Alma Waite Annex parking lot located north of the Municipal Building: (1802 04/11/95, 2033 11/14/2000, 2321 10/27/2009)

Fire Department ("For Fire Personnel Only") – 9 spaces (2075 02/26/2002, 2321 10/27/2009)

Baraboo District Ambulance Service – 3 spaces (2321 10/27/2009)

(e) The following parking spaces shall be reserved for the parking of fire department personnel for emergency calls on a 24-hour basis:

The west side of Ash Street between 4th Street and 5th Street.

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

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS – None.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Monthly Reports from May 2018 – Treasurer, Fire Dept.

Minutes from the Following Meetings –

Finance/Personnel Committee – Committee Room #205

June 12, 2018

Members Present: Petty, Thurow, Sloan

Absent: none

Others Present: Mayor Palm, E. Geick, E. Truman, C. Haggard, B. Zeman, T. Gilman, P. Cannon, T. Pinion

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Petty to approve the minutes of May 22, 2018. Motion carried unanimously. Moved by Sloan, seconded by Petty to approve the agenda. Motion carried unanimously.

Action Items

Accounts Payable – Moved by Sloan, seconded by Petty to recommend to Council approval of the accounts payable for **\$231,759.20**. Motion carried unanimously.

Lease with CDA – CDA Director Pat Cannon explained that the final borrowing has been reduced from \$13,750,000. Approximately \$1.6 million that is left in cash from the original borrowing will be used to pay down and we will borrow the rest with USDA. This will lower the lease payments for the life of the borrowing from approximately \$620,000 to \$512,000. The first 10 years we will have to make a separate payment of \$52,000, \$26,000 twice a year to the CDA that will go to the Debt Service Fund. There is an annual audit requirement and they are currently working on language to include this as part of the City's lease payment. Motion by Sloan, seconded by Thurow and carried unanimously to recommend to Council for action.

Public Works Purchase – Street Superintendent Tony Gilman noted that the overall cost of the equipment that they are looking to purchase came in under budget. Instead of trading the old vehicle in, they will use this vehicle and sell it at auction upon delivery of the new truck. The International came in at a slightly lower price and they were able to offer a couple other incentives to include a maintenance software. Motion by Sloan, seconded by Thurow and carried unanimously to recommend to Council for action.

FY2019 Budget Calendar – Adm. Geick explained that he has reviewed this calendar with Finance Director Haggard. This calendar meets all the required dates for public notices. This is informational only, no action taken.

Informational Items:

Atty Truman presented an update on the status of insurance claims filed against the City. The following claims have been made against the City and denied:

- \$49,000 for slip and fall at the Library
- \$1,234.01 for property damage to citizen's vehicle from snowplow

One claim against the City in the amount of \$3,592.67 for damage to an Alliant Energy light pole has been paid.

Committee Comments - None.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID) Promotions/Personnel Committee Meeting April 05, 2018

Members Present: T. Wickus, L. Steffes, B. Stelling

Member Absent: S. Fay, L. Stanek

Call to Order: Chairman Wickus presided over the meeting, called it to order at 8:46 A.M., and noted compliance with the Open Meeting Law.

Minutes: Moved by, Steffes seconded by Stelling, and unanimously carried to approve the minutes of the Feb. 26, 2017 meeting.

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

Old Business:

New Business: Fred Moh (our Framer's Market Manager) reviewed the USDA/FDA Farm Food safety series information with the committee and he discussed in detail how the Farmer's market operates.

Adjournment: Moved by Steffes, seconded by Stelling and unanimously carried to adjourn at 9:35 A.M.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID) Promotions/Personnel Committee Meeting May 31, 2018

Members Present: T. Wickus, L. Steffes, S. Fay, L. Stanek

Member Absent: B. Stelling

Call to Order: Chairman Wickus presided over the meeting, called it to order at 8:40 A.M., and noted compliance with the Open Meeting Law.

Minutes: Moved by, Fay seconded by Stanek, and unanimously carried to approve the minutes of the Feb. 26, 2017 meeting.

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

Old Business:

New Business: Moved by, Fay seconded by Stanek and unanimously carried to Rent two 8X20 Billboards next to Badger Glass on HWY 136 for a duration of 12 months starting June 1st 2018 ending May 31, 2019 in the amount of \$4,000.00.

Moved by, Fay seconded by Stanek and unanimously carried to pay up to \$400.00 for design services to create the two billboards.

Adjournment: Moved by Steffes, seconded by Stanek and unanimously carried to adjourn at 9:40 A.M.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID) BOARD OF DIRECTORS May 16, 2018

Members Present: S. Fay, L. Steffes, N. Marklein Bacher, S. Byberg, M. Zolper, T. Wickus, L. Stanek, D. Ender

Members Absent: B. Stelling

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 Zolper and unanimously carried to approve the minutes of April 18, 2018.

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

Reports:

Business Development:

- Workshop at City Hall on 5/22 on historic tax credits
- Discussion of creating an email list of property tax payers
- Pop-up shop meetings have gone well

Promotions:

- ½ Page Brava ad is in Devil’s Lake Wisconsin.com

Old Business:

- Garbage in upper lot at 2nd Street and Oak
- Fiber update – Sarah sent letter to Centurylink and Charter requesting information/bids. No word from Reedsburg Utility
- Mural project update – General discussion – Taking applications until June – Project will probably be ended after this next installment.
- Pop-up Shop update – NE corner of Ash and 4th Marty or Skip Blake for old Invictus Shop.

New Business:

1.	Vouchers	Dog Waste Depot	279.97
		Skillet Creek Media	465.00
		Baker Tilly Virchow Krause	1500.00
		Gatehouse Gardens	710.00
		Nei-Turner Media	1085.00
		Cutting Edge	<u>1130.00</u>

TOTAL: 5169.97

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

2. Election of Officers – Sarah Fay, Pres. / Todd Wickus, Vice Pres. / Nicole Marlein Bacher, Secretary / Bekah Stelling, Treasurer. Moved by Steffes, seconded by Wickus, and unanimously carried to approve the vouchers.
3. Parking concern by Cross, Jenks – Discussed lack of parking – Ed has discussed this issue with Sauk County.
4. BID member contact – City will mail out request for email addresses of BID members.
5. Transfer of funds from reserve for bike racks that were not purchased as allocated for in 2017 to the appearance 2018 funds. Moved by Steffes, seconded by Zolper, and unanimously carried to approve the \$2,000 transfer of funds.
6. Steffes moved to keep committees the same except for: Remove Fred Kruse, add Dana Ender to Appearance Committee, seconded by Byberg, and unanimously carried to approve.

Correspondence & Announcements:

Discussed branding meeting.

Next Meeting: Wednesday, June 20, 2018 at 5:45pm, Committee Room #205.

Adjournment: Moved by Stanek, seconded by Zolper, and unanimously carried to adjourn at approximately 6:45 p.m.

Baraboo Business Improvement District (BID) - Business Development Committee Meeting March 13, 2018

Members Present: Lacey Steffes, Nicole Marklein Bacher, Michael Zolper, Dana Ender, Laura Stanek

Members Absent:

Also Attending:

Call to Order: Lacey Steffes presided over the meeting and called to order at 9:00 am and noted compliance with the Open Meeting Law.

Meeting Minutes: Moved by Stanek, seconded by Zolper, and unanimously carried to approve the minutes of September 20, 2017.

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

New Business:

1. Review 2017 Pop-Up Shop Program
2. 2018 Pop-Up Shop Recommendation – Michael motioned to continue 2018 Pop-Up program, seconded by Laura.
3. Other Business Development 2018 options.

Adjournment: Moved by Laura, seconded by Michael, and unanimously carried to adjourn at 9:30AM.

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

Police & Fire Comm.	03-19-18, 04-16-18, 05-21-18, 05-30-18	Park & Rec	05-14-18
Baraboo Public Arts Assoc.	05-24-18	Library Board	04-17-18
Plan Commission	05-15-18	UW Campus	05-17-18
Ambulance Comm. & Finance	02-28-18		

Petitions and Correspondence Being Referred –

Appeal of Devine Custom Truck and Auto’s Conditional Use Permit application. The Council set a date of July 10th at 7:00pm for the Public Hearing.

INFORMATIONAL ITEMS - None.

ADJOURNMENT

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

Brenda Zeman, City Clerk

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

Approved by Mayor: _____

Motion:

Certified by City Clerk: _____

Second:

The City of Baraboo, Wisconsin

Background: The City recently issued an RFP for Asbestos Abatement prior to the demolition of the existing commercial buildings at 325 Lynn Street. Proposals were received from 2 firms with the results as follows:

Dirty Ducts Cleaning Environmental & Insulation	\$15,764
Robinson Brothers Environmental, Inc.	\$34,197

The Finance Committee reviewed these Proposals at their July 10th meeting and recommended award of this Proposal to the low bidder.

Although this is not a budgeted expense, the cost of asbestos abatement and demolition of this house will be offset by the sale of the resulting vacant lot.

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

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

That the Proposal for Asbestos Abatement at 325 Lynn Street from Dirty Ducts Cleaning and Environmental, Inc., in the amount of \$15,764, is hereby accepted and all other bids are rejected.

Offered by: Finance Committee
Motion:
Second:

Approved: _____
Attest: _____

NOTICE OF PUBLIC HEARING
City of Baraboo, Wisconsin

NOTICE IS HEREBY GIVEN that the Common Council of the City of Baraboo, Wisconsin, will hold a public hearing in the Council Chambers in the Municipal Building located at 101 South Blvd, Baraboo, Wisconsin, on Tuesday, July 10th, 2018, at 7:00 o'clock p.m. for the purpose of giving any interested persons an opportunity to be heard regarding the following matter:

The General Development Plan for Capitol Housing II, LLC in accordance with Steps 3 and 4 of the PUD Process and the corresponding zoning as a Planned Unit Development to construct multi-family residential complex on the 1.6-acre site at 325 Lynn Street, in a B-1 Central Business zoning district.

Any person interested in obtaining additional information concerning the subject matter of this hearing may contact the City Engineering Department at the Municipal Building, 101 South Blvd, Baraboo, Wisconsin 53913.

PLEASE TAKE FURTHER NOTICE that the Common Council may make substantial changes in the zoning as a result of objection, debate and discussion at this hearing. For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com.

/s/ Brenda M. Zeman, City Clerk

To be published as a Class II Notice in the legal section
June 25, 2018 and July 2, 2018.

NBO - 1

The City of Baraboo, Wisconsin

Background: William McDonough and Tim Cummings, d/b/a Capitol Housing II, LLC are in the process of purchasing the property at 325 Lynn Street from the City of Baraboo. Since their proposed 70-unit apartment complex project does not neatly fit into the long list of permitted uses in a B-1 Central Business zoning district, it warrants a Planned Development Overlay zoning.

The Plan Commission reviewed the GDP and the SIP for this project their June 19th meeting and voted unanimously to forward the GDO to the Council for rezoning with a favorable recommendation to approve it. The SIP will be reviewed at the Plan Commission's July 17th meeting.

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

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 Development is approved and incorporated into the zoning map: 2018-03.

- 2. The attached General Development Plan is approved as Planned Unit Development 2018-03.
3. This Ordinance shall take effect upon passage and publication as provided by law and have an effective date commensurate with the sale of said property.

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 July 2018, and is recorded on page ____ of volume ____.

