



## ADMINISTRATIVE COMMITTEE AGENDA (Amended)

**Date and Time:** Thursday, October 8, 2020 at 8:00AM CST  
**Location:** City Hall, 101 South Boulevard, Baraboo, WI 53913  
**Room:** C205 *Dennis O Thurow* Committee Room

**This meeting is open to the public. However, with the health concerns regarding COVID-19, anyone appearing in person will be required to socially distance themselves.**

**Remote participation at this meeting is allowed and encouraged. Committee Members and the public wanting to participate remotely must dial:**

**Conference Call: 1 (414) 662-3639 Conference Code: 946 693 25#**

### Notices:

Full Paper to Members:	Alderspersons: John Ellington, Heather Kierzek & Kathleen Thurow
Full Paper to Others:	Mayor, Mike Palm
Paper excluding Closed Session:	Library for subsequent posting
E-mail:	Clerks and Donna Munz
Outlook Meeting Calendar:	Interim City Administrator, Ed Geick; City Attorney, Emily Truman; Police Captain, Rob Sinden; Finance Director, Cynthia Haggard; City Engineer, Tom Pinion; Clerk, Brenda Zeman
Citizen or other notices:	None

- 1) Call to Order:
  - a) Roll call of members
  - b) Note Compliance with Open Meeting Law.
  - c) Approve minutes – October 5, 2020.
  - d) Approve agenda.
- 2) Action Items:
  - a) Consider application for keeping chickens – James Dyer. See the following attachments:
    - i) James Dyer @ 404 4th Street
    - ii) Communication from Brandi Schwartz @ 512 Mill Street
    - iii) Communication from Captain Sinden.
  - b) Consider change in the “Premises Description” for Al Ringling Brewing Co. Liquor License. See the following attachment:
    - i) Renewal Alcohol Beverage License Application – AL Ringling Brewing Co.
- 3) Information Item(s):
  - a. Date and time of next meeting: November 2, 2020 at 8:00AM CST
- 4) Adjournment: Alderperson Ellington

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

Agenda prepared by Cynthia Haggard, (608) 355-2700  
Agenda Posted by Donna Munz on October 6, 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 Ellington, Heather Kierzek & Kathleen Thurow  
Absent: None  
Also Present: Mayor, Mike Palm; Finance Director, Cynthia Haggard; Police Captain, Rob Sinden; City Clerk, Brenda Zeman; and City Attorney, Emily Truman.  
Citizen Present: Brian Tegan @ 2125 Surrey Lane

The meeting was called to order by Chairman John Ellington at 8:00AM CST., with roll call and noting compliance with the Open Meetings Law.

Motion by Thurow to approve the minutes of September 8, 2020, seconded by Kierzek and unanimously carried.

Ellington sought a motion to accept the original agenda. Motion by Kierzek to approve the original agenda, seconded by Thurow and unanimously carried.

Consider application for keeping chickens – Mariah Phillips

Zeman mentioned that this application was brought to the Committee at the last meeting. It was held over until the owner gave permission, since the applicant was a tenant. An approval from the owner was part of today's packet.

Motion to approve the application for keeping chickens for Mariah Phillips by Thurow, seconded by Kierzek and unanimously carried.

Consider application for keeping chickens – Andrew Lombard

Zeman mentioned this application was brought to the committee at the last meeting. She also reminded the Committee that staff was to attempt to obtain a completed application. Zeman continued to inform the Committee that she attempted to obtain a completed application to no avail.

Motion to deny the application for keeping chickens for Andrew Lombard by Thurow, seconded by Kierzek and unanimously carried.

Consider application for keeping chickens – James Dyer

Zeman indicated that this application is new and is being brought to the Committee, because there was a complaint submitted from a neighbor. The application and the copy of the complaint letter was attached to the agenda.

Thurow stated she visited the site and was concerned about the chickens being overcrowded. Ellington questioned if the Police Department should go back out to see if the coop meets the size requirements. Captain Sinden mentioned he would go back out to the location to see if the chicken coop is in violation of the Ordinance. Ellington added that when he went out there, it was feeding time and chickens crowd each other at the front of the coop. He also thought it looked like the coop met code requirements, and the chickens had a run in the back.

