



CITY OF BARABOO COMMON COUNCIL AGENDA

Council Chambers, 101 South Blvd., Baraboo, Wisconsin

Tuesday, June 23, 2020, 7:00 P.M.

This meeting is open to the public. With the health concerns regarding COVID-19, the public is strongly encouraged to view the meeting remotely by watching Channel 982. Anyone appearing in person will be encouraged to socially distance themselves.

Regular meeting of the City of Baraboo Common Council, Mayor Mike Palm presiding.

Notices Sent To Council Members: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, and Thurow

Notices Sent To City Staff, Media And Other Interested Parties: Admin. Downing, Atty. Truman, CDA Dir. Cannon, Clerk Zeman, DPW Dir./Engineer Pinion, Finance Dir. Haggard, Fire Chief Stieve, Library Dir. Bergin, Parks & Rec. Dir. Hardy, Police Chief Schauf, Street Super. Gilman, Utility Super. Peterson, Treasurer Laux, the Baraboo News Republic, WBDL, 99.7FM, Citizen Agenda Group, Media Agenda Group, *Tim Lawther, Sauk County Health Officer, Dawn Gunderson, Ehlers*

1. **CALL TO ORDER**

2. **ROLL CALL AND PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF PREVIOUS MINUTES** (*Roll Call*): June 9, 2020

4. **APPROVAL OF AGENDA** (*Roll Call*)

5. **COMPLIANCE WITH OPEN MEETING LAW NOTED**

6. **PRESENTATIONS**

- Update from Sauk County Health Department.
- Update from Fire Chief Kevin Stieve regarding our Emergency Operations.

7. **PUBLIC HEARINGS** The Mayor announced that this is the published date and time to hear public comment concerning the

- General Development Plan for Three Amigos Property Management, LLC as a Planned Unit Development (PUD) to construct multi-family residential complex on the 1.6 acre site at 325 Lynn Street, in a B-1 Central Business zoning district;
- General Development Plan for Al Ringling Brewing Company, Inc. to allow an outdoor beer garden with a decorative fence less than 6 feet in height in a B-1 Central Business zoning district for the property located at 623 Broadway, on the southwest corner of 5th Avenue and Broadway.

8. **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.*)

9. **MAYOR'S BUSINESS**

- The Mayor will read the 2020 Park & Recreation Month Proclamation.
- The Festival Foods Fireworks will take place in Baraboo on July 4th starting at 9:45pm
- Goal Setting will be included on the July 14th Council Agenda as Committee of the Whole

10. **CONSENT AGENDA** (*Roll Call*)

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

CA-2...Approve Andrew Adams to fill the unexpired term of Nicole Marklein on the Baraboo Improvement District (BID) Board serving until April 30, 2021.

CA-3...Approve appointing Lynn Harthorne to the Baraboo Library Board serving until June 30, 2023 and approve reappointing Bekah Stelling and Forrest Hartmann to the Baraboo Library Board serving until June 30, 2023.

11. **NEW BUSINESS – RESOLUTIONS**

NBR-1... Awarding the Sale of \$2,690,000 General Obligation Corporate Purpose Bonds, Series 2020A.

NBR-2... Consider approving the 2020/2021 Liquor License Applications.

NBR-3...Consider waiving interest and penalties on 2019 property tax installment payments until October 1, 2020, 2019 Wisconsin Act 185 in order to be in compliance with the Sauk County Board of Supervisors Resolution passed on June 16, 2020.

NBR-4...Consider approving agreement with Tyler Technologies, Inc for a citywide revaluation for \$107,000.

12. **NEW BUSINESS – ORDINANCES**

NBO-1...Approve amending §9.21 of the Baraboo Municipal Code to prohibit vaping within the City limits where smoking is prohibited.

NBO-2...Approve General Development Plan for Three Amigos Property Management, LLC as a Planned Unit Development (PUD) to construct multi-family residential complex on the 1.6 acre site at 325 Lynn Street, in a B-1 Central Business zoning district.

NBO-3...Approve General Development Plan for Al Ringling Brewing Company, Inc. to allow an outdoor beer garden with a decorative fence less than 6 feet in height in a B-1 Central Business zoning district for the property located at 623 Broadway, on the southwest corner of 5th Avenue and Broadway.

13. **ADMINISTRATOR AND COUNCIL COMMENTS** *(Comments are limited to recognition of City residents and employees, memorials, and non-political community events; discussion of matters related to government business is prohibited.)*

- Update on Small Loan Program
- City Offices will be closed on Friday, July 3rd in observance of the Fourth of July Holiday.

14. **REPORTS, PETITIONS, AND CORRESPONDENCE** The City acknowledges receipt and distribution of the following:

- **Reports:** May, 2020 – Fire Dept., Treasurer

- **Minutes from the Following Meetings:**

Copies of these meeting minutes are included in your packet:

Finance.....6-9-2020	BID.....6-3-2020, 6-9-2020,
Board of Review.....6-3-2020, 6-5-2020	6-17-2020
Public Safety.....6-8-2020	UW Campus.....6-21-2020
Ambulance.....5-19-2020	Administrative.....6-18-2020

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

Library.....4-27-2020

- **Petitions and Correspondence Being Referred:** None

15. **CLOSED SESSION**

Moved by _____, seconded by _____, to go into Closed Session. The Mayor will announce that the Council will go into Closed Session according to §19.85(1)(c), Wis. Stat., to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Council to consider 6-month performance evaluation of City Administrator Kennie Downing)

16. OPEN SESSION

Moved by _____, seconded by _____, to return to Open Session. The Mayor announces that the Council will return to Open Session as per §19.85(2), Wis. Stats., to address any business that may be the result of discussions conducted in Closed Session.

17. ADJOURNMENT (*Voice Vote*)

Brenda Zeman, City Clerk

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

June 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
21	22	23	24	25	26	27
	*Public Safety	*Finance *Council	*Ambulance	*Public Arts *Emergency Mgmt		
28		30	1	2	3	4
					Independence Day (observed) Offices CLOSED	Independence Day

July 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1	2	3	4
				*BEDC	Independence Day (observed)	Independence Day
5	6	7	8	9	10	11
	*Administrative	*CDA				
12	13	14	15	16	17	18
	*Park & Rec	*Finance *Council	*BID	*UW Campus		
19	20	21	22	23	24	25
	*SCDC *PFC	*Plan *Library		*Emergency Mgmt		
26	27	28	29	30	31	1
	*Public Safety	*Finance *Council	*Ambulance	*Public Arts		

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., Baraboo WI or phone (608) 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.

Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, June 9, 2020 – 7:00 p.m.

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

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

Council Members Absent:

Others Present: Chief Schauf, Clerk Zeman, Adm. Downing, Atty. Truman, C. Haggard, K. Stieve, M. Hardy, P. Cannon, Tim Lawther, John Rago, Erin Ryan, Stephanie Barganz-Ryan, Michael Adams, members of the press and others.

The Pledge of Allegiance was given.

Moved by Ellington, seconded by Kolb and carried to approve the minutes of May 26, 2020 - 9 ayes

Moved by Petty, seconded by Kolb and carried to approve the agenda – 9 ayes

Compliance with the Open Meeting Law was noted.

PRESENTATIONS

- Tim Lawther presented an update from Sauk County Health Department
- Fire Chief Kevin Stieve presented an update regarding our Emergency Operations

PUBLIC INVITED TO SPEAK - No one spoke.

MAYOR'S BUSINESS

The Mayor congratulated and thanked the following police officers on their anniversaries with the City of Baraboo

- Nick Defiel, Patrol Officer, 20 years
- Amanda Sabol, School Resource Officer, 10 years

Alderspersons and Department Heads are requested to complete and submit their goal setting form. Due date is today. Input is needed so that the goal setting discussion meeting can be scheduled for later in June.

CONSENT AGENDA

Resolution No. 20-37

THAT the Accounts Payable, in the amount of \$623,009.53 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

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

NEW BUSINESS - RESOLUTIONS

Resolution No. 20-38

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin, that:

The Common Council grants a special exemption to Kennie Downing allowing her to keep three dogs in her residence until one of the three dogs passes, after which time she will be allowed to keep

no more than two dogs in her residence. The exemption also requires Kennie Downing to remain in compliance with §12.12(12) of the Baraboo Municipal Code for the duration of the time the three dogs are kept in the residence.

Moved by Ellington, seconded by Sloan and carried that **Resolution No. 20-38** be approved-9 ayes.

Resolution No. 20-39

WHEREAS, Tax Increment District 8 (TID #8) is not performing as originally projected; and

WHEREAS, the creation of a new overlay TID, TID #10, would allow a longer expenditure period to assist in the re-development of the area; and

WHEREAS, City staff has completed a basic review of the performance of TID #8 and the anticipated performance of TID #10; and

WHEREAS, City staff recommends the Council contract with Ehler's Inc., as a sole source provider, to conduct the feasibility study because Ehler's Inc., has completed the previous TID studies for the City and is the City's financial advisor.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the City Council authorizes the City Administrator and City Clerk to execute an agreement with Ehlers, Inc., in the amount of \$15,500, for the feasibility study of a TID overlay district to be known as TID #10; and

The Council authorizes any required budget transfers to ensure the monies needed for this study be authorized.

Moved by Petty, seconded by Kolb and carried that **Resolution No. 20-39** be approved-9 ayes.

Resolution No. 20-40

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

Effective June 10, 2020, remote participation at City meetings by members, staff and the public will no longer be permitted except as allowed pursuant to §2.03(M) of the Baraboo Municipal Code

Moved by Kolb, seconded by Ellington and carried that **Resolution No. 40** be approved-9 ayes.

Resolution No. 20-41

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the City Administrator and City Clerk are hereby authorized to execute an agreement with the Patek Hospitality Consultants, Inc., in the amount of \$8,000, for a Hotel Study, and

That the funding to pay for the Hotel Study will be charged to TID7, in the amount of \$4,000, and the remaining \$4,000 will be charged to Economic Development within the General Fund, and

That the Council authorizes any required budget transfers to ensure the monies needed from TID7 and the General Fund occur in order to fund the Hotel Study.

Moved by Petty to authorize agreement amending the amount to not exceed \$9,000, seconded by Sloan and carried that **Resolution No. 20-41** be approved-9 ayes.

Resolution No. 20-42

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

That the 2019 Compliance Maintenance Annual Report for the Water Resource Recovery Facility and collection system be hereby approved.

Moved by Sloan, seconded by Kolb and carried that **Resolution No. 20-42** be approved-9 ayes.

Resolution No. 20-43

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

The Mayor and City Clerk are authorized to enter into the attached Third Amendment to the License Agreement as shown upon the attached form.

Moved by Wedekind, seconded by Kolb and carried that **Resolution No. 20-43** be approved-9 ayes.

Resolution No. 20-44

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

THAT \$30,000 of funds in the 2020 Swimming Pool budget originally designated for regular operating expenses be reallocated for use to make improvements to the pool in accordance with the 2019 Pool Study.

Moved by Wedekind, seconded by Plautz and carried that **Resolution No. 20-44** be approved-9 ayes.

COMMITTEE OF THE WHOLE

Motion by Wedekind, second by Ellington, to suspend Council Rule §2.04(15) of the City Code, as allowed by §2.04(20) of the City Code, to allow action to be taken within Committee of the Whole – 9 ayes.

Moved by Petty, seconded by Kolb to convene as a Committee of the Whole to review and discuss items related to the Baraboo District Ambulance Service (BDAS):

Items for Review/Discussion in Committee of the Whole:

- a. Fire Chief Kevin Stieve & Finance Director Cynthia Haggard presented a Fire/EMS feasibility study.

Option A includes an Assistant Chief-EMS to oversee EMS operations and administration. This includes service 24 hrs a day, 7 days a week, full year coverage with 7 personnel per

shift including a supervisor; Very similar to what is currently being offered by EMS now with other members, municipalities participating.

Option B includes coverage for the City only. This will allow for a staff reduction to 5 personnel per shift, including an Assistant Chief-EMS. Inter-facility transports will be limited based on available staff.

Both plans lack a contingency plan for paid time off. Options for this are to hire part-time employees and/or train current fire department staff as emergency medical. Both plans would require the City purchase ambulances.

St. Clare Hospital is an important community partner. Option A provides for transports from St. Clare to another hospital, which is another source of revenue. Option B does not allow for transfers.

Chief Stieve's recommendation is ideally a Fire-based EMS. This opens up the recruitment for more personnel and cross training may open up the pool of candidates. Take the opportunity to expand our working relationship and help each other out.

Ald. Kolb notes that it seems premature at this time to decide if we want an outside agency to take over EMS; now might be an opportune time to bring the EMS into the fire station and begin to work some compatibility between the two departments. Given the absence of accurate data it would be difficult to make a decision at this time.

Ald. Thurow questioned the option to extend the agreement with BDAS and cohabitate. Mayor Palm explained that this is a possibility; the City is looking for direction from the Council.

- b. Review proposal from Ryan Brothers Ambulance, Inc., to provide 911/EMS services to City of Baraboo.

Ryan brothers was founded in 1962 and has developed a reputation for residents to rely on them; they are bringing to Baraboo experience.

With the RFP, the initial proposal was for 2 dedicated 911 ambulances at the paramedic level. The limitations with this RFP is it does not provide for inter-facility transfers.

The second option was for 1 dedicated 911 ambulance at the paramedic level and then having a 2nd ambulance that could either inter-facility transports or 911. Based on the volume, they feel this is the best option with a multipurpose ambulance.

While they feel they have done their homework regarding calls and non-transports, there might need to be some adjustments because the data they have does not separate City of Baraboo calls vs surrounding townships. Adm. Downing notes that this data may not be available until a year from now due to a new billing company.

With either option, the hospital is a huge partner. If we contract with Ryan Brothers for the 911, we also get their other ambulances from the Madison/Dane County area that would be

available for inter-facility transports. The City would not pay for those extra resources; however, the hospital would get the benefit from that.

Ryan Brothers confirms that regardless of the number of calls, the amount paid to Ryan Brothers will be based on the contracted amount. There will be an annual COLA increase every year. The City is currently looking at a five-year contract and Ryan Brothers will provide for all services, to include billing, HR, etc. This does not include Fire service.

Adm. Downing noted that based on our population, it was recommended that we have 2 ambulances with 1 backup. Adm. Petty noted that they currently have 5 ambulances available at any time. The Administrative staff at BDAS are paramedics and can make ambulance runs as needed.

Ryan Brothers, with permission from the City, would consider contracting with the surrounding townships for service. The additional amounts paid by the surrounding townships would allow for more ambulances.

J. Rago, with BDAS, noted that St. Clare Hospital generally will not wait 45 minutes for an inter-facility transport which is challenge for BDAS and also why they currently staff 4 or 5 ambulances every day.

- c. Consider authorizing staff to engage in conversations or negotiations with BDAS about sharing space in the Fire Station (old City Hall).

Fire Chief Stieve noted that the opportunity to work with BDAS moving forward to analyze data further and operational procedures and how they can help each other out. In today's age of limited staff, this is an opportunity to look at cross-training employees.

Ald. Sloan questioned if there is large investment to bring the ambulance into the fire station. Chief Stieve noted that regardless of who provides the service, BDAS or Ryan Brothers, the space will be available at the Fire Station.

Ald. Petty noted that as part of the BDAS Transition Committee, many of the topics such as sharing building space, sharing services, and cost improvement are part of what the Transition Committee is already exploring. It would be his opinion that there is quite a bit of action taken by the Transition Committee and because of the very limited data we have available, it would be his recommendation to allow BDAS Commission & Transition Committee to continue to work towards looking at these options for the City.

Ald. Wedekind feels that other than moving forward with moving the BDAS into the Fire Station, the other decisions are premature. We need more information.

Motion by Thurow that we continue the letter of January 15, 2020 to July 1, 2021 and that we go ahead with combining and moving the BDAS into the Fire Station. Motion fails for lack of second.

Ald. Ellington doesn't understand why we continue to struggle with the ambulance.

Ald. Wedekind feels once we bring everything together, we will find out if it's feasible or not and something that should be looked into but will take time.

Ald. Sloan states that looking at a private service with a fixed cost might be best for the City of Baraboo.

CLOSED SESSION

Moved by Sloan, seconded by Ellington, to go into Closed Session. If there is a majority vote to go into Closed Session, the Mayor will announce that the Council will go into Closed Session according to §19.85(1)(e), Wis. Stats., for the purposes of deliberating or negotiating the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: 9-ayes

- a. Deliberate the City's investment of public funds in and contractual agreement with BDAS as it relates to the Fire/EMS feasibility study; AND/OR
- b. Deliberate the City's investment of public funds in and contractual agreement with BDAS as it relates to the proposal from Ryan Brothers; AND/OR
- c. Deliberate possible contractual terms for allowing BDAS to share space in the Fire Station.

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

Others Present: Mayor Palm, Chief Schauf, Adm. Downing, Atty. Truman, Clerk Zeman, C. Haggard, K. Stieve

OPEN SESSION

Moved by Ellington, seconded by Petty, to return to Open Session. The Mayor announces that the Council will return to Open Session as per §19.85(2), Wis. Stats., to address any business that may be the result of discussions conducted in Closed Session. 8-ayes

Moved by Sloan, seconded by Petty, to rise and report from Committee of the Whole and return to regular session. 8-ayes

Mayor Palm noted the following directives:

- 1) Direct staff to continue with the feasibility study to for a combined Fire & EMS
- 2) Direct City Adm. to get additional information from Ryan Brothers and to contact their references
- 3) Authorize staff to engage in conversations and negotiations with BDAS about sharing space in the Fire Station

Ald Sloan requested that the CEO of Ryan Brothers meet with Chief Schauf and Chief Stieve regarding the technical aspects.

