



ADMINISTRATIVE COMMITTEE AGENDA

Date and Time: Monday, February 1, 2021 at 8:00AM
Location: City Hall, 101 South Boulevard, Baraboo, WI 53913
Room: C205 *Dennis O Thurow* Committee Room

This meeting is open to the public. However, with the health concerns regarding COVID-19, anyone appearing in person will be required to socially distance themselves.

Remote participation at this meeting is allowed and encouraged. Committee Members and the public wanting to participate remotely must dial:

Conference Call: 1 (414) 662-3639 Conference Code: 462 732 634#

Notices:

Full Paper to Members:	Alderspersons: John Ellington, Heather Kierzek & Kathleen Thurow
Full Paper to Others:	Mayor, Mike Palm
Paper excluding Closed Session:	Library for subsequent posting
E-mail:	Clerks and Donna Munz
Outlook Meeting Calendar:	City Administrator, Casey Bradley; Police Chief, Mark Schauf; Finance Director, Cynthia Haggard; City Engineer, Tom Pinion; Clerk, Brenda Zeman
Citizen or other notices:	Neighbors to 500 Red Spruce Avenue

- 1) Call to Order:
 - a) Roll call of members
 - b) Note Compliance with Open Meeting Law.
 - c) Approve minutes – January 4, 2021.
 - d) Approve agenda.
- 2) Action Item(s):
 - a) Consider Request for Excessive Household Animals – Diane Gritton (**Zeman**). See the following attachments:
 - i) Memorandum from Cynthia Haggard, Finance Director
 - ii) Code 29.11, “Number of Dogs and Cats per Household, Special Exception Permit”
 - iii) Request from Diane Gritton
 - b) Consider Operator License for Lyle Tyler (**Zeman**)
 - c) Discussion and Recommendation for Change in Liquor License for AL Ringling Theatre Friends, including Change of Agent. (**Zeman**)
- 3) Discussion Item(s):
 - a) Code 10.06(6), “Storage of Recreational Equipment Regulated.” See the following attachments:
 - i) Email from Tom Pinion
 - ii) Memorandum from Former City Attorney, Emily Truman.
- 4) Information Item(s):
 - a) Date and time of next meeting: Monday, March 1, 2021 at 8:00AM
- 5) Adjournment: Alderperson Ellington

For more information about the City of Baraboo, visit our website at www.cityofbaraboo.com.

Agenda prepared by Cynthia Haggard, (608) 355-2700
Agenda Posted by Donna Munz on January 28, 2021

Any person, who has a qualifying disability as defined by the Americans with Disabilities Act and requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Baraboo City Clerk at 101 South Boulevard, Baraboo, Wisconsin or by phone (608) 355-2700 during regular business hours at least 48 hours before the meeting to ensure reasonable arrangements are made to accommodate each request.

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; Parks and Recs Director, Mike Hardy
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 December 3, 2020 minutes, seconded by Kierzek and unanimously carried.

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

General inquiry from Ellington about the status of recreational vehicle storage and expressed the need to discuss this item further at the next meeting.

Consider Request for Excessive Household Animals – Abey Nova

Motion to approve the request for excessive household animals for Abey Nova by Kierzek, seconded by Thurow and unanimously carried.

Discussion item about allowing ducks (Continued from December 3rd)

Hardy referenced information provided from the Zoo staff, who manage the animals within the fence. Ducks outside the fence are a Community Officer's concern. For the Zoo, birds are kept in separate enclosures to prevent the spread of disease. Water access is important all year round. Aside from that, it's more of a USDA concern. As of late, the USDA doesn't have a big involvement in the monitoring of fowl. However, the USDA may have guidelines in the near future. Hardy and his staff recommend following the USDA guidelines.

With all the challenges in keeping ducks, Kierzek was not in favor of having ducks within the City. Thurow concurred and added that things may change in the future with USDA guidelines coming out. The current climate does not support ducks. Schauf was asked his opinion. Schauf introduced future consideration for citizens who want the ducks as just a pet versus a food source. Schauf recommended letting the current owner of the ducks keep them; he'd have the Community Service Officers monitor them.

