

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, April 13, 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, P. Cannon, K. Stieve, M. Hardy, C. Johnson, R. Nelson, members of the press and others.

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Thurow and carried to approve the minutes of March 23, 2021.

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

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – The Mayor read a proclamation declaring April 23, 2021 as Arbor Day in Baraboo.

PUBLIC HEARINGS

The Mayor announced that this is the published date and time to hear public comment concerning the City of Baraboo petitioning the State of Wisconsin, Department of Transportation, for state and federal aid to undertake the following development at the Baraboo-Dells Airport:

Conduct Airport Master plan; Construct/rehabilitate/improve terminal building; Clear and maintain runway approaches as stated in Wis. Admin. Code Trans §55, and any necessary related work.

No one spoke and the Mayor closed the Public Hearing.

PUBLIC INVITED TO SPEAK – No one spoke.

MAYOR'S BUSINESS

- The Mayor thanked the Council, Department Heads, Staff, Employees, and the Public for their help and support over the past 9 years.
- Reorganizational Council Meeting will be on Tuesday, April 20, 2021 at 6:00pm
- 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. 20-191

THAT the Accounts Payable, in the amount of \$1,149,112.41 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 20-192

That the following budget amendments are authorized:

- 4th Quarter, 2020 CDA Supplemental Budget Amendments for \$33,626

4th Quarter Budget Amendments

Common Council approved the following 2020 Budget Amendments at their April 13, 2021 meeting:

Department	Account Number	Account Name	Original Budget	Increase/ (Decrease)	Amended Budget
Community Development Authori	980-67-40601-000	Equity Applied	-	18,298	18,298
CDA Dwelling Expense	980-67-48000-540-000	Depreciation	-	18,298	18,298
<i>To appropriate FB for Depreciation Full ACCRL</i>					
Community Development Authori	981-67-40601-000	CDA Equity applied	-	7,314	7,314
Community Development Authori	981-67-40311-000	CDA-Rent Tenant	150,000	8,014	158,014
CDA Dwelling Expense	981-67-48000-540-000	Depreciation	-	15,328	15,328
<i>To appropriate FB for Depreciation Full ACCRL and additional tenant rent</i>					
Net impact on all city-wide funds' budgets				\$ -	
Net impact on City's General Fund Only				\$ -	

Resolution No. 20-193

The Common Council grants a special exemption to Joanna Hydzik 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 Ms. Hydzik 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 her residence.

Resolution No. 20-194

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

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

- The Relish Tray Bistro, LLC at 106 4th Ave.

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

ORDINANCES ON 2ND READING

Moved by Wedekind, seconded by Ellington and carried unanimously to approve the 2nd reading of **Ordinance No. 2571** amending §17.18(4)(d) and the Zoning District Map of the Baraboo Municipal Code for 302 8th Street as a Planned Unit Development for Linda Gumz, d/b/a GMF Properties, LLC.

NEW BUSINESS - RESOLUTIONS

Resolution No. 20-195

WHEREAS, the Baraboo – Wisconsin Dells Regional Airport Commission, Sauk County, Wisconsin hereinafter referred to as the sponsor, being a municipal body corporate of the State of Wisconsin, is authorized by Wis. Stat. §114.11, to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the sponsor desires to develop or improve the Baraboo – Wisconsin Dells Regional Airport, Sauk County, Wisconsin,

"PETITION FOR AIRPORT PROJECT"

WHEREAS, the foregoing proposal for airport improvements has been referred to the city plan commission for its consideration and report prior to council action as required by Wis. Stat. §62.23(5), and

WHEREAS, airport users have been consulted in formulation of the improvements included in this resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Wis. Stat. §114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, by the sponsor that a petition for federal and (or) state aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with federal and state aid or state aid only, in accordance with the applicable state and federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a Regional General Aviation type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: conduct airport master plan; construct/rehabilitate/improve terminal building; clear and maintain runway approaches as stated in Wis. Admin. Code Trans §55, and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the sponsor by the Secretary; the sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the sponsor does not provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the sponsor; and

WHEREAS, the sponsor is required by Wis. Stat. §114.32(5) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

"DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR'S AGENT"

THEREFORE, BE IT RESOLVED, by the sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such, in matters relating to the airport development project

described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. §32 .02; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

FURTHER, the sponsor requests that the Secretary provide, per Wis. Stat. §114.33(8)(a), that the sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

"AIRPORT OWNER ASSURANCES"

AND BE IT FURTHER RESOLVED that the sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Wis. Admin. Code Trans §55, or in accordance with sponsor assurances enumerated in a federal grant agreement.

AND BE IT FURTHER RESOLVED THAT THE City Administrator and the City Clerk be authorized to sign and execute the agency agreement and federal block grant owner assurances authorized by this resolution.

Moved by Petty, seconded by Kent and carried that **Resolution No. 20-195** be approved-9 ayes.