City Clerk: _____

GENERAL DEVELOPMENT PLAN (GDP) FOR THE PROPERTY AT 325 LYNN

**STREET IN THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN,
TO BE ZONED AS A PLANNED UNIT DEVELOPMENT**

William McDonough and Tim Cummings, d/b/a Capitol Housing II, LLC, owners of the property at 325 Lynn Street, have requested that the property be rezoned as a Planned Unit Development (PUD) under the City of Baraboo's Zoning Code upon the following General Development Plan submitted for approval pursuant to §17.36B(7), of the Baraboo Code of Ordinances:

1. The real property involved in this General Development Plan (GDP) consists of that property located at 325 Lynn Street, as shown on the Certified Survey Map attached as Exhibit A and made a part hereof.

Tax Parcel 206-1759-00000

Lots 1, 2 and 3 of the Original Plat of the City of Baraboo, Sauk County, Wisconsin (subject to the restrictions of Document No. 1108469 recorded in the office of the Sauk County Register of Deeds.

Tax Parcel 206-0947-00000

Lands located in the fractional NW ¼ of the NW ¼, Section 1 and the fractional NE ¼ of the NE ¼ of Section 2, T11N, R6E City of Baraboo, Sauk County, Wisconsin.

Said lands contain 1.58 acres, more or less.

2. The existing 1.58-acre parcel has two existing buildings that are scheduled to be razed by the City of Baraboo.
3. The property is presently zoned B-1 Central Business. The specific intention of the petitioner is to construct a 70-unit apartment complex with 89 underground parking stalls and 21 surface parking stalls on the property.
4. The GDP provides a conceptual development plan for the property pursuant to the drawings attached as Exhibit B and made a part hereof.
5. The property is specifically approved for use as a 70-unit apartment complex. The use of the property and the location of the building shall not be changed from such use without the modification of this GDP and subsequent approval by the City's Common Council.
7. Signs upon the property shall be allowed pursuant to Subchapter III – Sign Code in Section 17.80 of the City's Zoning Code.
8. The terms of the GDP shall be covenants running with the land, and applicable not only to the petitioner, but also to any and all subsequent owners as well.

EXHIBIT A

As prepared by:

GA GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS

625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (608) 742-7788 SAUK: (608) 644-8877
FAX: (608) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

G & A FILE NO. 518-311

DRAFTED BY: T. KASPER

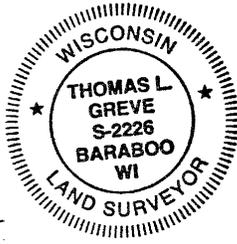
CHECKED BY: TG

PROJ. 1016-547

DWG. 518-311 SHEET 2 OF 3



SEAL:



SAUK COUNTY CERTIFIED SURVEY MAP NO. _____
GENERAL LOCATION

Volume _____, Page _____

LOTS 1, 2 AND 3, BLOCK 6, ORIGINAL PLAT OF THE VILLAGE OF BARABOO, NOW CITY OF BARABOO AND LANDS LOCATED IN THE FRACTIONAL NW1/4 OF THE NW1/4, SECTION 1 AND THE FRACTIONAL NE1/4 OF THE NE1/4 SECTION 2, T. 11 N, R. 6 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, **THOMAS L. GREVE**, Professional Land Surveyor, do hereby certify that by the order of **Timothy Cummings**, I have surveyed, monumented, mapped and divided Lots 1, 2 and 3, Block 6, Original Plat of the Village of Baraboo now City of Baraboo located in the fractional Northwest Quarter of the Northwest Quarter of Section 1 and the fractional Northeast Quarter of the Northeast Quarter of Section 2, Town 11 North, Range 6 East, City of Baraboo, Sauk County, Wisconsin, described as follows:

Commencing at the Northeast corner of Section 2;
thence South 00°25'59" West along the East line of the Northeast Quarter of said Section 2, 826.72 feet to a point in the North right-of-way line of Lynn Street;
thence North 77°22'13" West along the North right-of-way line of Lynn Street, 34.41 feet;
thence North 89°38'52" West along the North right-of-way line of Lynn Street and the South line of Lots 1, 2 and 3, Block 6, Original Plat of the Village of Baraboo, now City of Baraboo, 201.00 feet to the Southwest corner of said Lot 3;
thence North 00°36'33" East along the West line of said Lot 3 and the Northerly extension thereof, 252.34 feet to a point which bears South 00°36' 33" West, 15 feet more or less from the water's edge of the Baraboo River and the beginning of a meander line along said river;
thence South 70°02'59" East along said meander line, 278.12 feet to a point in the East line of land described and recorded in Document No. 1108469, said point bearing South 00°25'59" West, 95 feet more or less from the water's edge of the Baraboo River and the end of this meander line along said river;
thence South 00°25'59" West along the East line of land described and recorded in Document No. 1108469, 172.52 feet to a point in the North right-of-way line of Lynn Street;
thence North 77°22'13" West along the North right-of-way line of Lynn Street, 28.94 feet to the point of beginning. Containing 68,840 square feet (1.58 acres), more or less. Intending to include all lands lying between the meander line herein described and the water's edge of the Baraboo River lying between true Northerly extensions of the Easterly and Westerly lines herein described. Being subject to servitudes and easements of record, if any.

I DO FURTHER CERTIFY that this is a true and correct representation of the boundaries of the land surveyed and that I fully complied with the Provisions of AE7 Wisconsin Administrative Code, Chapter 236.34 of the Wisconsin State Statutes and the City of Baraboo Subdivision Ordinance to the best of my knowledge and belief.

Thomas L. Greve

THOMAS L. GREVE
Professional Land Surveyor, No. 2226
Dated: May 25, 2018
File No.: 518-311

OWNER: CITY OF BARABOO
101 SOUTH BOULEVARD
BARABOO, WI 53913

CLIENT: TIMOTHY CUMMINGS
502 BASCOM HILL DRIVE
BARABOO, WI 53913

As prepared by:

GROTHMAN & ASSOCIATES S.C.

LAND SURVEYORS

625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 844-8877
FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
(RED LOGO REPRESENTS THE ORIGINAL MAP)

G & A FILE NO. 518-311

DRAFTED BY: T. KASPER

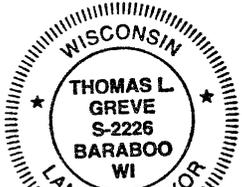
CHECKED BY: IG

PROJ. 1016-547

DWG. 518-311 SHEET 3 OF 3



SEAL:



Thomas L. Greve
5/25/18

SAUK COUNTY CERTIFIED SURVEY MAP NO. _____ GENERAL LOCATION

Volume _____, Page _____

LOTS 1, 2 AND 3, BLOCK 6, ORIGINAL PLAT OF THE VILLAGE OF BARABOO, NOW CITY OF BARABOO AND LANDS LOCATED IN THE FRACTIONAL NW1/4 OF THE NW1/4, SECTION 1 AND THE FRACTIONAL NE1/4 OF THE NE1/4 SECTION 2, T. 11 N, R. 6 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

PLAN COMMISSION RESOLUTION

RESOLVED that this Certified Survey Map in the City of Baraboo, Sauk County, Wisconsin is hereby approved by the Plan Commission.

Mayor

Date

City Engineer

Date

I HEREBY certify that the foregoing is a copy of a Resolution adopted by the Plan Commission of the City of Baraboo, Wisconsin, this _____ day of _____, 20_____.

City Clerk

Date

LEGEND

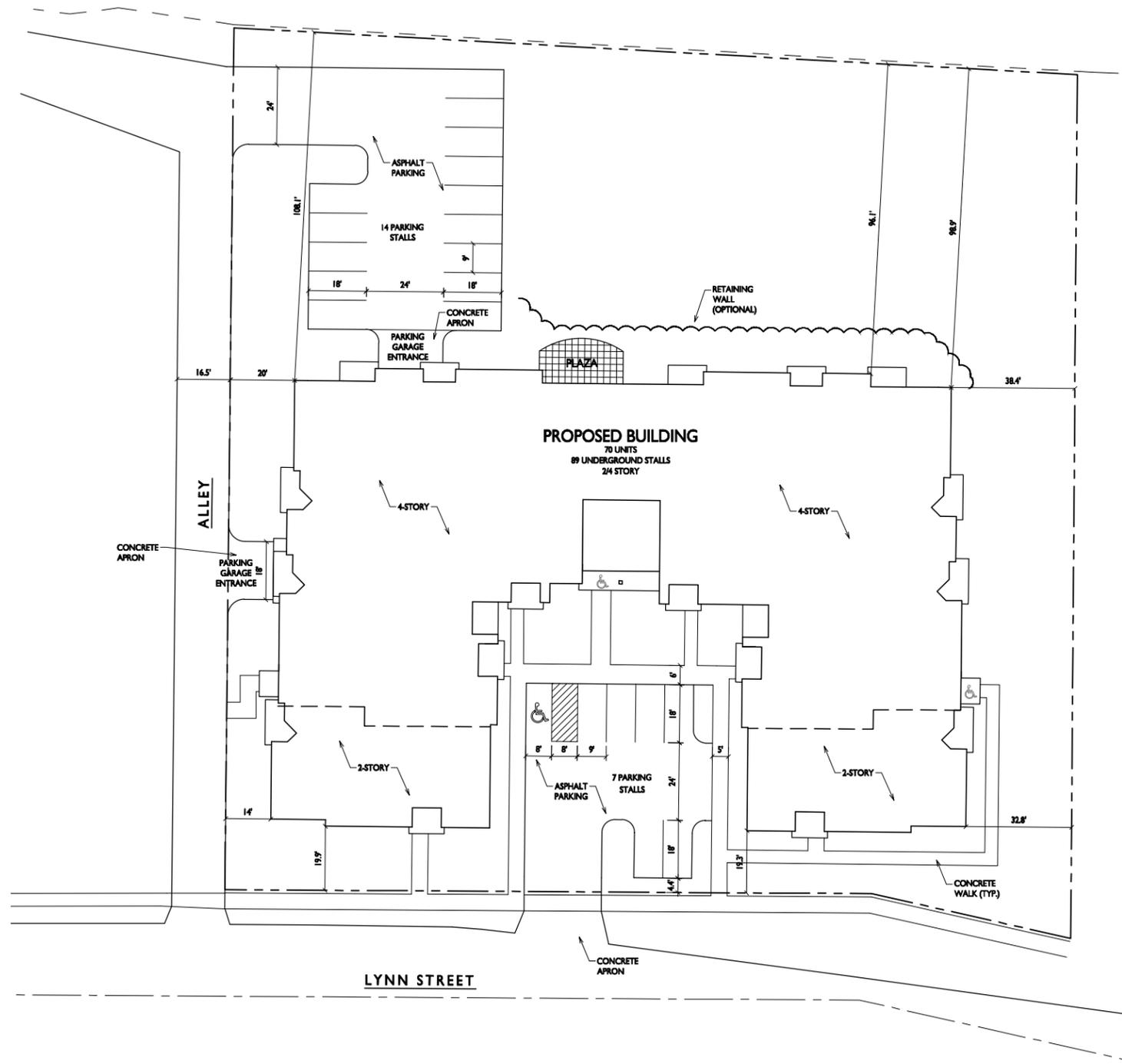
- | | |
|--|-------------------------------------|
| ● STANDARD HARRISON MON. FND. | ⊗ FIRE HYDRANT |
| ○ 3/4" X 24" IRON ROD SET
(WT. = 1.5 LBS. / L.F.) | ⊕ TELEPHONE MANHOLE |
| △ PK NAIL SET | ■ MONITORING WELL |
| ● 3/4" IRON ROD FND. | ▨ SQUARE SANITARY SEWER MANHOLE |
| ▲ PK NAIL FND. | ⊙ STORM SEWER DRAIN |
| ● 1/2" IRON ROD FND. | ⊗ SANITARY SEWER MANHOLE |
| ☆ GUARD POST | ⊙ MANHOLE ORIGIN UNKNOWN |
| ⊗ POWER POLE | —OHE— OVERHEAD UTILITY LINE |
| ↙ GUY WIRE | —X—X—X CHAINLINK FENCE |
| | () PREVIOUS SURVEY OR RECORD INFO. |

