

Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, September 10, 2019 – 7:00 p.m.

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent:

Others Present: Chief Schauf, Clerk Zeman, Adm. Geick, Atty. Truman, W. Peterson, C. Haggard, K. Stieve, P. Cannon, M. Hardy, J. Bergin, T. Pinion, members of the press and others.

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Ellington and carried to approve the minutes of August 27, 2019.

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

Compliance with the Open Meeting Law was noted.

PRESENTATIONS *(None Scheduled)*

PUBLIC HEARINGS *(None Scheduled)*

COMMITTEE OF THE WHOLE

Moved by Kolb, seconded by Ellington to convene as a Committee of the Whole to discuss the following:

- Finance Director C. Haggard presented the financial projections as it relates to future building projects.

Dawn Gunderson noted that a rating agency will look at our General Obligation, the percentage of debt to our operations; they will also look at the direct General Obligation to the levy.

Ald. Plautz noted that he has talked with a few people who were thinking about buying a home in Baraboo and they feel the taxes are already high now. One of our goals was for affordable housing; we need to keep this in mind.

Ald. Sloan questioned Chief Stieve on the added maintenance and operating costs of the new fire station. While Chief Stieve does not have these numbers available, he does note that the new fire station will be larger and have more efficient equipment.

Ald. Sloan also question what percentage of the new fire station building will be funded by the fire district that is outside of the City? Chief Stieve explained that when the contract for fire protection service was negotiated, it was included that the new building will be fully funded by the City of Baraboo.

- The City Council discussed the financial strategies and options

Adm. Geick noted that our debt capacity is limited and needs to be managed properly. The City's general best interest will be better served by maintaining a good bond rating. Both the Library and Fire/EMS projects are valuable to the community; both provide needed services to the citizens. The Baraboo District Ambulance Service financial problems will take more than this budget year to determine solutions; there are too many unknowns at the moment. Completion of both the Fire/EMS and Library projects at the same time will place a large financial burden on the community.

Mayor Palm noted the following financial strategies:

- Authorize the City Staff and CDA to contact USDA and place their loan applications for both projects. The City's application for these two projects would be good for 5 years and it locks the current interest rate.
- Authorize staff to develop a vehicle registration fee of \$20 per vehicle to generate approximately \$250,000 a year for the use of street maintenance and transportation related expenses only.
- Authorize staff to develop a street light utility for the purpose of paying expenses relating to lighting which includes maintenance and street light replacement. Street lighting has an estimated annual cost of \$150,000.
- Another thing we can do is change the policy on street improvement debt; instead of using GO debt that we bond for, we would use the State Trust Fund. This would eliminate the amount of money that we have to borrow in order to cover the cost of the bond issue.
- Authorize staff to work on a plan to close TID 6 early. This would allow us to capture that \$41M earlier which will help our equalized value.
- Move forward with the Reevaluation of property in the City.

Mayor Palm noted the following building strategies:

- Authorize the Library building project for 2021
- Request the Library Board to do additional fundraising for their project of \$2M in addition to what is already available in their building trust fund.
- Delay the Fire/EMS construction until financial and management issues at BDAS are resolved so there is a full understanding of the financial impact to the City.
- We can proceed with the Fire/EMS building site selection study and preliminary design cost at approx. \$725,000 but delay the final construction of the building until we are ready to move forward with that.
- Add funding to the fiscal 2020 budget to complete necessary building repairs to the current Fire Station.

Ald. Kolb requested authorizing staff to look at what would be necessary in order to move forward a premier resort tax.

Ald. Plautz requested additional information on the repairs that will have to be done to the old Fire Station and the costs.

Ald. Sloan questioned the current Fire Station repairs and if they would bring ADA into effect. Chief Stieve noted that there are ADA concerns and he feels they must still comply. Included in the building repairs are the A/C units, which was damaged during a hail storm. Chief Stieve also noted that Police, Fire, EMS, and Public Works are all included in the essential services. As long as we kick the can down the road, this is not going to get any cheaper. The City of Baraboo needs adequate facilities for the essential services; Fire and EMS are way behind. He also noted that there are 3 or 4 fire fighters with cancer; fire fighters are at a higher level to get cancer. The 2007 Public Safety Building Study stated "remodeling is not a cost effective option....building and the mechanicals are aged and inefficient". 2017 Fire Department Operations Study noted "Weakness, inadequate facility; threat, current facility". The Fire Dept. is at a crossroads within the City of Baraboo. The Fire Department Operations Study brought a lot of issues to the forefront. One of the goals from the 2018 goal setting was a Fire/EMS Station; it was one of the top priorities. Atty. Truman requested that Chief Stieve keep his comments to financial strategies and options.

Ald. Sloan noted that there is no chance we are building both projects next year, we need to prioritize. Any discussion we have about why one building is more important or more needed than the other, sooner than the other is pertinent; it's exactly what we are discussing. We are talking about a state mandated service that we have to provide, Fire, EMS, vs something we would like, the library.

J. Bergin addressed the Council to note a few things: Library services are also to some degree mandated by State Statutes, to keep the library functioning for the next 5+ years will cost over \$400,000 in additional costs, and the Library is also not ADA compliant.

Ald. Ellington stated that because the ambulance service is not anywhere near ready to go anywhere, the fire station is also not ready.

