



Agenda for the City of Baraboo Public Safety Committee

Monday, September 30, 2024, 1:00 pm
City Services Center
450 Roundhouse Court, Baraboo, WI

Members Noticed: John Ellington, David Olson, Steve Hause

Others Noticed: City Administrator J. Young, Mayor R. Nelson, Police Chief R. Sinden, City Engineer T. Pinion, Utility Superintendent W. Peterson, Street Superintendent T. Gilman, Eric Hagen, Media, and Library.

Pages

1. **Call to Order**
 - a. Note compliance with the Open Meeting Law.
 - b. Roll Call.
 - c. Approve agenda
 - d. Approve minutes of August 26 2024

1
2. **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.)
3. **Action Items**

3

 - a. Review and recommendation to the Common Council to create Amend Section 7.165, All-Terrain/Utility Terrain Vehicles in the General Code of Ordinances to include STH 136 from the Carpenter Street/Hatchery Road intersection to the northern City limits.
 - b. Review and Recommend accepting a Quit Claim Deed conveying Outlots 2, 3 & 4 of the Spirit Lake plat to the City.
 - c. Review Snowmobile regulations and consider designating certain snowmobile routes in possible ordinance revisions to allow certain trails in the City of Baraboo.
 - d. Consider possibility of increasing the City's local vehicle registration fee.
 - e. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for August and September 2024.
4. **Reports**
 - a. Utility Superintendent's Report

23

 1. Staffing Updates
 2. Project Updates
 - b. Street Superintendent's Report

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 1. Staffing Updates
 2. Project Updates
 3. Monthly Activity Report
 - c. Police Chief's Report

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 1. Staffing Updates
 2. Case/Response Update
5. **Information Items**
 - a. STH 33 Reconstruction Project - Status Report
6. **Adjournment**

Minutes of the Public Safety Committee Meeting – August 26, 2024

Members Present: Steve Hause and John Ellington. David Olson was absent. **Others Present:** Administrator John Young, Chief Sinden, Tom Pinion, Utility Superintendent Wade Peterson, Street Superintendent Tony Gilman, and Bob Spencer.

Call to Order – Chairman John Ellington called the meeting to order at 1:00. Compliance with the Open Meeting Law was noted. It was moved by Ellington, seconded by Hause to approve the agenda as posted. Motion carried unanimously. It was moved by Hause, seconded by Ellington to approve the minutes of the July 22, 2024 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 Commission action if recognized by the presiding officer.*) – There were no speakers.

Action Items

- a. Review and recommendation to the Common Council to create Amend Section 7.165, All-Terrain/Utility Terrain Vehicles in the General Code of Ordinances to include STH 136 from the Carpenter Street/Hatchery Road intersection to the northern City limits. – Pinion said that West Baraboo has already approved this from the north to the joint Village/City limits. He said that it simplifies the route rather than go all the way down Moore Street. It was moved by Hause, seconded to Ellington to recommend amending Section 7.165, All-Terrain/Utility Terrain Vehicles to include STH 136 as presented. Motion carried unanimously.
- b. Review Proposals for the Demolition and Disposal of the former I AM DAIRY building located at 105 Vine Street and recommend award of a contract. – Pinion said that two proposals were received, one from Beaver Services and one from Dean Blum Excavating. He said Beaver Services was significantly less than Blum, and they have done the last several demolitions. Pinion's recommendation is to forward to Council with a recommendation to award a contract to Beaver Services. It was moved by Ellington, seconded by Hause to recommend awarding the contract to Beaver Services. Motion carried unanimously.
- c. Review and recommendation to approve a Preliminary Resolution declaring the City's intent to levy Special Assessments for new curb & gutter and new sidewalk planned as part of the 2024 Street Reconstruction Projects. – Pinion said this is the statutory procedure for the City to be able to levy special assessments. It was moved by Hause, seconded by Ellington to recommend to approve a Preliminary Resolution declaring the City's intent to levy Special assessments for new curb & gutter and new sidewalk planned as part of the 2024 Street Reconstruction Projects as presented. Motion carried unanimously.
- d. Review and approval of monthly Billing Adjustments/Credits for Sewer and Water Customers for July, 2024 – It was moved by Ellington, seconded by Hause to approve the monthly billing adjustments/credits for July, 2024. Motion carried unanimously.

Reports

- a. Utility Superintendent's Report
 - i. Staffing Updates – No changes.
 - ii. Project Updates – Peterson said a lot of time is spent on 8th St/8th Avenue construction. He said the last stretch of water main should be completed today and sanitary sewer in the next couple days. He said all the utilities should be done early next week. Today there is a water main break by the high school, nothing can be done until the stretch of 8th is open, it is scheduled for repair Wednesday morning, but may be moved up to Tuesday, and then we will have to work with the school and business for some type of outages to fix it or replace it.
- b. Street Superintendent's Report
 - i. Staffing Updates – Gilman said today, tomorrow, Wednesday crews are starting one hour earlier due the excessive heat.
 - ii. Activity Report – Gilman said that 3 out of the 4 are paved, one needs to be shouldered, and one to prepare for pavement and pave it. He said crews have been working on large scale asphalt patching. He said that weather permitting, traffic striping will be completed for the season during the week of August 29th.
 - iii. Informational – Gilman said that there will be several items outside of the operating expenses that he will be taking into budget presentation with the Finance Department. He said one of the items is a salt/sand storage facility. He said that they have been trying to save funds to be able to put up a structure to hold salt in one said and sand in the other, the size

would be 60x100. He said the ultimate goal is to have sand, salt, and the brine making facility in the same building. He is expecting proposals to come in at the \$350,000-\$375,000 range. Gilman went on to say that there would be a 33x100 open front secondary building to house equipment that is used seasonally or less frequently, and materials related to street and alley work. He said the proposal for this is just shy of \$70,000 before discounts applied. Gilman said that \$100,000 was put into a fund in 2023 and going to do it in 2024, however, the previous administrator felt that when it comes time it would be better off borrowing versus having it applied. Gilman said in 2025 he will be scheduling the replacement of the City Services Center scissor lift, estimated replacement cost is \$35,000. Gilman said that in 2025 they will also be replacing the drill press, replacement cost would be upwards of \$10,000.

c. **Police Chief's Report**

Sinden said that back to school preparation is well on its way, they have met with the School District, and both SROs are ready to begin the year. He said that they will be stepping up enforcement in every school zone next week. Sinden's concern with the re-engineering of 8th is that now there is a one-lane westbound driving, and in the morning Draper backs up so we have the potential of backing up on 8th. Pinion said that there are 4- lane from Park Street to about Dominos.