Motion to delay the application so that the Police Department may have a chance to see if the coop meets the Ordinance's size requirement by Thurow, seconded by Kierzek and unanimously carried.

Discussion Item: Consider changing Code 10.06, "Junk, Certain Vehicles, Recreational Equipment and Firewood"

Kierzek was contacted by Brian Tegan @ 2125 Surrey Lane about the ability to park campers in driveways while alternate side parking is in effect. This action would keep citizens from having to store the campers in the winter. Kierzek continued that she didn't see that there was a safety reason for the language in the Code.

Tegan mentioned the reason this issue is being raised is that someone complained about his new camper being in the driveway. He was told by an Officer that he would have to move it to the street, then back into the driveway or that he could park it in his back yard. He doesn't have room on the side of his house for the latter. He added that there would be a safety concern with parking it on the Street. Kids may not be able to see around the camper. His request was that if the Code couldn't change, perhaps issue waivers for special situations.

Sinden interjected that he felt it would be safer to have the camper on the driveway as opposed to the street.

Direction was given by the Committee to have staff provide different variations for the Code.

Discussion Item: Discuss a citizen's request to add domestic ducks and/or quail to permitted fowl in Chapter 29.13, "Chicken Permit."

Truman began with letting the Commission know that she had the CSO look into this matter, and the CSO received feedback from the Humane Society and other Animal Welfare Groups. Ducks and quail are pretty much considered the same as chickens in terms of being able to be kept; the requirements for keeping them are similar. Truman contacted other municipalities and found that other municipalities allow ducks and quails. Truman offered that If the Committee is inclined to allow ducks and quails that the Commission direct staff to come back with an actual composed Ordinance for the Commission to review.

Direction was given by the Committee to have staff provide a draft Ordinance.

Member comments

The next meeting will be Thursday, October 8, 2020 at 8:00AM CST. Meeting location will be remote and Room C205 will be available for citizens who may want to attend in person.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:22AM CST.

Respectfully submitted,  
Cynthia Haggard, Finance Director

**FOR TREASURER'S USE ONLY**  
 Chicken 20200000056  
 Receipt # \_\_\_\_\_  
 Account # 100-10-44290

# APPLICATION FOR KEEPING CHICKENS

**License Applied For:**

- New \$25.00
- Renewal \$10.00

(Fees are non-refundable and due upon filing)

The undersigned requests permission to keep chickens in the City of Baraboo.

JAMES E. DYER 608-477-8185 dyerfamily127@gmail.com  
 Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address of applicant: 404 4TH STREET, Baraboo, WI 53913

- Property Owner
- Tenant

Zoning District: Available on City Website at [www.cityofbaraboo.com](http://www.cityofbaraboo.com).  
 (Permit is only allowed in R1 or R1A Zoning Districts)

R1A \_\_\_\_\_

Tax parcel number of site: 206-0605-00000 \_\_\_\_\_

Lot Size: Width (50' minimum) 66' x 66'

Number of Chickens to be kept: (Cannot exceed 6.) 6 \_\_\_\_\_

Accurate description of coop (must be covered, predator proof, provide adequate shade from summer and warmth in winter. Floor to be covered with wood or cedar chips. Coop may be part of yard shed or garage but may not be on top of a building.) Can attach photo or drawing, if preferred.

Coop size: Length 68" Width 33"  
 (Must provide two to four square feet per chicken.)

Size of Run attached or surrounding the coop: N/A \_\_\_\_\_

Distance of Coop/Run to Lot lines: 30' feet to closest side lot line, 28' feet to rear lot line. (May not be closer than 10 feet to any lot line. Coop may not be placed in the front yard.)

Distance of Coop/Run to Applicant's house: 5 feet  
 (Must be closer to applicant's house than any other neighbor's house.)

Name, address, and tax parcel number of the owners of each parcel immediately touching your property line. (No application can be approved if 50% or more of the neighboring properties object.)

