

**AGENDA**  
**CITY OF BARABOO COMMON COUNCIL**  
**Council Chambers, 101 South Blvd., Baraboo, Wisconsin**  
**Tuesday, August 14, 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

*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): July 24, 2018

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

**COMPLIANCE WITH OPEN MEETING LAW NOTED**

**PUBLIC INVITED TO SPEAK** (Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.)

**MAYOR'S COMMENTS** –

**CONSENT AGENDA** (roll call)

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

**NEW BUSINESS RESOLUTIONS**

NBR-1...Approve application to the Court to vacate Outlot 4 of the First Addition to Pleasant View Subdivision, an unimproved pedestrian path “right-of-way” on the east side of Manassas Drive between Lots 25 and 26 of said subdivision.

NBR-2... Consider Tavern Operator License Appeal for Eric Kaun.

**NEW BUSINESS ORDINANCES**

NBO-1... Approve the revised Special Event License Ordinance.

NBO-2...Approve revising the parking restrictions on Ash Street between Water Street and 1<sup>st</sup> Street.

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

**REPORTS, PETITIONS, AND CORRESPONDENCE** - The City acknowledges receipt and distribution of the following: **Reports from July, 2018 – Building Inspection**

**Minutes from the Following Meetings -**

**Copies of these meeting minutes are included in your packet:**

Finance/Personnel	07-24-18	BID	07-18-18
Board of Review	06-05-18		

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

Library Board	06-19-18	Friends of Library	06-12-18
Public Arts	06-28-18	Emergency Mgmt.	06-28-18
CDA	06-19-18	CDA Loan Comm.	06-07-18
CDA Exec. Comm.	07-20-18		

**Petitions and Correspondence Being Referred:**

**CLOSED SESSION:** - The Mayor will announce that the Council will go into Closed Session according to:

(a) §19.85(1)(e), Wis. Stat., whenever competitive or bargaining reasons require a closed session (City Administrator to provide information on the ongoing union contract negotiations with WPPA);

(b) §19.85(1)(g), Wis. Stat., to confer with legal counsel for the governmental body who is rendering oral advice concerning strategy to be adopted by the Body with respect to litigation in which it is (City Attorney to provide advice on the Pfaff, et. al., vs. City of Baraboo, et. al. lawsuit); and

(c) §19.85(1)(c), Wis. Stat., to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Council to consider annual performance evaluation of City Administrator Ed Geick)

**OPEN SESSION:** - The Mayor announces that the Council Committee will return to Open Session as per §19.85(2), Wis. Stat. to address any business that may be the result of discussions conducted in Closed Session.

**INFORMATION**

- Email from Don Francis, Platteville Alderperson addressing ATVs in cities;
- Thank you card from Mary Grant regarding years of service on the Baraboo Public Library Board.

**ADJOURNMENT** (Voice Vote)

Brenda Zeman, City Clerk

*For more information about the City of Baraboo, visit our website at [www.cityofbaraboo.com](http://www.cityofbaraboo.com).*

**AUGUST 2018**

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
13 Park & Rec	14 Finance Council	15 BID	16 UW	17	18	19
20 SCDC PFC	21 Library Plan	22	23 Em. Mgt. Public Arts	24	25	26
27 Public Safety	28 Finance Council	29 Ambulance	30	31		

**PLEASE TAKE NOTICE** - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, should contact the City Clerk at 101 South Blvd., or phone 608-355-2700 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 08/10/2018

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, July 24, 2018 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent: Sloan

Others Present: Adm. Geick, Atty Truman, Chief Schauf, Clerk Zeman, C. Haggard, T. Pinion, K. Stieve, W. Peterson, J. Bergin, Ed Janairo, Carla Gogin, Dan La Haye, members of the press and others.

The Pledge of Allegiance was given.

Moved by Kolb, seconded by Wedekind and carried to approve the minutes of July 2, 2018 and July 10, 2018.

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

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

**PRESENTATION-**

- Ed Janairo, Campus Dean at UW-Baraboo/Sauk County introduced himself to the City Council. There have been significant changes in the UW system and our campus, UW Baraboo/Sauk County, effective July 1<sup>st</sup>, has become part of UW-Platteville. One thing that will remain the same is their focus and mission of providing affordable and accessible higher education to the residents of Baraboo, Sauk County, and the surrounding region. Some welcomed changes include a leadership team that is focused solely on one campus and the ability to offer new degrees. The proposed name is the University of Wisconsin Platteville, Baraboo Sauk County.
- Carla Gogin & Dan La Haye from Baker Tilly Virchow Krause, LLP presented the 2017 Audit Report.

**PUBLIC INVITED TO SPEAK** – None.

**MAYOR’S COMMENTS** – The Mayor congratulated Mark Hansen on his 20<sup>th</sup> anniversary with the Baraboo Public Works Department.

**CONSENT AGENDA**

**Resolution No. 18-54**

THAT the Accounts Payable, in the amount of \$950,429.07 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

**Resolution No. 18-55**

That the following budget amendments are authorized:

- 2<sup>nd</sup> Quarter, 2018 City-Wide, and
- 2<sup>nd</sup> Quarter, 2018 Water & Sewer Utilities:

City of Baraboo  
2018 2nd Quarter Budget Amendments

Department	Account Number	Account Name	Original Budget	Increase/ (Decrease)	Amended Budget
General Government	100-10-49300-000	Fund Balance Applied	553,534	15,000	568,534
				\$ 15,000	4

Illegal Taxes, Tax Refund	100-11-51910-740-000	Refunds/Losses	1,583	<u>15,000</u>	16,583
<i>To appropriate fund balance for Settlement</i>				\$	15,000
Parks	870-52-49300-000	Fund Balance Applied	13,380	<u>2,000</u>	15,380
				\$	2,000
Zoo	870-52-55410-300-000	Operating Expense	700	<u>2,000</u>	2,700
<i>To apply fund balance for purchase of 2 Otters</i>				\$	2,000
City Clerk	720-11-49300-000	Fund Balance Applied	-	<u>974</u>	974
				\$	974
Public Works Insurance Claims	720-31-51493-510-000	Insurance	-	<u>974</u>	974
<i>To create budget for Insurance Claim</i>				\$	974
General Government	100-10-49300-000	Fund Balance Applied	537,533	31,001	568,534
Parks	250-52-49300-000	Fund Balance Applied	-	1,536	1,536
Parks	890-52-49300-000	Fund Balance Applied	4,852	<u>4,525</u>	9,377
				\$	37,062
Municipal Building	100-11-51610-260-000	Repair & Maint Serv-Buildings	8,039	1,550	9,589
Street Maintenance	100-31-53300-364-000	Signs & Materials	20,000	3,608	23,608
Civic Center	100-52-55130-260-000	Repair & Maint Serv-Buildings	14,927	9,485	24,412
Parks	100-52-55200-260-000	Repair & Maint Serv-Buildings	19,946	750	20,696
Parks	100-52-55200-260-000	Repair & Maint Serv-Buildings	15,493	5,203	20,696
Parks	100-52-55200-821-000	Land or Land Improvements	-	3,464	3,464
Parks	100-52-55200-861-000	Facilities Improvements	28,000	3,400	31,400
Zoo	100-52-55410-280-000	Repair & Maint Serv-Facilities	7,000	3,541	10,541
Parks	250-52-55200-821-000	Land or Land Improvements	4,307	1,536	5,843
Parks	890-52-55200-822-000	Building Improvements	4,600	<u>4,525</u>	9,125
<i>To apply fund balance for purchase orders that remained opened from 2017</i>				\$	37,062
Library	940-51-46110-000	Book Sales	-	5,500	5,500
Library	940-51-46110-002	Book Cart Sales	-	2,000	2,000
Library	940-51-46755-000	Memberships	-	6,000	6,000
Library	940-51-48500-001	Payroll Donations	-	50	50
Library	940-51-48500-002	Donations	(600)	600	-
Library	940-51-49300-000	Fund Balance Applied	-	<u>13,655</u>	13,655
				\$	27,805
Library	940-51-46110-700	Sales Tax	-	450	450
Library	940-51-55110-225-000	Waste/Recycle Bins	-	3,555	3,555

Library	940-51-55110-270-000	Volunteers	-	500	500
Library	940-51-55110-280-000	Exterior/Plantings	-	700	700
Library	940-51-55110-300-000	Books Sale Supplies	-	250	250
Library	940-51-55110-322-000	Adult Services Request	-	650	650
Library	940-51-55110-324-000	Books for Newborns	-	1,000	1,000
Library	940-51-55110-327-000	Youth Services Requests	-	2,000	2,000
Library	940-51-55110-340-000	Events/Supplies	-	1,500	1,500
Library	940-51-55110-343-000	Membership Mailing	-	1,300	1,300
Library	940-51-55110-390-001	Discretionary	-	10,000	10,000
Library	940-51-55110-390-002	Seasonal Decorations	-	650	650
Library	940-51-55110-391-513	Performances Transfer to Library	-	1,500	1,500
Tfr to Library Seg /Bldg <i>To apply fund balance for purchase orders that remained opened from 2017</i>	940-51-59285-900-000	Segregated	-	3,750	3,750
				\$	27,805
Recreation	100-53-46751-181	Recreation - Adult Run	-	670	670
				\$	670
Recreation	100-53-55300-215-181	Prof Service - Adult Run	-	670	670
				\$	670
General Government	100-10-48400-000	Insurance Recoveries	-	4,629	4,629
				\$	4,629
Fire Protection	100-21-52200-240-000	Repair & Maint Service- Vehicle	8,000	4,629	12,629
				\$	4,629
Parks	100-52-46810-000	Timber Sales	-	6,073	6,073
				\$	6,073
ROW - Trees	100-52-53370-377-000	Trees, Seed, Sod	-	6,073	6,073
				\$	6,073
Police	100-20-49300-000	Fund Balance Applied	4,692	1,705	6,397
				\$	1,705
Police Department <i>To apply available fund balance for Commemorative Coins</i>	100-20-52110-390-000	Other Supplies & Expense	500	1,705	2,205
				\$	1,705
Parks	100-52-49287-000	Transfer from Park Segregated	37,500	3,788	41,288
				\$	3,788
Civic Center <i>Civic Center A/C came in over budget - Kuenzi</i>	100-52-55130-822-000	Building Improvements	12,400	3,788	16,188
				\$	3,788
Fire	100-21-49249-000	Transfer from Capital Equip	-	2,450	2,450
General Government	490-10-49300-000	Fund Balance Applied		2,450	6