Resolution No. 20-196

RESOLUTION DECLARING PROPERTY TO BE BLIGHTED AND AUTHORIZING THE COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF BARABOO, WISCONSIN TO ACQUIRE AND ASSIST THE REDEVELOPMENT OF THE PROPERTY

WHEREAS, Section 66.1333, Wisconsin Statutes, as amended (the "Act"), states that it is the policy of this state to protect and promote the health, safety and general welfare of the people of the state in which blighted areas exist by the elimination and prevention of such areas through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas; and

WHEREAS, this Common Council has heretofore created the Community Development Authority of the City of Baraboo, Wisconsin (the "Authority") to eliminate or prevent substandard, deteriorated, obsolete and blighted areas in the City of Baraboo, Wisconsin (the "City"); and

WHEREAS, the Act, as amended, authorizes the Authority to undertake certain activities within the City, for the purpose of carrying out redevelopment, blight elimination, blight prevention and urban renewal programs and projects as set forth in the Act, together with all powers necessary or incidental to effect adequate and comprehensive redevelopment, blight elimination, and urban renewal programs and projects; and

WHEREAS, the property consisting of Lot 1 and Lot 2 of CSM #7000 attached as Exhibit A hereto (the "Property") has been proposed as the site for various public improvements including the construction of a new public library; and

WHEREAS, the Property has been determined by the City's staff to be a "blighted property" as defined in Section 66.1333, Wisconsin Statutes based on a letter submitted by the City engineer and attached hereto as Exhibit B (the "Report"); and

WHEREAS, blight elimination, slum clearance, and urban renewal and redevelopment projects on the Property will protect and promote the health, safety and general welfare of citizens of the City; and

WHEREAS, the Authority proposes to acquire the Property and to carry out blight elimination and urban renewal projects on the Property, including the construction of a new public library; and

WHEREAS, the City is the owner of the Property and waived receipt of notice of the public hearing; and

WHEREAS, Section 5(c)1g. of the Act provides that the Authority may acquire blighted property without designating a redevelopment area or adopting a redevelopment plan if the Authority obtains advance approval of the Common Council by at least a two-thirds vote; and

WHEREAS, on April 6, 2021 the Authority conducted a duly-noticed public hearing at which all interested parties were afforded a full opportunity to express their views respecting the determination of blight for the Property; and

WHEREAS, after the public hearing the Authority (i) found the Property to be a "blighted property" within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes, and (ii) submitted the blight determination and proposed acquisition of the Property for the purpose of carrying out blight elimination and urban renewal projects to this Common Council for approval; and

WHEREAS, in accordance with the Act, this Common Council now finds it necessary and in the public interest that the Authority undertake activities to eliminate and prevent blight, obsolescence, and the deterioration of the Property and to promote redevelopment and urban renewal on the Property; and

WHEREAS, this Common Council has studied the facts and circumstances relating to the Property and the proposed acquisition of the Property, consideration having been given, among other items, to the following matters: (i) the definition of "blighted property" contained in Section (2m)(bm) of the Act, (ii) the Report's findings that the Property is predominantly open and that deteriorating structures and site improvements exist on the Property which substantially impair or arrest the sound growth of the community, (iii) the past and existing condition of, and the proposed uses of, the Property, (iv) the goals and objectives of the proposed acquisition of the Property, (v) visual inspections of the Property and surrounding areas by various members of the Authority and by various staff of and consultants to the City, and (vi) reports and recommendations to the Common Council by the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Baraboo as follows:

1. The Common Council hereby finds, determines and declares that the Property is a blighted property within the meaning of Section (2m)(bm) of the Act which substantially impairs or arrests the sound growth of the community.

2. The Common Council hereby approves the Authority's proposal to acquire or assist in the development of the Property for the purpose of carrying out blight elimination and urban renewal projects without designating a redevelopment area or adopting a redevelopment plan.

3. The Common Council finds that a comprehensive redevelopment plan is not necessary to determine the need for the acquisition of the Property, the uses of the Property after acquisition and the relation of the acquisition to other property redevelopment by the Authority.

Moved by Wedekind, seconded by Kolb and carried that **Resolution No. 20-196** be approved-9 ayes.

Resolution No. 20-197

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

WHEREAS, the City is a municipal corporation under the laws of Wisconsin, and the Baraboo District Ambulance Service (BDAS) was created and operates under Wisconsin State Laws; and

WHEREAS, the purpose of the BDAS is to provide Emergency Medical Services to the residents of member communities, which includes the City of Baraboo; and,

WHEREAS, the City Council finds it is in the best interests of the residents of the City of Baraboo to share a new facility, if one is to be built in the City, with the Baraboo Fire Department and BDAS; and,

WHEREAS, a long-term commitment is needed from BDAS should the City provide the funding for a new facility that would house BDAS; and,

WHEREAS, the planning and design of the facility is critical to moving this project forward,

WHEREAS, planning and design for this project cannot proceed until a better understanding of how BDAS and Baraboo Fire can operate in the most effective and efficient manner possible,

NOW, THEREFORE BE IT RESOLVED, the Baraboo City Council does hereby authorize the City Administrator and the City Clerk to sign Addendum 1, modifying the lease agreement with BDAS to extend 20 years past the occupancy date of the new facility, if one is to be built in the City.