ADMINISTRATOR AND COUNCIL COMMENTS

- We have currently reviewed 21 For-Profit applications, 19 approved with a total paid out of \$88,000.
- Two applications for Non-Profit have been approved with a total paid out of \$10,000
- The Park & Rec. Commission voted to keep the pool closed for the summer. A special meeting will be held on June 22nd to discuss baseball leagues and other team sports.
- Alderpersons are encouraged to attend the League of Wisconsin Municipalities "Local Government 101". Let Adm. Downing know if you are interested in attending.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:**
 - May, 2020 – Building Inspection, Airport

- **Minutes from the Following Meetings:**

Finance/Personnel Committee–Dennis Thurow Committee Rm #205

May 26, 2020

Members Present: Petty, Sloan, Kent

Absent:

Others Present: Mayor Palm, Adm. Downing, Atty. Truman, B. Zeman, M. Schauf, M. Hardy, T. Pinion, C. Haggard, P. Cannon

Call to Order –Ald. Petty called the meeting to order at 6:15 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Kent to approve the minutes of May 12, 2020 and carried unanimously. Moved by Kent, seconded by Sloan to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan, seconded by Kent to recommend to Council for approval of the accounts payable for **\$373,159.36**. Motion carried unanimously.
- b) **Pierce Park Usage** – M. Hardy explained that Sauk Prairie High School had a referendum that recently passed and included the renovation of their athletic field. Because of this, they will not have access to their softball fields next spring. They are asking if we would be willing to let them use 2 fields at Pierce Park for their home games, both JV and Varsity next spring for a total of 9 nights. The Parks & Recreation Commission is in favor of this with the following stipulations: all of our costs will be covered and that the Sauk Prairie High School staff be responsible for the field labor, any needed supplies, and opening and shutting down the field. The City will provide access to the restrooms. They have agreed to pay the City \$200 for use of the field in 2021. Ald. Petty questioned any liability the City may have for the participating athletes. M. Hardy stated that this would be similar to any park rental. Atty. Truman noted that our agreement covers this and we are protected by recreational immunity per State Statues; this provides us with quite a bit of liability protection. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.
- c) **Draper Street Reconstruction** – T. Pinion informed the Committee that we received a \$425,000 grant that was awarded as part of the state’s Local Road Improvement Program. We applied for Draper Street under the discretionary program and competed statewide with other municipalities. Of the 20 projects that were funded this year, ours was the second largest. The \$425,000 is 50% of the total estimated project cost of \$850,000. Because of the construction schedule for the Middle School, we were originally looking at doing this work next year in state fiscal year 2021. Given the fact that the contractors are able to start early, T. Pinion was successful in persuading the DOT to move the funding up a year. The funds will be available July 1, 2020. Moved by Sloan, seconded by Petty to recommend to Council for approval. Motion carried unanimously.
- d) **Fee Schedule Amendment** – Chief Schauf explained that the body cameras worn by officers create a large file that requires a great deal of storage. Because of the increased size of the videos, his department needs the option of sending these out by USB Drive for records requests made by the public. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.
- e) **TID 10 Creation** – P. Cannon explained that the intent is to do an overlay over TID 8. The main reason to do this is so we can get a longer lifetime. They may also look at expanding that TID a little bit. The contract with Ehler’s would allow them to do some financial analysis to ensure the feasibility of the TID District. Ald. Sloan questioned the driving force behind the creation of the TID. P. Cannon explained that the developer would like to do a Pay-Go aspect of the TID District. To be able to do that, we looked at it based upon the value of the property. We figured at 10 year it would cover what they were asking for based upon the value and still give us a little funding for doing some improvements within the TID District. P. Cannon confirms that this includes the project on Lynn. T. Pinion informed the Committee that TID 8 was created in 2006, by the time this project is built and full value goes on the tax roll we will only have about 8 years to work with in terms of the remaining life of the TID. In order to provide the incentive necessary to incent this development, 8 years really is not enough. The creation of TID 10 starts with a new 27-year timetable and allows ample time to take advantage of not only the incentive to recover all of our costs but also hopefully incent some additional development within that district. The collection period of the TID is 27 years. P. Canon explains that the preliminary projections indicate that the value of this proposed development would be sufficient to cover the 10 year Pay-Go. We would then have the ability then to have the revenue coming in to that TID District and we are also going to set it up to be a donor district which will allow it to help out other TID districts if needed. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.

Information Items – None.

Adjournment – Moved by Sloan, seconded by Kent and carried to adjourn at 6:34pm.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID) Promotions/Personnel Committee Meeting Feb 21, 2020

Members Present: T. Wickus, , S. Bruner, B. Stelling S. Fay

Member Absent:

Call to Order: Chairman Wickus presided over the meeting, called it to order at 8:37 A.M., and noted compliance with the Open Meeting Law.

Minutes: Moved by, Stelling seconded by Bruner, and unanimously carried to approve the minutes of the September 17, 2019 meeting.

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

Old Business: None

New Business: Moved by, Fay seconded by Stelling to approve the following marketing items

Design & Place ads in the Devils Lake Guide and Map publications for 2020

Replace Banner on Broadway with a newly designed banner

Design and place ad in the City Newscape publication Spring and Summer edition.

Adjournment: Moved by Stelling, seconded by Bruner and unanimously carried to adjourn at 9:25 A.M.

Administrative Committee

June 1, 2020

Present: Alderpersons John Ellington, Heather Kierzek & Kathleen Thurow

Absent: None

Also Present: City Administrator, Kennie Downing; Finance Director, Cynthia Haggard; Police Chief, Mark Schauf; City Attorney, Emily Truman; and City Clerk, Brenda Zeman.

Citizen Present: Mary Klingenmeyer @ 1720 Hillcrest Drive

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.

Moved by Thurow to approve the minutes of May 12, 2020, seconded by Kierzek and unanimously carried.

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

Consider Request for Excessive Household Animals – Kennie Downing @ 440 16th Street.

Alderperson Ellington requested clarification about the Ordinance referring to five animals. City Attorney Truman offered that what the Code is stating is that any one household can have an exception up to five animals. That could be three dogs and two cats, or three cats and two dogs. Without the exception, a household can only have two dogs and two cats.

Motion to recommend to approve and move on to Council the Request for Excessive Household Animals for Kennie Downing @ 440 16th Street by Thurow, seconded by Kierzek and unanimously carried.

Review and recommendation to the Council – Application for Keeping Chickens for Joshua Luth @ 908 Ott Lane.

Alderperson Ellington requested clarification on the number of chickens allowed. City Attorney Truman responded that the City Code allows a maximum of six.

Motion to recommend to approve the application for keeping chickens for Joshua Luth @ 908 Ott Lane by Thurow, seconded by Kierzek and unanimously carried.

Member comments

- Public comment from Mary Klingenmeyer @ 1720 Hillcrest Drive. She was appreciative of the letters going out to neighbors about the excessive household animals and requested the letters be more specific as to the number of pets.
- The next meeting will be Monday, July 6, 2020 at 8:00AM CST. Meeting location will be 101 South Boulevard.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:10AM CST.

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

Park & Recreation.....5-4-2020

Plan Commission.....05-19-2020

Public Arts.....2-27-2020, 5-28-2020
CDA.....4-20-2020, 5-5-2020
Library.....2-4-2020, 2-18-2020, 3-3-2020, 4-20-2020, 4-21-2020

- **Petitions & Correspondence Being Referred:** None.

ADJOURNMENT

Moved by Kent, seconded by Ellington, and carried on voice vote, that the meeting adjourn at 10:30pm. 8 - ayes

Brenda Zeman, City Clerk

CA – 1

RESOLUTION NO. 2020 -

Dated: June 23, 2020

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. 2020 -

Dated: June 23, 2020

The City of Baraboo, Wisconsin

<i>Background:</i>
Fiscal Note: (Check one) <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Budgeted Expenditure <input type="checkbox"/> Not Budgeted
<i>Comments</i>

Resolved, by the Common Council of the City of Baraboo, confirms the Mayor's appointments as follows:

THAT, Andrew Adams be appointed to the Baraboo Improvement District (BID) Board to fill the unexpired term of Nicole Marklein serving until April 30, 2021.

Offered By: Consent
Motion:
Second:

Approved by Mayor: _____
Certified by City Clerk: _____

RESOLUTION NO. 2020 -

Dated: June 23, 2020

The City of Baraboo, Wisconsin

<i>Background:</i>
Fiscal Note: (Check one) <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Budgeted Expenditure <input type="checkbox"/> Not Budgeted
<i>Comments</i>

Resolved, by the Common Council of the City of Baraboo, confirms the Mayor's appointments as follows:

THAT, Lynn Harthorne be appointed to the Baraboo Library Board serving until June 30, 2023.

THAT, Bekah Stelling and Forrest Hartmann will be reappointed to the Baraboo Library Board serving until June 30, 2023.

Offered By: Consent
Motion:
Second:

Approved by Mayor: _____
Certified by City Clerk: _____

NBR - 1**RESOLUTION AWARDING THE SALE OF \$2,690,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS,
SERIES 2020A**

WHEREAS, on May 12, 2020, the Common Council of the City of Baraboo, Sauk County, Wisconsin (the "City") adopted initial resolutions (collectively, the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following not to exceed amounts: \$1,550,000 for street improvement projects and \$1,140,000 for the construction of an engine house (collectively, the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds for such public purposes;

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolutions, the City Clerk caused a notice to electors to be published in the Baraboo News Republic, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issues authorized by the Initial Resolutions;

WHEREAS, no petition for referendum was filed with the City Clerk, and the time to file such a petition has expired;

WHEREAS, on May 12, 2020, the Common Council of the City also adopted a resolution (the "Set Sale Resolution"), providing that the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated as "General Obligation Corporate Purpose Bonds, Series 2020A" (the "Bonds") for the purpose of paying the cost of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds to pay the cost of the Project;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on June 23, 2020;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on June 23, 2020;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the Common Council now deems it necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$ _____ for the following purposes and in the following amounts:
\$ _____ for street improvement projects and \$ _____ for construction of an engine house.

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

Section 1. Ratification of the Notice of Sale and Offering Materials. The Common Council hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Authorization and Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of TWO MILLION SIX HUNDRED NINETY THOUSAND DOLLARS (\$2,690,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2020A"; shall be issued in the aggregate principal amount of \$2,690,000; shall be dated July 16, 2020; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on February 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2021. Interest shall be computed upon the basis of a 360-day year of twelve 30-day

months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on February 1, 2030 and thereafter are subject to redemption prior to maturity, at the option of the City, on February 1, 2029 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

[If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2020 through 2039 for the payments due in the years 2021 through 2040 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Corporate Purpose Bonds, Series 2020A, dated July 16, 2020" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed.

Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds

may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to Old National Bank at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions

necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded June 23, 2020.

Michael J. Palm
Mayor

ATTEST:

Brenda M. Zeman
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

DRAFT

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on February 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on February 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on February 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on February 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on February 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on February 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT E

(Form of Bond)

REGISTERED	UNITED STATES OF AMERICA	DOLLARS	
	STATE OF WISCONSIN		
	SAUK COUNTY		
NO. R-____	CITY OF BARABOO	\$_____	
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2020A			
MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
February 1, _____	July 16, 2020	____%	_____
DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.			
PRINCIPAL AMOUNT:	_____ THOUSAND DOLLARS		
	(\$_____)		

FOR VALUE RECEIVED, the City of Baraboo, Sauk County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2021 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by Bond Trust Services Corporation, Roseville, Minnesota (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$2,690,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the following public purposes in the following amounts: \$_____ for street improvement projects and \$_____ for construction of an engine house, as authorized by resolutions adopted on May 12, 2020 and June 23, 2020 (collectively, the

"Resolution"). Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on February 1, 2030 and thereafter are subject to redemption prior to maturity, at the option of the City, on February 1, 2029 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the Resolution, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new

fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Baraboo, Sauk County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BARABOO
SAUK COUNTY, WISCONSIN

By: _____
Michael J. Palm
Mayor

(SEAL)

By: _____
Brenda M. Zeman
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolutions of the City of Baraboo, Sauk County, Wisconsin.

BOND TRUST SERVICES
CORPORATION,
ROSEVILLE, MINNESOTA

By _____
Authorized Signatory

DRAFT

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

NBR - 2

RESOLUTION NO. 2020 -

Dated: June 23, 2020

The City of Baraboo, Wisconsin

Background: In order to be in full compliance with State Law, the City recently amended Chapter 12, Intoxicating Liquor and Fermented Malt Beverages. Because of this change, the Administrative Committee is now required to review all Liquor License applications and make a recommendation to Council.

The Liquor License applications were reviewed by the Zoning Administrator, the Police Department, the Fire Inspector, and the City Clerk. Publication of the Liquor License applications was made in the Baraboo New Republic.

The Liquor Licenses will be valid for one year, July 1, 2020 to June 30, 2021 and were recommended to Council for approval at the June 18, 2020 Administrative Committee meeting.

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

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

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

CLASS "A" FERMENTED MALT BEVERAGE

Casey's General Store #1904, 801 S. Boulevard
 Las Milpas LLC, 603 8th Avenue

CLASS "B" FERMENTED MALT BEVERAGE

Driftless Glen Distillery, 300 Water Street
 Jose's Mexican Bakery, 325 South Blvd, Unit 2
 Sauk County Agricultural Society, 700 Washington

CLASS "A" OFF PREMISE LIQUOR CONSUMPTION/ON PREMISE WINE SAMPLES

Bekah Kate's, 117 3rd St.

"CLASS A" COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE

Barabrew Liquor, 503 South Boulevard
 Pierce's Express Market, 935 8th St.
 Get N Go, 325 South Blvd.
 Kwik Trip #657, 604 8th Street
 Kwik Trip #855, 1330 South Boulevard
 Turner BP, 413 State Hwy 136
 United Cooperative, 516 Ash St.
 Wal-Mart #1396, 920 Hwy 12

CLASS “B” FERMENTED MALT BEVERAGE AND “CLASS C” WINE

Al Ringling Theatre, 136 4th Ave.
 Broadway Diner, 304 Broadway St.
 Four Star Family Restaurant, 1011 8th St.
 Ringling House B&B, 201 8th St.
 The Log Cabin Restaurant and Bakery, 1215 8th St.

“CLASS B” COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE

Baraboo Arts, 202 East St.
 Baraboo Burger Company, 116 4th Ave.
 Baraboo Elks Club #688, 401 Oak St.
 Downtowner Bar & Grill, 130 3rd St.
 Bumps Bar, 109 Walnut St.
 Fore Seasons Restaurant, 401 Mine Road
 Brothers on Oak, 412 Oak Street
 Jose’s Authentic Mexican Restaurant, 825 8th St.
 Old Baraboo Inn, 135 Walnut St.
 Peking Buffet, 1204 8th St.
 Poor Richards Bar, 411 Oak St.
 Quintt’s Towne Lounge Restaurant & Eating House., 441 South Blvd.
 Gem City Saloon, 124 Ash St.
 Square Tavern, 124 4th Ave.
 Thunderbird Lanes, 1117 8th Street
 Little Village Café, 146 4th Ave.
 Zach’s Bar, 126 4th Street

“CLASS B” RESERVE COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE

Al Ringling Brewing Co., 623 Broadway
 Con Amici, 126 3rd St

“CLASS B” WINE ONLY

Von Klaus Tasting Haus, 133 Third Ave.

“CLASS B” WINE ONLY AND CLASS “B” FERMENTED MALT BEVERAGE

Balanced Rock Winery, 1065 Walnut Street

CLASS “C” WINE

Bekah Kate’s , 117 3rd St.

Offered by: Administrative Comm. **Approved by Mayor:** _____

Motion:

Second:

Certified by Clerk: _____

NBR - 3

RESOLUTION NO. 2020-

Dated: June 23, 2020

The City of Baraboo, Wisconsin

Background

At their Board meeting on June 16, 2020, the Sauk County Board of Supervisors approved Resolution 88-2020 enabling Wisconsin Act 185 to provide property taxpayers with a two-month interest and penalty-free grace period for those persons and businesses who may have fallen into difficult financial times over the course of the past few months. Sauk County adopted this resolution which would, in essence, move the 2nd tax installment due date from July 31st to October 1st if the municipality in which the property is located adopts a similar resolution. The county resolution also has a provision that the county will keep its settlement date on August 20th for all payments to City of Baraboo if the City also opts into Act 185. With this provision, the county will pay one full settlement in August regardless of the amount of tax collected.

All municipalities and school districts in Sauk County have been asked to adopt the attached resolution to help create uniformity and eliminate confusion for taxpayers across the county. It is recommended that the Baraboo Common Council adopt the attached resolution.