			256,500		258,950
				\$ 4,900	
Fire Protection	100-21-52200-392-000	Small Equipment Purchase	11,111	2,450	13,561
General Government <i>To approp Cap Equip for emerg radio repeater repr</i>	490-21-59210-900-000	Cost Reallocation	-	2,450	2,450
				\$ 4,900	
Public Works	490-31-48300-000	Sale of Assets	-	13,728	13,728
General Government	490-10-49300-000	Fund Balance Applied	2,450	256,500	258,950
PW-Machinery & Equipment	430-31-53240-814-000	Equipment Purchases	(335,000)	265,000	(70,000)
				\$ 535,228	
Public Works	490-31-53240-810-000	Vehicle Purchase	-	270,228	270,228
General Government	430-10-49249-000	Transfer from Capital Equip	(326,500)	256,500	(70,000)
General Government <i>To transfer unused equip budget to Garbage truck</i>	430-10-48300-000	Sale of Assets	(8,500)	8,500	-
				\$ 535,228	
General Government	100-10-48300-000	Sale of Assets	22,000	2,298	24,298
				\$ 2,298	
Parks <i>To apply available fund balance for Commemorative Coins</i>	100-52-55200-250-000	Repair & Maint Serv-Equipment	7,500	2,298	9,798
				\$ 2,298	
Airport Revenue	630-35-48400-000	Insurance Recoveries	-	1,130	1,130
				\$ 1,130	
Airport <i>To appropriate insurance proceeds for fence repair</i>	630-35-53510-280-000	Repair & Maint Serv-Facilities	2,800	1,130	3,930
				\$ 1,130	
Airport Revenue	630-35-47300-200	Appropriations- Owners	71,626	36,000	107,626
General Government	100-10-49300-000	Fund Balance Applied	550,534	18,000	568,534
				\$ 54,000	
Airport	630-35-53510-742-000	Extraordinary Expense	-	36,000	36,000
Airport <i>To create budget for FBO Extraordinary Exp</i>	100-10-53510-720-000	Grants. Donations. Contris	35,813	18,000	53,813
				\$ 54,000	
Police	100-20-49300-000	Fund Balance Applied	4,905	1,492	6,397
				\$ 1,492	
Police Department <i>To create budget for LeadsOnline</i>	100-20-52110-270-000	Special Services	35,000	1,492	36,492
				\$ 1,492	
Economic Development	100-15-49246-000	Transfer from Land Development	17,500	20,000	37,500
				\$ 20,000	
Economic Development <i>To approp mayors funds for façade project (CO-</i>	100-15-56710-290-000	Other Contracted Services	17,500	20,000	37,500
				\$ 20,000	7



Sewer Sludge Maint	960-36-83300-250-000	Repair & Maint Serv-Equipment	12,000	(500)	11,500
Sewer Misc General Expense	960-36-85600-390-000	Other Supplies & Expense	17,165	<u>(275)</u>	16,890
				<u>\$ (775)</u>	

**Use of Funds**

Sewer Plant Maint	960-36-83400-250-000	Repair & Maint Serv-Equipment	7,200	500	7,700
Sewer Misc General Expense	960-36-85600-321-000	License & Fees	6,450	<u>275</u>	6,725
				<u>\$ 775</u>	

*Transfer funds to cover budget overages*

**Budgetary Transfers:**

Department	Account Number	Account Name	Original Budget	Change	Amended Budget
<b>Source of Funds: Reduction in Other Appropriation within Same Fund</b>					
Water Maintenance of Mains	970-37-67300-236-000	Repair & Maint Serv -Mains	52,000	(6,250)	45,750
Water Maintenance of Meters	970-37-67600-350-000	Repair & Maint Materials	1,250	<u>(700)</u>	550
				<u>\$ (6,950)</u>	

**Use of Funds**

Water Meter Expense	970-37-66300-217-000	Testing & Lab Expense	1,000	700	1,700
Water Maintenance of Mains	970-37-67300-340-000	Operating Supplies	400	250	650
Water Maint of Other T&D Plant	970-37-67800-250-000	Repair & Maint Serv-Equipment	2,500	<u>6,000</u>	8,500
				<u>\$ 6,950</u>	

*Transfer funds to cover budget overages*

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

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

Moved by Alt, seconded by Kolb and carried unanimously to approve the 2<sup>nd</sup> reading of **Ordinance No. 2495** approving the amended PUD for 325 Lynn Street to allow a 70-unit apartment complex.

**NEW BUSINESS**

**Ordinances:**

Moved by Wedekind, seconded by Ellington and carried unanimously to approve the 1<sup>st</sup> reading and waive the 2<sup>nd</sup> reading of **Ordinance No. 2496** amending Section 17.18(4)(d), Code of Ordinances, as follows:

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: 2018-04.

2. The attached Specific Implementation Plan is approved as part of Planned Unit Development 2018-04.
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.

**Resolutions:**

**Resolution No. 18-56**

That the Proposal for Building Demolition & Disposal at 325 Lynn Street from Robinson Brother Environmental, Inc. in the amount of \$45,700 is hereby accepted and all other bids are rejected.

Moved by Kolb, seconded by Wedekind and carried that **Resolution No. 18-56** be approved-8 ayes.

**Resolution No. 18-57**

WHEREAS, the Common Council has reviewed the request from PETA to allow the temporary placement of an elephant statue owned by PETA at Myron Park, near the City owned elephant statue, through the end of September, and

WHEREAS, the statue owned by PETA is described by PETA as weighing approximately 175 lbs with a base of approximately 350 pounds, with a total height of the base and statue of 68', designed by Harry Bliss, and contains text that reads: "The circus is coming see...shackles, bullhooks, loneliness, all under the bigtop," and

WHEREAS, the Common Council has determined that for the reasons stated during the July 24, 2018, Common Council meeting and as recorded in said minutes, the request is hereby denied.

Moved by Ellington, seconded by Petty to deny the request from PETA. **Resolution No. 18-57** is approved-8 ayes.

**COMMITTEE OF THE WHOLE**

Moved by Petty, seconded by Ellington and carried unanimously to convene as a Committee of the Whole to discuss 2018-2019 City Goals and Priorities.

The Mayor distributed a list of Goals that were suggested at the July 2<sup>nd</sup> Goal Setting Meeting. The list of goals was sorted based on ratings received from a recent survey that was sent to Council Members and Department Heads. The Council then discussed what goals from this list they would like to see included in the 2019 budget.

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

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

The Mayor thanked everyone for their effort towards a successful past weekend.

**REPORTS and MINUTES**

The City officially acknowledges receipt and distribution of the following:

**Monthly Reports from June, 2018** – Treasurer, Building Inspection, Fire Dept., Police Dept.

**Minutes from the Following Meetings –**

**Finance/Personnel Committee – Dennis Thurow Committee Rm**

**July 10, 2018**

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

**Absent:**

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

**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 June 26, 2018. Motion carried unanimously. Moved by Thurow, seconded by Sloan 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 **\$548,361.57**. Motion carried unanimously.
- b) **Asbestos Abatement at 325 Lynn Street** – Adm Geick explained that we took bids for the asbestos abatement. Dirty Ducts Cleaning & Environmental, Inc. came in significantly lower than the other bid received. It is the City's intent to use the proceeds from the project to pay for the cost of the abatement as well as the cost of the demolition of the building. Regardless, the City will have to pay for the abatement before any development. Moved by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.

**Information Items** - None

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

**Administrative Committee**

**July 2, 2018**

**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.

**BARABOO BUSINESS IMPROVEMENT DISTRICT (BID), BOARD OF DIRECTOR'S**

**June 20, 2018**

**Members Present:** S. Fay, L. Steffes, N. Marklein Bacher, S. Byberg, T. Wickus, L. Stanek

**Members Absent:** B. Stelling, M. Zolper, D. Ender

Also Attending: Ed Geick

**Call to Order:** Sarah Fay presided over the meeting, called it to order at 5:52PM and noted compliance with the Open Meeting Law.

**Meeting Minutes:**

Moved by Stanek, seconded by Byberg and unanimously carried to approve the minutes of May 16, 2018.

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

**New Business:**

1.	Vouchers	Capital Newspapers	1217.50
		BACC-Fermentation Ad	560.00
		Fred Moh Jan-May expenses	413.09
		John Birrenkott Billboard Rental	<u>4000.00</u>
		<b>TOTAL:</b>	<b>6190.59</b>

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

2. FIP Loan – CDA authorized loan to Grainery for \$7,500. Moved by Stanek, seconded by Byberg. Moved by Stanek, seconded by Byberg and unanimously carried to approve loan by CDA to Grainery in the amount of \$7,500.

