

AGENDA FOR COUNCIL MEETING
CITY OF NEW RICHMOND, WISCONSIN
MONDAY, JULY 11, 2016 - 7:00 P.M.

AGENDA:

1. Call to Order
2. Clerk's Roll Call
3. Pledge of Allegiance
4. Adoption of Agenda

PUBLIC COMMENT

CONSENT AGENDA:

1. Approval of the Minutes from the Previous Regular Council Meeting, June 13, 2016 and Special Council Meeting, June 27, 2016
2. Application for License to Serve from Gerald Klasen, New Richmond; Lee A. Bostrom, New Richmond; Sara A. Krugen, New Richmond; Caleb R. Tate, New Richmond; Kayla M. Bair, New Richmond; Thomas H. Holland, New Richmond; Michelle R. Holland, New Richmond; Mary L. Bair, New Richmond; Joyce M. Torkelson, New Richmond; Sadie L. Krabbenhoft, Emerald; LaRae A. Gustafson, New Richmond; Robert J. Rice, New Richmond; Shannon R. Luthe, New Richmond; and John T. Wright
3. An Application for Amplification Permit and Exemption from Sec. 50-87 Loud & Unnecessary Noise from Faith Community Church for August 4-6, 2016 from 5:00 p.m. to 9:00 p.m. and on August 7, 2016 from 9:00 a.m. to 5:00 p.m.
4. Skate Park Donations from the following:
RMF Auto Service: \$100
St. Croix Harley Davidson: \$200
St. Croix Power Sports: \$500
David Cramer: \$229.95
Fusion Metal Products: \$1,000
Family Fresh: \$500
TNT Metals: \$5,200
New Richmond Golf Club: \$100
Total Commitments to date: \$127,405.99
5. Payment of VO#59481 through VO#59579 totaling \$557,821.09 plus electronic fund transfers of \$685,329.27 for a grand total of \$1,243,150.36

DEPARTMENT REPORTS:

Administration
Community Development
Public Works
Library
Police
Fire
Airport
Student Representatives

UNFINISHED BUSINESS:

(Consideration and action on matters tabled, postponed or referred to a committee at a previous meeting)

NEW BUSINESS:

(Action on newly introduced motions, ordinances, resolutions or other matters)

1. 2015 City Financial Review
2. Resolution #071601 – Awarding the Sale of \$4,640,000 General Obligation Corporate Purpose Bonds, Series 2016A
3. Resolution #071602 – Authorizing the Issuance and Sale of \$3,345,000 Water and Sewer Utility Revenue Bonds, Series 2016B of the City of New Richmond, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds
4. Hearings – Noxious Weeds/Nuisance
 - a. 766 Brigetta Drive
 - b. 754 Brigetta Drive
 - c. 748 Brigetta Drive
5. Pollinator Pledge Presentation – Jesse Stenske
6. Resolution #071603 – Pollinator Pledge
7. Resolution #071604 – Highway 64 Corridor Trail Committee
8. Resolution #071605 – JustFixIt
9. Resolution #071606 – Amending Fee Schedule
10. Freedom Park Irrigation Phase 2 Bids
11. Update on 2016 Street & Utility Projects
12. North Shore Trail Easement
13. Rotary Lights Project Memorandum of Understanding
14. No Work Session in July
15. Communications & Miscellaneous
16. Closed Session per State Statute 19.85 (1) (e) - TIF #6
17. Open Session – Action on Closed Session Agenda
18. Adjournment

Frederick Horne, Mayor

(THE ABOVE AGENDA IS NOT NECESSARILY IN ORDER OF PRESENTATION)

****Late Changes and Additions**

Posted: Civic Center and City Website

If you need a sign language interpreter or other special accommodations, please contact the City Clerk at 246-4268 or Telecommunications Device for the Deaf (TDD) at 243-0453 at least 48 hours prior to the meeting so arrangements can be made.

REGULAR COUNCIL MEETING JUNE 13, 2016 7:00 P.M.

The meeting was opened by announcing that this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, The New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Horne, Alderman Kittel, Ard, Jackson, Montello, and Volkert.

Members Absent: Alderman Zajkowski, Student Representatives Jesse Stenske and Victoria Johnson

The Pledge of Allegiance was recited.

Alderman Ard moved to adopt the agenda as presented, seconded by Alderman Jackson and carried.