Ald. Kolb noted that until August of 2018, the Fire Station was scheduled for 2028. It wasn't moved up on the list until 2018. He doesn't feel that a new building will speed up response time or save more lives and when we look at public safety, these are the things that he thinks about.

Ald. Sloan disagreed; he feels that with the way the trucks and ambulances are currently parked, a new building would definitely speed up the response time.

Ald. Petty noted that as a reality, we are not reasonably able to finance both projects at the same time. It is the Council's responsibility to make a determination as to what is prioritized. He doesn't see us funding both projects at the same time and having any sense of reasonable fiscal responsibility to the tax payers, the community as well as our debt service.

Ald. Kolb noted that what we need is revenues.

Ald. Plautz would like to see the issues at the ambulance dealt with first before we go ahead with a building plan.

Moved by Kolb, seconded by Plautz to reconvene into Regular Session.

Moved by Wedekind, seconded by Kolb to authorize City and CDA staff to submit loan applications to the USDA for the Library Expansion project and the Fire/EMS Station project. Motion carried, 8-Ayes; 1-Nay, Sloan

Moved by Wedekind, seconded by Ellington to authorize city staff to develop a framework for the creation of a Vehicle Registration Fee and a Street Light Utility for future approval by the Council. Motion carried unanimously.

Moved by Kolb, seconded by Ellington to authorize city staff to explore the creation of premier resort tax for future approval by the Council. Motion carried, 8-ayes; 1-Nay, Sloan

Moved by Wedekind, seconded by Alt to authorize city staff to develop a procedure for a citywide revaluation in 2020 and 2021 and to work with Ehlers the requirements for the closure of TID 6 for future approval by the Council. Motion carried unanimously.

Moved by Wedekind, seconded by Ellington to revise the Capital Plan to construct the Library addition in 2021 with the Library raising \$2 million in additional funding and the City borrowing \$6 million. Motion carried unanimously.

Moved by Wedekind, seconded by Ellington to delay the construction of the Fire/EMS Station and authorize needed repairs to the existing fire station when proposals or estimates are available. Motion carried, 8-Ayes; 1-Nay, Sloan

PUBLIC INVITED TO SPEAK

Chris Olson, E9991 Buckhorn Rd, Reedsburg is in favor of the library expansion. The poverty rate of the City, and entire County continues to grow. He sees on a daily basis more and more young students coming to school with increased language, social, and emotional needs. The expansion of the library will help to maintain, and in most cases increase the amount of literacy, communication,

and learning resources available to all of our families. These necessary resources and support for our community members will lead to more engaged families and will increase the learning and school readiness skills for all our students.

Abigail, confidential address is in favor of the library expansion. She feels it is very important to expand the library because of the space restrictions. She also feels the library creates a safe environment where every age group can go, have fun, and learn. It would be nice to be able to do more home schooling classes at the library; they were restricted in what they could do because of space restrictions at the library. She goes to the library to interact with other kids, develop social skills and be herself.

Rob Nelson, 318 Remington Street, Baraboo is in favor of the library expansion. He appreciates the hard work by all City staff and especially the leadership and creativity by Adm. Geick and the Mayor and staff in trying to come up with a creative way through the economic and development situation we are facing tonight.

Doug Mering, 1605 Keith Street, Baraboo is interested in the Fire Dept/EMS Bldg. The August 2017 Fire Station study by RW Management Group noted that before we proceed with this building project, "a long range comprehensive plan should be developed for the fire department. This plan should be consistent with the short and long term goals of the City Council... A strategic plan can be developed using committee members, department members and administration of the governing body. Contributions from these groups and stakeholders through the strengths, weakness, opportunities, and threats process should be utilized to develop a strategic plan". Involvement of both the Fire and EMS groups in a strategic plan should be important and appropriate. Positive reasons for a strategic plan includes: provides a sense of direction, outlines measurable goals, and is a tool that is useful for guiding day-to-day decisions, as well as evaluating progress and changing approaches when moving forward. It will add transparency and accountability to the City. In order to make the most of strategic planning, the fire, ambulance and City government should give careful thought to the strategic of objectives and outlines and backup those goals with realistically and thoroughly researched quantifiable bench marks for evaluating the results.

Pamela Roland, 875 Iroquois Circle, Baraboo is in favor of the library expansion. The library currently serves 3,000 patrons a week, does not meet the Wisconsin Public Library Standards as established by the Dept. of Public Instruction, and is not ADA compliant. The Library has already put over \$700,000 into this project and has purchased land needed for the project. This project is ready to go and has received public support.

Arie Smouter, 3174 Red Pine Rd, Baraboo is in favor of the library expansion. Libraries are a place to practice and learn civility; they are an open and safe place where different parties can meet. A concern for him is the difference between the wealthy and the poor. He sees a lot of services that many don't have access to; Libraries are a good place to level the playing field for applying for new jobs, learning new skills, etc.

Lacey Steffes, E11144A Moon Rd, Baraboo is in favor of the library expansion but did not speak.

Trent Capaul, 104 13th Street, Baraboo is in favor of banning bikes at the skatepark. In response to Ald. Plautz's suggestion to split the park by days between skaters and bikers, he would like the Council to consider that not only are they already restricted by weather, Ald. Plautz is asking them to give up another 3 months to a group that has not helped fundraise. This is going to be a travel destination for Wisconsin skateboarders and we can't expect them to check a schedule prior to visiting the area. The ownership that the skateboarders now have at the skate park is due to the time and dedication they have spent fundraising over the past year; They have quickly found the interest from the community for this skate park.