**Correspondence & Announcements:**

Discussed branding meeting.

**Next Meeting:** Wednesday, July 18, 2018 at 5:45pm, Committee Room #205.

**Adjournment:** No longer had quorum. Adjourned at approximately 6:00 p.m.

**Baraboo Economic Development Commission, Eastside Corridor Review Ad Hoc Committee May 24, 2018**

**I. Call to Meeting to Order and Note Compliance with Open Meeting Law**

The meeting was called to order by John Alt at 5:00 PM in the Room 205 of the Baraboo Municipal Building, 101 South Blvd., Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statutes regarding open meetings.

**II. Roll Call**

Present: Alt, Bowers, Johnson, Reppen  
Absent: Umhoefer  
Other: Patrick Cannon

**III. Approve Agenda**

Motion to approve the agenda as presented  
Bowers (1); Umhoefer (2)  
Aye: All via voice vote  
Nay: None

**IV. Approve Minutes 10-25-2017**

Motion to approve the agenda as presented  
Reppen (1); Umhoefer (2)  
Aye: All via voice vote  
Nay: None

**V. Public Comments**

No one from the public wished to speak

**VI. Old Business**

- a. None

**VII. New Business**

- a. **Discussion of 2017 Eastside Corridor Study results and development of implementation plan based upon results of the study.**

It was noted that the Committee did not foresee any major changes in this area until the State reconstructs HWY 33. However, the Committee felt that they should be prepared for that process to begin. It was noted that no date has been set for this project.

The Committee expressed the following as action item to begin in preparation of the reconstruction. They recommended the following:

- Send a copy of the report complete by MSA to the State Dept. of Transportation
- Make contact with DOT personnel to help establish a relationship
- Place an entry marker on HWY 33. This will need to be included in the future City budget
- Ask the area Stakeholders to be part of the process
- Host a meeting with the stakeholders to explain the final report from MSA
- Explore the possibility of creating a BID district in that area.

The Committee decided to host a stakeholders meeting to discuss the plans for the area. They would like to host the meeting this spring.

**VIII. Commissioner and City Staff comments**

No one from the Board had any additional comments.

**VII Motion to adjourn the meeting was made at 6:39 pm**

Bowers (1); Reppen (2)

Aye: All via voice vote

Nay: None

**Baraboo Economic Development Commission**

**June 7, 2018**

**IX. Call to Meeting to Order and Note Compliance with Open Meeting Law**

Chair Jim Bowers called the meeting to order at 5:30 PM at the Baraboo Municipal Building, 101 South Blvd., Room 205, Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statutes regarding open meetings.

**X. Roll Call**

Present: Bowers, Ayar, Johnson, Taylor, Umhoefer, Bingle, Palm, Wastlund, Reppen, White

Absent: Alt, Caflisch

Other: Ed Geick, Patrick Cannon

**XI. Approve Agenda**

Motion to approve the agenda as presented

Palm (1); Umhoefer (2)

Aye: All via voice vote

Nay: None

**XII. Approve Minutes**

Motion to approve the minutes as presented for May 3, 2018 as presented.

Taylor (1); Johnson (2)

Aye: All via voice vote

Nay: None

**XIII. Public Comment**

None.

**XIV. Old Business**

**a. Updates on Development Activities**

Ed Geick reported on the following:

- 325 Lynn St. project will be presented to the Plan Commission the following week. The project is a planned 60 unit building slated to be opened in May, 2019

**b. Updates from Plan Commission and Council**

Mayor Palm spoke on the following items:

- Public Safety Commission discussed the proposed ATV Route within City. The Committee felt city streets not compatible, lots of issues, city concerned with request.
- The Municipal Building dedication is on June 10, 2018
- A discussion regarding the recent closing of the Treatment Center will also take place that day.
- Baraboo was featured in the Wisconsin Municipal League magazine. The Mayor and CDA Director will be speaking this summer at the Chief Executives workshop on how the project was financed.
- The Hwy 136 project is ongoing
- Laura Jelle has resigned from BEDC. Melanie Platt-Gibson has been nominated to fill the unexpired term of BEDC – February 2019

**c. Update from economic development partners and collaborators**

1. Mr. Bingle indicated that the recent weather has hurt tourism. He is also working with the High School for intern program. Evening with the Cranes at ICF on June 16. It is a fundraiser & groundbreaking on new building
2. Mr. Reppen stated that Sauk County is looking at a referendum regarding re-districting. Also, Servo Instrument is working with NASA for satellite.
3. Mr. Taylor indicated that Governor Walker will be hosting group to discuss profitability on dairy farms.
4. Dr. Ayar stated that campus integration is moving forward. Four new degrees will be offered most of the new degrees will be Associates level. He expects a decrease in enrollment next year.
5. Aural Umhoefer met with Platteville Chancellor. She feels good that everything will be okay, lots of detail were given.
6. Circus World update – Circus of Chefs is planned and ready to publish a schedule.
7. Mr. Taylor spoke on the market and that it is a borrowers market, there are more lenders than borrowing. Corey Davis is the new CEO/President. Being a State Bank is better than National Bank at this time.
8. Mr. White added data about the SCDC Housing Stud. They had several focus groups, poor attendance but good feedback. Second committee meeting will meet in August.
9. Mr. Geick indicated that economy is moving forward. Council goal setting meeting is set for June 18, 2018. Library hired a consultant for their building project. Bids were taken for road projects in the near future
10. Mayor Palm stated that Book World was sold and Radio Shack will be occupying the space.
11. Mr. Bowers added that Village of West Baraboo is under construction. The Village is working hard to keeping businesses open.

**d. Consideration of development of a strategic plan for BEDC****i. Ad Hoc Committee on Eastside Corridor Study**

A meeting is planned for July 11, 2018 to continue discussion of the plan implementation.

**ii. Ad Hoc Committee on Business Walk**

A future meeting is planned to meet this month.

Report from the City Engineer has been requested regarding the Sign Ordinance.

**VII. New Business****A. Selection of Officers****i. Chairperson**

Motion to nominate Jim Bowers to serve as the Chair and close nominations

Taylor (1); Umhoefer (2)

Aye: All via voice vote

Nay: None

**ii. Vice Chairperson**

Motion to nominate John Alt to serve as the Vice-Chair and close nominations

Palm (1); Johnson (2)

Aye: All via voice vote

Nay: None

**iii. Secretary**

Motion to nominate Aural Umhoefer to serve as the Secretary and close nominations

Palm (1); Ayar (2)

Aye: All via voice vote

Nay: None

**B. Selection of date for July, 2018 meeting**

Motion: To not hold a July meeting and the next meeting is set for August 2, 2018

Johnson (1); Taylor (2)

Aye: All via voice vote

Nay: None

**XV. Update Partner Presentation Schedule**

The New Vice Chairperson will be responsible for coordination of these presentations

**XVI. Commissioner and City Staff comments**

The first Concert on the Square is scheduled for June

**XVII. Adjournment**

Motion to adjourn the meeting was made at 6:17 pm.

Umhoefer (1); White (2)

Aye: All via voice vote

Nay: None

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

Library Board	06-19-18	Police & Fire Comm.	06-18-18
UW-Baraboo Comm.	06-21-18	Emergency Mgmt.	05-24-18

**PETITIONS, AND CORRESPONDENCE**

**Petitions and Correspondence Being Referred -**

**INFORMATIONAL ITEMS**

**ADJOURNMENT**

Moved by Kolb, seconded by Petty, and carried on voice vote, that the meeting adjourn at 8:50pm

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Brenda Zeman, City Clerk

RESOLUTION NO. 2018 -

Dated: August 14, 2018

The City of Baraboo, Wisconsin

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

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

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

**Offered By:** Consent

**Approved by Mayor:** \_\_\_\_\_

**Motion:**

**Certified by City Clerk:** \_\_\_\_\_

**Second:**

The City of Baraboo, Wisconsin

**Background:** The City received a petition from both abutting property owners to vacate Outlot 4 of the First Addition to Pleasant View subdivision, an unimproved pedestrian path “right-of-way” located on the east side of Manassas Drive, north of 16<sup>th</sup> Street and between Lots 25 and 26 of said subdivision.

Pursuant to Wis. Stat. §236.41, notice was provided to adjacent property owners.

The Plan Commission reviewed the petition at their July 17<sup>th</sup> meeting, and unanimously recommended the vacation of this Outlot.

Upon Council approval of this Resolution, an application will be made to the Court requesting the vacation of this Outlot, pursuant to Wis. Stat. §236.43.

Upon the Court’s approval, the Outlot will be divided along its centerline and title to each respective half will revert to the respective abutting property owners.

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

A Resolution authorizing an application to the Court to vacate Outlot 4 of the First Addition to Pleasant View Subdivision, an unimproved pedestrian path “right-of-way” on the east side of Manassas Drive between Lots 25 and 26 of said subdivision.

**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 said Outlot 4;

And Whereas a Class III Notice has been sent to the Baraboo News Republic for publication giving notice of the fact that the City intends to make application to the Court for the vacation of Outlot 4 of the First Addition to Pleasant View subdivision;

And Whereas all abutting land owners were given notice of the City’s intent to apply to the Court to vacate said Outlot 4 as required by Wis. Stat. §236.41(4);

Now therefore, IT IS HEREBY RESOLVED by the Common Council of the City of Baraboo that the City Attorney is authorized to petition the Court to vacate Outlot 4 of the First Addition to Pleasant View subdivision on August 21, 2018.