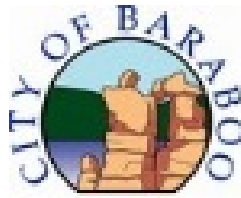
Thurow made a motion to have the Community Service Officer monitor the ducks and that the current Ordinance remain unchanged, seconded by Kierzek and unanimously carried.

Member comments


The next meeting will be Monday, February 1, 2021 at 8:00AM.

Motion to adjourn by Kierzek, seconded by Thurow and unanimously carried. Meeting adjourned at 8:16AM.

Respectfully submitted,
Cynthia Haggard, Finance Director



Finance Department Memorandum

To: Administrative Committee
From: Cynthia Haggard, Finance Director, 
Date: February 1, 2021
Re: Diane Gritton – Request for Excessive Household Animals

Letters were prepared and hand delivered to residents adjacent to the property at 500 Red Spruce Avenue, Baraboo WI, 53913 where Diane Gritton resides. The letters were hand delivered on January 28, 2021 and included a copy of the agenda for the February 1, 2021 meeting; residents were invited to attend the meeting.

- (5) **UNTAGGED DOGS AND CATS.** Untagged adult dogs and cats are prohibited. An adult dog or adult cat is considered to be “untagged” if a rabies vaccination tag or City-issued license tag is not attached to a collar which is kept on the dog or cat whenever the dog or cat is outdoors unless the dog or cat is confined.
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29.11 NUMBER OF DOGS AND CATS PER HOUSEHOLD LIMITED; SPECIAL EXCEPTION PERMIT.

- (1) **DOG AND CAT LIMITS.** Except as otherwise permitted by this Chapter, no person shall own, harbor or keep more than two adult dogs and two adult cats in a household. If more than two adult dogs and two adult cats are owned, harbored or kept in or by any one household, the head of the household shall be deemed the person so owning, harboring or keeping such animals, notwithstanding that the dog or cat license or licenses may be issued to other members of the household as owners of such animals.
- (2) **SPECIAL EXCEPTION PERMIT.** The Common Council shall be authorized to grant a Special Exception Permit to allow a greater number of adult dogs and/or adult cats for a specific household provided the following conditions are satisfied:
- a. Permit Request.
 - i. The head of household must submit a request for a Special Exception Permit in writing to the City Clerk, who, upon receipt, shall schedule the request to be considered at the next regularly scheduled Administrative Committee meeting where the notice requirements described in sub. ii, below, can be timely made.
 - ii. Upon receiving the request, the City Clerk or designee shall attempt to notify the owners of property immediately adjacent to the requestor’s property regarding the request. This attempt shall be made by regular mail to be posted at least 10 calendar days prior to the date of the Administrative Committee meeting at which the application will be heard.
 - b. Administrative Committee Review. Before the Council considers a request for a Special Exception Permit, the request shall be reviewed by the Administrative Committee. If the Administrative Committee finds that the Permit should not be issued based on the factors listed in Subs. (c) i-vii, below, this determination shall be final and shall constitute a formal denial of the request. If the Administrative Committee finds that the Permit should be granted, or granted with conditions in addition to those listed in Par. (3), below, this determination shall be deemed a recommendation only and the final determination shall be made by the Council.
 - c. Common Council Authorization. Upon a recommendation from the Administrative Committee to grant a Special Exemption Permit, or to grant a Special Exemption Permit with conditions in addition to those listed in Par. (3), below the Council shall make the final determination based on the following factors: (1885 10/08/96, 2448 09/13/16)
 - i. Whether the need for the additional animal is based on a change in household circumstances. An existing household acquiring a new animal shall not be considered a change in household circumstances if that was the only change to the household.
 - ii. Whether the excess animal is an ADA service animal, as defined by 28 CFR § 35.104.
 - iii. How and when the excess animal was acquired by the household and whether the animal was acquired with knowledge of the limited number of such animals permitted by this ordinance.
 - iv. The care and treatment of all animals in the household.
 - v. Whether any resident of the household has a conviction involving or related to animal cruelty or abuse, including a violation of §29.27 of this Code.
 - vi. Relevant testimony of any property owner notified pursuant to Subs. (a) ii, above.
 - vii. Whether the applicant is delinquent in the payment of any taxes, assessments or other claims owed to the City.
- (3) **PERMIT CONDITIONS.** The following conditions shall apply to all Special Exception Permits:
- a. No more than a total of five animals (adult dogs and adult cats combined) shall be owned, harbored or kept by one household, except that the Council may allow additional animals based upon a finding by the Council that the animals are ADA service animals, as defined by 28 CFR § 35.104, and that all other conditions of this ordinance are met.
 - b. Only one Special Exception Permit shall be allowed per household so that in no case shall a household have more than 3 adult dogs or 3 adult cats, except that the Council may allow excess animals based upon a finding by the Council that the animals are ADA service animals, as defined by 28 CFR § 35.104, and that all other conditions of this ordinance are met.