Public Comment

None

Consent Agenda

1. Approval of the Minutes from the Previous Regular Council Meeting, May 9, 2016 and Special Council Meeting, May 23, 2016
2. Application for License to Serve from Alan L. Lingen, New Richmond; Jerry R. DuBois, New Richmond; Debra J. Hansen, New Richmond; Lawrence B. Gumbert, New Richmond; Dennis G. Hurtis, Glenwood City; Deborah J. Kelly, New Richmond; Ryan J. Stephens, New Richmond; Janelle S. Stephens, New Richmond; Nicolle U. Kroells, New Richmond; and Jessica G. Cudd, New Richmond
3. Application for a Run/Walk Permit from New Richmond Area Centre for September 10, 2016 at 8:00 a.m.
4. Applications for Amusement Device License from Champ's Sports Bar & Grill, Bobcat's Bar & Grill, McCabe's Shamrock Club, Wild Badger Saloon, Americinn Motel, Huey's Bar, Gibby's Inc, and Walmart
5. Applications for Cigarette License from Champ's Sports Bar & Grill, Lowrey Hotel & Café, McCabe's Shamrock Club, Family Fresh, Freedom Valu Center #17, Lumberjack Liquors, Super America, Amoco Express, Amoco Food Shop, Freedom Valu Center #83, Kwik Trip #337, New Richmond Golf Club, New Richmond Golf Club – Links, Walmart Supercenter #5432, Discount Smokes, Bobcat's Bar & Grill, and Radio Shack
6. Applications for Class B License to Sell Intoxicating Liquor and Fermented Malt Beverages from Mari Driscoll, Agent for McCabe's Shamrock Club; John S. Jerlow, Agent for Lumberjack Liquors; Linda Soifakis, Agent for Champ's Sports Bar & Grill; Robert Christenson, Agent for Bobcat's Bar & Grill; David C. Gillen, Agent for Huey's Inc; Jill Miller; Joseph Skaar, Agent for Wild Badger Saloon; Ross Johnson, Agent for New Richmond Golf Club; and Ann Wychor-Hall, Agent for Table 65

7. Applications for Reserve Class B License to Sell Intoxicating Liquor and Fermented Malt Beverages from Ross Johnson, Agent for New Richmond Golf Club – Links; James Gibson, Agent for Gibby’s Inc; Dennis Hurtis, Agent for American Legion Club 80; and Francisco J. Ballina, Agent for Garibaldi’s LLC
8. Applications for Class B License to Sell Fermented Malt Beverages from Steven W. Montpetit, Agent for Pete’s Pizza of New Richmond, Inc; Richard J. Coleman, Agent for Old Gem, LLC; William Buell, Agent for The Space for Creativity; Robert Catlow-Price, Agent for Elements Café; Steven Meyer; and Xianyu Fu
9. Applications for Class C Wine License from William Buell, Agent for The Space for Creativity; Steven Meyer; Robert Catlow-Price, Agent for Elements Café; and Xianyu Fu
10. Applications for Class A License to Sell Intoxicating Liquor and Fermented Malt Beverages from Amy Bellomo, Agent for Kwik Trip #337; John S. Jerlow, Agent for Bob & Steve’s BP Amoco Express; Jake Davis, Agent for Family Fresh; and Sara A. Krugen, Agent for Freedom Valu Center #83
11. Application for Mobile Home Park License from Arthur & Kim Miller at 1240 North Fourth Street
12. Applications for Refuse Collection Licenses from Stephens Sanitation, Waste Management, River City Disposal, Olson Sanitation, Waterman Sanitation, and Advanced Disposal Services
13. Application for Taxicab License from New Richmond Public Transit
14. Request for Extension of Premise from Garibaldi’s to Include their Outdoor Seating Area
15. Skate Park Donations from the following:
 - Gibby’s: \$500
 - Warner’s Dock: \$500
 - Angela Olson Law: \$100
 - Ready Randy’s: \$500
 - Sport N’ Bike Inc: \$500
 - Wisconsin Lighting: \$500
 - Bird Plumbing: 100
 - Oevering Construction Real Estate Inc: \$3,000
 - Total Commitments to date: \$119,576.04
16. Payment of VO#59352 through VO#59480 totaling \$258,738.61 plus electronic fund transfers of \$413,074.35 for a grand total of \$1,011,563.74

General Fund	\$ 867,497.17
Impact Fees Fund	19,103.19
Cemetery Fund	4,284.94
CDBG – Housing	30.00
Debt Service Fund	64,208.44
Capital Projects	19,364.20
Landfill Cleanup Fund	3,722.05
TIF District #10	1,155.00
TIF District #6	14,689.19
Storm Water Utility	15,652.19
Park Land Trust Fund	457.37
NR WI Armed Services	1,400.00

Alderman Montello moved to approve the consent agenda, seconded by Alderman Ard and carried.