Gretchen Viney, 117 11th Avenue, Baraboo is in favor of the library expansion. The Baraboo Public Library is so much more than the sum of its parts; you can't put a value of a library on a scale. The library needs a place to grow.

Keri Olson, 1720 Elizabeth St. #4, Baraboo is in favor of the library expansion. The need for the

expansion and renovation of the Baraboo Public Library is a matter of public safety. For example, the lower level program room is used regularly and is often filled with children; There is only one exit from this room and the hallway leading from this room is narrow. Secondly, the elevator is not current with regulations. Third, the building is ADA non-compliant; public restrooms are not wheelchair accessible, there is no street level access. Fourth, security is an issue because staff cannot see who comes in and out of the alley side entrance. Fifth, safety issues have affected the library budget; upper and lower level staff cannot see or hear each other resulting in more staff being needed so as no one is left alone. Finally, staff work spaces are crowded and unsafe. The library is ready to proceed with the expansion project. In order to properly serve the community, the library must be able to address the major public safety issues with which it has been dealing for years. In the newly expanded facility, these safety issues will be addressed.

Anna Krause, 104 Lieder Street, North Freedom is in favor of the library expansion. Equity is defined as the quality of being fair and impartial. The library has the power to level the playing field between ignorance and intelligence. A library is truly the great equalizer; it creates equity by giving access to the internet to citizens who could otherwise not afford it, it offers free children's programming to young parents, it gives our immigrant citizens a place to go and find assistance with learning to speak and read English, it offers concerts, book readings, and many other types of free programming and services. We should care about equity because society is founded on the idea of fairness and equity. Our school district has made a commitment to equity, to fairness, integrity, and decency. Now it's time for our community to show our children and our citizens that we also value equity and support the library as a great equalizer.

Victoria Sanchez, 305 Lynn Ave #B210, Baraboo is in favor of the library expansion. The library expansion is for a very positive environment. The programs offered are positive outlets for children. For the Senior Citizens, the ability to be able to use the computers and internet for no charge is very important. All of the programs offered at the library need more space.

Kilton Holmes, 126 1st Street, #3, Baraboo is in favor of the library expansion. We are dealing with an age of new technology. We need to consider that libraries are staying up to date with technology and this is one area we need to be helping develop.

MAYOR'S BUSINESS

- The Mayor congratulated Joan Wheeler for her 5th anniversary with the Baraboo Public Library.

CONSENT AGENDA

Resolution No. 19-75

THAT the Accounts Payable, in the amount of \$ 991,197.64 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 19-76

THAT the City Clerk be authorized to issue the following Liquor Licenses:

- Bella Vita Café, LLC

Resolution No. 19-77

THAT the City Clerk be authorized to deny the following Liquor Licenses:

- Red Shed Garden & Gifts

Resolution No. 19-78

THAT the City Clerk be authorized to issue the following Operator's Licenses:

- Autumn Moritz, Quindt's Towne Lounge (New)
- Chelsey Riley, Baraboo Burger Company (New)
- Paul Fuller, Barabrew Liquor (New)
- William Moorman, Rogues & Ruffians Renaissance Faire (Temp)
- John Bak, Rogues & Ruffians Renaissance Faire (Temp)
- Ousia Whitaker-Devault, Rogues & Ruffians Renaissance Faire (Temp)
- Joseph Baird, Rogues & Ruffians Renaissance Faire (Temp)

Resolution No. 19-79

THAT the City Clerk be authorized to deny the following Operator's Licenses:

- Michelle Glaser, Red Shed Garden & Gifts

Resolution No. 19-80

THAT Trick or Treat hours be set on Thursday, October 31, 2019 between the hours of 4 p.m. to 7 p.m. in the City of Baraboo.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-9 ayes.

ORDINANCES ON 2ND READING

Moved by Sloan, seconded by Petty and carried unanimously to approve the 2nd reading of **Ordinance No. 2529** Amending §19.13 of the Baraboo Municipal Code to prevent bikes at the Skate Park located at Campbell Park.

NEW BUSINESS - RESOLUTIONS

Resolution No. 19-81

WHEREAS, a Request for Proposal (RFP) seeking Design Services for a new Fire and EMS Building was issued on May 24, 2019;

AND WHEREAS, eight Proposals were submitted prior to the July 3rd deadline;

AND WHEREAS, an eight-member Selection Committee independently reviewed the eight Proposals and met on July 12th to collectively review them and developed a shortlist of the top five Proposals and invited the five firms to be interviewed;

AND WHEREAS, the Selection Committee interviewed the top five firms on July 26th and recommended the team of MSA Professional Services & CR Architecture + Design (CR Architecture + Design being a sub-contractor to MSA Professional Services) be selected to negotiate a contract for the Planning and Design Services for a new Fire & EMS Building;

AND WHEREAS, preliminary negotiations have taken place between staff and MSA Professional Services, and the City Administrator is now requesting authority to enter into additional negotiations for the purpose of reaching an agreement between the City and MSA Professional Services for an agreed upon contract price of no more than \$725,000, not inclusive of reimbursables, for the purpose of (i) Site Selection and (ii) a Preliminary Design of a new Fire & EMS building.