- c. Each permitted animal must be neutered or spayed.
 - d. Each permitted animal must be raised in a safe, sanitary and healthful environment and shall be properly fed and groomed at all times and all animal waste shall be disposed of in a safe and sanitary manner.
 - e. If a permitted animal dies, it shall not be replaced with another animal.
 - f. Each permitted animal must be kept or harbored inside the residence.
 - g. The owner of the household where such animals are harbored or kept must give his/her written consent to the granting of an exception under this subsection.
 - h. Each permitted animal must be properly registered with the City and all license fees paid.
 - i. Any additional conditions the Council deems necessary for public health, safety and general welfare.
- (4) INSPECTIONS. Law enforcement officers and humane officers shall be authorized to inspect the household with reasonable notice to the owner or occupants thereof for compliance with the conditions established by the Council.
- (5) PERMIT TERM. A Special Exception Permit shall be valid until the permitted animal dies or is no longer kept in the household.
- (6) STAY OF ENFORCEMENT. A person in violation of Par. (1), above, but who has submitted a request for a Special Exception Permit to the City Clerk and is waiting the final decision on the request shall not be subject to penalty under this Chapter during the time in which the request has been submitted and the final decision has been made.
- (7) PERMIT REVOCATION. A single violation of any of the conditions contained in this ordinance, or any other condition ordered by the Council, or any applicable condition contained in §12.01 of the Code, shall be sufficient grounds for revocation of the Special Exception Permit by the Common Council. For purposes of this section, a “violation” need not have resulted in a conviction so long as a law enforcement officer or humane officer is able to reasonably articulate and provide clear and convincing evidence, of which testimony may suffice, of said violation.

29.12 **NUMBER OF DOGS AND CATS PER HOUSEHOLD; ANIMAL RESCUE LICENSE.** (2370 01/10/2012 [created])

- (1) DEFINITIONS. As used in this section,
- a. “Animal rescue household” means a single-family residence working in conjunction with a bona fide animal rescue organization to temporarily board dogs or cats until a new home can be found for the animal.
 - b. “Bona fide animal rescue organization” is an organization dedicated to the adoption of surrendered, abandoned, homeless, or otherwise ownerless dogs and/or cats, and which:
 - i. Has been in existence as an organization for a minimum of two years;
 - ii. Does not allow animals in the organization’s care to be mated or bred;
 - iii. Requires that animals live indoors in an environment suitable for socializing with humans;
 - iv. Requires that animals have up-to-date vaccinations;
 - v. Requires a personal visit to the home of potential clients of their animals; and
 - vi. Is a member of the Alliance of Wisconsin Animal Rehoming Efforts.
- (2) ANIMAL RESCUE HOUSEHOLD; PERMITTED ANIMALS. A licensed animal rescue household shall be allowed two additional adult dogs or two additional adult cats in the household. The additional animals shall not be vicious animals as defined by this Chapter.
- (3) LICENSE REQUIRED. An Animal Rescue Household License shall be issued by the City Clerk to the head of the household of an animal rescue household that meets the following requirements:
- a. The applicant provides a letter of recommendation with the application for the license from a veterinarian supporting the household for animal rescue operations.
 - b. The applicant provides evidence that the animal rescue organization the applicant is associated with is a bona fide animal rescue organization as defined in this ordinance.
 - c. All other dogs and cats in the household are licensed.