**Offered by:** Plan Commission

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

**Motion:**

**Second:**

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

The City of Baraboo, Wisconsin

**Background:** On July 18, 2018, Eric Kaun applied to the City of Baraboo for a Tavern Operator License. On the City’s application it states that by signing the application, the applicant provided “answers in each instance [that] are true and correct” – including to a question about whether the applicant has “ever been convicted for a violation of any ... state laws of Wisconsin or any other state, as well as any county or municipal violation.” The applicant answered “no” to this question despite having three prior convictions. Because of this, the application was denied by Police Chief Schauf, and the denial was affirmed by City Administrator Geick. Mr. Kaun now appeals the decision.

Per City Code, appeals of a denial of an operator’s license must be reviewed for a recommendation to Council by the Administrative Committee prior to Council taking action. The Council must then choose to approve, approve with conditions or requirements, or deny the application. The Administrative Committee reviewed the application on Friday, August 10, 2018.

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

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

**WHEREAS**, the Common Council has reviewed the reports and recommendations of Police Chief Schauf, City Administrator Geick and the City’s Administrative Committee regarding the July 18, 2018, Tavern Operator License application filed with the City by Eric Kaun, and

**WHEREAS**, Eric Kaun was notified to appear at the August 14, 2018, Council meeting and was given an opportunity to speak to the Council on his behalf regarding his appeal request.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council \_\_\_\_\_  
 [approves/approves with conditions or requirements/denies] Eric Kaun’s Tavern Operator License.

**Offered by:** Administrative Committee  
**Motion:**  
**Second:**

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

**TAVERN OPERATOR LICENSE APPLICATION**

Allow 15 days for processing.

Fees are non-refundable and non-transferrable.

Application # Operator 20180000063  
 100-10-44120

07/18/2018

JA

**New License** -- Not previously licensed, or applicant licensed by another Wisconsin municipality within the last 2 years

**Provisional** – This license shall only be issued in order to allow the applicant time to complete a Responsible Beverage Server Training Course. Provisional licenses are only sold in combination with a NEW Operator license.

**APPLICANT INFORMATION:**

Last Name	First Name	Middle Initial	Date of Birth	Male/Female
KAUN	ERIC		[REDACTED]	Male
E-Mail	Telephone #		Place of Birth	Driver License #
[REDACTED]	[REDACTED]		toledo, ohio	[REDACTED]
Street Address		City, State		Zip
[REDACTED]		reedsburg, wi		53959

- Where will you be employed? Square Tavern
- Employer's Telephone #: 6083569816
- Where have you had previous experience as an Operator? Sprechers, Gino's pizzeria, Ravina Bay, B-Lux
- Have you lived in Wisconsin for at least 90 consecutive days?  Yes  No  
 (If answer to Q 4 is no, do not file your application until you have satisfied the residency requirement.)
- How long have you continuously resided in Wisconsin? 24 years In Sauk County? 24 years
- Have you reviewed the Bartender License Issuance Guidelines, which are attached to this application?  
 Yes  No
- Have you ever been convicted for a violation of any federal laws, state laws of Wisconsin or any other state, as well as any county or municipal violations?  Yes  No

If **Yes** to any portion of this question – you are required to complete the box below. If more room is needed, attach a document listing the items. List everything in your past, even if you think it is not important. Your license can be denied if you provide incomplete or inaccurate information! See Attached Flowchart.

Date of Conviction	Location of Charge (City, County)	Type: Felony, Misdemeanor, Ordinance, Other	Penalty Imposed

8. Have you ever been convicted of operating a motor vehicle while under the influence?  Yes  No

If Yes, provide details requested below:

Date of Conviction	State	County

9. Are there any charges presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any Federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipalities?

Yes  No If Yes, indicate in writing, the law or ordinance allegedly violated, trial court, date of alleged offense, description and status of charges. If more room is needed, attach a document listing the items.

Offense Date	Location of Case (City, County)	Court Date	Violation	Description of Charges	Status

13. Have you ever used any other name(s) or alias (es)?  Yes  No

If yes, state full name(s) of alias (es). \_\_\_\_\_

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

I verify that I have read and accept the city of Baraboo Bartender License Issuance Guidelines. (See below)

Total Due \$ 87.00 I will pay: On Line by US Mail  In Person

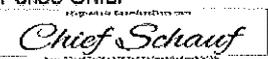
Applicant:    
 Eric Benjamin Kaur

Date: 07/18/2018

Approvers:   
 Police Record Clerk   
    
 Linda Wiese

07/19/2018

Comments:   
 12-13-10--POSSESS THC   
 06-20-13--POSSESSION OF PARAPHERNALIA   
 08-22-13--POSSESS THC

Police Chief   
    
 Chief Schauf

07/19/2018

\*\* Denied. 3 Convictions for drug charges in last 10 years, not placed into application.

Bartender License Issuance Guidelines

**START HERE**

Do you have a felony conviction or pending felony charge involving alcohol or drugs?

NO

Do you have a felony or Class A Misdemeanor conviction or pending charge involving bartending?

NO

Do you have 3 or more OWI convictions and at least one occurred in the last 10 years?

No

Do you have 3 or more convictions or pending charges (including municipal citations) involving drugs or alcohol (including OWI charges and underage drinking) within the past 5 years??

No

Do you have any of the following:

- 2-OWI convictions within 10 years
- 1-OWI conviction within 10 years and a pending OWI charge
- 2-Convictions or pending charges (including citations) involving drugs or alcohol (incl. OWI and underage drinking) within the past 5 years
- Any conviction or pending charge involving bartending
- 3+ convictions involving alcohol or drugs within the past 10 years

No

Are there any false or incomplete statements on the application?

No

If Applicant has no convictions or pending charges involving drugs, alcohol, or OWI, or if Applicant has only 1 OWI conviction or pending OWI charge the Application will be submitted for **APPROVAL**.

Yes

APPLICATION  
AUTOMATICALLY  
DENIED

APPLICATION  
SUBJECT TO  
CONDITIONAL  
APPROVAL BY  
ADMINISTRATIVE  
COMMITTEE

Police Chief may refer applications to Administrative Committee if he believes there are issues that he cannot resolve.

APPLICATION SUBJECT TO  
CONDITIONAL APPROVAL BY  
CHIEF OF POLICE

Please note that this chart cannot anticipate all circumstances or combinations of offenses that may affect the disposition of your application, and the City retains the right to refer any application to the Administrative Committee for resolution.

## Haggard, Cynthia

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**From:** Geick, Edward  
**Sent:** Tuesday, July 24, 2018 11:24 AM  
**To:** Haggard, Cynthia  
**Subject:** Admin Agenda - Denied Operator License

**Importance:** High

Please add this item to the Administrative Committee agenda. In accordance with our policies I am forwarding to the Committee the tavern operator license application of Eric Kaun along with a recommendation of denial of the application.

Ed

Edward A. Geick  
City Administrator  
City of Baraboo  
101 South Blvd, Baraboo, WI 53913  
Office: 608-355-2715  
Cell: 608-963-4237

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**From:** Schauf, Mark  
**Sent:** Monday, July 23, 2018 4:20 PM  
**To:** Geick, Edward <[egeick@cityofbaraboo.com](mailto:egeick@cityofbaraboo.com)>  
**Cc:** Truman, Emily <[etruman@cityofbaraboo.com](mailto:etruman@cityofbaraboo.com)>  
**Subject:** FW: Admin Agenda - Denied Operator License  
**Importance:** High

Administrator Geick,

Upon review of the license application for operator, Eric Kaun the police department completed a check per City Ordinance. Utilizing the flow chart approved by City Council, I observed the applicant in this case did not disclose 3 prior arrests/convictions for drug related charges. Additionally, based on code, three drug violations require a denial at the department head level and referral to the Admin Committee. Attached is the application, along with the information learned by the Police Department which is the basis for denial.

Mark R. Schauf  
Chief of Police  
Baraboo Police Department  
101 South Boulevard  
Baraboo, WI 53913  
608-355-2720  
[mschauf@cityofbaraboo.com](mailto:mschauf@cityofbaraboo.com)

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**From:** Zeman, Brenda  
**Sent:** Monday, July 23, 2018 12:08 PM  
**To:** Haggard, Cynthia <[chaggard@cityofbaraboo.com](mailto:chaggard@cityofbaraboo.com)>  
**Cc:** Truman, Emily <[etruman@cityofbaraboo.com](mailto:etruman@cityofbaraboo.com)>; Schauf, Mark <[mschauf@cityofbaraboo.com](mailto:mschauf@cityofbaraboo.com)>

**Subject:** Admin Agenda - Denied Operator License

**Importance:** High

Cynthia,

Please add Eric Kaun to your administrative agenda. His Operator's License was denied, a copy is attached, and he would like to take it to Admin

Thanks!