NOW, THEREFORE, BE IT RESOLVED that the City Administrator is authorized to enter into additional negotiations with MSA Professional Services for the above stated reasons and with a contract price of no more than \$725,000, not inclusive of reimbursables, and

BE IT FURTHER RESOLVED that if the City Administrator is successful in negotiations, the Council hereby authorizes the Mayor and City Clerk to execute an agreement on behalf of the City with MSA Professional Services, subject to the City Attorney's review of the agreement as to form.

Moved by Ellington, seconded by Alt and carried that **Resolution No. 19-81** be approved-8 ayes; 1 Nay, Kolb

Resolution No. 19-82

THAT the 2020 Recommended Park and Recreation Program Fees be approved as presented for consideration by the Parks and Recreation Commission.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 19-82** be approved-9 ayes.

Resolution No. 19-83

THAT the 2020 Boys and Girls Club lease for use of Civic Center rooms 20, 26, 27, 29, the auditorium and kitchen (shared) be approved at \$711.52 per month

Moved by Sloan, seconded by Wedekind and carried that **Resolution No. 19-83** be approved-9 ayes.

Resolution No. 19-84

THAT the 2020 Baraboo Senior Center lease for use of Civic Center rooms 21, 24 and kitchen (shared) be approved at \$165.45 per month

Moved by Petty, seconded by Kolb and carried that **Resolution No. 19-84** be approved-9 ayes.

Resolution No. 19-85

THAT the Compliance Maintenance Annual Report for the Wastewater Plant for 2018 is hereby approved.

Moved by Wedekind, seconded by Kolb and carried that **Resolution No. 19-85** be approved-9 ayes.

Resolution No. 19-86

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Baraboo

Authorize the police department to purchase a used 2015 Chevy Equinox for \$15,000 from Don Larson Chevrolet and utilize the remaining \$2,000 to purchase equipment to be installed to turn it into a police vehicle.

Moved by Kolb, seconded by Petty and carried that **Resolution No. 19-86** be approved-9 ayes.

Resolution No. 19-87

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

That the City of Baraboo Finance Director is hereby authorized to purchase the 2020 Chrysler Pacifica 8 passenger minivan vehicle from Ewald Motors of Oconomowoc in the amount of \$31,000 with a local share of \$6,200.

Moved by Wedekind, seconded by Petty and carried that **Resolution No. 19-87** be approved-9 ayes.

Resolution No. 19-88

RESOLUTION PROVIDING FOR THE SALE OF
APPROXIMATELY \$1,255,000 TAXABLE GENERAL OBLIGATION REFUNDING
BONDS

WHEREAS, the City of Baraboo, Sauk County, Wisconsin (the "City") is presently in need of approximately \$1,255,000 for the public purpose of refunding the 2020 through 2030 maturities of the Taxable General Obligation Corporate Purpose Bonds, dated December 27, 2010 (the "Refunded Obligations"); and

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to borrow said funds through the issuance of taxable general obligation refunding bonds.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Issuance of the Bonds. The City shall issue its Taxable General Obligation Refunding Bonds in an approximate amount of \$1,255,000 (the "Bonds") for the purpose above specified.

Section 2. Sale of Bonds. The Common Council hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The City Clerk (in consultation with Ehlers & Associates, Inc. ("Ehlers")) be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete Notice of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk (in consultation with Ehlers) shall cause an Official Statement to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Official Statement, such certification to constitute full authorization of such Official Statement under this resolution.

Adopted, approved and recorded September 10, 2019.

Moved by Wedekind, seconded by Sloan and carried that **Resolution No. 19-88** be approved-9 ayes.

ADMINISTRATOR AND COUNCIL COMMENTS – None.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** August, 2019 – Fire Dept.
- **Minutes from the Following Meetings:**

Finance/Personnel Committee – Dennis Thurow Committee Room, #205**August 27, 2019****Members Present:** Petty, Thurow, Sloan**Absent:****Others Present:** Mayor Palm, Adm. Geick, E. Truman, B. Zeman, C. Haggard, K. Stieve, J. Bergin, T. Pinion, Ald. Ellington, Andrea Jansen, Dawn Gunderson, Pat Cannon, Rob Nelson

