

**Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, May 10, 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, Ellington, Sloan, Kierzek, Thurow

Council Members Absent: Petty

Others Present: Interim Chief Sinden, Clerk Zeman, Adm. Bradley, J. Ostrander, T. Pinion, P. Cannon, 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 April 26, 2022

Moved by Sloan, seconded by Hazard and carried to approve the amended agenda, removing item NBR-4, agreement with Five Bugles Design.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – None Scheduled.

PUBLIC HEARINGS – None Scheduled.

PUBLIC INVITED TO SPEAK – No one spoke.

MAYOR'S BUSINESS

- The Mayor recognized the City of Baraboo Public Works Department. National Public Works Week is May 15-21, 2022.

CONSENT AGENDA

Resolution No. 22-24

THAT the Accounts Payable, in the amount of \$ 1,320,307.61 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 22-25

THAT the “Schedule for Successor of Agent” submitted by Fore Seasons at Baraboo Country Club, LLC, appointing Eric McConnell as the new agent be approved. The City Clerk is authorized to re-issue the liquor license for Fore Seasons at Baraboo Country Club, LLC including Eric McConnell as the agent.

Moved by Thurow, seconded by Kolb and carried that the Consent Agenda be approved-8 ayes.

ORDINANCES ON 2ND READING

Moved by Kolb, seconded by Wedekind and carried unanimously to approve the 2nd reading of **Ordinance No. 2594** amending an ordinance creating Section 18.02(9) to require a 50-foot highway setback for all lands abutting STH 33 east of CTH T (Taft Avenue)

NEW BUSINESS - RESOLUTIONS

Resolution No. 22-26

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

- Class “B” Fermented Malt Beverage & “Class C” Wine License to Gordon and Hollie Ringelstetter Log Cabin Family Restaurant and Bakery, LLC

Moved by Sloan, seconded by Ellington and carried that **Resolution No. 22-26** be approved-8 ayes.

Resolution No. 22-27

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

WHEREAS, city staff has been in discussions with the Developer in regards to property that is already platted (“Project”); and

WHEREAS, the Parties have negotiated the terms of the development agreement; and

WHEREAS, the Parties would each like to move forward in executing the development agreement; and

WHEREAS, the City finds that adding additional housing to the City of Baraboo is critical to ensuring affordable quality housing is available to city residents.

NOW, THEREFORE BE IT RESOLVED, the Baraboo City Council does hereby authorize entering into the development agreement in accordance with the terms set forth and directs staff to take the steps necessary to facilitate the City’s responsibilities under this agreement.

BE IT FURTHER RESOLVED that the City Council authorizes the City Clerk and City Administrator to execute the attached City of Baraboo and BRD1, LLC Development Agreement. The agreement will be amended to add language giving the City final consent on any development of the commercial lot(s) with the intention that no development will happen on any of the commercial site(s) up until, and after, the food service provider, has been constructed.

Moved by Sloan, seconded by Ellington and carried that **Resolution No. 22-27** be approved-8 ayes.

Resolution No. 22-28

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

Whereas, in 2019 the City of Baraboo elected to enter into the CLOSE Program offered by the Wisconsin Department of Administration.

Whereas, by completing the CLOSE Program, the Economic Development Funds are no longer under the distribution criteria as set forth by the State.

Whereas, the City of Baraboo and the Community Development Authority have separate funds dedicated to assisting businesses with their economic development efforts.

Whereas, at the time of entering into the CLOSE Program, the city felt it was in its best interest to combine these funds into one account.

Now Therefore be it Resolved, the City Council authorizes the City Administrator to combine all the economic development related loans and their revolving loan funds into a single fund. This fund would be managed by the Community Development Authority.

Moved by Ellington, seconded by Hazard and carried that **Resolution No.22-28** be approved-8 ayes.

COMMITTEE OF THE WHOLE

Moved by Thurow, seconded by Kolb, to enter Committee of the Whole to discuss an update on the 2023 Budget.

Adm. Bradley presented the 2023 budget cuts as recommended by each department. Some additional items to consider are moving the Fire Charge from property taxes to a utility charge, the outdoor pool, and the TV Contract.

Moved by Ellington, seconded by Kent, to rise and report from Committee of the Whole and return to regular session.