Diane E. Gritton

500 Red Spruce Ave.
Baraboo, WI 53913

Brenda Zeman, City Clerk
City Hall, 101 South Boulevard
Baraboo, WI 53913

January 12, 2021

Dear Ms. Zeman,

I am writing to request a Special Exception Permit for an extra pet as per Ordinance 29.11 (2). I moved to Baraboo from Scottsville, Kentucky with 3 adult neutered/spayed and vaccinated cats on September 21st, 2020.

I understand that there is a limit of 2 cats per household, so I am requesting a Special Permit, knowing that if the permitted cat dies, I cannot replace it.

Thank you for your assistance with this matter.

Sincerely,


Diane E. Gritton



TAVERN OPERATOR LICENSE APPLICATION

Fees are non-refundable and non-transferrable.

Application # _____

100-10-44120

JA

Renewal 20180000090
Renewal of license# _____ previously issued by City of Baraboo.

06/17/2020

Only for operators at special events or fund raisers. Limit maximum of 14 days per year.

For Temporary Applicants: List no more than 14 dates requested.
n/a**APPLICANT INFORMATION:**

Last Name	First Name	Middle Initial	Date of Birth	Male/Female
LYLE	TYLER	c	██████████	Male
E-Mail	Telephone #		Place of Birth	Driver License #
██████████	██████████		portland, oregon	██████████
Street Address		City, State		Zip
320 badger drive		Baraboo, Wisconsin		53913

- Where will you be employed? Poor Richards Saloon
- Employer's Telephone #: 6083937651
- Where have you had previous experience as an Operator? Poor Richrds saloon, baraboo, Wi.
- Have you lived in Wisconsin for at least 90 consecutive days? Yes No
(If answer to Q 4 is no, do not file your application until you have satisfied the residency requirement.)
- How long have you continuously resided in Wisconsin? 3 years In Sauk County? 2 years
- Have you reviewed the Bartender License Issuance Guidelines, which are attached to this application?
 Yes No
- Have you ever been convicted for a violation of any federal laws, state laws of Wisconsin or any other state, as well as any county or municipal violations? Yes No

If **Yes** to any portion of this question – you are required to complete the box below. If more room is needed, attach a document listing the items. List everything in your past, even if you think it is not important. Your license can be denied if you provide incomplete or inaccurate information! **See Attached Flowchart.**

Date of Conviction	Location of Charge (City, County)	Type: Felony, Misdemeanor, Ordinance, Other	Penalty Imposed
pending	baraboo, sauk co.	felony false imprisonment	pending charge/ disputing
pending	baraboo, sauk co.	felony strangulation	pending charge/ disputing
pending	baraboo, sauk co.	misdemeanor battery	pending charge/ disputing
pending	baraboo, sauk co.	misdemeanor disorderly	pending charge/ disputing
08/2018	wisconsin dells, adams co.	misdemeanor disorderly	1 year probation/ sat in jail 67 days

8. Have you ever been convicted of operating a motor vehicle while under the influence? Yes No

If Yes, provide details requested below:

Date of Conviction	State	County

9. Are there any charges presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any Federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipalities?

Yes No If Yes, indicate in writing, the law or ordinance allegedly violated, trial court, date of alleged offense, description and status of charges. If more room is needed, attach a document listing the items.

Offense Date	Location of Case (City, County)	Court Date	Violation	Description of Charges	Status
03/19/2020	baraboo, sauk	7/16/2020		felony false	currently pending.

13. Have you ever used any other name(s) or alias (es)? Yes No

If yes, state full name(s) of alias (es). _____

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.


