



**CITY OF BARABOO COMMON COUNCIL  
AMENDED AGENDA**

Tuesday, March 28, 2023, 7:00 p.m.  
Council Chambers, 101 South Blvd., Baraboo, Wisconsin

	Pages
1. CALL TO ORDER	
2. ROLL CALL AND PLEDGE OF ALLEGIANCE	
3. APPROVAL OF PREVIOUS MINUTES (Voice Vote) March 14, 2023	3
4. APPROVAL OF AGENDA (Voice Voice)	
5. COMPLIANCE WITH OPEN MEETING LAW NOTED	
6. PRESENTATIONS <i>None Scheduled.</i>	
7. PUBLIC HEARINGS	
8. PUBLIC INVITED TO SPEAK <i>(Any citizen has the right to speak on any item of business that is on the agenda for Council action if recognized by the presiding officer.)</i>	
9. MAYOR'S BUSINESS	
• The spring edition of the City Newsletter is now available on-line at <a href="http://www.cityofbaraboo.com">www.cityofbaraboo.com</a> . Hard copies are also available at City Hall, Civic Center, and the Carnegie-Schadde Memorial Public Library.	
• The spring election is Tuesday, April 4. All City residents vote at the Baraboo Civic Center, 124 Second Street. Polls are open from 7:00 a.m. to 8:00 p.m.	
• In-person absentee voting is available at City Hall through Friday, March 31. The deadline to request an absentee ballot by mail is Thursday, March 30 at 5:00 p.m.	
10. CONSENT AGENDA <i>(Roll Call)</i>	
10.1 Accounts Payable Approve the Accounts Payable to be paid in the amount of \$	8
11. ORDINANCES ON 2nd READING	
11.1 Repeal and Replace Baraboo-Wisconsin Dells Airport Consider repealing and replacing §1.32 and Chapter 26 relating to the Baraboo-Wisconsin Dells Airport.	9

<b>12.</b>	<b>NEW BUSINESS- RESOLUTIONS</b>	
12.1	Toolcat Purchase Consider authorizing budget transfer amendment and the purchase of a Bobcat "Toolcat" for Public Works. <i>(Pinion)</i>	10
12.2	Purchasing Policy Consider approving the amended Purchasing Policy. <i>(Ostrander)</i>	11
12.3	\$4,600,000 Note Anticipation Note Consider Resolution Authorizing the Issuance of \$4,600,000 General Obligation Promissory Notes and the Issuance and Sale of a \$4,600,000 Note Anticipation Note in Anticipation Thereof. <i>(Bradley)</i>	25
12.4	"Low-Mow May" Consider the temporary suspension of Chapter 10 Vegetative Height Restrictions in support of "Low-Mow May". <i>(Nelson)</i>	35
*12.5	Resolution Authorizing Waiver of Notice of Public Hearing Consider authorizing waiver of notice of public hearing. <i>(Bradley)</i>	36
<b>13.</b>	<b>NEW BUSINESS ORDINANCES</b> <i>None.</i>	
<b>14.</b>	<b>ADMINISTRATOR AND COUNCIL COMMENTS</b> <i>(Comments are limited to recognition of City residents and employees, memorials, and non-political community events; discussion of matters related to government business is prohibited.)</i>	
<b>15.</b>	<b>REPORTS, PETITIONS, AND CORRESPONDENCE</b> The City acknowledges receipt and distribution of the following: <u>Reports:</u> February, 2023 - Treasurer  <u>Copies of meeting minutes included in this packet:</u> Finance....2-28-2023 Administrative...2-7-2023  <u>Copies of meeting minutes in City Clerk's files:</u> CDA...1-26-2023, 2-7-2023, 2-28-2023 Bicycle Committee...1-25-2023, 2-1-2023 Park & Recreation...2-6-2023, 2-13-2023 UW Campus...2-16-2023 BID...2-15-2023 Public Arts...1-26-2023 Library...1-17-2023, 1-24-2023 Plan...1-17-2023 PFC...2-20-2023	37
<b>16.</b>	<b>ADJOURNMENT (Voice Vote)</b> <b>PLEASE TAKE NOTICE-</b> Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires the meeting or materials at the meeting to be in an accessible location or format should contact the City Clerk at 101 South Blvd., Baraboo WI or phone (608) 355-2700 during regular business hours at least 48 hours before the meeting so reasonable arrangements can be made to accommodate each request.	

**March 14, 2023, 7:00 p.m.  
Council Chambers, 101 South Blvd., Baraboo, Wisconsin**

Members Present: Wedekind, Kolb, Hazard, Kent, Petty, Ellington, Sloan, Kierzek, Thurow

Others Present: Chief Sinden, Clerk Zeman, Adm. Bradley, J. Ostrander, T. Pinion, M. Hardy

---

**1. CALL TO ORDER**

Mayor Nelson called the meeting to order at 7:00pm.

**2. ROLL CALL AND PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**3. APPROVAL OF PREVIOUS MINUTES, February 28, 2023**

Moved by: Ellington

Seconded by: Sloan

**Motion: CARRIED**

**4. APPROVAL OF AGENDA**

Moved by: Wedekind

Seconded by: Kolb

**Motion: CARRIED**

**5. COMPLIANCE WITH OPEN MEETING LAW NOTED**

**6. PRESENTATIONS**

**6.1 Presentation by Baraboo Public Arts Association**

Angie Lowe gave a presentation for the Baraboo Public Arts Association.

**7. PUBLIC HEARINGS**

*None Scheduled.*

**8. PUBLIC INVITED TO SPEAK**

No one spoke.

**9. MAYOR'S BUSINESS**

- In-Person Absentee Voting for the Spring Election will start on Tuesday, March 21st in the City Clerk's Office.

**10. CONSENT AGENDA**

Moved by: Petty

Seconded by: Kolb

**Motion: CARRIED (9 to 0)**

**10.1 Accounts Payable**

**Resolution No. 2023-028**

Approve the Accounts Payable to be paid in the amount of \$622,347.54.

**10.2 Temporary Picnic License**

**Resolution No. 2023-029**

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

- GMR Tent #100, Opening Banquet, 05-20-2023

**11. ORDINANCES ON 2nd READING**

*None.*

**12. NEW BUSINESS- RESOLUTIONS****12.1 Appoint City Attorney****Resolution No: 2023-030**

Moved by: Wedekind

Seconded by: Sloan

WHEREAS, the City is authorized by Wis. Stat. §62.09(12) to appoint a City Attorney to conduct all of the City's legal business;

WHEREAS, since the resignation of the appointed City Attorney, the City has utilized the law firm of Boardman & Clark, LPP to handle most of its legal work for the City while it considers whether to appoint an in-house City Attorney or retain outside legal counsel for that purpose;

WHEREAS, the City desires to continue its relationship with Boardman & Clark LLP and appoint that firm as the City's statutory City Attorney;

WHEREAS, the City may engage other legal counsel from time to time pursuant to Wis. Stat. § 62.09(12)(g) to represent it on certain legal issues, particularly if a conflict exists with Boardman & Clark's representation of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN, AS FOLLOWS:

Steven C. Zach is appointed as City Attorney and other such Boardman & Clark LLP attorneys as designated by Zach as Assistant Attorneys on an as needed case by case basis provided that the current arrangements for fees and services in 2023 as previously agreed by Zach and the City shall be honored and further that the scope of services to be provided by the City Attorney and Assistants shall include, without limitation, the following:

- Provide clear, concise and timely legal advice and consultation;
- Attend meetings as requested;
- Provide representation and advice to staff;
- Draft, review and revise documents including, but not limited to, legal issues, contracts, ordinances, resolutions, license agreements, development agreements, code enforcement orders, City policies, notices, open records, leases, deeds, loan, permits and staff reports;
- Recommend, review and assist in update of City code and zoning code as necessary;
- Research and interpret laws, court decisions and other authorities for preparation of opinions to advise Common Council and staff on legal matters pertaining to City matters;
- Assist City officials and appropriate staff in continuing to identify feasible options toward implementation and achievement of the goals, policies and objectives of the City;
- Represent City in litigation and matters brought by or against the City, its elected officials, officers and agents and advise and inform regarding their status;
- Provide Municipal prosecution services; and
- Perform such other duties as directed by the Mayor, Common Council and City Administrator.
- Provide education/training to the Council and staff on legal matters, e.g., as parliamentary procedure, ethics, etc.

**Motion: CARRIED (9 to 0)**

**12.2 Parks and Recreation Grant Agreement****Resolution No: 2023-031**

Moved by: Thurow

Seconded by: Ellington

THAT the Keramani Park Interpretive Signage Grant for \$3,000 offered by the Sauk County Arts and Culture Committee be accepted and the Parks and Recreation Director authorized to sign the grant agreement and complete the project in 2023.

**Motion: CARRIED (9 to 0)**

12.3 Wisconsin DOT TAP Grant

**Resolution No: 2023-032**

Moved by: Sloan

Seconded by: Petty

THAT City staff be authorized to apply for a 2023 Wisconsin DOT TAP grant for the design and construction of the Oak Street ADA path connecting downtown Baraboo with the Riverwalk system at Water Street and signing application documents on behalf of the City of Baraboo

**Motion: CARRIED (9 to 0)**

13. **NEW BUSINESS ORDINANCES**

13.1 Repeal and Replace Baraboo-Wisconsin Dells Airport

Moved by: Sloan

Seconded by: Ellington

Motion to approve the 1st reading of Ordinance No. 2608 repealing and replacing §1.32 and Chapter 26 relating to the Baraboo-Wisconsin Dells Airport.