Department Reports

Public Works – Jeremiah Wendt explained that the Paperjack Drive and East Hughes Street projects have begun. The underground portion of North Starr and East Hughes will begin next week. Alderman Montello thanked the Public Works department for keeping the area watered to cut down on dust. Century Fence has started pavement markings. This project will continue over the next couple weeks with periodic lane closures over that time. Trees on the newly acquired airport property will be transplanted to Freedom Park, North Side Park and Hatfield Campground. The City is renting equipment to transplant these trees.

Police – Craig Yehlik, Police Chief, explained that Westconsin Credit Union has requested the civilian response to active shooter training which will be held at the New Richmond High School on June 28, 2016 at 7:00 p.m. Craig and Noah are working on a COPS grant for a school resource officer. The deadline for this grant is June 23, 2016 and it would provide \$125,000 towards the cost of the school resource officer for three years. They are also looking at hiring a community service officer to do bike patrol and help with special events this summer. Lieutenant interviews will be held this week with the Police and Fire Commission. There is one current officer position open and they are working with 4-5 candidates at this time. A training audit was completed since Craig took over as Chief. Craig found that four officers were deficient and all have completed the necessary training.

Airport - Mike Demulling has received DOT approval for the farm-to-table project. Mike is working on the lease which will be given to the school board for their approval on June 20, 2016. There will be a fly in this Saturday with a mini open house at the airport. The Wisconsin DOT secretary is bringing his staff to the airport on Tuesday, July 12, 2016 and the focus of the visit will be on the farm-to-table project and EPS.

Special Recognition – John Murtha

Alderman Ard presented a plaque from the 50th Commemorative Committee to John Murtha for supporting our veterans and organizations, being at our events and meeting with veterans in Madison.

Public Hearing

Mayor Horne declared the Public Hearing open to discuss vacating the drainage and utility easement between the lots for Taco Bell and ALDI of the Certified Survey map. There were no questions. Mayor Horne declared the Public Hearing Closed. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION#061601
FINAL RESOLUTION FOR
VACATING AN EASEMENT

WHEREAS, pursuant to Section 66.1003 of Wisconsin Statutes, the Common Council has heretofore initiated proceedings on April 11, 2016 at a meeting of the Common Council, to vacate and discontinue a drainage and utility easement described as 10.00 foot wide drainage and utility easement lying southerly and adjacent to the north line of Lot 12 as shown on St. Croix County Certified Survey Map, Volume 22, Page 5373, Document Number 846611, recorded on March 16, 2007 and depicted on Exhibit A; and

WHEREAS, a public hearing on the passage of such resolution was set by the Common Council, which hearing was scheduled for June 13th, 2016 at 7:00 p.m. in the Council Chambers, and written notice of such meeting was duly served on the owners of all of the frontage of the lots and lands abutting upon that portion thereof sought to be discontinued as provided by law; and

WHEREAS, the City Council held the public hearing pursuant to said notice at the time and place therefore affixed and all persons so served and interested were then and there given an opportunity to be heard; and

WHEREAS, the City of New recognizes that said easement no longer serves a purpose as the lot lines have changed with the new certified survey map; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of New Richmond that it is hereby declared that the 10 foot drainage and utility easement is hereby vacated and discontinued, provided that pursuant to Section 66.1005 Wisconsin Statutes such vacation shall not terminate the easements acquired and the rights of the public in any of the underground structures, improvements or services as enumerated or otherwise existing in said public way and in said description of lands hereinbefore described, but such easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if such public way had not been vacated.

BE IT FURTHER RESOLVED that the City Clerk is directed to record in the St. Croix County Register of Deeds Office, a certified copy of this Resolution including the legal description of the vacated street, a copy of a map showing locations thereof.
Motion was seconded by Alderman Jackson and carried.