OWNER: CITY OF BARABOO
101 SOUTH BOULEVARD
BARABOO, WI 53913

CLIENT: TIMOTHY CUMMINGS
502 BASCOM HILL DRIVE
BARABOO, WI 53913

EXHIBIT B

BARABOO RIVER

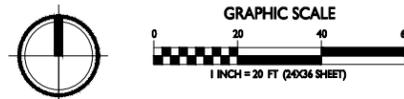


SHEET INDEX	
C-1.1	SITE PLAN
C-1.2	EXISTING CONDITIONS
A-L2	LOWER LEVEL 2 PLAN
A-L1	LOWER LEVEL 1 PLAN
A-1.1	FIRST FLOOR PLAN
A-1.2	SECOND FLOOR PLAN
A-1.3	THIRD FLOOR PLAN
A-1.4	FOURTH FLOOR PLAN
A-2.1	ELEVATIONS
A-2.2	ELEVATIONS

SITE DEVELOPMENT DATA	
SITE ADDRESS:	325 LYNN ST.
CURRENT SITE ZONING:	B1
CURRENT PLANNED USE:	PLANNED MIXED USE
PROPOSED USE:	MULTIFAMILY RESIDENTIAL
DENSITIES	
LOT AREA	68,840 S.F. / 1.58 ACRES
DWELLING UNITS	70 DU
LOT AREA/D.U.	983 S.F./D.U.
DENSITY	44 UNITS/ACRE
BUILDING HEIGHT	2-4 STORIES
BUILDING AREAS	
LL2	14,504
LL1	24,283
FIRST	22,732
SECOND	22,732
THIRD	18,334
FOURTH	17,792
TOTAL	120,377
FLOOR AREA RATIO:	1.19 (FLOORS 1-4)
LOT COVERAGE	35,772 S.F. = 52%
DWELLING UNIT MIX:	
EFFICIENCY	PHASE 1 PHASE 2
ONE BEDROOM	4 -
TWO BEDROOM	16 20
TOTAL UNITS	15 15
	35 35 70 UNITS
VEHICLE PARKING STALLS:	
SURFACE	21
UNDERGROUND	89
TOTAL	110 VEHICLE STALLS
RATIO	1.6 STALLS/UNIT



1 SITE PLAN
C-1.1 1" = 20'-0"



2 SITE LOCATION MAP
C-1.1



ISSUED
Plan Commission Submittal - June 12, 2018

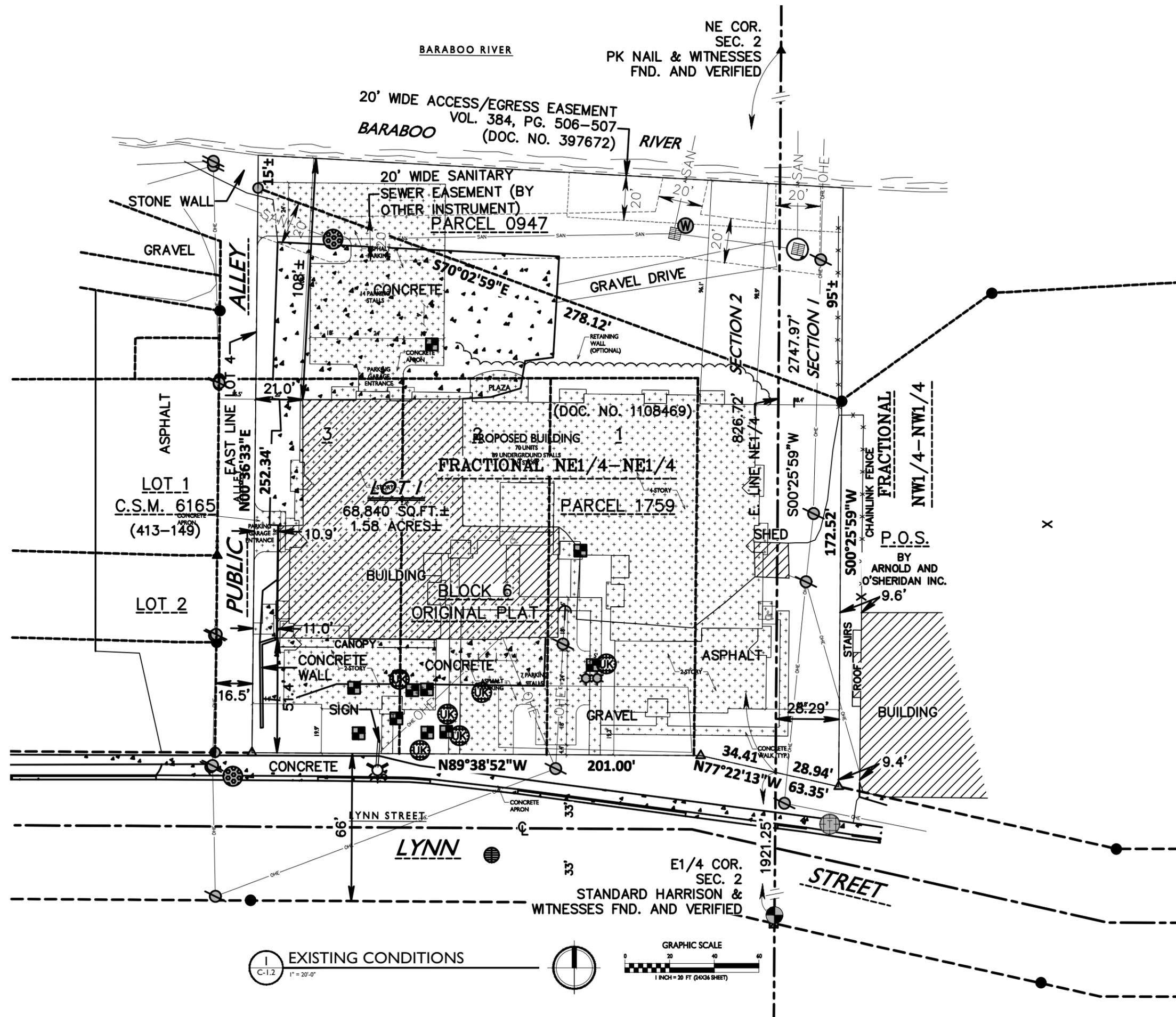
PROJECT TITLE
Starpoint

Lynn Street
Baraboo, WI
SHEET TITLE
Site Plan

SHEET NUMBER

C-1.1

PROJECT NO. 18 1824
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ISSUED
Plan Commission Submittal - June 12, 2018

PROJECT TITLE
Starpoint

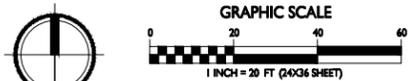
Lynn Street
Baraboo, WI
SHEET TITLE
Existing
Conditions

SHEET NUMBER

C-1.2

PROJECT NO. 19 1824
© Knothe & Bruce Architects, LLC

EXISTING CONDITIONS
C-1.2 1" = 20'-0"





knothe • bruce
ARCHITECTS

Phone: 7681 University Ave, Ste 201
488.856.3690 Middleton, WI 53562

ISSUED
Plan Commission Submittal - June 12, 2018

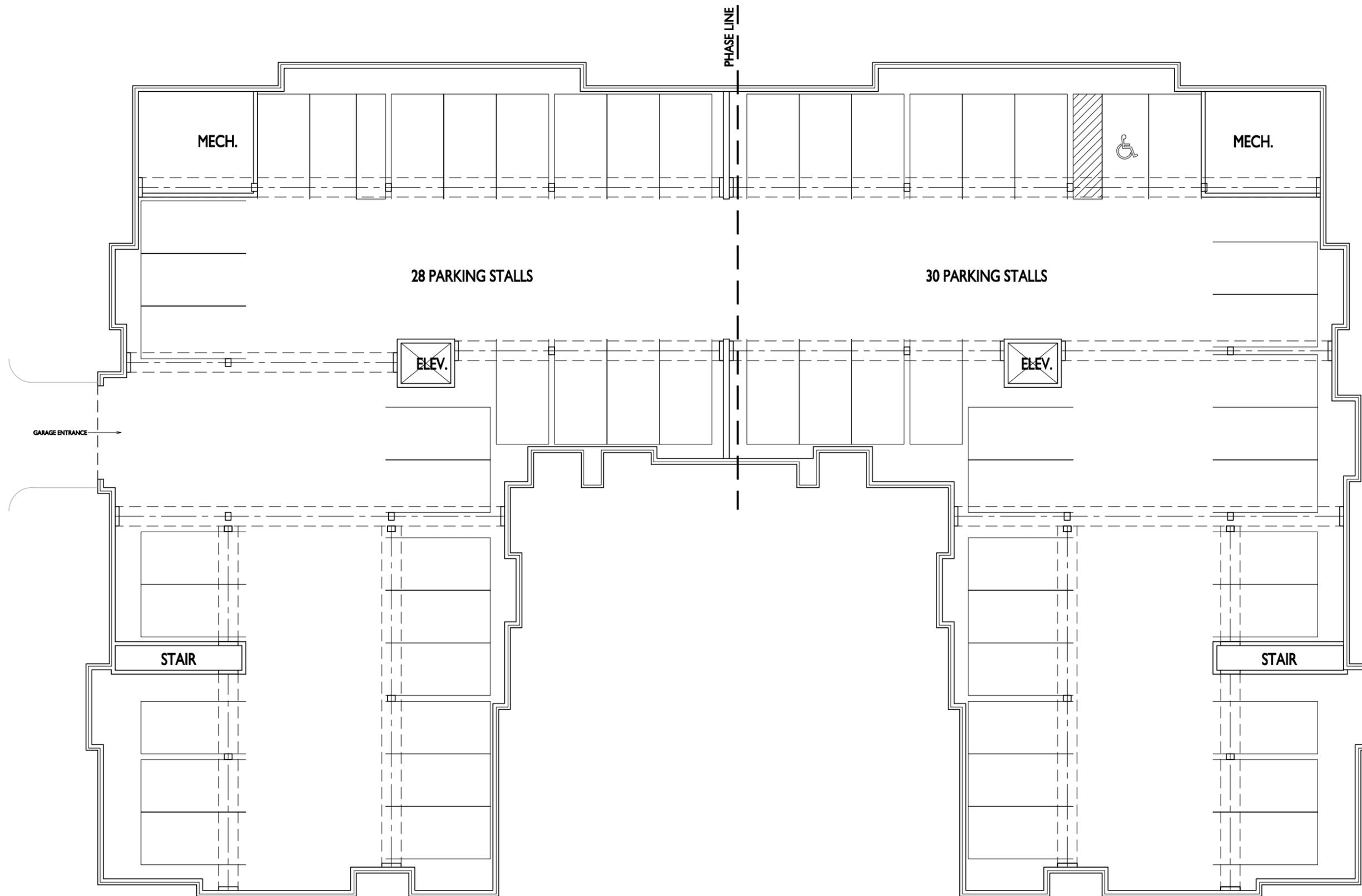
PROJECT TITLE
Starpoint

Lynn Street
Baraboo, WI
SHEET TITLE
**Lower Level I
Plan**

SHEET NUMBER

A-L.1

PROJECT NO. 20 1824
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LOWER LEVEL I PLAN
A-L.1 1/8" = 1'-0"





knothe bruce
ARCHITECTS

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ISSUED
Plan Commission Submittal - June 12, 2018