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

1. Section 1.32 of the Baraboo Municipal Code shall be and is hereby repealed and replaced with the following:

1.32 RESERVED.

2. Chapter 26 of the Baraboo Municipal Code shall be and is hereby repealed and replaced with the following:

**Chapter 26, Reserved.**

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

**Motion: CARRIED (9 to 0)**

14. **ADMINISTRATOR AND COUNCIL COMMENTS**

*None.*

15. **REPORTS, PETITIONS, AND CORRESPONDENCE**

The City officially acknowledges receipt and distribution of the following:

**Reports:** February, 2023 -Building Inspection

**Copies of meeting minutes included in this packet:**

**Finance/Personnel Committee Meeting Minutes**

**February 14, 2023, 5:30 p.m.**

**City Hall, Committee Room #205**

Members Present: Petty, Kent

Absent: Sloan

Others Present: Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, M. Hardy, R. Sinden, T. Pinion, S. Meise, M. Cotter, W. Maffei, B. Persche

1. **Call Meeting to Order**

1.a **Roll Call of Membership**

1.b **Note Compliance with Open Meeting Law**

1.c **Approve Minutes of January 24, 2023**

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

**CARRIED (2 to 0)**

**1.d Approve Agenda**

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

Approve the amended agenda removing discussion items 3.c, Service Animals, and 3.d, the Purchasing Policy. These will be reviewed at the next meeting.

**CARRIED (2 to 0)**

**2. Action Items**

**2.a Accounts Payable**

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty  
Recommend to Common Council on paying \$6,795,907.64.

**CARRIED (2 to 0)**

**2.b Purchase of Body Cameras**

Chief Sinden explained that last June each tribal and local law enforcement agency in the State of Wisconsin was allocated a specific number of funds, based on size, by the Department of Administration. These funds must be spent by June of 2023; Council and Finance previously accepted the grant. Chief Sinden is recommending the purchase of 29 body cameras with these funds; this will replace all body cameras within the police department.

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

Recommend to Common Council to authorize Chief Sinden to purchase body cameras, to be reimbursed from the Tribal and Local Law Enforcement Agency Initiative Grant funds.

**CARRIED (2 to 0)**

**2.c Removal of Oak Street Overlook**

M. Hardy explained that MSA had structural engineers look at the current abutment. While our original hope was to follow some previous plans for this site, upon further review, this structure is not safe and unusable in its current state. The City is now liable for this structure and recommendation is to remove the abutment using city staff.

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

Recommend to Common Council to consider approving the removal of the old bridge abutment at Oak Street and Water Street (Kiwanis Park) by City Staff.

**CARRIED (2 to 0)**

**2.d Request for Proposals**

M. Hardy explained that this would allow us to continue with the next phase, getting qualified request for proposals for the overlook and ramp, as well as options to tie into the bridge and future Riverfront Park. Ideally this area would tie downtown into the Riverwalk. Staff will continue looking into additional grant and donation funds for this project. Adm. Bradley noted that staff recommendation would be to keep the same designer all the way through the project(s) to include the overlook, ramp, parking, pedestrian bridge, and future park.

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

Recommend to Common Council to consider approving the City Engineer to solicit Request for Proposals for the design and construction administration of the Oak Street Overlook/ADA path project as well as the option to include the initial design work for the future Riverfront Park.

**CARRIED (2 to 0)**

**3. Discussion Items**

**3.a 2024 Public Fire Protection Charge 4.5% Increase**

Currently there is a Municipal Charge and a Direct Charge, included on the resident's water bill, for the public fire protection service. Because staff was not available for questions regarding the increase, this item will be placed on the next agenda.

**3.b Carbon Reduction Shared Revenue Fund, Powered Up Baraboo**

Marianne Cotter and Beth Persche with Powered Up Baraboo presented a proposal for partnering with the City to help find ways to reduce energy costs, increase energy efficiency, and reduce harmful carbon emissions. The Finance/Personnel Committee does not have any concerns with this proposal; it will be brought back to committee for action.

**3.c Service Animals**

This will be discussed at the next meeting.

**3.d Purchasing Policy**

To be reviewed at the next meeting.

**4. Adjournment**

**Moved by:** Jason Kent  
**Seconded by:** Joel Petty

That the meeting be adjourned at 6:14pm.

CARRIED (2 to 0)

**Copies of meeting minutes in City Clerk's files:**

BID.....	1-18-2023	UW Campus.....	1-20-2023
Ambulance.....	12-14-2023	BEDC.....	2-2-2023
CDA.....	2-7-2023	Park & Recreation.....	1-9-2023
Fire-EMS.....	1-4-2023, 1-17-2023		
Library.....	1-17-2023, 1-24-2023		

16.
- ADJOURNMENT

Moved by: Ellington

Seconded by: Hazard

That the meeting adjourn at 7:30pm.

Motion:CARRIED

Brenda M. Zeman, City Clerk

**10.1**

**RESOLUTION NO. 2023 -**

**Dated: March 28, 2023**

**The City of Baraboo, Wisconsin**

<b><i>Background:</i></b>
<b>Fiscal Note: (Check one)   <input type="checkbox"/> Not Required   <input type="checkbox"/> Budgeted Expenditure   <input type="checkbox"/> Not Budgeted</b>
<b><i>Comments</i></b>

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

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

**Offered By:** Consent  
**Motion:**  
**Second:**

**Approved by Mayor:** \_\_\_\_\_  
**Certified by City Clerk:** \_\_\_\_\_



2<sup>nd</sup> Reading – 11.1

The City of Baraboo, Wisconsin

**BACKGROUND:** This is an Ordinance to repeal and reserve Section 1.32 of the Municipal Code of the City of Baraboo, Sauk County, Wisconsin, relating to the Baraboo – Wisconsin Dells Airport Commission and to repeal and reserve Chapter 26 of the Municipal Code of the City of Baraboo, Sauk County, Wisconsin, relating to the Baraboo – Wisconsin Dells Airport. The Baraboo Common Council adopted a resolution to withdraw from the Baraboo – Wisconsin Dells Airport on March 22, 2022 and adopted a resolution transferring the City's interest in the Baraboo – Wisconsin Dells Airport to the Village of Lake Delton on December 13, 2022. With the City's withdrawal from and transfer of its interest in the Baraboo – Wisconsin Dells Airport it is necessary for the City to repeal its ordinances related to the Baraboo – Wisconsin Dells Airport and the Baraboo – Wisconsin Dells Airport Commission. This ordinance repeals those ordinances and reserves them for future Code expansion.

**Fiscal Note: (check one) [ ] Not Required [ ] Budgeted Expenditure [ ] Not Budgeted**  
**Comments:**

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

1. Section 1.32 of the Baraboo Municipal Code shall be and is hereby repealed and replaced with the following:

1.32 RESERVED.

2. Chapter 26 of the Baraboo Municipal Code shall be and is hereby repealed and replaced with the following:

**Chapter 26, Reserved.**

3. 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 \_\_\_\_\_ and is recorded on page \_\_\_\_\_ of volume \_\_\_\_\_. A summary of this Ordinance was published in the local newspaper on the \_\_\_\_\_

City Clerk: \_\_\_\_\_

**The City of Baraboo, Wisconsin**

**Background:** The City is required by State Statute to notify the citizenry through publication in the official newspaper whenever budget amendments are approved within 10 days of the amendment. Our practice is to identify budget amendments in the fiscal commentary section of resolutions when spending authorizations are granted. Therefore, the City Council could approve budget transfers as often as every meeting. To satisfy the legal requirement, we publish budget amendments after the Finance Committee and Common Council approvals.

**Background:** This is a Resolution to approve the purchase of a new Bobcat "Toolcat". A Toolcat is a multiuse piece of equipment, made exclusively by Bobcat, which is similar to a skidsteer that can accommodate a variety of equipment attachments. The Toolcat differs in that it has a dump bed for transportation of materials, towing capabilities, tandem seating, and can reach a top speed of 17 MPH.

The purchase of this Toolcat is being recommended due to its capabilities and versatility that this unit provides versus our current skidsteer units, and the current John Deere units of which the Parks Department uses for mowing and sidewalk snow removal. This unit will be utilized for Public Works activities, special event staging, Parks activities, and winter snow removal.

With the Toolcat being a proprietary product of Bobcat and Mid-States Inc. being our territorially assigned Bobcat dealer, we obtained a singular quote from Mid-States Inc. of Prairie Du Sac. The total price of the Toolcat, with 60" snowblower attachment, came in at \$72,333.97 after the Bobcat/Mid-States municipal discount of \$19,899.16 was applied. This purchase as proposed by Mid-States Inc. requires only a \$5,000.00 down payment for 2023 upon Toolcat arrival, with the remaining balance due on 1/1/2024. The \$5,000.00 down payment will be covered by the Public Works Department Capital Equipment Fund and show minimal impact to that fund for 2023 due to our scheduled 2023 end loader purchase coming in \$80,000.00 less than budgeted after a substantial trade-in offer for our 2006 unit, and our 2023 plow truck purchase on track to total \$15,000-20,000 less than budgeted. Due to the nature of use of this machinery, the Toolcat will be replaced at the first of each year with an approximate replacement cost of \$4,000.00 annually.

**Fiscal Note: (check one) [ ] Not Required [x] Budgeted Expenditure [ ] Not Budgeted**  
**Comments:** The 2023 City Budget provides for publishing expenditures.

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

THAT the down payment of \$5,000.00 towards the 2024 purchase of a Bobcat "Toolcat" from Mid-State Inc. is hereby approved.