- i. **Staffing Updates** – Sinden said the internal investigation regarding the William Deppe search warrants that occurred, three City officers were named that were brought up either in conversation or in the Department of Criminal Investigation, he opened up on internal investigation of those, during that investigation, Officer Derek Burch resigned prior to the completion, the other two officers mentioned were Mike Pichler and Nick Burch and our internal investigation found no criminal violations at all on their behalf. Sinden said we are down two officers following the resignation of Derek Burch. Sinden said that interviews will be held on Friday. He said the officers in training are all doing exceptionally well. Officer Alexis Short is now on solo patrol, one officer is in the academy and will be done in October.
- ii. **Case/Response Update** – Sinden said call level reports, in 2023 calls for service were 5,306, 2024 to date is 4,486. He said that when you take in to account that number of officers in training and not on the street is the reason for this. Sinden said that all reports are in the packet. He said that the department is down on Use of Force cases and he would expect for it to down because the number of cases are down. He said the department is down in Uses of Force by approximately 24%.

Information Items

STH 33 Reconstruction Project – Status Report – Pinion is moving long extremely well. A-1 is the contractor, they are very conscience and are amazed at the number of complaints that they have gotten from the citizens of Baraboo, three the entire time. He said having the project liaison has been great. He said that the stretch from just east of Dominos to Park Street will be open tomorrow. Progress continues very well from Park Street, they are now all the way over to Oak Street. He said this will be done in two individual segments, from Park Street to West Street, a 3-block stretch, hopefully will be done in the next 3 weeks.

AJOURNMENT – There being no further business, Ellington adjourned the meeting at 1:32 p.m.

Respectfully submitted,

John Ellington, Chairman

The City of Baraboo, Wisconsin

Background: The City approved the ATV_UTV Ordinance in April 2024. That Ordinance approved all Streets, with the exception of STH 33.

The Village of West Baraboo has allowed ATVs and UTVs for a much longer period than Baraboo and they are noticing a fair amount of traffic using State Rd 136 to cross the Baraboo River. To avoid State Rd 136 would create a lot of extra travel in the Village and they have already approved the use of the State Rd 136 to their southerly Village Limits. In order to allow traffic from the joint Village Limit/City Limit at the center of the Baraboo River to the Carpenter Street/Hatchery Road intersection.

The Public Safety Committee reviewed this matter at their August 26th meeting and recommended approval of the proposed Ordinance revision.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted **Comments:**

An Ordinance adding Section §7.165 to Traffic Code to regulate All-Terrain and Utility Terrain Vehicles.

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

7.165 ALL-TERRAIN/UTILITY TERRAIN VEHICLES

- (1) **INTENT; APPLICABILITY.** The City Council has considered the recreational and economic value of all-terrain vehicle and utility-terrain vehicle (ATV/UTV) routes opportunities weighed against protecting the public safety, liability aspects, terrain involved, traffic density, and history of automobile traffic. After due consideration, this ordinance is created to establish all-terrain vehicle and utility terrain vehicle routes on public roadways on the City property and to regulate the operation of such vehicles on such routes to provide safe and healthful conditions for the enjoyment of ATV/UTV travel consistent with public rights and interest pursuant to City authority under Wis. Stat. §§ 62.11(5), 23.33(8) and 23.33(11).
- (2) **STATE LAWS ADOPTED.** Except as otherwise provided in this section, the statutory provisions in Wis. Stat. Chs. 23, 340 to 348, and 350 establishing the definitions and regulations with respect to ATVs and UTVs, and Wis. Adm. Code. Ch. NR 64, All-Terrain Vehicles, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Unless otherwise provided in this section, any act required to be performed or prohibited by any statute incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the statutes or administrative codes incorporated herein are made a part of this section in order to secure uniform statewide regulation of ATVs and UTVs, except to the extent that the provisions of this section are more restrictive.
- (3) **DESIGNATION OF ATV AND UTV ROUTES.**
 - (a) No person shall operate an ATV or UTV on any City street, alley, park or parking lot, on any public lands or parking lots held open to the public, or on any land within the City except as provided in this section.

- (b1) Designated Routes. All streets in the City are designated ATV/UTV routes except STH 33.
- (c) Authorized Routes. Pursuant to Wis. Stat. Sec. 23.33(11)(am)(4), ATVs/UTVs are authorized to operate on the following highways where the speed limits are 35 MPH or less:
1. CTH A
 2. CTH T
 3. CTH W
 4. CTH DL
 5. STH 113
 6. STH 136
- (d) Pursuant to Wis. Stat. §§ 23.33(4)(d)3.b. and 23.33(11)(am)3., ATVs/UTVs are authorized to operate on the bridge over the Baraboo River on State Highway 136 between ~~within the~~ between Locust Street in the Village of West Baraboo and Carpenter Street/Hatchery Road in the City of Baraboo—city limits. Any ATV/UTV operator crossing said bridge must do all of the following:
1. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
 2. Stay as far to the right of the roadway or shoulder as practicable.
 3. Stop the vehicle prior to the crossing.
 4. Yield the right-of-way to other vehicles, pedestrians, electric scooters, and electric personal assistive mobility devices using the roadway or shoulder.
 5. Exit the highway as quickly and safely as practicable after crossing the bridge.
- (e) The City reserves the right to close or modify ATV and UTV routes at any time.
- (fe) Municipal, State, and Utility Operations. An ATV or UTV owned by a municipality, state agency, public utility, or electric cooperative may be operated on any street or highway within the City, and within any City park, while the operator is engaged in an emergency or the operation directly relates to the functions of the municipality, state agency, public utility, or electric cooperative. Unless safety requires strict adherence, the regulations in subsection (4) shall not apply to such operation of an ATV or UTV.
- (gf) Route Signs. All ATV and UTV routes shall be signed in accordance with Wis. Admin. Code Sec. NR 64.12. The City shall install and maintain all route signs within the City, including without limitation, on federal, state and county trunk highways within the City. Route signs shall be provided by the Baraboo Bluffs ATV/UTV Club., or their successor, with uniform ATV route signs in accordance with Wis. Admin. Code Sec. NR 64.12(7).
- (4) **OPERATION**. Operation of ATVs and UTVs on designated ATV/UTV routes shall be subject to all provisions of Wis. Stat. § 23.33, which is adopted as part of this ordinance by reference. The following restrictions apply to operation of ATVs and UTVs on all City streets designated as ATV/UTV routes:
- (a) Hours of Operation. ATVs and UTVs may only be operated on approved ATV/UTV routes from 6am – 10pm.
- (b) Speed Limits. ATVs and UTVs shall operate at a safe speed not to exceed the posted speed limits, except that no ATV or UTV shall be operated at a speed greater than 35 MPH.