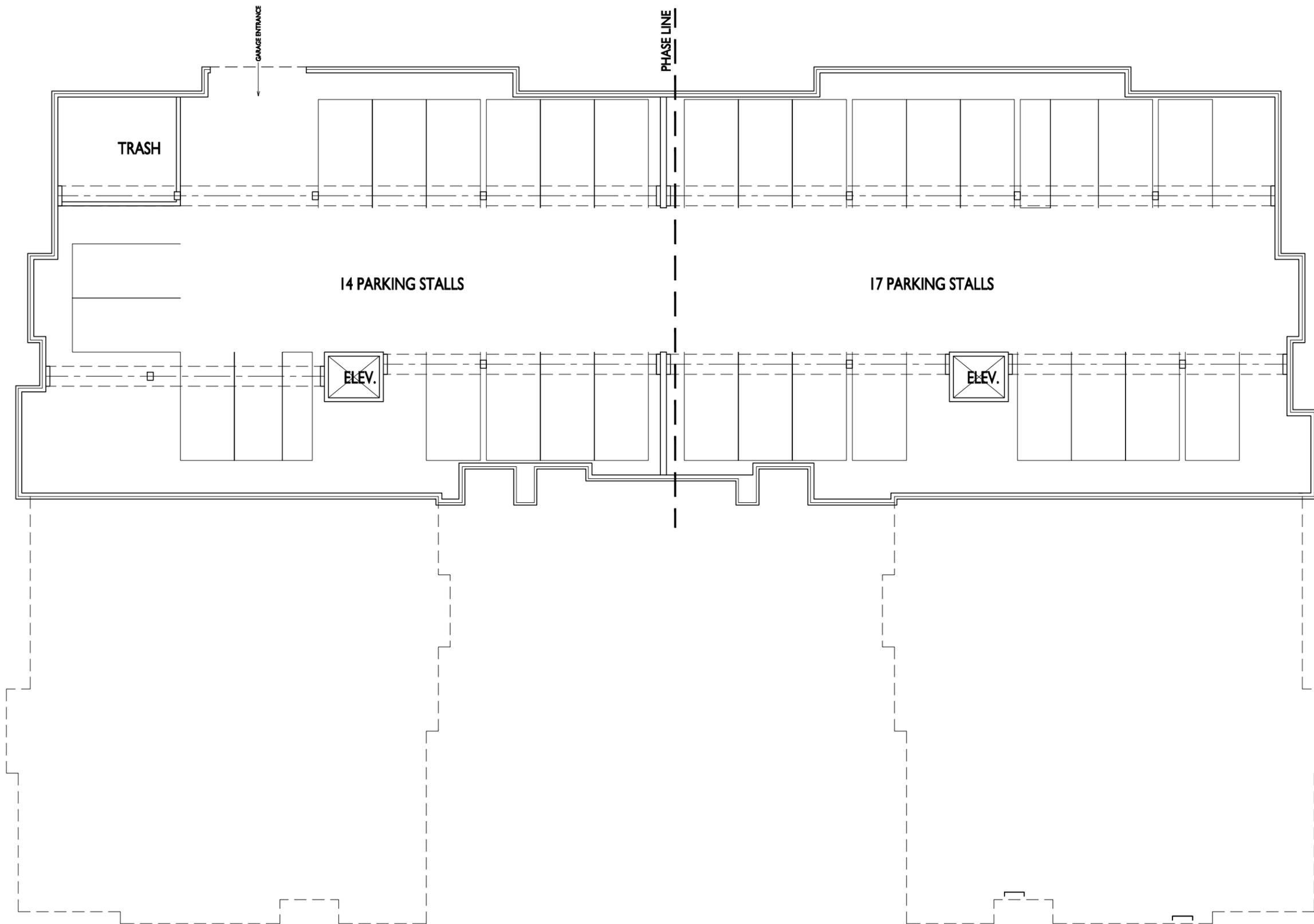
PROJECT TITLE
Starpoint

Lynn Street
Baraboo, WI
SHEET TITLE
**Lower Level 2
Plan**

SHEET NUMBER

A-L.2

PROJECT NO. 21 1824
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1 LOWER LEVEL 2 PLAN
A-L.2 1/8" = 1'-0" 



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ARCHITECTS

Phone: 7681 University Ave., Ste 201
488.834.3690 Middleton, WI 53562

ISSUED
Plan Commission Submittal - June 12, 2018

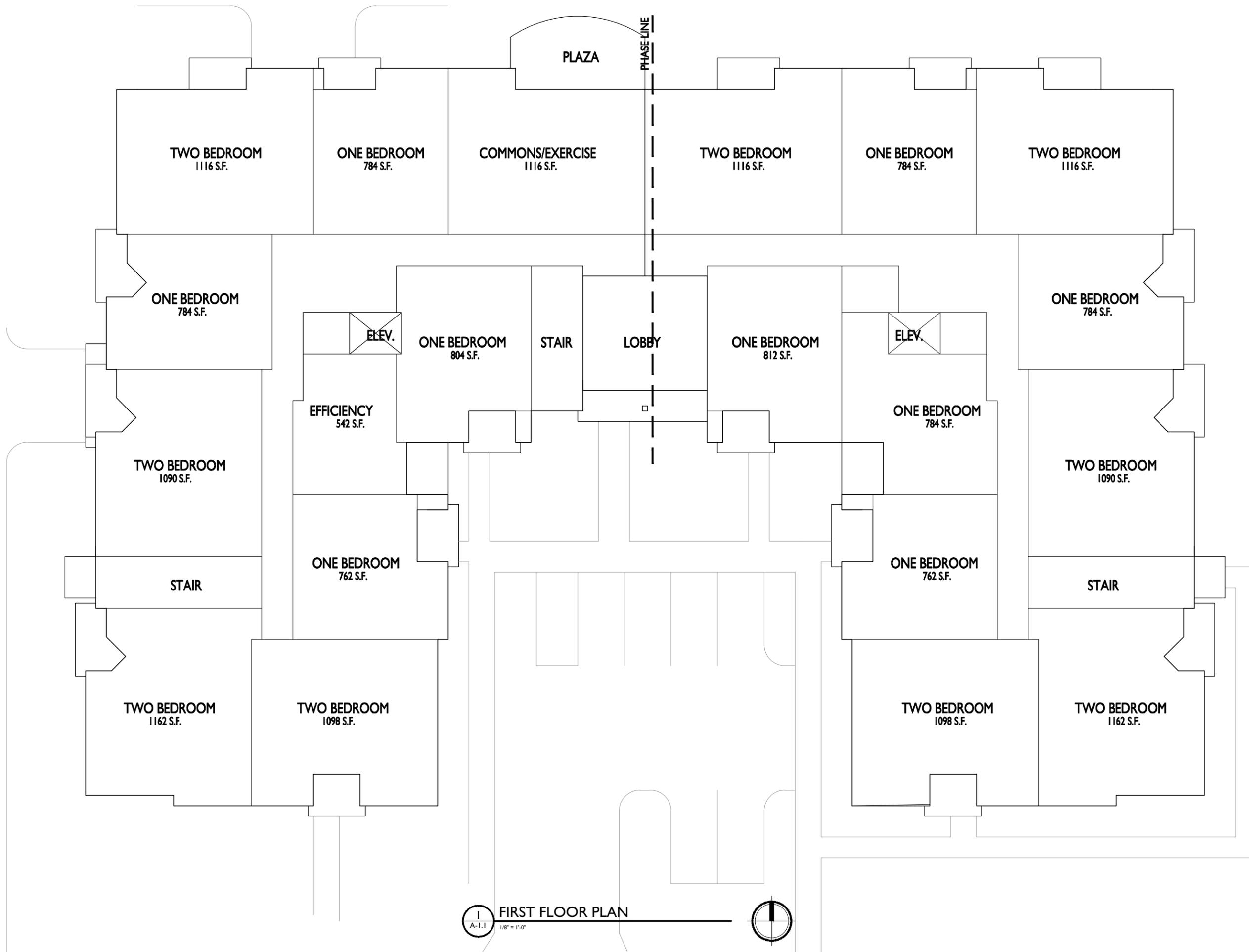
PROJECT TITLE
Starpoint

Lynn Street
Baraboo, WI
SHEET TITLE
First Floor Plan

SHEET NUMBER

A-1.1

PROJECT NO. 22 1824
© Knothe & Bruce Architects, LLC



1 FIRST FLOOR PLAN
A-1.1 1/8" = 1'-0"

ISSUED
 Plan Commission Submittal - June 12, 2018

PROJECT TITLE
Starpoint

Lynn Street
 Baraboo, WI
 SHEET TITLE
Second Floor Plan

SHEET NUMBER

A-1.2

PROJECT NO. 23 **1824**
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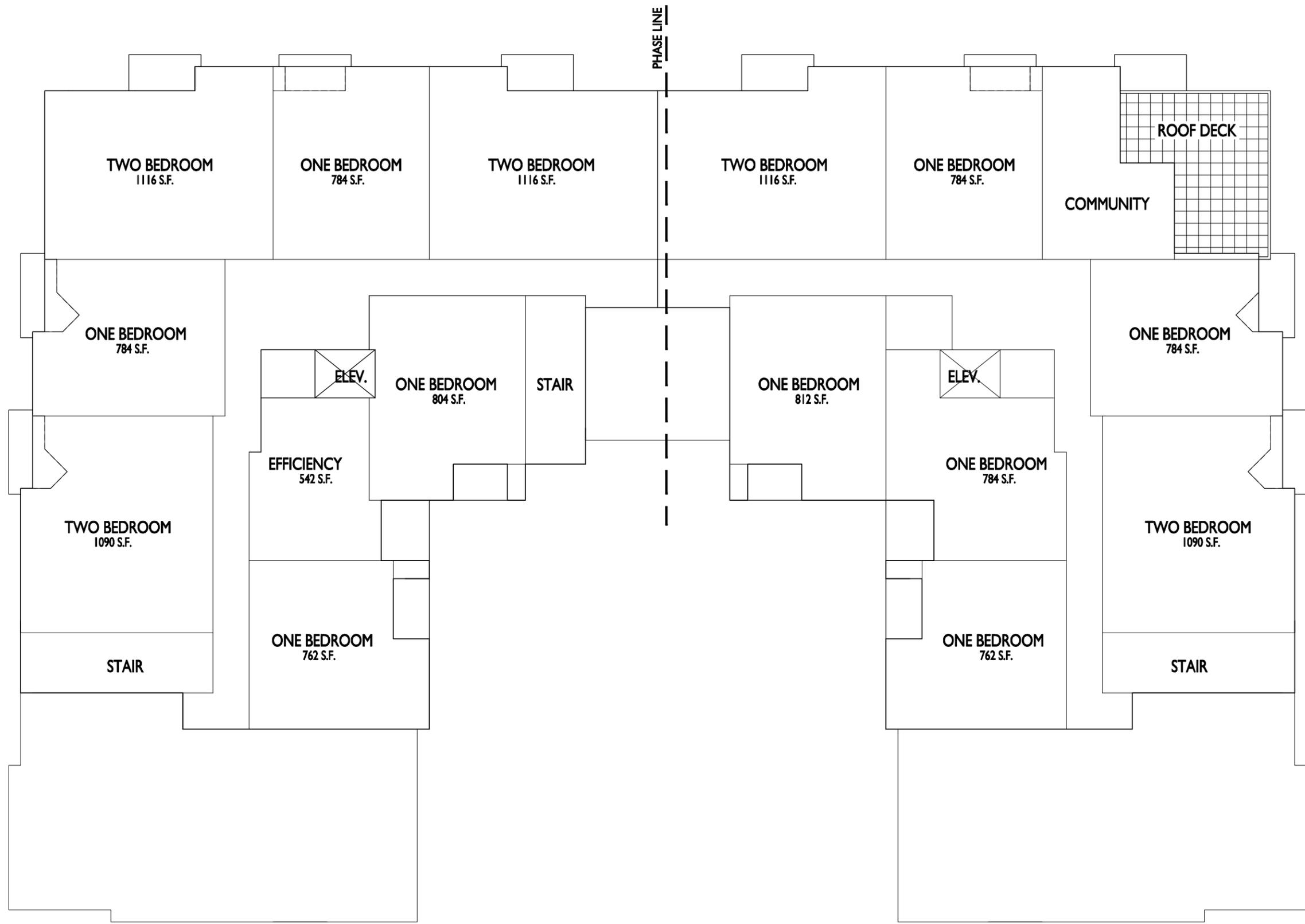