Account Number	Department	Budget	Debit/(Credit)	Amended Budget	Balance YTD
423-31-53240-814-000	PW Capital Equipment Purchase	200,000	5,000.00	205,000	0
423-31-49300-000	PW Fund Balance Applied	52,000	5,000.00	57,000	0

**Offered by:** Finance/Personnel Comm. **Approved:** \_\_\_\_\_

**Motion:**

**Second:**

**Attest:** \_\_\_\_\_

RESOLUTION NO. 2023 -

Dated: March 28, 2023

## The City of Baraboo, Wisconsin

**Background.** The City's Purchasing Policy is being updated to reflect recommended policy and procedure changes since its last update on April 9, 2019. The most significant change will be to allow City Departments to make purchases of:

1. Up to \$5,000 (rather than the current limit of \$1,000) without requiring the purchase to be competitively bid unless otherwise mandated by law and no additional approvals if item was a subsequently approved budget item.
2. Purchase items over \$5,000 shall be approved prior to ordering and competitive bidding mandates are met with quotes being obtained during the budgeting process.
3. Other changes include the updating of Fuel Charge Cards, clarification of process for purchasing real estate, and removal of Purchase Order submissions.

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

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

To adopt the revised Purchasing Policy for the City of Baraboo.

**Offered by:** Finance/Personnel Comm.

**Motion:**

**Second:**

**Approved:** \_\_\_\_\_

**Attest:** \_\_\_\_\_

CITY OF BARABOO	TITLE: PURCHASING POLICY	
TARGET AUDIENCE: City Departments; City Employees; Utilities and other component units funded by City taxpayers or ratepayers, either in whole or in part; Community Development Authority; Fire & EMS District; Vendors	POLICY SOURCE: Finance Department	PAGE NUMBERS: 13
DATE APPROVED BY COUNCIL: March 22, 2017	DATE AMENDED BY COUNCIL: April 9, 2019 March 28, 2023, supersedes	ATTORNEY REVIEW: February 19, 2019 XXXX XX, 2022

## SECTION 1 POLICY OBJECTIVES

- 1.1 Objectives. The objectives of the City's Purchasing Policy are:
1. To ensure that materials, equipment and services are purchased at the lowest prices consistent with quality and performance,
  2. To provide adequate controls over City expenditures and financial commitments with proper documentation,
  3. To obtain quality goods required by City departments and to ensure that these goods are at the place and time needed
  4. To provide a standardized system of purchasing for use by all City departments.

## SECTION II COMPETITIVE BIDDING

- 2.1 Policy. It is the policy of the City of Baraboo to procure needed materials, equipment and services at the lowest cost consistent with quality and performance. Therefore, City purchases will be made only after price quotations have been obtained or attempted to have been obtained from different suppliers through either formal or informal means, if required pursuant to this Policy.
- 2.2 Obtaining Bids. Unless required by State Statute, it shall be the Department Heads discretion on the method of obtaining bids and proposals. Options include Request for Proposal (RFP), Request for Qualifications (RFQ) or Request for Information (RFI) to bid by US mail, e-mail, and publication in the official newspaper, telephone contacts or verbal requests. Purchases shall attempt to obtain bids or proposals from at least three (3) vendors to ensure that comparison pricing is demonstrated.
- 2.3 Exceptions. The only exceptions to this Policy are:
1. Sole-source purchases (i.e., when only one known supplier is available): includes diagnostic vehicle repairs and warranty work that needs to be done by service providers equipped and trained for repairs on the make and model of equipment being repaired.
  2. Emergency purchases and repairs covered by insurance proceeds.
  3. Items purchased by State contract.
  4. Purchases paid with grant funds which require specified purchase procedures.
  5. Professional services where the City Administrator has waived bidding requirements.
  6. Other justifications as identified by a Department Head and approved by the City Administrator.
  7. For purchases below \$5,000, the bidding/proposal process is waived although the purchaser is expected to compare prices for routine purchases and supplies. The intent is to look for quality and price over convenience, wherever practical.

- 2.4 Prohibited Conduct. The intentional staggering of purchases as well as dividing purchases and/or contracts to consciously evade this policy is strictly prohibited.
- 2.5 Competitive Bidding Process. To assist Department Heads in the bidding process, templates are available from the City Attorney and Finance Director for soliciting bids. Templates are also available for RFIs, RFPs and RFQs:
- *Request for Bid (RFB):* Commonly used when deliverables are commodities for which there are clear specifications and when price will be the primary determining factor.
  - *Request for Information (RFI):* Commonly used to develop lists of qualified sellers and gain more input for resource availability.
  - *Request for Proposal (RFP):* Commonly used when deliverables are not well-defined or when other selection criteria will be used in addition to price.
  - *Request for Quotation (RFQ):* Commonly used when deliverables are commodities for which there are clear specifications and when price will be the primary determining factor. Unlike an RFB, this solicited price quote is used for comparison purposes and is not a formal bid for work.
- 2.5.1 Tie Bids. If two or more bids are in the same amount or unit price, quality, service and other factors deemed relevant being equal, the contract shall be awarded to a bidder whose principal place of business is located within the City limits, if any. If there is not a City of Baraboo bidder, the Department Head should award the contract to one of the tie bidders by cutting a deck of playing cards, with the highest card being awarded the bid.
- 2.5.2 Rejection of Bids. Department Heads have the authority to reject bids or parts of bids, or all bids, where the public interest will be served. In all cases, the Department Head has the authority to re-advertise and re-bid any proposed purchase or to reject all bids and to negotiate a purchase directly with any supplier if this procedure is deemed most advantageous to the City.
- 2.5.3 Bidders in Default to the City. A Department Head should not accept the bid of any supplier who is in default or delinquent in the payment of taxes, licenses, forfeitures, or any other moneys whatsoever due the City.
- 2.5.4 Selecting Bid. In addition to price, Department Heads may consider the following factors in selecting the acceptable bid:
1. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
  2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
  3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
  4. The quality of performance of previous contracts or services by the bidder.
  5. The previous and existing compliance by the bidder with laws and ordinance relating to the contract or service.
  6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
  7. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
  8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
  9. The number and scope of conditions attached to the bid.

**SECTION III**  
**CENTRAL PURCHASING**

- 3.1 Policy. Many items purchased by the city are commonly used by all or several departments. By consolidating the needs of all departments, the city can take advantage of price discounts for large quantity orders of these items. Annual orders are encouraged. Department Heads and all purchasers are strongly encouraged to work together to coordinate purchases of common items between departments.

**SECTION IV**  
**PURCHASE RELATED CHARGES AND ALLOWANCES**

- 4.1 Shipping and Freight. It is the policy of the City to avoid paying shipping charges whenever possible. If the City is to pay shipping charges, it must be billed at the time of invoicing. Purchasers, when obtaining price quotations, should inquire into applicable freight charges. Any charges to be paid by the City will be regarded as part of the price quotation when selecting the successful bidder and noted on the purchase requisition. Unless otherwise stated in the RFP/RFQ, all formal bids and proposals shall include freight and delivery charges, if any.
- 4.2 Sales Tax Exemption. The city is exempt from paying city, county and state sales tax. Purchasers have the responsibility to inform vendors of tax-exempt status. Tax exempt forms are available in the City Finance Director's office. Invoices received by the city that include sales tax will be amended by reducing the amount of sales tax prior to payment.
- 4.3 Vendor Discounts. It is the policy of the City to take advantage of all available vendor discounts. The following considerations should be kept in mind:
1. Cash discounts are offered for prompt payment, usually within ten days of the date of the invoice. Department Heads can aid the City by forwarding approved invoices promptly to the Finance Director's office. Department Heads shall enter invoices as they are received via miViewPoint for Accounts Payable. Payments will be issued before the due date to ensure discounts are captured.
  2. Trade discounts are sometimes offered to municipalities for the purpose of attracting business. In most cases, the City will not be offered a trade discount unless the purchaser asks if one is available. Therefore, it is essential that Purchasers ask if trade discounts are available when obtaining price quotations.
  3. The Accounts Payable vendor file will be maintained with individual terms, as a result, the software system can maneuver the invoice to the proper payment due date and automatically ensures discounts are taken.
  4. Payments will be created, grouped, and sorted within the system based upon the fund and due date.

## **SECTION V**

### **COOPERATIVE PURCHASING**

- 5.1 Policy. Cooperative purchasing between the city and the State of Wisconsin or between the City and other local governments can result in significant savings on the purchase price of many items. The Finance Director shall have the authority to analyze the desirability of cooperative purchasing arrangements and to make recommendations to the City Administrator. The City Council encourages cooperative purchasing but maintains the right to reject any or all such agreements. It is the policy of the City to enter into cooperative purchasing agreements when:
1. Substantial savings will result.
  2. Quality, availability, or service will not be sacrificed.
  3. The City will be separately billed for its purchases;
  4. Ordered items will be delivered directly to the city (unless otherwise agreed to).

## **SECTION VI**

### **PURCHASING CARDS**

- 6.1 Policy. During everyday business, situations arise that call for the use of a charge card. Some examples of these situations might be making flight reservations, booking a hotel in connection with a conference, purchasing government publications on-line, etc. A charge card is not meant to interfere with any of the other policies and/or procedures currently in place in terms of purchasing needed items and/or services for the City. Its use is meant to enhance or augment the City's ability to make purchases in the most efficient manner possible. competitive pricing practices are still required for items purchased on a charge card.
- 6.2 Use of Card. The charge card shall be used where necessary purchases: (1) cannot be billed or invoiced to the City and (2) can only be made by a charge card by policy of the vendor. For example: on-line booking of air travel or seminar registration.
- 6.2.1 Examples of when the charge card **MAY** be used:
1. Lodging (*registering in advance and paying upon departure*).
  2. Some transportation: Flights, car rentals, trains, inter-city buses (*see below for exceptions when card cannot be used in this category*).
  3. Registration fees for conferences and seminars.
  4. Costs associated with business-related training.
  5. Online purchases for items such as government or business-related literature.
  6. Meal costs (*including the standard 15% tip*) as follows:
    - a. Costs must follow the standards established in the City's Travel Guidelines/ Expense Reimbursement Policy.
    - b. Group meetings where the City is paying (must receive prior approval of the City Administrator whose approval means that it is appropriate for the City to pay the expense).
    - c. The City will allow tips up to 15% of the bill to be applied to the charge card. If a tip is made that is more than 15%, the overage should be left by the employee in cash and will not be recoverable from the city as a valid expense.
    - d. Employees do not need to obtain tax exemption for individual meals or groups up to three (3) people. Groups over three should try to obtain the tax-exempt status. (See Tax Exemption section of this policy below.)