Public Hearing - Issuance and Sale of Revenue Refunding Bonds – Westfields Hospital Project

Mayor Horne declared the Public Hearing open to discuss the Issuance and Sale of Revenue Refunding Bonds for the Westfields Hospital Project. Sean Lentz, from Ehlers & Associates, explained that the City will not be responsible for this bond issue. It does not count against our borrowing capacity either. They just receive a lower interest rate by going through the City for this bonding. There were no questions. Mayor Horne declared the Public Hearing closed. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #061602
RESOLUTION APPROVING THE ISSUANCE AND SALE OF A
REVENUE REFUNDING BOND
(WESTFIELDS HOSPITAL, INC. PROJECT) SERIES 2016A,
OF THE CITY OF NEW RICHMOND, WISCONSIN, AND
AUTHORIZING THE EXECUTION OF DOCUMENTS RELATING THERETO
(Complete Copy on File in the Clerk's Office)

Motion was seconded by Alderman Ard and carried.

Resolution #061603 – Authorizing Borrowing from WPPI Energy

Jeremiah Wendt explained that as part of the 2016 Street & Utility Improvement Projects, we are installing new energy efficient LED street lighting. The City can borrow from WPPI for this project with no interest. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #061603
RESOLUTION AUTHORIZING BORROWING FROM WPPI ENERGY

WHEREAS, the City of New Richmond, Wisconsin (the “Municipality”) intends to install new energy efficient LED Street Lighting as part of the 2016 Street & Utility Improvement Projects (the “Project”);

WHEREAS, in order to fund all or a portion of the Project, the Municipality intends to borrow from WPPI Energy (“WPPI”) an amount not to exceed Two hundred eighty thousand five hundred ninety two and 00/100 dollars (\$280,592.00) at an interest rate of zero percent (0%) over a ten (10) year term (the “Loan”); and

WHEREAS, the Loan will be evidenced and secured by a promissory note from the Municipality to WPPI (the “Note”) and a loan agreement by and between the Municipality and WPPI (the “Loan Agreement”, and together with the Note, the “Loan Documents”); and

WHEREAS, the Common Council of the City of New Richmond has determined that funding of the Project, in whole or in part, through the Loan and executing and delivering the Loan

Documents in substantially the form presented is necessary and in the best interest of the Municipality.

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

1. The Loan Documents, as presented to the Common Council of the Municipality, and all of the terms and conditions therein are hereby approved. The Mayor and City Clerk of the Municipality, or officers authorized to act in their absence, are authorized on behalf of the Municipality to execute and deliver the Loan Documents in substantially their respective forms as presented to the Common Council of the Municipality. The Mayor and City Clerk and officers authorized to act in their absence are hereby authorized to prepare or to have prepared and to execute, file and deliver, as appropriate, all such other documents, affidavits, agreements or instruments as may be deemed necessary by those officials in order to effectuate the Loan as contemplated in this Resolution.
2. This Resolution shall be effective immediately upon its adoption and approval.

Motion was seconded by Alderman Ard and carried.

Resolution #061604 – Providing For the Sale of \$3,345,000 Water & Sewer System Revenue Bonds

Sean Lentz, with Ehlers & Associates, explained that this bond issue will fund the water and sewer portions of the 2016 projects and also to refinance and lower the interest rate on 2007 bonds which will have a savings of \$200,000 in interest savings. The bonds will be paid back by rates and charges of the utility. Bids will be opened on July 11, 2016 and awarded that night. At this time Council approval is needed to proceed. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #061604

RESOLUTION PROVIDING FOR THE SALE OF \$3,345,000 WATER
AND SEWER SYSTEM REVENUE BONDS, SERIES 2016B

WHEREAS, the City Council of the City of New Richmond, Wisconsin has heretofore determined that it is necessary and expedient to issue the City's \$3,345,000 Water and Sewer System Revenue Bonds, Series 2016B(the "Bonds") to provide funds to pay for the costs of acquisitions, improvements and additions to the City's Water and Sewer System and to refinance the \$2,865,000 Water and Sewer Utility Revenue Bonds in accordance with 66.0621 Wisconsin Statutes; and

WHEREAS, the City has retained Ehlers & Associates, Inc, in Roseville, Minnesota ("Ehlers"), as its independent financial advisor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New

Richmond, Wisconsin, as follows:

1. Authorization: Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. Meeting: Proposal Opening. The City Council shall meet at 7:00 p.m. on July 11, 2016 for the purpose of considering proposals for and awarding sale of the Bonds.
3. Request for Proposal. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an Official Statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Motion was seconded by Alderman Ard and carried.