I verify that I have read and accept the city of Baraboo Bartender License Issuance Guidelines. (See below)

Total Due \$ 87.00 I will pay: On Line by US Mail In Person

Applicant:  Date: 06/15/2020

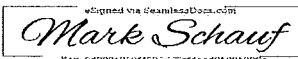
Approvers: _____ Comments: _____

Police Record Check

 06/18/2020

03-19-2020--PENDING FELONY CHARGES:
FALSE IMPRISONMENT & STRANGULATION &
SUFFOCATION

Police Chief

 06/23/2020

Denied at this time due to pending Felony charges for a violent crime.

Schedule for Successor of Agent

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. There is a \$10 change in agent processing fee due with this form. The following questions must be answered by the Agent. The appointment must be signed by an officer of the corporation/organization or one member of limited liability company. (Only one signature is required). The appointment must be approved by the licensing authority.

1. Name of agent Baraboo Wisconsin 1-8 20 21
(Municipality) (Date)
Dr. Thomas F. McEvilly

- | | Yes | No | |
|----|-------------------------------------|-------------------------------------|--|
| 2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are you of legal drinking age? |
| 3. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? |
| 4. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Have you ever been convicted of a federal law violation? |
| 5. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Have you ever been convicted of a state law violation? |
| 6. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Have you ever been convicted of a local ordinance violation? |
| 7. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Have you completed the required responsible beverage server program per sec. 125.04(5)(a)5, Wis. Stats.? |

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

Dr. Thomas F. McEvilly
(Signature of Agent)
N4361 County Road V
(Address)
Poynette, WI 53955

SUCCESSOR AGENT

The undersigned appoints Dr. Thomas McEvilly as agent in accordance with sec. 125.04(6), Wis. Stats.

Name of Permittee AURAL Umhoefer

Date January 8 20 21

By Aural Umhoefer, President
(Signature of Officer / Member)

I hereby accept appointment as agent for All Ringling Theatre Friends and assume full responsibility of the conduct of the business relative to fermented malt beverages and intoxicating liquors

Date 1/8 20 21

Dr. Thomas F. McEvilly
(Signature of Agent)

THE AGENT APPOINTED ABOVE MUST BE APPROVED BY THE LICENSING AUTHORITY TO BE EFFECTIVE. (See sec. 125.04(6), Wis. Stats.)

_____ WI _____ 20_____
(Municipality) (Date)

(Signature of Official)

(Title)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) McEville (first name) DR. Thomas (middle name) Francis	
Home Address (street/route) N4361 County Road V	Post Office Poynette City WI State WI Zip Code 53955
[Redacted]	Age 66 Date of Birth [Redacted] Place of Birth Madison, WI

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Chief Executive Officer** of **AL Ningling Theatre Friends**
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 18 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name U of W Baraboo	Employer's Address Baraboo	Employed From 2016	To 2019
Employer's Name University Lake School	Employer's Address Harland WI	Employed From 2014	To 2015

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements or affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

[Handwritten Signature]
(Signature of Named Individual)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Holm</u>		(first name) <u>Christine</u>		(middle name) <u>A.</u>	
Home Address (street/route) <u>1716 East Street</u>		Post Office	City <u>Baraboo</u>	State <u>WI</u>	Zip Code <u>53913</u>
Home Phone Number [REDACTED]		Age <u>63</u>	Date of Birth [REDACTED]	Place of Birth <u>Sheboygan, WI</u>	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- Secretary of Al. Ringling Theatre Friends
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 63 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Tomah Health</u>	Employer's Address <u>501 Gopher Dr. Tomah, WI</u>	Employed From <u>8/25/15</u>	To <u>present</u>
Employer's Name <u>St. Clare Hospital</u>	Employer's Address <u>707 14th Street, Baraboo</u>	Employed From <u>6/18/79</u>	To <u>8/25/15</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Christine A. Holm
(Signature of Named Individual)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Umhoefer		AURAL		M.	
Home Address (street/route)		Post Office		City	
700 Effinger				BARABOO	
				State	
				WI	
				Zip Code	
				53913	
Home Phone Number		Age		Date of Birth	
[REDACTED]		78		[REDACTED]	
Place of Birth					
Wausau, WI					

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an individual.