- (c) Age of Operation. No person under the age of 16 may operate an ATV or UTV on any segment of a street or highway in the City.
- (d) Safety and Safety Certificate. All ATV and UTV operators are subject to and shall abide by applicable provisions of the Wisconsin Statutes and Department of Natural Resources regulations pertaining to safety and safety certificate requirements. Persons born on or after January 1, 1988, must possess a valid safety certificate to operate an ATV or UTV and shall display proof that the person holds a valid safety certificate to a law enforcement officer on request.
- (e) Valid Driver's License Required. Every person who operates an ATV or UTV on any street or highway in the City shall have in his or her immediate possession a valid motor vehicle operator's license. The ATV/UTV operator shall display the operator's license upon demand from any law enforcement officer, state patrol officer, inspector under Wis. Stat. § 110.07(1), conservation warden, or municipal peace officer.
- (f) Insurance. All ATVs and UTVs are required to have liability insurance with limits no less than the amounts specified in Wis. Stat. § 344.33(2)(a) through (c). The operator of an ATV or UTV shall display proof of such insurance upon demand from any traffic officer.
- (g) Rules of the Road. All ATV and UTV operators shall observe all applicable rules of the road governing motorized vehicles operating on municipal streets in accordance with Wis. Stat. § 23.33 and Wis. Stat. Ch. 346.
- (h) Parking. ATVs and UTVs shall be subject to all City parking regulations and restrictions.
- (i) Parking Lots. ATVs or UTVs may be operated within City parking lots, unless otherwise prohibited by this section.
- (j) Operation within Parks and Sidewalks Prohibited. No person shall operate an ATV or UTV within any City park, or on any sidewalk, designated bicycle or pedestrian lane, gravel shoulder, ditch or other area of any street right-of-way other than on the paved roadway, unless specifically designated and posted otherwise by the City.
- (k) Cruising Prohibited. No person shall, while operating an ATV or UTV, engage in the practice of cruising on any authorized roads. Cruising is defined as running all or part of the length of a roadway multiple times, per day, back and forth, for any purpose other than departing or arriving at their residence, or place of lodging, or departing or arriving, at a person's place of employment.
- (l) Leaving Unattended Prohibited. No person shall leave or allow any ATV or UTV owned or operated by that person to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- (m) Protective Headgear. ATV and UTV operators or passengers under the age of 18 years of age shall wear protective headgear of the type required under Wis. Stat. § 347.485(1)(a) and the chin strap is properly fastened.
- (n) Safety Belts. No person may operate a UTV unless each passenger is wearing a safety belt installed by the manufacturer and fastened in a manner prescribed by the manufacturer of the safety belt to act as a body restraint.
- (o) Lights. No person shall operate an ATV or UTV on any route without full functional headlights, taillights and brake lights. All operators shall display a lighted headlight and

taillight at all times while on the route. No person may operate an ATV or UTV that is equipped with a lamp that emits any color of light other than white or amber and that is visible from directly in front of the ATV or UTV; a lamp that emits any color of light other than red, yellow, amber, or white and that is visible from directly behind the ATV or UTV; or a flashing, oscillating, or rotating lamp that emits any color other than yellow or amber.

- (p) Noise and Exhaust. No person shall operate an ATV or UTV on any route where the vehicle does not meet state or municipal noise and exhaust restriction requirements, including a display of power in violation of § 7.12 of this Code.
 - (q) Radios or Electronic Sound Amplification Devices. No person may operate or park, stop or leave standing an ATV or UTV while using a radio or other electronic sound amplification device emitting sound from the vehicle that is audible under normal conditions from 75 feet or more, unless the electronic sound amplification device is being used to request assistance or to warn against an unsafe condition.
 - (r) Open Intoxicants Prohibited. No operator or passenger of an ATV or UTV may possess in or on an ATV or UTV on any street or highway in the City, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released. This subsection does not apply if the bottle or receptacle is kept in the trunk of the ATV or UTV or if the ATV or UTV does not have a trunk, in some other area of the ATV or UTV not normally occupied by the operator or passengers. A utility compartment or glove compartment is considered to be within the area normally occupied by the operator and passengers.
 - (s) Operating While Under the Influence Prohibited. No person shall operate an ATV or UTV while under the influence of an intoxicant, a restricted controlled substance, a controlled substance analog, or any combination of these elements, to a degree which renders the person incapable of safely operating the ATV or UTV.
- (5) **VIOLATIONS AND PENALTIES.** The penalty for any violation identified in Wis. Stat. Sec. 23.33(13) or Wis. Stat. Chaps. 340 through 347 shall be as provided in the Statutes. Deposit amounts for such violations shall be as set forth in the current Revised Uniform State Traffic Deposit Schedule. The penalty for any violation of this ordinance not addressed in Wis. Stat. Sec. 23.33(13) or Wis. Stat. Chaps. 340 through 347 shall be a forfeiture as set forth in § 25.04 of this Code, together with all applicable costs, surcharges and assessments.

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

Mayor's Approval: _____

Clerk's Certification: _____

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the ____ day of September , 2024 and is recorded on page ____ of volume ____.

City Clerk: _____

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number

Document Name

THIS DEED, made between Spirit Lake LLC

_____, ("Grantor," whether one or more),
and City of Baraboo

_____, ("Grantee," whether one or more).

Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Sauk County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

All of Outlots 2, 3 and 4 of the Plat of Spirit Lake EXCEPT the following parcel located in Outlet 3;

Commencing at the northerly most corner of Outlot 3 of the Plat of Spirit Lake, which is the point of beginning;

Thence S00°29'41"E, 60.00 feet along the west line of Outlot 3; thence N89°30'19"E, 34.30 feet to a point on the westerly right-of-way line of Spencer Court; thence N30°15'08"W, 69.11 feet along the westerly right-of-way line of Spencer Court to the point of beginning.

Said parcel contains 1,029 square feet or 0.02 acres, more or less and is subject to all easements, covenants and rights-of-way of record.

Dated September, 2024.

SPIRIT LAKE LLC

_____, (SEAL) _____, (SEAL)
* _____ * Travis J. Zick, Member

_____, (SEAL) _____, (SEAL)
* _____ *

AUTHENTICATION

Signature(s) _____

authenticated on _____

* _____
TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:
Attorney D. Clarke Sugar, Axley Brynson, LLP
Madison, Wisconsin

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
DANE COUNTY)