BE IT FURTHER RESOLVED that the Baraboo City Council does hereby authorize the City Administrator and City Clerk to sign the Proposal for Comprehensive Analysis of Fire and EMS Services for City of Baraboo by the Center for Public Safety Management, LLC which is a partner of the International City/County Manager's Association (ICMA), in the amount of \$49,835. These costs shall be funded by the proceeds of the Fire Remodel project.

Moved by Petty, seconded by Wedekind and carried that **Resolution No. 20-197** be approved-9 ayes.

Resolution No. 20-198

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

THAT the Parks, Recreation and Forestry Department be permitted to submit a 2021 grant application to the Wisconsin DNR for the purposes of constructing a Splashpad and restroom/shelter building at Attridge Park as included in the City 2017-2021 CORP.

Moved by Petty, seconded by Kolb and carried that **Resolution No. 20-198** be approved-9 ayes.

Resolution No. 20-199

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

THAT the Parks, Recreation and Forestry Department be permitted to submit a 2021 grant application to the Wisconsin DNR for the purposes of making improvements to the Riverwalk at Mary Rountree Park (property purchase to connect Riverwalk) and at the Oak Street Overlook

(design and construction of a trail connection of downtown Baraboo and the existing Riverwalk) as included in the City 2017-2021 CORP.

Moved by Sloan, seconded by Ellington and carried that **Resolution No. 20-199** be approved-9 ayes.

Resolution No. 20-200

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

THAT a contract in the amount of \$17,741 be approved with Allen Steele to replace the broken water line at the Campbell Park swimming pool, and an additional \$7,259 be used to replace disturbed concrete and turf areas as needed.

Moved by Petty, seconded by Sloan and carried that **Resolution No. 20-200** be approved-9 ayes.

Resolution No. 20-201

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

THAT up to \$8,500 from the Accola Estate Fund for senior fitness and recreation be used to purchase new equipment for the Civic Center fitness rooms.

Moved by Kolb, seconded by Wedekind and carried that **Resolution No. 20-201** be approved-9 ayes.

Resolution No. 20-202

WHEREAS, pursuant to the provisions of Chapter 66 Subchapter XII of the Wisconsin Statutes, municipalities may create a Housing Authority, and that the City of Baraboo has complied with all applicable statutes in creating the City of Baraboo Housing Authority (the "Authority") and that the Authority remains in compliance with all applicable State and Federal laws and regulations, and remains in good standing with the United States department of Housing and Urban Development ('HUD'); and

WHEREAS, pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, municipalities may borrow money for any public purpose, and that the purchasing, acquiring, constructing, extending, adding to, improving, operating and managing housing projects (as defined in Chapter 66 of Wisconsin Statutes) owned by the Authority constitutes such public purpose; and

WHEREAS, municipalities may repay such loan from revenues received from any source, and

WHEREAS, pursuant to the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands ("BCPL") is authorized to make loans from the State Trust Funds to municipalities for such purposes, and

WHEREAS, the City of Baraboo Housing Authority owns and operates the Donahue Terrace Apartments (the "Project") for the benefit of the City of Baraboo and residents thereof, and

WHEREAS, certain improvements to the Project are necessary to meet the needs of the City of Baraboo and the residents thereof, and

WHEREAS, the City of Baraboo deems it to be necessary, desirable and in its best interest to obtain a Revenue Obligation Trust Fund Loan from BCPL for financing repairs to the Project, and such Loan is to be payable from the income and revenues of the Project.

NOW, THEREFORE, BE IT RESOLVED that the **City of Baraboo** is hereby authorized to borrow from the Trust Funds of the State of Wisconsin the sum of **One Hundred Thirty Thousand Dollars (\$130,000.00)** for the purpose of **financing Donahue Terrace elevator project** and for no other purpose. Such loan shall be payable within **5** years from the 15th day of March preceding the date the loan is disbursed. The loan will be repaid in full on the 15th day of March, 2021 with interest at the rate of **3.25** percent per year from the date of disbursement of the loan to the date the loan is repaid. Such loan may be prepaid before the maturity date in accordance with the limitations set forth in Chapter 24 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that all revenues of the Donahue Terrace Apartments are hereby pledged to BCPL to repay this loan and that such pledge shall be senior and superior to all other pledges of such revenues. No notes, bonds or other obligations payable out of the revenues of the Project may be issued in such manner as to enjoy priority over this Loan. Any and all payments made to the City of Baraboo out of the revenues of the Project shall be subordinate to payments required under this obligation. The Mayor and Clerk are hereby authorized and directed to execute any instruments reasonably necessary to grant and perfect such security interest.

BE IT FURTHER RESOLVED that all ordinances, resolutions, or orders, or parts thereof which were previously enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed, and this Resolution shall be in effect from and after its passage.