A member of a partnership which is making application for an alcohol beverage license.

President, of AL. RINGLING Theatre Friends
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 56 yrs
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
<u>Retired</u>			
<u>UW Baraboo</u>	<u>1006 Connie Rd</u>	<u>1968</u>	<u>2005</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

Aural Umhoefer
(Signature of Named Individual)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Kieffer</u>		(first name) <u>James</u>		(middle name) <u>L.</u>	
Home Address (street/route) <u>420 14th Street</u>		Post Office	City <u>Baraboo</u>	State <u>WI</u>	Zip Code <u>53913</u>
Home Phone Number [REDACTED]		Age <u>76</u>	Date of Birth [REDACTED]	Place of Birth <u>Muskegan, MI</u>	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Officer of Al. Ringling Theatre Friends
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 46 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. _____
(Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name <u>Circus World Museum</u>	Employer's Address <u>550 Water Baraboo</u>	Employed From <u>10/1/2010</u>	To <u>5/31/2019</u>
Employer's Name <u>Corner Drug Store</u>	Employer's Address <u>522 Oak Street Baraboo</u>	Employed From <u>1/1/1998</u>	To <u>Present</u>

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

James Kieffer
(Signature of Named Individual)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) BROMLEY		(first name) BENJAMIN		(middle name) JOHN	
Home Address (street/route) 1009 CONNIE ROAD		Post Office	City BARABOO	State WI	Zip Code 53913
Home Phone Number [REDACTED]		Age 47	Date of Birth [REDACTED]	Place of Birth JANESVILLE, WI	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an individual.
- A member of a **partnership** which is making application for an alcohol beverage license.
- VICE PRESIDENT** of **AL. RINGLING THEATRE FRIENDS**
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)


which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 23 YEARS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
DWI-3 SAUK COUNTY MARCH 2014, DWI-2 MARCH 2012 SAUK COUNTY
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending. _____
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
BARABOO AREA CHAMBER	600 W. CHESTNUT, BARABOO	5/20/19	PRESENT
BARABOO NEWS REPUBLIC	714 MATTS FERRY ROAD, BARABOO	6/9/97	5/17/19

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.



(Signature of Named Individual)

Haggard, Cynthia

From: Pinion, Tom
Sent: Tuesday, January 26, 2021 2:16 PM
To: Haggard, Cynthia
Subject: FW: Storage of Recreational Equipment

I see no reason to change the language of the existing ordinance.

Thanks

Tom

Thomas S. Pinion, PE
Director of Public Works/City Engineer
101 South Blvd
Baraboo, WI 53913
Office: 608-355-2730
Cell: 608-393-9945
tpinion@cityofbaraboo.com

From: Pinion, Tom
Sent: Tuesday, December 1, 2020 8:58 AM
To: Truman, Emily <etruman@cityofbaraboo.com>
Cc: Sinden, Rob <rsinden@cityofbaraboo.com>; Geick, Edward <egeick@cityofbaraboo.com>; Haggard, Cynthia <chaggard@cityofbaraboo.com>
Subject: Storage of Recreational Equipment

Emily,

I read your Memo regarding Section 10.06(6). Since there is a lot of “cross-over” between this Section and the Zoning Code, I thought it appropriate to offer my proverbial 2 cents worth.

With regard to the draft of the last proposed changes included at the bottom of that Memo, I don't want to overcomplicate things, but I think it's important to provide a distinction between setbacks and yards. Although Street Yard(s) and Front Yard(s) are considered synonymous in the Zoning Code, there is an important distinction. Pursuant to the following definitions contained in the Zoning Code, a Setback is the minimum required distance and a Yard is the actual setback. I would definitely discourage the storage of Recreational Equipment on any vacant lot. **I suggest any such storage continue to be restricted exclusively to Side or Rear Yards.** We already have a similar restriction on accessory structures and I am concerned that allowing storage of Recreational Equipment in the Front or Street Yards will only encourage accessory structures, such as carports, to protect them, The Zoning Code regulates carports as Accessory Structures and they are strictly prohibited from Front Yards.