Resolution #061605 – Providing for the Sale of \$4,640,000 General Obligation Corporate Purpose Bonds

Sean Lentz explained that these bonds will pay for street projects, storm water projects, a TIF#6 project and refund a 2015 State Trust Fund Loan. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #061605

RESOLUTION PROVIDING FOR THE SALE OF
\$4,640,000 GENERAL OBLIGATION CORPORATE

PURPOSE BONDS, SERIES 2016A

WHEREAS, the City Council of the City of New Richmond, Wisconsin has heretofore determined that it is necessary and expedient to issue the City's \$4,640,000 General Obligation Corporate Purpose Bonds, Series 2016A (the "Bonds") to provide funds to pay for the costs of Street Improvements, Storm Water Improvements, Sidewalk projects, Tax Increment District No. 6 projects, and the refinancing of the 2015 State Trust Fund Loan (balloon extension) in accordance with 67.04 Wisconsin Statutes; and

WHEREAS, the City has retained Ehlers & Associates, Inc, in Roseville, Minnesota ("Ehlers"), as its independent financial advisor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of New Richmond, Wisconsin, as follows:

1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on July 11, 2016 for the purpose of considering proposals for and awarding sale of the Bonds.
3. Request for Proposal. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an Official Statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Motion was seconded by Alderman Ard and carried.

Dorset Lane

Jeremiah Wendt explained that he is proposing to extend Dorset Lane. The City would also finish construction of the access drive in this area as a City Street. The construction would be in conjunction with the retail development in this area which is expected to conclude this fall. We will need to acquire road right-of-way from St. Croix County along the west lot line. City and County staff have met to discuss this idea and developed a concept plan for review by City Council and the County Administration Committee. Alderman Montello moved to proceed with the concept as presented pending final approval from the County, seconded by Alderman Ard and carried.

Federal Foam – Paperjack Drive Appraisal & Offering Price Report

Jeremiah Wendt explained that the acquisition company recommended a full appraisal of this property and from that appraisal came up with a figure of \$12,700 for the permanent easement for sidewalk and a temporary construction easement. Alderman Ard moved to proceed, seconded by Alderman Montello and carried.

140th Street Trail Construction

Jeremiah Wendt stated that Richmond Township, the Pathways Committee, WIDNR and City have worked together on the planning to construct a segment of trail on 140th Street that will connect the City's existing trail segments between Richmond Way and Paperjack Drive. Construction will begin in June and finish in July.

Ag Ordinance

Jeremiah Wendt explained that some changes were made to the proposed ordinance following the first reading at the Work Session on May 23, 2016. Considerable discussion followed. Alderman Montello moved to suspend the rules and adopt Ordinance #484, seconded by Alderman Ard and carried.

Sewer Ordinance Changes

Jeremiah Wendt stated that proposed ordinance changes are necessary to define a sanitary sewer service and clarify that the property served owns the sewer lateral to the center of the sewer main; to expand the City's ability to require a monitoring manhole as part of a development project; and

clarify the discharge volume that would require a user to obtain a permit from the City. Staff and the Utility Commission recommend approval of this ordinance. Alderman Montello moved to suspend the rules and adopt ordinance #485, seconded by Alderman Ard and carried.

New Richmond School District – Commons Property Agreement

Mike Darrow and Nick Vivian have been working with Patrick Olson from the School District on this agreement. Considerable discussion followed. The City will develop a master plan by the end of the year and the school will need to approve the master plan. Once the master plan is approved, the demolition can begin. The School District has requested that the site be redeveloped as identified in the approved Master Plan within five years from the date on which the property is transferred. Alderman Montello moved to approve the agreement, with the inclusion of language stating that in the event that the City is required to convey the property back to the District, the property's zoning classification will be returned to the classification in effect on the effective date, seconded by Alderman Kittel and carried. Alderman Ard voted no.

Communications and Miscellaneous

Alderman Ard stated that June is dairy month, so go out to celebrate. Also, Fun Fest is in two weeks, please consider getting involved and volunteering at this event.

Council Work Session on June 27, 2016 at 5:30 p.m.

Closed Session

Alderman Ard moved to go into Closed Session per State Statute 19.85 (1)(g) to discuss Slocum Litigation Recap and Dionisopoulos Litigation, seconded by Alderman Jackson and carried. Alderman Volkert voted no.

Open Session

Alderman Ard moved to proceed with option two for the Dionisopoulos litigation, seconded by Alderman Jackson and carried. Alderman Montello voted no.