BE IT FURTHER RESOLVED, we acknowledge that should the City of Baraboo default on this loan, BCPL is required under Wisconsin Statute Section 24.70 to intercept any state payments that may be otherwise due the City of Baraboo.

BE IT FURTHER RESOLVED, we acknowledge that the Certificate of Indebtedness will contain a covenant requiring that rental rates charged to tenants or residents of the Donahue Terrace Apartments, along with all associated payments made to the City of Baraboo or the City of Baraboo Housing Authority by HUD, will be sufficient to ensure adequate maintenance and repair, adequate replacement reserves when considering the current functional age of the Donahue Terrace Apartments and the expected timing and costs of future capital expenditures, and also ensure a debt service coverage ratio (defined as net operating income divided by total debt service) exceeding 1.25.

BE IT FURTHER RESOLVED that if BCPL agrees to make such loan, that the Mayor and Clerk of City of Baraboo are authorized and empowered in the name of the City to execute and deliver to BCPL, those Certificates of Indebtedness in such form as required by BCPL, for the sum of money that may be loaned to City of Baraboo pursuant to this resolution. The Mayor and Clerk are authorized and directed to perform all actions reasonably necessary to fully carry out the provisions of Chapter 24 of the Wisconsin Statutes, and these resolutions,

BE IT FURTHER RESOLVED, that these recitals and these resolutions and the votes by which they were adopted, shall be recorded, and that the Clerk of the City of Baraboo shall forward this certified record, along with the application for the loan, to BCPL.

Moved by Sloan, seconded by Petty and carried that **Resolution No. 20-202** be approved-9 ayes.

Resolution No. 20-203

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

WHEREAS, city staff has been in discussions with Developer regarding the City owned property located at 1606 8th Street, commonly referred to as the “Jackson Property”, (“Property”) for the purpose of constructing a residential subdivision on the property with an estimated value that has yet to be determined (“Project”); and

WHEREAS, the Parties are continuing to negotiate the terms of the Development Agreement; and

WHEREAS, the City Council finds that continuing with the development of plans for the proposed development is in the best interest of the City of Baraboo to address the critical need for additional housing;

NOW, THEREFORE BE IT RESOLVED, the Baraboo City Council does hereby authorize the City Administrator and the City Engineer to sign the Engineering Services Contract with Vierbicher Associates subject to final negotiations and any final reviews needed by the City Attorney.

Moved by Petty, seconded by Plautz and carried that **Resolution No. 20-203** be approved-9 ayes.

NEW BUSINESS ORDINANCES – None.

ADMINISTRATOR AND COUNCIL COMMENTS

Mayor Palm congratulated Mayor Elect Rob Nelson

Ald. Kolb thanked Mayor Palm for his 9 years as Mayor and he appreciates the direction he has led the City.

Ald. Petty agrees, Mayor Palm has provided the City with exceptional guidance and leadership.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** * March 2021 - Building Inspection
 - * 2020 Annual Police Department
 - * Proposed Water Rate Increase:
 - a. Customer Water Bill Comparison
 - b. Class AB Comparison
 - c. County Comparison
 - d. Proposed 2021 Public Service Commission Water Increase

- **Minutes from the Following Meetings:**

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

March 23, 2021

Members Present: Petty, Sloan, Kent

Absent:

Others Present: Mayor Palm, Adm. Bradley, Clerk Zeman, C. Haggard, T. Pinion, W. Peterson

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 March 9, 2021. Motion 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 **\$879,943.38**. Motion carried unanimously.

- b) **2021 Street Improvements** – T. Pinion noted that both projects received very competitive bids; both are under budget. Because there are two projects, we are able to award them independently. Both of the low

bidders have worked for us in prior years and have done a wonderful job. Motion by Kent, seconded by Sloan to recommend to Council accepting the low bids of J & J Underground LLC for the reconstruction of 4th Avenue between West and Summit Street in the amount of \$232,085 and Dean Blum Excavating for the reconstruction of 7th Street between Ash and Oak Streets, and New Sidewalks on Remington, 3rd, and Camp Streets in the amount of \$208,563.26 and that all other bids be rejected. Motion carried unanimously.

- c) **4th Qtr. 2020 Budget Amendments** – The Committee reviewed the budget amendments. Motion by Sloan, seconded by Kent to recommend to Council the 4th Qtr. 2020 Budget amendments for approval. Motion carried unanimously.
- d) **DNR Agreement** – W. Peterson explained that this is pretty much the same agreement that was presented and approved back in November; unfortunately the DNR changed one number of their project and the dollar amount changed from \$100,000 to \$99,000 for private side lead service. Motion by Sloan, seconded by Kent to recommend to Council approval of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement. Motion carried unanimously.

Information Items

Finance Dept. Reports –

- 4th Qtr. 2020 Financial Statement
- 2020 Budget Review Report

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

Minutes of the Public Safety Committee Meeting

January 25, 2021

Members Present: Phil Wedekind and Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Mark Schauf, Kevin, Stieve, Tony Gilman, Wade Peterson, Caleb Johnson, 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 Plautz, seconded by Kolb to approve the minutes of the November 2, 2020 meeting. Motion carried unanimously.

