

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, July 26, 2022 – 7:00 p.m.**

Mayor Nelson called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Hazard, Kent, Ellington, Sloan, Thurow

Council Members Absent: Petty, Kierzek

Others Present: Interim Chief Sinden, Clerk Zeman, Adm. Bradley, J. Ostrander, W. Peterson, members of the press and others.

The Pledge of Allegiance was given.

Moved by Ellington, seconded by Sloan and carried to approve the minutes of July 12, 2022.

Moved by Wedekind, seconded by Kolb and carried to approve the agenda.

**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 Baraboo Public Art Association will be considering options for the next major project on July 28. To offer an idea, contact the Mayor or email: [baraboopublicarts@gmail.com](mailto:baraboopublicarts@gmail.com)

**CONSENT AGENDA**

**Resolution No. 22-73**

THAT the Accounts Payable, in the amount of \$871,379.21 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Moved by Sloan, seconded by Ellington and carried that the Consent Agenda be approved-7 ayes.

**ORDINANCES ON 2<sup>ND</sup> READING**

Moved by Thurow, seconded by Sloan and carried unanimously to approve the 2<sup>nd</sup> reading of **Ordinance No. 2597** revising speed limits on South Blvd., Taft Ave., and 8<sup>th</sup> St.

Moved by Ellington, seconded by Wedekind and carried unanimously to approve the 2<sup>nd</sup> reading of **Ordinance No. 2598** revising to provide no parking on the west side of Jefferson St. from the north curb line of 12<sup>th</sup> St. to the south curb line of 14<sup>th</sup> St. The east side of Jefferson St. between 11<sup>th</sup> St. and a point 150 feet north of 11<sup>th</sup> St for angled parking.

**NEW BUSINESS - RESOLUTIONS**

**Resolution No. 22-74**

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

To approve the Base Bid for a Licensed Plumber/Utility Contractor to replace 16 Private Lead Services Funded by WDNR SDWLP in the amount of \$116,000 and award the contract to the lower (only) bidder, Mid City Corporation.

Moved by Wedekind, seconded by Sloan and carried that **Resolution No. 22-74** be approved-7 ayes.

**NEW BUSINESS – ORDINANCES**

Motion by Thurow, seconded by Kolb and carried unanimously to approve the 1<sup>st</sup> reading of **Ordinance No. 2599** amending §7.09(16) relating to Reserved Parking for Officials.

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

1. Section 7.09(16), Reserved Parking for Officials, of the Baraboo Municipal Code is hereby amended as follows:

**7.09(16) RESERVED PARKING FOR OFFICIALS.**

- (a) It is necessary that certain City, County, State and other public employees have reserved parking spaces for their vehicles in City parking lots and on certain city streets in order to allow efficient access to and from public buildings. Therefore, when a parking space in any City parking lot, or City street designated by a distinct sign indicating that the parking space in front of the sign is reserved parking for a City, County, State or other public employee or department, no person shall park or leave standing any vehicle in any part of the reserved space.
  - (b) The following organizations shall have reserved parking spaces in the City parking lots in the Alma Waite Annex parking lot located north of the Municipal Building: (1802 04/11/95, 2033 11/14/2000, 2321 10/27/2009, 2564 10/27/2020)
    - (i) Fire Department ("For Fire Personnel Only") – nine (9) spaces.
    - (ii) Baraboo District Ambulance Service – (10) ten spaces.
2. This Ordinance shall take effect upon passage and publication as provided by law.

**COMMITTEE OF THE WHOLE**

Moved by Kolb, seconded by Hazard, to enter Committee of the Whole to discuss the procedure of future agenda items.

Council discussed the procedure for items that are currently placed on both the Finance and Council agenda for the same night. Similarly, this short turn around time can be an issue with any of the Committees/Board/Commissions making a recommendation to Council. There are some members of the Council that would prefer items not be presented to Council and Finance on the same night. They don't view this request as an attempt to slow anything down, it just gives the Council members sufficient time to review the documents. It was noted that Council members do have the option to table any items included on the agenda if it requires further review. Adm. Bradley notes that timeliness is important, and he is willing to provide Council members with more information. It was decided that they would continue with the packets "as is"; items will continue to be presented to both Finance and Council on the same night.

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

**ADMINISTRATOR AND COUNCIL COMMENTS**

None.