1
A-1.2 SECOND FLOOR PLAN
 1/8" = 1'-0" 



1 THIRD FLOOR PLAN
 A-1.3 1/8" = 1'-0"





1 FOURTH FLOOR PLAN
 A-1.4 1/8" = 1'-0" 



1 SOUTH ELEVATION
A-2.1 1/8" = 1'-0"

ISSUED
Plan Commission Submittal - June 12, 2018



TYPICAL MATERIALS

COMPOSITE SIDING

COMPOSITE WINDOW TRIM

CAST STONE HEAD & SILL

BRICK VENEER

VERTICAL STEEL SIDING

STEEL BALCONY TRIM

ALUMINUM BALCONY RAILING

CAST STONE VENEER

PROJECT TITLE
Starpoint

Lynn Street
Baraboo, WI
SHEET TITLE
Elevations

SHEET NUMBER

2 WEST ELEVATION
A-2.1 1/8" = 1'-0"

A-2.1



1 NORTH ELEVATION
 A-2.2 1/8" = 1'-0"

ISSUED
 Plan Commission Submittal - June 12, 2018



2 EAST ELEVATION
 A-2.2 1/8" = 1'-0"

PROJECT TITLE
Starpoint

Lynn Street
 Baraboo, WI
 SHEET TITLE
Elevations

SHEET NUMBER

A-2.2

MEMO
Office of the City Attorney



TO: City Council Members
Mike Palm, Mayor
Ed Geick, City Administrator
Tom Pinion, Dir. Public Works/City Engineer/Zoning Administrator
FROM: Emily Truman, City Attorney
DATE: July 10, 2018
RE: CUP Appeal - Devine Custom Truck & Auto Repair, LLC

Background

On June 19, 2018, the City of Baraboo’s Plan Commission considered the request of Devine Custom Truck & Auto Repair, LLC, to amend their current Conditional Use Permit (“CUP”) issued to 712 South Blvd (“Property”), which allows for an office and motor vehicle repair shop at the Property, to also allow for the sale of used automobiles. The Property was previously used as a used car dealership, however that CUP expired more than 365 days ago, thus necessitating the request. The Plan Commission voted 3-2 to deny the request.

Appeals Process

Per City Code, the Plan Commission’s decision regarding a CUP may be appealed to the Common Council. The Common Council shall:

[A]ffirm, affirm with modifications, or reverse, in whole or in part, the action of the Plan Commission and may finally grant or deny the application for a conditional use permit. The City Council may also remand the application to the Plan Commission for further review and determination.¹

It is advised that in considering the appeal, the Council permit those who wish to speak on the appeal be allowed to do so.

Legal Analysis of the CUP Application

Historically, the City has had a broad latitude in the use of CUPs. However, in 2017, Wisconsin Act 67 changed the way a municipality can regulate private property, including the use of CUP regulations.² State statute now *requires* that a municipality issue a CUP whenever an applicant “meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board.”³ The law also requires:

¹ §17.37(4), Baraboo City Code.

² For a discussion of the changes to the law, see: <https://www.lwm-info.org/DocumentCenter/View/1930/2-2018-Legislature-Curtails-Municipal-Conditional-Use-Permit-Authority>

³ §62.23(7)(de)2.a, Wis. Stat.

- That any requirements or conditions imposed “be related to the purpose of the ordinance and be based on substantial evidence,” where “substantial evidence” means “facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion,” and
- That any requirements or conditions be “reasonable and, to the extent practicable, measurable.”⁴

The City’s stated purpose of the B-3 Zoning District, where the Property is located, is “to provide for sewered commercial activities oriented toward regional markets requiring highway exposure to the highway user or intended to service vehicles.”⁵ The Property is also located in the City’s Conditional Use Overlay district, meaning any and all uses of the Property requires a CUP. The intent is to ensure the City has control over any “undesirable impacts on nearby properties, the environment, [or] the community as a whole” and “to promote the public health, safety, and general welfare of the community.”^{6,7}

The City’s Code does not specify any requirements or conditions that must be met or agreed to by the applicant for the Property prior to the issuance of the amended CUP. Therefore, any requirements or conditions mandated by the City prior to the issuance of the amended CUP must be independently analyzed within the context of the updated state statute, and must be: related to the purpose of the ordinance, based on substantial evidence, reasonable and, if possible, measurable. One condition that would meet the new standard would be to require there are no code or statute violations occurring on or at the Property relating to the sale of used vehicles for the duration of the CUP.

Recommendation

Given the changes to the state law, it is advised that the Common Council reverse the action of the Plan Commission and grant the application for the amended CUP with the condition that no code or statute violations occur on or at the Property relating to the sale of used vehicles for the duration of the CUP.

⁴ Id.

⁵ §17.29, City Code.

⁶ §17.37(1)(c), City Code.

⁷ §17.37(5)(a), City Code.

Members Present: Petty, Sloan

Absent: Thurow

Others Present: Mayor Palm, E. Geick, E. Truman, C. Haggard, B. Zeman, M. Hardy, K. Stieve

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law.

Moved by Sloan, seconded by Petty to approve the minutes of June 12, 2018. Motion carried unanimously. Moved by Sloan, seconded by Petty to approve the agenda. Motion carried unanimously.

Action Items

Accounts Payable – Moved by Sloan, seconded by Petty to recommend to Council approval of the accounts payable for **\$654,379.72**. Motion carried unanimously.

Baraboo High School Fire Academy – Fire Chief Stieve explained that the Fire Academy class will be offered this fall with 13 high school students. The classroom portion will take place at Fire Station and the practical instruction will take place at the fire station along with any other City property to include but not limited to the Jackson property, the container base training prop, and potentially any other City owned buildings and properties. City owned apparatus and equipment will be used for the practical session. It’s also estimated that there will be 5 days of travel to the MATC Campus in Madison for use of the training props there also. Fire Chief Stieve has consulted with the insurance company for the Fire Department and they have agreed to cover any liability or property damage. Transportation to and from the High School will be via Fire Department vehicle, again no insurance concerns. Attny Truman explained that the agreement includes the Baraboo School District and MATC have agreed to hold the primary insurance and thus our insurance will be secondary. There is also language that authorizes whoever is working on behalf of the Fire Department to remove students for any reason. The school is then responsible for this child, including the transportation back to the school. Moved by Sloan, seconded by Petty to amend the agreement to include a term of one year with the right to renew and recommend the amended agreement to Council for approval. Motion carried unanimously.

Uncollectible Accounts – Finance Director C. Haggard explained that these accounts have been determined uncollectable. The Committee reviewed the list, which included \$28.83 personal property, \$1,431.08 accounts receivable, \$1,015.57 CDA accounts receivable, and \$5,298.58 for Utilities doubtful accounts. Moved by Sloan, seconded by Petty and carried unanimously to recommend on to Council.

Special Event License Ordinance – Attny. Truman explained that with the current Special Event License Ordinance, the question we receive the most is what is defined as a Special Event. Because there is no statute that defines this, it is up to the Municipality to define this. The biggest change to the ordinance is the definition of what is included as a Special Event. The revised ordinance still includes a waiver of the \$150 fee for any Government or Non-Profit and any applicant can still request a waiver of costs by coming before the Finance Committee. Moved by Sloan, seconded by Petty and carried unanimously to recommend on to Council.

Inter-Governmental Agreement with the Village of West Baraboo – M. Hardy explained that we previously had an Inter-Governmental Agreement with West Baraboo to apply for a Grant. While we did not receive the grant, the DNR informed us that they had \$64,000 left that needs to be spent by the end of their fiscal year, which happens to be June 30th. M. Hardy met with West Baraboo and MSA and it was decided that the kayak launch at Maxwell-Potter comes the closest to the \$128,000 with a \$64,000 match. Our \$64,000 match would be through the ATC funds, which were designated for the River. The kayak launch project would include an accessible launch, the sidewalk to get down there, and off street parking. Moved by Sloan, seconded by Petty and carried unanimously to recommend on to Council.

Information Items - None

Adjournment – Moved by Sloan, seconded by Petty and carried to adjourn.

Brenda Zeman, City Clerk

June 14, 2018 MINUTES

Baraboo Business Improvement District (BID) - Business Development Committee Meeting

Members Present: Lacey Steffes, Nicole Marklein Bacher, Michael Zolper, Dana Ender, Laura Stanek

Members Absent:

Also Attending: Ed Geick

Call to Order: Lacey Steffes presided over the meeting and called to order at Noon and noted compliance with the Open Meeting Law.

Meeting Minutes: Moved by Bacher, seconded by Stanek, and unanimously carried to approve the minutes of March 13, 2018.

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

New Business:

1. Review recommendations from the Pop-Up Shop Committee.
2. Review Social Media proposals and business development projects – Approved:
 1. Dani Brufloft – Iphone Photography for Small Business –
 - a. Date: Tuesday, October 23, 2018 10-12
3. Don Stanley – Facebook Live and Creating Videos for your small business with your smart Phone.
4. Google Drive In's and Out's (Mary Mjelde)
5. Josh Klemons
 1. Facebook like a Ninja
 2. Instagram like a Champ

Adjournment: Moved by Bacher, seconded by Stanek, and unanimously carried to adjourn at 12:33 PM.