Fiscal Note: (one)[] Not Required[] Budgeted Expenditure[] Not Budgeted**Comments:** Sauk County will pay City of Baraboo all payments owed on August 20, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

WHEREAS, in December, 2019, a novel strain of coronavirus known as COVID-19 was detected, and COVID-19 has continued to spread throughout the world, including to the United States and the State of Wisconsin (“COVID-19 Pandemic”); and

WHEREAS, the federal government, state governments, and local governments are working together to contain the further spread of the disease and treat existing cases; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, on March 12, 2020 the Governor of the State of Wisconsin declared a Health Emergency in the State, and on March 17, 2020, Sauk County (the “County”) declared a state of emergency under authority granted by Wis. Stats. Chap. 323; and

WHEREAS, the federal government has enacted various laws and regulations in response to the COVID-19 Pandemic including, without limitation, the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act; and

WHEREAS, because of the COVID-19 Pandemic, on March 24, 2020, Secretary-designee Andrea Palm of the Wisconsin Department of Health Services issued Emergency Order #12, Safer at Home Order (“Safer at Home Order”) requiring that everyone in Wisconsin stay at their home or place of residence except in limited circumstances until April 24, 2020; and

WHEREAS, on April 16, 2020, Secretary-designee Palm extended the Safer at Home Order, with certain modifications, to May 26, 2020, pursuant to Emergency Order #28; and

WHEREAS, the federal, state, local and individual responses to the COVID-19 Pandemic and the uncertainty as to the effectiveness of those responses in mitigating the duration of the COVID-19 Pandemic have created economic hardship and uncertainty for the City of Baraboo business community, households throughout the municipality and for every property taxpayer; and

WHEREAS, prominent economists have predicted record level unemployment rates for the coming months and this prediction suggests that City of Baraboo residents will also experience record level unemployment rates in the coming months, and an unprecedented number of businesses and employers throughout the State and in the County have been required to suspend operations; and

WHEREAS, in response to the COVID-19 Pandemic, the various federal laws and regulations implemented as a result of the COVID-19 Pandemic, and the various emergency orders and regulations implemented by state and local governments, on April 15, 2020, the Wisconsin Legislature enacted 2019 Wisconsin Act 185 ("Act 185"), which Governor Evers signed on April 16, 2020; and

WHEREAS, Section 105(25) of Act 185 authorizes, among other things, the County to adopt a resolution enabling taxation districts in the County to waive interest and penalties on 2020 property tax installment payments due and payable after April 1, 2020, until October 1, 2020; and

WHEREAS, a resolution authorizing the above referenced waiver must also establish criteria for determining hardship that would qualify a property tax payer for the waiver; and

WHEREAS, the County's authorization for a taxation district to implement the above referenced waiver is contingent upon a taxation district adopting a resolution in similar form and content as to the County's resolution; and

WHEREAS, the County has adopted a resolution authorizing taxation districts in the County to implement the above-referenced waiver; and

WHEREAS, the City of Baraboo desires to waive interest and penalties on 2020 property tax installment payments due and payable after April 1, 2020, until October 1, 2020

WHEREAS, pursuant to Section 105(25) of Act 185, this Resolution is intended to waive interest and penalties on installment payments of property taxes due and payable after April 1, 2020, in a manner consistent with Act 185 and declare that all property taxpayers in the City of Baraboo are experiencing hardship as a result of the economic conditions associated with the COVID-19 Pandemic, the various federal laws and regulations implemented as a result of the COVID-19 Pandemic, the various emergency orders and regulations implemented by state and local governments, and Act 185; and

WHEREAS, while the plain language of Section 105(25) of Act 185 allows for either a general or a “case-by-case” finding of hardship to qualify for the above referenced waiver of interest and penalties, the County has only authorized a taxation district to waive interest and penalties for all property taxpayers in the County otherwise eligible for waiver under Section 105(25) of Act 185 on a finding of general hardship based upon the economic conditions described in this Resolution, which the City of Baraboo Common Council determines has adversely affected all taxpayers in the City of Baraboo; and

NOW THEREFORE BE IT RESOLVED that pursuant to Section 105(25) of Act 185, the Baraboo Common Council hereby finds and authorizes the following:

1. Because of the COVID-19 Pandemic, the various federal laws and regulations implemented as a result of the COVID-19 Pandemic, the various emergency orders and regulations implemented by state and local governments, and Act 185, the Baraboo Common Council finds that all City property taxpayers are experiencing hardship as that term is used in Section 105(25) of Act 185.
2. The City of Baraboo hereby waives interest and penalties for property taxes payable in 2020 for an installment payment that is due and payable after April 1, 2020. This Resolution waives interest and penalties as provided in Section 105(25) of Act 185 for all property taxpayers in the City of Baraboo such that the waiver is available to all property taxpayers in the City of Baraboo. Notwithstanding the foregoing, nothing in this Resolution waives interest and penalties for property taxes payable in 2020 for an installment payment that was due and payable prior to April 1, 2020, except as otherwise permitted under applicable law.
3. The County has confirmed that upon adoption of this Resolution, the County will settle in full with the City of Baraboo on August 20, 2020, as provided under Wis. Stat. § 74.29(1).
4. City of Baraboo officers are authorized and directed to assist the County in the interpretation, application and implementation of this Resolution and Section 105(25) of Act 185.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Baraboo Common Council and other appropriate public officers and agents of the City of Baraboo with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Offered by: Finance/Personnel Committee **Approved:** _____

Motion:

Second:

Attest: _____

The City of Baraboo, Wisconsin

Background

In 2018, a quote was presented to Finance/Personnel Committee for continued assessor services with Tyler Technologies January 1, 2019 through December 31, 2021 and consideration of a future revaluation of the City. Within that combined proposal was the future revaluation quoted at \$106,000 for the period of October 1, 2020 through September 30, 2021 for a 2021 revaluation.

A revaluation was proposed at that time, because the last citywide revaluation occurred as part of the January 1, 2009 assessment year. Since the last revaluation, there have been many changes that have taken place in the real estate market and different property types have been affected differently throughout that timeframe. Condominiums and vacant land were affected by the market changes differently than single family homes. Likewise, changes in residential class of property occur differently than the commercial class property.

A revaluation would bring all property type assessments back in line with current market conditions leading to more equitable assessments and to a more equitable distribution of taxes.

The 2019 level of assessment has fallen to 93%. As the real estate market continues to increase, it's anticipated that the level of assessment may fall below 90% by 2021. While State Statutes do not require a revaluation the first year the general level of assessment falls below 90%, the City would be required to complete a revaluation within 5 years after falling below 90%. The further below 90% a municipality falls, the higher the average increased assessment becomes in the year of a revaluation. The fee for the revaluation may increase, as the assessor would anticipate a larger amount of appeals with the larger percent of increase.

.....
Tyler Technologies was the only proposal received by the Previous Administrator. Since that time, the proposed fee for 2021 revaluation services has increased to \$107,000. A portion of that fee will be due in 2020, and is part of the 2020 budget for \$26,500. The remaining balance will be a part of the 2021 budget.

Note: (one) [Not Required] [Budgeted Expenditure] [Not Budgeted]
Comments: \$26,500 was budgeted in 2020 as 25% of the total fee for revaluation. The remainder will be budgeted as part of the 2021 budget.

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

That the City accept the proposal from Tyler Technologies for the 2021 revaluation services; and

That the City Administrator and City Clerk be authorized to execute the corresponding Agreement with Tyler Technologies on behalf of the City.

Offered by: Finance Committee
Motion:
Second:

Approved: _____
Attest: _____

June 9, 2020

Ms. Kennie Downing
City Administrator
City of Baraboo
101 South Boulevard
Baraboo, WI 53913

Dear Ms. Downing:

Per your request, I am providing you with a quote for a 2021 revaluation for the period September 1, 2020 through August 30, 2021. The general scope of services is outlined below, and a full Statement of Work will be provided in the addendum.

The proposed fixed fee for the 2021 revaluation for the period of September 1, 2020 through August 30, 2021 is:

ONE HUNDRED SEVEN THOUSAND DOLLARS (\$107,000).

The general scope of the revaluation will be one of exterior view and will include:

- Analysis and development of new cost approach, market approach and income approach tables for valuation using current market data
- Capturing a curbside digital image for each property that will be part of the property record card
- Newly generated sales comparison sheets for residential property
- Newly generated income valuation sheeted for income producing properties
- Extended Open Book phone bank for property owners to schedule an appointment as well as an extended Open Book period
- Board of Review
- Postage and mailing

I would be happy to discuss further details and specifics, and, what I feel are the needs of a revaluation should you desire.

I hope you find this information helpful. Should you have additional questions, you may contact me on my cell at 414-704-0647 or via email at mark.link@tylertech.com.

This quote is valid through September 1, 2020.

Respectfully submitted,



Mark A. Link
Regional Manager - WI
Tyler Technologies A&T

NBO-1

The City of Baraboo, Wisconsin

Background: The State of Wisconsin prohibits smoking in most public places, where “smoking” is defined by State statute as: “burning or holding, or inhaling or exhaling smoke from, any of the following items containing tobacco: 1. A lighted cigar. 2. A lighted cigarette. 3. A lighted pipe. 4. Any other lighted smoking equipment.” This definition does not incorporate vaping, as vaping does not involve a “lighted” piece of smoking equipment and because vapes do not always contain tobacco.

Because of the lack of vaping laws at the State level, some municipalities in Wisconsin have adopted ordinances that specifically regulate vaping. The City currently regulates vaping as follows:

- Prohibited in City parks (including along the Riverwalk, at the Zoo, at the Pat Liston Dog Park, in parking lots located within parks, etc.)
- In City owned and leased properties (including the Library, City Hall, the Civic Center, etc.)
- At the UW-Baraboo campus
- Juveniles are prohibited from possessing/using vapes that contain nicotine

A violation of any of the above carries a standard fine amount of \$60 (with costs, the total is \$213.10).

Legally, there is nothing preventing the City from further regulating vaping, including prohibiting vaping wherever smoking is prohibited by State law, including in lodging establishments, in retail establishments, in restaurants and taverns, in theaters, and in common areas of multiple-unit residential properties.

If a broader vaping ban is approved by Council, it is recommended that the City consolidate all smoking, vaping, nicotine and tobacco use regulations currently in the Code, with the exception of the Parks regulations, into Section 9.21 of the Code, to be titled “Smoking, Vaping, Nicotine and Tobacco Use Regulated.” It is also recommended that the fine amount for a violation of Section 9.21 remain \$60 (for a total of \$213.10 with costs).

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

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

1. Section 9.21, Tobacco Use, of the Baraboo Municipal Code is amended as follows:

9.21 SMOKING, VAPING, NICOTINE AND TOBACCO USE REGULATED.
(1665 11/92 See §134.65 Wis. Stats., 2428, 02/24/2015)

- (1) STATE SMOKING BAN ADOPTED. The City hereby adopts by reference the provisions of §101.123, Wis. Stats., “Smoking prohibited,” pertaining to the statewide smoking ban.
- (2) VAPING PROHIBITED. Vaping is prohibited in all areas located within the City limits where smoking is prohibited by the provisions of §101.123, Wis. Stats.
- (3) ADDITIONAL LOCAL PROHIBITIONS.
 - (a) There shall be no smoking, vaping or use of any tobacco-containing product upon the property of or in any building or structure of the University of Wisconsin Baraboo/Sauk County.
 - (b) There shall be no smoking, vaping or use of any tobacco-containing product in any City owned or leased building, including in an entrance to a City owned or leased building.
 - (c) Regulations for children under the age of 18:
 - i. No child may do any of the following:
 - (a) Buy or attempt to buy any cigarette, **electronic delivery device**, tobacco product or nicotine product.
 - (b) Falsely represent his or her age for the purpose of receiving any cigarette, **electronic delivery device**, tobacco product or nicotine product.
 - (c) Possess any cigarette, **electronic delivery device**, tobacco product or nicotine product.
 - (ii) A child may purchase or possess cigarettes, **electronic delivery devices**, tobacco products, or nicotine products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer licensed under §134.65(1) Wis. Stats.
 - (4) A law enforcement officer shall seize any cigarette, **electronic delivery device**, tobacco product, or nicotine product involved in any violation of this section committed in his or her presence. (1665 11/92) **Seized items shall be held or disposed of per the current policy of the police department.**
 - (5) No person may procure for, sell, dispense, furnish or give away any cigarette, **electronic delivery device**, or tobacco products or nicotine product to a child. (1796 03/28/95)
 - (d) See also § 19.03(12), of this Code.
- (3) DEFINITIONS.
 - (a) The following definitions shall apply to this Section instead of the definitions found in §101.123, Wis. Stat.:
 - i. “*Enclosed place*” means all space between a floor and a ceiling that is bounded by walls, doors, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent. An 0.011 gauge screen with an 18 by 16 mesh count is not a wall.

- ii. *“Smoking”* means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, including marijuana, whether natural or synthetic, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

(b) The following definitions shall apply to this Section in addition to the definitions found in §101.123, Wis. Stat.:

- i. *“Electronic delivery device”* means any product containing, delivering or capable of containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol, mist, or vapor from the product. The term includes, but is not limited to, devices manufactured, distributed, marketed, or sold as electronic cigarettes or cigars, electronic pipes, personal vaporizers, electronic nicotine delivery systems, vape pens, and electronic hookahs.
- ii. *“Vaping”* means the use of an electronic delivery device.

(4) **INSPECTION AND ENFORCEMENT.** The Police Department shall have the power to enter any premises subject to the smoking ban under state law to ascertain whether the premises are in compliance with this section and take appropriate enforcement action pursuant to this section.

2. Section 9.21A, “Smoking or use of Tobacco Products Prohibited on the University of Wisconsin Baraboo/Sauk County Property,” of this Code is repealed upon the passage of this ordinance as the language has been fully incorporated into the revised §9.21 of the Code.
3. Section 9.21B, “Smoking, Vaping and the use of Tobacco Products Prohibited in City Buildings,” of the Code is repealed upon passage of this ordinance as the language has been fully incorporated into the revised §9.21 of the Code.
4. The incorporation of §101.123, Wis. Stat., within §9.01 of the Code is repealed upon the passage of this ordinance, as the incorporation of §101.123, Wis. Stat., will now be contained in the revised §9.21 of the Code.

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the _____ day of _____, 20__, and is recorded on page _____ of volume _____.

City Clerk: _____

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 101 South Blvd, Baraboo, Wisconsin, on Tuesday, June 23rd 2020, at 7:00 o'clock p.m. for the purpose of giving any interested persons an opportunity to be heard regarding the following matter:

The General Development Plan for Three Amigos Property Management, LLC in accordance with Steps 3 and 4 of the PUD Process and the corresponding zoning as a Planned Unit Development to construct multi-family residential complex on the 1.6-acre site at 325 Lynn Street, in a B-1 Central Business zoning district.

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 M. Zeman, City Clerk

To be published as a Class II Notice in the legal section
June 8 and June 15, 2020.

NBO - 2

The City of Baraboo, Wisconsin

Background: Jacob Buswell, Matthew Buswell, Brian Buswell, Rick Beyer, and Todd Page, d/b/a Three Amigos Property Management, LLC, are in the process of purchasing the property at 325 Lynn Street from the City of Baraboo. Since their proposed 66-unit apartment complex project does not neatly fit into the long list of permitted uses in a B-1 Central Business zoning district, it warrants a Planned Development Overlay zoning.

The Plan Commission reviewed the GDP and the SIP for this project their May 19th and June 16th meetings and voted unanimously to forward the GDP and the SIP to the Council for rezoning with a favorable recommendation to approve them with a recommended condition of approval for the SIP pending the Plan Commission future review and approval of the final site plan, storm water management plan, landscaping plan and site lighting plan.

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

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

- 1. Section 17.18(4)(d), Code of Ordinances, is amended as follows:

17.18 ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF ZONING DISTRICT MAP

(4) DISTRICT BOUNDARIES AND MAP AMENDMENTS.

(d) Planned Unit Developments. The following Planned Unit Development is approved and incorporated into the zoning map: 2020-01.

- 2. The attached General Development Plan/Specific Implementation Plan is approved as Planned Unit Development 2020-01.
3. This Ordinance shall take effect upon passage and publication as provided by law and have an effective date commensurate with the sale of said property.

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 July 2020, and is recorded on page ____ of volume ____.

City Clerk: _____

**GENERAL DEVELOPMENT PLAN (GDP)/SPECIFIC IMPLEMENTATION PLAN
FOR THE PROPERTY AT 325 LYNN STREET IN THE CITY OF BARABOO, SAUK
COUNTY, WISCONSIN,
TO BE ZONED AS A PLANNED UNIT DEVELOPMENT**

Jacob Buswell, Matthew Buswell, Brian Buswell, Rick Beyer, and Todd Page, d/b/a Three Amigos Property Management, LLC, have entered into a Pre-Development Agreement with the City of Baraboo to purchase and develop the property at 325 Lynn Street. They have requested that the property be rezoned as a Planned Unit Development (PUD) under the City of Baraboo's Zoning Code upon the following General Development Plan submitted for approval pursuant to §17.36B(7), of the Baraboo Code of Ordinances:

1. The real property involved in this General Development Plan (GDP) consists of that property located at 325 Lynn Street, as shown on the Certified Survey Map attached as Exhibit A and made a part hereof.

Tax Parcel 206-1759-00000

Lots 1, 2 and 3 of the Original Plat of the City of Baraboo, Sauk County, Wisconsin (subject to the restrictions of Document No. 1108469 recorded in the office of the Sauk County Register of Deeds.

Tax Parcel 206-0947-00000

Lands located in the fractional NW ¼ of the NW ¼, Section 1 and the fractional NE ¼ of the NE ¼ of Section 2, T11N, R6E City of Baraboo, Sauk County, Wisconsin.

Said lands contain 1.58 acres, more or less.