Name	Address	Parcel # 206-
Brandi Rae Schwartz	512 Mill Street	206-0604-00000
Debbie Lynn Hintz	408 4th Street	206-0603-00000
JUNE JACKSON	405 3 <sup>RD</sup> ST	206-0606-00000
LITTLE BLUE HOUSE LLC	409 3 <sup>RD</sup> ST	206-0607-00000
MARY AMY BORDEN UHALT	414 4 <sup>TH</sup> ST	206-0602-00000

Name, address, and tax parcel number of the owners of each parcel immediately touching the property that also touches your property. Check the Sauk County GIS Website to verify neighbors  
<http://lrs.co.sauk.wi.us/AscentLandRecords/PropertyListing/RealEstateTaxParcel#/Search>

Put in your parcel number and click Find Now. Follow this to the next page where you will find a selection to view an Interactive Map. This should show you the Parcel Numbers of your surrounding neighbors and their information. If it is a rental property, please put the information of the Property OWNER NOT RENTER in the below space.

Name	Address	Parcel # 206-

WHEREFORE, the undersigned applicant hereby states that the foregoing information and all attachments to this application are true and correct.

Rules per Code 9:10(3):

1. Roosters and crowing cockerels shall not be kept.
2. Chickens shall not be allowed inside of a residence.
3. Chickens shall be kept in the covered coop or in the fenced run at all times.
4. The slaughtering of chickens in Residential Zoning Districts is prohibited.
5. A permit can be revoked for 3 violations within 12 months, or 5 violations within 36 months.

I will pay:            On Line                    by US Mail                     In Person

Dated: 08/24/2020

eSigned via [SeamlessDocs.com](http://SeamlessDocs.com)  
*James E. Dyer*  
KAY: 2710-542477607/940101189912e42e2d

Applicant/Property Owner

APPROVERS:

## Zeman, Brenda

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**From:** Schwartz, Brandi [REDACTED]  
**Sent:** Friday, August 28, 2020 8:59 PM  
**To:** Zeman, Brenda  
**Subject:** Reply to Dyer Application of Keeping Chickens

**Importance:** High  
**Sensitivity:** Personal

Dear Brenda Zeman,

I am writing regarding my neighbor, James Dyer, who has applied for keeping chickens at his residence at 404 4<sup>th</sup> Street. I am **STRONGLY AGAINST** it, being that my house is close to their property line, and I do not want to hear chickens and roosters or smell chicken feces. I suffer from terrible allergies, migraines, and insomnia, among other health issues, and this would stress me out and cause my anxiety to be worse.

The excessive noise from their family has wreaked havoc on my anxiety. I have been woken up at 6:30am during the week to James chopping firewood in the winter less than 20 feet away from my bedroom. I have asked multiple times to have their children stay out of my yard and to not be screaming while they are outside playing, especially while I was working from home during the Covid isolation. I feel like their chickens may find their way into my yard as well and destroy my raised garden beds, which are near the property line between our houses.

Looking at their yard, it is small and already overcrowded with other items like sheds, a playset, and multiple raised garden beds, so I am concerned there is not enough room for their chicken coop. They sometimes store their lawn mowers partially on my property, which I told them is okay due to it being their own business and because they do not have a driveway to store them on. Their children are constantly playing in the road due to not having enough room in their own yard, so I am also concerned that the chickens would be roaming freely as well, and I am afraid either their children or the chickens will get hit by a vehicle. Any damage the chickens cause if they end up roaming free will be a liability on them, which is not something they probably thought about.

Chickens in my opinion do not belong in town. If they want the country life, they need to move to an area that can support those wants without impeding on the rights of others. I grew up in the country, and I could hear chickens a quarter of a mile away; I don't even want to think about how it will sound 30-50 feet away from my house. I moved into town to get away from that lifestyle, so please take my concerns into consideration to not allow this to go through. Thank you for your time.

Sincerely,

Brandi Schwartz  
512 Mill Street  
Baraboo, WI 53913  
[REDACTED]



Mon 10/5/2020 10:48 AM

Sinden, Rob

FW: 404 4th Street - Chicken Coop Concern

To: [Elington, John](#); [Thuron, Kathleen](#); [Korzek, Heather](#)

Cc: [Truman, Emily](#); [Haggard, Cynthia](#); [Zeron, Brenda](#); [Pain, Mike](#)

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Following the Admin Committee meeting today; because of the potential of harm to the chickens if overcrowded, I had the Community Service Officers follow up right away on the reported potential violation/s at 404 4<sup>th</sup> street. Please see CSO Klein's response below on their findings.