Respectfully submitted,
Lacey Steffes

Minutes of the Public Safety Committee Meeting – April 30, 2018

Members Present: Phil Wedekind, Tom Kolb, and Mike Plautz. **Others Present:** Wade Peterson, Ed Geick, Mike Palm, Mark Schauf, Tony Gilman, Tom Clark, Attorney Truman, Mike Hardy, Kevin Stieve, Robert Spencer, Pat Liston, Seamus Geoghegan, Jim O’Neill, Dana Sechler, Jeff Roemer, Jesse, Messer, Mike Carbonara, Ben Bromley, Al Symanski, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:30 P.M. at the Council Chambers, City Hall, 101 South Blvd., Baraboo, Wisconsin. Compliance with the Open Meeting Law was noted. Kolb moved, seconded by Plautz to approve the agenda as posted. Motion carried unanimously. It was moved by Plautz, seconded by Kolb to approve the minutes of the March 19, 2018 meeting. Motion carried unanimously.

New Business

- a. Consider revising posted speed limits on Taft Avenue (CTH T) north of 8th Street (STH 33) – Chief Schauf said that the goal is to cleanup due to some changes in the code that did not meet up with some of the existing signage. It was moved by Kolb, seconded by Plautz to revise posted speed limits of requested. Motion carried unanimously.
- b. Consider the proposed US Bike Route 30 through the City of Baraboo – Mike Hardy presented the background to the Committee. He said the US Bike Route 30 stretches from Milwaukee to LaCrosse and is looking to come through Baraboo. Hardy presented the recommended map to the Committee. He said that this Bike Route 30 go from the East Coast to Idaho. He said the Park Commission is recommending the route. Hardy said that there are no requirements from the City to do anything with this. He said as far as any signage, it would be at the City’s cost, but that is not a requirement. He said that the Park Commission has talked about installing some signage in the future; therefore, it would more than likely be at the Parks expense. Schauf said that by approving this, it then gets on the national map. It was moved by Kolb, seconded by Plautz to approve the proposed US Bike Route 30 through the City. Motion carried unanimously.
- c. Consider Wisconsin DOT’s request to detour traffic onto South Blvd., Parkway, and Walnut Street for the duration of the 2021 STH 136 bridge replacement project over Skillet Creek – Geick said that this is a follow-up on the agreement that the City worked out with the State when the City originally took over that section of highway that has now been designated as 136. It was moved by Plautz, seconded by Kolb to approve the DOT’s request to detour traffic as presented. Motion carried unanimously.
- d. Discuss Baraboo Bluff’s ATV Club’s request for an ATV route through the City of Baraboo – Chief Schauf said that there is a movement in all of the Sauk County to try to make areas more accessible to all-terrain, or U-train utility terrain vehicles. He said that there have been quite a bit of movement in some of the local townships, and the Village of West Baraboo just enacted an ordinance allowing, or opening certain roads to UTV use. Discussion took place regarding policing of the UTVs and route, and whether insurance would be required. Wedekind asked the age for operating an ATV, Schauf said that he believes it is 16, which the proper completed ATV safety course. Mike Spencer said that by DNR standards, anyone born after January 1, 1988 is required to complete a Safety Certification Course. He said that no one under the age of 16 is allowed to drive a UTV, which is a side-by-side on any highway routes. He said that a person that is 12 years old and older could ride, by DNR rules, as long as they are within physical or vocal command of their parent. He did say that there is no mandatory insurance. Spencer said that presently in the State of Wisconsin there are 12,000 miles of paved ATV routes, in Sauk County along there is 603 miles of legal ATV routes. He said that Reedsburg just opened a route through the City and looking at expanding it. Mauston has opened all their streets and routes, including county highways, and state highways, because they have jurisdiction over 193. He said Reedsburg is the only City at this time to have a route through the City; presently there are six villages that have all roads open. Spencer then gave the death statistics involving ATVs. Attorney Truman said that anytime this type of traffic is brought into a municipality where is never existed before there are safety concerns. He said that he could not give an answer today, but she would be happy to look into it if the Committee so directed. Seamus Geoghegan said that he is in opposition. Pat Liston said that he is in opposition. He does not feel that the activity is compatible with City activity with all the vehicular and

foot traffic. He said that the proposed route in itself is problematic because Crawford Street is a narrow street, ditched on both sides, then proceed through 9th Avenue, which is a major residential neighborhood, and then go out Washington Street, which he feels is one of the busiest streets in the City. He said that the problem would be enhanced when activities take place at the fairgrounds. He said that Effinger is a heavy used street, traffic travels too fast and there is a blind corner at 507 Effinger. Jim O'Neill addressed the Committee saying that he opposed it for the same reasons as Liston. Kolb asked if Spencer had queried residents along the route. Spencer said that he had one man who lives in Baraboo that campaigned and received 85 signatures. He said there are four businesses, Jose's, BP, Thunderbird Lanes, and 4-Star Restaurant that would like to see the route go through. Spencer said that he is at the meeting to seek information and guidance. Mayor Palm stated that the majority of citizens coming to him regarding the ATV routes coming through the City have been opposed to it. Kolb said he does not like the idea of an ATV route coming through a City of 12,000 people, and he worries about the mix of pedestrians, bikes, cars, motorcycles, and ATVs. Plautz said that he is open to the routes, thanked Spencer for the information, and invited him to come back if he had alternative routes. Kolb and Wedekind do not want to see ATV routes through the City at any time. (NOTE: The Clerk's office has 94 signatures in favor of ATV route, and one email request in opposition).

- e. Consider extending the contract with RW Management for Implementation Management Services of Operations Study Recommendations for the Baraboo Fire Department – Stieve said that the process has been controversial at times, which is expected and can be worked through. He said that he feels that it is helpful to have an outside party to provide another perspective to guide the department. Geick said that there has been some head pounding on a solid wall from time to time, and there are many younger firefighters who are very encouraged about making some changes and looking forward to the future. He said the Fire Department also has other firefighters that are dead set against any change at all, which has been a large part of the discussion. Geick said that RW Management has made a lot of headway, there is a lot that has been completed, or in the process of being done at this time. He said there are many issues that need to be sorted through to complete the project. It was moved by Plautz, Kolb seconded to extend the contract with RW Management on a month-to-month basis, and Chief Stieve will present a monthly progress report to the Committee. Motion carried unanimously. Kolb said that he had just received a letter from Mark Stewart stating that he did not think extending this contract is a good idea.
- f. Review Progress to-date on Implementation of Fire Department Operations Study – Kevin Stieve gave a detailed summary to the Committee regarding all items of the study. Jeff Roemer of RW Consultants introduced himself to the Committee. He said that this project has been a challenge there have been disagreements, and project team members that do not want to see the recommendations move forward. Chief Stieve introduced two project leaders to the Committee, Jesse Messer, and Mike Carbonara. He said that Tom Clark was also in attendance for informational purposes.
- g. Review Baraboo Fire Department's Standards to Response Coverage – Stieve gave the Committee a detailed summary of the Standards of Coverage.
- h. Consider Authorizing the Baraboo Fire Chief to initiate negotiations for Automatic Aid Agreements with surrounding Fire Departments – Stieve said that this has been talked about before and he specifically highlighted Delton because of talking with Chief Jorgenson. He said that he is requesting that the Committee authorize him to enter into discussions based on what has been determined in the Standards of Cover to talk with other fire departments. Wedekind is still against the mutual aid. He said that until a system is set up with five dedicated people instead of the call going out and the entire department goes, it is an extra burden on the firefighters and their families. Plautz said the issue for him would be the extra cost. Mr. Roemer said that he understands the concern with dedicated people and they are working on the staffing. He said at this time, the way that the department responds and the number of personnel that can be expected to show up is not enough equipment and resources to fight the fire. What Auto Aid does is that there are two sets of alarms, a still alarm, which is the first call that comes in and then a working still, these are all prior to MAVIS, so prior to that, there has to be an Auto Aid Agreement in order to get additional help. He said that this also helps the ISO rating to know that there is another engine or tender coming on the first initial alarm. He said that this also gives the department a sense of

what kind of response that they are going to have, what kind of equipment and resources that they are going to have. He said that it could be cancelled before they get there if not needed. Stieve understands Wedekind as far as staffing, and he said that the department has backed down off the 25% rule and he actually sees a drop in the number of responders coming to calls. Kolb asked why they should approve this now before the Standards of Cover and staff decisions are worked out on an internal level. Roemer said that he feels that the Department needs the help now either way. He said the Standards of Cover are pretty much done, they have a good sense is needed, what kind of response is needed, so they know what resources are needed, what the risks are in the community and the entire coverage area. He went on to say that a discussion on staff took place last week and is trying to be worked out. He said based on what has been heard today both of their focus will be on completing that discussion on duty crews and putting in that we need that for these types of responses. Kolb said that he would like to see the details worked out before it is brought to the Committee and approved. It was moved by Kolb, seconded by Plautz to allow the Fire Chief to initiate negotiations with surrounding Fire Departments regarding Auto Aid Agreements. Motion carried unanimously.

- i. Review MSA's initial report on the Remodeling of Former City Hall Building at 135 4th Street for the Fire Department and BDAS as a prospective tenant – Al Szymanski, MSA Professional Services introduced himself to the Commission. He said that MSA was charged with looking at the former City Hall for expanding the Fire Department, the vacated spaces, and with the potential with bringing in BDSA as a tenant in the building. He said that the goal in going through the project with being minimalistic and cost effective. He then presented the report and drawings of the work that had been done. He said that the 1st and 2nd floor remodel would cost \$265,000. He then explained the proposed remodel of the lower level (basement) for a cost of \$475,000. Plautz feels that it would be most cost effective to leave BDAS where they are. Kolb said that BDAS would still be covered in part without remodeling the basement. It was stated that Chief Sechler gave his input to Szymanski, but Geick has not had a follow-up conversation with him at this time. It was stated that the Fire Department would like sleeping quarters as well. Chief Stieve said that currently, what is in writing in a new fire station in ten years, 2028. Szymanski stated that the sleeping quarters that are in the Alma Waite Building now do not comply with State Code because they do not have the fire rated construction required by Code, nor do they have a sprinkler system. Geick said in terms of the financings, the cost of the library building is about the same as the new fire station. Geick felt that the Committee needed this information in order to make decisions in regards to the Committee sees as policy. He said that funding this is possible, whether it is this year or next year. Dana Sechler said that he just received the plans on Friday and is still looking through it. Plautz asked if he had a preference. Sechler said to go from the most extreme to where they are, Stieve has already stated that the best idea is to have a station that everyone is under one roof. Szymanski said that the biggest shortage for both fire and BDAS is the storage of vehicles. Szymanski said that it would have been easy for the cost to be double the amount, but many things have been taken out to get the cost down as low as possible.
- j. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for March & April 2018 – It was moved by Kolb, seconded by Plautz to approve monthly billing adjustments/credits as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said they are moving forward with the lead services. He said that Well #2 is complete and back on line. The annual Utility audit went great. He said that the department is cleaning sewers, hauling biosolids, and exercising valves. He said they received quotes for the sewer cleaning truck, which will go to finance committee for approval.
- b. Street Superintendent's Report – Gilman said the departments has been grinding stumps and filling, and sadly the department has plowed snow seven times in April. He said that there are some items on the surplus auction, hopefully they will bring top dollar. He then gave a status report on items budgeted for capital equipment replacement, and the paint machine came in \$3,300 under, one-ton dump \$10,000 under, plow truck \$5,000 under. He said the key point is the preferred product being looked for as far as a garbage truck goes is going to be over

the expected amount, so in the scheme of things it will be cutting it very close on cost on what was budgeted, compared to buying all the items; however, that cost does not account for the sale of any vehicles sold or trade-in.

