

FULL BOARD - MINUTES
September 14, 2023

At 7:00 p.m. President Arndt called the meeting to order and noted compliance with the open meetings law.

Present: Arndt, Allen, Mohar, Bowers, Beard, Blackman, Vlcek

Others present: Traci Stanford, William Clary, Julia Potter, Eric Hagen, Brad Stuczynski, Raine Gardner, Jeremy Peach, Morgan Olson, Brittney Schraufnagel, Tim Schraufnagel, David Berahn, Brandon Wegner, Luke Haddix, Pat Stack, Laura Stack, Randy Thomas, Sharon Thomas, Joe Weis, Jeff Orkritz, Jeremy Wagner, Matt Krogman

Absent: None

The pledge of allegiance was recited.

Moved by Bowers, second by Vlcek, to adopt the agenda as posted. Motion carried unanimously.

Moved by Allen, second by Blackman to adopt the minutes of the August 10, 2023, Full Board meeting. Motion carried unanimously.

Moved by Allen, second by Bowers to approve the driveway permit for 806 Connie Road (PIN 191-0431-00000) per the recommendation of the Village Zoning Administrator and Plan Commission allowing the owner to replace the existing driveway as submitted with the existing one-foot side setback and allowing the replacement driveway to be replaced at 4 inches thick rather than the required 6 inches by Village code. Motion carried unanimously.

Moved by Allen, second by Mohar to approve the Plan Commission recommendation of a revised copy dated September 11, 2023, of the certified survey map dividing property owned by Mathy Construction Company at the corner of Terrytown Road and Highway 12 (PIN 191-0003-02201). Motion carried unanimously.

Moved by Mohar, second by Bowers to reject the Baraboo Area Fire and EMS District Commission's 2024 proposed operating and capital budgets. Motion carried unanimously.

Moved by Allen, second by Mohar to adopt the draft decision recommended by the Plan Commission and the Village Zoning Administrator regarding application of JCW Baraboo LLC for a conditional use permit under sections 17.14 and 17.28(4)(c) of the Municipal Code of West Baraboo to allow for construction of 10 multi-family residences with 12 units per building on property located at 1850 W. Pine Street (PIN 191-0002-30610). Motion carried unanimously.

Moved by Beard, second by Bowers to grant a special exception recommended by the Plan Commission and the Village Zoning Administrator regarding application of JCW Baraboo LLC from section 18.07(6)(d) of the Municipal Code of West Baraboo to allow for creation of a flag

lot in a proposed two-lot certified survey map dividing property located at 1850 W. Pine Street (PIN 191-0002-30610). Motion carried unanimously.

Moved by Beard, second by Vlcek to approve the two-lot certified survey map dividing property owned by JCW Baraboo LLC located at 1850 W. Pine Street (PIN 191-002-30610) per the Village Zoning Administrator's recommendation. Motion carried unanimously.

Moved by Blackman, second by Bowers to approve the Stormwater Management System Maintenance Agreement with JCW Baraboo LLC, as presented with a blank line to complete CSM number, date recorded and to make minor changes. Motion carried unanimously.

Motion by Allen, second by Bowers to table public hearing regarding application for JCW Baraboo LLC for tax incremental financing assistance for a proposed multi-family housing development on property within the Village of West Baraboo TID No. 3 located at 1850 W. Pine Street. Motion carried unanimously.

Motion by Bowers, second by Vlcek to table the closed session regarding application for JCW Baraboo LLC for tax incremental financing assistance for a proposed multi-family housing development on property within the Village of West Baraboo TID No. 3 located at 1850 W. Pine Street. Motion carried unanimously.

Motion by Bowers, second by Vlcek to approve Ordinance 23-10 Adopting Amendments to Chapter 17 regarding front yard setbacks as presented. Motion carried unanimously.

Moved by Mohar, second by Allen to approve Village Forest Park - Phase 2 pay application #8 (\$60,686.78) for All American Lumber, Inc. (Americon). Motion carried unanimously.

Moved by Allen, second by Vlcek to approve Village Forest Park – Phase 3 pay application #6 (\$174,947.73) for M Jolma Inc. Motion carried unanimously.

Moved by Blackman, second by Bowers to approve the purchase of a generator for Village Hall from Action Election. Motion carried unanimously.

Moved by Bowers, second by Mohar to approve updating Code Section 12.05 to include cats. Three dogs and/or cats total per household shall be allowed.
Aye – 6 (Mohar, Blackman, Allen, Arndt, Vlcek, Bowers). Nay – 1 (Beard). Motion carried.

At 8:36 p.m. it was moved by Bowers, second by Allen to move into closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) for purposes of conferring with legal counsel who is rendering oral or written advice concerning strategy to be adopted with respect to litigation in which the Village is or is likely to become involved; specifically relating to M Jolma performance and payment issues with Village Forest Park Project Phase 3. Roll call vote.

- Aye – 6 (Mohar, Blackman, Allen, Arndt, Beard, Vlcek, Bowers)
- Nay – 0
- Motion carried unanimously.

Moved by Arndt, second by Blackman to provide approval and authorization for the Village Attorney and MSA to pursue M Jolma Inc.'s performance bond for completion of the Village Forest Park Project Phase 3 and liquidated damages, including authorization to send a notice that the Village is contemplating termination of the contract with M Jolma Inc., hold a conference with M Jolma Inc. and its surety to discuss M Jolma Inc.'s performance and terminate the contract with M Jolma Inc, if deemed necessary. Contact DOA to determine the potential impacts M Jolma Inc.'s lack of performance poses to the Village's receipt of CDBG-CV grant money and to obtain quotes for the completion of the Village Forest Park Project Phase 3 from local contractors. Motion carried unanimously.

At 9:24 p.m. it was moved by Beard, second by Bowers to return to open session. Motion carried unanimously.

Motion by Vlcek, second by Allen to approve the monthly expenditures. Motion carried unanimously.

At 9:30 p.m., it was moved by Allen, second by Blackman, to adjourn. Motion carried unanimously.

Respectfully submitted,
Traci Stanford, Clerk/Treasurer