

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, January 12, 2021 – 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. Bradley, T. Pinion, M. Hardy, members of the press and others.

The Pledge of Allegiance was given.

Moved by Sloan, seconded by Ellington and carried to approve the minutes of December 22, 2020.

Moved by Petty, seconded by Kolb and carried to approve the amended agenda noting that Dennis Thurow's term of Alderperson for April 1, 1974 – April 1, 1977 was for District 6.

**Compliance with the Open Meeting Law was noted.**

**PRESENTATIONS** – None.

**PUBLIC HEARINGS** – None.

**PUBLIC INVITED TO SPEAK** – No one spoke.

**MAYOR'S BUSINESS**

- The Mayor recognized Dennis Thurow for his years serving as the Mayor of the City of Baraboo, April 1, 1988 – April 1, 1992 and for his terms as Alderperson for District 6, April 1, 1974 – April 1, 1977 and Alderperson for District 9, April 20, 2010 until his resignation in April of 2020.
- The quickest and easiest way to see the COVID-19 data affecting Sauk County is by visiting this website: <https://coviddata-saukpublichealth.hub.arcgis.com/>

**CONSENT AGENDA**

**Resolution No. 20-153**

THAT the Accounts Payable, in the amount of \$ 6,504,602.90 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

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

**NEW BUSINESS - RESOLUTIONS**

**Resolution No. 20-154**

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

WHEREAS, the City of Baraboo recognizes the need to identify alternative sources of revenue to assist in replacing aging infrastructure and making improvements to City parks and playgrounds and agrees to an agreement with the newly formed 501c3 registered organization Friends of Baraboo Parks to identify needs and partner in fundraising for the improvement and expansion of local parks.

NOW, THEREFORE, BE IT RESOLVED, the City of Baraboo approves the Agreement between the City of Baraboo and Friends of Baraboo Parks as recommended by the Parks and Recreation Commission.

Moved by Thurow, seconded by Sloan and carried that **Resolution No. 20-154** be approved-9

ayes.

**Resolution No. 20-155**

**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 Abey Nova 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 Abey Nova 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 Sloan, seconded by Kent and carried that **Resolution No. 20-155** be approved-9 ayes.

**Resolution No. 20-156**

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

THAT the City's Employee COVID-19 Policy be amended as provided for in the attached Policy and that the Policy be reviewed again by the Common Council by the expiration date of March 31, 2021.

Moved by Petty, seconded by Wedekind and carried that **Resolution No. 20-156** be approved-9 ayes.

**Resolution No. 20-157**

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

That the City Administrator or his designee is directed to enter into final negotiations with L & L Equities, LLC for the sale of a 2.1 acre vacant lot located on Lake Street ("Property") from the City to L & L Equities, LLC for a sale price of \$ 10,000; and

That the City Attorney is directed to draft and have executed all necessary legal documents for the sale of the Property to L & L Equities, LLC contingent upon the City Attorney receiving direction from the City Administrator to do so.

Moved by Thurow, seconded by Kolb and carried that **Resolution No. 20-157** be approved-9 ayes.

**ADMINISTRATOR AND COUNCIL COMMENTS**

Adm. Bradley reminded the public that City Offices will be closed on Monday, January 18<sup>th</sup>, 2021 in observance of Martin Luther King Jr. Day.

**REPORTS, PETITIONS, AND CORRESPONDENCE**

The City officially acknowledges receipt and distribution of the following:

- **Reports:**
  - Airport Financials
  - Building Inspection
  
- **Minutes from the Following Meetings:**

**Finance/Personnel Committee–Dennis Thurow Committee Room, #205**

**December 22, 2020**

**Members Present:** Petty, Sloan, Kent

**Absent:**

**Others Present:** Mayor Palm, Adm. Bradley, C. Haggard, P. Cannon, K. Stieve, 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 Kent, seconded by Sloan to approve the minutes of December 8, 2020. Motion 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 **\$1,137,259.99**. Motion carried unanimously.
- b) **Streetlight System Charge** – C. Haggard noted that this annual charge is based on a 12-month look back of actual expenditures. Moved by Sloan, seconded by Kent to recommend the 2021 Streetlight System Charge to Council for action. Motion carried unanimously.
- c) **CDA Loan Application** – P. Cannon explained that they would like to replace 2 elevators. By using the State Trust Funds, they would be able to do a revenue based obligation which would not affect the City's GO limits. Because you only pay once a year, there would not be a debt service payment until March of 2022. The State Trust Funds is a fairly easy process, we don't have to go out for bids and the rates are a little higher. Moved by Sloan, seconded by Kent to recommend to Council authorizing the Community Development Authority to submit a loan application to the State Trust Fund Loan Program. Motion carried unanimously.
- d) **Rapid River Apartments, LLC** – T. Pinion explained that there are increased costs due to unforeseen soil conditions. As they change the size, orientation, and location of the building they encountered some additional soils. We are proposing an additional \$75,000, the developer carries the other \$300,000 increasing the development incentive from \$1.7 to \$2M. The estimated construction cost was originally \$8.5 and with a \$300,000 increase it brings the total to \$8.8. The cumulative total of paygo went from \$1.7M to \$2M. The percentage was 20% based on \$8.5 but because we are reimbursing all of the soil related costs, the percentage goes up slightly to 22.73%. The guaranteed assessed value was \$5M is now a minimum guarantee of \$6.1M. Based on an estimated mill rate, we are looking at paying them just shy of 90% of their tax payment back. The estimated duration of the incentive was originally about 14 years but with the additional \$300,000 it stretches it to about 16 years. The \$75,000 will come from TID 6. Moved by Sloan, seconded by Kent to recommend to Council amending the Development Agreement with Rapid River Apartments, LLC for 325 Lynn Street. Motion carried unanimously.
- e) **COVID-19 Revenue Funds** – K. Stieve noted that earlier this year, there was an approved agreement with BDAS to split the COVID-19 testing revenues that we receive from the County. From these revenues, any related expenses for the COVID-19 testing will be covered before any other expenditures. K. Stieve is requesting to use the remaining funds to purchase some equipment, CPR training aids, AED trainers, replace fire hose, and some other smaller equipment to assist with other operational features of the Fire Department. Moved by Sloan, seconded by Kent to recommend to Common Council authorizing the Fire Chief to expend COVID-19 testing revenue funds. Motion carried unanimously.
- f) **Vacant Lot Replacement** – T. Pinion explained that this property was originally purchased by Driftless Glen Distillery for the purchase of constructing a warehouse or pole shed. It has since been determined that the site is not suitable for building on and they would like the City to repurchase this property for the original sale price less any costs we've incurred. Driftless Glen Distillery has agreed to the net price in terms of the repurchase. Moved by Sloan, seconded by Kent to recommend to Council the repurchase of the 2.1-acre vacant lot located on Lake Street. Motion carried unanimously.

#### **Information Items**

Finance Dept. –

- 3<sup>rd</sup> Qtr. Baraboo Transit Service Financial Statements

**Adjournment** – Moved by Sloan, seconded by Kent and carried to adjourn.

#### **Baraboo BID Meeting Minutes**

11/18/2020

Present: Members: B. McDaniel, T. Sloan, S. Fay, T. Wickus, A. Adams, B. Stelling, S. Ramsey, Bruncker

Absent: Members: S. Sloan, M. Yount

President Fay called the meeting to order at 5:45 PM

Approval of October 2020 minutes: S Ramsey Bruncker/B. McDaniel, carried

Adoption of Agenda: T. Wickus/B. McDaniel, carried

President:

None

Secretary: None  
Treasurer: Will need to discuss bill, the first agenda item under new business  
Appearances: Boy scouts installing decorations; Need to discuss compensation for M. MacArthur for work on sleigh, to be donated to arts  
Business Development: Maximizing Impact session, 11 attendees, final session of the year  
Finance: None  
Parking: None  
Promotions: Contract with Impact Media being fulfilled; advertisements are going out;

Old Business:

- None

New Business:

- Discuss/Motion to approve a bill from Impact Marketing
  - Contract was to receive \$200 per meeting or 25% of the amount charged by the presenters
  - Original intent was to pay \$200 per meeting
  - Under one interpretation, \$831.65 overbilled
  - Motion to pay \$1200
    - T. Wickus, B. McDaniel, motion carried
- Approval of Vouchers
  - City of Baraboo
    - \$231.62
  - Don-Rick, Inc.
    - \$635.00
  - Display Sales
    - \$591.60
  - Boy Scouts
    - \$1,335.18
  - Deppe, Willy
    - Finished contract
    - \$1,480.00
  - Downtown Baraboo
    - For topiaries and other decorations
    - \$1225.49
  - Downtown Baraboo
    - \$252.78
  - Fred Moe
    - Farmer's Market
    - \$401.31
  - B. Stelling
    - \$200
  - Impact Marketing
    - \$200
  - Impact Marketing
    - \$1250
  - Total
    - \$7,802.98
  - S. Ramsey Bruner/B. McDaniel, motion carried
- Approval of BID Assessment List
  - Motion to approve
    - T. Sloan/B. McDaniel, motion carried

Next Meeting:

- None

Motion to adjourn at 6:12 PM by T. Wickus/B. McDaniel, carried.