Personally came before me on September, 2024,
the above-named Travis J. Zick

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

* _____
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

Recording Area

Name and Return Address

D. Clarke Sugar
Axley Brynson, LLP
Post Office Box 1767
Madison, WI 53701-1767

206-1152-99802; 206-1152-99803 and 206-1152-99804

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

QUIT CLAIM DEED

© 2003 STATE BAR OF WISCONSIN

FORM NO. 3-2003

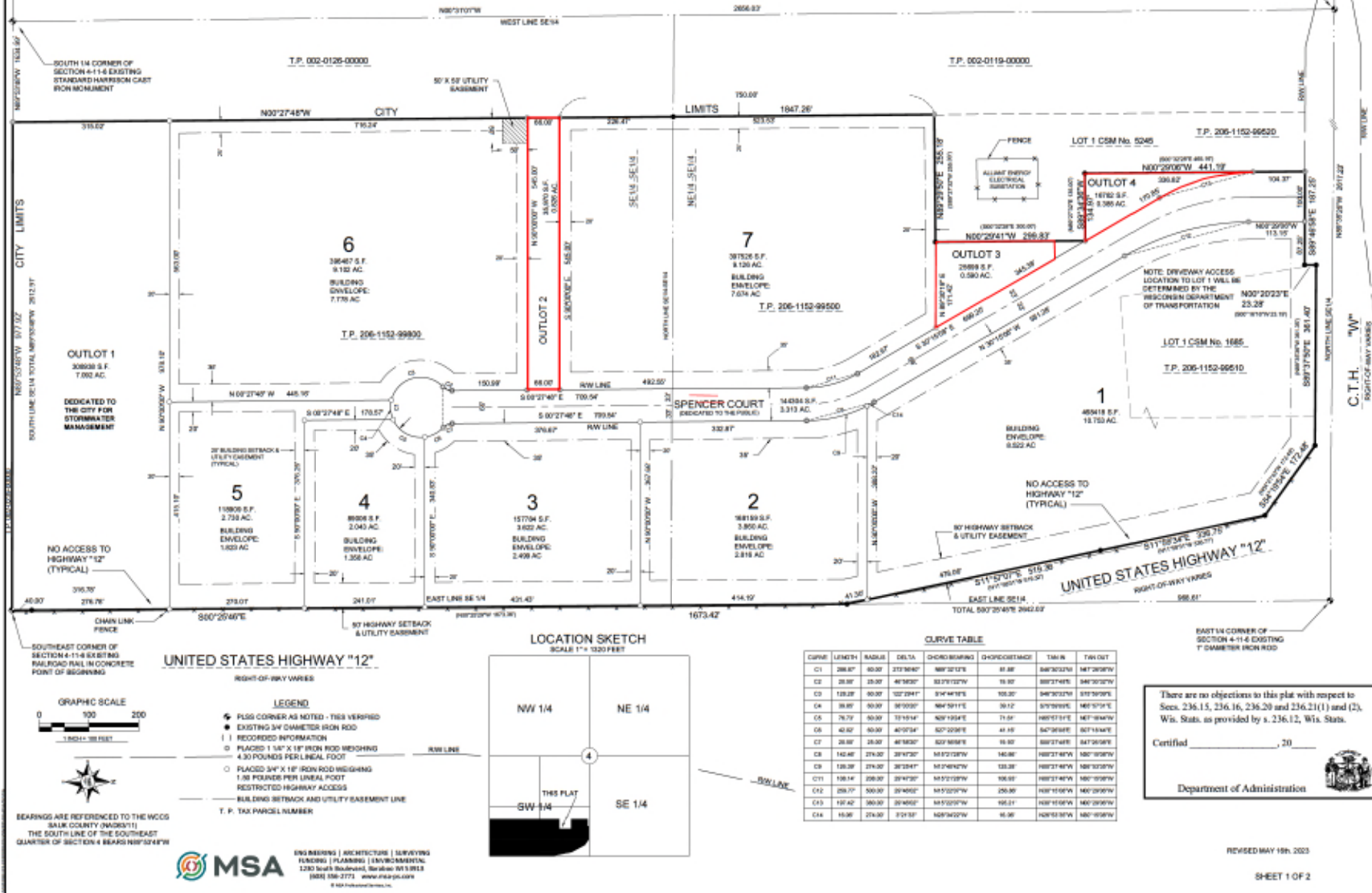
* Type name below signatures.

Reset

PLAT OF SPIRIT LAKE

CSM 1685, PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, AND
PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, ALL LOCATED IN
SECTION 4, TOWN 11 NORTH, RANGE 6 EAST, CITY OF BARABO,
SAUK COUNTY, WISCONSIN

CENTER 1/4 CORNER OF
SECTION 4-11-6 EXISTING
MAG NAIL



I played telephone tag with Dave Dahlke, representing Baraboo River Runners Snowmobile Club, asking about the continued use of the exiting snowmobile trails on property that was recently annexed into the City. I did a little research on the City's regulation of snowmobile trails and following are the only two excerpts I could find in our Code of Ordinances pertaining to snowmobiles:

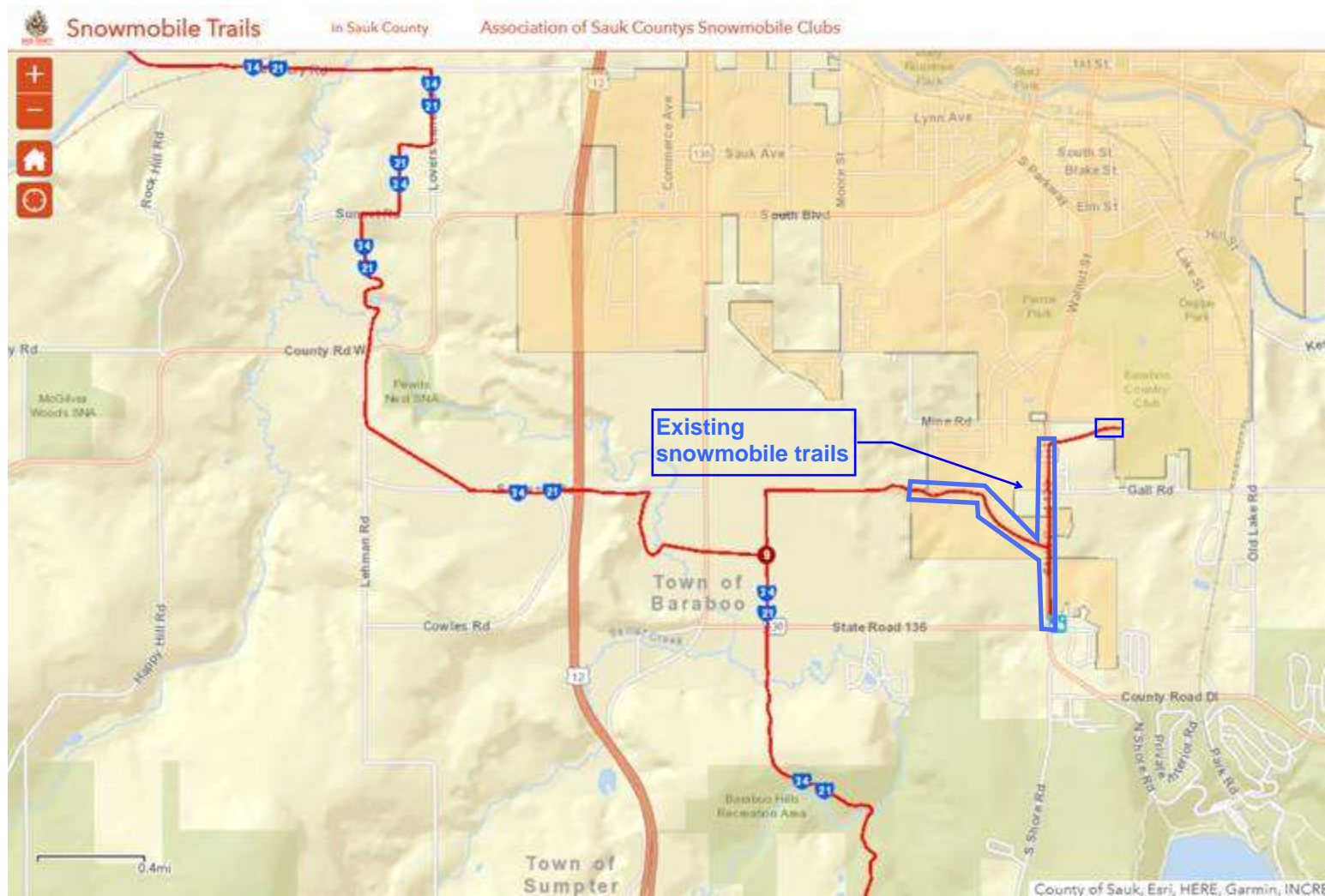
19.07 SNOWMOBILES PROHIBITED. It shall be unlawful for any person to operate a snowmobile in any park.