Action Items

- a. Consider revising Official Traffic Map to designate a handicap parking stall in front of Freedom of Christ Church at 409 4th Street – Pinion said he received a request to shorten the No Parking Area in front of the church in order to install a handicap-parking stall. It was moved by Kolb, seconded by Plautz to approve the request for a handicap-parking stall in front of Freedom of Christ Church at 409 4th Street. Motion carried unanimously.
- b. Review STH 33 Encroachment Report that was prepared as part of the design for the impending STH 33 Reconstruction Project in 2024 – Pinion said as far as the DOT's design process they review the existing right-of-way and identify ant existing encroachments and then provides a recommendation to either remove them or issue a revocable permit for those that can remain. Pinion said that this is the same process that was followed with the South Blvd. reconstruction. It was moved Plautz, seconded by Kolb recommend approval of the DOT's recommendations. Motion carried unanimously.
- c. Review the findings of the Stormwater Quality Plan Update report – Pinion said that the City hired MSA to complete a Stormwater Quality Plan Update and they recently delivered the final report. Pinion gave highlights of the report to the Committee. He said that the City complies with TP reductions per the requirements of the Wisconsin River TMDL for 4 of the 5 reaches (sub watersheds) that fall across the City. However, he said that City is failing short of requirements for the largest watershed (179) which covers the central portion of the City. He said that the City is also falling short in achieving Citywide TSS (total suspended solid) reduction requirements necessary for the compliance with the standards of NR151. He said this is mostly due to the lower level of treatment achieved in Watershed 179. He said that report documents five alternatives for achieving the necessary TP reduction in 179, each alternative requires the construction of at least two new (or retrofit) sotrmwater quality ponds (three ponds for one of the alternatives) and the implementation of an improved street sweeping program. He said constructing new/retrofit ponds by themselves is not enough to achieve TP reduction in 179. However, depending on the choices of ponds construction, the sweeping programs as currently evaluated are overkill. He said the City would have five (5) 5-year permit cycles to reach TSS reduction requirements and 10 5-year permit cycles to achieve TP reduction requirements – with expectations that a minimum of 20% of the necessary addition TSS reduction and 10% of the necessary TP reduction are achieved each permit cycle. He said that construction of the ponds is recommended to be done first. He said all the proposed ponds are potential WDNR grant eligible construction activities. The next round of construction grants will be due April 15, 2022 for projects starting in 2023. In past years, construction grants have provided up to \$150,000 for construction and engineering costs with another

\$50,000 for property acquisition. There is a 50% local match requirement. A short discussion regarding phosphorus then took place.

- d. Consideration of Extent of Participation Agreement and authorization for fire department to participate in DARES Full Scale Exercise on September 28 and 29, 2021– Chief Stieve presented the background saying this is joint exercise with Wisconsin Emergency Management in coordination with the Village of Lake Delton, Delton Emergency Management, and Delton Fire. He said that this is a large-scale event where there will actually be exercises to participate in. He said that the participation agreement needs to be signed and he is asking the Committee for authorization to sign the agreement. It was moved by Kolb, seconded by Plautz recommend authorization as requested. Motion carried unanimously.
- e. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for November and December, 2020 – It was moved by Kolb, seconded by Plautz to approval the monthly Billing Adjustments/Credits for Sewer and Water Customers for November and December 2020. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report
- i. Staffing Updates – No report.
 - ii. Project Updates – Peterson said that in 2020, two samples were missed and the department received a letter of noncompliance. He said the letter will be posted and the samples have to be done in 2021. He said that he is hoping to do service disconnections in April; however, he would not be surprised if the PSC does not allow it again. He said that the discharge permit is in the final stages.
 - iii. Water Rate Study progress – Peterson said this is continuing and he received more questions for clarification.
Peterson said that the Moore Street water tower had to be shut down because there is not enough water moving and it was freezing up. He said that either a mixer needs to be installed to move the water all winter long, or the tower will have to be drained each year. Kolb asked the expense of a mixer. Peterson said that it is approximately \$12,000 for the mixer and another \$4,000-\$5000 for electrical part of it. Peterson said that he receives a letter today from LSC Communications regarding their Chapter 11 bankruptcy. He said they owe the Utility \$102,000; they are going to pay 1.9%, so they are going to pay about \$2,000. He said that when it was RR Donnelly/LSC they were never told that they were not the owners of the building, they were renters, so in the utility policy the property owner is actually responsible for the bill, not the tenants, but they were not aware of this until very recently. Peterson said that he would be talking to the City Attorney and see if the utility can go back on the property owner and see if they have any advantage. He said that on \$100,000, that is one-quarter of rehab on the County A tower that is lost. Pinion said that owners have been identified with good contacts; the City may have some leverage if they come in for building permits.
- b. Street Superintendent's Report
- i. Staffing Updates – Gilman said that staff continues alternating start and end times.
 - ii. Equipment Updates – No report.
 - iii. Monthly Report on Public Works Department – Gilman said the department was able to sweep a little later than expected in December and January. The department is doing the normal cutting trees and plowing when needed. Gilman said since closing the brush site on November 1st compliance has been relatively good. If people do start abusing it, an ordinance revision may be needed so that the police department could enforce illegal dumping. He said that next year it would be set up that residents can drop their Christmas trees off, there are organizations such as the Crane Foundation and Big Cat Rescue that use the trees and will pick them up. He said that the department is looking at doing a couple of intersections and alleys again this year. He said that Alliant Energy is looking at changing over the lighting to LED at no cost to the City.
- c. Police Chief's Report
- i. Staffing Update – Schauf said that Nick Defiel, after 21 years of service is retiring and moving to Minnesota. He said Nick would be missed; he has been a great asset to the department. He said that his replacement lined up and will be starting in early February. He said that there is one in field training at this time.
 - ii. Case/Report Update – Schauf explained the reports that were included in the packet from the new software. He said that the use of force report was also included in the packet. Kolb said that he would prefer a summary instead of the entire report. Wedekind and Plautz agreed.
- d. Fire Chief's Report