*Rob Sinden*

Police Captain

Baraboo Police Department

101 South Blvd. Baraboo, WI 53913

608-355-2720

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**From:** Klein, Kathy <[kklein@cityofbaraboo.com](mailto:kklein@cityofbaraboo.com)>

**Sent:** Monday, October 5, 2020 10:25 AM

**To:** Sinden, Rob <[rsinden@cityofbaraboo.com](mailto:rsinden@cityofbaraboo.com)>; Stutz, John <[jstutz@cityofbaraboo.com](mailto:jstutz@cityofbaraboo.com)>

**Subject:** RE: 404 4th Street - Chicken Coop Concern

Good Morning Rob,

John and I went to 404 4<sup>th</sup> St. this morning- looking at the coop from the street/sidewalk it does appear that there are quite a few hens in the coop, however there are only six. The coop does comply with the ordinance of no less than two square feet and no more than 4 square feet per hen, with the actual dimensions being 68"x33". This is a bit over 15 square feet for six chickens requiring a minimum of 12 square feet and not bigger than 24 square feet.

We did make a recommendation to the owner of adding a bit more space to the run for the hens to move around, they agreed they would do that, however they also said they are strongly considering giving two hens away.

Let me know if you would like anything further on this,

Thank You,  
Kathy

# Renewal Alcohol Beverage License Application

(Submit to municipal clerk. Read instructions on page 3.)

For the license period beginning: 7/1/20 ending: 6/30/21  
(mm/dd/yyyy) (mm dd yyyy)

To the Governing Body of the:  Town of } Baraboo  
 Village of }  
 City of }

County of Sauk Aldermanic Dist. No. \_\_\_\_\_  
 (if required by ordinance)

Check one:  Individual  Limited Liability Company  
 Partnership  Corporation/Nonprofit Organization

Complete A or B. All must complete C.

Applicant's Wisconsin Seller's Permit Number <u>456-1030373186-05</u>	
FEIN Number <u>831744448</u>	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
<b>TOTAL FEE</b>	<b>\$ 0.00</b>

### A. Individual or Partnership:

Full Name (Last) <u>Colossa</u>	(First) <u>Joseph</u>	(Middle Name) <u>Frederick</u>	Home Address (Street, City or Post Office, & Zip Code) <u>623 Broadway St. Baraboo, WI 53913</u>
Full Name (Last) <u>Horonvitz</u>	(First) <u>Donald</u>	(Middle Name) <u>G</u>	Home Address (Street, City or Post Office, & Zip Code) <u>56 Cooper Ln East Hampton, NY 11937</u>
Full Name (Last) <u>Bark</u>	(First) <u>Jonathan</u>	(Middle Name) <u>David</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1340 Walnut St. #16 Baraboo, WI 53913</u>

### B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company <u>AL RINGLING BREWING Co.</u>	Address of Corporation / Limited Liability Company (if different from licensed premises) <u>623 Broadway St. Baraboo, WI 53913</u>
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All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Agent Last Name <u>Colossa</u>	(First) <u>Joseph</u>	(Middle Name) <u>F.</u>	Home Address (Street, City or Post Office, & Zip Code) <u>623 Broadway St. Baraboo WI 53913</u>
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### All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name <u>Colossa</u>	(First) <u>Joseph</u>	(Middle Name) <u>F.</u>	Home Address (Street, City or Post Office, & Zip Code) <u>623 Broadway St. Baraboo, WI 53913</u>
Vice President / Member Last Name <u>Bark</u>	(First) <u>Jonathan</u>	(Middle Name) <u>D.</u>	Home Address (Street, City or Post Office, & Zip Code) <u>1340 Walnut St. #16 Baraboo, WI 53913</u>
Secretary / Member Last Name <u>James</u>	(First) <u>Griffin</u>	(Middle Name) <u>R.</u>	Home Address (Street, City or Post Office, & Zip Code) <u>702 8th Ave. Baraboo, WI 53913</u>
Treasurer / Member Last Name <u>Horonvitz</u>	(First) <u>Donald</u>	(Middle Name) <u>G</u>	Home Address (Street, City or Post Office, & Zip Code) <u>56 Cooper Ln. East Hampton NY 11937</u>
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