- c. Police Chief's Report – Chief Schauf presented the report received from the Sauk County Highway Safety meeting. He said it is a snapshot of what traffic safety is in Sauk County from 2012-2017.
- d. Fire Chief's Report – Stieve said as part of the ongoing process to prepare our City staff in an event of a manmade or natural disaster, everyone one through, either a refresher or a new training on ICS 100, and Stop The Bleed. He said that working with Sauk County Emergency Management and some other community partners there has been some ALICE training done in the community.

ADJOURNMENT – Kolb moved, Plautz seconded to adjourn at 3:58 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman

Minutes of the Public Safety Committee Meeting – June 11, 2018

Members Present: Phil Wedekind and Mike Plautz. Tom Kolb was absent. **Others Present:** Wade Peterson, Ed Geick, Mike Palm, Mark Schauf, Tony Gilman, Kevin Stieve, Lori Miller, Nick Karls, Mike Johnson, and Ben Bromley.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at the City Services Center, 450 Roundhouse Court, Baraboo, Wisconsin. Compliance with the Open Meeting Law was noted. It was moved by Plautz, seconded by Wedekind to approve the agenda as posted. Motion carried unanimously. It was moved by Plautz, seconded by Wedekind to approve the minutes of the April 30, 2018 meeting. Motion carried unanimously.

New Business

- a. Consider revising parking regulations in municipal parking lot on the southwest corner of Ash & 5th Streets – Engineer Pinion presented background regarding previous reserved parking in this lot. It was moved by Plautz, seconded by Wedekind to revise the parking regulations in the municipal parking lot as recommended. Motion carried unanimously.
- b. Consider a request for an easement for a private driveway on the unimproved right-of-way of 12th Avenue, west of Oak Street, for the single-family residence at 1317 Oak Street – Engineer Pinion presented the background for this request. He said that the unimproved right-of-way serves as just access for the property to their driveway, and the owners for this property would like to pave it from Oak Street out to the existing slab. It was moved by Plautz moved, Wedekind seconded to approve an easement for a private driveway on the unimproved right-of-way of 12th Avenue, west of Oak Street as requested. Motion carried unanimously.
- c. Review and recommendation to close Oak Street between 3rd & 4th Avenues for a Special Event – “Night Markets”, on September 21st and December 21st from 5 PM to 9 PM, sponsored by Baraboo Young Professionals – Pinion said that a representative, Mike Johnson is present to discuss the group’s proposal. Pinion said that the staff thinks that this is a good idea. Johnson presented the proposal to the Committee. He said that the Baraboo Young Professionals have partners with DBI to hold “Night Markets” downtown. Chief Schauf said that the department is trying to come up with a creative solution to be able to do alcohol. He said that he feels that this event is good for the group and downtown Baraboo, and his department just has to work out some of the details. Plautz moved, Wedekind seconded to recommend the street closure for the Special Event – “Night Markets” as presented. Motion carried unanimously.
- d. Review and recommendation to levy special assessments for new sidewalk on 4th Street, 16th Street, and Vine Street and new curb & gutter on Vine Street – Pinion presented the map of the assessment area. It was moved by Plautz, seconded by Wedekind to recommend levying special assessments for new sidewalk on 4th Street, 16th Street, and Vine Street and new curb & gutter on Vine Street. Motion carried unanimously.
- e. Review Bid Tabulation and Recommend Award for 2018 Street Reconstruction Projects – Pinion presented background to the Committee. It was moved by Plautz, seconded by Wedekind to award the bid for the 2018 Street Reconstruction Projects to Dean Blum Excavating. Motion carried unanimously.
- f. Review Bid Tabulation and Recommend Award for WRRF Insulated Garage Building – Peterson presented the background to the Committee. He said there were four bidders and Brute Construction has met all requirements, and he is recommending that the bid be awarded to Brute. He said that his department would be doing all excavating, concrete, and landscaping work. It was moved by Plautz, seconded by Wedekind to recommend awarding the bid for the WRRF Insulated Garage Building to Brute Construction. Motion carried unanimously.
- g. Review Bid Tabulation and Recommend Award for DPW Pole Building – Gilman presented the background to the Committee. He said that this project was planned prior to his arrival. He said the budgeted amount at that time was in the range of \$60,000. He said that the bids have come in higher than expected; therefore, staff is exploring some options were a mid-point can be found.
- h. Review and Approve purchase of a 2019 International Plow Truck – Gilman presented background and pricing to the Committee. He said what the vendor was talking for trade-in value, staff feels that they could get a lot better price from the surplus auction. It was moved by Plautz, seconded by Wedekind to approve the purchase of a 2019 International Plow Truck as presented. Motion carried unanimously.

- i. Review and recommend approval of the WWTP's 2017 Compliance Maintenance Annual Report – Peterson presented the report to the Committee saying that the WWTP received all As. It was moved by Plautz, seconded by Wedekind to recommend approval of the WWTP's 2017 Compliance Maintenance Annual Report. Motion carried unanimously.
- j. Review Progress to date on Implementation of the recommendations in the Fire Department Operations Study – Chief Stieve presented a detailed progress report on the Fire Department Operations Study to the Committee. Testing of fire alarm and fire equipment was discussed. Chief Stieve said that the Building Inspection is a recommendation in the Fire Department Operations Study, and there is a staff meeting on this in the near future.
- k. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for May 2018 – It was moved by Plautz, seconded by Wedekind to approve the monthly billing adjustments/credit for May, 2018 as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said things are going well, the department is treatment busy both on the water and wastewater side. He said that the department is moving forward with the service replacements. He said sewer cleaning is about 70% complete. He said the project for the Treatment Plant starts the second week in July. He said the Water people are replacing hydrants, valves, services, and getting the flushing done.
- b. Street Superintendent's Report – Gilman said that the department is busy with routine projects. Gilman thanks Ben Bromley for the article regarding the brush pickup process. He said the department is trying to get started on crack filling, and asphalt repair. He said the department is working with the Water Department repairing curb.
- c. Police Chief's Report – Chief Schauf said that there are some drug things going on, they department just received the federal warrant for the drug seizure the department just participated in with the FBI. He said that there was several pounds of marijuana seized between Juneau and Sauk County. He said that the department is down three officers, so staffing is getting tight. He said that there are eight potential candidates. He said the PD is also preparing for the upcoming 4th of July, Fair, and Circus Parade.
- d. Fire Chief's Report – Stieve said that they are in the process of getting the High School Fire Academy implemented in the fall. He said what is needed is a written agreement between the Baraboo School District, City of Baraboo, and MATC. Stieve then discussed transportation of students, and how the training would work. Lori Miller, Baraboo School District Administrator said that they are very committed to the Fire Academy. It was stated that there are 13 students. Miller stated that Baraboo is one of three school districts in the State of Wisconsin that can have this kind of partnership with the City, so she feels it something that the City can be proud of. She said that the students would exit with work force certifications, which allows them some benefits. Nick Karls, of Baraboo School District explained the benefits for the students. Stieve then explained the requirements and cost for the students. He said the school district was going to pick the cost up; however, MATC has written a grant through the Department of Workforce Development, they are in the process, and he feels that it is promising. Steve said that he was very impressed with the preparations that the students have done. He said this week he did ALICE training at WCCU Credit Union with 15 employees attending, and yesterday St. Paul's Lutheran Church with 52 people. He said that the department attended an evening at Al Behrman School and he invited the Red Cross because they have a free smoke detector program. He said that they spent two days installing approximately 25 smoke alarms free of charge in homes.

ADJOURNMENT – Wedekind moved, Plautz seconded to adjourn at 1:56 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman

Present: Alderpersons John Alt and John Ellington
Absent: Alderperson Michael Zolper
Also Present: Mayor, Mike Palm; City Administrator, Ed Geick; Attorney, Emily Truman; Police Chief, Mark Schauf; Finance Director, Cynthia Haggard and City Clerk, Brenda Zeman

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

Moved by Ellington to approve the minutes of June 4, 2018, seconded by Alt and unanimously carried.

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

Review and recommendation to the Common Council to update the Council Member's Handbook.

Truman informed the Committee that what was before them now is the same as what was presented to them last month: A copy of the current Council Members' Handbook and the proposed new one. As was mentioned last month, Truman stated she was getting rid of the legalese contained in original version. She emphasized her desire to make the language more user friendly. Ellington mentioned that he and others could always refer back to the ordinances, if needed. Truman concurred.

Truman mentioned she started the revision process over a year ago. The point of reference she was using was the 2001 version, which until just recently, was the handbook available online. She also mentioned she was motivated by the Library's handbook (given out to Library Board Members).

Truman presented to the committee two questions: 1) Are there any changes the Committee wanted to make to the handbook? 2) Should the City provide this handbook and other material to newly elected officials in binders?

Ellington questioned quorums: He recited, from the handbook, that 2/3 of the members of Council is quorum. He mentioned there was a meeting with five (5) and wanted to know what that meant. Truman responded, that it's in chapter 2 of the Code of Ordinances, and that it was a very good question. She sought resolve by mentioning that Council could adopt a rule whereby less than 2/3, they can suspend the rules to allow what is considered a standard Robert's Rules Quorum – the majority. Alt asked if the Committee should recommend the change now. Truman was in favor of it.

Ellington mentioned he would like to see page numbers added to the handbook and directed the Committee to the last page. This section contained the wording about the quorum. Truman stated that if the Committee wanted to recommend to change the Ordinance, she would bring the revised Ordinance and revised handbook (which would mirror the change in the Ordinance) to the next meeting.

Mayor Palm added that if the Ordinance was going to change, he suggested a simple majority. Truman added that Chapter 2 of the Code of Ordinances may need additional changes. Truman wanted guidance on whether to revise this particular portion of Chapter 2 or look at the Ordinance in its entirety for other potential changes. Ellington responded that the entire Chapter should be reviewed. Truman concluded with asking if there were other changes to the handbook.

Ellington wanted confirmation as to his understanding about the Library Board. He stated, according to the handbook, the municipality could have a member chosen for the Library Board, but just couldn't have two (2). Truman concurred. Mayor Palm added that the makeup of the Library Board is very specific and that it will be reviewed. Truman asked if the Committee wanted a list of members serving on committees in the handbook. Ellington and Alt both responded that they like the summary of all the Boards and Committees in the handbook to include a list of who is assigned to them.

Truman asked if the Committee wanted the handbook in a binder. Both Ellington and Alt wanted the handbook in a binder.

Motion to hold this item until the August 6, 2018 meeting by Ellington, seconded by Alt and unanimously carried.

Consider recommendation to the Common Council to change the City Code Chapter 14.13, "Private Swimming Pools" for the purpose of allowing pool covers as a substitution to fences – referred to in section (4) "Fences."

Ellington wanted to hear from Chief Schauf. Schauf commented that he has seen these covers and believes it meets the insurance institute's standards. However, the problem is how easy it is to open the covers. He added that a fence is a visible barrier, as well as a physical barrier. The covers are easily seen. Truman added that pool covers are not an issue with the City's insurance carrier: If the City changes the Ordinance, there are no liability concerns. Geick interjected that there is a lot of abuse by citizens who have pools as to what they do and don't do when following the rules – there are pools with partial railings.

Motion to recommend to Council by Ellington, not seconded and does not pass for lack of second.

Review and recommendation to the Council on the proposed changes to the Special Event License Ordinance.