- i. Monthly Incident Report – No report
- ii. Building Remodel Update – Building remodeling is getting finished, sprinkler people were in today. He said maybe when the building is done a PSC meeting can be held there. He said that interdepartmental help has been great.
- iii. Staffing Update – Stieve introduced Caleb Johnson, EMS Director to the Committee. He said that EMS came to the Fire Department asking if they could help with calls needing extra hands, i.e. pulse, non-breather, where CPR is needed. He said that this is just one of the small steps that moving into the building is going to prove to be very valuable.

AJOURNMENT – It was moved by Kolb, seconded by Plautz to adjourn at 1:47 p.m. Motion carried.

Minutes of the Public Safety Committee Meeting

February 22, 2021

Members Present: Phil Wedekind and Tom Kolb. Mike Plautz was absent. **Others Present:** Tom Pinion, Mark Schauf.

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 Wedekind to approve the agenda as posted. Motion carried unanimously. It was moved by Kolb, seconded by Wedekind to approve the minutes of the January 25, 2021 meeting. Motion carried unanimously.

Action Items

- f. **Discuss signage and possibly additional traffic control for the Hill Street railroad underpass** – Pinion presented background on the issue saying the Hill Street residents are more concerned about pedestrian traffic safety. Pinion's suggestion was to post on each side of the underpass "no pedestrians". Schauf stated that they only accident data is single vehicle intoxicated drivers hitting the side of the underpass. Pinion state that he looked into vendors for price quotes on some type of blinking warning light to notify oncoming traffic when a vehicle is proceeding into the underpass, with the cost being \$20,000 plus. Pinion gave a suggestion of yield to on-coming traffic with a 15 mph speed limit. Schauf said the extreme would be closing it to traffic; it would be turned into a dead end with pedestrians only. He does not feel that it is conducive to that, but that would be the extreme answer. It was stated that travel to get around would mean going out of the City limits. Kolb moved, Wedekind seconded to post signs on both sides of the underpass stating "yield to on-coming traffic" with a 15 mph speed limit. Motion carried unanimously.
- g. **Recommend levying Special Assessments in accordance with the Sidewalk Policy for new sidewalk on Remington Street, 3rd Street, and Camp Street that will be installed as part of the 2021 Street Improvements** – Pinion presented the background and explained the map of the proposed sidewalk and the trees to be removed. He said new sidewalk is planned on the east side of Remington Street between 2nd & 4th Streets, both sides of 3rd Street between Remington and Jefferson Streets, and on the west side of Camp Street from 5th Street south to the alley. Kolb moved, Wedekind seconded to recommend levying Special Assessments for sidewalk as proposed. Motion carried unanimously.
- h. **Review Bid Tabulations for 2021 Public Works Projects and recommend award of contracts** – Pinion presented the bid tabulation for the 2021 Public Works Projects and recommended awarding all contracts to the low bidders. He said prices are comparable to last year, some areas going up and some going down. It was moved by Kolb, seconded by Wedekind to recommend awarding all contracts to the low bidder. Motion carried unanimously.
- i. **Review Proposals for Sidewalk Grinding and recommend award of contract**– Pinion suggested awarding proposal to the low bidder. It was moved by Kolb, seconded by Wedekind to award contract to Expert Concrete Care. Motion carried unanimously.
- j. **Review Noxious Weeds & Rank Growth Proposals and recommend award of contract** – Pinion said once again, there was one single bidder, Sunrise Properties. Moved by Kolb, seconded by Wedekind to award contract to Sunrise Property Care. Motion carried unanimously.
- k. **Review STH 136 Median Mowing Proposals and recommend award of contract** – Pinion said two proposals were received, Top 2 Bottom and Sunrise Lawn Care, with same prices as last year. Moved by Kolb, seconded by Wedekind to award contract to Top 2 Bottom. Motion carried unanimously.
- l. **Review proposed STH 33 Pedestrian Refuge Islands as part of the planned reconstruction of STH 33** – Pinion gave the background saying that as part of the design for the impending reconstruction of STH 33, the DOT is considering including a pedestrian refuge island at several intersections; at the Camp Street (three-way) intersection and at the Wood/Center, Tuttle/Wheeler, and Jefferson/Jefferson offset intersections. He said that the locations