6.2.2 Examples of when the charge card **MAY NOT** be used:

1. Taxi fares, intra-city bus lines.
2. Tips, except when it is part of an approved meal cost.
3. Personal purchases of any kind.
4. Cash advances.

6.3 Employee Access to Credit Card. Department Heads are responsible for determining the individual(s) in their organization who will have a charge card. **Employees may not make purchases without the prior knowledge of the Department Head.** Approved employees will be required to sign an agreement that:

1. Acknowledges that they understand the purpose of the use of credit cards,
2. Certifies that they have read and understand the City's Purchasing Policy,
3. Confirms that improper use of the card may result in disciplinary action up to and including termination of employment; and
4. Guarantees return of the card to the Department Head for reasons such as, but not limited to:
  - a. Change in duties,
  - b. Retirement,
  - c. Termination of employment,
  - d. Improper use, or
  - e. Any other sound reason determined by the Department Head or City Administrator.

6.4 Tax Exemption. Purchases made on credit cards are still eligible for tax exemption. The City, as a government office, is exempt from paying tax on purchases. Those who will be issued cards will be given the tax exemption number. Certificates are available by contacting the Finance Department. The Purchaser is responsible to provide the vendor proof of the City's tax exempt status at the time the charge is incurred.

6.5 Automatic Payroll Deduction. If a meal (plus tip) purchase exceeds that which is allowed by the City's Travel Guidelines/Expense Reimbursement Policy, located in the Employee Handbook. If an unauthorized charge occurs, or if the Department Head determines a good faith attempt to receive a tax exemption was not made, the employee must immediately reimburse the difference between the allowable and the amount being charged to the Finance Department. If the employee does not submit the difference to the Finance Department, the lack of action acts as the employee's permission for an automatic payroll deduction for the unauthorized charges

6.6 Documentation. As with any purchases made for the city, paperwork is required. To ensure that our Finance Department can make payment of the charge card debt in a timely manner, it will be necessary for the following rules to be followed:

1. Employees who use a City charge card shall, as soon as possible after making a purchase, submit supporting documentation to the Department Head. Supporting documentation may include:
  - a. The vendor's detailed sales receipt.
  - b. Itineraries.
  - c. Rental agreements.
  - d. Completed registration flyers,
  - e. Renewal notification letters,
  - f. Order confirmations.
2. Documentation must include the name of the vendor providing the goods or services, the date (and time for meal reimbursements), the employee(s) involved, the goods and services received, the amount, and the business purpose.



3. All sales documentation needs to be clearly marked as a charge card purchase with the department/card number indicated and the name of the employee who made the purchase.
  4. Department Heads will approve the purchase that was made by placing an account code and signing the submitted documentation as they would with any other request for payment. Include the purchase order number on the invoice.
  5. Department Heads or designee must enter the documentation information into the City's financial software.
  6. The charge card statements are mailed directly to the Department. All sales slips should be matched to the statement by the Department and entered in to miViewPoint. We are required by the charge card vendor to make an electronic payment within 14 days of the statement date. Charges made by the Departments will be paid before Council can approve them and the vouchers will be included in the Council batch following the date the statement is paid.
  7. Upon leaving employment, or when an employee no longer needs to have the charge card, the Department Head will be responsible for retrieving it. The Finance Director or his/her designee will maintain a list of employees to whom cards have been issued. Department Heads therefore must inform the Finance office when it is necessary to either reassign a card or to remove the employee's name from the list of those who are holding a city charge card
- 6.7 Loss of Privilege. If an employee exhibits non-compliance with these procedures, discipline for non-compliance may occur, up to and including termination. .

## **SECTION VII**

### **DATA TRACKER FUEL CARDS**

- 7.1 Department Use of Card. All fuel for City owned vehicles and equipment will be purchased using a Kwik Trip Data Tracker charge card.
- 7.2 Department Head Responsibilities. The respective Department Head will be responsible for reporting and managing authorized users and vehicles for their department to the Finance Director.
- 7.3 Employee's Use of Data Tracker Charge Card. The Department Heads are responsible for determining the individual(s) in their organization who will have a charge card. All users will be issued a Driver Pin # and will be required to enter the pin at the pump (or at the cashier) to authorize the fuel purchase. All purchases can and will be tracked by the department, vehicle and driver. Those individuals will be required to sign an agreement that:
1. Acknowledges that they understand the purpose of the program.
  2. Certifies that they have read and understand this Data Tracker Charge Card Policy Section of the City's Purchasing Policy.
  3. Confirms that improper use of the card may result in disciplinary action up to and including termination of employment; and
  4. Guarantees return of the card to the Finance Director for reasons such as, but not limited to:
    - a. Change in duties,
    - b. Retirement,
    - c. Termination of employment,
    - d. Improper use, or
    - e. Any other sound reason determined by the Department Head or City Administrator.

- 7.4 Automatic Payroll Deduction. If an unauthorized charge occurs, the employee must immediately reimburse the dollar amount being charged to the Finance Department. If the employee does not submit payment to the Finance Department, that lack of action acts as the employee's permission for an automatic payroll deduction for the unauthorized charges or the amount in excess of what is allowed to be taken from the employees next payroll check.
- 7.5 Documentation - As with any purchases made for the city, paperwork is required. To ensure that our Finance Department can make payment of the charge card debt in a timely manner, it will be necessary for the following rules to be followed:
1. Employees who use a City Data Tracker charge card shall, as soon as possible after making a purchase, submit supporting documentation to the Department Head. Supporting documentation may include:
    - a. The vendor's detailed sales receipt.
    - b. Documentation must include the name of the vendor providing the goods, the employee(s) involved, vehicle or equipment the fuel is for, the amount, and the date.
  2. All sales documentation needs to be clearly marked as a charge card purchase with the department/card number indicated and the name of the employee who made the purchase.
  3. Department Heads will receive the Data Tracker card statement at the end of each billing cycle, and approve the purchases made by using the excel spreadsheet download, adding the proper account code, and entering the invoice into miViewPoint. The Department Head will be required to attach the supporting documentation to each statement.
  4. Department Heads or designee must enter the documentation information into the City's financial software.
  5. Upon leaving employment or there is no longer a need for an individual to have a Data Tracker charge card, the Department Head will be responsible for retrieving the card. The Finance Director or designee will maintain a list of employees to whom cards have been issued. Department Heads therefore must inform the Finance Department when it is necessary to either reassign a card or to remove the employee's name from the list of those who are holding a fleet charge card
- 7.6 Loss of Privilege. If an employee exhibits non-compliance with these procedures, discipline for non-compliance may occur, up to and including termination.

## **SECTION VIII**

### **SALE OF SURPLUS PROPERTY**

- 8.1 Tangible Property. City property is declared "surplus" when it is no longer necessary, practical or economical to be retained by the City. Department Heads are responsible for identifying surplus furniture, equipment, supplies, etc., in their departments. The City Administrator or designee is responsible for the sale or disposal of all surplus property. The City Administrator or designee shall determine the best method for sale or disposal of the surplus property. Such methods shall include internet postings on well-known sites such as eBay or Craigslist, public bid, public auction or private sale.
- 8.2 Police Unclaimed Property. In accordance with Wisconsin State Law, the Baraboo Police Department sells at public auction all lost, abandoned, unclaimed, forfeited, or stolen property remaining in the possession of the Police Department for a period of six months without a lawful claimant, except that unclaimed bicycle may be auctioned after a three-month waiting period. The Police use the services of a public internet auction site.

- 8.3 Real Estate. Whenever City owned property is proposed for sale, there should be an internal review conducted by the City Administrator and Department Head to determine whether the City may need the parcel in the future and for what purpose. The City Administrator shall prepare a report for the Finance Committee outlining the land sale request. The Finance Committee shall consider whether an appraisal is necessary, how the property may be disposed of, and then forward their recommendation to the City Council for final action. The City Administrator is responsible for carrying out the Council's actions for disposition of the property. Property may be disposed of by public auction, sealed bids, or by a mutual sales agreement.

## **SECTION IX**

### **PURCHASING PARAMETERS**

- 9.1 Routine Budgeted Purchases. Routine budgeted purchases made by the City of Baraboo may be grouped under the following categories:
1. Purchases under \$5,000 are authorized by a Department Head without further authorization except that purchases shall meet the competitive bidding requirements, as outlined in this Policy, and the item is included in the current budget.
  2. Purchases over \$5,000 dollars shall be approved prior to ordering by the Finance Director but only after the Department Head complies with competitive bidding requirements, forwards copies of bids or quotes received to the Finance Director, and the item is included in the current budget. Quotes should be obtained during the budget process.
- 9.2 Construction and Public Works Contracts. Construction and public works contracts must be advertised and bid according to state law.
- 9.3 Department Head Responsibilities. Department Heads are required to monitor total spending for each of their budget functions and cannot exceed the total budgeted amount for each function. The total budget for each function will be considered when the spending parameter for legal notice purposes is necessary. The Finance Committee and Council approval of a budget amendment and resolution prior to the purchase is required in this instance.
- 9.4 Unbudgeted or Under-Budgeted Purchases that surpass the departmental function parameter. The Common Council, by way of a recommendation from the City's Finance/Personnel Committee, must approve all non-budgeted purchases prior to purchasing if the departmental function parameter is surpassed. The Department Head must still comply with competitive bidding requirements and forward completed copies of bids or quotes received to the City Finance Director.