Alderman Ard moved to adjourn the meeting, seconded by Alderman Montello and carried.

Meeting adjourned at 9:26 p.m.

Tanya Reigel
City Clerk

SPECIAL COUNCIL MEETING
JUNE 27, 2016 5:30 P.M.

The meeting was opened by announcing that this was an open meeting of the Common Council. Notice of this meeting was given to the public at least 24 hours in advance of the meeting by forwarding the complete agenda to the official City newspaper, the New Richmond News, and to all news media who have requested the same as well as posting. Copies of the complete agenda were available for inspection at the City Clerk's office. Anyone desiring information as to forthcoming meetings should contact the City Clerk's office.

Roll call was taken.

Members Present: Mayor Horne, Alderman Ard, Jackson, Kittel, Montello, Volkert, and Zajkowski

The Pledge of Allegiance was recited.

Alderman Ard moved to adopt the agenda as presented, seconded by Alderman Montello and carried.

Mike Darrow introduced new staff members, Lori Brinkman - Deputy Clerk/Treasurer and Rae Ann Ailts - Utility Finance Director. Chief Yehlik congratulated Detective Veronica Koehler on her promotion to Lieutenant.

Finalizing Repayment Term for 2016 General Obligation Bond

Sean Lentz, from Ehlers, presented four options regarding the repayment term and impact of the General Obligation Bond. Discussion was held on all four options. There was considerable discussion on the differences between the 15-year and 20-year options. Alderman Montello moved to approve the 15-year general obligation bond repayment option, seconded by Alderman Zajkowski and carried.

Highway 64 Trail Committee

Noah Wiedenfeld presented information on the Highway 64 Trail Committee. The trail committee is planning on completing the trail from St. Croix River crossing east to New Richmond. Noah requested the Mayor appoint a member to the Citizen Advisory Group. This will be discussed at the July City Council meeting.

"Just Fix It" Resolution

Alderman Ard presented a template "Just Fix It" Resolution. There was discussion regarding the wording of the resolution template. All Aldermen should get their concerns and suggestions to the City Administrator for fine-tuning of this resolution which will be presented at the July City Council Meeting.

Pollinator Pledge Resolution

Noah Wiedenfeld presented information on a Pollinator Pledge Resolution. Jesse Stenske, student representative, will present further information regarding this resolution at the July City Council meeting.

Third Detective Job Description – Drug Investigation Position

Police Chief Craig Yehlik presented the final job description for the Drug Investigation Officer position. This officer will dedicate nearly all of his/her time to illegal drug/prescription drug abuse. This officer will work closely with the St. Croix Drug Taskforce. Discussion followed. Alderman Montello moved to approve the Third Detective Job Description as presented, seconded by Alderman Ard and carried.

Employee Handbook Overview

Kari Kraft presented a draft of the updated Employee Handbook for the Council to review. This document has been vetted through the staff employee handbook committee, labor attorney, and a Human Resource consulting firm. Kari stated the Council will have up to two months to review the material. The final product will be presented and approved within the next two months.

Notice of Lis Pendens, Jurisdictional Offer and Award of Damages for Parcel 2, Unknown Owner on the North Shore Drive project

Jeremiah Wendt presented information relating to the acquisition of a piece of property along North Shore Drive with an unknown owner. Alderman Montello moved to approve the Notice of Lis Pendens, Jurisdictional Offer and Award of Damages for Parcel 2, seconded by Alderman Kittel and carried.

Revised Offer to Purchase for Parcel 1, Francois Family Farm LLC on the North Shore Drive project

Jeremiah Wendt requested authorization to negotiate with the Francois Family Farm LLC to acquire a 6,964 square foot parcel off North Shore Drive. Alderman Ard moved to approve the authorization to negotiate the purchase of property and allowing up to \$5,000 for the purchase, seconded by Alderman Montello and carried.

Resolution for Sale of Land – Burger Brothers Holdings LLC

Beth Thompson presented a resolution for the sale of land directly to the west of Culvers for additional parking space. Alderman Montello offered the following resolution and moved for its adoption:

RESOLUTION #061606

RESOLUTION AUTHORIZING SALE OF REAL ESTATE

WHEREAS, the City of New Richmond is the owner of real estate described as:

A PARCEL OF LAND LOCATED IN LOT 3 OF CERTIFIED SURVEY MAP #5938 RECORDED IN VOLUME 26 ON PAGE 5938, AND PART OF LOT 8 OF CERTIFIED SURVEY MAP #5921 RECORDED IN VOLUME 26 ON PAGE 5921, ALL IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 18 WEST, CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Northeast corner of said Lot 3;
Thence S00°00'08"W, 241.55 feet;
Thence N89°57'51"W, 63.00 feet;
Thence N00°00'08"E, 244.21 feet;
Thence S87°37'01"E, 63.05 feet;

Parcel contains 15,298 square feet or 0.35 acres.