7.16 SNOWMOBILES.

- (1) **STATE SNOWMOBILE LAWS ADOPTED.** Except as otherwise specifically provided in this section, the statutory provisions in Chs. 350, Wis. Stats., describing and defining regulations with respect to snow-mobiles, exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment, are hereby adopted and by reference made a part of this Code as if fully set forth herein. Any act required to be performed or prohibited by any regulation incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutory regulations in Chapter 350 incorporated herein are intended to be made part of this section. (1786 01/24/95)
- (2) **APPLICABILITY OF RULES OF THE ROAD TO SNOWMOBILES.** The operator of a snowmobile upon a roadway shall, in addition to the provisions of Ch. 350, Wis. Stats., be subject to §346.04, 346.06, 346.11 346.14(1), 346.18, 346.19, 346.20, 346.21, 346.26, 346.27, 346.33, 346.35, 346.37, 346.39, 346.40, 346.44, 346.46, 346.47, 346.48, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 346.94(1), (6), (6m) and (9), Wis. Stats.
- (3) **SNOWMOBILE ROUTES DESIGNATED.** Except as provided in §350.02 and 350.03, Wis. Stats., or except as authorized by a duly adopted resolution of the Common Council, no person shall operate a snow-mobile upon any public right-of-way or on any other public or private property within the City. (1786 01/24/95)
- (4) **PERMITTING OPERATION BY IMPROPER PERSONS PROHIBITED.** No owner or person having charge or control of a snowmobile shall authorize or permit any person to operate such snow-mobile who is not permitted under State law to operate such snowmobile or who is under the influence of an intoxicant or a dangerous or narcotic drug.
- (5) **OPERATION WHILE UNDER THE INFLUENCE PROHIBITED.** §346.63, Wis. Stats., shall apply to the operation of a snowmobile any place within the City.
- (6) **OPERATION ON SIDEWALKS OR MALLS PROHIBITED.** No person shall operate a snowmobile on any sidewalk, pedestrian way or mall within the City, except that sidewalks may be crossed at a right angle to gain access to property where operation is permitted under this section.

A search of the Resolution Index produced the five Resolutions included in chronological order (from 1995 to 1999) in the attached PDF. The map on page 7 of the attached PDF depicts a trail easement described in the License Agreement but neither the County's snowmobile trail map nor the club's trail map shows this "trail". I can't find any Licenses Agreement since March 30, 1997. The first Resolution in the PDF authorizes the City Administrator, upon consultation with the City Engineer, to designate snowmobile routes in Baraboo. I am not sure a Resolution can "trump" an Ordinance so I question any such authorization. Regardless, there are no documented trails in the City, at least that I can find any record of.

The recent annexation of the “Devil’s Lake Properties” includes the trails as shown on the screenshot below of the Sauk County GIS Snowmobile Trails in our immediate area.



Dave explained that there is a County snowmobile trail on Valhalla Valley (Sauey) Property, which was recently annexed. He also shared that this trail extends to the Fore Season’s Restaurant at the Baraboo Country Club and that there is an existing trail along STH 123 (Walnut St and CTH DL) located on the “shared-use path” on the east side of the highway, which does not comply with Section 7.16(6) above.

For what it’s worth, it is my opinion that despite that presence of an apparent County snowmobile trail any “rural” property that has since been annexed to the City of Baraboo on the Sauey property, any such route should be duly authorized by the Common Council as prescribed above.

COUNCIL CHAMBER

City Hall
Baraboo, WI

February 14, 1995

RESOLUTION NO. 95-11

RESOLVED, By the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT, the City Administrator, after consultation with the City Engineer/Public Works Director, be authorized to designate snowmobile routes in the City for the River Run Snowmobile Club to use, and further

THAT, the City Administrator be authorized to enter into a license agreement with the River Run Snowmobile Club and the Sauk County Environmental Commission regarding the terms for the use of snowmobile trails so authorized by the City.

Offered By _____

Motion Bidwell

Second Schubring

Approved Dean D. Steinbock Mayor

Attest Patricia J. Seaberg City Clerk

C O U N C I L C H A M B E R

**City Hall
Baraboo, WI**

November 14, 1995

RESOLUTION NO. 95-176

RESOLVED, By the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT permission be granted to the Baraboo River Runners Snowmobile Club to use the State-Funded snowmobile trail that lies on City of Baraboo property bearing a legal description as follows:

The North One Rod and East One Rod of the East 358 feet of the SW 1/4
- NW 1/4 of Section 3, T11N, R6E, City of Baraboo, Sauk County,
Wisconsin.

and, FURTHER, that the City Administrator be authorized to execute a License Agreement with the Baraboo River Runners Snowmobile Club for the period October 15, 1995, to March 30, 1996.

Offered By

Bidwell

Motion

Bidwell

Second

Hein

Approved

Dean D. Steinbock

Mayor

Attest

Latrice J. Siskberg

City Clerk

LICENSE AGREEMENT

Agreement made, effective as of the 1st day of October, 1995 by and between the City of Baraboo, Wisconsin, (Licensor) and Sauk County and its assignors, (Licensee).

WHEREAS, Licensor is the owner of real estate which is located on the route of a proposed County snowmobile trail and Licensee, through its Environmental Resource Committee, desires to construct a snowmobile trail on, over and across the lands of Licensor.

Licensor and Licensee agree as follows:

1. Licensor hereby grants to Licensee the right, privilege and permission to enter into and on a certain tract of real property owned by Licensor during the successive months of October, November, December, January, February and March solely to construct, operate and maintain a public snowmobile trail, said tract of real property being more particularly described on Exhibit A, attached hereto and hereinafter referred to as The Property.

2. Lessee shall not undertake any unnecessary construction or the removal of vegetation from The Property. No trees shall be cut without the prior written consent of Licensor.

3. No fencing shall be removed from The Property without the prior written consent of Licensor and any fences removed shall be replaced by Licensee with such replacement fencing being in the same or better condition than the fencing removed.