Administrative CommitteeDecember 3, 2020

Present: Alderpersons John Ellington, Heather Kierzek & Kathleen Thurow

Absent: None

Also Present: Finance Director, Cynthia Haggard; Police Captain, Rob Sinden; City Attorney, Emily Truman; City Engineer, Tom Pinion; Parks and Recs Director, Mike Hardy; Mayor, Mike Palm.

Citizen Present: None

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

Motion by Thurow to approve the November 2, 2020 minutes, seconded by Kierzek and unanimously carried.

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

Discussion item about allowing ducks

Truman started the discussion with reminding the Committee that she provided them with a lot of information along with sample ordinances from other communities. Truman deferred expertise about what's needed in an ordinance to Hardy. Hardy had spoken with the USDA that regulates the animals at the zoo. The USDA does not regulate birds. Because Hardy brought up a lot of talking points about duck's care, breeds, and water needs, Kierzek asked if his staff could assist with creating an ordinance. Hardy was in favor of getting advice from the zookeepers.

Kierzek was in favor on continuing conversations with the zookeepers, and to have this matter as a discussion item for the next meeting. Sinden commented that as long as these discussions are happening, the Police Department will not plan on taking any enforcement action on residents who currently have ducks. Hardy ended with letting the Committee know that he will have the zookeepers prepare a written report for dissemination to the Committee before the next meeting.

Consider Request for Excessive Household Animals – Dennis and Kathleen Thurow

Motion to approve the request for excessive household animals for Dennis and Kathleen Thurow by Kierzek, seconded by Ellington and carried by 2/3 vote, Thurow abstained.

Consider amendment to Section 10.06(6) of the Baraboo Municipal Code

Pinion began with stating that there is a distinction between setbacks and yards. Although street yard(s) and front yard(s) are considered synonymous in the Zoning Code, there is an important distinction. Pursuant to the following definitions contained in the Zoning Code, a setback is the minimum required distance and a yard is the actual setback. I would definitely discourage the storage of recreational equipment on any vacant lot. He continued with suggesting any such storage continue to be restricted exclusively to side or rear yards. He mentioned a similar restriction on accessory structures and expressed concern that allowing storage of recreational equipment in the front or street yards will only encourage accessory structures, such as carports, to protect them. The Zoning Code regulates carports as accessory structures and they are strictly prohibited from front yards.

He believes there could be a temporary exception to allow parking of the owner's, or in the case of a rental property, the tenant's recreational equipment in a driveway in a front yard, provided it is for a limited time, i.e. 48 hours, 72 hours, 1 week, etc. There is currently no restriction on the time that recreational equipment can be parked in a driveway located in either a side or rear yard.

He also expressed concern about the City getting involved with regulating any use of shared driveways; it should continue to be up to the parties that share it to determine how it is used and to be regulated the same as any other driveway, accordingly. He continued with stating that if people want to create a "parking pad" for their recreational equipment, it would be treated as a driveway or parking lot, and as such, the City Code requires all such areas to be hard surfaced – either asphalt pavement or concrete. Gravel does not suffice. He ended with questioning the need to make sure that recreational equipment is property registered and/or licensed, similar to the requirements for vehicle storage.

Direction was given to staff to write an ordinance. No motion was made.

Member comments

The next meeting will be Monday, January 4, 2021 at 8:00AM.

Motion to adjourn by Thurow, seconded by Kierzek and unanimously carried. Meeting adjourned at 8:57AM.

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

CDA.....	10-26-2020	Public Arts.....	11-19-2020
PFC.....	11-16-2020, 11-18-2020, 12-4-2020		
Library.....	10-22-2020, 12-29-2020	Park & Rec.....	12-14-2020
Airport.....	11-24-2020		

• **Petitions & Correspondence Being Referred:**

- Correspondence from Sauk County Administrator’s Office regarding allocation of unspent CARES funds to Sauk County.

**ADJOURNMENT**

Moved by Petty, seconded by Ellington, and carried on voice vote, that the meeting adjourn at 7:16pm.

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Brenda Zeman, City Clerk