ADMINISTRATOR AND COUNCIL COMMENTS

- Ald. Wedekind gave an update on the Memorial Day Observance which includes the Flowers on the Water ceremony, procession of Veterans, and a ceremony at Walnut Hill Cemetery.
- Ald. Ellington noted that the library will be closed this Thursday, May 12, 2022.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** March & April 2022 – Fire Dept.
- **Minutes from the Following Meetings:**

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

April 26, 2022

Members Present: Sloan, Kent, Petty

Absent:

Others Present: Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, R. Sinden, J. Bohl, S. Meise,

Call to Order –Ald. Sloan called the meeting to order at 5:30p.m. noting compliance with the Open Meeting Law. Moved by Petty, seconded by Kent to approve the minutes of April 12, 2022. Motion carried unanimously. Moved by Kent, seconded by Petty to approve the agenda. Motion carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Kent, seconded by Petty to recommend to Council approval of the accounts payable for **\$764,190.26**. Motion carried unanimously.
- b) **TID 6 Termination** – J. Ostrander noted that TID #6 was created on 7/27/1999 as an industrial district. In 2006 we added territory and additional project costs and again in 2010 it was amended again for additional project costs. TID #6 shares increment with TID #8 and TID #9. Because TID #9 was recently closed as well, once TID #6 is closed, it will roll into TID #8. TID #6 must close in 2022; we will receive our last increment in 2023. Motion by Petty, seconded by Kent to recommend to Council authorizing the termination of the TID 6 District, effective 4-26-2022. Motion carried unanimously.
- c) **Acting Police Chief** – Adm. Bradley advised that the Police & Fire Commission has appointed Captain Rob Sinden as “Interim Chief” until the position is filled. Adm. Bradley recommends that, based on Captain Sinden’s tenure with the City and his experience, he is put at the same rate of pay Chief Schauf is currently at. Motion by Petty, seconded by Kent to approve compensating “Acting Police Chief” Rob Sinden at the same rate of pay current Police Chief Mark Schauf is receiving, effective May 7, 2022. Motion carried unanimously.
- d) **Rapid River Apartments, LLC** – Adm. Bradley explained that this is the townhouse project, Devil’s Lake Townhomes, LLC, on Lake Street. We do currently have a pre-development agreement with them for this project. It is expected that this project will be completed in June/July of 2023. The land will be sold for \$1 and will require no additional infrastructure. The initial plan is that the townhouses will be rented and eventually down the road, they will be sold. Included in the agreement is language that does not allow this property to become a tax-exempt property for the duration of 20 years. Motion by Petty, seconded by Kent to recommend to Council approving the Development Agreement with Rapid River Apartments, LLC for Lake Street parcel 206-1154-10010 with the amendments to sections 2.4 and 5.2 to reflect the 20-year capitation. Motion carried unanimously.

Discussion Items:**a. Public Fire Protection Charge**

Adm. Bradley explained that there is a fire protection charge that is charged against every home. Currently this is split, ½ is paid by property taxes and ½ by water use. This is a water use cost. A lot of tax-exempt facilities, by property taxes paying this, are not currently paying for this. If this is all moved to be billed with water, it would free up about \$289,000; however, the residents will be paying more.

b. Update on the 2023 Budget

Adm. Bradley presented an update on the 2023 preliminary budget cuts. Each department made their recommendation as to where they would like to see the budget cuts. All departments have met or exceeded their goals.

c. Update on the Shared Ride Corrective Action Plan (CAP)

No discussion took place. This will be included on the May 10, 2022 agenda.

d. Legal Counsel

This was discussed during the 2023 budget updates. Council members would like to know how they get access to the attorney with questions. Adm. Bradley noted that contact information for the attorney can be provided to Council members. It was noted that past attorneys have assisted with the role of HR. It was also noted that by contracting out for this position, we have a larger venue of specialized legal counsel. Past Atty. J. Bohl feels it's best practice for the City to have an attorney on staff. He feels this is currently working out for the City because there has not been any litigation.

Informational Items:

- a. B. Zeman noted that it was recommended by Boardman & Clark, the current acting attorney, to approve a \$45 reimbursement claim for replacement of a mailbox that was likely damaged by a snow plow.

Adjournment – Moved by Petty, seconded by Kent and carried to adjourn at 6:50pm.

Minutes of the Public Safety Committee Meeting –**February 28, 2022**

Members Present: Phil Wedekind, Tom Kolb and Mike Plautz. **Others Present:** Tom Pinion, Tony Gilman, Wade Peterson.

Call to Order - Committee Tom Kolb 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 Wedekind, seconded by Plautz to approve the agenda as posted. Motion carried unanimously. It was moved by Wedekind, seconded by Plautz to approve the minutes of the January 31, 2022 meeting. Motion carried unanimously.

Public Invited To Speak (*Any citizen has the right to speak on any item of business that is on the agenda for this meeting if recognized by the presiding officer.*) – There were no speakers.

Action Items

- a. **Review 2022 Public Works Projects Bid Tabulation and recommend award of contract** – Pinion present bid results to the Committee. He said prices are higher this year for paving due to the price of oil. Curb and Gutter and Sidewalk prices are up considerably from last year; therefore, we will be able to do less concrete than previous years, unless we starting picking some stuff up in house. It was moved by Wedekind, seconded by Plautz to recommend awarding contracts to all low bidders. Motion carried unanimously.
- b. **Review and approval of monthly Billing Adjustments/Credit for Sewer and Water Customers for the month of February 2022** – It was moved by Wedekind, seconded by Plautz to approve the monthly Billing Adjustments/Credits for February 2022. Motion carried unanimously.