4. The privilege granted by this License Agreement is without any consideration and is merely an accommodation to Licensee and is revocable at any time by Licensor. Licensor shall have the right to terminate this Agreement on 3 days advance written notice sent to: ~~Mr. Steve Muchow, % Sauk County Highway~~

~~Department, Highway 136, West Baraboo, Wisconsin 53913.~~ Mr. Steve Koenig, Sauk County Park Director, S7995 White Mound Dr., Hillpoint Wi 53937.

5. In consideration of the privilege granted by this Agreement, Licensee shall not claim any damages from Licensor in connection with or on account of any injuries or damages whatsoever arising in or on The Property while being used by Licensee including, but not limited to, snowmobile club members, guests, or invitees. Licensee agrees to defend, indemnify and hold harmless Licensor and Licensor's employees, officers, directors and agents (Indemnitees) from all actions, suits, claims and proceedings and any judgments, damages, fines, costs and expenses (including reasonable attorneys fees) resulting therefrom brought or commenced by any person or entity against

any of the above named indemnitees for the recover of damages for the injury and/or death of any person or damage to property arising out of, or in connection with or on account of Licensee's occupation or use of The Property pursuant to this License Agreement. Licensee acknowledges and agrees that each and every activity of Licensee on The Property is a "recreational activity" within the meaning of Section 895.52 Wis. Stats. (1991-92).

6. Unless terminated by Licensor, the license privilege granted herein shall be for the period from October 15, 1995 to March 30, 1996 and this License Agreement shall automatically terminate on March 30, 1996 and this Agreement shall not be subject to renewal except by a new written agreement executed by and between Licensor and Licensee.

7. Licensor does not warrant or represent that The Property is safe or suitable for the purposes for which it is intended to be used by Licensee under the terms of this Agreement.

8. Licensee agrees not to erect or cause or permit to be erected on The Property any building or structure whatsoever, whether permanent or temporary, except required signage for snowmobiling, which signage shall be removed by the termination date of this license.


9. Licensee expressly agrees that it does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in The Property of Licensor by virtue of the rights granted under this License Agreement or by virtue of Licensee's occupancy or use of The Property under this Agreement.

10. Licensee agrees to maintain in effect insurance coverage with a reputable insurance company covering comprehensive general public liability and property damage insurance against any claims which might arise or occur as a result of Licensee's use of The Property pursuant to this License Agreement and said insurance shall provide minimum insurance coverage limits of \$100,000.00 bodily injury, including death, per person and \$300,000.00 bodily injury, including death, per occurrence and \$100,000.00 property damage. Licensee shall provide an insurance certificate to Licensor covering the period of this License Agreement and indicating the aforesaid coverages countersigned by an insurer licensed to do business in Wisconsin. Licensor, its officers, directors, employees and agents, shall be named as additional insureds under said policy.

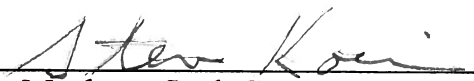
11. This License Agreement shall not be assigned by Licensee without the prior written consent of Licensor. All terms and conditions of this Agreement shall be binding upon Licensee's assignee.


12. This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind shall not be binding upon a portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this Agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provision. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in writing signed by each party or by an authorized representative of each party.

CITY OF BARABOO - LICENSOR

BY: 
City Administrator

SAUK COUNTY - LICENSEE

BY: 
~~Steve Muckow, Sauk County~~
~~Highway Department~~

Steve Koenig
Sauk County Park Director 
S7995 White Mound Drive
Hillpoint, WI 53937



1697 HOLIDAY DRIVE - P.O. BOX 1468
JANESVILLE, WISCONSIN 53547
(608) 754-3336 • FAX: (608) 754-5609
1-800-688-9068

BARABOO RIVER RUNNERS
P.O. Box 304
Baraboo, WI 53913

* I N V O I C E # 570 *

Pr: Thomas Shea
Policy #: GA-2414181
Eff: 11/08/95 To 11/08/96

Co: General Casualty Co. of WI

Paid: _____ Due: \$ 282.00

*** PLEASE RETURN TOP PORTION WITH REMITTANCE ***

Itm #	Effective Trn	Type	Description	Amount
INVOICE #	570			
60010	11/08/95	REN	CLUB CLUB LIABILITY RENEWAL	\$ 282.00

Invoice Balance: \$ 282.00

PAID
(SEP 18 1995)

PLEASE CONTACT US WITH ANY QUESTIONS OR CONCERNS. THANK YOU.

GENERAL CASUALTY COMPANY OF ILLINOIS
A STOCK COMPANY
1125 S. KIWANIS DRIVE
FREEPORT, ILLINOIS 61032

REGENT INSURANCE COMPANY
A STOCK COMPANY
ONE GENERAL DRIVE
SUN PRAIRIE, WISCONSIN 53596

THE NORTH 1 ROD AND THE EAST 1 ROD
OF THE EAST 358 FEET OF THE SW $\frac{1}{4}$ -NW $\frac{1}{4}$
OF SECTION 3, T11N, R6E, CITY OF BARABCO,
SAUK COUNTY, WISCONSIN.

SECTION 3, T11N, R6E
SW 1/4 - NW 1/4

UNPLATTED LANDS

N89°35'32"E 358.00'

5TH CORNER

1136.17°

1327.37°

CITY LIMITS (BARABOO)

3.65.52.005

442,670 SQ FT ±
10.16 ACRES ±
GROSS AREA

435,320 SQ FT ±
9.99 ACRES ±
NET AREA

PORTABLE SHED
ENCROACHES BOUNDARY
BY 7.5' ±

R/W

R/W

COUNTY TRUNK "W"

PARCEL "A"
38,000 SQ FT ±
0.87 ACRES ±
GROSS AREA
30,373 SQ FT ±
0.70 ACRES ±
NET AREA

- P.O.B.
ANNEX
DESCR

C O U N C I L C H A M B E R

City Hall, Baraboo, WI

RESOLUTION NO. 96-194

Dated: October 8, 1996

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

THAT permission be granted to the Baraboo River Runners Snowmobile Club to use the State-Funded snowmobile trail that lies on City of Baraboo property bearing a legal description as follows:

The North One Rod and East One Rod of the East 358 feet of the SW ¼ - NW ¼ of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin.

and,

FURTHER, that the City Administrator be authorized to execute a License Agreement with the Baraboo River Runners Snowmobile Club for the period October 16, 1996, to March 30, 1997.

Offered By: Bidwell

Approved: _____

Dean D. Steinbock

Mayor

Motion: Bidwell

Attest: _____

Cheryl M. Giese

City Clerk

Second: Hein

*Fiscal Note: (✓ one)
Comments:*

[x] Not Required

[] Budgeted Expenditure

[] Not Budgeted

RESOLUTION NO. 98-147
The City of Baraboo, Wisconsin

Dated: December 22, 1998

Background: The Baraboo River Runners, using Sauk County Parks Department as an agent, requests permission to locate their snowmobile trail across a portion of City property. They have been granted this request for the past several years and the City issued the County a license to allow the snowmobiles across the property. The same route is being requested as in the past.