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Thurow to approve the minutes of August 13, 2019 and carried unanimously. Moved by Sloan, seconded by Thurow to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan seconded by Thurow to recommend to Council for approval of the accounts payable for **\$454,940.12**. Motion carried unanimously.
- b) **Approve Preliminary FY 2020 Budget Estimates, Report, 2 Year Budget Forecast**
C. Haggard presented the 2020 budget estimates. Based on the preliminary assumptions, the levy is an increase over prior year of approximately \$300,000 or a 3.5% increase. The mill rate is projected to be an increase over prior year at 11.35, last year was 11.08 which is a 2.4% increase. The proposed new debt includes \$750,000 for streets, \$600,000 for Fire & EMS bldg. design, and \$40,000 for Civic Center office renovation.
Dawn Gunderson from Ehlers presented the Committee with considerations regarding the budget and debt. In terms of a General Obligation basis, we are well within our City imposed debt capacity to include both the Fire & EMS bldg. and the Library; however, to take this one-step beyond, Dawn considered how this would look in the terms of the levy. Taking into consideration the existing debt along with the proposed debt for the Fire & EMS bldg. and the Library, we are looking at a levy increase of approximately \$1M from where the levy is now. The significance of this is the change in the tax rate per \$1,000 will increase substantially and it's another almost 1/3 of the levy increase in terms of our debt service levy. While we look at our ability to borrow on a GO basis, we are still utilizing our levy to pay for this debt service. The rating agencies, while they would look at the GO debt in terms of our borrowing capacity, they will also look at the impact on our taxpayers to support this debt. Rating agencies will look at what our debt service is as a percentage of our operating expenditures; currently we are at about 10% -12%, adding this on would take us up to about 17%. Because we are already higher than the median of 8.4%, this is one indicator that will put some pressure on our rating by increasing our tax debt service payment to our residents by as much as \$1M. Ald. Sloan questions doubling the median and how we could consciously do this to our taxpayers. With a drop in our Moody's rating, our interest rate could potentially increase. This item is information only, no action taken.
- c) **Approve Request for Additional Funding from the State of WI for Road Repairs and Improvements**
Atty. Truman noted that the County Board of Supervisors is looking for us to support the request of additional funding for road repairs. Moved by Sloan, seconded by Thurow to recommend to Council. Motion carried unanimously.
- d) **Approve Exemption from County Library tax for 2020** Moved by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.
- e) **Approve 2018 Audit Report** Andrea Jansen from Baker Tilly Virchow Krause, LLP presented the 2018 Financial Statements. She explained that the new implementation of GASB 75, which includes both Health and Life insurance, reports that it is costing us more for health insurance because we offer insurance to retirees. Because we participate in the State's plan, we don't have the option to take this benefit away from our retirees. Another change, as of 1/1/2018 the Airport operations are now reported on separate financial statements. She also noted that there were no material audit adjustments; this is very commendable, nice job done by City staff. Overall, it was a very stable year, Moved by Sloan, seconded by Thurow to recommend to Council. Motion carried unanimously.
- f) **Approve the City as a continuing member of CYMIC (Cities & Villages Mutual Insurance Company) for the policy years of 2020, 2021, and 2022** Moved by Sloan, seconded by Thurow to recommend to Council. Motion carried unanimously.

Informational Items

- City Attorney's report on insurance claims – None.
- Report from Ehlers – Included in item "b" above.
- Review & Discussion of RFP's for Agenda & Minutes Management Software – Postponed to next meeting.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:56pm.

Minutes of Plan Commission Meeting

August 20, 2019

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Jim O’Neill, and Tom Kolb. Pat Liston and Dee Marshall were absent.

Also in attendance were Tom Pinion, Ed Geick, Emily Truman, Oleg Boukhankov, Anna Pulling, Karla & Josh Reinhardt, Ben Oestrich, Tom Greve, Dave Parchem, Jamie Phephles,

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Kolb, seconded by Franzen to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by Kolb, seconded by Franzen to approve the minutes of the July 16, 2019 meeting. Motion carried unanimously.

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

- a. Public Hearing to consider a request of Dennis Hahn, d/b/a Good Karma Ltd. For a Conditional Use Permit to convert the existing two-unit condominium to two side-by-side single-family residential dwellings in an R-1A Single-Family Residential zoning district, located at 511/513 10th Avenue, City of Baraboo, Wisconsin - There being no speakers, the hearing was declared closed.
- b. Public Hearing to consider a request by St. John’s Lutheran Church for a Conditional Use Permit for an electronic variable message sign t St. John’s Lutheran School at 515 5th Street, in an R-1A Single-Family Residential zoning district, City of Baraboo, Sauk County, Wisconsin – There being no speakers, the hearing was declared closed.