2. The existing 1.58-acre parcel had two existing buildings that were razed by the City of Baraboo in 2018.
3. The property is presently zoned B-1 Central Business. The specific intention of the petitioner is to construct a 66-unit apartment complex with 73 underground parking stalls and 37 surface parking stalls on the property.
4. The GDP provides a conceptual development plan for the property pursuant to the drawings attached as Exhibit B and made a part hereof.
5. The SIP provides a colored rendering and description of construction materials for the proposed 66-unit apartment complex.
5. The property is specifically approved for use as a 66-unit apartment complex. The use of the property and the location of the building shall not be changed from such use without the modification of this GDP and subsequent approval by the City's Common Council.
7. Signs upon the property shall be allowed pursuant to Subchapter III – Sign Code in Section 17.80 of the City's Zoning Code.
8. The terms of the GDP/SIP shall be covenants running with the land, and applicable not only to the petitioner, but also to any and all subsequent owners as well.

EXHIBIT A

As prepared by:

GA GROTHMAN & ASSOCIATES S.C.
 LAND SURVEYORS
 625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI 53901
 PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 844-8877
 FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
 (RED LOGO REPRESENTS THE ORIGINAL MAP)

SEAL:

WISCONSIN
 THOMAS L. GREVE
 S-2226
 BARABOO
 WI
 LAND SURVEYOR
Thomas L. Greve
 5/25/18

G & A FILE NO. 518-311

DRAFTED BY: T. KASPER
 CHECKED BY: TG
 PROJ. 1016-547
 DWG. 518-311 SHEET 1 OF 3

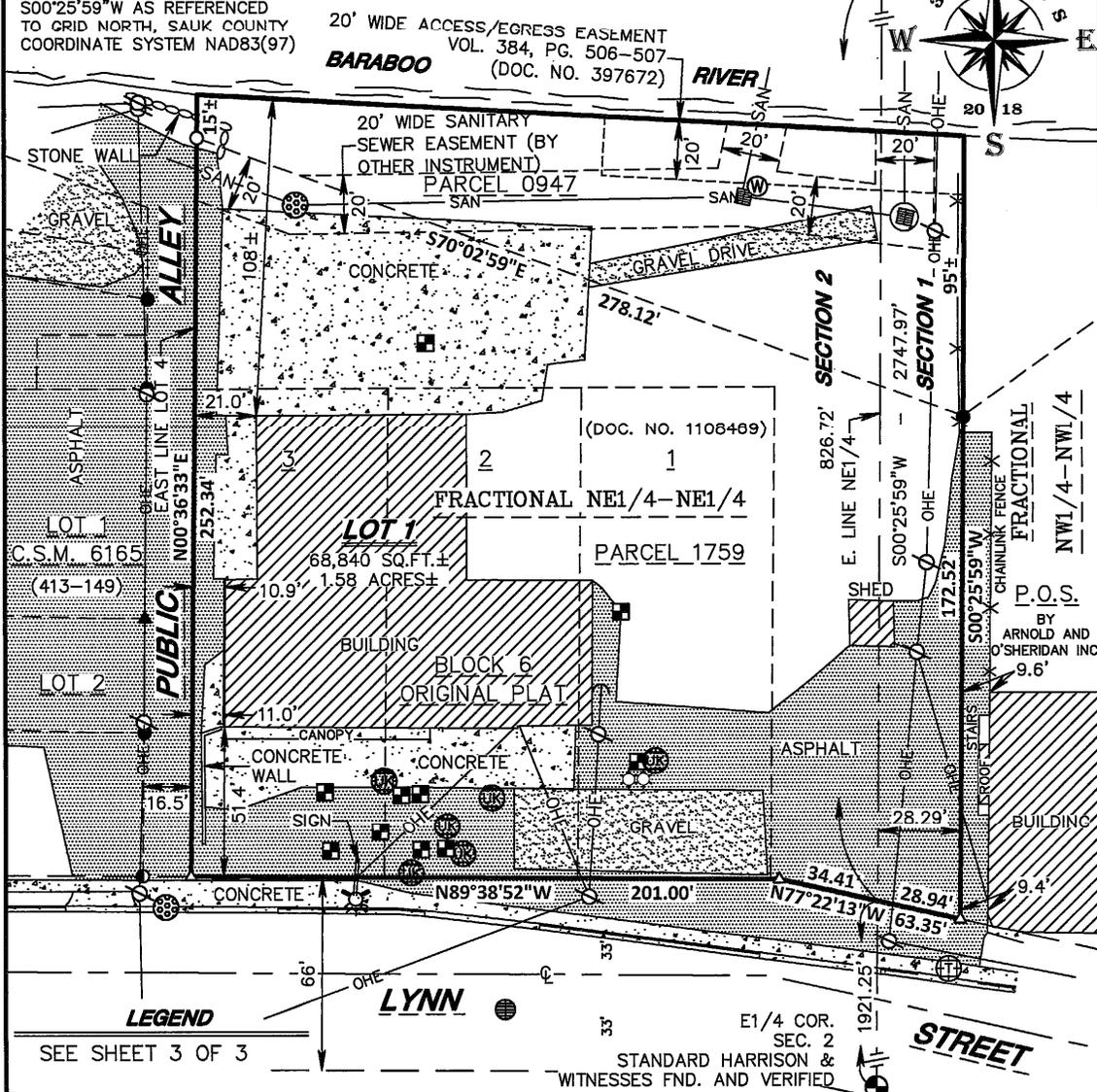
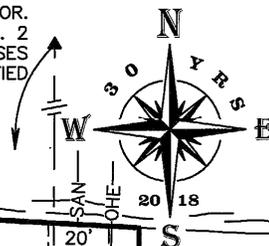
SAUK COUNTY CERTIFIED SURVEY MAP NO.
GENERAL LOCATION

Volume _____, Page _____
LOTS 1, 2 AND 3, BLOCK 6, ORIGINAL PLAT OF THE VILLAGE OF BARABOO, NOW CITY OF BARABOO AND LANDS LOCATED IN THE FRACTIONAL NW1/4 OF THE NW1/4, SECTION 1 AND THE FRACTIONAL NE1/4 OF THE NE1/4 SECTION 2, T. 11 N., R. 6 E., CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

BASIS OF BEARINGS:
 IS THE EAST LINE OF THE NE1/4, SECTION 2 WHICH BEARS S00°25'59"W AS REFERENCED TO GRID NORTH, SAUK COUNTY COORDINATE SYSTEM NAD83(97)

SCALE: 1" = 50'

NE COR. SEC. 2
 PK NAIL & WITNESSES FND. AND VERIFIED



OWNER: CITY OF BARABOO
 101 SOUTH BOULEVARD
 BARABOO, WI 53913

CLIENT: TIMOTHY CUMMINGS
 502 BASCOM HILL DRIVE
 BARABOO, WI 53913

<p><i>As prepared by:</i></p> <p>G GROTHMAN & ASSOCIATES S.C. LAND SURVEYORS</p> <p>625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901 PHONE: PORTAGE: (608) 742-7788 SAUK: (608) 644-8877 FAX: (608) 742-0434 E-MAIL: surveying@grothman.com <small>(RED LOGO REPRESENTS THE ORIGINAL MAP)</small></p> <p>G & A FILE NO. 518-311</p> <p>DRAFTED BY: T. KASPER CHECKED BY: TG PROJ. 1016-547 DWG. 518-311 SHEET 2 OF 3</p>	<p>SEAL:</p>
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SAUK COUNTY CERTIFIED SURVEY MAP NO. _____
GENERAL LOCATION Volume _____, Page _____

LOTS 1, 2 AND 3, BLOCK 6, ORIGINAL PLAT OF THE VILLAGE OF BARABOO, NOW CITY OF BARABOO AND LANDS LOCATED IN THE FRACTIONAL NW1/4 OF THE NW1/4, SECTION 1 AND THE FRACTIONAL NE1/4 OF THE NE1/4 SECTION 2, T. 11 N, R. 6 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, **THOMAS L. GREVE**, Professional Land Surveyor, do hereby certify that by the order of **Timothy Cummings**, I have surveyed, monumented, mapped and divided Lots 1, 2 and 3, Block 6, Original Plat of the Village of Baraboo now City of Baraboo located in the fractional Northwest Quarter of the Northwest Quarter of Section 1 and the fractional Northeast Quarter of the Northeast Quarter of Section 2, Town 11 North, Range 6 East, City of Baraboo, Sauk County, Wisconsin, described as follows:

Commencing at the Northeast corner of Section 2;
 thence South 00°25'59" West along the East line of the Northeast Quarter of said Section 2, 826.72 feet to a point in the North right-of-way line of Lynn Street;
 thence North 77°22'13" West along the North right-of-way line of Lynn Street, 34.41 feet;
 thence North 89°38'52" West along the North right-of-way line of Lynn Street and the South line of Lots 1, 2 and 3, Block 6, Original Plat of the Village of Baraboo, now City of Baraboo, 201.00 feet to the Southwest corner of said Lot 3;
 thence North 00°36'33" East along the West line of said Lot 3 and the Northerly extension thereof, 252.34 feet to a point which bears South 00°36' 33" West, 15 feet more or less from the water's edge of the Baraboo River and the beginning of a meander line along said river;
 thence South 70°02'59" East along said meander line, 278.12 feet to a point in the East line of land described and recorded in Document No. 1108469, said point bearing South 00°25'59" West, 95 feet more or less from the water's edge of the Baraboo River and the end of this meander line along said river;
 thence South 00°25'59" West along the East line of land described and recorded in Document No. 1108469, 172.52 feet to a point in the North right-of-way line of Lynn Street;
 thence North 77°22'13" West along the North right-of-way line of Lynn Street, 28.94 feet to the point of beginning. Containing 68,840 square feet (1.58 acres), more or less. Intending to include all lands lying between the meander line herein described and the water's edge of the Baraboo River lying between true Northerly extensions of the Easterly and Westerly lines herein described. Being subject to servitudes and easements of record, if any.

I DO FURTHER CERTIFY that this is a true and correct representation of the boundaries of the land surveyed and that I fully complied with the Provisions of AE7 Wisconsin Administrative Code, Chapter 236.34 of the Wisconsin State Statutes and the City of Baraboo Subdivision Ordinance to the best of my knowledge and belief.

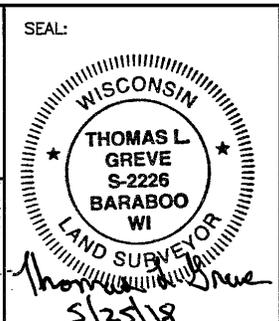
THOMAS L. GREVE
 Professional Land Surveyor, No. 2226
 Dated: May 25, 2018
 File No.: 518-311

<p>OWNER: CITY OF BARABOO 101 SOUTH BOULEVARD BARABOO, WI 53913</p>	<p>CLIENT: TIMOTHY CUMMINGS 502 BASCOM HILL DRIVE BARABOO, WI 53913</p>
--	--

As prepared by:
G GROTHMAN & ASSOCIATES S.C.
LAND SURVEYORS
 625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53901
 PHONE: PORTAGE: (808) 742-7788 SAUK: (808) 844-8877
 FAX: (808) 742-0434 E-MAIL: surveying@grothman.com
 (RED LOGO REPRESENTS THE ORIGINAL MAP)

G & A FILE NO. 518-311

DRAFTED BY: T. KASPER
 CHECKED BY: IG
 PROJ. 1016-547
 DWG. 518-311 SHEET 3 OF 3



SAUK COUNTY CERTIFIED SURVEY MAP NO. _____
GENERAL LOCATION

Volume _____, Page _____

LOTS 1, 2 AND 3, BLOCK 6, ORIGINAL PLAT OF THE VILLAGE OF BARABOO, NOW CITY OF BARABOO AND LANDS LOCATED IN THE FRACTIONAL NW1/4 OF THE NW1/4, SECTION 1 AND THE FRACTIONAL NE1/4 OF THE NE1/4 SECTION 2, T. 11 N, R. 6 E, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

PLAN COMMISSION RESOLUTION

RESOLVED that this Certified Survey Map in the **City of Baraboo**, Sauk County, Wisconsin is hereby approved by the Plan Commission.

 Mayor

 Date

 City Engineer

 Date

I HEREBY certify that the foregoing is a copy of a Resolution adopted by the Plan Commission of the **City of Baraboo**, Wisconsin, this _____ day of _____, 20_____.

 City Clerk

 Date

LEGEND

- | | |
|--|-------------------------------------|
| ● STANDARD HARRISON MON. FND. | ⊗ FIRE HYDRANT |
| ○ 3/4" X 24" IRON ROD SET
(WT. = 1.5 LBS. / L.F.) | ⊕ TELEPHONE MANHOLE |
| △ PK NAIL SET | ■ MONITORING WELL |
| ● 3/4" IRON ROD FND. | ▨ SQUARE SANITARY SEWER MANHOLE |
| ▲ PK NAIL FND. | ⊙ STORM SEWER DRAIN |
| ● 1/2" IRON ROD FND. | ⊗ SANITARY SEWER MANHOLE |
| ☆ GUARD POST | ⊙ MANHOLE ORIGIN UNKNOWN |
| ⊗ POWER POLE | — OHE — OVERHEAD UTILITY LINE |
| ↙ GUY WIRE | — X — X — X CHAINLINK FENCE |
| | () PREVIOUS SURVEY OR RECORD INFO. |

OWNER: CITY OF BARABOO
 101 SOUTH BOULEVARD
 BARABOO, WI 53913

CLIENT: TIMOTHY CUMMINGS
 502 BASCOM HILL DRIVE
 BARABOO, WI 53913



knothe-bruce
ARCHITECTS

Phone: 7601 University Ave, Ste 201
608.836.3698 Middleton, WI 53562

ISSUED
May 12, 2020

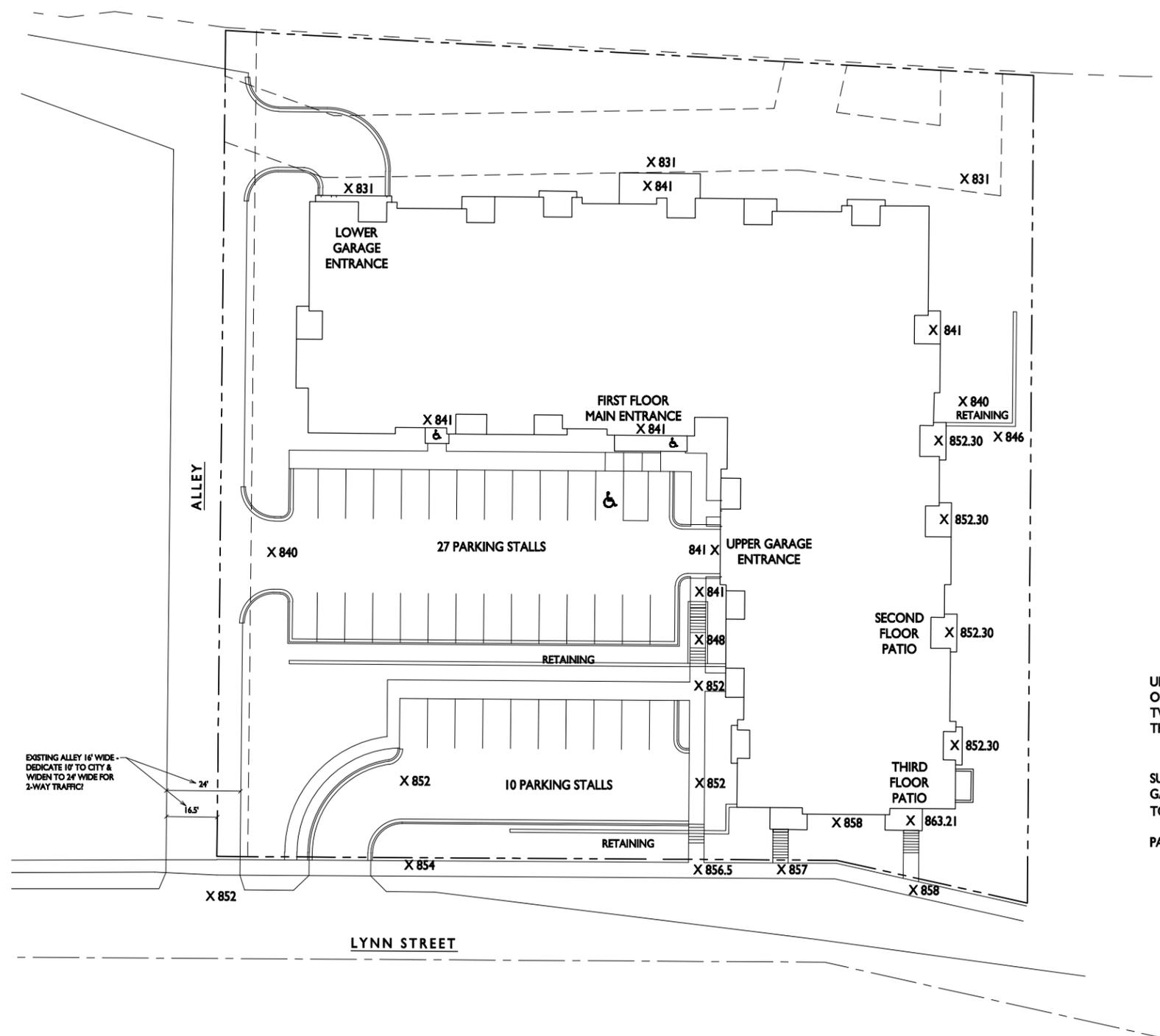
PROJECT TITLE
**Baraboo
Apartment
Development**

Site Address:
325 Lynn Street
Baraboo, WI
SHEET TITLE
Site Plan

SHEET NUMBER

C-1.1

PROJECT NO. **1968**
© Knothe & Bruce Architects, LLC



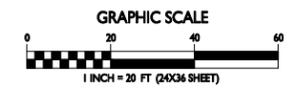
EXISTING ALLEY 16' WIDE -
DEDICATE 10' TO CITY &
WIDEN TO 24' WIDE FOR
2-WAY TRAFFIC