I believe there could be a temporary exception to allow parking of the owner's or, in the case of a rental property, the tenant's Recreational Equipment in a driveway in a Front Yard, provided it is for a limited time, i.e. 48 hours, 72 hours, 1 week, etc.

There is currently no restriction on the time that Recreational Equipment can be parked in a driveway located in either a side or rear yard.

I don't think the City should get involved with regulating any use of shared driveways; it should continue to be up to the parties that share it to determine how it is used and be regulated the same as any other driveway, accordingly.

Incidentally, if people want to create a "parking pad" for their Recreational Equipment, that would be treated as a driveway or parking lot and as such the City Code requires all such areas to be hard surfaced – either asphalt pavement or concrete. (Gravel does not suffice.)

Finally, is there a need to make sure that Recreational Equipment is properly registered and/or licensed, similar to the requirements for vehicle storage.

Definitions from the Zoning Code.

(109) STREET YARD. See FRONT YARD.

(50) FRONT YARD. The portion of a lot between the front of a building or dwelling and a public street measured along the street line. Corner lots shall have two (2) such yards.

(99) SETBACK. The minimum horizontal distance between the street line and the nearest point of a building or any projection thereof, excluding uncovered steps.

(93) REAR YARD. A yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one (1) of the street yards on a corner lot.

(103) SIDE YARD. A yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.

(107) STREET. All property dedicated or intended for public or private purposes, or subject to public easements therefore, and twenty-one (21) feet or more in width providing access to abutting properties.

(108) STREET LINE. A dividing line between a lot, tract, or parcel of land and a contiguous street.

(119) YARD. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

Perhaps a bit more than 2 cents, but there are multiple sections of the Code that could be affected by a change to this Section.

Let me know if you have any questions or concerns.

Thanks.

Tom



Thomas S. Pinion, PE
Director of Public Works/City Engineer
101 South Blvd
Baraboo, WI 53913
Office: 608-355-2730
Cell: 608-393-9945
tpinion@cityofbaraboo.com

LEGAL MEMORANDUM

To: Administrative Committee
From: City Attorney Emily Truman
Re: Amendment of Section 10.06(6) of the Baraboo Municipal Code
Date: December 3, 2020

At the November 24, 2020, Common Council meeting, the Council voted to refer back to the Administrative Committee the proposed changes to Section 10.06(6) of the Baraboo Municipal Code for additional discussion and review by the Committee. Some suggestions for additional discussion and review include:

- Whether the City wants to allow all recreation equipment, defined in the City Code as “boats, canoes, boat and utility trailers, mobile homes, campers, off-highway vehicles and snowmobiles,” to be stored in driveways.
- Whether there should be a time limit for how long recreation equipment can be stored in a driveway.
- Consideration of the impact the ordinance change would have for shared driveways.
- Whether the owner of the property should be allowed to permit a non-owner to use the driveway to store the non-owner’s equipment.
- Whether storing recreation equipment in a driveway should require the owner of the property to first obtain a permit from the Police Department or City Clerk (which may help ensure the equipment is moved after a certain period of time, that the person storing the equipment is the owner of the equipment, etc.).

For reference, below please find a draft of the last proposed changes to the ordinance:

SECTION 10.06 JUNK, CERTAIN VEHICLES, RECREATION~~AL~~ EQUIPMENT AND FIREWOOD

...

- (6) STORAGE OF RECREATIONAL EQUIPMENT REGULATED. No person will store any ~~recreation~~ ~~e~~equipment on any street right of way or within the front setback, including the driveway, for a period of more than 48 hours; except Recreation Equipment may be stored in a driveway for more than 48 hours so long as the Recreation Equipment does not cause a vision obstruction or violate any other local or state laws or ordinances.