Fiscal Note: (☒ one) [☐ Not Required] [☐ Budgeted Expenditure] [☐ Not Budgeted]
Comments:

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


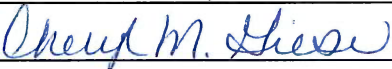
That the City of Baraboo approve a license agreement with the Sauk County Parks Department for locating a snowmobile trail across City property.

That the appropriate City officials be authorized to issue the license.

Offered by: Administrative
Motion: Conn
Second: Wolkowski

Approved:

Attest:

The City of Baraboo, Wisconsin

Background: Over the years, the Baraboo River Runners Snowmobile Club has established a snowmobile trail through the Deppe/Mandt Park. However, with the Slumberland development and other prospective development in this park, the snowmobile club will no longer be able to utilize the city lands for its snowmobile trail. At this time, the club intends to establish a trail outside of the city adjacent to the city's western limits for the Deppe/Mandt Park and from there to County Highway W. The trail then proceeds east on County Highway W to a point approximately equivalent to the western property line of the lands Wal Mart recently purchased from Miller. Accordingly, the trail will extend on the north side of County Highway W for a short distance and it is necessary that the City grant permission for the use of the right-of-way. Chapter 350 of the Wisconsin Statutes does set forth the regulation regarding the operation of snowmobiles along highway right-of-way.

Fiscal Note: (✓ one) [x] Not Required [] Budgeted Expenditure [] Not Budgeted
Comments:

WHEREAS, the Baraboo River Runners Snowmobile Club has requested permission from the City of Baraboo for the operation of snowmobiles within the north right-of-way line of County Highway W within the City commencing at the west City limits of Deppe/Mandt Park and proceeding east therefrom to the west City limits lying south of County Highway W.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that pursuant to Section 7.16(3) of the Municipal Code of the City of Baraboo and pursuant to Chapter 350 of the Wisconsin Statutes, the Baraboo River Runners Snowmobile Club is hereby authorized to operate snowmobiles within the north right-of-way of County Highway W within the City limits of the City of Baraboo commencing at the west city limits of the Deppe/Mandt Park and proceeding east therefrom to an approximate point equivalent to the west city limits on the south side of County Highway W (the Wal Mart property). The use of this right-of-way shall be subject to all the terms and provisions of Chapter 350 of the Wisconsin Statutes for snowmobile operation.

BE IT FURTHER RESOLVED, that the use of this property is subject to an agreement that the Baraboo River Runners Club will repair all damages occurring to the land identified by the City Engineer including landscaping and seeding.

Offered by: Administrative
Motion: Conn
Second: Wolkowski

Approved: _____

Attest: _____

Dean D. Steinbock

Cheryl M. Giese

Report Criteria:
Selected types: Billing Adjustment

Name	Customer Number	Type	Description	Amount	Service
Billing Adjustment					
08/06/2024					
ST CLARE & SSM HEALTH	77-030000-00	Billing Adjustment	Read/Usg Adj for 03/31/2024	15,477.11	Multiple
ST CLARE & SSM HEALTH	77-030000-00	Billing Adjustment	Read/Usg Adj for 06/30/2024	15,477.11	Multiple
Total 08/06/2024:				30,954.22	
08/09/2024					
CT LABORATORIES	89-026000-00	Billing Adjustment	FIXED RO SYSTEM 7-23	-127.15	Multiple
Total 08/09/2024:				-127.15	
Total Billing Adjustment:				30,827.07	
Grand Totals:				30,827.07	

Report Criteria:
Selected types: Billing Adjustment

Report Criteria:

Selected types: Billing Adjustment

Name	Customer Number	Type	Description	Amount	Service
Billing Adjustment					
09/24/2024					
CITY OF BARABOO - CITY SERVICES C	64-094000-00	Billing Adjustment	WA CREDIT BULK FILL 3RD QUARTER 4925 GALLONS	-15.71	WATER - 10
CITY OF BARABOO - CITY SERVICES C	64-094000-00	Billing Adjustment	SE CREDIT BULK FILL 3RD QUARTER 4925 GALLONS	-20.93	SEWER - 30
DRIFTLESS GLEN PROPERTIES LLC	63-035000-01	Billing Adjustment	SEWER CREDIT FOR DEDUCT METER NOT READING	-850.00	SEWER - 30
MUELLER, NANCY	77-013000-01	Billing Adjustment	FIXED TOILET GUTS 2ND QTR ADJ	-8.85	Multiple
MUELLER, NANCY	77-013000-01	Billing Adjustment	FIXED TOILET GUTS 3 QTR ADJ	-4.24	WATER - 10
Total 09/24/2024:				-899.73	
Total Billing Adjustment:				-899.73	
Grand Totals:				-899.73	

Report Criteria:

Selected types: Billing Adjustment



Office of Utility Superintendent Phone: (608) 355-2740

450 Roundhouse Ct, Baraboo, WI 53913 E-Mail:

wpeterson@baraboo.wi.gov

To: Public Safety Committee

From: Utility Superintendent

Re: September 2024 Agenda

Old Business:

Sewer Main under Bridge 368 – Still working with attorneys to resolve issue.

New Business:

None

Reports:

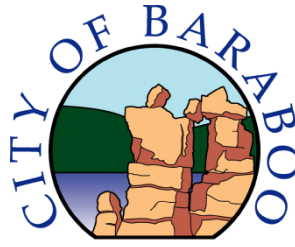
Staffing – Wade will be retiring 4 Jan 25!!

Hwy 33 – All water and sanitary sewer work is completed!!!:) We are finishing up with the last of the quantities and submitting our last pay request.

2025 Water Budget – There will be no increase in the rates. Highlights: New water main on portions of Madison St/Ave. New water main on 9th Ave at Berkley Blvd (high school area), and new office computers.

2025 Sewer Budget - There will be no increase in the rates. Highlights: New SCADA computers and software, new pumps & controls for T lift station, and sewer main rehabilitation.

Sanitary Survey of Water System – The DNR requires a sanitary survey (inspection) every 3 years. Ours was completed a few months ago. It was a good report. There is only 1 deficiency noted that needs to be address by 11/3/2024. We will create an annual inspection of the seals and screens at the water storage facilities.



SEPTEMBER 2024 STREET DEPARTMENT STATUS REPORT

Staffing/Scheduling Updates

- We use various schedules depending on task.
 - Alleys/Paving/General Tasks – 6:00am or 7:00am depending on task and locations.
 - Street Sweeping – Start time varies from 4:00am to 7:00am depending on locations to be swept.
 - Leaf Collection – When leaf collection begins, we assign a collection crew to work “4-10’s” Monday thru Thursday. That allows us to assign staff on Friday to give us 48 hours of collection time within a 40 hour work week.