WHEREAS, the City has entered into an Offer to Purchase and Sale Agreement with Burger Brothers Holdings, LLC; Whereby the City would sell this parcel to Burger Brothers Holdings, LLC; and

WHEREAS, all necessary contingencies have been met and the transaction is ready to be closed.

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

1. That the City shall proceed with the sale of the real estate to Burger Brothers Holdings, LLC
2. That Mayor, Frederick Horne, and City Clerk, Tanya Reigel, are authorized to execute all documents necessary to complete the sale of the property.

Motion was seconded by Alderman Kittel and carried.

Community Commons Formal Agreement Revision

Mike Darrow requested to revise the formal agreement, per City Attorney Nick Vivian, for the Community Commons. Discussion took place regarding the word “commence” quoted in the agreement. Mike presented an alternative. Alderman Montello moved to approve the revision as presented, seconded by Alderman Kittel and carried.

Commons Master Plan Discussion and Process

Mike Darrow presented a plan for completing the Commons Master Plan by the end of the year. Below is the timeline that Mike presented:

- ⊙ July – Project Kickoff
- ⊙ August – Community Discussion
- ⊙ September – Joint Master Plan Charrette
- ⊙ October – First Draft of Master Plan

- ⊙ November – Final Draft of Master Plan

Alderman Montello moved to approve the process as presented, seconded by Alderman Ard and carried.

Community Library Fundraising Process and Proposed Financial Board of Directors

Mike Darrow presented an overview of the Library fundraising Request for Qualifications (RFQ). Motion was made by Alderman Ard to approve the RFQ for Library Consulting Services, seconded by Alderman Zajkowski and carried.

Civic Center Kitchen Modifications

Mike Darrow discussed the memo prepared by Sarah Skinner, Building Inspector, regarding the modifications to the Civic Center basement kitchen. Per the memo, the cost for the project could be up to \$9,500. Mike stated that these funds will come from the cash reserve account. Discussion followed. Alderman Montello moved to approve proceeding with the research and installation of commercial grade equipment for the kitchen up to \$9,500, seconded by Alderman Kittel and carried.

Strategic Plan Process Update

Mike Darrow updated the Council on the strategic plan process. The City has received 80 responses from the online survey. No action needed at this time.

Skate Park Update

Noah Wiedenfeld updated the Council on the Skate Park and fundraising efforts. The construction timeline is as follows:

- ⊙ Break ground on July 5
- ⊙ Completion by late August

The cost of the Skate Park is \$125,000.00, and total funds raised are 127,305.99. Additional funds will go towards signage, landscaping, and benches. Alderman Kittel recognized Alderman Zajkowski's hard work with fundraising for this project.

Closed Session per Statute 19.85 (1)(e)(g) – TIF #6 Business Development

Alderman Ard moved to go into Closed Session per State Statute 19.85 (1)(e) to discuss TIF #6 Business Development, seconded by Alderman Montello and carried. Alderman Volkert voted no.

Open Session

Alderman Montello moved to approve the negotiations as discussed in the Closed Session, seconded by Alderman Jackson and carried.

Alderman Montello moved to adjourn the meeting, seconded by Alderman Zajkowski and carried.

Meeting adjourned at 7:22 p.m.

