

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, March 22, 2022 – 7:00 p.m.**

Mayor Nelson 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, J. Ostrander, T. Pinion, R. Sinden, members of the press and others.

The Pledge of Allegiance was given.

Moved by Ellington, seconded by Wedekind and carried to approve the minutes of March 8, 2022.

Moved by Petty, seconded by Thurow and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – None Scheduled.

PUBLIC HEARINGS

The Mayor announced that this is the published date and time to hear public comments concerning:

- Request to Rezone Lots 93 and 94 of the Second Addition to Spruce Haven from B-3, Highway-Oriented Business to R-4, Four thru Twelve Family Residential and Lots 95 & 134 through 137 from B-3, Highway-Oriented Business to R-5, Thirteen Family and Up Residential located on Silver Drive south of Mine Road, in the SW1/4 of the NE1/4 of Section 11, T11N, R6E, in the City of Baraboo, Sauk County, Wisconsin by Robert Bowden

Richard Matthews, 326 Mine Road, Baraboo – Spoke against any development on Mine Rd because of the wildlife that will be disturbed. He feels it is a shame to take more land from the animals and to lose the farm land. There are other places that the development can be built. He does not see the big need, or demand, for more homes. It's not fair to the residents that bought in that area because of the wildlife and farm land.

No one else spoke and the Mayor closed this public hearing.

The Mayor announced that this is the published date and time to hear public comments concerning:

- A General Development Plan/Specific Implementation Plan for Corey Oil LTD in accordance with Steps 3 and 4 of the Planned Development process to expand their existing bulk fuel storage facility and add an accessory structure on their 0.19-acres site at the southwest corner of the intersection of Potter Street and Depot Street in the City of Baraboo, Sauk County, Wisconsin

No one spoke and the Mayor closed this public hearing.

The Mayor announced that this is the published date and time to hear public comments concerning:

- A General Development Plan/Specific Implementation Plan for Menard Inc. in accordance with Steps 3 and 4 of the Planned Development process and the corresponding rezoning as a Planned Unit Development for Menard Inc to allow a self-service storage facility on the vacant 8-acre lot on the south side of their existing facility, located in a B-3 Highway Oriented Business Zoning District at 1040 State Rd 136, in and the City of Baraboo, Sauk County, Wisconsin.

No one spoke and the Mayor closed this public hearing.

PUBLIC INVITED TO SPEAK – Peter Premo, 1218 9th Street, Baraboo – He is a lifelong Baraboo resident and since 1969 he has owned and operated business, paying thousands of real estate taxes to the City of Baraboo. He has been an airport customer since his teens and has owned 4 airplanes and hangers at the airport. He visits the airport almost daily. He asked the members of the Council how many have visited the Airport within the last 12 months. How many have studied an Economic Impact Study of the airport? This should be studied and known so that Council knows the consequences. The most recent study will show significantly different figures than the 2016 study because of the improvements at the airport and more airplanes. Can anyone list any area cities the size of Baraboo that don't have a municipal airport? If we give this airport up, we will never get one back and he feels this is a disservice to the community. The airport has been an important part of Baraboo. He understands the concern with money and he can't help but think if Baraboo had been a little more careful with spending in the past few years, maybe it wouldn't be such a crucial point now. If we give up that airport, it will change. The joint ownership is the only thing that gives us accountability and a system of checks and balances which the airport owners need and deserve. Before Council makes a decision, they should study the Impact Study because it is very important to the community.

MAYOR'S BUSINESS

- Resident input on community economic resiliency is encouraged through an on-line survey at bit.ly/baraboosurvey. Paper copies of the survey are available at City Hall.
- The Spring version of the Newscape was released today and is available on the City's website.
- The Mayor encouraged everyone to get out to vote; remember your photo ID. In-Person absentee voting started today in the Clerk's Office until Friday, April 1st. Anyone requesting an absentee ballot can do so by using MyVote or submitting a paper request. Reminder, completed absentee ballots must be returned by the voter, either by mail or in-person at the City Clerk's office. Ballots returned in the night deposit "drop box" will not be counted.