New Business

- a. Request for Conditional Use Permit to convert the existing two-unit condominium at 511/513 10th Avenue to two-side-by-side single-family attached residential dwellings in an R-1A Single-Family Residential zoning district, by Good Karma Ltd. – Tom Greve, Grothman Associates introduced himself to the Commission. Pinion presented the background for this request. He said that this is the third and final condominium conversion. It was moved by Kolb, seconded by Franzen to approve the conditional use request as presented. On roll call vote for the motion, Ayes – Wedekind, Thurow, Franzen, O’Neill, and Kolb. Nay – 0, motion carried 5-0.
- b. Review and approve a two lot Certified Survey Map for side-by-side single-family attached residential dwellings at 511/513 10th Avenue, in a R-1A Single-Family Residential zoning district, by Good Karma Ltd. – Pinion presented the CSM to the Commission. It was moved by Franzen, seconded by O’Neill to approve the CSM as presented. On roll call vote for the motion, Ayes – Thurow, Franzen, O’Neill, Kolb, and Wedekind. Nay – 0, motion carried 5 – 0.
- c. Request for Conditional Use Permit for an Electric Variable Message Sign at St. Joh’s Lutheran School at 515 5th Street, in an R-1A Single-Family Residential zoning district, by St. John’s Lutheran Church – David Parchem, representing St. John’s introduced himself to the Commission. Pinion presented the background regarding the request to the Commission. Kolb stated that the variable message sign approved for the Church of Nazarene had conditions such that it had to be off by 10:00 p.m., 30 seconds between messages, and no graphics. He felt that this request should follow the same conditions. The amount of illumination was questioned. Bill Rupp of LaCrosse Signs introduced himself to the Commission and gave details of the existing sign illumination. Rupp then gave details of the requested sign and how it could be programmed. Franzen questioned the size of the proposed sign. David Parchem said that this sign is the second design and is smaller than the first. He said that he feels that it fits the area well given the size of the building and less intrusion than on the corner of 5th and Elizabeth. Franzen said that making the sign a little shorter and due to the limited parking in front of the school, he feels that the sign would still be very visible. Parchem said that the proximity of the sign and the knoll in the road gives the sign very good visibility from both intersections as approaching from a distance. He said he would like to keep the sign the size that is being proposed if possible. It was stated that the proposed sign is within the parameters of the code. O’Neill agrees that sign seems too big and would like to see something less intrusive. Kolb moved to allow the variable message sign, providing that it is not on before 5:30 a.m., off by 10:00 p.m., there is at least 30 seconds between message change, and no graphics. Thurow seconded the motion. On roll call vote for the motion, Ayes – Kolb, Wedekind, and Thurow. Nay – Franzen, and O’Neill, motion carried 3-2.
- d. Request to Rezone Lots 5 & 6, Block 1, Peck’s Addition to the City of Baraboo, located at 302 8th Street on the southeast corner of 8th and East Streets, from NRO-Neighborhood Residential/Office to B-2 Neighborhood Business or B-3 highway Oriented Business to allow the property to be used for the sale of automobiles by Oleg Boukhankov, d/b/a Absolute Auto Repair and Sales, LLC – Anna Pulling, Absolute Auto introduced herself to the Commission. Pinion said that this property is currently The Red Shed and Wild Apples. The property is currently zoned NRO, Neighborhood Residential Office, with limited permitted and conditional uses, and neither of those listed contain automobile sales as a permitted or a conditional use. He said that the applicants have an acceptable offer to purchase contingent upon zoning. The applicants are here to request it to be rezoned to a zoning classification that will allow the sale of automobiles. O’Neill said he would not want an automobile business in a central residential district, he feels it would be incompatible. Franzen agrees with O’Neill. Kolb also agrees, he doesn’t feel that B-2 or B-3 would be compatible in this area. Pulling asked if it were possible to change the zoning with conditions. Kolb said that he

would be opposed no matter what. Pulling asked for specific concerns. O'Neill said that he wants to preserve the residential character of the neighborhood and not turn it into commercial district. Pulling felt that there is a business know. O'Neill said that the business has been there for years and he does not want to see another one. Pinion said that the existing business is a legal non-conforming, and still exists because it was grandfathered in. Pulling feels that it is unfair to the owners that want to sell the property. O'Neill said that someone to build a residential home on the site. Franzen said that he would be opposed to any business, unless an owner-occupied office, such as insurance. Pulling asked if she lived there, could she sell cars. Franzen said that it states office; therefore, it would not be allowed. Wedekind would not be interested in anything other than residential. Pulling said that this intersection is very busy for residential, and is the reason she feels a business would be a good fit, with only approximately 15 cars on the lot and they would make it look nice. Franzen said that it is not always the first person that comes onto a property, but people that come after. Jamie Phephles, ReMax, listing agent for the owner said he respects the Commission's decision if they don't want to make for this particular purpose; however, the owner of the property, as you know, gives her very limited possibility to sell this property. He said no one is going to purchase this property and keep it as a floral shop. Even a car lot that will be nice and appealing would be much improved upon what is currently there. Kolb did not agree. Phephles questioned is the owner could apply for some type of zoning other than what is currently is zoned at now that would allow the use of another potential business. Attorney Truman said that this is outside of the scope of what is being discussed today and she suggested that if Phephles had questions about things that are not on the agenda he could come in a speak with the Zoning Administrator. It was moved by Kolb to deny the proposed zoning change and forward a negative recommendation to Council. The requests dies for lack of second.

- e. Consideration of a Request by Karla and Josh Reinhardt, LC to review a combined GDP/SIP in accordance with Steps 3 & 4 of the Planned Development process to convert the existing office building, located at 1208 9th Street in a B-3 Highway Oriented Business zoning district, to a Family Day Care Center – Karla Reinhardt introduced herself to the Commission. Pinion said that the Reinhardt's currently operate a family daycare center on 3rd Avenue and they are looking for a place to continue the business away from their home. He said that this property is the former home of D&S Dental and has been vacant for 4 or 5 years. He said the Reinhardt's have purchased the property and the State's Licensing Agent look at the building, the property meets the minimum requirements for a family daycare center. Ms. Reinhardt presented her background in the daycare business to the Commission. It was moved by Kolb, seconded by O'Neill to approve a combined GDP/SIP in accordance with Steps 3 & 4 of the Planned Development process to convert the existing office building located at 1208 9th Street in a B-3 Highway Oriented Business zoning district to a Family Day Care Center as requested. On roll call vote for the motion, Ayes – O'Neill, Kolb, Wedekind, Thurow, and Franzen. Nay – 0. Motion carried 5-0.

Adjournment - It was moved by O'Neill, seconded by Kolb to adjourn at 5:49 p.m. The motion carried unanimously.

Minutes of the Public Safety Committee Meeting

August 23, 2019

Members Present: Phil Wedekind and Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Administrator Geick, Police Chief Mark Schauf, Fire Chief Kevin Stieve, Attorney Emily Truman, Tony Gilman, Megan Krautkramer, Mark Willer, Nicki Green, Mike Johnson, and Jaren & Rhonda Parchem.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. It was moved by Kolb, seconded by Plautz to approve the agenda as posted. Motion carried unanimously. It was moved by Plautz, seconded by Kolb to approve the minutes of the July 29, 2019 meeting. Motion carried unanimously.