were strategically placed so that they did not impair people the ability to access or exist their driveways. He said that the primary concern with the design folks at Tuttle is that it may impair bus traffic. He said in speaking with Lamers Bus Company, if it would create a problem that they could not overcome, they would not have a problem moving down to East Street. Schauf feels that the flashing beacons are highly effective. Peterson felt that the Jefferson Street refuge should be eliminated and force everyone to cross at Wheeler. Kolb felt that anything that can be done to enhance pedestrian safety would be well worth it. It was suggested to move Jefferson for S-E semi traffic.

- m. Review Proposals for Cast-In-Place-Pipe for 2021 Sanitary Sewer Lining projects and recommend award of contract – Peterson gave background. He said that three companies submitted proposals and all are reputable companies. He suggested the contract be awarded to low bidder, Michels. It was moved by Kolb, seconded by Wedekind to award the contract to Michels. Motion carried unanimously.
- n. Consider a prospective Intergovernmental Agreement for interconnecting watermain with the Village of West Baraboo – Pinion said that up until about ten years ago, the City provided West Baraboo with water, and then they put their own well in. He said that with the Highway 33 project there would be water mains being replaced and there is 300 feet of water main at the west end that would not need to be replaced. He said that this would be \$20,000 - \$30,000 worth of infrastructure and the City gets nothing to show for it. He said initially if this were to be done, West Baraboo was told that they would pay for it; however, it is Peterson's and his contention that there is a peace of mind that when their well is taken out of service, the City could still supply water. He said there is a value to this and he equates that to an insurance policy. He said that the Village feels that they should get this for nothing. He said that the Utility has applied for a rate increase because LSC Communications has left and when they talked to the PSC about this unique situation and would really like to include a provision in the rates that West Baraboo would pay. The PSC said that this is such an uncommon situation that it would have to be sent to the district administrator, which would delay the rate increase approval by at least six months. Peterson said that even if West Baraboo spent the money to install the 300 feet, they would gift it to the Utility and the Utility would pay tax on it. Pinion said to avoid delaying the rate case he suggests, with the Committee's concurrence, telling West Baraboo that at this time, the City is going to end discussion for the Intergovernmental Agreement. Pinion said that if we shut the door, but do not lock it, after our rates in place, they could still come back with another proposal. It was the consensus of the Committee to end discussion with West Baraboo at this time.
- o. Review and recommend approval to carry over funds budgeted in 2020 for improvements to the Public Works cold storage building – It was moved by Kolb, seconded by Wedekind to approval to carry over funds budgeted in 2020 for improvements to the Public Works cold storage building. Motion carried unanimously.
- p. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for January 2021 – It was moved by Kolb, seconded by Wedekind to approve billing adjustments/credits as presented. Motion carried unanimously.

Reports

- e. Utility Superintendent's Report
 - i. Staffing Updates – No report
 - ii. Project Updates – Peterson said that there was a service break on Saturday at Jefferson and 9th. He said that they were in bankruptcy with LSC for \$102,300 ± and to the goodness of Pinion, the owner of the building of LSC wants some building permits to do some other work and Pinion told them as soon as they sent a check for \$102,000 we would give them a building permit, and it sounds like they will be paying the money owed.
 - iii. Water Rate Study progress – No report.
- f. Street Superintendent's Report
 - i. Staffing Updates – Pinion said that the department is still splitting shifts.
 - ii. Equipment Updates – Pinion said that the department is due to get the new plow truck this week, about one month in advance than expected. He said that they are looking at updates, at least some of the controls, maybe updating some of the actual equipment in the building; it is becoming more maintenance intensive.
 - iii. Monthly Report on Public Works Department – Pinion said that the County Board is slated to approve ATVs and UTVs on all county highways so they are asking for some feedback prior to March 8 if the local municipalities do not want that approved within the corporate limits. Pinion said that the City has been staunch on record that it is not a good idea, and unless the Committee tells him they are willing to consider it because of the County's willingness to consider it, then he will just remind them that nothing has changed.
- g. Police Chief's Report

- i. Staffing Update – Schauf said that there is still a detective’s position open. He said that the PFC has allowed him to get ready to make that so when that day comes they can make that promotion to detective and make that vacancy. He said that is budgeted. He said that Carl Ustupski has left the department to return to New Mexico to be nearer to his children. He said that they would be working on filling that position. The vacancy left by Deifel’s retirement has been filled.
 - ii. Equipment Update – Schauf said on January the department lost their police truck to a crash on Broadway. He said that one of the officer’s was driving up Broadway when a vehicle came the wrong way down 3rd, blew right through where there should have been a stop sign and there was nothing that the officer could do. He said the truck was totaled, and it ended up being a non-budgeted expense to replace it, and looking about between \$2,000 - \$3,000 to replace it.
 - iii. Case Response Update – He said that the department is doing okay. He said all the officers that wanted the COVID shot has had both.
- h. Fire Chief’s Report – No report.