ALLEY

LYNN STREET

UNIT MIX:	
ONE BEDROOM	27
TWO BEDROOM	35
THREE BEDROOM	4
	<hr/>
	66
SURFACE STALLS:	37
GARAGE:	73
TOTAL:	<hr/>
	110
PARKING RATIO:	1.67:1

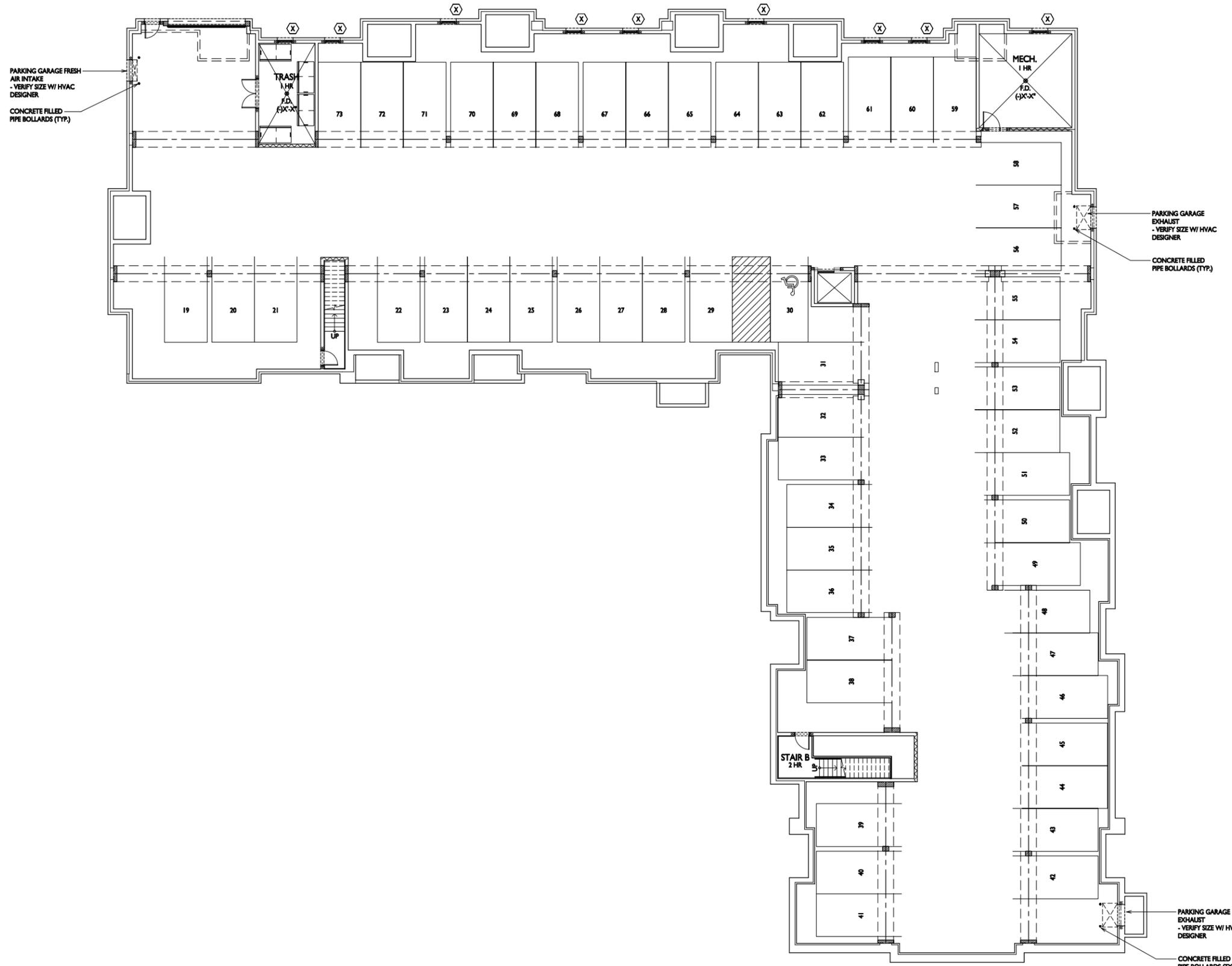
SITE PLAN
1
C-1.1
1" = 20'-0"





knothe-bruce
ARCHITECTS

Phone: 7601 University Ave, Ste 201
608.836.3690 Middleton, WI 53562



ISSUED
Issued for xyz - Month Day, Year

PROJECT TITLE
**Baraboo
Apartment
Development**

Site Address:
325 Lynn Street
Baraboo, WI
SHEET TITLE
Basement Plan

SHEET NUMBER

A-1.0

PROJECT NO. 1968
© 2013 Knothe & Bruce Architects, LLC



ISSUED
Issued for Landmarks - February 24, 2020

PROJECT TITLE
Baraboo
Apartment
Development

Site Address:
325 Lynn Street
Baraboo, WI

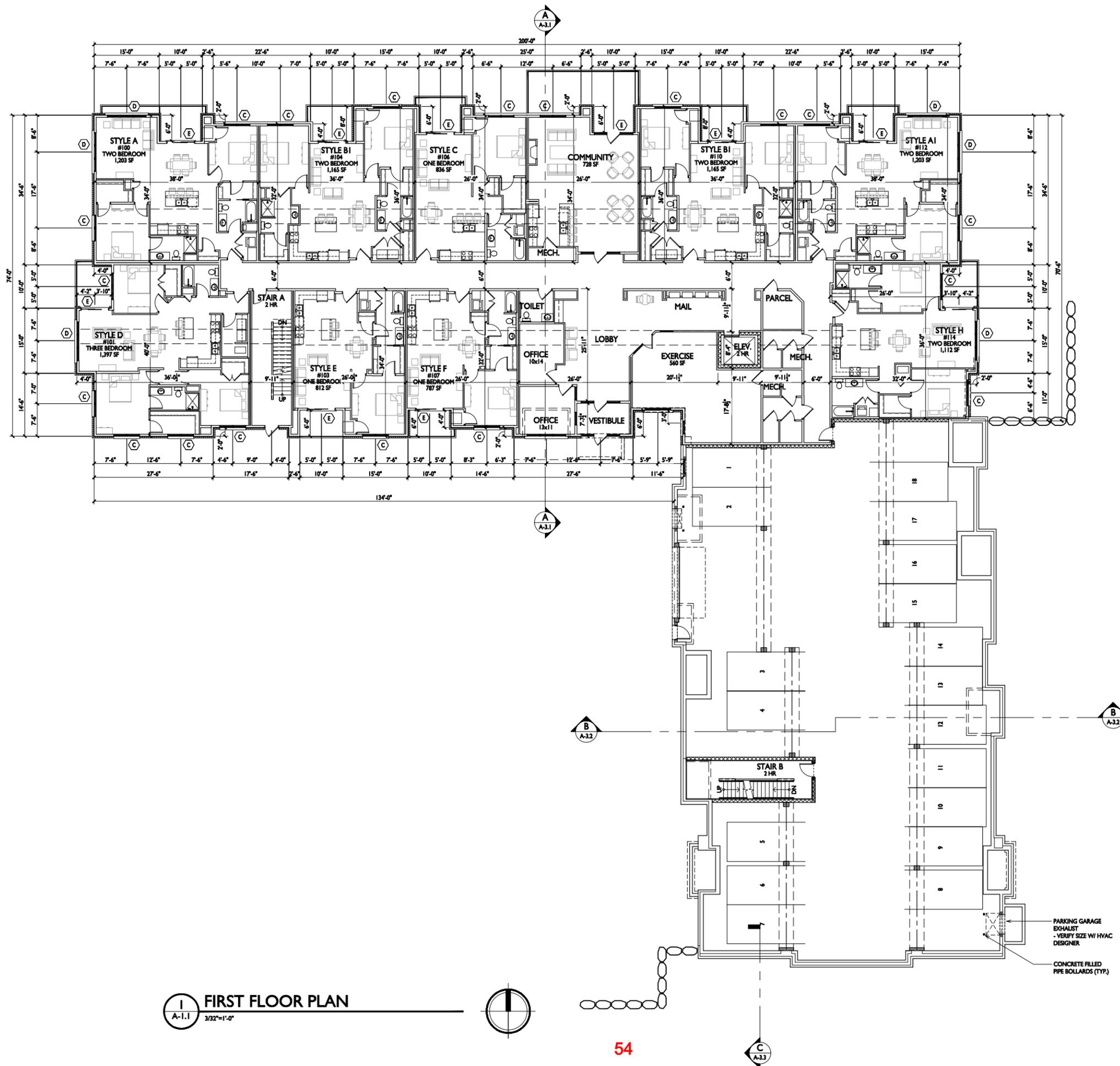
SHEET TITLE
First Floor Plan

SHEET NUMBER

A-1.1

PROJECT NO. 1968

© 2013 Knothe & Bruce Architects, LLC



I FIRST FLOOR PLAN
A-1.1 3/32"=1'-0"



ISSUED
Issued for xyz - Month Day, Year

PROJECT TITLE
Baraboo
Apartment
Development

Site Address:
325 Lynn Street
Baraboo, WI

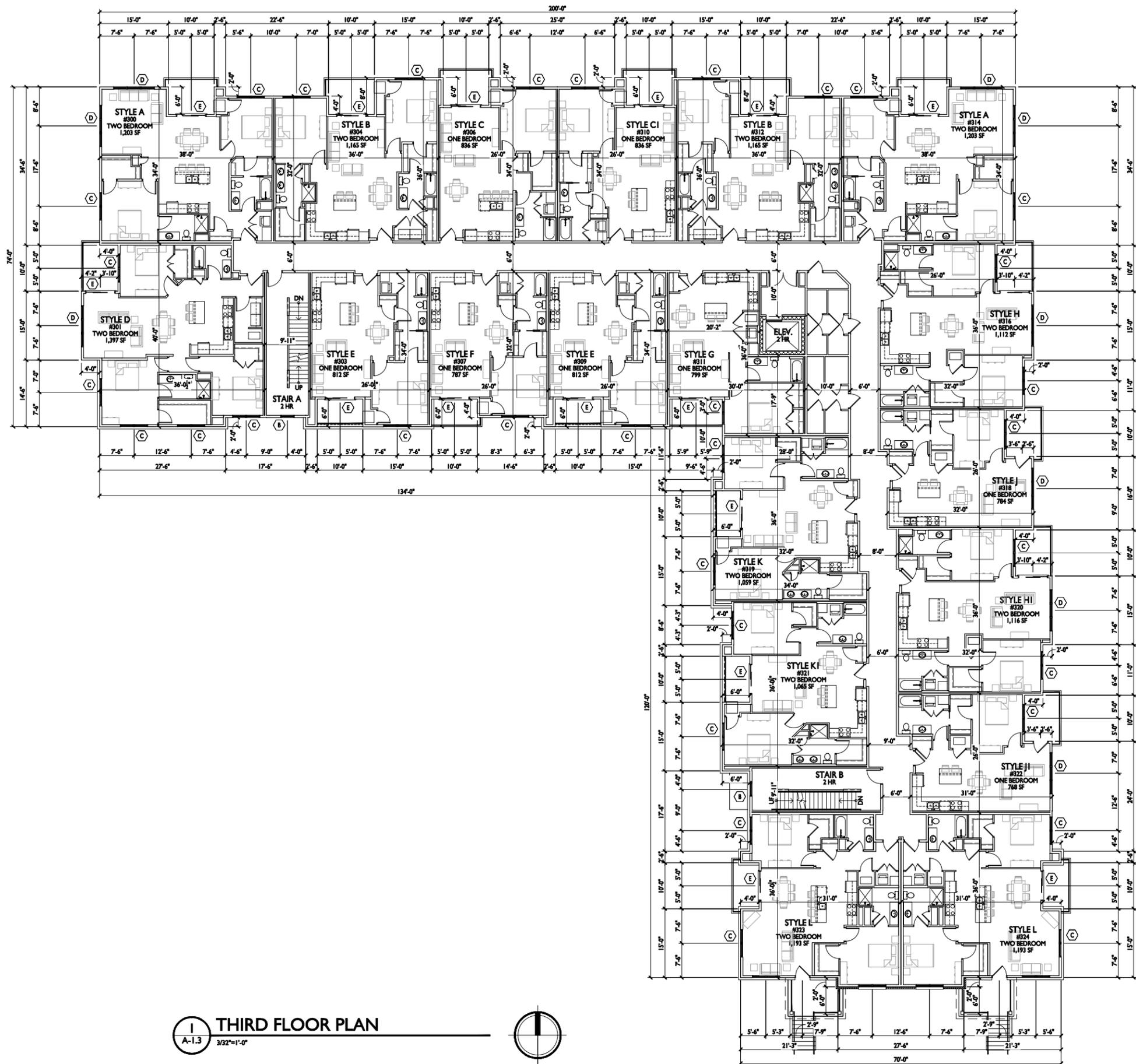
SHEET TITLE
Third Floor Plan

SHEET NUMBER

A-1.3

PROJECT NO. 1968

© 2013 Knothe & Bruce Architects, LLC



I THIRD FLOOR PLAN
A-1.3 3/32"=1'-0"





