

AGENDA
CITY OF BARABOO COMMON COUNCIL
Council Chambers, 101 South Blvd., Baraboo, Wisconsin
Tuesday, September 11, 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, *Kris Jackson, Gail Johnson, John Van Hoosen, Bryan Schwarz, Nathan Lund, Jeff Nachtigal*

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): August 28, 2018

APPROVAL OF AGENDA (Voice vote):

COMPLIANCE WITH OPEN MEETING LAW NOTED

PUBLIC HEARING – The Mayor announces that this is the published date and time to hear public comment concerning the request to rezone the 2-acre parcel on the east side of Vine Street in the NE1/4 of the SE1/4 of Section 2, T11N, R6E, located at 729 Vine Street, from R-1A Single Family Residential to NRO Neighborhood Residential Office classification.

PRESENTATION –

The Mayor will present the Baraboo GEM Award to Matt & Rachelle Fearson and read a Flood Response Proclamation.

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

MAYOR'S COMMENTS – The Mayor would like to congratulate the following employees on their anniversaries with the City of Baraboo.

- Kris Jackson, Public Works/Engineering Secretary – 25 years
- Gail Johnson, Library – 10 years
- John VanHoosen, Civic Center – 10 years
- Bryan Schwarz, Water Utility – 10 years
- Nathan Lund, Police Dept. – 10 years
- Jeff Nachtigal, Public Works – 5 years

CONSENT AGENDA (roll call)

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

CA-2...Approve exemption from County Library tax for 2019.

ORDINANCES ON 2ND READING

SRO-1...Amend §17.18(4)(a) and the Zoning District Map rezoning tax parcel 206-1152-90000 from MH-P Manufactured Homes-Park District to a B-3 Highway Oriented Business District.

SRO-2...Revise §7.02(2)(b)2, the Official Traffic Map, to provide for no parking on portions of Walnut Street, Moore Street, and Summit Street.

NEW BUSINESS ORDINANCES

NBO-1...Amend §17.18(4)(a) and the Zoning District Map rezoning tax parcel 206-1096-00000 from R-1A Single-Family Residential to NRO Neighborhood Business/Office district.

OTHER ACTIONABLE ITEMS:

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

REPORTS, PETITIONS, AND CORRESPONDENCE - The City acknowledges receipt and distribution of the following: **Minutes from the Following Meetings** -

Copies of these meeting minutes are included in your packet:

Finance/Personnel	08-14-18	BEDC	07-31-18, 08-02-18
Plan Commission	07-17-18	Administrative Comm.	08-10-18

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

CDA Exec. Comm. 08-25-17, 09-29-17, 11-07-17, 12-29-17, 01-02-18, 01-12-18, 01-26-18, 02-23-18, 03-06-18, 03-23-18, 05-25-18

CDA Loan Review Comm. 11-07-17, 03-16-18, 06-05-18
 CDA Board 11-07-17, 03-20-18, 04-02-18, 05-07-18, 08-07-18
 CDA Finance 12-05-17

Petitions and Correspondence Being Referred:
INFORMATION

ADJOURNMENT (Voice Vote)

Brenda Zeman, City Clerk

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

September 2018

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9	10	11	12	13	14	15
	Park & Rec.	Finance Council				
16	17	18	19	20	21	22
	SCDC	Library	BID	UW Campus		
23	24	25	26	27	28	29
	Public Safety	Finance Council	Ambulance	Emergency Mgmt. Public Arts		
30	1	2	3	4	5	6

PLEASE TAKE NOTICE - Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format, should contact the City Clerk at 101 South Blvd., or phone 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

Agenda jointly prepared by D. Munz and B. Zeman
Agenda posted on 09/07/2018

Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, August 28, 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, Sloan, Petty, Ellington, Zolper, Thurow

Council Members Absent: Alt

Others Present: Adm. Geick, Attny. Truman, Clerk Zeman, C. Haggard, W. Peterson, T. Pinion, J. Bergin, Renee Bemis, 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 August 14, 2018.

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

Compliance with the Open Meeting Law was noted.

PUBLIC HEARING – The Mayor opened the Public Hearing concerning the request to rezone 5.3-acre parcel of land on the north side of South Blvd. between STH 136 (formerly USH 12) and Commerce Parkway, located at 1420 South Blvd. from its current MH-P Manufactured Home Park zoning classification to a B-3 Highway Oriented Business Zoning Classification.

No one spoke and the Mayor closed the Public Hearing.

PUBLIC INVITED TO SPEAK – Renee Bemis, 300 Water Street, Baraboo. Renee is one of the owners of the Driftless Glen Distillery and is speaking tonight about the awards that they have received and how it's impacting the City of Baraboo. Inc. magazine, a national publication, tells you the fastest growing companies in the country. To be included in the Inc. 5000 is a huge deal, and Driftless Glen was in the Inc. 500, ranked number 316. They were also rated the 13th fastest growing food & beverage company in the country and the 3rd fastest growing company in all of Wisconsin. She also noted that they sent their spirits to the London Spirits Competition and they did a shout out saying that Driftless Glen is one of the Top 10, must try brands in all of the United States. They are in 654 different placements in 10 different states with 5 more to be opened next year and they have close to 5,000 barrels up. Courier Magazine, which is a national magazine for tourism, is going to do an article on Driftless Glen as a place to come and see. Lastly, they were recently contacted by the Ellen DeGeneres Show as being one of their "must have" products.

MAYOR'S COMMENTS – The Mayor noted that Police Chief Schauf and Fire Chief Stieve are not here this evening and that is because they are assisting with the recent flooding. Chief Stieve is assisting Sauk County Emergency Management Operations with local flooding and Chief Schauf is assisting in Hillsboro.

CONSENT AGENDA

Resolution No. 18-61

THAT the Accounts Payable, in the amount of \$ 898,800.51 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 18-62

That the following budget amendments are authorized:

- 1st Quarter, 2018 Water & Sewer Utilities:

Budgetary Transfers:

Department	Account Number	Account Name	Original Budget	Change	Amended Budget
Source of Funds: Reduction in Other Appropriation within Same Fund					
Water Meter Expense	970-37-66300-310-000	Office Supplies	150	(30)	120
				(30)	
Use of Funds					
Water Meter Expense	970-37-66300-343-000	Postage	100	30	130
				30	

Transfer funds to cover budget overages

Budgetary Transfers:

Department	Account Number	Account Name	Original Budget	Change	Amended Budget
Source of Funds: Reduction in Other Appropriation within Same Fund					
Sewer Headworks Operating Exp.	960-36-82200-250-000	Repair & Maint Serv-Equipment	5,500	(1,500)	4,000
Sewer Plant Maint	960-36-83400-260-000	Repair & Maint Serv-Buildings	4,000	(1,700)	2,300
				(3,200)	
Use of Funds					
Sewer Headworks Operating Exp.	960-36-82200-260-000	Repair & Maint Serv-Buildings	1,500	1,500	3,000
Sewer Plant Maint	960-36-83400-250-000	Repair & Maint Serv-Equipment	5,500	1,700	7,200
				3,200	

Transfer funds to cover budget overages

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

2ND READING ORDINANCES

Moved by Sloan, seconded by Plautz and carried unanimously to approve the 2nd reading of **Ordinance No. 2497** approving the revised Special Event License Ordinance.

Moved by Kolb, seconded by Wedekind and carried unanimously to approve the 2nd reading of **Ordinance No. 2498** revising the parking restrictions on Ash Street between Water Street and 1st Street.

NEW BUSINESS

Resolutions:

Resolution No. 18-63

THAT, the revised Common Council Member’s Handbook dated July 31, 2018 be adopted.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Common Council of the City of Baraboo that the City Attorney is authorized to adopt the revised Common Council Member's Handbook dated July 31, 2018.

Moved by Ellington, seconded by Plautz and carried that **Resolution No. 18-63** be approved-8 ayes.

Resolution No. 18-64

THAT the Mayor and City Clerk are authorized to sign an Agreement for the use of City of Baraboo's Container Based Training Prop between the City of Baraboo, Delton Fire and Ambulance Commission and Delton Fire Department.

Moved by Wedekind, seconded by Sloan and carried that **Resolution No. 18-64** be approved-8 ayes.

Resolution No. 18-65

THAT the Proposal of Cleary Building Corp, in the amount of \$60,531 is hereby accepted and all other bids are rejected.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 18-65** be approved-8 ayes.

Resolution No. 18-66

THAT the Mayor and City Clerk are hereby authorized to sign the attached Agreement Between the City of Baraboo and Driftless Glen Distillery to calculate sewer use charges based on the actual volume of wastewater that is discharged from their facility to the sanitary sewer system.

Moved by Kolb, seconded by Wedekind and carried that **Resolution No. 18-66** be approved-8 ayes.

Ordinances:

Moved by Wedekind, seconded by Sloan and carried unanimously to approve the 1st reading of **Ordinance No. 2499** amending §17.18(4)(a) and the Zoning District Map rezoning tax parcel 206-1152-90000 from MH-P Manufactured Homes – Park district to a B-3 Highway Oriented Business district.

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

1. Section 17.18(4)(a), Ordinances is hereby revised to reflect the following changes: Tax Parcel 206-1152-90000, the following described 5.3-acre parcel located at 1420 South Blvd, from its current MH-P Manufactured Home Park zoning classification to a B-3 Highway Oriented Business zoning classification:.

A part of the SE ¼ of the SE ¼ of the NW ¼ of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin described as follows:

The SE ¼ of the SE ¼ of the NW ¼ of Section 3, T11N, R6E except Sauk County

Certified Survey Map No. 650 and except the easterly 511.34 feet of the northerly 140.1 feet of said SE ¼ of the SE ¼ of the NW ¼ of Section 3.

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

Moved by Sloan, seconded by Petty and carried unanimously to approve the 1st reading of **Ordinance No. 2500** revising §7.02(2)(b)2, the Official Traffic Map, to provide for no parking on a portions of Walnut Street, Moore Street, and Summit Street.

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

1. Revise Section 7.02(2)(b)2, the Official Traffic Map, to show no parking at the following locations:

The east side of Walnut Street between Parkway and a point 130 south of Elm Street..

The west side of Moore Street from a point 120 feet south of South Blvd to a point 220 feet south of South Blvd.

Both sides of Summit Street from a point 100 feet south of 10th Avenue to 10th Avenue.

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

MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS

Adm. Geick noted that as of now we don't have any major water issues around the City but we are watching things. There are sand bags available from Sauk County and can be picked up from the Highway Shop. If anyone has any problems they should give a call to dispatch, 911.

REPORTS and MINUTES

The City officially acknowledges receipt and distribution of the following:

Monthly Reports for July, 2018 from – Treasurer, Fire Dept., Police Dept.

Minutes from the Following Meetings –

Finance/Personnel Committee – Dennis Thurow Committee Rm #205

August 14, 2018

Members Present: Petty, Sloan, Thurow

Absent:

Others Present: Mayor Palm, E. Geick, E. Truman, C. Haggard, B. Zeman, K. Stieve, P. Cannon, L. Laux, T. Pinion

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 Sloan to approve the minutes of July 24, 2018. Motion carried unanimously. Moved by Sloan, seconded by Thurow to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan, seconded by Thurow to recommend to Council approval of the accounts payable for **\$824,831.82**. Motion carried unanimously.

- b) **WI Dept. of Administration CDBG (Community Development Block Grant) – RLF (Revolving Loan Fund) Close Program** – CDA Director Pat Cannon explained that compliance under the current program is very complex and

that the Department of Administration (DOA) estimates that there is \$100 million dollars in this program across the state. They also estimate that between 50-60% of these funds are sitting in the bank as cash and are not being used as the program was designed for, a revolving loan. In order to try and recirculate the money, HUD recommended that the DOA submit an application to close out the CDBG-RLF program. Under the program they are giving us 2 options: 1) We package up the loans and hand it all back over to the State or 2) When the application is approved, we pick a date within a 2 year period to send them a check for the value of our outstanding loans plus our cash returning all of the money. Once we turn the money over to the State, we then have ownership of the loans as they come back in payments to us. The loan revenues over the life of the loan become de-federalized and come back to the City for however we wish to use those funds. Pat is estimating we have about \$750,000 in this program right now. What the DOA plans to do with the returned funds is to place them in a trust account for each municipality that returns the funds. The City can then put in for a CDBG eligible project on a non-competitive basis and receive our money back. We can also put in for a competitive basis CDBG loan and use our money as a match – these usually require a one to one match. The DOA has submitted their application and HUD has 45 days to accept, reject, or ask for additional information. The DOA is looking at starting this October 1, 2018 unless it is not approved by then. If it's approved after this date, it would start whatever the approval date is. Ald. Sloan confirmed that if we send the money back to the state, we then become the owner of the loan payments but we can borrow the money back from the state. P. Cannon advised the Committee that this would be grant money. Ald. Sloan questioned the income stream and if this would be General Funds and P. Cannon noted that this would be up to the governing body to make this determination. The CDA's recommendation is that we start our own Revolving Loan Fund and put our own requirements on the process. At this time, there are a lot of internal decisions that need to be made. Moved by Sloan, seconded by Thurow and carried unanimously to post pone until we have additional information.

- c) **Long Term Revenue Forecast, Capital Planning, and Wage Projections** – Adm. Geick presented a revised Capital Improvement Plan based on the current goals for the City of Baraboo. Significant changes to the plan include: The Fire/EMS project has been pushed to the top and is currently scheduled in 3 phases, the UW Theatre Project has been revised to setting aside \$50,000 per year for the next few years, and the library has moved to 2028 for the actual building. Ald. Sloan would like to see the Library funding reduced to \$5,000,000 and has requested that we get an opinion from Ehler's or Moody's as to what borrowing this money, whether it be for the fire station or the library, will do to our bond rating. This was presented as informational only, no action was taken at this time.

Informational Items - City Attorney's report on insurance claims

- One claim is pending settlement right now in the amount of \$485.30. This is for a claim made for some damaged plumbing. Atty. Truman determined that it was in the best interest of the City to settle this claim.
- One other pending claim that Atty. Truman prefers to not speak on at this time, she is currently waiting for some additional information.
- One claim was filed today however it appears to be incomplete.

Committee Comments

Ald. Petty would like on the next agenda to look at Elected Officials compensation.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:38pm.

Minutes of the Public Safety Committee Meeting

July 23, 2018

Members Present: Phil Wedekind and Mike Plautz, and Tom Kolb. **Others Present:** Ed Geick, Chief Schauf, Chief Stieve, Attorney Truman, Tom Pinion, Wade Peterson, Tony Gilman, Daniel Zech, Gary Meeker, Buck Sweeney, Jim Smith, Nancy Mistele, Renee Bemus, Tom Fitzwilliams, and Ben Bromley.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at the City Hall Committee Room, 101 South Blvd., Baraboo, Wisconsin. 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 approve the minutes of the June 11, 2018 meeting. Motion carried unanimously.

New Business

- a. **Consider revising parking regulations on Ash Street between Water Street and 1st Street. (Daniel Zech)** – Engineer Pinion presented the background for the request. He said currently the 2-hr parking extends from the Baraboo River to Water Streets, it then leap frogs one block, and then goes from 1st to 4th. He said that the revision would be Ash Street from the Baraboo River to 4th Street on both sides of the street. Kolb moved to approve. Daniel Zech said that there is a sign that states no parking from 2 a.m. until 6 a.m., but it is never enforced. Plautz seconded the motion. Motion carried unanimously.
- b. **Review and recommendation for revising the City's ordinance regarding Special Events** – Attorney Truman presented the background on the issue. She said that the current ordinance is extremely vague. She said that anytime there is any event on public or private property, it is considered a special event and a license has to be obtained. Truman said that the City does not want to regulate everything that happens on private properties. Truman said one of the biggest changes to the proposed revision is to change the definition of what constitutes a special event. She said that there are new clarifications in the proposed ordinance; one is that a special event might not just take place on one day. She stated that another proposed clarification the two different costs associated with special events. The appeals process was

discussed. After a lengthy discussion, Plautz moved, Kolb seconded to recommend the proposed revisions to the City's ordinance regarding Special Events as presented. Motion carried unanimously.

- c. Review and recommendation for revising the City's ordinance regulating loud and unnecessary noise – Attorney Truman presented the proposed ordinance revisions. She said that she did work on the revisions with the Police Chief. She said that the Chief suggested that no noise permits between the hours of 10:00 p.m. and 6:30 a.m. be granted. Wedekind asked what would be done with the Fair Association; Truman said that is something that would have to be discussed. Truman said at this time there is no fee associated with the permit; however, the Committee could consider changing a fee. It was moved by Kolb, seconded by Plautz to bring proposed revisions back to the Committee in August for possible recommendation. Motion carried unanimously.
- d. Review and recommendation of Gary Meeker's request for a second driveway to their single-family residential property at 1018 3rd Street – Gary Meeker stated that he would request to install the second driveway that would be blacktop; however would like to have gravel until it is compacted. Wedekind said that he has been to the Committee twice and was denied. He stated that it is policy one driveway per lot, unless it is a corner lot. Wedekind feels if the permit were given to Meeker, it would set a precedence. Discussion of other second driveways took place, Pinion said that the last two times that this was before the Committee, Meeker was only asking for a curb cut; however, this time he is asking for an entire driveway, it was stated that this lot is oversized. Kolb felt he could be moved in terms of oversized lots, but not an automatic approval. Plautz feels that the oversized lot would be enough of an exception that it would set a precedence. Plautz moved to approve the request for a second driveway at 1018 3rd Street based on the Committee's discussion of being an oversized lot. Kolb seconded the motion. Kolb feels that if the Committee is going to do this an oversized lot needs to be defined and the City needs to start enforcing driveways that exist that should not. Kolb asked Meeker how long he felt it would take to pave the driveway. Meeker said that he would do it as soon as he could; Kolb said he did not want it to sit all winter. Kolb asked for an amendment to the motion that the driveway is completed within 60 days of the start date. Plautz seconded the amended motion. Motion carried 2 to 1, Wedekind voting no.
- e. Discussion with Driftless Glen Distillery, LLC regarding wastewater discharge from the Driftless Glen Distillery at 300 Water Street and how they propose to comply with the Subchapter III: Baraboo Sewer Utility in Chapter 1.3 of the City's General Code of Ordinances – Pinion said this has been an ongoing discussion with Driftless Glen about high strength condition of the wastewater that they would like to discharge to the sanitary sewer. He said that they have made efforts to try to provide more consistent product. Pinion presented the Committee with the limits of the three parameters to safely discharge, along with the distillery's proposed discharge the last time they ran a batch. Pinion said that with the numbers it has an effect on the operation of the Treatment Plant, so the distillery has been hauling it off site. He said looking at imposing the ordinance requirements and look at the high-strength surcharge rates; it is a significantly higher cost to the distillery. Buck Sweeney said he has been working with the City to find solutions. He said that if a solution is found so that the Wastewater Plant can take the waste without upset then he feels that the distillery would have to go to the Council from a policy point of view to see if it can be done, could the City give them a rate that would allow them to be competitive in the marketplace. Jim Smith presented the procedure of the 2017 water usage. He then explained the distillation system. Smith then presented what is being proposed to allow the distillery to discharge into the City's system. Kolb questioned metering it on the discharge. Pinion said that they are talking about using a metering pump so that it is a constant low-flow out of the facility. He asked if there was anything as far as flow proportion and sampling and if they will be pacing that. Smith said that he felt it would be easy to periodically sample the tank. Smith said that it is a refrigerated sampler that can be based on flow or time. Plautz asked if this would satisfy Peterson's concerns. Peterson said that nothing has been discussed about money. Sweeney said that the money issue would really be up to the Council. Peterson said that it is in black and white in the ordinance. Sweeney said that it would be a variance to the ordinance. Peterson said that they are asking all the residents of the City to significantly subsidize their business. Kolb understands that the distillery would be paying the higher rates, but only for the higher test discharge. Geick asked Sweeney if they are proposing any kind of rate. It was stated that it cost approximately \$575 to haul off-site. Pinion said that the City's rate is based on gross water consumption, not net water discharge, so there is no credit built-in for the deduct meter that is being proposed. Pinion said that it is part of the Utility budget this year for a rate study, which will take 4 or 5 months to complete. Therefore, based on the currently surcharge rates, there is a difference, it is higher trucking off-site, more convenient obviously to discharge locally, but he doesn't know how the new numbers will compare to what the current surcharge rates are. Geick asked Sweeney if he was agreeable to the concept of what he was talking about would be something that could be considered in the proposed rate study. Sweeney said that he wouldn't have a problem looking at it from a rate study point of view. He said that he thinks metering itself is a lot less controversial, it feels that it is fair. Pinion that this is discussion item and no action can take place to, but asked when they wanted to start discharging to the sewer. Sweeney said they would like to get the deducts approved so that they are not paying high strength waste, regardless of where they are taking it, because they should be paying high-strength waste because they are hauling it. Pinion said currently they are hauling off-site, but are paying for gross water consumption on the sewer side. Therefore, the first thing to do is to install the right meters, meter them the right way, and that becomes a straight forward deduct. He said that the distillery would continue to haul it off-site, because the City is not prepared to make any special rate without crunching the numbers. Sweeney said that they would like to have a seat at the table for the proposed rate study. After a lengthy discussion, the distillery has agreed to install a deduct meter, and will give Peterson the amount of alcohol barreled. Attorney Truman said that she would meet with Sweeney to draft up so everything is clear with no confusion as to what is going to be done.

- f. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for June 2018 – It was moved by Kolb, seconded by Plautz to approve the monthly billing adjustments/credits for Sewer and Water customers for June 2018 as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report – Peterson said that his crew put together a temporary system that is the best while under construction. He said construction should be done in November. He said he received two proposals for the rate study and will be moving forward.
- b. Street Superintendent's Report – Gilman said that Dave Smith started employment on July 9th. Gilman presented is June activity report. He said that all parking lots were finished before the parade.
- c. Police Chief's Report – Schauf said that he is working on filling three vacancies. He said the parade went well with no problems.
- d. Fire Chief's Report – Chief Stieve said there the department has three openings to fill. He said there has been one retirement, two resignations. As part of the Fire Department Operations Study, the work on the SOG continues.

ADJOURNMENT – Kolb moved, Plautz seconded to adjourn at 2:54 p.m. Motion carried.

Board of Review

July 19, 2018

Present: Zeman, Kolb, Palm, Wedekind

Absent: Thurow

Also Present: Stewart Hamel of Tyler Technologies, Atty. Truman

Mayor Palm called the meeting to order at 1:00 p.m. noting compliance with the open meeting law.

Select Chairperson:

Wedekind moved, Kolb seconded that Mike Palm be nominated as Chair. The Mayor called for other nominations and none were offered. Motion carried unanimously.

Palm moved, Wedekind seconded that Tom Kolb be nominated as Vice Chair, and to close nominations. Motion carried unanimously.

Mandatory training: All members have met the mandatory training as follows:

Palm, Kolb, Wedekind, Thurow and Zeman on 05-10-2018

Zeman reviewed the Assessor's Affidavit in the Assessment Roll and the Assessor executed the affidavit under oath. Moved by Wedekind, seconded by Kolb to accept the Assessment Roll.

Procedures of Operation

Palm reviewed the procedures for the Board.

Objections Filed

The Clerk reported that no cases had been filed prior to the statutory deadline.

Correction of 2017 Errors:

Assessor Hamel presented information on Correction of Errors for 2017:

Personal Prop Account 206-9072-13111, Coca-Cola Company, original \$1,100, corrected to \$0. Moved by Kolb, seconded by Palm and carried unanimously to approve.

Personal Prop Account 206-9393-00000, Coca-Cola Company, original \$8,000, corrected to \$0. Moved by Kolb, seconded by Palm and carried unanimously to approve.

Personal Prop Account 206-9129-12000, GE Capital Info Tech Solutions Inc, original \$111,300 corrected to \$0. Moved by Kolb, seconded by Wedekind and carried unanimously to approve.

Reports

The Mayor reported that the Assessment Roll was open for public inspection on June 12, 2018 in the Clerk's and Assessor's Office, and Public Library. Open book was held on June 20, 2018 by appointment at the Assessor's office. Notice of the Board of Review was posted at the Municipal Building, Library, Civic Center and Council Chambers and published at least 15 days prior to the July 19th meeting.

Hearings – None.

Reports

Assessor Hamel presented the Annual Assessment Report.

Moved by Kolb, seconded by Wedekind and carried unanimously that the Assessment Roll is approved as amended by the determinations made by this Board of Review and that the Board adjourns at 3:00 p.m.

Baraboo Economic Development Commission**May 3, 2018****I. Call to Meeting to Order and Note Compliance with Open Meeting Law**

Mayor Mike Palm 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.

II. Roll Call

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

Absent: Bowers, Jelle

Other: Ed Geick, Patrick Cannon

III. Approve Agenda

Motion to approve the agenda as presented with moving item g. a. to follow item IV

Taylor (1); Umhoefer (2)

Aye: All via voice vote

Nay: None

IV. Approve Minutes

Motion to approve the minutes as presented for March 1, 2018 as presented.

Alt (1); Ayar (2)

Aye: All via voice vote

Nay: None

Review of City Website by Baraboo High School students

Joseph Zech and Mychal Hainz, students at Baraboo High School provided an analysis of the current city website. The students had compared the website to other sites within the area. In addition, they reviewed areas such as color, balance of the site and usability. Their analysis and comments were well received. The City plans on incorporating these comments into its future redesign of the site.

V. Public Comment

Peter Vedro, Sauk County Chair was introduced as the new County Chair.

VI. Old Business**a. Updates on Development Activities**

Mayor Palm indicated:

1. The City is featured in this month's League of Municipalities magazine. In addition, both he and the CDA Director have been asked to present at the League's Chief Executive Conference this summer.
2. The reconstruction at the airport has begun. The airport will be closed for several months while the construction is completed.
3. The City has hired a new Library Director. Her name is Jessica Bergin.
4. The Hospital has announced that they will be closing the Addiction Treatment Center this summer.

b. Updates from Plan Commission and Council

Mayor Palm updated the items from the Plan Commission and Council were included in the Development Activities update.

c. Update from economic development partners and collaborators

1. Ms. Wastlund indicated that the CDA has recently approved a new loan.
2. Mr. White indicated that approximately 165 people attended the annual meeting. At that meeting the annual Business Awards were presented. In addition, the Chamber is working on a Branding process for the city.
3. Dr. Ayar indicated that the Facebook Marketing class was very successful.
4. Mr. Reppen indicated that Servo is currently seeking additional employees.
5. Mr. Cannon indicated that the initial planning meeting for the County project with the Local Government Institute is planned for May 30, 2018.

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

A meeting is planned for May 24, 2018 to continue discussion of the plan implementation.

ii. Ad Hoc Committee on Business Walk

A future meeting is planned.

Discussion will include the sign ordinance and the major points of the Business Walk

VII. New Business**a. A tour of the new facility was provided at the conclusion of the meeting.****VIII. Update Partner Project Schedule**

No update was provided.

IX. Commissioner and City Staff comments

Mayor Palm indicated the State is now working on Opportunity Zones. Baraboo will qualify under that program.

X. Adjournment

Motion to adjourn the meeting was made at 6:47 pm.

White (1); Taylor (2)

Aye: All via voice vote

Nay: None

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

Plan Commission	07-31-18	Ambulance Finance & Comm	05-23-18
UW Comm.	07-19-18	Ambulance Comm	04-25-18
Friends of the Library	06-12-18	Library Nominating Comm	06-14-18
Library Board	07-17-18	Police & Fire Comm	07-16-18

PETITIONS, AND CORRESPONDENCE

Petitions and Correspondence Being Referred -

INFORMATIONAL ITEMS

ADJOURNMENT

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

Brenda Zeman, City Clerk

RESOLUTION NO. 2018 -

Dated: September 11, 2018

The City of Baraboo, Wisconsin

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

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

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

Offered By: Consent

Approved by Mayor: _____

Motion:

Certified by City Clerk: _____

Second:

RESOLUTION NO. 2018 -

Dated: September 11, 2018

The City of Baraboo, Wisconsin

Background: The Council must take action annually declaring City taxpayers exempt from paying county library tax to avoid double taxation of city and county taxes supporting similar services.

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

WHEREAS, the Sauk County Board levies a county library tax.

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides that such units of government which levy a tax for public library service and appropriate and expend for a library fund as defined by S43.52(1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of property in the City for the current year, may apply for exemption from this tax; and

WHEREAS, the City of Baraboo does levy a library tax in excess of the amount calculated in accordance with 43.64(2)(b).

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

THAT the City of Baraboo be exempted from the payment of any county library tax as provided in Section 43.64(2)(b) inasmuch as it will expend for its own library fund for 2019 an amount in excess of that calculated in accordance with 43.64(2)(b). Exemption from the payment of said county library tax shall not preclude the City of Baraboo's participation in county library service in all other respects.

Be it Further Resolved, that confirmed copies of the Resolution be forwarded by the City Clerk to the Reedsburg Public Library and to the Sauk County Clerk by October 19, 2018.

Offered by: Finance

Motion:

Second:

Approved: _____

Attest: _____

Sauk County Library Tax Exemption Calculations for 2019

Municipalities that pay county library tax	2017 Equalized Value Reduced by TID	Municipalities with libraries	2018 Equalized Value Reduced by TID	2019 Needed Appropriation	2018 Appropriation Requested			
Baraboo (town)	\$203,134,700	City of Baraboo	\$815,339,000	\$275,059	\$579,276			
Bear Creek (town)	\$67,413,600	Village of La Valle	\$15,361,400	\$5,182	\$18,000			
Dellona (town)	\$210,568,000	Village of North Freedom	\$24,744,200	\$8,348	\$35,000			
Delton (town)	\$303,971,400	Village of Plain	\$58,054,100	\$19,585	\$65,000			
Excelsior (town)	\$138,614,000	Village of Prairie du Sac	\$390,817,400	\$131,844	\$327,817			
Fairfield (town)	\$108,468,800	City of Reedsburg	574,880,700	\$193,939	\$404,495			
Franklin (town)	\$74,429,600	Village of Rock Springs	\$21,753,500	\$7,339	\$25,000			
Freedom (town)	\$57,332,800	Village of Sauk City	\$332,558,400	\$112,190	\$206,500			
Greenfield (town)	\$103,379,300	Village of Spring Green	\$165,259,400	\$55,751	\$98,942			
Honey Creek (town)	\$82,393,800	City of Wisconsin Dells**	\$334,362,700*	\$112,799	\$167,546			
Ironton (town)	\$50,823,700	Village of Lake Delton**	\$1,180,822,100	\$398,356	\$391,009			
La Valle (town)	\$357,155,800							
Merrimac (town)	\$256,503,900	<p>*Wisconsin Dells has residents in four counties (Sauk, Columbia, Juneau, and Adams). The equalized values from all four counties have been added to result in the figure above. See below for the Sauk County portion only:</p> <table border="1" style="margin-left: 20px;"> <tr> <td>Wisconsin Dells</td> <td>\$80,271,300</td> <td>\$27,080</td> </tr> </table> <p>**Wisconsin Dells and Lake Delton are a joint library. Due to Act 20, the municipalities that fund joint libraries have a second method they can use to determine the necessary level at which they need to fund the library in order to exempt from county library tax. Per 43.64(2)(c)(2), a municipality in a joint library may appropriate an amount that is not less than the average of the last three years.</p> <p>The tax levy rate is determined by dividing the 2018 Sauk County Library Board budget by the 2017 equalized value of those municipalities that pay the county library tax. The 2018 equalized value of the municipalities with libraries is then multiplied by that tax levy rate to determine the municipal appropriation needed in order to exempt from the county library tax in 2019. The 2018 municipal library appropriations (taken from information provided on the library's 2017 Annual Report) are provided as an indication of the municipality's current level of support. -- Wisconsin Statutes, s.43.64(2)(b)</p>				Wisconsin Dells	\$80,271,300	\$27,080
Wisconsin Dells	\$80,271,300					\$27,080		
Prairie du Sac (town)	\$156,178,800							
Reedsburg (town)	\$103,956,800							
Spring Green (town)	\$180,393,700							
Sumpter (town)	\$64,722,200							
Troy (town)	\$93,949,300							
Washington (town)	\$60,743,100							
Westfield (town)	\$52,927,000							
Winfield (town)	\$83,979,900							
Woodland (town)	\$83,988,100							
Cazenovia (village)	\$655,100							
Ironton (village)	\$7,359,900							
Lime Ridge (village)	\$8,278,700							
Loganville (village)	\$13,591,400							
Merrimac (village)	\$75,601,800							
West Baraboo (village)	\$96,217,000							
TOTAL:	\$3,096,732,200							
2018 Sauk County Library Board Budget	\$1,044,698							
Tax Levy Rate	0.000337355							

NOTICE OF PUBLIC HEARING
City of Baraboo, Wisconsin

NOTICE IS HEREBY GIVEN that the Common Council of the City of Baraboo, Wisconsin, will hold a public hearing in the Council Chambers in the Municipal Building located at 135 Fourth Street, Baraboo, Wisconsin, on Tuesday, September 11, 2018, at 7:00 o'clock p.m. for the purpose of giving an opportunity to any interested persons to be heard to consider the following matter(s):

Request to rezone the 2-acre parcel on the east side of Vine Street in the NE ¼ of the SE ¼ of Section 2, T11N, R6E, located at 729 Vine, from R-1A Single Family Residential to NRO Neighborhood Residential Office classification by Rabeka Hargraves and Jordan Darrow to allow the operation of a beauty shop in the existing single-family residence.

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

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

/s/ Brenda Zeman, City Clerk.

To be published on: August 29, and February 4, 2018 in the legal section.

The City of Baraboo, Wisconsin

Background: The new owners of the property at 729 Vine Street would like to establish a beauty shop on the lower level of the existing residence. In the existing single-family residential districts, beauty shops are specifically prohibited as both a home occupation as well as a professional home office. The Zoning Code contains the following definition:

PERSONAL OR PROFESSIONAL SERVICES. Personal service and professional service land uses include all exclusively indoor land uses whose primary function is the provision of services directly to an individual on a walk-in or on-appointment bases. Examples of such uses include professional services, insurance or financial services, realty offices, medical offices, or clinics, veterinary clinics, **barber shops, beauty shops**, and related land uses.

The NRO-Neighborhood Residential/Office zoning district allows Personal or Professional Services as a Conditional Use. Accordingly, the property owners are seeking rezoning to an NRO zoning classification so they can apply for a Conditional Use Permit.

The Plan Commission reviewed the proposed zoning change at their August 21, 2018 meeting, and forwarded the matter to the Common Council for further consideration with a favorable recommendation.

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

An Ordinance amending §17.18(4)(a) and the Zoning District Map rezoning tax parcel 206-1096-00000 from R-1A Single-Family Residential to NRO Neighborhood Business/Office district.

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

1. Section 17.18(4)(a), Ordinances is hereby revised to reflect the following changes: Tax Parcel 206-1096-00000, the following described 2-0-acre parcel located at 729 Vine Street, from its current R-1A Single-Family Residential zoning classification to an NRO Neighborhood Residential/Office zoning classification:.

A part of the NE ¼ of the SE ¼ of Section 2, T11N, R6E, City of Baraboo, Sauk County, Wisconsin described as follows:

The northerly 266 feet of the NE ¼ of the SE ¼ Section 2, T11N, R6E west of Parkway (formerly STH 123) and east of Vine Street.

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 ____ day of _____, 2018 and is recorded on page ____ of volume ____.

City Clerk: _____

Members Present: Petty, Sloan, Thurow

Absent:

Others Present: Mayor Palm, E. Geick, E. Truman, B. Zeman, C. Haggard, T. Pinion, J. Bergin, John Ellington, Rebekah Stelling, Beth Persche

Call Meeting 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 14, 2018. Motion carried unanimously. Moved by Sloan, seconded by Thurow to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan, seconded by Thurow to recommend to Council approval of the accounts payable for **\$898,800.51**. Motion carried unanimously.

- b) **2018 First Qtr. Water & Sewer Budget Amendments** – The Committee reviewed the Water & Sewer budget amendments for the first quarter, 2018. Moved by Sloan, seconded by Thurow and carried unanimously to approve the budget amendments.

- c) **Proposal of Cleary Building Corp for New Pole Bldg. at City Services Center** – T. Pinion explained that this project was initially included in last year’s budget for \$60,000 and carried over. Because the low bid received was in excess of \$75,000, we worked with Cleary Building to bring the project cost closer to budget. A transfer of \$531 will be required to cover this. Moved by Thurow, seconded by Sloan and carried unanimously to approve the proposal of Cleary Building Corp in the amount of \$60,531.

Discussion Items

- a) **FY 2019 Budget – Revenue forecast, preliminary estimates for budgeting and 2 year Budget forecast**
Finance Director C. Haggard presented the pre-levy 2019 draft budget. Rebekah Stelling & Beth Persche addressed the committee regarding the dismay at the postponement of the library expansion project.

- b) **City Attorney’s report on insurance claims**
Currently there are only 2 pending claims. Nothing new to report.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:47pm.
Brenda Zeman, City Clerk

Minutes of Plan Commission Meeting July 17, 2018

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, Pat Liston, Jim O’Neill, Tom Kolb, and Kate Fitzwilliams.

Also in attendance were Mayor Palm, Administrator Geick, Tom Pinion, Anita LaCoursiere, Ruanne Schoonover, Jane and Greg Hammel, Carol Bassett, Tim Cummings, William McDonough, Greg Held, and Al Mueller.

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 O’Neill, seconded by Liston to approve the minutes of the June 19, 2018 meeting. Motion carried unanimously.

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

Public Hearing

- a. Public Hearing to consider the request of Wisconsin Power & Light (Owner) and American Transmission Company (Applicant) for a Conditional Use Permit to allow the expansion of the existing substation and the construction of a new self-contained control house in a B-1 Central Business zoning district, located at their Lynn Street substation on the south side of the Baraboo River between Vine and Walnut Streets, 125 Vine Street, City of Baraboo – There being no speakers, the hearing was declared closed.
- b. Public Hearing to Consider the request of Linda Porter and Ruanne Schoonover for a Conditional Use Permit to convert the existing two-unit condominium to two Side-by-Side single-family residential dwellings in a R-1A Single-Family Residential zoning district, located at 421/423 10th Avenue, City of Baraboo – There be no speakers, the hearing was declared closed.
- c. Public Hearing to Consider the request of Greg Hammel for a Conditional Use Permit to convert the existing two-unit residential dwelling on Lot 1 of Springbrook Hills to two side-by-side single-family residential dwellings in a R-1A Single-Family Residential zoning district, located at 1410/1412 Lake Street, City of Baraboo - There being no speakers, the hearing was declared closed.

New Business

- a. Consideration of Wisconsin Power & Light’s (Owner) and American Transmission Company’s (Applicant) request for a Conditional Use Permit to allow the expansion of the existing substation and the construction of a new self-contained control house in a B-1 Central Business zoning district, located at their Lynn Street substation on the south side of the Baraboo River between Vine and Walnut Streets, 125 Vine Street, City of Baraboo – Anita LaCoursiere, ATC addressed the Commission as the applicant for Wisconsin Power & Light’s request. She said the substation is at the end of its lifecycle and needs be upgraded. Pinion asked if the footprint of the substation will be expanded, LaCoursiere answered in the affirmative. LaCoursiere presented the plans for the expansion, security, and fence plans. Kolb questioned the clearance needed for landscaping. LaCoursiere stated that normally they do not put landscaping at substations for security. Kolb said that his issue is that the City spent hundreds of thousands dollars to reclaim the land along the riverfront and has done a Riverfront Design Guidelines, which includes that area of the substation, and this plan is ugly. He was hoping that eventually that this entire substation could be moved to some other location. She said that she has worked with Pinion regarding the layout that was planned for the substation. Franzen said that there is a Riverwalk down to Vine Street, and the plan was to have that riverwalk go all the way to Walnut Street, and he doesn’t see any plans that Power and Light is going to put in that riverwalk. LaCoursiere said that she does not believe that

the topography at the river's edge would allow that. Franzen said that there is some room, but not much. LaCoursiere said that she would leave this to Pinion because she has been working with him. She thought if a walkway and bike trail would be installed it would be on the sub property and then there would have to be retaining wall installed, if that were even possible. Franzen said that the City would have to get an easement, which they do not have now, but it was in the plan. LaCoursiere asked if this was on the north side or south, and it was stated that it was the plan to have on both sides. She said that she does not remember that being discussed, but that would be an issue. Kolb asked if surrounding property owners were contacted and LaCoursiere answered no because they are expanding on their property; however, Pinion stated that surrounding properties within 200 feet were notified regarding the public hearing. Mayor Palm stated that the substation along the beltline coming into Madison has a fence, but it is fielded and has mesh going through it to diminish the view to the inside. Liston said that he feels that there are things that can be done to the substation to make it fit better into the community. It was stated that the City has been interested in moving this substation since 2006-2007. LaCoursiere said that the work being done on the substation is on WP&L land, ATC are the people that are upgrading and replacing their facilities, and that is because there are two or three separate lines that come in and they have to service those, and with sensitive customers, they can't have outages. The Commission feels that there is some way to dress it up. LaCoursiere said that they are not the owners, they are just replacing a fence, and ATC standards state that when a fence is replaced, it has to be with a no cut, no climb fence. O'Neill asked if the no cut, no climb fence could be made to be less conspicuous. LaCoursiere said that there is a vinyl that be woven in, which could be considered as an option. It was asked if the fence that is existing could be dressed up also, and it was stated that the fence belongs to WP&L, and they would have to agree to it, and there would be a cost. Kolb asked if it would unreasonable to postpone this request until next month to allow the City to investigate some of the issues. Pinion said that he believed under City Ordinances, the Commission has 30 days to decide on Conditional Use permits, and the next meeting would be more than 30 days. Kolb then asked if the Commission could hold a special meeting because he feels that these are significant issues. Pinion answered in the affirmative and stated that it the nature of the conditional use, what triggers the need for that is the addition to the building. He said that the existing substation is a permitted, conforming use, and anytime that changes, or there is a new use, it is the subject of the conditional use. He said if the City wanted to negotiate with the property owner to improve the appearance, he is not sure that is part of this conditional use permit proceeding, and he would have to defer to the City Attorney's advice on that. Geick said that he did speak with Attorney Truman, and the City can place conditions on landscaping and other things around this facility within the new State law requirements, especially because the City did go through the process of creating the plans that we have right now. He said that those plans were given to ATC and to Alliant. He feels that the Commission can have a meeting within the next 30 days and have some time to work out the details. Kolb moved to postpone the request and the Plan Commission meet within the next 30 days so that the Commission can look at some of the other issues. O'Neill seconded the motion. On roll call vote for the motion, Ayes – Thurow, Franzen, Liston, O'Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.

- b. Consideration of Linda Porter and Ruannae Schoonover 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 421/423 10th Avenue, City of Baraboo – Pinion said that this request is something that the Commission routinely considered in the past. He said that this particular Condominium was considered in 2007 for the same reason, the Commission recommended approval; however, when it came time to file the appropriate documents, because it is a Condominium Association, there has to be a document dissolving the Condo Association. He said that when it was submitted to the County Property Lister it was rejected because the Condo Association was still intact. Therefore, since the Conditional Use Permit was not fulfilled within 12 months it becomes void. Pinion said that Schoonover and her neighbor have requested to repeat history and dissolve the condominium association, create the two side-by-side attached dwellings per the CUP; the CSM is included in the packet as well as the covenants that were prepared by the attorney at that time. Pinion said that those two components comply with the City's CUP requirements. He said that the City would have to see documentation of the Condominium dissolution before any of the documents could be recorded. It was stated that Schoonover found the document entitled Declaration of Removal from Condominium Ownership by 10th Avenue. Pinion said that the document has not been recorded, but all the pieces are in place. It was moved by Liston to approve the Conditional Use Permit as requested, conditioned upon the Declaration of Condominium dissolution be recorded. Fitzwilliams seconded the motion. On roll call

vote for the motion, Ayes – Thurow, Franzen, Liston, O’Neill, Kolb, Fitzwilliams, and Wedekind. Nay – 0, motion carried 7-0.

- c. Review and approve a two-lot Certified Survey Map to convert the two-unit 10th Avenue Condominium No. 1 to side-by-side single-family residential attached dwellings at 421/423 10th Avenue – It was moved Liston, seconded by Kolb to approve the CSM as presented. On roll call vote for the motion, Ayes – Franzen, Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, and Thurow. Nay-0, motion carried 7-0.
- d. Consideration of Greg Hammel’s request for a Conditional Use Permit to convert the existing two-unit residential dwelling on Lot 1 of Springbrook Hills to two side-by-side single-family residential dwellings in an R-1A Single-Family Residential zoning district, located at 1410/1412 Lake Street, City of Baraboo – Greg Hammel addressed the Commission. Pinion said that this is a traditional two-unit duplex and not a Condo Associations. He said that Hammel has an attorney working on the covenants; therefore, there is no draft included, but the City typically will not sign the CSM in the absence of those documents. It was moved by Liston, seconded by O’Neill to approve the CUP as requested. On roll call vote for the motion, Ayes – Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, and Franzen. Nay – 0, motion carried 7-0.
- e. Review and approve a two-lot Certified Survey Map to convert the existing two-unit residential dwelling on Lot 10 in Springbrook Hill Subdivision to side-by-side single-family residential attached dwellings at 1410/1412 Lake Street – It was moved by O’Neill, seconded by Franzen to approve the CSM as presented. On roll call vote for the motion, Ayes – O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, and Liston. Nay – 0, motion carried 7-0.
- f. Consideration of Request to vacate Outlot 4 of the First Addition to Pleasant View Subdivision – a 20-foot side unimproved pedestrian path right-of-way on the east side of Manassas Drive between Lots 25 and 26 of the First Addition to Pleasant View Subdivision – Carol Bassett introduced herself to the Commission. Pinion said that Bassett contacted him, she is the owner closest to the north side of the outlot. He said that she has an existing deck that is only a few steps off the ground going into a side entrance. He said that she would like to expand that to make it easier going in and out; however, the City’s rules are that it cannot be closer than 6-feet from the lot line. Therefore, to Bassett’s amazement, there is 32 feet between her deck and her neighbor’s to the south deck and neither were aware that there was 20-foot reserved right-of-way for a pedestrian path. Bassett and her neighbor have submitted a petition asking for this to be vacated. Pinion gave the background of the entire Pleasant view Subdivision, from preliminary to existing. Liston asked if the City owned the property. Pinion stated that it is Outlot 4, which was dedicated as part of the Final Plat to the City. Pinion then gave the background of ownership of parcels. Pinion said that if the Commission favorably reviews this petition, there will be a public hearing, notice published, and then the Council will consider a resolution to formally vacate that right-of-way. It was moved by Liston to move this to Council with a positive recommendation. Kolb seconded. Franzen questioned ownership after vacation. Pinion said that anytime a right-of-way is vacated, it is split down the middle and half goes to each property owner at no cost. On roll call vote for the motion, Ayes – Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, Liston, and O’Neill. Nay – 0, motion carried 7-0,
- g. Consideration of a Request from Bruce Braithwaite to rezone the 5.3-acre parcel on the north side of South Blvd. in the SE¼ of the NW¼ of Section 3, T11N, R6E, located at 1420 South Blvd. and formerly occupied by the Honey Boy Mobile Home Park, from MH-P, Mobile Home Park to a B-3, Highway Oriented Business zoning classification by Bruce Braithwaite – Pinion said that Bruce Braithwaite told him that something came up and he would be unable to attend the meeting. He said that the property is listed with a realtor and has been discussed at the staff level. He said that if the owner had not initiated this, rezoning could only happen under two instances, the property owner petitions, or the City undertakes the action. Pinion said that everything to and south and east is zoned B-3, and I-4 to the west; therefore, Braithwaite showed some interest in zoning it to a Highway Oriented Business, which is a little less permissive, it’s more commercial than I-4 allows industrial uses as well. Pinion feels that this is consistent with the City’s Comprehensive Plan and a very appropriate request given the fact that the park is closed and listed for sale. Liston feels that there are more issues other than rezoning, because it is such a mess. He said that he would like to hear something from Braithwaite such as when the rest of the trailers will be out of there, and what he is going to do to clean up the property. It was the consensus of the Commission to take no action due to the absence of the representative, and will be placed on the next meeting agenda.
- h. Consideration of a Request by Capitol Housing III, LLC to review the SIP in accordance with Step 4 of the Planned Development process to construct a 70-unit multi-family residential complex, located at 325 Lynn Street, in a B-1 Central Business zoning district – Greg Held, Knothe Bruce Architects introduced himself to the Commission. Pinion gave the background for this project. Pinion said that final step in the planning

development process is the specific implementation plan, which the Commission deferred action on that for additional detail. He said that the Developer's design team is here to provide additional detail of the building materials, color renderings, final site plan, and landscaping plan, which is what the Commission asked for. Kolb questioned the lighting. Pinion said that the site lighting was not included due to being technical pieces, and the stormwater management plan is being prepared, as well as the site lighting plan. He said that in the past the Commission has allowed those to be administratively reviewed and approved. Held gave the Commission a detailed presentation of the revised site plan. He said that they have gotten some better grades. He said that there was talk about cleaning up some of vegetation along the river; however, it sounds like this is going to be a separate permit obtained from the DNR, so it is not really addressed in the presentation. Pinion said that site has a surface feature for stormwater management, called a vial filtration facility. Although, that may lend itself to this site, due to the topography, it is his understanding that the developers are looking more into an underground system so that the green space is available to the tenants. Held then presented the color renderings, and materials being used on the building. Pinion stated that the name of the development will be River Ridge and feels that it is a very fitting name. It was moved by Liston, seconded by Franzen to approve the SIP as presented. On roll call vote for the motion, Ayes – Fitzwilliams, Wedekind, Thurow, Franzen, Liston, O'Neill, and Kolb. Nay – 0, motion carried 7-0.

- i. Discussion of Wisconsin Act 67 and its effect on local zoning authority – It was the wish of Liston that Attorney Truman was available for discussion. It was stated that she was at a Library Board meeting. Pinion stated that it describes that the City is pretty much handcuffed, so he is not sure how much flexibility the City has; however, Attorney Truman thinks that there is some. He said that the burden is on the City to defend the conditions that they might want to impose. Franzen asked if the City could pass new laws to make it easier to impose conditions. Pinion said that if the worst-case scenario was taken, it eliminates the City's ability to really regulate conditional uses. Pinion said something that was discussed conceptually it was allow the City to create a new special zoning district that has very specific uses and eliminates the ones that are not wanted, so the City is not obligated to approve them, but that would be a public hearing for changing the rezoning ordinance. He also said that there would probably be a lot of input from the public. He said that Mayor talked ab out starting an ADHOC committee to start reviewing some of those things. Alderman Kolb suggested that the City revisit design guidelines for that corridor, so it is not a 30-second solution, or a 30-day solution. Mayor Palm said that he has been thinking a lot about an ADHOC Committee and Chapter 17 has not been looked at for 12 years. He said what the legislation has done; it may provide an opportunity to look at the zoning ordinance to see if there are things that can be done to help ourselves.

Adjournment - It was moved by Liston, seconded by Kolb to adjourn at 6:28 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee

**Baraboo Economic Development Commission
Business Walk Review Ad Hoc Committee
Meeting Minutes
July 31, 2018**

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

The meeting was called to order by Andrew Bingle at 5:48 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: Bingle, Taylor
Absent: Ayar, Caflich, White
Other: Patrick Cannon

Due to the lack of quorum, the meeting was not permitted to proceed.

Andrew Bingle
Chairperson

Patrick Cannon
Recorder

Baraboo Economic Development Commission

Meeting Minutes

August 2, 2018

I. 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.

II. Roll Call

Present: Bowers, Alt, Ayar, Bingle, Cafilisch, Palm, Platt-Gibson, Reppen, Taylor, Wastlund, White

Absent: Umhoefer, Johnson

Other: Ed Geick, Patrick Cannon

III. Approve Agenda

Motion to approve the agenda as presented

Platt-Gibson (1); Alt (2)

Aye: All via voice vote

Nay: None

IV. Approve Minutes

Motion to approve the minutes as presented for June 7, 2018 as presented

Cafilisch (1); Alt (2)

Aye: All via voice vote

Nay: None

V. Public Comment

None

VI. Old Business

a. Updates on Development Activities

Ed Geick reported on the following:

- 325 Lynn St. project has been approved and will require a Development Agreement
- The re-zoning request for the Trailer Park was postponed
- Sauk County is working on their housing initiative
- The Airport construction is underway

b. Updates from Plan Commission and Council

Mayor Palm spoke on the following items:

- Conditional Use Permit for auto repair business was denied by Plan Commission. After legal review, the City Council approved the CUP based upon changes in State law
- The City has formed a committee to review the current zoning ordinance
- Mayor is discussing the “dark store” situation with Jay Smith from Teel Manufacturing
- The City hosted a meeting regarding the closing of the addiction center by SSM.

c. Update from economic development partners and collaborators

- Mr. White indicated that the SCDC housing study should be completed within two weeks
- Mr. Bingle announced that ICF will be closed in 2019 due to construction. They are in the process of obtaining a pop-up shop during that time.
- Mayor Palm indicated that the City had a strategic planning session for future goals
- Mr. Taylor indicated that the Bank is doing well and indicated his support for the Children’s Museum

- Mr. Alt gave an update on the Eastside Corridor sub-committee. He indicated that DOT has been sent a copy of the document. He also indicated that a copy of the report will be distributed to the property owners along 8th Ave.
- Dr. Ayar updated the committee on the status of the merger at the campus. He felt it was moving along well.
- Mr. Reppen indicated that Servo is having a difficult time in filling positions.
- Ms. Wastlund indicated that indicated that the CDA has closed on the building with USDA and they are working on strategic planning for their activities
- Ms. Caflich updated on the following:
 - a. The parade was a success. The crowd was estimated to be between 25,000 to 30,000 people.
 - b. She also indicated that Discover Wisconsin is doing a show regarding the Baraboo area
 - c. The community branding effort is ongoing and should be completed soon
 - d. The Chamber has hosted two “lunch and learn” programs. They have been successful
 - e. The Chamber Visitor Center has been extremely busy and they have hired temporary staff to assist.
- Ms. Platt-Gibson gave a brief update on the hiring of a new Administrator. She added that two new Doctors will be starting in September.
- Mr. Bowers updated the committee on the construction in West Baraboo. He also updated the status of the canoe landing that was destroyed due to the heavy rains.
- Staff indicated that the Mayor and CDA Executive Director will be presenting at the League of Wisconsin Municipalities workshop in August. Updates were also given on the DOA CLOSE program and the Sauk County/LGI project.

d. Consideration of development of a strategic plan for BEDC

i. Ad Hoc Committee on Eastside Corridor Study

Mr. Alt had previously discussed the status of the project.

ii. Ad Hoc Committee on Business Walk

A meeting was scheduled but failed due to lack of quorum.

Mr. Bingle has drafted a cover letter to the participants outlining what has been completed based upon the program

VII. New Business

None

VII. Update Partner Presentation Schedule

Several suggestions were made regarding possible presenters.

VIII. Commissioner and City Staff comments

The Mayor indicated that several publications have featured Baraboo in recent articles

IX. Adjournment

Motion to adjourn the meeting was made at 6:37 pm.

Taylor (1); White (2)

Aye: All via voice vote

Nay: None

Jim Bowers
Chairperson

Patrick Cannon
Recorder

Present: Alderpersons John Alt, John Ellington, Michael Zolper

Absent:

Also Present: Mayor, Mike Palm; City Administrator, Ed Geick; Attorney, Emily Truman; Police Chief, Mark Schauf; City Clerk, Brenda Zeman, City Engineer Thomas Pinion

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 July 2, 2018, seconded by Zolper and unanimously carried.

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

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

Atty. Truman noted that at the last Administrative meeting, she was asked to revise the policy so that a quorum of the Council could be considered a simple majority of the Council. Per State statues, a quorum of the Council has to be 2/3. Because this is something we cannot change, Atty. Truman did not provide any other changes to the handbook today. She informed the Committee that in the near future, there could be some other changes to Chapter 2 of the City Code, that is the Common Council section of the City Code, but for today's meeting, none of that, at this point, would change the handbook.

Ellington questioned the Library Board and having a member from the Council. The Mayor notes that we have Council members on the Plan Commission and the Parks Commission, he sees no reason not to have someone on the Library Board because there are budgetary numbers involved. He agrees that if we are going to be doing a revision, this is something that could be part of the discussion for Council to vote on. Atty. Truman agrees that there could be additional discussion on this matter when the Chapter 2 revisions are brought before the Committee. In terms of the handbook, what is before the Committee today is what is current in the code. The Committee could continue to hold this at the committee level until Chapter 2 has been updated and then update the handbook to correspond with that or they could recommend approving this now knowing that if changes to Chapter 2 does happen we would have to make the changes concurrently to the handbook. Her suggestion would be to recommend the approval to Council and then as staff starts to review Chapter 2 we are not feeling quite so pressured.

Motion by Ellington to recommend Council adopt the amended Council Handbook, seconded by Zolper and carried unanimously.

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."

Atty. Truman advised that this was at the last Administrative Committee meeting. Because it died for a lack of a 2nd, it should be treated as a new discussion. Zolper confirmed that from a legal standpoint, it does not go against any of our rules for insurance; the insurance for the City is not liable. Atty. Truman noted that she had talked with our CVMIC representative and there are no concerns about any liability for the City. This is really a policy decision for the Committee. The pool cover that Zolper was specifically talking about is a keyed system that covers the pool automatically. He feels this would be the safest pool cover possible. Zolper asked Chief Schauf for any comments from the Police Department, do they have any concerns? Chief Schauf noted that with this specific system, they do still have to have the winter cover. While the winter cover will take the weight of some water, Chief Schauf is not sure it would is not take the weight of a person. If we were making a change, Zolper would want this to be a requirement. This is the type of cover he was talking about, one that a person could stand up on. Not any pool cover would be accepted. Chief Schauf states that some of the concerns that come up is when they forget to close the pool cover and if the committee does decide to change the policy, making sure that it's articulable so people know what they can get. Atty. Truman pointed out that her memo references word for word how it's included in the International Building Code what's permitted for pool covers. She's attached those specs and her suggestion is that if the committee wanted to recommend change, that the change to the ordinance follow the International Building Code that "requires fencing around a private outdoor swimming pool with the following exception: a

swimming pool with power safety cover or a spa with a safety cover compliant to ASTM F 1346-91". ASTM stands for American Society of Testing Materials. This is one suggestion if they want to move away from fences but wanted to ensure a certain type of cover has to be part of it. Ellington questions if we will have a policing issue making sure everybody's covered. Alt questions how many are in compliance right now. Chief Schauf notes that there are several pools that are not in compliance, some that were put in prior to us having a fencing ordinance. City Engineer Pinion confirms that residents are required to have a building permit to put in a pool. Zolper noted the Test Methods for Safety Covers and the Static Load Test of 485 lbs. to be a pretty strong cover. Zolper feels if they adopt a pool cover based on these standards, it seems like a pretty safe cover. There are just as many concerns with fences such as not people not latching the fences. Chief Schauf questioned if ASTM was a stamp that the pool covers would get on them. The Mayor does not believe this is the case. Zolper is looking to have some options for the owner if the technology is there available to keep the population safe; that is his biggest concern. Alt notes that this may be more appealing sometimes than fencing because fencing does deteriorate and people do not maintain them. Zolper noted that this was the concern of the resident; the resident lives in an area where he wants the view. Alt asked Atty. Truman about her recent search at other communities and she noted that it was an interesting mix. For those communities that allow pool covers, they did not have any requirements in their codes. Atty. Truman encourage they specify some degree of standards for pool covers. Zolper has to assume that a pool company selling a pool to their client has thought of engineering needed to keep families safe. It's up to the homeowners insurance if that covers them or not, but if the City is not held liable and the technology is there to keep us safe, then the choice seems like a nice option if someone wants to keep their view.

Zolper made a motion to postpone a decision to the next meeting, seconded by Ellington and carried unanimously.

Tavern Operator License Appeal for Eric Kaun

Chief Schauf informed the Committee that per the Code, the City utilizes an application process which must be completed. All convictions must be listed on the application because under Chapter 125 of Statues we can consider those when determining whether a person should or should not receive an Operator's License. On Mr. Kauns' application, question #7, "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?" He indicated "No." When the Police Department completed their check, they found 3 convictions for drug related offenses. Based on the findings of that and it not appearing in the ordinance by our code it is an automatic denial by the department head and referral to the Administrative Committee. Atty. Truman informs the committee that the applicant has the right to appeal the decision; the Committee has to make a recommendation to Council to either approve or deny the application.

Eric Kaun, S3163 W. Lake Virginia Rd Reedsburg WI, appeared before the committee and told the committee that he does have a reason for answering "no" on the application. He went through plea bargains and 2 years of probation and everything was supposed to be dropped. He was never told he was convicted. He wasn't trying to hide it, he just personally did not know he had the convictions. He was trying not to be malicious.

Atty. Truman advises the Committee that they need a motion to either recommend approving his application or denying it. Chief Schauf includes that it can either be approved, approved conditionally, or denied. The big difference between a Conditional Operator and a full Operator is that a Conditional is a year by year.

Neil Cafilisch, 124 4th Avenue Baraboo WI addressed the Committee. This is the second time he has been here and the last time the person was issued a conditional. He feels Eric has to work some place and he is just asking the Council to recommend a Conditional Operator's License and go year by year.

Eric states that his first conviction was when he was 19, he is 28 now. Schauf confirms the first conviction was 2010, subsequent convictions were both in 2013, similar offenses.

Motion by Ellington to recommend approving a Conditional Operator's License to Eric Kaun, seconded by Zolper and carried unanimously. Eric Kaun and Neil Cafilisch were both provided agendas for the August 14th Council meeting.

Consider applications for keeping Chickens

Clerk Zeman noted that this new application was received within the last few weeks. CSO Goetz has approved the application as well as Chief Schauf. The neighbors were all notified and given until August 3rd to dispute the application. Nothing was received by the Clerk's office regarding this application.

Motion by Zolper to approve the chicken application for Melissa Barnes, seconded by Ellington and unanimously carried.

Member comments

The next meeting will be Friday, September 7, 2018 at 12:00PM CDT. Meeting location will be 101 South Boulevard. Moved by Ellington to adjourn, seconded by Zolper and unanimously carried. Meeting adjourned at 12:39PM CDT.

Respectfully submitted,
Brenda Zeman, City Clerk