**REPORTS, PETITIONS, AND CORRESPONDENCE**

The City officially acknowledges receipt and distribution of the following:

- **Reports:** June 2022 – Building Inspection, Treasurer, Fire

- **Minutes from the Following Meetings:**

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

**July 12, 2022**

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

**Absent:**

**Others Present:** Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, Seth Meise

**Call to Order** –Ald. Sloan called the meeting to order at 6:00p.m. noting compliance with the Open Meeting Law.

Moved by Kent, seconded by Petty to approve the minutes of June 28, 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 **\$668,447.95**. Motion carried unanimously.
- b) **Expansion of TID #8** – The Committee reviewed the map showing the expansion of TID #8. This expansion, and amended project plan, will allow for TID funds to be used for the Bowden (Southside) Development, reimbursement up to \$2M. By using TID #6 revenue to pay off TID #8, plus the little bit collected from TID #8 over the remainder of its life, that will accumulate to a little over \$2M and that will be what is used for reimbursement for the Bowden Development. The last expenses for this TID #8 must be incurred prior to 2027; the TID is scheduled to close 2040. Because this TID is amended prior to September 30<sup>th</sup>, it goes back to January 1<sup>st</sup>, 2022. Moved by Kent, seconded by Petty to recommend to Common Council to approve the “Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District #8”. Motion carried unanimously.
- c) **Expansion of TID #11** – The Committee reviewed the map showing the expansion of TID #11. It was noted that TID #11 was an exact overlay of TID #7. Adm. Bradley explained that we have received a request to amend this TID for various projects. He is anticipating \$75M worth of projects in this TID. Moved by Petty, seconded by Kent to recommend to Common Council to approve the “Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District #11”. Motion carried unanimously.
- d) **Development Agreement** –Adm. Bradley presented the Development Agreement with KMD, LLC. They are not asking for incentives; the only request of the City is to upgrade Waldo. All roads internally will be owned and maintained by the developer as part of the condo association. They are asking that we take ownership of the water and sewer; they will provide the easements and stormwater facility. This will also include a park, walking path, and clubhouse as part of the condo association; these will be for use by the condo association only. Moved by Petty, seconded by Kent to approve the amended Development Agreement with KMD, LLC. Amendments are as follows:

**2.1 Improvements**

(c) Developer shall promptly pay for all City impact fees. As additional consideration to developer for this Agreement and as long as no Default exists under the Agreement, the City agrees to defer the due date for the payment of impact fees to on or before thirty (30) calendar days after the earlier of Developer receiving: (i) a certificate of occupancy for each of the duplex buildings, or (ii) a certificate of substantial completion from Developer’s architect for the Project related to each three-unit condominium buildings on the Property.

**Exhibit B**

a. Streets

Developer shall grade and surface streets within the Property for the Project, street design shall be reviewed by the City Engineer. All streets will be private.

Motion carried unanimously.

**Discussion Items:**

- Purchasing Policy - No discussion took place. This will be placed on the July 26, 2022 Finance/Personnel Committee agenda.

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

**Administrative Committee**

**June 20, 2022**

Present: Alderpersons Kathleen Thurow, Heather Kierzek, Bryant Hazard

Absent: None.

Also Present: City Clerk Brenda Zeman, Finance Director Julie Ostrander, Interim Police Chief Rob Sinden,

Boardman & Clark City Attorney Eric Hagen

Citizen Present: None

The meeting was called to order by Chairman Kathleen Thurow at noon, with roll call and noting compliance with the Open Meetings Law.

Motion by Hazard, second by Kierzek to approve the June 7, 2022 and June 17, 2022 minutes.

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

**Action Items:**

- a) Review and recommendation to the Common Council for a new Class “B” Fermented Malt Beverage License and Class “C” Wine License for Los Sombreros Grill Restaurant, LLC, 111 4<sup>th</sup> Street.

The issued license went before the Common Council and Chief Sinden recommend denying approval. Therefore, the Council sent this item back to the Administrative Committee so the Clerk and Chief could contact counsel to make sure the decision was appropriate. Pursuant to state statute 111 a license of this type can only be denied if violations are related specifically to alcohol licensure issues. A warrant for arrest does not preclude his ability to obtain a license. Chief Sinden withdrew his recommendation to deny base upon this information but will do an alcohol license check on this establishment as soon as the license is formally approved. Zeman stated there are two members listed for the LLC and the other member had a cleared the background check. The person in question was not listed as the agent.

Motion by Hazard, seconded by Kierzek for recommendation to the Common Council for the new Class “B” Fermented Malt Beverage License and Class “C” Wine License for Los Sombreros Grill Restaurant, LLC, 111 4<sup>th</sup> Street.

Motion carried unanimously

**Informational Items**

- a) Date and time for next meeting: Tuesday, July 5, 2022, at 8:00AM

Motion to adjourn by Hazard, seconded by Kierzek at 10:05 AM and unanimously carried.

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

CDA.....6-7-2022	Library.....4-11-2022
PFC.....6-20-2022	Ambulance.....5-17-2022
Plan.....5-17-2022	BDAS/Fire.....6-20-2022

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

**ADJOURNMENT**

Moved by Ellington, seconded by Sloan, and carried on voice vote, that the meeting adjourn at 7:12pm.

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Brenda Zeman, City Clerk