knothe-bruce
ARCHITECTS

Phone: 7601 University Ave, Ste 201
608.836.3690 Middleton, WI 53562

ISSUED
Issued for xyz - Month Day, Year

PROJECT TITLE
Baraboo
Apartment
Development

Site Address:
325 Lynn Street
Baraboo, WI

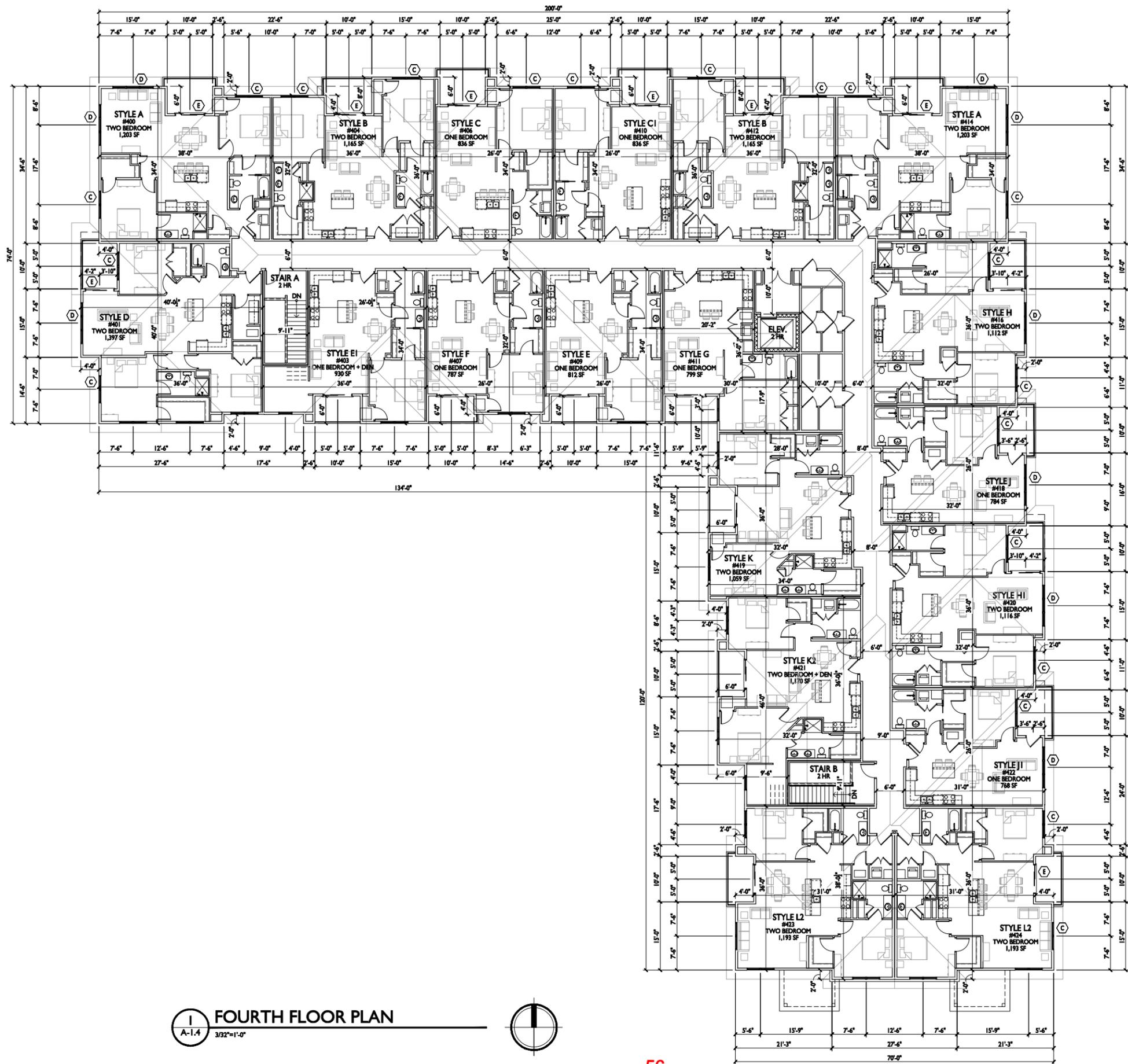
SHEET TITLE
Fourth Floor Plan

SHEET NUMBER

A-1.4

PROJECT NO. 1968

© 2013 Knothe & Bruce Architects, LLC



1 FOURTH FLOOR PLAN
A-1.4 3/32"=1'-0"





knothe-bruce
ARCHITECTS

Phone: 7601 University Ave, Ste 201
608.836.3690 Middleton, WI 53562

ISSUED
Issued for xyz - Month Day, Year

PROJECT TITLE
**Baraboo
Apartment
Development**

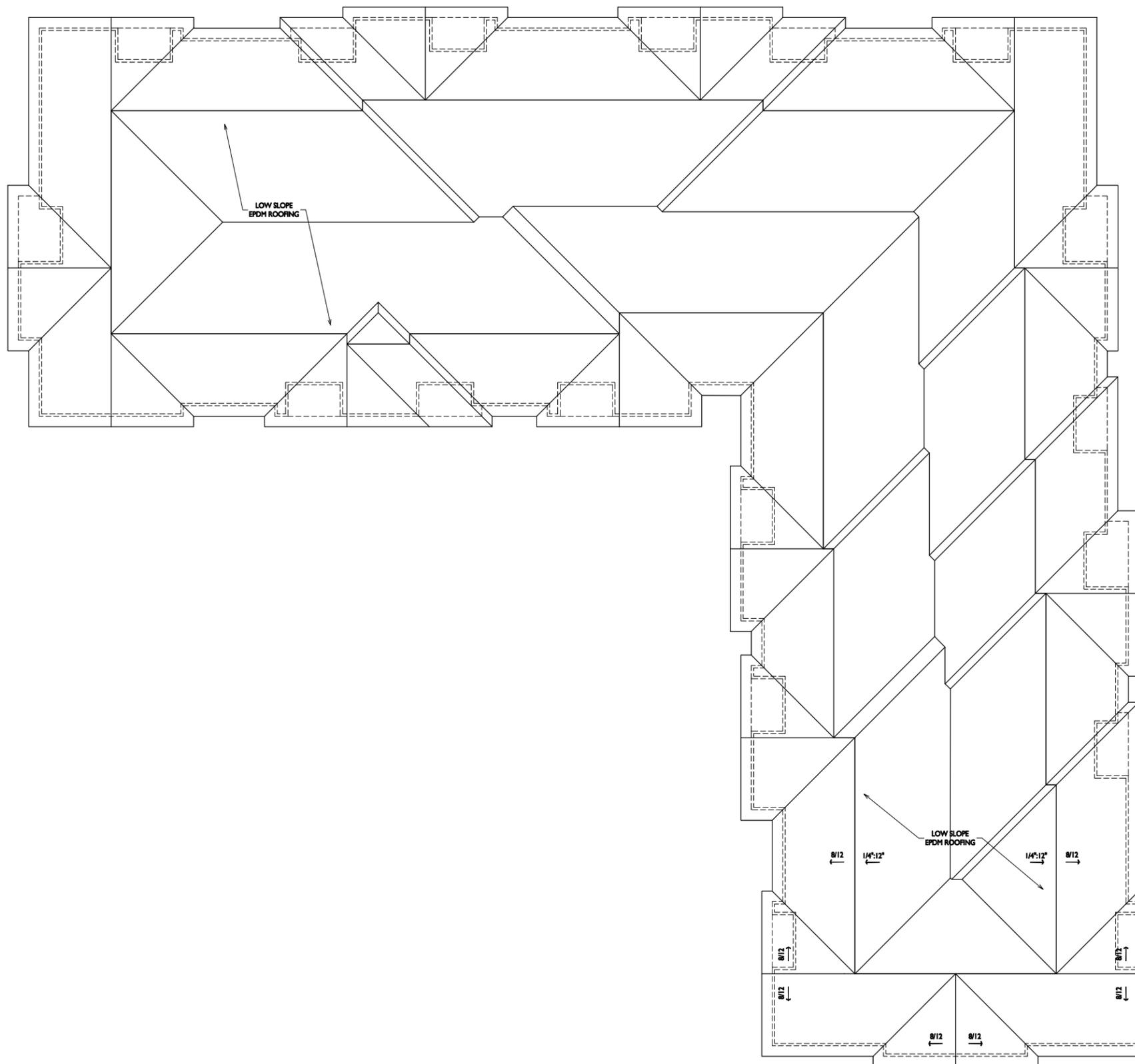
Site Address:
325 Lynn Street
Baraboo, WI

SHEET TITLE
Roof Plan

SHEET NUMBER

A-1.5

PROJECT NO. 1968
© 2013 Knothe & Bruce Architects, LLC





1 NORTH ELEVATION
A-2.1 1/8"=1'-0"

ISSUED
Issued for xyz - Month Day, Year

PROJECT TITLE

Baraboo
Apartment
Development

Site Address:
325 Lynn Street
Baraboo, WI

SHEET TITLE
Exterior
Elevations

SHEET NUMBER

A-2.1

PROJECT NO. 1968

© Knothe & Bruce Architects, LLC



2 SOUTH ELEVATION
A-2.1 1/8"=1'-0"



knothe-bruce
ARCHITECTS

Phone: 7601 University Ave, Ste 201
608.836.3690 Middleton, WI 53562

ISSUED
Issued for xyz - Month Day, Year



1 EAST ELEVATION
A-2.2 1/8"=1'-0"



2 WEST ELEVATION
A-2.2 1/8"=1'-0"

PROJECT TITLE
**Baraboo
Apartment
Development**

Site Address:
325 Lynn Street
Baraboo, WI

SHEET TITLE
**Exterior
Elevations**

SHEET NUMBER

A-2.2

PROJECT NO. **1968**

© Knothe & Bruce Architects, LLC



1 NORTH ELEVATION
A-2.1 1/8"=1'-0"

ISSUED
Issued for xyz - Month Day, Year



2 SOUTH ELEVATION
A-2.1 1/8"=1'-0"

PROJECT TITLE
Baraboo
Apartment
Development

Site Address:
325 Lynn Street
Baraboo, WI

SHEET TITLE
Exterior
Elevations

SHEET NUMBER

A-2.1

PROJECT NO. 1968
© Knothe & Bruce Architects, LLC

EXHIBIT B

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 101 South Blvd, Baraboo, Wisconsin, on Tuesday, June 23rd 2020, at 7:00 o'clock p.m. for the purpose of giving any interested persons an opportunity to be heard regarding the following matter:

The General Development Plan/Specific Implementation Plan for the Al Ringling Brewing Company, Inc in accordance with Steps 3 and 4 of the PUD Process and the corresponding zoning as a Planned Unit Development to allow an outdoor beer garden with a decorative fence less than 6 feet in height in a B-1 Central Business zoning district for the property located at 623 Broadway, on the southwest corner of 5th Ave and Broadway.

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 M. Zeman, City Clerk

To be published as a Class II Notice in the legal section
June 8 and June 15, 2020.

The City of Baraboo, Wisconsin

Background: Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James obtained a Conditional Use Permit for the operation of the micro-brewery as a tourism-oriented manufacturing business was approved on December 18, 2018. The applicants have been working hard to complete their project. As part of the liquor license application, they would like to include an on-site beer garden that would be located on the southeast side of the building. Although a beer garden is allowed in a B-1 zoning district, our licensing code requires a solid 6-foot high fence to enclose it. The owners would like a lower-height more decorative fence that complements the historic Al Ringling Mansion and rather than rezone the property to B-3 Highway Oriented Business, they would prefer to maintain the existing zoning and obtain a PUD Overlay.

On June 16, 2020, the City Plan Commission reviewed the request and voted unanimously to forward it to Council with a favorable recommendation to approve the PUD.

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

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

- 1. Section 17.18(4)(d), Code of Ordinances, is amended as follows:

17.18 ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF ZONING DISTRICT MAP

(4) DISTRICT BOUNDARIES AND MAP AMENDMENTS.

(d) Planned Unit Developments. The following Planned Unit Developments are approved and incorporated into the zoning map: 2020-02.

- 2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2020-02.

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 July, 2020, and is recorded on page ____ of volume ____.

City Clerk: _____

63 of 86

**GENERAL DEVELOPMENT PLAN (GDP)/SPECIFIC IMPLEMENTATION
PLAN (SIP) FOR THE PROPERTY ON THE SOUTHWEST CORNER OF
BROADWAY AND 5TH AVENUE IN THE CITY OF BARABOO, SAUK
COUNTY, WISCONSIN,
TO BE ZONED AS A PLANNED UNIT DEVELOPMENT**

Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James, d/b/a Al Ringling Brewing Company, have requested that the property on the southwest corner of Broadway and 5th Avenue be rezoned as a Planned Unit Development (PUD) under the City of Baraboo's Zoning Code upon the following General Development Plan submitted for approval pursuant to §17.36B(7), of the Baraboo Code of Ordinances:

1. The real property involved in this General Development Plan (GDP) consists of that property located at 623 Broadway, and more particularly described as follows:

Tax Parcel 206-1393-00000

A parcel of land located in the SE¹/₄ of the SE¹/₄ of Section 35, T12N, R6E, City of Baraboo, Sauk County, Wisconsin, described as follows:

Lots 1, 2, 3, 4, and easterly 6' of Lot 5, Block 21, City of Baraboo, formerly Adams.

Said lands contain 0.826 acres, more or less.

2. The existing property contains one building with an area of approximately 12,178 sq. ft.
3. The property is presently zoned B-1 Central Business. The specific intention of the petitioner is to continue the current mixed use of the existing building as a residence, bed and breakfast, and brewery and add an outdoor beer garden onto the southeast side of the building with a wrought iron fence approximately 42" in height.
4. The property is specifically approved for a fenced-in outdoor beer garden. A rough site plan and photos of the proposed fence are shown on the documentation provided by the applicant and attached to this document as Exhibit A. The use of the property, the building and parking stalls shall not be changed from such use without the modification of this GDP and subsequent approval by the City's Common Council.
5. This GDP is also accepted as the Specific Implementation Plan (SIP) for the property.
6. Signs upon the property shall be allowed pursuant to the Baraboo Sign Ordinance, §17.80, Code of Ordinances.
7. The terms of the GDP / SIP shall be covenants running with the land, and applicable not only to the petitioner, but to any and all subsequent owners as well.

EXHIBIT A



623 Broadway

1393 623

1396 615

1499 1498 1497-1 1497 1494 1496 5195

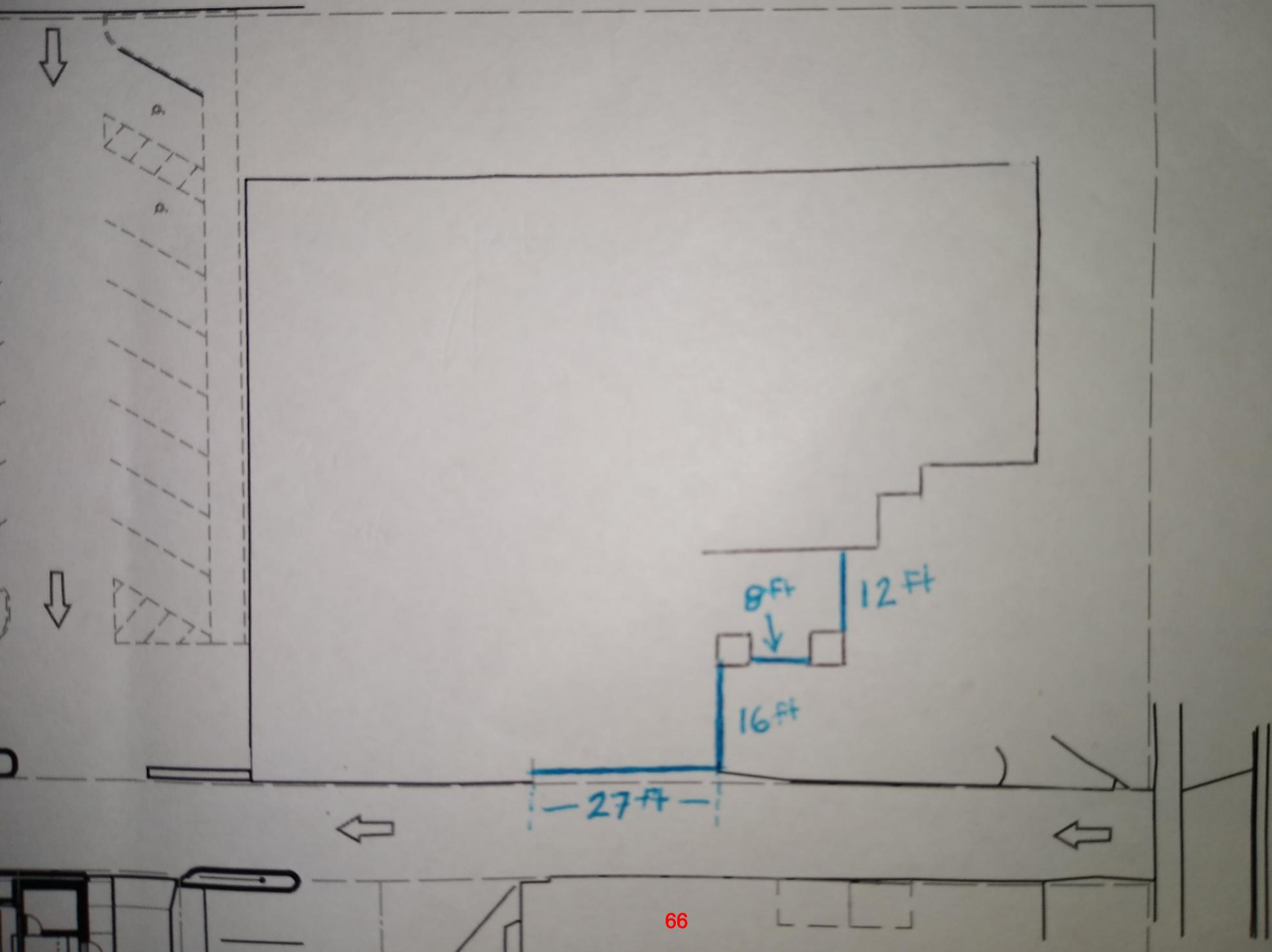
1404 1403 1402 1401

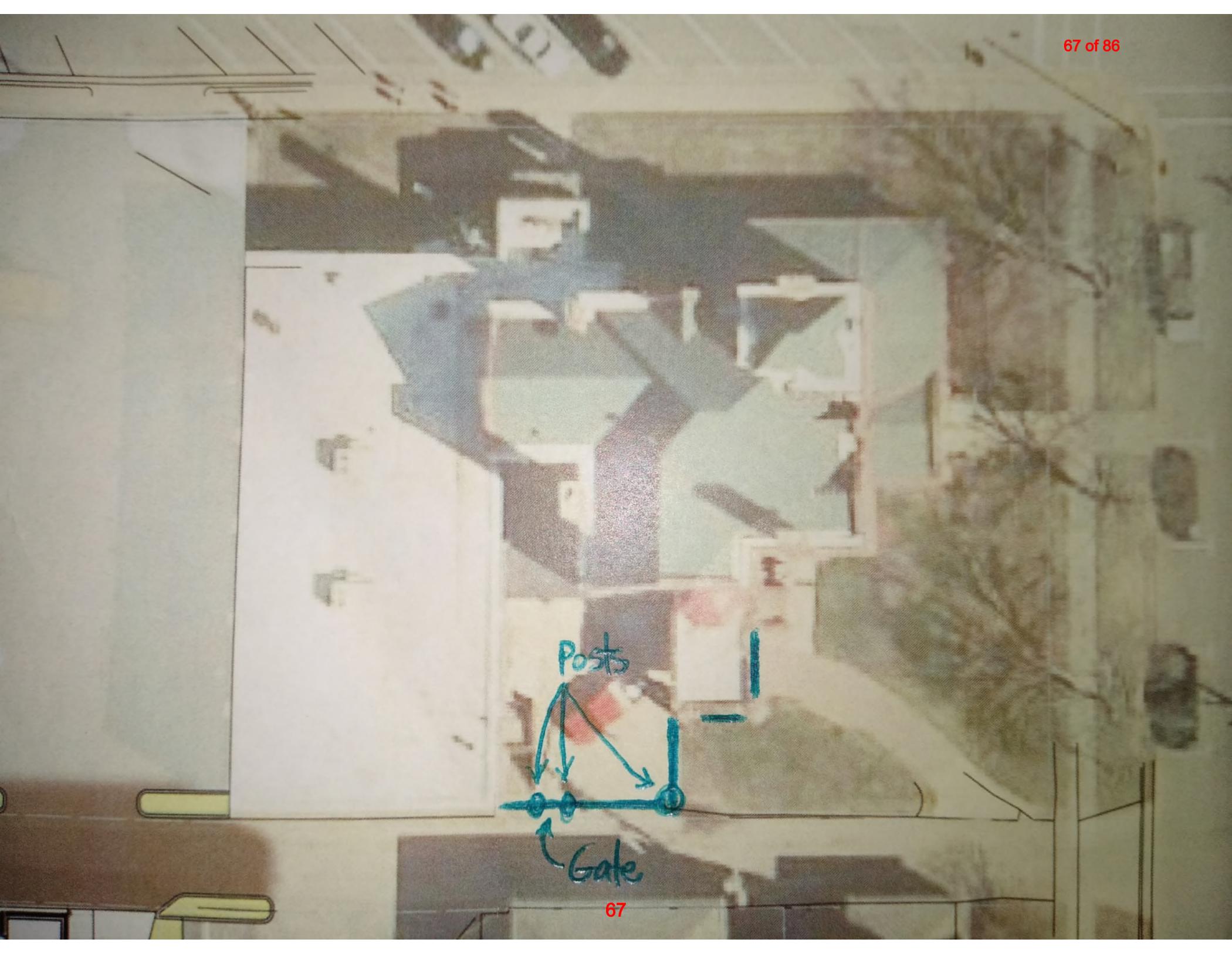
1407 1412 1413 1414 1415 1416 1417 1418 102