New Business

- a. Consider revising Section 7.09(20) to change the 2-hr time limit to a 4-hr time limit for the Municipal Parking Lot on the southeast corner of Birch Street and 5th Avenue (behind the Baraboo Library) – Pinion said there was no signage on this parking lot, in the ordinance the lot is listed as a 2-hour parking limit. When signage was installed, complaints arose and the Library Director requested that the time limit be increased to 4 hours. It was moved by Kolb, seconded by Plautz to increase the parking lot time limit to 4 hours. Motion carried unanimously.
- b. Consider revising the Official Traffic Map to prohibit parking on the north side of 9th Avenue between Oak Street and Birch Street – Tony Gilman said that this is an area is that narrower than most streets. He said there are no driveways on the north side of the street. He said that he would like to limit parking to south side only to benefit of our services and residents along here. It was moved by Plautz, seconded by Kolb to revise the official traffic map to prohibit parking on the north side of 9th Avenue between Oak Street and Birch Street. Motion carried unanimously.
- c. Review and recommendation to close Oak Street between 3rd & 4th Avenues and 4th Avenue between Oak Street and Broadway for two Special Events – “Night Markets”, on September 20th and December 20th from 5PM to 9PM, sponsored by Baraboo Young Professionals – Nicki Green asked if this could be amended to be just Oak Street between 3rd and 4th for the December 20th event. Pinion said that when special events are a carbon copy of previous years they do not come back to Committee; however, because they are requesting to add a block, it needs Committee approval. It was moved by Kolb, seconded by Plautz to recommend the street closures as presented and amended for September 20 and December 20. Motion carried unanimously.
- d. Consider Petition for Public Street and Utility Improvements on the unimproved Canepa Street right-of-way for a future subdivision at the west end of Canepa Street by Jaren & Rhonda Parchem – Pinion presented the request to the Committee. He said this is an unimproved right-of-way with an apparent private gravel driveway in the right-of-way. He said the Parchems recently purchased the 6.12-acre parcel next to them and would like to subdivide it into up to six buildable lots. He said that when this occurs, the property owners have one of two options to make it developable. Since this is an existing public right-of-way and in the absence of public utilities and public improvements they can petition the City for those public improvements. He said the City can then decide whether they want to do this, if they choose to, it would be

a special assessment project where the City commissions the work and then assesses all the adjoining benefitting properties for their proportionate share of the cost. He said at the end of the day, the City does not have any contribution to it, it goes to the debt service initially, we charge interest to cover the bonding rate, etc. and the City has made whole at the end of the day. Pinion said that Option 2, which is seen more conventionally is where the developer enters into a development agreement with the City, requires the developer to install a host of required improvements. He said that this one is unique. In most cases the developer owns 100% of the land to be improvement; however, in this case, there is some improved land adjoining that first 250' stretch, so if they were to finance it, they would be looking for the City to play middle man and assess the benefitting costs to the private property owners on the north side of the street and then reimburse them for the costs that they wouldn't already have. He said the Parchems have submitted a petition to the City requesting the City to make the public improvements and then assess the benefitting property owners accordingly. Plautz questioned approximate cost, Pinion estimated \$160,000. Kolb expressed concern raising the debt capacity. Pinion said regardless of the funding source it will county against the debt capacity. Plautz moved to recommend consideration of petition for public street and utility improvements on the unimproved Canepa Street right-of-way for a future subdivision at the west end of Canepa Street. Kolb seconded the motion. Motion carried unanimously.