Brenda

The City of Baraboo, Wisconsin

**Background:** All events occurring in the City of Baraboo that meet the definition of being a special event require a City issued special event license. It is proposed that the current ordinance be updated to be clearer and more comprehensive regarding what constitutes a special event and how special events are to be licensed and managed. The most significant proposed changes to the ordinance are:

- An updated definition of “special event,” which can be summarized as: a temporary gathering of people for a planned event on City property that is not within the normal and ordinary use of the property, or an event on private property that will require the use of extraordinary City resources.
- Clarifications:
  - One special event license may cover a multi-day event, as long as the days are consecutive or at a consistent interval.
  - A request for a special event is considered submitted to the City only when the City Clerk receives the license application form, the proof of insurance and the license application fee (the fee will still be automatically waived for non-profit organizations and the government).
  - The application fee may not be waived (except for non-profit organizations and the government) and is non-refundable unless the application is denied due to be submitted late.
  - Applications are accepted first come-first served.
  - Applicants must still pay the City’s costs for any extra services spent by the City (such as extra police, for barricading a road, etc.) but now only if the total costs are over \$500. The applicant may still ask for the costs to be waived. A bond is now only required if the City requests one.
  - Requests must be submitted at least 30-calendar days before the event if the applicant is requesting the closure of a right-of-way or the waiver of costs, otherwise requests must be submitted at least 14-calendar days before the event.
- New Requirements:
  - Applicants must be at least 18 years old.
  - Applicants must agree to indemnify the City.
  - There must be at least one designated head of security for events, who must be present during the event and reachable by phone during the event.
  - Applicants are responsible for ensuring there are an adequate number of waste and recycling receptacles and portable toilets available during the event.
  - The City can deny a request for a special event license for various reasons, and if denied, the applicant may appeal the denial.
  - The City Administrator, Police Chief, Fire Chief and/or DPW Director may cancel an event or terminate a license at any time for health or safety reasons.

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

**Comments:**

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

WHEREAS, §12.05 of the Municipal Code for the City of Baraboo shall be amended to read as follows:

12.05 SPECIAL EVENT LICENSE. (2206 09/13/2005 2429 05/26/2015 \_\_\_\_\_)

The City of Baraboo recognizes that special events can bring many benefits to the community. At the same time, the City must have sufficient notice prior to a special event so that the City can evaluate the potential impact the event might have on resources of City departments, City owned properties and facilities, and on the public. Because events have unique characteristics with different potential impacts on City services, the issuance of a license is considered on a case-by-case basis and in accordance with this ordinance.

(1) DEFINITIONS. As used in this ordinance, the following terms have the following meaning:

*"Applicant"* means the person applying for the special event license.

*"City property"* includes all buildings, parks, parking lots, streets, sidewalks and other rights-of-way and any other property owned, leased, managed or controlled by the City of Baraboo.

*"Extraordinary services"* means reasonable and necessary services provided by the City which specifically result from the special event. Extraordinary services result in measureable financial costs which are above and beyond the normal levels of public health and safety services on a non-event day. Extraordinary services will normally be those services requiring city employees to be specifically assigned to tasks in support of the special event and/or those services resulting in overtime pay or similar costs which result from the event. Examples of extraordinary services may include police protection, traffic control, fire monitoring, parks services, and other services necessary to ensure the protection of participants and citizens, the proper functioning of City services, and the proper administration of this ordinance. The City will make reasonable efforts to adjust the schedules of employees to minimize the requirement for overtime pay or other costs for extraordinary services where sufficient advanced notice of the event is provided.

*"Multiple day event"* means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval), at the same start and end time and at the same location (e.g., an event occurring on a consecutive Saturday and Sunday from 9:00 am until 5:00 p.m. or an event occurring three Tuesdays in a row from 5:00 p.m. until 8:00 p.m.). One special event license will be issued for a multiple day event

*"Normal and ordinary use"* means the way City property should normally and ordinarily be used. Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.

*"Special event"* or *"event"* means a temporary gathering of people for a planned occurrence on City property such as, but not limited to, festivals, concerts, demonstrations, rallies, performances, parades and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. A special event may also occur on private property if it will affect, impact or interfere with the normal and ordinary use of City property by the general public within the vicinity of the event and/or will require the use of extraordinary services. A special event may be a single day event or a multiple day event. The City Administrator or designee shall have the exclusive authority to determine whether or not a license is required for any particular event should there be a question about whether an event meets this definition. ~~An event may be multiple day event. The City Administrator or designee shall have the exclusive authority to determine whether or not a license is required for any particular event.~~ The following events are excluded from meeting the definition of being a special event:

1. Funeral processions.;

2. Events organized solely by the City and where the City is the applicant.;
3. Events which enter into a separate and specific agreement, which is approved by the Common Council, to hold the event pursuant to the terms of the individual agreement. The Council is authorized to modify the terms or requirements of this Ordinance within such an agreement, provided the modifications meet the spirit if not the letter of this Ordinance.

~~(21) LICENSE REQUIRED-REQUIRED. Any person operating, conducting or managing within,~~

~~(a) License Required. No person or entity acting as an event organizer shall set up for, hold, or conduct a special event within the municipal boundaries of the City of Baraboo without first obtaining a special event license. the City any outdoors exhibition, shows, amusement, carnival, circus, parade, lecture, speech or assembly, concert or musical entertainment shall obtain a license.~~

(b) License Submittal Date.

1. License requests are deemed submitted to the City when the City Clerk receives the application form, application fee and proof of insurance.
2. License requests must be submitted at least thirty (30) calendar days prior to the event for events involving a public right-of-way or if the applicant intends to request a waiver of costs for extraordinary services; for events not involving a public right-of-way or a requested waiver of costs, the license request must be submitted at least fourteen (14) calendar days prior to the event.

~~A license shall not be required for any private party, picnic, event or gathering where the general public is not invited.~~

~~(2) APPLICATION-(cb) Application Form. License requests must be submitted on an application form supplied by the City Clerk not less than seven forty five (45) calendar days prior to the date of the special event. The form must be complete and must contain a detailed map or diagram indicating the specific location and layout of the event. The map must also include any proposed street closures and the proposed route and direction of route, including all turns and the number of traffic lanes to be used, if applicable.~~

~~(d) Application Fee. A license application fee shall be set by the Common Council and listed in the City's Official Fee Schedule. The fee is due in full for a license request to be deemed submitted to the City. The application fee is non-refundable unless the application is denied because it is submitted late. Events sponsored entirely by a registered non-profit organization or government entity are exempt from paying an application fee.~~

~~(ee) Insurance. If the event will include the use of public property, including parks or streets, the applications shall must be accompanied by a certificate of insurance showing that the applicant is covered by general liability insurance by an insurance company licensed to do business in Wisconsin in the minimum amount of \$300,000 for the injury or death of one person, \$50,000 for property damage, and an aggregate of \$1,000,000 coverage for the event. Additional insurance may be required depending on the nature of the event and as determined by the City, which will be communicated to applicant by the City Clerk at least ten (10) calendar days prior to the event. If additional insurance is required, the applicant must provide the City Clerk with a certificate of insurance in the required amounts at least five (5) calendar days prior to the event. All certificates of insurance must list the City of Baraboo as an additional insured.~~

(fd) Additional Licenses, Permits and Fees. The applicant is solely responsible for ensuring the event has all other necessary license, permits and variances prior to the event including, but not limited to, alcohol licenses, vendor permits, noise variances, etc.

~~If the entertainment involves carnival type rides, proof of current inspection of such rides by the Wisconsin Department of Industry, Labor and Human Relations must also be furnished.~~

~~(e) (3) Application Fee.~~

~~(a) The license application fee shall be determined by the Common Council and as set forth in the City's Official Fee Schedule. The fee is due in full at the time the application is submitted to the City Clerk.~~

~~(b) Exceptions. This section shall not be construed to require the payment of a fee in the following circumstances:~~

~~1. Lectures, speeches or assemblies in a traditional public forum;~~

~~2. Concerts when no amplification of sound will be utilized;~~

~~3. Religious services;~~

~~4. Events held at the Sauk County Fairgrounds pursuant to the authorization of the Sauk County Fair Board;~~

~~5. "Concerts on the Square;"~~

~~6. "Zoo Crew Day;"~~

~~7. Events sponsored by a unit of government.~~

~~8. Events sponsored by a tax exempt organization. The application fee is non-refundable. Exempt from payment of an application fee are applicants that are a unit of government or a tax exempt organization.~~

(gf) Applicant Requirements. Applicants must be at least 18 years of age or older. If the applicant is a corporate or government entity, the application must be signed by an authorized agent of the entity. The applicant must agree to indemnify, defend and hold harmless the City of Baraboo as it pertains to the event.

(hg) Acceptance of Application. Late applications, incomplete applications, or applications otherwise not meeting the requirements of this ordinance shall be denied by the City Clerk.

(ih) Application Review. Applications are reviewed by employees from the following City departments: Administration, Finance (City Clerk), Fire, Parks, Recreation & Forestry, Police and Public Works. Each department will recommend either approving or denying the application. The City Clerk will issue the license only upon receiving a recommendation for approval from all departments. Each department must recommend approving or denying an application based on the information relevant to that department. A department's decision to recommend approving or denying an application may be based on, but is not limited to, the following:

1. Use of department resources,

2. Costs to the department,

3. Any perceived public health or safety problems related to the department or jurisdiction covered by the department,
4. If the applicant has a history not complying with this ordinance, including past failures to pay the application fee or costs, and/or other applicable rules or regulations.

If a recommendation for denial is made by a department, an explanation must be provided to the City Clerk which will then be provided to the applicant upon request of the applicant.

- (j) Priority. All license requests are accepted first come, first served. For purposes of determining the priority of an application, any amendment, or revision or resubmittal of any license application shall become the date the license request is submitted to the City Clerk.
- (k) Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service or other government entity notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the City Administrator which requirements will be waived.

(3) SAFETY.