1245 1241 1240 1239 1238 1237 1236 1235 1234 1233 1232 1231 1230 1229 1228 1227 1226 1225 1224 1223 1222 1221 1220 1219 1218 1217 1216 1215 1214 1213 1212 1211 1210 1209 1208 1207 1206 1205 1204 1203 1202 1201 1200 1199 1198 1197 1196 1195 1194 1193 1192 1191 1190 1189 1188 1187 1186 1185 1184 1183 1182 1181 1180 1179 1178 1177 1176 1175 1174 1173 1172 1171 1170 1169 1168 1167 1166 1165 1164 1163 1162 1161 1160 1159 1158 1157 1156 1155 1154 1153 1152 1151 1150 1149 1148 1147 1146 1145 1144 1143 1142 1141 1140 1139 1138 1137 1136 1135 1134 1133 1132 1131 1130 1129 1128 1127 1126 1125 1124 1123 1122 1121 1120 1119 1118 1117 1116 1115 1114 1113 1112 1111 1110 1109 1108 1107 1106 1105 1104 1103 1102 1101 1100 1099 1098 1097 1096 1095 1094 1093 1092 1091 1090 1089 1088 1087 1086 1085 1084 1083 1082 1081 1080 1079 1078 1077 1076 1075 1074 1073 1072 1071 1070 1069 1068 1067 1066 1065 1064 1063 1062 1061 1060 1059 1058 1057 1056 1055 1054 1053 1052 1051 1050 1049 1048 1047 1046 1045 1044 1043 1042 1041 1040 1039 1038 1037 1036 1035 1034 1033 1032 1031 1030 1029 1028 1027 1026 1025 1024 1023 1022 1021 1020 1019 1018 1017 1016 1015 1014 1013 1012 1011 1010 1009 1008 1007 1006 1005 1004 1003 1002 1001 1000 999 998 997 996 995 994 993 992 991 990 989 988 987 986 985 984 983 982 981 980 979 978 977 976 975 974 973 972 971 970 969 968 967 966 965 964 963 962 961 960 959 958 957 956 955 954 953 952 951 950 949 948 947 946 945 944 943 942 941 940 939 938 937 936 935 934 933 932 931 930 929 928 927 926 925 924 923 922 921 920 919 918 917 916 915 914 913 912 911 910 909 908 907 906 905 904 903 902 901 900 899 898 897 896 895 894 893 892 891 890 889 888 887 886 885 884 883 882 881 880 879 878 877 876 875 874 873 872 871 870 869 868 867 866 865 864 863 862 861 860 859 858 857 856 855 854 853 852 851 850 849 848 847 846 845 844 843 842 841 840 839 838 837 836 835 834 833 832 831 830 829 828 827 826 825 824 823 822 821 820 819 818 817 816 815 814 813 812 811 810 809 808 807 806 805 804 803 802 801 800 799 798 797 796 795 794 793 792 791 790 789 788 787 786 785 784 783 782 781 780 779 778 777 776 775 774 773 772 771 770 769 768 767 766 765 764 763 762 761 760 759 758 757 756 755 754 753 752 751 750 749 748 747 746 745 744 743 742 741 740 739 738 737 736 735 734 733 732 731 730 729 728 727 726 725 724 723 722 721 720 719 718 717 716 715 714 713 712 711 710 709 708 707 706 705 704 703 702 701 700 699 698 697 696 695 694 693 692 691 690 689 688 687 686 685 684 683 682 681 680 679 678 677 676 675 674 673 672 671 670 669 668 667 666 665 664 663 662 661 660 659 658 657 656 655 654 653 652 651 650 649 648 647 646 645 644 643 642 641 640 639 638 637 636 635 634 633 632 631 630 629 628 627 626 625 624 623 622 621 620 619 618 617 616 615 614 613 612 611 610 609 608 607 606 605 604 603 602 601 600 599 598 597 596 595 594 593 592 591 590 589 588 587 586 585 584 583 582 581 580 579 578 577 576 575 574 573 572 571 570 569 568 567 566 565 564 563 562 561 560 559 558 557 556 555 554 553 552 551 550 549 548 547 546 545 544 543 542 541 540 539 538 537 536 535 534 533 532 531 530 529 528 527 526 525 524 523 522 521 520 519 518 517 516 515 514 513 512 511 510 509 508 507 506 505 504 503 502 501 500 499 498 497 496 495 494 493 492 491 490 489 488 487 486 485 484 483 482 481 480 479 478 477 476 475 474 473 472 471 470 469 468 467 466 465 464 463 462 461 460 459 458 457 456 455 454 453 452 451 450 449 448 447 446 445 444 443 442 441 440 439 438 437 436 435 434 433 432 431 430 429 428 427 426 425 424 423 422 421 420 419 418 417 416 415 414 413 412 411 410 409 408 407 406 405 404 403 402 401 400 399 398 397 396 395 394 393 392 391 390 389 388 387 386 385 384 383 382 381 380 379 378 377 376 375 374 373 372 371 370 369 368 367 366 365 364 363 362 361 360 359 358 357 356 355 354 353 352 351 350 349 348 347 346 345 344 343 342 341 340 339 338 337 336 335 334 333 332 331 330 329 328 327 326 325 324 323 322 321 320 319 318 317 316 315 314 313 312 311 310 309 308 307 306 305 304 303 302 301 300 299 298 297 296 295 294 293 292 291 290 289 288 287 286 285 284 283 282 281 280 279 278 277 276 275 274 273 272 271 270 269 268 267 266 265 264 263 262 261 260 259 258 257 256 255 254 253 252 251 250 249 248 247 246 245 244 243 242 241 240 239 238 237 236 235 234 233 232 231 230 229 228 227 226 225 224 223 222 221 220 219 218 217 216 215 214 213 212 211 210 209 208 207 206 205 204 203 202 201 200 199 198 197 196 195 194 193 192 191 190 189 188 187 186 185 184 183 182 181 180 179 178 177 176 175 174 173 172 171 170 169 168 167 166 165 164 163 162 161 160 159 158 157 156 155 154 153 152 151 150 149 148 147 146 145 144 143 142 141 140 139 138 137 136 135 134 133 132 131 130 129 128 127 126 125 124 123 122 121 120 119 118 117 116 115 114 113 112 111 110 109 108 107 106 105 104 103 102 101 100 99 98 97 96 95 94 93 92 91 90 89 88 87 86 85 84 83 82 81 80 79 78 77 76 75 74 73 72 71 70 69 68 67 66 65 64 63 62 61 60 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44 43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

43.472 -89.744 Degrees

0 100 200ft











Baraboo Fire Department
Monthly Report - May 2020

Incident Responses	May 2020	Year to Date 2019	Totals 2019	Year to Date 2020	Percentage Increase/Decrease
Fire, Other	0	0	0	0	
Building Fire	2	9	12	6	18 Fire 12.68%
Fuel burner/boiler malfunction, fire confined	0	0	0	1	
Fire in Mobile Home used as a Fixed Structure	0	0	0	0	31 Rescue 21.83%
Fire in Structures other than Building	0	0	0	0	5 Haz Mat 3.52%
Cooking Fire	1	3	8	2	30 Alarm 21.13%
Chimney Fire	0	0	0	0	43 Other 30.28%
Vehicle Fire	0	3	8	3	5 Mutual Aid 3.52%
Wildland Fire	2	3	5	3	
Trash or Rubbish Fire Contained	0	0	0	0	
Outside Rubbish, Trash or Waste Fire	0	0	0	0	33 Fire 8.97%
Dumpster or other Trash Receptacle Fire	0	0	0	0	108 Rescue 29.35%
Outside Storage Fire	0	0	0	0	21 Haz Mat 5.71%
Outside Equipment Fire	0	0	0	2	
Outside Gas or Vapor Combustion Explosion	0	0	0	0	
Overpressure rupture of steam boiler	1	0	0	1	62 Alarm 16.85%
Medical Assist	6	6	35	12	131 Other 35.60%
Vehicle Crash	5	22	55	16	13 Mutual Aid 3.53%
Motor vehicle/pedestrian crash	0	1	1	1	
Search for Person on Land	0	0	1	0	
Extrication of Victim(s) from Building/Structure	0	0	0	1	
Extrication from Vehicles	0	2	7	0	
Extrication, Other	0	0	0	0	
Elevator Rescue	0	0	3	1	
Water/Ice Rescue	0	0	3	0	
High Angle Rescue	0	0	3	0	
Hazardous Material	1	3	16	3	
Carbon Monoxide Incident	0	3	5	2	
Hazardous Call, Other	2	7	24	4	
Vehicle Accident - General Cleanup	0	6	10	2	
Animal Rescue	0	0	0	0	
Water Problem, Other	0	1	1	0	
Smoke or Odor Removal	0	2	2	1	
Sevice Call, Other	0	3	3	0	
Lock-out	0	0	0	0	
Assist Police	3	8	14	5	
Public Service	0	6	8	0	
Unauthorized Burning	0	3	4	8	
Authorized Burning	0	2	4	1	
Good Intent Call	0	10	23	0	
Dispatched/Cancelled	3	14	35	15	
HazMat release investigation w/no HazMat	1	0	0	5	
No Incident found on arrival at dispatch address	1	0	0	4	
Wrong Location	0	0	0	0	
Smoke Scare, Odor of Smoke	1	0	1	2	
Steam, Vapor, Fog or Dust thought to be Smoke	0	0	0	1	
Malicious Alarm	0	2	2	0	
Bomb Threat	0	0	0	0	
Alarm	8	21	42	18	
Carbon Monoxide Alarm	2	8	18	12	
Lightning Strike	0	2	2	0	
Severe Weather Standby	0	0	0	0	
Mutual Aid - City	0	6	9	3	
Mutual Aid - Rural	0	1	4	2	
Automatic Mutual Aid	1	0	0	1	
Mutual Aid Bx Alarms System (MABAS)	0	0	0	4	
Totals	40	157	368	142	-9.55%

Fire Department Membership

Total Members	35
Military Leave	1
Net Members	34

-9.55%
Exposure Fires
Total Incidents

Incident Responses by Municipality	Total Incidents	Percent		
City of Baraboo	26	65.00%	90	63.38%
Village of West Baraboo	8	20.00%	16	11.27%
Town of Baraboo	2	5.00%	12	8.45%
Town of Fairfield	0	0.00%	5	3.52%
Town of Greenfield	2	5.00%	8	5.63%
Town of Sumpter	1	2.50%	1	0.70%
Mutual Aid - City	0	0.00%	3	2.11%
Mutual Aid - Rural	0	0.00%	2	1.41%
Automatic Mutual Aid	1	2.50%	1	0.70%
Mutual Aid Bx Alarms System (MABAS)	0	0.00%	4	2.82%
Totals	40	100.00%	142	100.00%

TREASURER'S INVESTMENT TRANSACTION REPORT for May 2020

		Average Rate of Return on Current Deposits:			Benchmarks:	
		Avg Term				
Total Receipts:	363,062.16	General Funds:	7.0 M	1.08%	LGIP	0.20%
		Utility Funds:	13.5 M	1.13%	90-day T-bill:	0.15%
Total Disbursements:	968,084.39	Segregated Funds:	22.6 M	1.73%		
		Securities w/Dana	3.76 years	1.94%	6M CD:	0.47%
		All Funds:	11.9 M	1.22%	12M CD:	0.70%
					18M CD:	0.70%
*** BANK RATINGS were REVIEWED		Liquid:	59%			
		Term:	41%			

Policy Objectives:

- Safety: • \$3,125,000 has been invested in marketable securities with Dana Investments, these are not guaranteed.
- Liquidity: • Liquidity is rising as CD rates are not very strong.
- Yield: • All rates are holding fairly low while we get through the pandemic.
- Bank ratings: • Bank rating changes: Baraboo State Bank and BMO Harris went up to 5 star and Investor's Community Bank went down to 4 star.

TRANSACTIONS

#	Action	Type	Identification	Bank	Acct #	Note	Term	Maturity Date	Rate	Amount	Interest
(1)	CLOSE	CD	Park Impact	CCF		173747	12 mos	5/2/2020	1.30%	40,000.00	Reinvested
	Comments: Closed for budgeted projects										
(2)	Reinvest	CD	Sewer Utility	CLARE		1373100	14 mos	5/15/2020	2.30%	247,234.00	Reinvested
						1409700	8 mos	1/15/2021	1.00%	253,936.00	Reinvested
	Comments:										
(3)	Reinvest	CD	Sewer Equipment	CFB		1804398	9 mos	5/19/2020	2.05%	166,322.00	Reinvested
				WCCU		54962-109	12 mos	5/19/2021	1.00%	168,881.95	Reinvested
	Comments:										
(4)	Reinvest	CD	Library Seg	WCCU		54962-105	13 mos	5/23/2020	2.53%	225,000.00	Reinvested
							12 mos	5/23/2021	1.00%	231,224.00	Reinvested
	Comments:										
(5)	CLOSE	CD	General Fund	CFB		1804491	9 mos	5/28/2020	2.05%	125,000.00	Reinvested
	Comments:										

INVESTMENT ADVISOR TRANSACTIONS

#	Action	Type	Identification	Price	Rating	Note	Term/WAL	Maturity Date	Yield to Worst Yield - Maturity	Amount	Interest
NONE											
Comments:											

Members Present: Petty, Sloan, Kent

Absent:

Others Present: Mayor Palm, Adm. Downing, Atty. Truman, B. Zeman, M. Schauf, P. Cannon, M. Hardy, C. Haggard, T. Pinion

Call to Order –Ald. Petty called the meeting to order at 6:15p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Kent to approve the minutes of May 26, 2020 and carried unanimously. Moved by Sloan, seconded by Kent to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan, seconded by Kent to recommend to Council for approval of the accounts payable for **\$623,009.53**. Motion carried unanimously.

- b) **Swimming Pool** – M. Hardy advised the Committee that the Parks Commission reaffirmed their decision to keep the pool closed for this summer. According to Finance Director C. Haggard, the pool would have about \$30,000 available because the pool is not opening. The Parks Commission is requesting to use these funds to address some capital improvements. Ald. Kent questioned how they would prioritize the use of this money. M. Hardy explained that the Parks Commission will review the improvements list from the Pool Feasibility Study. Obviously the funding will not cover the complaint of accessibility into the main pool; however, one of the other big complaints is the locker rooms and there are a number of issues with the locker rooms including the flooring, pooling of the shower water, no ventilation, etc. that could be looked at with these available funds. Another thing they might look at is expanding the deck. Due to our limited deck space, it did not allow for social distancing. Ald. Kent questioned if painting the pool will still be considered. M. Hardy noted that this is still on the list for the Commission to review and with the pool closed, this would allow for ample time for the paint to dry. The only downside to this is that citizens are expecting more repairs to the pool, not maintenance. Ald. Kent feels it would be more fiscally responsible to use this extra money for the painting this year and not have to budget for this next year. Other improvements can be done over the winter months and not interfere with the opening of the pool. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.

- c) **Patek Hospitality Hotel Study** – P. Cannon explained that the City has been approached by two different Midwest chain hotels to look at Baraboo for a potential site for a new hotel. The Hotel Study is something that will be required. P. Cannon confirms that the City will own the study and therefore both hotels would use the same study. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.

- d) **Council In-Person Meetings** – Adm. Downing noted that the Council voted to continue virtual meetings for 60 days. The City feels they have a good handle on being able to manage in person meetings and is requesting this be rescinded effective June 10, 2020. Moved by Sloan, seconded by Kent to recommend to Council for approval. Motion carried unanimously.

Information Items – None.

Adjournment – Moved by Sloan, seconded by Kent and carried to adjourn at 6:35pm.
Brenda Zeman, City Clerk



BID Business Development Meeting Minutes

Date: 6-3-2020

Location: City Hall, Room 205

Members in Attendance: N. Marklein Bacher, T. Sloan, K Downing, S. Sloan, S. Fay, M. Yount

Presentation: Lacey Steffes of Impact Marketing

The meeting was called to order at 12:30pm and noted compliance with the open meeting law

A motion to amend the minutes to eliminate Heather Kierzek from the attendance recipient's list and add Mike Yount and Scott Sloan was made and approved

A motion was made by S. Sloan, seconded by Fay and unanimously carried to adopt the agenda

Discussion:

Topic: Action regarding programming and other support measures for BID members and possible actions regarding other committee initiatives

Discussion: The discussion was led by Marklein Bacher in regards to how to support our BID members during the pandemic. Ideas presented were contacting Carla Minski from **Armadillo Marketing** for ideas on how to effectively market our area. Messaging has changed from the mindset "hooray we are open"! to "shop safe and secure" a softer and subtle approach.

Presentation:

A presentation by Lacey Steffes of **Impact Marketing** guided us on workshops we could present to our BID members. Suggested ones were social media marketing, seminars geared towards the service industry and a presentation by Ed White. Store staging was also discussed. Impact Marketing will submit a proposal to have Lacey coordinate the classes. Ed White would be contacted by a BID board member

Findings: Another meeting will be scheduled when the proposal from Impact Marketing is received

A motion to adjourn was made by S. Sloan and seconded by Fay at 1:07pm

Minutes Submitted by:

Sarah Fay

BID President

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID) Promotions/Personnel Committee Meeting

June 9, 2020 Members Present: T. Wickus, B. Stelling, S. Fay

Member Absent: S. Brunker

Call to Order: Chairman Wickus presided over the meeting, called it to order at 9:00 A.M., and noted compliance with the Open Meeting Law.

Minutes: Moved by, Stelling seconded by Fay, and unanimously carried to approve the minutes of the February 21, 2020 meeting.

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

Old Business: None

New Business: Moved by, Fay seconded by Stelling and unanimously carried to approve a social media campaign proposal from Impact Marketing consisting of 2-3 photos and content creation including bi-weekly Facebook Live videos for the Farmer's Market for 20 weeks at \$100.00 a week, total investment \$2,000.00

Adjournment: Moved by Stelling, seconded by Fay and unanimously carried to adjourn at 9:39 A.M.
Respectfully submitted, Todd Wickus Promotions Chairperson

Baraboo BID Meeting Minutes
6/17/20

Present:

Members: Sloan, S., Marklein, Fay, Brunker, McDaniel, Wickus, Stelling

Others: Kennie Downing, Andrew Adams

Absent: Sloan, T., Yount

President Fay called the meeting to order at 5:41 p.m.

Approval of May 2020 minutes: Wickus/McDaniel

Adoption of Agenda: Wickus/McDaniel

President: None
 Secretary: None
 Treasurer: None
 Appearances: Working on hanging baskets; Supply of dog waste bags have been refilled
 Business Development: Hosting a series of development programs; The first was held on 6/11/20
 Finance: None
 Parking: Weeds have been sprayed
 Promotions: Reviewed proposal for promoting Farmer's Market and opted not to accept proposal, but contracted for social media posts

Old Business

None

New Business

1. Approval of vouchers:
 - a. Lorraine Ortner-Blake \$218.90
Banner design (Promotions)
 - b. Stampers Greenhouse \$2,160
Baskets (Appearances)
 - c. Amy Schertz \$686.23
Summer Planters (Appearances)
 - d. Fed Moh \$507.75

	Farmer's Market (Promotions)	
e.	DBI	\$105.94
	Face masks for Farmer's Market (Promotions)	
f.	Williams Lawn Care, LLC	\$675
	Weeds (Parking)	
g.	Dog Waste Depot	\$50.80
	Bags (Appearances)	
		<hr/>
		\$4,404.62

Approved: Wickus/McDaniel

2. Reviewed BID financials and coding report
3. Discussed reimbursement for city administration fees. BID will provide suggestions for language and City Administrator Downie will bring a draft agreement.
4. Approved transfer of \$900 from reserves to Business Development. S. Sloan/McDaniel
5. Discussed BID Facebook page
6. Reviewed BID subcommittee information.
7. Tabled election of Secretary until next month.

Motion to adjourn 6:41 p.m. by Wickus/McDaniel.

Respectfully Submitted,
Nicole Marklein
Secretary

Board of Review**Council Chambers****June 3, 2020**

Present: Mayor Palm, T. Kolb, P. Wedekind, J. Kent, B. Zeman

Absent:

Also Present: Michael Weymier of Tyler Technologies, Atty. Truman, J. Atkinson, K. Downing

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

Select Chairperson:

Moved by Wedekind, seconded by Kolb that Mayor Palm be nominated as Chairperson. The Mayor called for other nominations and none were offered. Motion by Kent, seconded by Kolb to close nominations and appoint Mayor Palm as Chairperson. Motion carried unanimously.

Select Vice Chairperson:

Moved by Palm, seconded by Kolb that Phil Wedekind be nominated as Vice Chairperson. The Mayor called for other nominations and none were offered. Motion by Kent, seconded by Kolb to close nominations and appoint Phil Wedekind as Vice Chair. Motion carried unanimously.

Mandatory training:

The following members have met the mandatory training as follows: Palm and Kent on 05-07-2020, Zeman on 03-12-2020, and Atkinson on 04-11-2019.

Procedures of Operation

Mayor Palm reviewed the procedures for the Board. The Assessment Roll was open for public inspection on May 22, 2020 in the Clerk's and Assessor's Office and on the City of Baraboo's website. Open Book was held on May 22, 2020 by appointment at the Assessor's office. Notice of the Board of Review was posted at the Municipal Building, on the City of Baraboo's website, and published at least 15 days prior to the June 3rd meeting.

Objections Filed

Two cases had been filed prior to the statutory deadline and two cases had given notice within two hrs of the deadline. Three of these four cases have withdrawn their objection and no longer wish to appear at Board of Review.

Due to the fact that the Assessment Roll is not complete at this time, a Motion by Kolb, seconded by Wedekind to adjourn until Friday, June 5, 2020 at 1:00pm. Motion carried unanimously.

Respectfully submitted,

Brenda Zeman, City Clerk
Submitted for payroll 6-8-2020

Minutes of the Public Safety Committee Meeting – June 8, 2020

Members Present: Phil Wedekind and Tom Kolb, and Mike Plautz. **Others Present:** Kennie Downing, Mike Palm, Mark Schauf, Kevin Stieve, Emily Truman, Tom Pinion, Wade Peterson, Tony Gilman, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. It was moved by Kolb, seconded by Plautz to approve the agenda as posted. Motion carried unanimously. It was moved by Kolb, seconded by Plautz to approve the minutes of the April 13, 2020 meeting. Motion carried unanimously.

New Business

- a. Discussion and possible recommendation to Common Council to adopt an Ordinance prohibiting vaping in all locations where smoking is currently prohibited in the City of Baraboo – Mayor Palm said earlier this year there was an initiative that was put on by SSM Health talking about vaping and what it is doing to our youth in particular. He said it was talking about the idea of adjoining municipalities taking a stronger position on vaping than perhaps the City was, yet smoking is not allowed in any City parks or City buildings. He said the question that came up, as part of the symposium was if the City would consider prohibiting vaping in any circumstance that smoking would be prohibited. He said that both smoking and vaping are a delivery system for nicotine. He did say that this is harder to police because the vapor is gone. Chief Schauf he has worked with the City Attorney to try to put language in the ordinance that would make it a little easier to police. He said that it is very difficult for the department in a municipal ordinance violation to be able to regulate this as tight as traditional smoking. He said that there is not the smell with vaping. It was moved by Kolb, seconded by Plautz to send the draft Ordinance to the Council with a positive recommendation. Motion carried unanimously.
- b. Consider Proposed Amendment to existing License Agreement with US Cellular for the CTH A Water Tower Site – Peterson presented background to Committee. He said US is looking to upgrade equipment on the tower. He said they have a structural plan of what they have proposed, and the City has had a third party structural team look at the proposal. He said that an agreement has been made with changes to the language and a small monetary increase to the annual monies received from them. It was moved by Kolb, seconded by Plautz to approve the proposed amendment to the License Agreement with U.S. Cellular for the CTH A Water Tower Site. Motion carried unanimously.
- c. Review and recommend approval of the WWTP's 2019 Compliance Maintenance Annual Report – Peterson said as usual the Department received many great grades; however, this year a C was received in bio solids. He praised his employees for a great job done. It was moved by Plautz, seconded by Kolb to approve the WWTP's 2019 Compliance maintenance Annual Report as presented. Motion carried unanimously.
- d. Consider including new Street Lights as part of the WDOT's STH 33 (8th St/Ave) Reconstruction Project – Pinion said STH 33 is slated to be reconstructed in 2024. He said they are 30% in the planning design, and now is the time for input as to whether the City would like to put in new streetlights as part of this project. He said there are several options, try to match the lights on South Blvd., the type Alliant puts in which are wood poles and their fixtures and the City would rent them, or we could put up City owned lights. He said that the only City owned lights currently are the downtown historic lights, the red light posts on the former Highway 12 from the Baraboo River Bridge, south to Menards, and South Blvd. He said the poles on South Blvd. and former Highway 12 are poles that are more decorative. He said if the City went with the standard DOT, aluminum poles with the trombone arms and LED fixtures, the State would split the cost 50/50. He said the preliminary cost estimate is \$600,000. Pinion said if the City would prefer decorative lighting, similar to the lights on South Blvd., the DOT would only contribute 50% of what standard street lights cost and the City would be responsible for the balance. He said that Alliant only offers two types of poles, wood or concrete. Pinion said the difference comes down to financing. He said if the City is interested in a bit more curb appeal, especially on that corridor, he feels that the aluminum poles are a lot better than the wood or concrete poles that Alliant offers. Kolb asked if the cable would be underground. Pinion said it would be the City-owned cable connecting these streetlights. He said he could not guarantee that adding new streetlights would force those existing overhead utilities underground. Plautz moved, Kolb seconded to proceed with the DOT standard aluminum poles with LED lights included in the STH 33 reconstruction project. Motion carried unanimously.
- e. STH 33 Preliminary Resolution Declaring Intent to Levy Special Assessments for Sanitary Sewer Lateral Replacement in the right-of-way as part of the WDOT's STH 33 Reconstruction Project – Pinion said this is part of the STH 33 Reconstruction Project to avoid having to dig up the road in the near future after construction. He said the City is considering lining some sections of sewer and replacing others. He said that the laterals are the property owners responsibility and normally would not replace those, and if they were replaced the cost would be assessed to the owner. He

said what is being considered since the contractor will be there and the road would be removed, it is the opportune time, both economically and physically to replace the laterals within the right-of-way to help preserve the integrity of the roadway. He said that the work needs to be confined to the right-o-way to avoid incurring another \$300,000 to \$400,000 in real estate costs. He said the City would give people two to three years notice that the expense is coming and provide an estimate of what it will cost and let them plan for that, but we would like to include that as part of the DOT project. He said that Peterson has some costs that he put together preliminary from a recent project elsewhere in Wisconsin that did the same thing. Peterson said that Stoddard just started a DOT project and their numbers for sanitary sewer lateral replacement was approximately \$1200 per property. He said that he checked with West Baraboo, they had a water main break by Culver's a month ago, and that repair was \$17,000. Therefore, if we do not do this and an owner's lateral would fail, they could easily be looking at a \$10,000 bill to do their repair. Kolb as the age of the laterals, Peterson said that 75% of them are 80 years plus. Kolb moved, Plautz seconded to move forward with the STH 33 Preliminary Resolution Declaring Intent to Levy Special Assessments for Sanitary Sewer Lateral Replacement in the right-of-way as part of the WDOT's STH 33 Reconstruction Project. Motion carried unanimously.

- f. Review and approval of monthly Billing Adjustment/Credits for Sewer and Water Customers for April and May 2020 – Peterson presented the Adjustments/Credits. Kolb moved, Plautz seconded to approve the monthly Billing Adjustment/Credits for Sewer and Water Customers for April and May 2020 as presented. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report
- i. Staffing updates – Peterson said that the billing technician position has been filled and the new person starts next week. He said that Bill Clary joined us to fill the water position. He came over from the Village of West Baraboo.
 - ii. Project updates – Peterson said that the river project ran into some issues, but now is complete, except for some landscaping. He said the Oak Street Booster Station has started; however, some of the electrical equipment has been delayed due to COVID19. He said the department is continuing to do a few smaller lead services. He said Mound Street would soak up the remainder of the funds available. He said there is a rumor that will be some more funds available in 2021 and he will apply with the State this fall. He said that sewer jetting is going very well. He said the contractor for slip-lining sewers has already been here and completed their project. He said that about 2,500' of sewer mains were slip-lined in the Victory Heights subdivision. Peterson said bio solids spreading went great. He said the department is down on water production due to Covid-19. LSC Communications has filed for Chapter 11 and has not paid their first quarter bill (roughly \$90,000). He said there is also one larger apartment complex that has not paid their first quarter bill. He said that PSC has suspended all late fees and disconnections due to COVID19; therefore, year-to-date the Utility is down \$28,343,000 gallons or 12% in water production. He has seen LSC usage start to increase.
- b. Street Superintendent's Report
- i. Staffing updates – No new staffing to report.
 - ii. Equipment Updates - Gilman said that the Air Curtin Destructor was sold to a contractor up in St. Germain area for \$35,500.
 - iii. Monthly Report on Public Works Department activities – Gilman said that the activities report in the packet and he does not want to be redundant.
 - iv. Project updates – Gilman said the department has some intersection work coming up on Elizabeth and 10th will be replaced, some repairs on 8th Street will be done, 2nd Avenue and Morre, and Russell and Badger.
- c. Police Chief's Report
- i. Staffing Updates – Schauf said that there is one officer in field training, coming from the Sun Prairie area. He said there are two vacancies, one investigator, and one patrol position. He said that with school being out the department was able to use the school resource officers in patrol positions. He said the Department is currently running a hiring process.

- ii. Case/Response Update – Schauf said that the department is seeing an increase in mental case investigations and committals. Schauf said that the department continues to do all their COVID responses, as far as sanitizing cars, social distancing, and officers are still taking their temperatures before the start of their shift, and staying healthy. He said three members of the Department participated with the Sauk County Emergency Response Team in Madison. He said those officers had specialized federal training in crowd control.
- d. Fire Chief's Report
- i. Update on Implementation of Fire Department Operations Study Recommendations – Stieve said that during the COVID19 some policies and procedures were released. He said that an agenda item on the Council is one of those recommendations as far as working with EMS.
 - ii. Update on proposed Fire Department Remodeling project – He said he is working with some architects to get some plans in place.
 - iii. Staffing Updates – Stieve said there was one resignation at the end of May due to moving out of the area. He said the department has to do heavy duty recruiting through this special time we are in. He said that they resumed their training face-to-face last Monday night. He said they try to social distance; however, sometimes it does not work out that way.

AJOURNMENT – It was moved by Kolb, seconded by Plautz to adjourn at 1:45 p.m. Motion carried.

Respectfully submitted,

Phil Wedekind, Chairman

Present: Alderpersons John Ellington, Heather Kierzek & Kathleen Thurow
Absent: None
Also Present: Mayor Palm, Finance Director, Cynthia Haggard; Police Chief, Mark Schauf (by phone); Police Lieutenant La Broschian; and City Clerk, Brenda Zeman.
Citizen Present: None

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.

Upon the approval from the Committee, the minutes of June 1, 2020 were postponed to the July 6, 2020 meeting.

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

Consider the 2020/2021 Liquor License Applications and recommendation to the Council

Class “A” Fermented Malt Beverage for establishments doing business as: Casey’s General Store and Las Milpas

Motion to approve and move to council the Class “A” Fermented Malt Beverage by Kierzek, seconded by Thurow and unanimously carried.

Class “B” Fermented Malt Beverage for establishments doing business as: Driftless Glen Distillery, Jose’s Mexican Bakery and Sauk County Agricultural Society.

Motion to approve and move to council the Class “B” Fermented Malt Beverage by Thurow, seconded by Kierzek and unanimously carried.

Class “A” Off Premise Liquor Consumption/on Premise Wine Samples for establishment doing business as: Bekah Kate’s.

Motion to approve and move to council the Class “A” Off Premise Liquor Consumption/on Premise Wine Samples by Kierzek, seconded by Thurow and unanimously carried.

“Class A” Combo Liquor and Fermented Malt Beverage for establishments doing business as: Barabrew Liquor, Pierce’s Express Market, Get N Go, Kwik Trip #657, Kwik Trip #855, Turner BP, United Cooperative and Wal-Mart.

Motion to approve and move to council the “Class A” Combo Liquor and Fermented Malt Beverage by Thurow, seconded by Kierzek and unanimously carried.

“Class B” Fermented Malt Beverage and “Class C” Wine for establishments doing business as: Al Ringling theatre, Four Star Family Restaurant, Broadway Diner, Ringling House and the Log Cabin Restaurant and Bakery.

Motion to approve and move to council the “Class B” Fermented Malt Beverage and “Class C” Wine by Kierzek, seconded by Thurow and unanimously carried.

“Class B” Combination Liquor and Fermented Malt Beverage for establishments doing business as: Baraboo Arts, Baraboo Elks Club, Baraboo Burger Company, Downtowner Bar & Grill, Bumps Bar, Four Seasons Restaurant, Brothers on Oak, Jose’s Authentic Mexican Restaurant, Old Baraboo Inn, Peking Buffet, Poor Richards Bar, Quindt’s Towne Lounge Restaurant & Eating House, Gem City Saloon, Square Tavern, Thunderbird Lanes, Little Village Café and Zach’s Bar.

Motion to approve and move to council the “Class B” Combination Liquor and Fermented Malt Beverage by Thurow, seconded by Kierzek and unanimously carried.

“Class B” Reserve Combination Liquor and Fermented Malt Beverage for establishments doing business as: Al Ringling Brewing Co., and Con Amici.

Motion to approve and move to council the “Class B” Reserve Combination Liquor and Fermented Malt Beverage by Kierzek, seconded by Thurow and unanimously carried.

"Class B" Wine Only for establishment doing business as: Von Klaus Tasting Haus.

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Motion to approve and move to council the "Class B" Wine Only by Thurow, seconded by Kierzek and unanimously carried.

"Class B" Wine Only and Class "B" Fermented Malt Beverage for establishment doing business as: Balanced Rock Winery.

Motion to approve and move to council the "Class B" Wine Only and Class "B" Fermented Malt Beverage by Kierzek, seconded by Thurow and unanimously carried.

Class "C" Wine for establishment doing business as: Bekah Kate's.

Motion to approve and move to council the Class "C" Wine by Kierzek, seconded by Thurow and unanimously carried.

Member comments

The next meeting will be Monday, July 6, 2020 at 8:00AM CST. Meeting location will be 101 South Boulevard.

Motion to adjourn by Thurow, seconded by Kierzek and unanimously carried. Meeting adjourned at 8:14AM CST.

Respectfully submitted,
Cynthia Haggard, Finance Director