Truman introduced the item summary, redline version of current ordinance and the proposed ordinance. The reason this change has come about, is the City is encountering some special events and given the current definition of a special event under the City's Ordinance, it's too broad. She continued. Basically any event on public or private property, where the public is invited, is a special event. Truman is not comfortable, legally speaking, with the breadth of the meaning. She wants to better define the definition. She wants to limit it to events that take place on public property, City property and owned or managed property that's beyond the normal and ordinary use of the property. It encompasses some events on private property, if the event will affect other people's normal and ordinary use of the property. Other changes:

- Security requirements – someone from the event and during the event be reachable by phone.
- Requirements of event organizer – must be at least 18 years of age.
- Places requirements – bathroom facility and recyclable facility.
- Extending the deadline for filing a license to 30 days
- Deadline for all other costs 14 days.

Under the current and proposed special event ordinance, there is still an application fee of \$150. This fee is waived for nonprofits and government entities. Aside from the application fee, there is a cost for City services. In instances where City services are used above \$500, such as police, the City is to be reimbursed. The City is also not requiring a bond unless it's a huge event. Alt questioned Schauf on how many of these the City handles. Schauf responded that it happens daily – most are minor.

Motion to recommend to the Council on the proposed changes to the Special Event License Ordinance by Ellington, seconded by Alt and unanimously carried.

Consider applications for keeping Chickens

Alt identified five (5) new applications on the agenda. Alt asked Schauf about how many issues the City has had with chicken farmers. Schauf indicated there have been no issues. The only place there was an issue was with a fox being caught in a chicken coop - an unlicensed one.

Motion by Ellington to approve applications for keeping chickens, seconded by Alt and unanimously carried.

Member comments

The next meeting will be August 6, 2018 at 12:00PM CDT. Meeting location will be 101 South Boulevard. Moved by Ellington to adjourn, seconded by Alt and unanimously carried. Meeting adjourned at 12:39PM CDT.

Respectfully submitted,
Cynthia Haggard, Finance Director

Minutes of Plan Commission Meeting June 19, 2018

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Roy Franzen, Pat Liston, Jim O’Neill, and Kate Fitzwilliams. Dennis Thurow and Tom Kolb were absent.

Also in attendance were Mayor Palm, Administrator Geick, Attorney Truman, Engineer Pinion, David Deppe, Ryan, Devine, Bill Devine, Amy Devine, Kerry Zimmerman, Tim Cummings, Russ Will, Matt Boegner, Scott Treul, Tim Deppe, Bill McDonough, Greg Held, Amy Orvis, and Pat Kozel.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Liston seconded by O’Neill to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Franzen, seconded by O’Neill to approve the minutes of the May 15, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

Public Hearing

- a. Public Hearing to consider the request of William and Ryan Devine, d/b/a Devine Customer Truck & Auto Repair, LLC, to amend the current Conditional Use Permit to allow the sale of used automobiles at 712 South Blvd. in a B-3 Highway Oriented Business zoning district – Pat Kozel, 812 Vine Street addressed the Commission. He said that he was born and raised in Baraboo and as long as he can remember there has always been cars being worked on and cars being sold at this address and doesn’t understand why it can’t continue. He feels it is the responsibility of the government to help small businesses and enable them to do so. He said that the building looks better than it has in the past and he feels that a thriving business is a beautiful doormat to this City. David Deppe and that he and his son own the building and he is also pleased with the improvements that he and the Devine’s have made and he feels granting the conditional use would give them the opportunity to expand their business and the things they are doing a fine job in making it a good entrance to the City and supports their application. Amy Orvis, employee of Devine Custom Trucks & Auto Repair said that it isn’t just selling vehicles, they would like to be able to loan out vehicles if needed and if someone came in that could not afford to fix their vehicle, they could put a for sale sign in it. She then gave a copy of documentation from their insurance to the Commission. There being no further testimony, the hearing was declared closed.

New Business

- a. Consideration of William and Ryan Devine, d/b/a Devine Custom Truck & Auto Repair, LLC, request to amend the current Conditional Use Permit to allow the sale of used automobiles at 712 South Blvd., in a B-3 Highway Oriented Business zoning district – Pinion gave the property background to the Commission. He said the original CUP was issued to T&D Properties for a shop and office in June 2015. Subsequently the building has been leased or rented out to Devine Custom Truck & Auto, and is a similar use with a shop and office area. He said that the addition of used car sales is what triggers the need to amend the CUP. He said this is an allowable use under the B-3 zoning district; however, this is in the City’s Conditional Use Overlay District, and every new use requires regulation as a Conditional Use. Ryan Devine addressed the Commission. He said that he and his brother started the business in hopes to help people quality, honest, and fair repairs. He said they offer free vehicle inspections for customers and local people. He said they feel that with the ability to be able to help those people a little further by selling their cars and getting them into something decent would positively affect the community. Liston questioned the number of vehicles that are at this location on a regular basis. Devine assured the Commission that cars are not being sold there. O’Neill asked Deppe why he never stored his trucks at this location and he stated that there was an offer on his existing property, but it never materialized. Liston stated that this is at least the fourth or fifth that has come before the Commission to sell cars along this corridor and everyone was denied. He said that this is the Gateway to the City and he is opposed to auto repair shops selling cars along this corridor. Devine asked if there was a way that the property could be

grandfathered because there was used car sales in the past. Pinion said that because that use was discontinued for more 12 consecutive months, any resumption of that use requires a conditional use. It was moved by Liston to deny the request to allow the sale of used automobiles at 712 South Blvd. O'Neill seconded the motion. Both the motion and second were withdrawn. O'Neill revised the motion to approve the request for a conditional use permit to sell used automobiles at 712 South Blvd. Liston seconded the revised motion. One roll call vote for the motion Ayes- Franzen, and Fitzwilliams. Nay – Liston, O'Neill, and Wedekind. The Motion failed 3-2.

- b. Review and approve a one-lot CSM for Tim May, the prospective buyer of land in the City's Extraterritorial Plat Approval Jurisdiction, located on the west side of CTH A, north of Trap Shoot Road, being part of the SE¹/₄ of the NW¹/₄, SW¹/₄ of the NE¹/₄, and SE¹/₄ of the NE¹/₄ of Section 23, T12N, R6E, Town of Baraboo, Sauk County, Wisconsin – Pinion presented the request to the Commission. He said from the City's regulations, the CSM complies with the minimum lot size for both the new lot and the remnant. This also complies with the County regulations. He believes that the Town of Baraboo has favorably reviewed this. Kerry Zimmerman, MSA Professional Services said that this could be contentious. He said that he is representing Mr. May who is interested in buying the 25-acre parcel. He said in talking with Brad Boettcher, who is the Town of Baraboo's Engineer there may be an issue because of the easement to get into this proposed property. He said the Township requires that a person own 50-feet abutting a public road. He is requesting tentative approval from the Commission tonight. He said there won't be any significant changes in the configuration of the lot, it is just a matter of the Town is going to require to be done as far as access off of Highway A. Pinion asked if he has met with the County Conservation Planning and Zoning. Zimmerman said that he has a verbal from Brian Simmert and the County has no problem with it. Zimmerman said that the Town Plan Commission is meeting on June 28. Pinion said that it is customary that the Plan Commission review this after Town approval. It was moved, by O'Neill, seconded by Liston to postpone the CSM review until the July 17 meeting. On roll call vote for the motion, Ayes – Liston, O'Neill, Fitzwilliams, Wedekind, and Franzen. Nay – 0, motion carried 5-0.
- c. Review and approve Site Plan and Architectural Renderings for Harrington Holdings, LLC, d/b/a Balanced Rock Winery, for Phase I of the approved SIP to construct a winery and plant a vineyard on Lot 1 of CSM #5675, a 22-acre parcel at 1065 Walnut Street located in the SE¹/₄ of the SE¹/₄ of Section 2, T11N, R6E and the NE¹/₄ of the NE¹/₄ of Section 11, T11N, R6E, City of Baraboo, Sauk County, Wisconsin – Matt Boegner, 1411 19th Street, and Scott Treul, Friede & Associates introduced themselves to the Commission. Pinion presented the background for the project. This is before the Commission for the review of the site plan and building renderings. Treul gave a detailed presentation of site plan, elevations, building layout, and renderings to the Commission. The building is 6,000 sq. feet. Liston said that from Walnut Street the building looks like a pole barn, he would like to see it dressed up. He said that this is the entrance to Devil's Lake. He would like to see better landscaping also. Fitzwilliams said that she likes the design. Boegner said that that part of his vision was to have a place where people to go and sit and enjoy themselves. He said most winerys are very much set up for wine tasting, buy a bottle of wine and go. Mayor Palm spoke on Tom Kolb's behalf stating that he expressed concern regarding the amount of white that was uninterrupted. After a lengthy discussion, O'Neill moved to approve the site plan and architectural renderings for the Balanced Rock Winery, contingent the Plan Commission approving the landscape plan. Franzen seconded the motion. On roll call vote for the motion, Ayes – O'Neill, Fitzwilliams, Wedekind, Franzen. Nay – Liston. Motion carried 4 to 1.
- d. Consideration of a Request by Capitol Housing II, LLC to review a combined GDP/SIP in accordance with Steps 3 & 4 of the Planned Development process to construct a 70-unit multi-family residential complex, located at 325 Lynn Street, in a B-1 Central Business zoning district – Tim Cummings introduced himself to the Commission. He said that Knothe & Bruce Architects is a company that he and his partner, Bill McDonough have been working with since the 70's. He said the lot was a bit challenging with the slope and the existing condition. He said he was drawn to the lot because of history. Greg Held, Knothe & Brue Architects addressed the Commission. Held gave a detailed presentation of the floor plans. He said that they are trying to pump up the ratio of the larger apartments on the riverside. He said that north side of the building is narrower and the building widens out moving south. He said that the exterior walls, angled walls, trying to get views to the riverfront from as many units as possible, which makes it unique. He the north side of the building is four stories, and the south side on Lynn Street is only two stories. He then gave a detailed explanation of how they will deal with the slope of the lot. He explained the proposed parking plan. A question was raised asking the space between the building and river and will it sidewalk for the public to use or restricted to tenants. It was stated that there is an easement along there. Pinion said that there is a sanitary sewer easement, but he does not have a distance on that. Held thinks that east of the parking area there will be some significant stormwater feature, obviously landscaped, but there will be some place on this site, being this close to the river, the stormwater will have to be treated, and MSA has been engaged to work with designing that. Stormwater

Management was then discussed. Liston said he has a problem combining the GDP and SIP, he feels they should be separate, he wants to see a color rendering of what the building is going to look like, he wants to see the landscaping, and the materials being used on the building. Liston moved to approve the GDP as presented. Franzen seconded the motion. On roll call vote for the motion, Ayes – Fitzwilliams, Wedekind, Franzen, Liston, and O’Neill. Nay – 0, motion carried 5-0.

- e. Review and approve a one-lot CSM for the property at 325 Lynn Street, being Lots 1, 2 and 3 of the Original Plat of the Village of Baraboo, now the City of Baraboo and lands located in the fractional NW¼ of the NW¼ of Section 1 and the fraction NE¼ of the NE¼ of Section 2, T11N, R6E, City of Baraboo, Sauk County, Wisconsin – It was moved by Liston to approve the CSM as presented. Franzen seconded the motion. On roll call vote for the motion, Ayes – Wedekind, Franzen, Liston, O’Neill, and Fitzwilliams. Nay – 0. Motion carried 5-0.

Adjournment - It was moved by Liston, seconded by Franzen to adjourn at 6:30 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee