



## ADMINISTRATIVE COMMITTEE AGENDA

**Date and Time:** Monday, January 6, 2020 at 8:15AM CST  
**Location:** City Hall, 101 South Boulevard, Baraboo, WI 53913  
**Room:** C205 *Dennis O Thurrow* Committee Room

### Notices:

Full Paper to Members:	Alderspersons: John Alt, John Ellington & Heather Kierzek
Full Paper to Others:	Mayor, Mike Palm
Paper excluding Closed Session:	Library for subsequent posting
E-mail:	Clerks and Donna Munz
Outlook Meeting Calendar:	Administrator, Kennie Downey; City Attorney, Emily Truman; Police Chief, Mark Schauf; Finance Director, Cynthia Haggard; City Engineer, Tom Pinion; Clerk, Brenda Zeman

Citizen or other notices:

### 1. Call to Order:

- a. Roll call of members.
- b. Note Compliance with Open Meeting Law.
- c. Approve minutes – December 3, 2019.
- d. Approve agenda.

### 2. Action Items:

- a. Review and recommendation to the Council of Liquor Licenses to the following establishments:
  - 1) Picnic License
    - a) St. Joseph Catholic Parish, Gala of Gratitude, 1-24-20
    - b) St. Joseph Catholic Parish, Fish Fry, 2-28-20, 03-13-20, 04-03-20
    - c) St. Joseph Catholic Parish, Tri-Parish Trivia Night, 04-06-20
- b. Consider Operator's Licenses for the following applicants:
  - 1) NEW
    - a) Dustin Nachtigal, Wal-Mart
    - b) Tyler James Nemitz-King, Casey's
    - c) Mariah Deyo, Baraboo Burger Company
- c. Review and possible recommendation to Common Council to amend § 8.05 of the City Code regarding Snow and Ice Removal.

### 3. Information Items

- a. Date and time of next meeting: February 3, 2020 at 8:15AM CST

### 4. Adjournment:

Aldersperson Alt

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

Agenda prepared by Brenda Zeman, (608) 355-2700  
Agenda Posted by Donna Munz on January 2, 2020

Any person, who has a qualifying disability as defined by the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Baraboo City Clerk at 101 South Boulevard, Baraboo, Wisconsin or by phone (608) 355-2700 during regular business hours at least 48 hours before the meeting to ensure reasonable arrangements are made to accommodate each request.

Present: Alderpersons John Alt, John Ellington and Heather Kierzek  
Absent: None  
Also Present: City Administrator, Ed Geick; City Administrator, Kennie Downing; Finance Director, Cynthia Haggard; Police Chief, Mark Schauf and City Clerk, Brenda Zeman.  
Citizen Present: None

The meeting was called to order by Chairman John Alt at 8:15AM CST., with roll call and noting compliance with the Open Meetings Law.

Moved by Ellington to approve the minutes of November 4, 2019, seconded by Kierzek and unanimously carried.

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

Review and recommendation to the Council – Liquor License.

Kierzek sought confirmation that someone can be an Agent at two locations. Chief Schauf confirmed that someone can be an agent for two locations, especially when it's a corporate retail place. He also added that an Agent is the licensed responsible party.

Motion to approve the change of Agent for Kwik Trip #855 (South Blvd.) by Ellington, seconded by Kierzek and unanimously carried.

Review and recommendation to the Council – Picnic License.

Motion to recommend to approve and move on to council the Baraboo Young Professionals, Night Market, 12-20-2019 picnic license by Kierzek, seconded by Ellington and unanimously carried.

Consider Operator's Licenses

Motion to approve and move on to Council new licenses for Amy Bible, Sauk County Agricultural Society; Tara Greenwood, Sauk county Agricultural Society; Tammy Salaja, Casey's and Nancy Meiller, Bekah Kate's by Ellington, seconded by Kierzek and unanimously carried.

Approve and move on to Council renewal license for Joshua Ertel, Walmart by Kierzek, seconded by Ellington and unanimously carried.

Member comments

The next meeting will be Monday, January 6, 2020 at 8:15AM CST. Meeting location will be 101 South Boulevard.

Motion to adjourn by Kierzek, seconded by Ellington and unanimously carried. Meeting adjourned at 8:21AM CST.

Respectfully submitted,  
Cynthia Haggard, Finance Director

OFFICE OF THE CITY ATTORNEY  
MEMORANDUM

To: Administrative Committee Members  
Police Chief Mark Schauf  
Street Superintendent Tony Gilman  
From: Emily Truman, City Attorney  
Date: January 2, 2020  
RE: Proposed Amendment to Section 8.05, Baraboo Municipal Code

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The City's municipal code requires property owners to remove snow and ice from their sidewalks within 24 hours of snowfall. Failure to comply with the Code will result in the City's contractor removing the snow/ice for the property owner and the City billing the property owner for the service.

Should a property owner wish to contest the charge, the only recourse available is to file an appeal with the City's Administrative Appeals Board, pursuant to Chapter 6 of the City's Code, which is a somewhat cumbersome procedure. It is therefore suggested that an appeals process be created within the Code to allow appeals to instead be heard by the Administrative Committee.

**Snow/Ice Removal Ordinance  
Proposed Amendment**

**8.05 SNOW AND ICE REMOVAL.** (1965 01/12/99, 2033 11/14/2000, 2180 02/08/2005, 2287 10/14/2008, ~~xxxx xx/xx/2020~~)

(1) ~~SIDEWALK SNOW AND ICE REMOVAL.~~ The owner or lessee of every lot or parcel of land in the City in front of or abutting upon a sidewalk shall clear the entire width of such sidewalk of snow and ice no later than 24 hours after such snow or ice has accumulated thereon. The owner or lessee of a lot or parcel abutting sidewalks on two intersecting streets shall remove all snow and ice from the sidewalks of both streets, including that portion of the sidewalks bordering the crosswalk, including the entire curb ramp, if any, through the snow plow line to the cleared street, regardless of the source of the snow or ice accumulation. In the event sidewalk snow or ice shall become frozen so hard that it cannot practically be removed, the owner shall keep the sidewalk effectively sprinkled with sand, salt, or other suitable substance in such manner as to prevent the ice from being dangerous, and shall promptly clean such sidewalk as soon as weather permits. ~~Any person violating this subsection shall be subject to a forfeiture as provided in Section 25.04 of The City Code.~~

(2) ~~SNOW NOT TO BE DEPOSITED ON PUBLIC WAYS; CREATION OF DOWNTOWN SNOW REMOVAL DISTRICT.~~

(a) ~~Each day any violation of this subsection continues shall constitute a separate offense. An abatement notice pursuant to Section 10.07(2)(a) of the City Code need only be served once upon a property per winter season. (2) Snow not to be deposited on public ways; creation of downtown snow removal district. (a)~~ Except in the downtown snow removal district, no person shall deposit any snow on any public street or alley in the City unless

such person shall, within one hour thereafter, cause such snow to be removed from such street or alley. Sidewalk snow may be deposited within the tree bank, but shall not be deposited in the street.

(b)        A downtown snow removal district is hereby created within the following perimeter: Commencing at 1st Avenue and Broadway, thence east on 1st Avenue/Street to Ash Street; thence north on Ash Street to 3rd Street; thence east on 3rd Street to East Street; thence north on East Street to 4th Street; thence west on 4th Street to Ash Street; thence north on Ash Street to 5th Street; thence west on 5th Street/Avenue to Birch Street; thence south on Birch Street to 3rd Avenue; thence east on 3rd Avenue to Broadway; thence south on Broadway to 1st Avenue, the point of beginning. The perimeter shall be considered to run down the middle of the street. Only property inside the described perimeter shall be considered a part of the district. Within the perimeter of the downtown snow removal district, snow removed from contiguous properties may be deposited at the curb line, for later pickup and disposal by the City.

(3)        **CITY ABATEMENT.** In the event the owner or lessee of any lot or parcel of land fails to comply with or violates the provisions of sub (1)    above, or violates sub (2)    above, the Street Superintendent or designee may summarily remove such snow and ice and cause the cost of said removal to be charged to the owner of the property from which said snow or ice has been removed, after first providing the property owner with an abatement notice pursuant to §10.07(2)(a) of the City Code. An abatement notice under this §8.05 need only be served once upon a property owner per winter season. If the charge is not paid within 30 days of the date of billing, an additional administrative charge of 10% of the charge shall be added to the amount due, plus interest shall accrue thereon at the rate of 1% per month until paid, and such charge shall be extended upon the current or next tax roll as a charge for current services as provided in §66.0627, Wis. Stats. **8**

(a)        **Appeals.** A property owner may appeal the charge to the Administrative Committee by notifying the City Clerk within 14 calendar days of the date of the City's invoice to the property owner. The Administrative Committee shall hear the appeal at their next regularly scheduled meeting, time permitting, and the decision shall be final. The Administrative Committee may consider the following when determining the merits of the appeal:

- i. Whether the snow/ice warranted an abatement pursuant to subs (1) or (2), above, and
- ii. Whether the City provided the property owner with a notice of abatement, and
- iii. Whether the property owner took reasonable steps to abate the nuisance as required by this Section, and
- iv. Whether the charge invoiced to the property owner was reasonable.

(4)        **VIOLATIONS.** Any person violating any of this §8.05 shall be subject to a forfeiture as provided in §25.04 of the City Code. Each day any violation of this subsection continues shall constitute a separate offense. Prosecution under sub (1) or sub (2)    above, shall not bar the City from proceeding under sub (3)    above, nor shall proceeding under sub (3)    above, bar prosecution under sub (1) or sub (2)    above.