**SECTION X**  
**PROCEDURES FOR CONTRACTED SERVICES AND OTHER CONTRACTED PURCHASES**

- 10.1 Contracts Defined. For purposes of this policy, “contracts” are defined as any document:
1. Requiring signature of statutory officers of the city.
  2. Expressly waiving liability of the vendor.
  3. Expressing a scope of service to be performed by the vendor.
  4. Placing conditions (other than payment) upon the city.
  5. Contracts also include lease agreements and memorandum of understandings (MOU’s).
- 10.2 Competitive Bidding. Department Heads must follow all competitive bidding requirements for procuring contracted services or purchases, while being cognizant of consolidating citywide services when feasible.
- 10.3 Signatories. The signatories for the city are the City Clerk, Mayor and the City Administrator, each of whom are authorized to execute the contracts without additional Council action; two of the three persons must sign each contract and will need Council approval if exceeds current contract. Department Heads do not have legal standing to contract on behalf of the City unless expressly authorized to do so by the City Council.
- The City Administrator shall have authority to sign contracts to purchase vehicles or equipment without an additional signatory provided they are included in the annual budget and meet the guidelines of the purchasing policy.
- 10.4 Contract Review. Contracts shall be reviewed by the City Attorney as to form prior to the execution of the contract. Department Heads should submit contracts to the City Administrator as soon as possible for timely review – ideally at least one business week prior to the execution date. All questions about whether a document is a contract should be directed to the City Administrator prior to execution of the document.

**SECTION XI**  
**EMERGENCY PURCHASES**

- 11.1 Policy. Emergency purchasing procedures should only be used when normal purchasing channels are not feasible. Emergency purchases may be made:
1. When there is a need for immediate delivery of items.
  2. To prevent delays in work or construction schedules.
  3. When there is an immediate threat to employees, public health or safety, or
  4. To meet emergencies rising from unforeseen causes.
  5. When there is an emergency declaration.
- 11.2 Emergency Purchases over \$5,000. For emergency purchases over \$5,000, the Department Head shall notify the City Administrator of the emergency and receive a waiver of the provisions of the purchasing policy.

**SECTION XII**  
**GRANTS AS A REVENUE SOURCE**

- 12.1 Policy. Prior resolution approval from the Finance/Personnel Committee and Council is required when the grant requires a city matching contribution. Approval must be granted prior to the submission of the grant application and preferably during the budget process. The city matching contributions are defined to include any monetary contribution, change in service, or staffing.

**SECTION XIII**  
**DONATION POLICY**

- 13.1 Policy. The purpose of this policy is to establish a formal process for acceptance and documentation of donations made to the City and to ensure compliance with applicable laws and accounting procedures. This policy supersedes other departmental policies regarding these issues. This policy provides guidance when individuals, community groups, and businesses wish to make donations to the City. This policy also establishes the standards for City employees and City officials regarding the acceptance of gifts and fundraising activities during the performance of City business.
- 13.2 Types of Donations. Donations may be offered in the form of cash, real or personal property. Designated donations are those donations that the donor specifies for a city department, location, or purpose. Undesignated donations are those donations that are given to the city for an unspecified use. Designated donations may only be accepted when they have a purpose consistent with the city's goals and objectives and are in the best interest of the City of Baraboo.
- 13.3 Acceptance of Donations. Based on the value of the donation offered as outlined below, appropriate City staff shall review every donation and determine if the benefits to be derived warrant acceptance of the donation. The following points list the threshold amounts for donation acceptance.
1. Offers of donations of cash or items valued at \$5,000 or below shall be considered for acceptance the Department Head. Donations shall be reported to the City Council as informational on an annual basis.
  2. Offers of donations of cash or items valued more than \$5,000 and up to \$50,000 shall be considered for acceptance the City Administrator. All donations shall be reported to the City Council as informational.
  3. Offers of donations of cash or items valued more than \$50,000 shall be considered for acceptance by the City Council. Donations valued at more than \$50,000 require acceptance through a written agreement consistent with these guidelines and approved by the City Council.
- 13.4 Acceptance of Designated Donations. Prior to acceptance of designated donations, appropriate City staff will review the conditions of any designated donation and determine if the benefits to be derived warrant acceptance of the donation. Criteria for the evaluation include but are not limited to:
1. Consideration of an immediate or initial expenditure required to accept the donation.
  2. The potential and extent of the City's obligation to maintain, match, or supplement the donation; and
  3. The need for the property, including where and what type of property it is.

- 13.5 Fundraising. Solicitation of voluntary contributions shall not violate the Code of Ethics for local officials under Wisconsin Statutes and City of Baraboo Code of Ordinances. In addition, no solicitation shall state or imply that a donation will influence or affect how the party is treated by City officer and employees.
1. All fundraising and solicitation efforts shall be consistent with the missions, goals, and mandates of the City. Solicitation for business, commercial, or personal reasons by City employees not directly related to City operations is prohibited. All donated funds or property become public property upon acceptance and shall be used or expended for public purposes.
  2. All significant fundraising and solicitation efforts, as reasonably defined by the City Administrator, which support City programs and projects shall be authorized by the City Council after prior review and recommendation by the appropriate oversight Committee, Commission or Board. Council authorization may include continuing authorization or authorization for a one-time only project.
- 13.6 Accounting. Following donation acceptance, the Department shall obtain written approval of Finance Director or delegate regarding procedures to account for the donation. Said approval shall include proper accounting protocols for fundraising revenues and expenditures to be coordinated through the office of the Finance Director. No Department shall be allowed to maintain a checking or savings account for fundraising activities separate from the City accounting system. The Finance Director shall also be responsible for ensuring donated property is properly insured upon acceptance of said property.
- 13.7 Status of Donated Property. All donated property given to the City of Baraboo becomes the property of the City to oversee, maintain, and manage and may be used in the complete discretion of the City, unless the parameters of the donation specifically require otherwise. The City will decide when changes shall be made to any facility or materials, with no guarantee of donated items being retained. If personal property becomes obsolete, the City will attempt, if possible, to find another use for the property. The city is not required to maintain the property beyond its useful life. The city does not guarantee future funding for repair, maintenance, use or replacement of donated items.
- 13.8 Library Donations. All donations to the library are governed by its Gift Policy adopted November 19, 2013, and as amended and preferably be collected by the "Friends of the Library".

**SECTION XIV**  
**MISCELLANEOUS CONSIDERATIONS**

- 14.1 Encumbrances and Financial Recordkeeping. Encumbrances are commitments related to contracts that have been issued, but for which no goods or services have yet been received. Encumbrances are recorded as they occur for budgetary control purposes.

The signing of a contract creates an encumbrance of the amount required to be paid during the current year. This amount is no longer available for obligation or expenditure unless the contract is canceled. Encumbrance records shall be maintained by the City Finance Director.

- 14.2 Non-Budgeted Items. Purchases that have not been provided for in the current budget will require Council approval through budget transfers or amendments. The Department Head shall notify the City Finance Director and provide written documentation regarding the expenditure. This information will be provided to the Finance Committee for a recommendation to Council concerning purchase approval and necessary budgetary transfers or amendments.

- 14.3 Insurance Claim and Settlement Proceeds. Purchases resulting from an accident or loss covered by the City's insurance policy or legal settlement will be treated as non-budgeted items. Although money will be received from the claim or settlement, this is deposited into an "Insurance Proceeds" revenue account within the special fund. Purchases will be expended from the appropriate capital outlay or maintenance account, hence necessitating a budget amendment.

- 14.4 Property Room Surplus. Police Department property room surplus items shall be disposed of at the discretion of the Police Chief or designee and pursuant to State Statute. Any proceeds from the sale of said items shall be entered into the Police Property Surplus budget.

- 14.5 Local Merchants. The city will give utmost consideration to local merchants taking price and service into account.

- 14.6 Conflict Of Interest. Employees of the municipality are regulated by §946.13, Wis. Stat., and §1.77, City Code, concerning conflicts of interest. The statutory amount that an employee can earn directly or indirectly per 12-month period from the city for doing contracted work for the city is \$15,000.00. For lesser amounts, it shall be unethical for any City employee to participate directly or indirectly in a purchase or contract when the City employee or any member of the employee's immediate family has a financial interest pertaining to the contract or purchase unless the contract has been competitively bid or the service is highly specialized and only one supplier is available, and the employee has followed the procedure set forth in §1.77, City Code.

- 14.7 New Vendors. New vendors must be approved and created by the Finance Department prior to the purchase being initiated to satisfy internal control procedures. MiviewPoint will not process the invoice until the vendor has been created. To facilitate a new vendor approval, complete the New Vendor Request Form in miViewPoint and submit the completed W-9 to the Finance Department.

## **PURCHASING WORKFLOW FOR CITY DEPARTMENTS**

City departments may use this as a general guide for purchases, but this is intended to be a summary only and does not supersede the material contained in the Purchasing Policy.

### **PURCHASING FLOW**

1. Department verifies purchase is within departmental function total budget or obtains approval from Council via Finance/Personnel Committee.
2. Department should competitively bid pursuant to Purchasing Policy, but not required if under \$5,000.
3. Finance Director approves the requisition.
4. Department determines if the purchase will require a contract.