Wedekind asked Pinion what the County was doing at the hospital. Pinion said the County was waiting for the City. He said we have the advantage, grant money and can afford to do it. He said that we have a couple years yet of funding through TID 6 and that was something that was on the Administrator’s plate, so he hopes that Casey picks up the ball and runs with it.

AJOURNMENT – It was moved by Kolb, seconded by Wedekind to adjourn at 1:55 p.m. Motion carried.

Administrative Committee

March 1, 2021

Present: Alderpersons John Ellington, Heather Kierzek & Kathleen Thurow

Absent: None

Also Present: City Administrator, Casey Bradley; Finance Director, Cynthia Haggard; Police Chief, Mark Schauf; City Clerk, Brenda Zeman; 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 February 1, 2021 amended Minutes, seconded by Kierzek and unanimously carried.

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

Consider Request for Operator’s License - Eric Streich, Sr.

Chief Schauf began with stating that the License is an appeal. The reason for the initial denial was that the application was not complete. The indication on the application was that there were no convictions. However, when the Police Department ran a background check, it revealed previous convictions. Had those convictions been disclosed, it wouldn’t have been enough to deny the license. The standing rule is that if the application is not filled out properly, the license is not approved. Chief Schauf was contacted by Mr. Streich, who explained he misunderstood the application and thought he only had to report convictions within the past five (5) years. Chief Schauf did not think the omission was an intent to hide information. Therefore, Chief Schauf supports issuing Mr. Streich a full license.

Motion to move the request for Operator’s License on to Council by Thurow, seconded by Kierzek and unanimously carried.

Member comments

The next meeting will be Monday, April 5, 2021 at 8:00AM.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:04AM.

BID Farmer’s Market Focus Group Meeting

2-24-2021

The meeting was called to order at 6:01pm

Todd made a motion to adopt the agenda, second by Bekah. Motion carried

There were 19 people in attendance

Forum Discussion:

Hours:

12-1pm seems really slow. Maybe change market hours to be 8-12:30

Vendor Variety

Almost everyone was open to allowing more and different types of vendors. Meat and cheese vendors were brought up as possible prospects

Fee Structure

Our current market fees are low in comparison to other markets in our area. Most vendors were not opposed to the possibility of the fees being raised.

Location:

While we all like the market in Downtown Baraboo, not having direct access to vehicles does make it difficult. The unevenness of the terrain where the market currently is also poses a challenge to some

Other Locations Ideas:

Lower Parking lot of Civic Center

Application Process:

Permanent spots for yearly pass holders and punch cards were discussed in addition to the different application types:

New vendor application

Returning vendor application

**Agreed that all vendors have producer only grown goods for traceability

Market Manager/ Board for farmers market

Discussion ensued in favor of a Farmers Market Board or advisory/ad hoc committee consisting of community farmers, BID, DBI in addition to the Market Manager

Other Notes of Interest:

A Farmer’s Market sign under our Welcome to Downtown Baraboo sign

Handwashing station NOT necessary but masks required

Most felt ok, with a vendor next to them. Covid = 7 vendors versus 15

There were concerns about being around the corner

Restroom locations – provide a list for vendors where to park and where a restroom is

Sarah made a motion to adjourn at 7:08. Second by Bekah. Motion carried

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

Public Arts.....2-25-2021	PFC.....2-15-2021, 2-26-2021
CDA.....3-2-2021	Park & Rec.....3-1-2021, 4-5-2021
Airport.....1-26-2021	Plan Comm.....1-19-2021
Ambulance.....1-19-2021, 2-11-2021, 2-24-2021	

• **Petitions & Correspondence Being Referred:**

- Disclosure correspondence from Baraboo Firefighter, Logan LaMasney’s company, LL Innovations for bid and possible contract with City of Baraboo.
- Correspondence regarding ATV Route in city.

CLOSED SESSION

Moved by Wedekind, seconded by Ellington, to go into Closed Session. The Mayor will announce that the Council will go into Closed Session §§19.85(1)(c) Wis. Stats., to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Re: Internal investigation into alleged employee misconduct)

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow
Council Members Absent:
Others Present: Mayor Palm, Clerk Zeman, Adm. Bradley, K. Stieve, Rob Nelson

OPEN SESSION

Moved by Ellington, seconded by Sloan, 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.

ADJOURNMENT

Moved by Wedekind, seconded by Kolb, and carried on voice vote, that the meeting adjourn at 8:27pm.

Brenda Zeman, City Clerk