### C. Business Information

- Trade Name AL RINGLING BREWING Co. Business Phone Number 608-448-7455
- Address of Premises 623 Broadway St. Baraboo Post Office & Zip Code 53913
- Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes  No
- Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) Ballroom, kitchen, butler pantry, 1st floor mansion, 2nd floor mansion, Veranda and beer garden on South side of the mansion. Per Joe, also includes basement (listed on original application)

5. Legal description (omit if street address is given on previous page): \_\_\_\_\_
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been **convicted of any offenses** (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? **If yes, complete page 3** .....  Yes  No
- b. Are **charges for any offenses** presently **pending** (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? **If yes, explain fully on page 3.** .....  Yes  No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? **If yes, explain** .....  Yes  No
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? **If not, explain** .....  Yes  No
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
9. Does the applicant understand they must hold a Wisconsin Seller's Permit? .....  Yes  No  
[phone (608) 266-2776]
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? .....  Yes  No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? .....  Yes  No
12. Does the applicant owe municipal property taxes, assessments, or other fees? .....  Yes  No  
(Note: Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Contact Person's Name (Last, First, M.I.) <i>Colossa Joseph F.</i>	Title / Member <i>President</i>	Date <i>9/28/20</i>
Signature 	Phone Number	Email Address

**TO BE COMPLETED BY CLERK**

Date received and filed with municipal clerk <i>10/2/20</i>	Date reported to council / board	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

# Instructions for Renewal Alcohol Beverage License Application

## THIS RENEWAL FORM CANNOT BE USED IF:

1. There is a change in business entity (i.e., individual has changed to partnership or corporation/limited liability company; partnership changed to individual or corporation/limited liability company; corporation changed to individual, partnership or limited liability company) and if limited liability company has been dissolved.
2. Partners are added or dropped.
3. Application is made in a different municipality.

## PARTNERSHIPS:

Indicate full name and home address of each partner. One partner must sign application. **Reminder:** If partners have been added or dropped since your last application, you must use Form AT-106 (Original Beverage License Application).

## CORPORATIONS:

One officer must sign application. Be sure to answer Question No. 7 by indicating any change of officers, directors, and/or changes in home address. If there are any changes in officers and/or directors each must complete Form AT-103 (Auxiliary Questionnaire). If there has been a change in agent since your last approved agent, he/she must complete Forms AT-104 (Schedule for Appointment of Agent) **AND** AT-103 (Auxiliary Questionnaire) in addition to this (AT-115) form.

## LIMITED LIABILITY COMPANY:

One member/manager must sign application. Follow procedure under Corporations for any change of members or agent.

**NOTE:** Use ink or typewriter when filling in applications. Be sure to answer all questions fully and accurately. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

## DISCRIMINATION CLAUSE – (City of Milwaukee only)

The applicant shall not willfully refuse to provide those services offered under this license or refuse to employ or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry, the applicant shall not seek information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion solely on the basis of such information. The applicant also shall not discriminate against any member of the military service dressed in uniform by willfully refusing services offered under this license.

Complete, sign and return this form to the clerk.

If answer to Questions No. 6a and/or 6b on page 2 are "YES," outline details below:

## CONVICTIONS

1. NAME \_\_\_\_\_ STATUTE NO./LOCAL ORDINANCE \_\_\_\_\_  
CHARGE \_\_\_\_\_ WHERE CONVICTED \_\_\_\_\_  
DATE \_\_\_\_\_ PENALTY \_\_\_\_\_  MISDEMEANOR  FELONY
2. NAME \_\_\_\_\_ STATUTE NO./LOCAL ORDINANCE \_\_\_\_\_  
CHARGE \_\_\_\_\_ WHERE CONVICTED \_\_\_\_\_  
DATE \_\_\_\_\_ PENALTY \_\_\_\_\_  MISDEMEANOR  FELONY
3. NAME \_\_\_\_\_ STATUTE NO./LOCAL ORDINANCE \_\_\_\_\_  
CHARGE \_\_\_\_\_ WHERE CONVICTED \_\_\_\_\_  
DATE \_\_\_\_\_ PENALTY \_\_\_\_\_  MISDEMEANOR  FELONY

## PENDING CHARGE

1. NAME \_\_\_\_\_ STATUTE NO./LOCAL ORDINANCE \_\_\_\_\_  
PENDING CHARGE \_\_\_\_\_ DATE \_\_\_\_\_