If YES:

- a. Submit vendor's contract to City Administrator for review or contact City Administrator for contract drafting.
- b. Contract is signed by City Clerk, City Administrator or Mayor (2 of 3) AFTER the vendor has signed.
- c. Original copy of contract goes to City Clerk for filing in the Vault.

If NO:

- a. Department places order.
- b. Invoice is entered in to *MiViewPoint*.



RESOLUTION NO. 2023 -

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$4,600,000 GENERAL OBLIGATION PROMISSORY NOTES  
AND THE ISSUANCE AND SALE OF A \$4,600,000 NOTE  
ANTICIPATION NOTE IN ANTICIPATION THEREOF

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Baraboo, Sauk County, Wisconsin (the "City") to provide interim financing for public purposes, including water, sanitary sewer, storm sewer, storm water management facilities, road, trail, curb, gutter and sidewalk projects in Tax Incremental District No. 11 ("TID No. 11") and water, sewer and street improvement projects in Tax Incremental District No. 12 ("TID No. 12") (collectively, the "Project");

WHEREAS, cities are authorized by the provisions of Chapter 67, Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and covenant to issue general obligation promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, cities are authorized by the provisions of Section 67.12(1)(b), Wisconsin Statutes, to issue note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the Securities;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance and sale of a note anticipation note pursuant to Section 67.12(1)(b), Wisconsin Statutes (the "Note"), in anticipation of receiving the proceeds from the issuance and sale of the Securities, to provide interim financing to pay the cost of the Project; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the Note to Community First Bank (the "Purchaser"), pursuant to the terms and conditions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Issuance of Securities. The City hereby authorizes the issuance and declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67, Wisconsin Statutes, in an amount sufficient to retire the Note.

Section 2. Authorization and Sale of the Note. In anticipation of the sale of the Securities, for the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of up to FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000) from the Purchaser. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the

Note in the principal amount of FOUR MILLION SIX HUNDRED THOUSAND DOLLARS (\$4,600,000) for a purchase price equal to the principal amount drawn under the Note.

Section 3. Terms of the Note. The Note shall be designated "Note Anticipation Note"; shall be issued in the principal amount of \$4,600,000; shall be dated its date of issuance; shall be in the denomination of \$1,000 or more; shall be initially numbered R-1; and shall bear interest at the rate of 4.50% per annum (but only on such amounts as shall have been drawn under the Note from the dates such amounts are drawn) and shall mature on April 11, 2028. Principal of the Note may be drawn by the City, at any time, as needed up to the full principal amount of the Note, or so much thereof as the City may require. Interest shall be payable semi-annually on April 11 and October 11 of each year, commencing on October 11, 2023.

Section 4. Redemption Provisions. The Note shall be subject to redemption prior to maturity, at the option of the City, on any date. Said Note shall be redeemable, as a whole or in part, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Note. The Note shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

Section 6. Security. The Note shall in no event be a general obligation of the City and does not constitute an indebtedness of the City nor a charge against its general credit or taxing power. No lien is created upon the Project or any other property of the City as a result of the issuance of the Note. The Note shall be payable only from (a) any proceeds of the Note set aside for payment of interest on the Note as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund, hereby created and established, to be held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Note until paid. The City hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Note when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City, including tax increment from the City's TID No. 11 and TID No. 12; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and any applicable levy limits; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the City to make any such appropriation or any further payments.

Section 7. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for Note Anticipation Note - 2023" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Note is fully paid or otherwise extinguished. There shall be deposited into the Debt

Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Note; (ii) any proceeds of the Note representing capitalized interest on the Note or other funds appropriated by the City for payment of interest on the Note, as needed to pay the interest on the Note when due; (iii) proceeds of the Securities (or other obligations of the City issued to pay principal of or interest on the Note); (iv) such other sums as may be necessary at any time to pay principal of and interest on the Note when due and which are appropriated by the Common Council for that purpose; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Note until all such principal and interest has been paid in full and the Note canceled; provided that such monies may be invested in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the sole purpose of paying the principal of and interest on the Note and shall be maintained for such purpose until the Note is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When the Note has been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 8. Covenants of the City. The City hereby covenants with the owners of the Note as follows:

(A) It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Note;

(B) It shall segregate the proceeds derived from the sale of the Securities into the special trust fund herein created and established and shall permit such special trust fund to be used for no purpose other than the payment of principal of and interest on the Note until paid. After the payment of principal of and interest on the Note in full, said trust fund may be used for such other purposes as the Common Council may direct in accordance with law; and,

(C) It shall maintain a debt limit capacity such that its combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness and the \$4,600,000 authorized for the issuance of the Securities to provide for the payment of the Note shall at no time exceed its constitutional debt limit.

Section 9. Proceeds of the Note; Segregated Borrowed Money Fund. The proceeds of the Note (the "Note Proceeds") (other than accrued interest which must be paid at the time of the delivery of the Note into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and interest on the Note. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted

Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Note has been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 10. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Note to be an "arbitrage bond" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Note, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Note to the Purchaser which will permit the conclusion that the Note is not an "arbitrage bond," within the meaning of the Code or Regulations.

Section 11. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Note and the ownership, management and use of the projects will not cause the Note to be a "private activity bond" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Note including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Note) if taking, permitting or omitting to take such action would cause the Note to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Note to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Note shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Note provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Note and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 12. Execution of the Note; Closing; Professional Services. The Note shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the the first draw on the Note, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Note may be imprinted on the Note in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Note, at least one of the signatures appearing on the Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Note shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Note and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the

officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Note, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Note is hereby ratified and approved in all respects.

Section 13. Payment of the Note; Fiscal Agent. The principal of and interest on the Note shall be paid by the City Clerk or the City Treasurer (the "Fiscal Agent").

Section 14. Persons Treated as Owners; Transfer of Note. The City shall cause books for the registration and for the transfer of the Note to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 15. Record Date. The 1st day of the calendar month next preceding each interest payment date shall be the record date for the Note (the "Record Date"). Payment of interest on the Note on any interest payment date shall be made to the registered owners of the Note as they appear on the registration book of the City at the close of business on the Record Date.

Section 16. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the City and the owner or owners of the Note and after issuance of the Note no change or alteration of any kind in the provisions of this Resolution may be made, until the Note has been paid in full as to both principal and interest. The owner of the Note shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce his or their rights against the City.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Note in the Record Book.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid,

such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded March 28, 2023.

---

Rob Nelson  
Mayor

ATTEST:

---

Brenda M. Zeman  
City Clerk

(SEAL)

EXHIBIT A

(Form of Note)

REGISTERED NUMBER	UNITED STATES OF AMERICA STATE OF WISCONSIN SAUK COUNTY CITY OF BARABOO	DOLLARS
R-1	NOTE ANTICIPATION NOTE	\$4,600,000

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE:

April 11, 2028

April 11, 2023

4.5%

REGISTERED OWNER: COMMUNITY FIRST BANK

PRINCIPAL AMOUNT: FOUR MILLION SIX HUNDRED THOUSAND DOLLARS  
(\$4,600,000)

FOR VALUE RECEIVED, the City of Baraboo, Sauk County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the registered owner identified above (or to registered assigns), solely from the funds herein specified, on the maturity date identified above, the principal amount identified above (but only so much as shall have been drawn hereunder), and to pay interest thereon (but only on amounts as shall have been drawn hereunder from the dates such amounts are drawn) at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 11 and October 11 of each year commencing on October 11, 2023 until the aforesaid principal amount is paid in full. Interest shall be computed upon a 365/360 basis.

The Note is subject to redemption prior to maturity, at the option of the City, on any date. Said Note is redeemable, as a whole or in part, at the principal amount thereof, plus accrued interest to the date of redemption.

Before the redemption of the Note, unless waived by the registered owner, the City shall give notice of such redemption at least thirty (30) days prior to the date fixed for redemption to the registered owner of the Note to be redeemed, in whole or in part, at the address shown on the registration books. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Note shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit with the registered owner at that time. Upon such deposit of funds for redemption the Note shall no longer be deemed to be outstanding.

This Note is issued by the City pursuant to the provisions of Section 67.12(1)(b), Wisconsin Statutes, in anticipation of the sale of general obligation promissory notes (the "Securities"), to provide interim financing for public purposes, including water, sanitary sewer, storm sewer, storm water management facilities, road, trail, curb, gutter and sidewalk projects in TID No. 11 and water, sewer and street improvement projects in TID No. 12 (the "Project"), as authorized by a resolution adopted on March 28, 2023. Said resolution is recorded in the official minutes of the Common Council for said date.

Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid to the registered owner in whose name this Note is registered on the Note Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 1st day of the calendar month next preceding the interest payment date. Principal is payable upon presentation and surrender hereof at the office of the Fiscal Agent.

This Note shall be payable only from (a) any proceeds of the Note set aside for payment of interest on the Note as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds have been declared to constitute a special trust fund and to be held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Note until paid. In the event such monies are not sufficient to pay the principal and interest on this Note when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City, including tax increment from the City's TID No. 11 and TID No. 12; provided, however, that any such payment shall be subject to annual budgetary appropriation therefor and any applicable levy limits; and provided further, that no such payment nor any action authorizing this Note shall be construed as constituting an obligation of the City to make such appropriation or to make any further payment.

The City has authorized the issuance of the Securities and has covenanted to issue the Securities in an amount sufficient to repay the Note pursuant to said resolution. **THE NOTE IS NOT A GENERAL OBLIGATION OF THE CITY AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OR PROVISION NOR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. NO LIEN IS CREATED UPON THE PROJECT OR ANY OTHER PROPERTY OF THE CITY AS A RESULT OF THE ISSUANCE OF THE NOTE.**

The Note is issued in registered form in the denomination of \$1,000 or more. This Note may be exchanged at the office of the City Clerk or City Treasurer for a like aggregate principal amount of Notes of the same maturity in other authorized denominations.