Information Items

- a. Electric Vehicle Charging Stations for on-street parking stalls in downtown Baraboo – Pinion stated that he received an inquiry from Brothers On Oak, they are contemplating putting in an electric vehicle charging station in front of their establishment. He said there are a couple of public charging stations in Baraboo. He said that the DOT no longer makes it public access to the number of electric vehicles registered, three years ago there were six in Sauk County. He said there has not been too big of a demand; Alliant has one on Commerce Avenue and possible Kwik Trip. He said that DBI and BID have talked about it. He said that the last two or three parking lots that have been done conduit to add them at some point in the future was installed. Kolb likes the idea of having charging stations, but not on public streets.

Reports

- a. Utility Superintendent’s Report
 - i. Staffing Updates – No report.
 - ii. Project Updates – Peterson said that no new updates with West Baraboo Agreement. He said that he has not heard any more from the DNR regarding private lead services. Peterson said that the City has signed up for the free PFAS testing offered by the State. Peterson said that the R/R trestle at 1055 Lake Street will be refurbished in 2022 and will require the removal of the sewer line. He said the Water Utility has been working with the Wisconsin Rural Water Association on creating a plan to protect the areas around our wells. We are nearing completion of the plan and will bring it forward for adoption and ordinance change.

- b. Street Superintendent’s Report
 - i. Staffing Updates – Gilman said after the application/interview process, it was decided not to fill the open DPW position at this time. He said that a staggered start time to minimize the amount of staff in a certain area at one time is still in place.
 - ii. Project Updates – Gilman discussed he vehicle and equipment tracking for plow trucks and sweepers. This equipment can track miles driven, total miles sander is activated, amount of liquid brine distributed, and the amount of salt or salt/sand distributed. The equipment can also be setup to work with street sweepers. Gilman said once programmed to a street sweeper, it will track miles driven, miles swept when broom is activated, and how many loads were hauled per day. He said that this date is useful for annual MS4 reporting. He said that they are also considering similar units for the refuse and recycling trucks but those would be permanent fixtures. Gilman said the units in refuse and garbage trucks would be linked to a tablet that would have certain options to select so the drivers could drop pins, noting concerns, such as potholes, low hanging limbs, carts not out for pickup, etc. Pinion said that the benefit would far exceed the expense. Kolb asked Gilman for cost of units, including fees, and software updates.
 - iii. Monthly Report on Public Works Department activities – Gilman said the mild, but windy, winter has reduced the amount of hours committed to snow removal, and the quantity of materials used to combat the winter weather, except for the storm last Tuesday. He said that the crew continues to help Parks with tree removal. Gilman said that the crew continues to pick up brush curbside as requests come in. He said the requests are few during the winter months. He said he would continue to evaluate the brush site closure.

- c. Police Chief’s Report
 - i. Staffing Updates – No report.
 - ii. Case/Response Update – All reports included in the packet.

- d. Fire Chief’s Report
 - i. Monthly Incident Report – Report was included in Council packet.
 - ii. Operations Study Update – The EMS Commission did approve adopting the resolution to go ahead with the covenants and then participating in the strategic plan. He said they did not choose anyone for the AdHoc Committee, which will be in March.
 - iii. Fire & EMS Facility Design Update – Stieve said the mandatory pre-proposal meeting in on March 2 at 10:30 a.m.
 - iv. Staffing updates – Stieve said that two were hired in January, and there is one that is going through the last phase of the process.

AJOURNMENT – It was moved by Wedekind, seconded by Plautz to adjourn at 1:32 p.m. Motion carried.

- **Copies of these meeting minutes are on file in the Clerk’s office:**
 Library.....3-15-2022 Public Arts.....3-24-2022
 Ambulance.....3-23-2022 Plan Commission.....3-15-2022

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

CLOSED SESSION

Moved by Sloan, seconded by Kent, to go into Closed Session. The Mayor announced that the Council will go into Closed Session pursuant to §19.85(1)(e), Wis. Stat., to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business,

whenever competitive or bargaining reasons require a closed session. (Potential TID #10 Land Acquisition)

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

Council Members Absent: Petty

Others Present: Mayor Nelson, Interim Chief Sinden, Clerk Zeman, Adm. Bradley, J. Ostrander, T. Pinion

OPEN SESSION

Moved by Wedekind, seconded by Kent, to return to Open Session. The Mayor announced 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 Kent, seconded by Kolb, and carried on voice vote, that the meeting adjourn at 8:48pm.

Brenda Zeman, City Clerk