Activity Report

- **2024 Alleys:** We have been invoiced for the three higher priority alleys for 2024 and will begin the fourth alley early October with funds available. That alley would be the 3/4 Alley from Birch to West.
- **Stormwater Outfall Cleaning:** We have put a concerted effort into cleaning/clearing outfalls to allow for maximum street drainage during significant rain events. We document location, outfall ID, pipe size and condition, and take photos post clearing for our records and annual reports.
- **Water Utility Assistance:** We are finishing the curb and sidewalk replacements for the Water Utility from this summer’s breaks/repairs so we can prep the patches for asphalt as the season nears end.

Informational

- **2024/2025 Equipment:** As approved at the 8/13 City Council meeting, we moved forward with our 2025 plow and haul truck purchases in 2024 seeing as equipment was available and a significant savings was to be had. Those trucks are expected to begin arriving mid-October, and should all have arrived by 3/1/2025.
- **Cracksealing:** Annually, in the month of October, staff performs cracksealing on streets that warrant repair and cracksealing will benefit the surface. Primarily we address the curb lines of recently reconstructed streets. The joint between the concrete curb and asphalt street is the most crucial joint to seal to prevent water from entering and affecting the base beneath asphalt, or degrading the flag of the curb.
- **Leaf Collection:** Leaf collection is scheduled to start October 21st and continue until November 27th.
- **Monthly Brush Collection:** October is the final month of brush collection for 2024. Collection that occurs after the week of 10/21 will be on an as needed/as requested basis while we are performing tree trimming and removals.
- **DPW Retirement:** Ron Messer’s last day with the city is October 4th. Ron began his career with Baraboo Public Works on March 22, 1999 and has done everything from stormsewer repair, street sweeping, snowplowing, and fill-in Mechanic when needed. Ron has also been a part of many Parks projects over the years that involved welding, concrete pours, carpentry, or an equipment operator. Good luck to Ron in his retirement!



Robert Sinden - Chief of Police

Baraboo Police Department
101 South Blvd
Baraboo, WI 53913

Telephone 608-355-2720



www.cityofbaraboo.com

BPD citations/arrests by Demographic

Printed on September 25, 2024

Age	Race	Description	Offenses	Address
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American Indian or Alaska Native

American Indian or Alaska Native Total: 91

Asian

Asian Total: 61

Black or African American

Black or African American Total: 531

Native Hawaiian or Other Pacific Islander

Native Hawaiian or Other Pacific Islander Total: 1

Not Specified

Not Specified Total: 32

Unknown

Unknown Total: 892

White

White Total: 4795

***** **Total: 10**

Total Records: 6413

	To Date 2023	To Date 2024	% Change
51.15, 51.45 COMMITMENT	27	18	-33%
ANIMAL COMPLAINT	201	193	-4%
ASSIST OTHER AGENCY, OFFICER	133	135	2%
CHECK WELFARE	427	403	-6%
EMERGENCY RESPONSE TEAM ACTIVATION	3	4	33%
INVESTIGATE DEATH	28	12	-57%
INVESTIGATE DRUG	74	51	-31%
SEXUAL ASSAULT	48	27	-44%
SEX CRIMES (new category)		15	
THEFT GENERAL	88	112	27%
THEFT MOTOR VEHICLE	5	4	-20%
THEFT SHOPLIFTING	42	44	5%
TRAFFIC CITATION	1005	542	-46%
TRAFFIC CRASH, ACCIDENT	204	209	2%

BPD USE OF FORCE LOG - 2024 WLEAD Standard 5.3.2-4, 2.5.8																								
Date	Officer	Time	Case	Escort Hold-Not a UOF	direct restraint of resistant subject	Compliance Hold	Focused strikes	O.C. Use	Baton Strike	Decentralization	Taser Deployed	Taser Deployed	Less Lethal	Vehicle Pursuit	Vehicle Other	Firearm Drawn	Firearm used	Vertical Stun	K9 Deploy	K9 Verbal Warning	K9 App/Bite	Assigned To	Date Assigned	Date returned
1/15/2024	N. Smith	12:17:00 AM	24-00230				X															249	1/16/2024	3/5/2024
1/16/2024	M. Pichler	4:54:00 PM	24-00298								X											203	1/22/2024	2/3/2024
3/4/2024	M. Pichler	1:51:00 PM	24-01062							X												236	3/5/2024	3/13/2024
3/7/2024	Carroll	8:57:00 PM	24-01162								X											218	3/8/2024	3/8/2024
3/16/2024	Carroll	12:01:00 AM	24-01338								X											203	3/18/2024	3/25/2024
3/16/2024	Brunken	12:01:00 AM	24-01338													X						230	3/18/2024	3/21/2024
3/26/2024	Brunken	10:47:00 PM	24-01528													X						230	3/27/2024	4/1/2024
4/1/2024	Brunken	12:53:00 AM	24-01607													X						230	4/1/2024	4/1/2024
4/4/2024	Brunken	11:12:00 PM	24-01679																			203/236	4/5/2024	4/14/2024
4/7/2024	S. Smith	6:55:00 PM	24-01729								X			X								218	4/8/2024	
4/4/2024	D. Burch	11:12:00 PM	24-01660																	X		249	4/16/2024	4/18/2024
	Voltz	8:02:00 AM	24-03368				X									X						204/236	6/26/2024	2/22/2024 07/15/2024
	Carroll	8:04:00 PM	24-03445													X						230	6/28/2024	7/1/2024
	Short	8:04:00 PM	24-03445													X						230	6/28/2024	7/1/2024
	Lee	1:28:00 PM	24-03479								X											203	7/8/2024	7/15/2024
	Meyer	11:55:00 PM	24-03798													X						204	7/15/2024	7/28/2024
	Giese	11:55:00 PM	24-03798													X						204	7/15/2024	7/28/2024
	Meyer	12:52:00 AM	24-03865								X											203	7/23/2024	7/30/2024
	S. Smith	3:13:00 AM	24-04048													X						204	7/29/2024	
	Damer	3:13:00 AM	24-04048													X						204	7/29/2024	
	Meyer	3:13:00 AM	24-04048											X								203	7/29/2024	8/17/2024
	Connolly	8:31:00 AM	24-04385								X											218	9/4/2024	9/11/2024
	Lund	8:31:00 AM	24-04385				X															249	9/4/2024	9/19/2024
	Lee	11:06:00 AM	24-04704								X											203	9/4/2024	9/14/2024
	Gilbert	8:30:00 AM	24-04737		X																	249	9/9/2024	9/24/2024
	Smith	8:44:00 PM	24-04881			X																236	9/13/2024	9/24/2024
	Werner	11:54:00 PM	24-04948		X																	236	9/17/2024	
TOTALS=				0	2	1	3	0	0	1	8	2	0	0	0	10	0	0	0	0	0	0		