This Note is transferable by a written assignment duly executed by the registered owner hereof or by such owner's duly authorized legal representative. Upon such transfer a new registered Note, in authorized denomination or denominations and in the same aggregate principal amount, shall be issued to the transferee in exchange hereof.



The City may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof, premium, if any, hereon and interest due hereon and for all other purposes, and the City shall not be affected by notice to the contrary.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time. The City has authorized and covenanted to issue and sell the Securities, the sale of which this Note anticipates, as soon as practicable and to set aside the proceeds of the Securities into a special trust fund for the payment of the principal of and interest on this Note.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Baraboo, Sauk County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF BARABOO  
SAUK COUNTY, WISCONSIN

By: \_\_\_\_\_  
Rob Nelson  
Mayor

(SEAL)

By: \_\_\_\_\_  
Brenda M. Zeman  
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Registered Owner)

\_\_\_\_\_  
(Authorized Officer)

NOTICE: This signature must correspond with the name of the registered owner as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\*The Internal Revenue Code of 1986 (IRC Section 149) requires that for interest on a municipal obligation with a term greater than one year to be exempt from federal income tax, the obligation must be issued and remain in registered form.

Section 67.09, Wisconsin Statutes provides that the City Clerk of the City when acting as the registrar shall record the registration of each note or bond in its bond registrar. Therefore, if this Note is to be assigned, the City Clerk of the City should be notified and a copy of this Assignment should be sent to the City Clerk of the City for his or her records.

RESOLUTION NO. 2023 -

Dated: March 28, 2023

## The City of Baraboo, Wisconsin

**Background:** “Low-Mow May” is a growing trend among Wisconsin municipalities, designed to provide food sources to bees and other pollinators during the month of May, when they are particularly vulnerable. Even low-growing flowers commonly found in lawns, such as violets, dandelions, and clover can provide important habitat and food sources. Under this proposal, residents and City staff would be encouraged to reduce lawn-mowing practices and support pollinator populations during May, and enforcement of vegetative height restrictions would be suspended.

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

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

**WHEREAS**, pollinator species such as bees, flies, moths, butterflies, beetles, and select birds provide essential pollination services for food plants that humans depend on for survival; and

**WHEREAS**, pollinator populations are in decline regionally and world-wide; and

**WHEREAS**, early spring flowers, including those found in many lawns, can provide an important food source for bees and other pollinators as they emerge from hibernation; and

**WHEREAS**, dozens of Wisconsin cities, including Appleton, La Crosse, Wausau, Stevens Point, Fort Atkinson, Verona, and Sun Prairie currently participate in the “No-Mow May” science initiative to encourage property owners to limit or reduce their lawn mowing practices during the month of May;

**WHEREAS**, research by Lawrence University has shown that such practices can result in a three-fold increase in bee species richness and a five-fold increase in bee abundance; and

**WHEREAS**, the Baraboo Parks and Recreation Department has started replacing mowed turfgrass with native pollinator (no mow) areas in many of its parks, which has allowed the city to increase parklands without adding staff as well as cutting capital equipment, maintenance, and gas costs;

**NOW, BE IT THEREFORE RESOLVED**, that the City of Baraboo recognizes “Low-Mow May” to actively promote and educate the community about the critical period of pollinator emergence, generation of pollinator-supporting habitat, and early spring foraging opportunities; and

**BE IT FURTHER RESOLVED**, that the City of Baraboo shall encourage the cultivation of food sources for bees and other pollinators by suspending enforcement of height restrictions for vegetative growth contained in Chapter 10 of the Municipal Code during the month of May, 2023; and

**BE IT FURTHER RESOLVED**, the growth of certain species defined as Noxious Weeds in 10.03(8) shall continue to be prohibited.

**Offered by:** Ald Kolb

**Motion:**

**Second:**

**Approved:** \_\_\_\_\_

**Attest:** \_\_\_\_\_

COMMON COUNCIL  
OF THE  
CITY OF BARABOO, WISCONSIN

Resolution No. 2023 -

---

RESOLUTION AUTHORIZING WAIVER OF  
NOTICE OF PUBLIC HEARING

---

WHEREAS, the Community Development Authority of the City of Baraboo, Wisconsin (the "Authority") proposes to acquire the property consisting of, as the date hereof, the following parcels: (1) 002-0068-00000 and (2) 206-0298-20000 (collectively, the "Property") for the purpose of carrying out blight elimination and urban renewal projects and, as required by Section 66.1333(5)(c)2., Wisconsin Statutes, proposes to hold a public hearing to determine whether the Property is a blighted property within the meaning of Section 66.1333(2m)(bm), Wisconsin Statutes;

WHEREAS, the City of Baraboo, Wisconsin (the "City") is the owner of the Property;

WHEREAS, Section 66.1333(5)(c)2., Wisconsin Statutes, requires that notice of the public hearing, describing the time, date, place and purpose of the hearing and generally identifying the property involved be given to the owner of the property at least 20 days prior to the date set for the hearing, by certified mail with return receipt requested; and

WHEREAS, the Common Council finds it necessary, desirable and in the best interests of the City to waive receipt of notice of the public hearing.

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

1. The City hereby waives receipt of the notice of public hearing required by Section 66.1333(5)(c)2., Wisconsin Statutes,
2. This Resolution shall take effect immediately upon its adoption and approval.

Adopted and approved this 28th day of March, 2023.

(SEAL)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Month		February		2023City of Baraboo		Treasurer's Report																Investment 2023		3/14/2023								
Bank Balance							Bank																									
BANK INVESTMENTS							Type	Fund	Account	Term	Maturity	Rate	BSB	LGIP	CFB	SUM	BWD	PDS	PVL	CLARE	WCCU	CCF	BMO	FICA	SCHWAB	Grand Total						
Alma Waite Account							NOW account	820	104502957	Daily		0.50%	27,240.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27,240.52					
Alma Waite Trust Fund							Cert of Deposit	820	1807416	30 months	7/25/23	1.55%	0.00	0.00	0.00	202,677.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	202,677.40					
									7758002185	12 months	4/6/23	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	0.00	100,000.00			
									148901-106	22 months	7/9/24	2.96%	0.00	0.00	0.00	202,822.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	202,822.36		
									3884876	11 months	9/24/23	2.74%	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	
							Investment Pool	820	856206-3	Daily		4.54%	0.00	69,877.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	69,877.98						
Dana Investment							820	3694-7092	(blank)		2.34%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	500,000.00	500,000.00						
CDA-Grant Accounts							Checking	220	1000934/1146394	Daily		none	10.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00						
CDA-Loan Accounts							(blank)	983	(blank)	(blank)		(blank)	230,638.57	174,204.34	469,334.64	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	874,177.55					
Fire Equipment Fund							Cert of Deposit	420	1807422	30 months	7/25/23	1.55%	0.00	0.00	0.00	202,677.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	202,677.40				
									54962-113	12 months	3/25/23	0.60%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	201,408.17	0.00	0.00	0.00	0.00	0.00	0.00	201,408.17		
									1807950	30 months	9/29/23	1.55%	0.00	0.00	0.00	162,347.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	162,347.27	
									7758002186	12 months	4/6/23	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	0.00	0.00	0.00	100,000.00	
									60000014	12 months	5/31/23	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	180,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	180,000.00	
									90901995	13 months	10/13/23	1.75%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	261,379.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	261,379.33
									Dana Investment	420	3694-7092	(blank)		2.34%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	400,000.00	0.00
Friends of the Library							Savings	940	103035891	Daily		0.15%	34,691.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34,691.86						
General Cash Account							Checking / NOW	100	1000306/9830	Daily		10%/50%	871,659.85	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	871,659.85					
							Deposit Placemer	100	101066015	Daily		0.50%	175,677.17	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	175,677.17	
General Fund							Money Market	100	86190136	Daily		1.71%	0.00	0.00	0.00	1,688,023.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,688,023.77				
									163563	Daily		2.42%	0.00	0.00	0.00	0.00	0.00	133,214.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	133,214.25
									471582	Daily		1.80%	0.00	0.00	0.00	0.00	0.00	0.00	92,803.94	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	92,803.94
									10080968	Daily		2.02%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	330,506.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	330,506.30
									525450	Daily		0.40%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	107,619.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	107,619.25
									54962-07	Daily		1.80%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	357,867.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	357,867.87
									20032292	Daily		4.31%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	254,875.59	0.00	0.00	0.00	0.00	0.00	0.00	254,875.59
									2061232	Daily		1.25%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	142,283.53	0.00	0.00	142,283.53
									7758002184	12 months	4/6/23	1.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00	0.00	0.00	100,000.00
							Cert of Deposit		54962-100	12 months	5/9/23	0.60%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50,151.24	0.00	0.00	0.00	0.00	0.00	0.00	50,151.24
									3882053	25 months	7/27/24	2.00%	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
									1811445	9 months	9/22/23	4.10%	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
									54962-101	16 months	5/18/24	3.96%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
									54962-102	22 months	11/18/24	4.21%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
									3888666	8 months	9/18/23	3.74%	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
									54962-104	13 months	3/13/24	4.35%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	200,000.00
							Investment Pool	100	856206-1	Daily		4.54%	0.00	2,001,037.57	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,001,037.57
							Deposit Placemer		100	104791111271	Daily		4.46%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,002,795.27	0.00	2,002,795.27
									100	10090686	Daily		2.75%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,989,228.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,989,228.63
General Fund-Bond Issue							Dana Investment	100	3694-7092	(blank)		2.34%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,200,000.00	1,200,000.00				
							Money Market	100	104557859	Daily		4.27%	19,059.59	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	19,059.59	
							Investment Pool	100	856206-2	Daily		4.54%	0.00	639,603.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	639,603.25	
							Deposit Placemer	100	10090686	Daily		2.00%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	750,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	750,000.00	
Library Segregated Fund							NOW account	850	104551192	Daily		0.50%	132,712.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	132,712.91						