CONSENT AGENDA

Resolution No. 21- 169

THAT the Accounts Payable, in the amount of \$1,000,261.48 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

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

NEW BUSINESS - RESOLUTIONS

Resolution No. 21-170

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

That the City accept the Baraboo State Bank line of credit up to \$750,000 with a 5 year maturity term at a variable rate of Wall Street Journal (WSJ) Floating Prime minus 2.70% which is currently 0.55%.

That the Mayor, City Clerk and City Treasurer be authorized to execute the necessary loan documents

Moved by Ellington, seconded by Petty and carried that **Resolution No. 21-170** be approved-9 ayes.

Resolution No. 21-171

Tax Incremental District (TID) Termination Resolution

WHEREAS, the City of Baraboo created TID 9 on 12-11-2007 and adopted a project plan in the same year, and

WHEREAS, all TID 9 projects were completed in the prescribed allowed time; and:

WHEREAS, sufficient increment was collected as of the 2021 tax roll, payable 2022 , to cover TID 9 project costs.

WHEREAS, insufficient increment was collected to cover project costs.

THEREFORE BE IT RESOLVED, that the City of Baraboo terminates TID 9 ; and

BE IT FURTHER RESOLVED, that the City Clerk shall notify the Wisconsin Department of Revenue (DOR), within sixty (60) days of this resolution or prior to the deadline of April 15, 2022_ , whichever comes first, that the TID has been terminated; and

BE IT FURTHER RESOLVED, that the City Clerk shall sign the required DOR Final Accounting Submission

Date form (PE-223) agreeing on a date by which the City shall submit final accounting information to DOR; and:

BE IT FURTHER RESOLVED that the City Treasurer shall distribute any excess increment collected after providing for ongoing expenses of the TID, to the affected taxing districts with proportionate shares as determined in the final audit by the City's auditor, Clifton Larsen Allen, LLP.

BE IT FURTHER RESOLVED, that the City of Baraboo shall accept all remaining debts for TID 9 as determined in the final audit by the City's auditor, _____

Adopted this 22 day of March, 22, 2022

Moved by Wedekind, seconded by Thurow and carried that **Resolution No. 21-171** be approved-9 ayes.

Resolution No. 21-172

RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BARABOO, WISCONSIN AND THE WISCONSIN DEPARTMENT OF TRANSPORTATION REGARDING CHANGES IN ACCESS/INTERSECTION RECONSTRUCTION

WHEREAS, the State of Wisconsin owns and/or controls all highway access along STH 33 from CTH T (Taft Ave) to Rocky Point Road; and

WHEREAS, the State of Wisconsin and the City of Baraboo have negotiated a Memorandum of Agreement (MOA) Regarding Changes in Access and Intersection Improvements pursuant to the term and conditions of the attached MOA;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Baraboo approves the attached Memorandum of Agreement between the City of Baraboo and the Wisconsin Department of Transportation.

BE IT FURTHER RESOLVED, that the City Council of the City of Baraboo authorizes the City Administrator to execute said MOA.

Moved by Petty, seconded by Sloan and carried that **Resolution No.21-172** be approved-9 ayes.

Resolution No. 21-173
RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF BORROWING

WHEREAS, the City of Baraboo, Sauk County, Wisconsin (the "Issuer") plans to undertake a borrowing for Fire/EMS Facility(the "Project");

WHEREAS, the Issuer expects to finance the Project on a long-term basis by issuing tax-exempt bonds or other tax-exempt obligations (collectively, the "Bonds");

WHEREAS, because the Bonds will not be issued prior to commencement of the Project, the Issuer must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the Baraboo City Council (the "Governing Body") of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

Section 1. Expenditure of Funds. The Issuer shall make expenditures as needed from its funds on hand to pay the cost of the Project until proceeds of the Bonds become available.

Section 2. Declaration of Official Intent. The Issuer hereby officially declares its intent under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$15 million.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Issuer pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the Issuer's Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval. Adopted and recorded March 22, 2022.

Moved by Sloan, seconded by Ellington and carried that **Resolution No. 21-173** be approved-9 ayes.

Resolution No. 21-174

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

THAT the City of Baraboo authorize the transfer of \$40,097.15 from ARPA funds into the Shared Ride Taxi Fund to cover the 2021 local share.

Moved by Ellington, seconded by Thurow and carried that **Resolution No.21-174** be approved-9 ayes.