- e. Review list of Prospective Capital Projects for 2020 – Pinion presented background. Wedekind questioned Fire radio replacements, Stieve gave detailed explanation. Plautz questioned Schauf on mobile data computers and portable radios. Schauf gave detailed explanation. He said that the cost of the radios now are \$3,000/radio, and trying to stay ahead of the need by buying three per year. Annual street projects was then discussed. A lengthy discussion took place regarding the possibility of a premier resort tax. It was moved by Kolb, seconded by Plautz to forward to Council for consideration with next week's Capital Plan discussion. Motion carried unanimously.
- f. Consider requesting the State Legislature to appropriate more money for local road improvements – Wedekind voiced his opinion and is against this, but believes that we need a wheel tax. Kolb moved, Plautz seconded to approve. Motion carried unanimously.
- g. Consider creation of a new Ordinance requiring gun shops to have a video surveillance system – Truman presented the draft ordinance to the Committee along with a memorandum summarizing the legal background on the issue. Schauf explained the PD's request for the ordinance as stemming from an incident involving the theft of a gun from a local gun store and the problems caused to the investigation by there not being video surveillance at the gun store. It was moved by Kolb, seconded by Plautz to forward to the Council with a positive recommendation. Motion carried unanimously.
- h. Review and recommendation to renew an Agreement with Waste Management for Refuse and Recycling disposal at their Lake Delton Transfer Station – Pinion said the current agreement is from 2010. He said it was a three-year agreement that would automatically renew each year with a maximum increase of 3%. He said that it has not been 3% each year, solid waste has been consistent; however, recycling Waste Management has not increased the price in the past four years. He said recycling rate is at \$97.94/ton, if they had increased the price by 3% per year, we would be at approximately \$108.00. He said what they are proposing with the new contract because the demand for recycling is diminishing, as well as the price that they are being compensated for those items, they would like to see us start at a cost of \$120.00, which is a 20% increase over the current. He said that on the recycling side of pure disposal the City is doing well, because we get a rebate from what they actually sell that is not reflected in the base price and then we get the recycling grant. He said that instead of a 3% increase, Waste Management wants to tie it to the mythical consumer price indexing for urban consumers for water, sewer, and trash collection. He said when he looked at this over the last 12 months it averaged about ½ per month, 6% per year. Pinion feels that there is room to negotiate. He said that the location is convenient for the City; however, citizens need to be re-educated because there have been changes made in the nature of recyclable goods being accepted. He said that in exchange for re-educating the public, they would provide adhesive stickers to be placed directly on carts. He said that it is up to the discretion of Waste Management; if there is more than 10% garbage in the recycling they will reject the load and charge \$70.00/ton as garbage. Gilman said that the flyer would be in the Newsletter being printed in September. Pinion said that updating the entire refuse ordinance with be forthcoming to the Committee with suggested changes. It was moved by Kolb, seconded by Plautz to recommend continued negotiations with Waste Management for Refuse and Recycling disposal and forward to Council for final approval. Motion carried unanimously.
- i. Review and recommendation to approve an Amendment to the 2019 Budget to cover the cost of the pending 2019 Street Improvement Projects – Pinion presented the background for the requested amendment. It was moved by Kolb, seconded by Plautz to approve the amendment to the 2019 Budget as requested. Motion carried unanimously.

Informational Items

- a. Discuss possible amendment to Section 13.24 Normal Domestic Strength sewage to add to .5 part per billion (ppb) limit for mercury – Peterson presented background. This amendment would assist the City in applying a waiver on the 1.3 ppb for a minimization study. This would help passing it through the EPA.
- b. Discuss Milwaukee PD's request for staff t next year's DNC – Schauf said that he received a request from the City of Milwaukee Police Department requesting officer and equipment support for the Democratic National Convention from July 10-17, 2020. He said that hours, wages, etc., would be totally reimbursed. Schauf said that he would have to find out exactly what resources they are looking for.

- c. Discuss traffic calming options on Washington Avenue between 2nd and Water Streets - Schauf said that based on the department's participation with the Bureau of Transportation and Safety program, they are now in a pool for a grant for equipment. The grant will be for 2020, for \$2500, and it has to be used for equipment that are not budgetary items. He said this grant could be used for more permanent solar-powered speed boards.
- d. Aldersperson Training: Council Handbook (Time permitting) – After reports, Attorney Truman provided training to Committee on the Council Handbook.

Reports

- a. Utility Superintendent's Report – Peterson presented four projects for 2020 budget. He indicated that Rob Klein and Wendy Hanley would be retiring in 2020. Sanitary sewer budget will go to Baker Tilly for calculating sewer rates for 2020. He said that there are nine lead services to be replaced.
- b. Street Superintendent's Report – Gilman presented his monthly report. He said there were three alley disassembled. Gasser will be paving Sumac on Monday.
- c. Police Chief's Report – Schauf said that Eric Oakeson has been promoted to detective. He said that he is working with the City Attorney and school to continue the work on the truancy problems.
- d. Fire Chief's Report – Stieve stated that the department received a resignation effective August 12, time constraints and loss of passion for the job are the reasons given. Mark Willer presented the results of the open house. He said they received seven potential candidates show up and an additional three or four that said that they could not make it, but were interested. Stieve said that there would be a hiring process the first week in September. He said that academy classes are happening again this year. He said that final details are being worked out the Delton Fire Department on the Auto Aid Agreement. Stieve introduced Megan Krautkramer, Building Inspector/Fire Inspector/Paid-per-Call Firefighter to the Committee.

AJOURNMENT – It was moved by Kolb, seconded by Plautz to adjourn at 3:02 p.m. Motion carried.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID), BOARD OF DIRECTOR'S **August 21, 2019**

Members Present: S. Fay, B. Stelling, T. Wickus, H. Kierzek, S. Byberg, T. Sloan

Members Absent: N. Marklein Bacher, S. Bruncker

Others Noticed: Ed Geick

Call to Order: Sarah Fay presided over the meeting, called it to order at 5:49 PM and noted compliance with the Open Meeting Law.

Meeting Minutes:

Moved by Byberg, seconded by Kierzek and unanimously carried to approve the minutes of June 19, 2019.

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

Reports of Officers and Committees

President:

- Budget work due next month
- Discussion of Committee membership
- Consider new projects in BID

Appearance:

- Watering being done now. Original company pulled out of contract. Willy Deppe is doing watering. Gatehouse did summer planters. She is working on fall planters. Jim's Greenhouse will do planters in 2020.
- Regular garland company pulled out. Lacey and Bekah trying to work with Boy Scouts.

Finance:

- \$202 from Farmers Market

Parking:

- Sarah is trying to locate someone to do weeds

Promotions:

- Most of budget is spent

Branding:

- Subcommittees are being created to work on this

New Business:

- Vouchers:

Capitol Newspapers	\$	1305.00
Next Level		180.00
Minuteman Press		219.53
Gatehouse Gardens		1880.00