**TREASURER'S INVESTMENT REPORT for February 2023**

**Average Rate of Return on Current Deposits:**

**Benchmarks:**

Total Receipts:	2,198,780.92	Avg Term			LGIP	4.54%
		General Funds:	5.7 M	3.18%		
Total Disbursements:	6,736,880.77	Utility Funds:	15.9M	2.78%	90-day T-bill:	4.84%
		Segregated Funds:	24.7 M	1.86%		
		Securities w/Dana	4.2 yrs	2.56%	6M CD:	2.57%
		All Funds:	11.5 M	3.01%	12M CD:	3.67%
		Liquid: 64%		18M CD:	3.86%	
		Term: 36%				

**Policy Objectives:**

- Safety: ▪ \$3,900,000 has been invested in marketable securities with Dana Investments, these are not guaranteed.
- Liquidity: ▪ Moving liquid funds to CDs as possible.
- Yield: ▪ CD rates are very good for short and mid-term CDs. Securities are also very good.

**TRANSACTIONS**

#	Action	Type	Identification	Bank	Acct #	Note	Term	Maturity Date	Rate	Amount	Interest
(1)	Reinvest	CD	Kuenzi	WCCU	54962-114		18 mos	2/6/2023	0.45%	11,673.35	Reinvest
							13 mos	3/13/2024	4.35%	11,759.06	Reinvest
	Comments:										
(2)	NEW	CD	Water	WCCU	54962-106		13 mos	3/13/2024	4.35%	200,000.00	Reinvest
(3)	NEW	CD	General	WCCU	54962-104		13 mos	3/13/2024	4.35%	200,000.00	Paid to MM
(4)	Reinvest	CD	Water	CFB	1809504		9 mos	2/26/2023	0.90%	170,000.00	Reinvest
							13 mos	3/28/2024	4.35%	200,000.00	Reinvest

Comments: Added \$28,847.26 to make \$200,000

**INVESTMENT ADVISOR TRANSACTIONS**

#	Action	Type	Identification	Price	Rating	Note	Term/WAL	Maturity Date	Yield to Worst Yield - Maturity	Amount	Interest
NONE											

## Finance/Personnel Committee Meeting Minutes

February 28, 2023, 5:30 p.m.  
City Hall, Committee Room #205

Members Present: Kent, Petty, Sloan

Members Absent:

Others Present: Mayor Nelson, Clerk Zeman, T. Pinion, M. Cotter, B. Persche, S. Meise  
(Meise out at 6:00pm)

### 1. Call Meeting to Order

1.a Roll Call of Membership

1.b Note Compliance with Open Meeting Law

1.c Approve Minutes of February 14, 2023.

Moved by: Kent

Seconded by: Petty

CARRIED (3 to 0)

1.d Approve Agenda

Moved by: Petty

Seconded by: Kent

CARRIED (3 to 0)

### 2. Action Items

2.a Accounts Payable

Moved by: Petty

Seconded by: Kent

Recommend to Common Council on paying \$264,993.01.

CARRIED (3 to 0)

2.b Claim for Excessive Assessment

Adm. Bradley advised that Wal-Mart has filed a Claim for Excessive Assessment for their 2022 assessment. It is staff's recommendation that we uphold the assessed value and deny the claim.

Moved by: Petty

Seconded by: Kent

Recommend to Common Council to deny the Claim for Excessive Assessment received from Wal-Mart Real Estate Business Trust.

CARRIED (3 to 0)

2.c Carbon Reduction Shared Revenue Fund

Adm. Bradley explained that Powered Up Baraboo would do some fundraising on their part and would give the City the seed money to get this fund started. The money would be used for LED lights at the Civic Center. Once this is done, we will start to recognize a cost savings. Powered Up Baraboo has requested that, for a minimum of 5-years, the realized savings will go back into this fund for future energy saving, carbon reducing purposes. The contribution of realized savings will be added annually to the fund. Other groups, or Powered Up Baraboo, can bring projects requests to the City; there is flexibility with this fund to be used for numerous projects. Any new proposed projects will be approved by Finance and ultimately Council.

Moved by: Kent

Seconded by: Petty

Recommend to Common Council to approve Powered Up Baraboo's request to implement energy efficiency/renewable energy projects.

CARRIED (3 to 0)

2.d Create Fund 262

Moved by: Petty

Seconded by: Kent

Recommend to Common Council to create Fund 262, the "Carbon Reduction Special Revenue Fund".

**CARRIED (3 to 0)**

**2.e Line of Credit**

Adm. Bradley noted that this draw will include the last section of streets and will finish out Phase 1 of Greenfield Reserve.

**Moved by:** Petty

**Seconded by:** Kent

Recommend to Common Council to draw \$742,218.67 from the line of credit with the Baraboo State Bank on Wednesday, March 1st, 2023.

**CARRIED (3 to 0)**

**2.f Public Works Contracts**

T. Pinion noted that these bids are received every year for annual public works projects. Public Safety reviewed the bids and it was their recommendation to accept the low bid for each proposal.

**Moved by:** Kent

**Seconded by:** Petty

Recommend to Common Council accepting all low bids for the 2023 Public Works Contracts and rejecting all other bids.

**CARRIED (3 to 0)**

**2.g Accept Bid for Greenfield Reserve**

T. Pinion explained that in terms of design, this is Phase 2 and in terms of construction, this is Phase 3. Phase 2 of construction was the north half of the subdivision that has been completed with the exception of the \$5,000 of restoration that we are withholding. This is the balance of the Greenfield Reserve. Public Safety reviewed the bids and recommends approval of the Base Bid plus Alt B1, VRAM (Void Reducing Asphalt Membrane) which is applied on the joints in an attempt to extend the longevity. With the increase in prices, including attorney fees, we are about 35-40% over budget; a cost to the project that is recoverable per the development agreement. We are currently seeking bids from the local banks for another note anticipation note for a 5-year period for the Spirit Lake project; We will increase the amount of the note and use this funding for both projects.

**Moved by:** Petty

**Seconded by:** Kent

Recommend to Common Council to accept the low bid of A-1 Excavating Inc. in the amount of \$1,933,138 for the Greenfield Reserve-Phase 3 Street and Utility Improvements project.

**CARRIED (3 to 0)**

**3. Discussion Items**

**3.a Discussion of Design RFP for Spirit Lake Project.**

Adm. Bradley noted that we already have authorization to enter into the agreement, this is fulfilling our portion of the development agreement. Bids were sent out to four different firms, only MSA responded. The City will move ahead with the design phase.

**3.b Service Animals**

The committee discussed the training of service animals by Elected Officials. Mayor Nelson confirms that he is a certified trainer and acknowledges that he is ultimately responsible for not allowing the dog to disrupt city staff. The committee recommends with a vote of 2-1 to proceed with allowing Elected Officials to train service animals. Adm. Bradley will reach out to Atty. Zach regarding a policy for Elected Officials, with a resolution to follow.

**3.c Purchasing Policy**

No discussion took place. This will be placed on the next agenda.

**4. Adjournment**

**Moved by:** Kent

**Seconded by:** Petty

That the meeting adjourn at 6:32pm.

**CARRIED (3 to 0)**

Brenda Zeman, City Clerk





## CITY OF BARABOO ADMINISTRATIVE MEETING

### Meeting Minutes

February 7, 2023, 8:00 a.m.  
City Hall, Committee Room #205  
101 South Blvd.  
Baraboo, WI 53913

Members Present: Hazard  
Kierzek  
Thurrow

---

#### 1. **CALL TO ORDER**

1.a **ROLL CALL OF MEMBERS**

1.b **NOTE COMPLIANCE WITH OPEN MEETING LAW**

1.c **APPROVE MINUTES FROM JANUARY 10, 2023 MEETING**

**Moved by:** Kierzek

**Seconded by:** Hazard

CARRIED

1.d **APPROVE AGENDA**

**Moved by:** Kierzek

**Seconded by:** Hazard

CARRIED

#### 2. **ACTION ITEM(S)**

2.a **"Class A" Combination Liquor License**

Recommendation to the Common Council for a "Class A" Combination Liquor License for SSS WISCONSIN BRW, LLC (d/b/a SQRL Service Stations, Store #707), 516 Ash St.

Rob Sinden stated no issues.

**Moved by:** Kierzek  
**Seconded by:** Hazard

CARRIED

2.b Temporary Liquor License

Recommendation to the Common Council on approving the Temporary Liquor License (aka Picnic License) for the Downtown Baraboo Brew Ha Ha, 03-10-2023.

Rob Sinden no issues

**Moved by:** Hazard  
**Seconded by:** Kierzek

CARRIED

3. **DISCUSSION**

3.a Strategic Plan

Updates from all departments are been supplied to Casey. Over the next couple weeks the plan will be updated with these suggestions and then planning from committees will follow. Casey summarized the main items that will be addressed and indicated that the committee will be identify what is meaningful.

4. **INFORMATIONAL ITEM(S)**

Date and time of next meeting.

Tuesday, March 7, 2023 8:00am

5. **ADJOURNMENT (Voice Vote)**

**Moved by:** Hazard  
**Seconded by:** Kierzek

CARRIED

---

Julie Ostrander, Finance Director