- (a) Security. All events must have at least one designated head of security who must, at minimum, be:
  1. 18 years of age or older,
  2. At the event for the duration of the event,
  3. Reachable by phone at all times during the event by the City, and
  4. Able to call 911 during the event.
- (b) Additional Safety Features. The Police, Fire or Public Works Department may require the applicant to have additional safety features at an event, in which case the City Clerk will let the applicant know what additional safety features the event will need at least ~~ten~~ seven (7) calendar days prior to the event. If the applicant declines to provide the additional security features, the ~~police department may deny the event per subsection (2)(5) and the applicant may appeal per section 11~~ application may be denied.

(4) SET-UP AND CLEAN-UP.

- (a) Set-Up. Set-up for an event, including, but not limited to, dropping off supplies and erecting tents, shall not take place more than four (4) hours in advance of an event unless approval for earlier set-up has been granted by the department head or designee with jurisdiction over the location of the event.
- (b) Markings. Any instructions or information about or pertaining to an event applied directly to City property must be no more than twelve (12) inches in height and two (2) feet in length. Only white, temporary, water based marking paint or landscape chalk is permitted. No markings, including temporary markings, shall be allowed on City property for an event.
- (c) Portables. It is the responsibility of the applicant to ensure a reasonably adequate number of portable toilets are available during the event.
- (d) Waste and Recycling Receptacles. It is the responsibility of the applicant to ensure thea reasonably adequate number of ~~proper number of~~ waste and recycling receptacles are present during the event.

- (e) Clean-Up. It is the responsibility of the applicant to ensure the location of the event is left in the same condition it was in prior to the event. All clean-up efforts must be completed within four (4) hours after the conclusion of the event unless approval for additional clean-up time has been granted in writing by the Department with jurisdiction over the location of the event. During and following a special event, the applicant of the event shall be responsible for the cleanup of all streets, sidewalks and alleys within the area of the special event.
- (f) ADA Compliance. It is the responsibility of the applicant to ensure the event is ADA compliant to the extent legally required, and that all associated rules, ordinances, statutes and codes are complied with.

(54) PAYMENT OF COSTS COSTS FOR EXTRAORDINARY SERVICES.

- (a) City Costs. ~~If the an event will require the closing of streets or the extraordinary services, e use of additional police, fire or public works personnel, or the use of other city services, then the C~~City shall require that the applicant pay for the additional services if the costs to the City to provide the services exceeds \$500.00 ~~costs of such personnel associated with the event. The City will make a reasonable effort to notify the applicant prior to the event if extraordinary services totaling over \$500 will be provided by the City. The City may request a surety bond from the applicant for the amount of the anticipated costs. Failure of the applicant to provide the City with a surety bond upon request may result in the application being denied. An estimate of the costs shall be provided to the applicant as soon as practicable at least five (5) business days before an event. If the estimated costs for the event services will not exceed \$500.00, a license shall be granted without a requirement that the costs be paid for by the applicant.~~

- (b) If the estimated costs for the event exceed \$500.00, the license for the event shall not be issued unless a bond to secure the payment of the estimated costs is filed with the City Clerk at least three (3) business days prior to the event.

(b) Payment of Costs.

1. If the total costs for extraordinary services exceeds \$500, Within thirty days after the event, an itemized statement of the actual costs shall be provided to the applicant within thirty (30) calendar days after the event, who shall pay such costs within thirty (30) calendar days of the date of the statement of costs, or, if applicable, the bond for costs shall be forfeited.
2. Within the thirty (30) calendar days of receipt of the statement of costs, the An applicant may appeal the statement of costs to the Finance Review Committee within thirty (30) calendar days, who shall determine the actual costs relating to the event.
3. Nothing herein shall prohibit the City from pursuing civil judgment against the applicant for the actual costs of the event, should such costs not be paid and the bond is insufficient to cover such costs. In determining the costs associated with an event, listeners' reaction to the content of the speech or assembly shall not be considered.

- (c) Waiver of Costs. ~~A waiver of the requirement to pay the costs for the extraordinary services of an event may~~ Costs may only be waived only be by granted by the City Finance Committee, who shall hear. A an applicant's request for waiver shall be heard by the Finance Committee at its next regular meeting. If the Finance Committee denies a request for the wavier of costs, that decision may be appealed to and heard by the City Common Council that same day as a new hearing but with the recommendation of the Finance Committee being provided to the

Council. A waiver of the payment requirement for all or part of the costs for extraordinary services shall be based upon a consideration of the following:

1. \_\_\_\_ Whether the applicant is a tax exempt organization.
2. \_\_\_\_ The total costs for the event.
3. \_\_\_\_ Whether the event was sponsored by a unit of government.
4. \_\_\_\_ Whether the lecture, speech or assembly in a public forum event is protected speech under the First Amendment to the US Constitution.

(6) RESTRICTING USE OF PUBLIC RIGHT-OF-WAY. ~~(5) To encourage the integrity, comprehensiveness and success of a special event, the Public Works Safety Committee may suspend otherwise permissible uses of any public right-of-way, such as on any City street, alley, or sidewalk or public square and/or on designated portions thereof pursuant to this section. Upon receipt of an application for a special event license when that contains a request is made to suspend otherwise permissible uses on any City street, alley, sidewalk or public square, and/or on designated portions thereof uses of a public right-of-way, the City Clerk shall immediately forward copies to the members of the City Public Works Safety Committee, which, to the Police Chief, Fire Chief and Street Superintendent. The Public Works Committee shall convene to consider the application and give notice of the meeting to the applicant. Before granting an application for an special event license that includes restricting permissible uses of the public ways a public right-of-way, the Public Works Safety Committee shall consider the recommendations made by the Police Chief, Fire Chief, Director of the City's Public Works Department, and Street Superintendent and. In deliberating on whether to grant a suspension of otherwise permissible uses of the public ways, the Public Works Committee shall consider the risks to public safety based upon the following:~~

- (a) \_\_\_\_ The location of the request for the restriction of permissible uses of the public ways right-of-way.
- (b) \_\_\_\_ The duration of the request.
- (c) \_\_\_\_ The time of day of the request.

The subject matter, ideology, opinion or perspective of the applicant shall not be considered in determining whether to grant a restriction of permissible uses of the public ways.

~~(6) TERMINATION OF PERMIT. An entertainment license may be terminated by the Baraboo Police Department or Fire Department before or during the event if the health, safety and welfare of the general public appears to be endangered by activities generated as a result of the event or if the event is in violation of this section or of any of the conditions of the permit or regulations adopted by the Common Council resolution. The City Clerk has the authority to revoke a permit or terminate an event in progress if the event sponsors fail to comply with any of the provisions of this section or the regulations included in the resolution authorizing the event.~~

(7) E EMERGENCY ACCESS. ~~The All special events shall be conducted and maintained in a manner that will allow an emergency vehicle an unobstructed access lane at least 18 feet wide and continuous over the entire length of any street within the area where the special event are takes place.~~

(8) ~~The Common Council may by resolution reserve up to 15 days during any calendar year when direct seller permits will not be valid at a particular location or in a certain area. During any special event, the rules, guidelines and procedures set forth in the resolution approving the special event shall take precedence.~~

- ~~(9) SELECTION OF VENDORS BY EVENTS SPONSOR. For each specific day during which certain or all direct seller or street vending permits have been declared to be invalid, the Common Council may by separate resolution authorize the sponsor of a special event to select vendors and vending sites and collect and retain reasonable vending fees for the duration of the special event within its perimeter.~~
- ~~(108) NO UNAUTHORIZED VENDING IN PERMIT AREA. During an authorized special event there shall be no vending on any public streets or sidewalks in the area of the special event area 12-24 except vending permitted by the sponsor applicant. The applicant shall be responsible for ensuring that all authorized vendors are easily identifiable as such.~~
- ~~(119) DISCRIMINATION PROHIBITED. No person or organization granted a special event permit applicant shall discriminate against any vendor, customer, event participant or other person by reason of race, color, creed, handicap, age, sex, religion, national origin, ancestry, marital status, or other form of discrimination prohibited by the laws of the State of Wisconsin or United States of America.~~
- ~~(10) TERMINATION OF LICENSE. A special event license may be terminated by City before or during the event if the health, safety and welfare of the general public appears to be endangered by activities generated as a result of the event or if the event is in violation of this section or of any of the conditions of the permit or regulations adopted by the Common Council resolution. The Mayor, City Administrator, Fire Chief, or Police Chief or Director of the City's Public Works Department shall have the authority to terminate the license.~~
- ~~(11) APPEALS. If an application is not accepted by the City Clerk, or if an application is denied by the City, the applicant may request the application be submitted to Common Council by way of the Public Safety Committee for review and a final determination of whether to grant the license. In deciding the appeal, the Public Safety Committee and Common Council may consider the following:~~
- ~~(a) If the application was not fully completed and/or failed to include necessary attachments and/or contained a material falsehood or misrepresentation;~~
  - ~~(b) If the applicant asserts that they/he/she cannot or will not pay the application fee and/or that they/he/she cannot or will not pay the costs for extraordinary services and the Common Council determines that such the fee and/or costs should are not be waived;~~
  - ~~(c) If the applicant is not legally competent to sign the application or to be held responsible for its/his/her actions;~~
  - ~~(d) If the applicant has, on prior occasions, been required to pay for extraordinary services or damage to City property and has not paid in full for such services or damage;~~
  - ~~(e) If the event would conflict with previously planned events and programs which have been organized by others either through the use of City property or the unavailability of sufficient City resources for the proposed event;~~
  - ~~(f) If the intended event would present a grave or unreasonable danger to the health, safety or welfare of the persons expected to participate in the event, the area in which the event will occur, the community as a whole, or City property and resources required to be involved with the proposed event;~~
  - ~~(g) If the number of persons expected to participate in the event would result in a concentration of persons, vehicles, or things which cannot be supported at the requested time or location due to a lack of sufficient open area, streets, offsite parking, or traffic controls.~~
  - ~~(h) If activities reasonably expected to occur at the intended event are prohibited by law.~~

(11) COMPLIANCE. The applicant is responsible for ensuring that the event complies with this ordinance and all applicable laws and regulations including, but not limited to, statutes, ordinances, traffic rules, park rules, health laws, fire codes, and liquor licensing regulations. Any person who violates any provision of this ordinance shall, upon conviction, be subject to a penalty as provided for in §25.04 of this Code, in addition to being subject to any other applicable civil or criminal penalties.