Resolution No. 21-175**Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:****RESOLUTION TO WITHDRAW FROM THE BARABOO-WISCONSIN DELLS REGIONAL AIRPORT**

WHEREAS, the Village of Lake Delton (Lake Delton) and the City of Baraboo (Baraboo) jointly operate and manage the Baraboo-Wisconsin Dells Regional Airport (Airport), by the authority granted to them by Wis. Stat. § 114.151;

WHEREAS, Baraboo and Lake Delton entered into an Operation Agreement for the Airport Commission of the Baraboo-Wisconsin Dells Regional Airport, effective January 1, 2018 (Agreement);

WHEREAS, Baraboo desires to withdraw from the joint operation and management of the Airport and the Agreement;

WHEREAS, Wis. Stat. § 114.151 permits Baraboo to withdraw from the joint operation and management of the Airport via resolution;

WHEREAS, under Section 4.b of the Agreement, Baraboo may withdraw from the Agreement by tendering to Lake Delton a Notice of Withdrawal along with a quitclaim deed of its interest in the Airport lands and improvements along with a fully executed agreement signed by Baraboo whereby Baraboo agrees to immediately relinquish its rights to the Airport Capital Improvement Fund, any and all interest in the Airport lands, and any interest in improvements, personal property or other assets used in the operation of the Airport;

WHEREAS, under Section 4.b.i of the Agreement, if Baraboo's Notice of Withdrawal is received by Lake Delton prior to the August Annual Meeting, the withdrawal shall be deemed effective immediately except for any financial obligations Baraboo is responsible for through the end of the current budget year;

WHEREAS, under Section 4.d of the Agreement, in the event Baraboo is a party to any third-party agreement made pursuant to the Agreement, Baraboo shall remain a party to said third-party agreement with all responsibilities and duties therein remaining in full force and effect against Baraboo, unless otherwise agreed in writing with Lake Delton prior to withdrawal from the Agreement;

WHEREAS, under Section 4.e of the Agreement, Baraboo cannot transfer its ownership of Airport lands if such transfer would constitute a breach of any term or condition of any agreement, grant or contract with the Federal Aviation Administration (FAA) or the Wisconsin Bureau of Aeronautics (WBOA) signed by Baraboo, unless said transfer is approved by the respective agency;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN, AS FOLLOWS:

1. By this resolution, Baraboo withdraws from the joint operation and management of the Baraboo-Wisconsin Dells Regional Airport.
2. The City Administrator, Mayor and City Clerk shall be and hereby are authorized and directed to obtain any requisite approvals from the FAA and WBOA necessary to transfer Baraboo's ownership of Airport lands in compliance with the Agreement.
3. The City Administrator, Mayor and City Clerk shall be and hereby are authorized and directed to

execute any and all documents necessary to withdraw the City from the operation and management of the Airport in compliance with the Agreement before the August Annual Meeting.

Moved by Petty, seconded by Sloan and carried that **Resolution No.21-175** be approved-9 ayes.

NEW BUSINESS – ORDINANCES

Moved by Kolb, seconded by Ellington and carried unanimously to approve the 1st reading of **Ordinance No. 2591** amending Section 17.18(4)(a) and the Zoning District Map rezoning Lots 93 and 94 of the Second Addition to Spruce Haven from B-3, Highway-Oriented Business to R-4, Four thru Twelve Family Residential and Lots 95 & 134 through 137 of the Second Addition to Spruce Haven from B-3, Highway-Oriented Business to R-5, Thirteen Family and Up Residential, located on Silver Drive south of Mine Road, in the SW1/4 of the NE1/4 of Section 11, T11N, R6E, in the City of Baraboo, Sauk County, Wisconsin.

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

1. Section 17.18(4)(a) Ordinances is hereby revised to reflect the following rezoning: Lots 93 and 94 of the Second Addition to Spruce Haven from B-3, Highway-Oriented Business to R-4, Four thru Twelve Family Residential, and Lots 95 & 134 through 137 of the Second Addition to Spruce Haven from B-3, Highway-Oriented Business to R-5, Thirteen Family and Up Residential, located in the SW1/4 of the NE1/4 of Section 11, T11N, R6E, in the City of Baraboo, Sauk County, Wisconsin.
2. This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Thurow, seconded by Petty and carried unanimously to approve the 1st reading of **Ordinance No. 2592** amending Section 17.18(4)(d), Code of Ordinances, as follows:

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 Development. The following Planned Unit Development is approved and incorporated into the zoning map: 2022-04.