~~(12) CLEAN UP. During and following a special event, the sponsor of the event shall be responsible for the cleanup of all streets, sidewalks and alleys within the area of the special event.~~

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

The amended Ordinance shall take effect upon passage and publication as provided by law.

Offered by: Administrative Committee  
Motion:  
Second:

Mayor's Approval: \_\_\_\_\_  
Clerk's Certification: \_\_\_\_\_

I hereby certify that the foregoing amendments to the Ordinance were duly passed by the Common Council of the City of Baraboo on the \_\_\_\_ day of \_\_\_\_\_, 2018, and is recorded on page \_\_\_\_\_ of volume \_\_\_\_\_.

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

The City of Baraboo, Wisconsin

Background: The Public Safety Committee considered a request to revise certain parking regulations on Ash Street between Water Street and 1st Street at their July 23rd, 2018 meeting.

Based on recommendations from the City Engineer and Chief of Police, the Committee recommended that the Common Council approve the proposed changes.

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

An Ordinance 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.

(3) LIMITED TIME PARKING

(d) Two Hours except where a 15 minute or 30 minute time period is specified under subs. (3)(a) and (3)(b) above. (1932 02/24/98)

1. Ash Street from Water Street to the Baraboo River and from 1st Street to 4th Street.

1. Ash Street from the Baraboo River to 4th Street

2. Walnut Street, from Lynn Street to the Baraboo River. (2256 04/24/07)

3. Oak Street, from 1st Street and Avenue to 5th Street and Avenue. (1932 02/24/98)

4. The east side of Oak Street between 5th Street and Avenue and the alley 135 feet north of 5th Street and Avenue.

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

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

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

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the \_\_\_th day of August, 2018 and is recorded on page \_\_\_ of volume \_\_\_.

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

**REPORT OF BUILDING INSPECTION**  
**Construction, Plumbing, Electrical, HVAC, Commercial**  
**JULY**

PERMIT TYPE	2017						2018					
	ISSUED	YTD	EST COST	YTD	FEES	YTD	ISSUED	YTD	EST COST	YTD	FEES	YTD
Commercial, New	0	1	\$0.00	\$9,082,700.00	\$0.00	\$0.00	0	1	\$0.00	\$800,000.00	\$0.00	\$2,272.63
Commercial Addition	0	5	\$0.00	\$24,386,623.00	\$0.00	\$41,690.85	1	1	\$707,895.00	\$707,895.00	\$1,032.74	\$1,032.74
Commercial, Alterations	1	17	\$2,000,000.00	\$2,232,061.00	\$5,400.00	\$7,898.00	1	15	\$500,000.00	\$1,372,357.00	\$1,035.36	\$7,955.61
Commercial, Razing	0	1	\$0.00	\$0.00	\$0.00	\$30.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Residential, New SF	2	8	\$326,000.00	\$2,026,117.00	\$2,004.82	\$7,208.82	4	9	\$865,000.00	\$1,742,000.00	\$3,329.02	\$7,450.75
Residential, New Duplex	1	1	\$390,000.00	\$390,000.00	\$1,344.38	\$1,344.38	1	3	\$380,000.00	\$880,000.00	\$869.30	\$2,887.54
Residential, Additions	1	7	\$45,000.00	\$294,000.00	\$148.02	\$1,189.54	1	6	\$12,000.00	\$120,500.00	\$175.00	\$819.32
Residential Remodel	2	25	\$13,000.00	\$511,500.00	\$150.00	\$5,744.86	4	19	\$49,074.00	\$444,563.00	\$358.02	\$2,311.33
Residential, Accessory Razing	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	2	\$0.00	\$0.00	\$30.00	\$60.00
Residential, Razing	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	1	\$0.00	\$0.00	\$0.00	\$30.00
Roofing/Siding/Windows	12	55	\$1,349,013.00	\$499,119.00	\$766.00	\$3,244.00	38	145	\$504,422.00	\$1,636,217.00	\$3,064.00	\$10,823.00
Garage/Sheds/Deck/Fence	8	45	\$19,271.00	\$118,671.00	\$480.00	\$2,835.00	6	34	\$21,599.00	\$168,646.00	\$375.00	\$2,175.00
Multi-Family Units	0	0	\$0.00	\$0.00	\$0.00	\$0.00	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Plumbing Only	1	1	\$3,500.00	\$3,500.00	\$60.00	\$60.00	0	1	\$7,622.00	\$7,622.00	\$60.00	\$60.00
Electrical Only	3	17	\$5,000.00	\$79,200.00	\$180.00	\$1,080.00	5	27	\$54,522.00	\$184,277.00	\$300.00	\$1,880.00
HVAC Only	0	5	\$0.00	\$25,861.00	\$0.00	\$660.00	1	3	\$9,000.00	\$16,602.00	\$60.00	\$180.00
Sign Permits	2	9	\$2,000.00	\$16,200.00	\$120.00	\$1,020.00	1	13	\$1,000.00	\$33,500.00	\$60.00	\$1,170.00
Misc. Permits	2	7	\$0.00	\$24,300.00	\$120.00	\$330.00	0	5	\$0.00	\$70,000.00	\$0.00	\$210.00
<b>TOTALS</b>	35	204	\$4,152,784.00	\$39,689,852.00	\$10,773.22	\$74,335.45	63	285	\$3,112,134.00	\$8,184,179.00	\$10,748.44	\$41,317.92

**Members Present:** Petty, Thurow

**Absent:** Sloan

**Others Present:** Mayor Palm, E. Geick, E. Truman, C. Haggard, B. Zeman, W. Peterson, T. Pinion, Carla Gogin & Dan La Haye from Baker Tilly

**Call Meeting to Order** – Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Petty to approve the minutes of July 10, 2018. Motion carried unanimously. Moved by Thurow, seconded by Petty to approve the agenda. Motion carried unanimously.

**Action Items**

- a) **Accounts Payable** – Moved by Thurow, seconded by Petty to recommend to Council approval of the accounts payable for **\$950,429.07**. Motion carried unanimously.
- b) **2017 Audit Report** – Carla Gogin & Dan La Haye from Baker Tilly Virchow Krause, LLP presented the 2017 Financial Statements. City Staff was commended for their work in preparing for the audit. One change for this year as related to the monies that the CDA received to construct the new City Hall, because of the significant dollar amount we are required to have a compliance audit as a condition of receiving these funds. While they have finished the financial audit, they are in the process of completing their work as it relates to these federal funds. The City has received an unmodified opinion which is considered a clean opinion or the highest level of assurance anyone can receive on a financial audit. Moved by Petty, seconded by Thurow to recommend to Council the approval of the 2017 Audit Report.
- c) **Demolition & Disposal at 325 Lynn St.** – City Engineer Pinion explained that the asbestos abatement is scheduled to occur on August 16<sup>th</sup> & 17<sup>th</sup>. The City would like to get a demolition contractor scheduled for shortly after this date. We received proposals from 2 different vendors with Robinson Brother Environmental, Inc. coming in with the low bid of \$45,700. Adm. Geick explained that the intent of this cost of this demolition would come from revenues from the sale of the property. Moved by Petty, seconded Thurow and carried unanimously to recommend the low bid from Robinson Brother Environmental, Inc.
- d) **2<sup>nd</sup> Qtr. 2018 Budget Amendments** – Finance Director Haggard presented the 2<sup>nd</sup> Qtr. 2018 Budget Amendments. Moved by Petty, seconded by Thurow and carried unanimously to approve the budget amendments.
- e) **Teel Corporation request for 3-year extension of TID 7** – Adm Geick explained that this is informational only. No action required.

**Informational Items**

Correspondence from Ehlers re: Potential Refunding of Existing Bonds – No action taken.

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

Brenda Zeman, City Clerk

**Members Present:** S. Fay, L. Steffes, N. Marklein Bacher, L. Stanek, B. Stelling, D. Ender, M. Zolper

**Members Absent:** T. Wickus, S. Byberg

Also Attending: Ed Geick

**Call to Order:** Sarah Fay presided over the meeting, called it to order at 5:47PM and noted compliance with the Open Meeting Law.

**Meeting Minutes:**

Moved by Stanek, seconded by Stelling and unanimously carried to approve the minutes of June 20, 2018.

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

**Reports of Officers and Committies**

President:

- Ed, Sarah & Laura attended meeting for municipalities that would like to start a BID. Noted that our BID tax rate is lower than state average rate. Discussed potential longer-term planning.
- Committies should meet to plan next year's budget before September and look forward to next 2-5 years.

Appearances:

- New circus wagon wheel artwork installed in planters
- Ordered fall & winter planter décor

Business Development:

- Class sign up went out and will be opened to non-BID members soon
- Hoping to announce Pop-Up Shops Friday – still working on locations

Parking Lot:

- Weeds appear to not have been sprayed

**New Business:**

1. Vouchers	City of Baraboo	130.53
	Cutting Edge Craftsmen	695.00
	The Sign Shop	1200.00
	Lorraine Ortner-Blake	<u>229.35</u>
	<b>TOTAL:</b>	<b>2254.88</b>

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

**Correspondence & Announcements:**

Moy, Borchert, Erbs & Assoc. is moving to Accelerated Genetics building.

**Next Meeting:** Wednesday, August 15, 2018 at 5:45pm, Committee Room #205.

**Adjournment:** Adjourned at approximately 6:34 p.m.

Respectfully submitted,  
Nicole Marklein Bacher

Present: Thurow, Palm, Wedekind, Zeman

Absent: Kolb

Also Present: none

Mayor Palm called the meeting to order at 1:30 p.m., noting compliance with the open meeting law.

Moved by Wedekind, seconded by Thurow and carried to approve the agenda.

Since the Assessment Roll is not ready, it was moved by Wedekind, seconded by Thurow to direct the Assessor to establish the date of July 19th at 1:00 p.m. as the date and time to conduct Board of Review. Motion carried unanimously.

Moved by Wedekind, seconded by Thurow and carried to adjourn this session of Board of Review.

Respectfully submitted,

Brenda Zeman  
City Clerk  
Submitted for payroll 06-08-2018

**From:** Don Francis <[donfrancis@platteville.org](mailto:donfrancis@platteville.org)>  
**Sent:** Wednesday, July 25, 2018 3:35 PM  
**To:** Zeman, Brenda <[bzeman@cityofbaraboo.com](mailto:bzeman@cityofbaraboo.com)>  
**Cc:** Palm, Mike <[mpalm@cityofbaraboo.com](mailto:mpalm@cityofbaraboo.com)>  
**Subject:** Safe streets

(Please forward to Council members)

Greetings from Platteville!

I want to voice my support in keeping your city streets safe without ATVs allowed on them. I don't know if it was a difficult decision for you, but I applaud you. Here in Platteville we are currently dealing with a proposed ordinance. You can see more on the city website:

<http://www.platteville.org/police/page/work-session-proposed-atvutv-routes-city-platteville-scheduled-july-24>

For the past two months, my colleagues and I have been gathering a lot of data and opinions. For me, since these vehicles are not built for on-road use, it's a simple decision about the safety for all. For ATV/UTV users to disregard the manufacturers' warning to "Never Use On Public Roads" is rather baffling. It's in EVERY Owner's Manual and affixed to EVERY ATV/UTV. However, the enthusiasts have a sort of "nothing bad will happen to me" attitude. While the manufacturers, who know their vehicle the best, is telling everyone to never drive it on a road.

The DNR also has annual fatalities statistics, and most of the deaths occur on a road. See them here: <https://dnr.wi.gov/topic/atv/atvCrashInfo.html>

Anyway, I wanted to also give you some information because the issue will probably come up again. Probably asking for a smaller route and the promise of being safe and bringing money. It still doesn't change the these are off-road vehicles that do not handle well on pavement - no matter how perfect the conditions may be.

Links to six different studies can be found on this UW-Platteville webpage:

<https://www.uwplatt.edu/transportation/atvutv-proposal>

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Also, Dr. Charles Jennison from the University of Iowa sent us a letter about his work that reflects several letters you can find online through a few newspapers. Here's the letter he emailed to the Platteville City Council:

I understand the Platteville Common Council is considering an ordinance to open up city roads and streets to off-road vehicle (ORV) recreational use— all-terrain vehicles (ATVs) and side-by-side vehicles which includes recreational off-highway vehicles (ROVs) and utility task vehicles (UTVs). I cannot stress enough how dangerous this decision would be. I am an emergency medicine physician at the University of Iowa and my primary research area is on ATV-related injuries and injury prevention.

Although only a small percentage of ATV riding presently occurs on the road, over 60% of all ATV-related deaths have resulted from roadway riding. Some argue that the ATV riders will be safe as long as they stick to lower-traffic roads, but this is incorrect: Two-thirds of ATV deaths and an even greater percent of roadway injuries do not involve another vehicle.

So why is riding ATVs on road or street so dangerous? ATV tires have deep treads which are designed to grab surfaces but not release. Cars and trucks, by contrast, have tires that are designed to continually grip and release the road. This makes ATVs unpredictable in their performance on all public roadway surfaces, but especially on paved streets and roads.

Most ATVs also have a fixed rear differential or solid rear axle. This means that the wheels do not turn at a different rate when going around a curve as they do on vehicles designed for roadway travel. Thus, ATVs require a much wider turning radius. In addition, ATVs have a relatively high center of gravity, lower pressure tires, and a narrow wheelbase. All of these factors make loss of ATV control and rollovers on roadways an ever-present danger, especially at speeds often traveled on public streets and roadways.

My first cousin, who lived on a farm near the one I grew up on in Minnesota, was killed when he turned his ATV onto a public road and was hit by a pick-up truck. It was a terrible thing for the whole community. However, another tragedy occurred that day. Even though the crash was not his fault, the man driving that pick-up truck could never get over the fact that he had killed my cousin. He became an alcoholic and lost his family. It makes no sense to put Platteville's families, including all of its motor vehicle operators, at risk for such devastating emotional harm.

Over the past 15-20 years, roadway ATV deaths increased at a rate more than twice that of those off-road. Deaths from roadway crashes are not an "accident", they are easily preventable.

Among those strongly warning against riding on roads and streets are the ATV manufacturers and their partners at the Specialty Vehicle Institute of America. These machines are designed for off-road surfaces. In fact, ATV manufacturers warn riders in their owner's manuals that their product should not be used on public roads and streets, and have placed warning labels on the ATVs stating the same. The ATV industry doesn't want the responsibility and they certainly don't want the liability. I'm puzzled why any city council or county board of supervisors would pass a resolution in violation of these manufacturers' warnings. Such an ordinance falsely implies that it is safe to go on the road. Any such governing body is misleading their citizens and taking on a liability they should not take.

In addition, opening up roads and streets to ATV transportation and recreational use often leads to uninvited access to the personal property of other landowners, not to mention the noise nuisance of these vehicles in town environments.

I hope that you carefully consider the consequences of opening public roads and streets to off-highway vehicle travel and recreational use. Opening roads to adults will inevitably increase ATV roadway use by children and teens as well. Even one serious injury or death would nullify any possible benefit this ordinance would have for some area residents. Unfortunately, this consequence is essentially assured if such a policy is passed.

Sincerely,

Charles Jennissen, MD  
Emergency Medicine Physician and ATV Researcher  
Department of Emergency Medicine  
University of Iowa College of Medicine

**P.S.**

We have published a number of research articles on ATVs on roadways. I have attached these articles to this e-mail as well a couple of other documents related to ATVs and other off-road vehicles on public roadways. In addition, I have attached a letter from the Specialty Vehicle Institute of America (SVIA), an organization associated with the ATV manufacturers. We have seen an increasing number of cities and counties in many states considering ordinances and regulations to increase ORV use on public roadways. These initiatives are even often fueled by ATV or off-highway vehicle (OHV) clubs who should know better. Fortunately, most governing bodies have recognized the safety concerns of opening public roads to ATV use--but it seems that the liability issues have been a bigger deterrent. Let me know if you have any questions. My work phone is (319) 384-8468.

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Also, the Consumer Federation of America contacted us with the work they have been doing, and a copy of the letter they sent us on 7/18/18 can be found here (<https://consumerfed.org/off-highway-vehicle-safety/coalition-letters/>), under Wisconsin. This repeats how this product is never to be operated on pavement.

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There is more out there, but just dealing with the nuances of the law and the continuous editing of the ordinance showed me how this is such a bad idea. The law is a good law - to keep vehicles off the road that are not recognized as motor vehicles by the DOT. Just because the laws were relaxed on the State level doesn't mean they are suddenly safe. It's amazing what we have added to the drafted ordinance to drive on the streets, like:

- Have a valid driver's license;
- Be at least 16 years old;
- Have liability insurance;

Wear a seat belt;

Not allowing open intoxicants; and

Must have fully functioning headlights, taillights and brake lights.

If we didn't put those in the ordinance (read it here:

[http://www.platteville.org/sites/default/files/fileattachments/police/page/26881/ord\\_18-07\\_atv-utv\\_ordinance\\_0046-28-18.pdf](http://www.platteville.org/sites/default/files/fileattachments/police/page/26881/ord_18-07_atv-utv_ordinance_0046-28-18.pdf)), then the users wouldn't have to follow them.

Another piece that is disconcerting is the drunk driving. If an ATV operator is cited for DWI or OMVI, it does NOT go on their Driver's License. Why? Because they are not in a recognized motor vehicle. But this vehicle is just as deadly. So, it becomes a logical choice to just drive the ATV and drink, because the consequences are not that severe. That is unacceptable behavior to condone.

Otherwise, I'm sure you received feedback from your citizens about noise and safety, but this is the information that really makes it easy to say NO to ATVs in cities as large as Baraboo and Platteville.

Take care,

Don Francis

Platteville Alderperson



Baraboo Public Library

constructed 1903 ~ addition 1982  
Baraboo, Wisconsin

Dear Mayor Mike Palm and  
City Council + administration,

Thank you for the wonderful  
recognition acknowledging my  
years of service on the library  
board. It was truly an honor  
and privilege to serve.  
Best wishes,  
Mary Grant