2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2022-04.

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

Moved by Kolb, seconded by Wedekind and carried, 1-nay (Sloan), to approve the 1st reading of **Ordinance No. 2593** amending Section 17.18(4)(d), Code of Ordinances, is amended as follows:

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

2. 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 Development. The following Planned Unit Development is approved and incorporated into the zoning map: 2022-03.

2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2022-03.

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

ADMINISTRATOR AND COUNCIL COMMENTS

None.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** February, 2022 - Treasurer
- **Minutes from the Following Meetings:**

Finance/Personnel Committee—Dennis Thurow Committee Room, #205

March 8, 2022

Members Present: Sloan, Kent, Petty

Absent:

Others Present: Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, W. Peterson, T. Pinion

Call to Order –Ald. Sloan called the meeting to order at 6:30p.m. noting compliance with the Open Meeting Law. Moved by Kent, seconded by Petty to approve the minutes of February 22, 2022. Motion carried unanimously. Moved by Petty, seconded by Kent to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Petty, seconded by Kent to recommend to Council approval of the accounts payable for **\$1,114,829.11**. Motion carried unanimously.
- b) **4th Qtr. 2021 Budget Amendments** – J. Ostrander explained that department heads are responsible for ensuring their budget line item balance is sufficient to cover current purchases. She plans to review the software and make recommendations on amending the policy for future budget amendments. The Committee reviewed the current budget amendments. Moved by Petty, seconded by Kent to recommend to Council approving the 4th Qtr. 2021 Budget Amendments. Motion carried unanimously.
- c) **2022 Funds Rollover Request, Alma Waite** – J. Ostrander explained that the Baraboo Acts Coalition has requested using previously approved funds for use in 2022. The balance of their unspent Alma Waite funds is \$1,706. Moved by Petty, seconded by Kent to recommend to Council authorizing the roll-over of funds from Alma Waite Fund as requested by the Baraboo Acts Coalition. Motion carried unanimously.
- d) **2022 Funds Rollover Request, Economic Development** – This is the same request made by the Baraboo Acts Coalition, but carry-over of the Mayor's Economic Development, Diversity Program for use in 2022. The balance of this fund is \$4,650. Moved by Kent, second by Petty to recommend to Council authorizing the roll-over of funds from the Economic Development as requested by the Baraboo Acts Coalition. Motion carried unanimously.

Adjournment – Moved by Kent, seconded by Petty and carried to adjourn at 6:46pm.

Baraboo Economic Development Commission Meeting Minutes

March 3, 2022

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

Chair Cafilisch called the meeting to order at 5:45 PM at the Baraboo Municipal Building, Council Chambers, 101 South Blvd., Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statues regarding open meetings.

II. Roll Call of Membership

Present: Cafilisch, Steinhorst, Briggs, Culotta, Johnson, Kent, Koehler, Koenig, Kothbauer, Nelson, Persche
Absent: Vera
Other: Patrick Cannon

III. Approve Minutes

Motion to approve the minutes for January 6, 2022
Johnson (1); Steinhorst (2)
Aye: All via voice vote
Nay: None

IV. Approve Agenda

Motion to approve the agenda
Johnson 1); Steinhorst (2)
Aye: All via voice vote
Nay: None

V. Presentation

None

VI. Action Items

a. Work session with Redevelopment Resources regarding EDA Grant

Kristen Fish- Peterson provided a summary of their work to date. She indicated that they have been conducting interviews and some face-to-face meetings. The Board also recommended some potential groups that they may contact. They would like to make additional contacts with seniors and minority groups. She also indicated that they have begun the formulation of their report. They have begun drafting a Table of Contents for the report.

No official action was taken.

VII. Information/Discussion Items

None

VIII. Adjournment

Motion to adjourn the meeting was made at 6:51 pm.
Kent (1); Steinhorst (2)
Aye: All via voice vote
Nay: None

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

UW Campus.....2-17-2022 CDA.....1-4-2022

Park & Recreation Comm.....2-14-2022

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

ADJOURNMENT

Moved by Ellington, seconded by Kolb, and carried on voice vote, that the meeting adjourn at 8:06pm.