Tanya Reigel
City Clerk

VOUCHERS PRESENTED TO THE COUNCIL JULY 11, 2016

VO #	PAYMENT TO:	AMOUNT
59317	VOIDED	(54.00)
59444	VOIDED	(85.00)
59481	CONFIDENTIAL RECORDS INC.	120.00
59482	FRONTIER COMMUNICATIONS	863.98
59483	ANDERSON HEATING INC.	17,950.00
59484	DENISE BRINKMAN	44.00
59485	CITY UTILITIES - 2ND BILLING	25,440.55
59486	CITY UTILITIES - OTHER	849.51
59487	ECKBERG LAMMERS BRIGGS WOLFF & VIERLING	6,131.00
59488	EXPRESS SERVICES, INC	1,019.20
59489	FRONTIER COMMUNICATIONS (2)	42.59
59490	GURSTEL CHARGO, P.A.	118.26
59491	IMPACT GROUP	609.37
59492	PAULA MEISNER	68.56
59493	MISTY MEADOWS WOOD PRODUCTS INC.	1,485.00
59494	MUNSON PLUMBING SERVICE LLC	173.73
59495	NORTHERN BUSINESS PRODUCTS	1,230.57
59496	DENNIS RADDATZ	200.00
59497	SKOGLUND OIL COMPANY	36.75
59498	ST CROIX COUNTY - PUBLIC HEALTH	200.29
59499	STEPHENS SANITATION - REFUSE	487.15
59500	VILLAGE OF STAR PRAIRIE	85.35
59501	WI DEPT OF JUSTICE - CRIME INFO BUREAU	70.00
59502	WILLIAMSON & SILER S.C.	2,656.50
59503	XCEL ENERGY (2)	40.94
59504	CITY UTILITIES - OTHER	860.47
59505	EXPRESS SERVICES, INC.	718.90
59506	HUDSON POLICE DEPT.	250.00
59507	A-1 EXCAVATING INC	173,683.27
59508	AMAZON (CITY)	1,398.77
59509	AMAZON (LIBRARY)	786.27
59510	BAKER TILLY VIRCHOW KRAUSE	1,849.50
59511	BERMAN, TAYLOR	450.00
59512	BOARDMAN & CLARK LLP	741.00
59513	BRANCH, PAUL	4,903.82
59514	CEDAR CORPORATION	243.75
59515	CITY UTILITIES - 1ST BILLING	933.71
59516	CITY UTILITIES - INVOICES	33,928.32
59517	CITY UTILITIES - LANDFILL	542.27
59518	CITY UTILITIES - SAC CHARGES	5,778.50
59519	CITY UTILITIES - SALES TAX	324.34
59520	CITY UTILITIES - WATER IMPACT FEES	5,778.50
59521	COUNTY MATERIALS CORP	1,848.39
59522	CYCLONE FENCE	3,180.00
59523	DEPT OF ADMINISTRATION (2)	600.00
59524	DERRICK HOMES LLC	3,000.00
59525	ELEVATE BUILDERS INC	1,000.00
59526	ENVIRONMENTAL SYSTEMS RESEARCH INST	2,700.00
59527	FANTASY CORRAL	400.00
59528	FEDERAL FOAM TECHNOLOGIES, INC	12,700.00
59529	FLEET ONE LLC	3,276.66
59530	FOREMAN FIRE SERVICE & REPAIR	1,500.08
	SUB - TOTAL	323,160.82

	SUB - TOTAL CARRIED FORWARD	323,160.82
59531	FRANCOIS FAMILY FARM LLC	5,000.00
59532	FRONTIER COMMUNICATIONS (3)	59.43
59533	G & K SERVICES, INC	133.28
59534	GALE/CENGAGE LEARNING	219.65
59535	GARDEN EXPRESSIONS	5,302.55
59536	GHD SERVICES INC	7,501.08
59537	GURSTEL CHARGO, P.A.	118.26
59538	HUNEKE, JASON	300.00
59539	INDUSTRIAL HEALTH SERVICES NETWORK INC	69.90
59540	INDUSTRIAL SAFETY	4,425.48
59541	IRBY ELECTRICAL DISTRIBUTOR	105.56
59542	KWIK TRIP/KWIK STAR STORES	3,293.50
59543	LANDFORM PROFESSIONAL SERVICES, LLC	600.00
59544	MOORE MEDICAL, LLC	1,786.07
59545	MOORE, DUNCAN	80.17
59546	MSA PROFESSIONAL SERVICES INC	2,694.80
59547	MUNICIPAL CODE CORPORATION	950.00
59548	MUNICIPAL TREASURERS ASSN OF WI	110.00
59549	NEW RICHMOND FFA	27.53
59550	NOBLES TIRE SERVICE	2,926.00
59551	NORTH SHORE BANK	16,537.48
59552	OLD GEM THEATER	150.00
59553	POPULAR SUBSCRIPTION SERVICE	3,572.86
59554	RICE, CYNTHIA	900.00
59555	RIVERTOWN MULTIMEDIA	973.56
59556	RUNNING, INC	11,366.68
59557	SCHOOL DISTRICT OF NR - MOBILE HOME FEES	165.71
59558	SECURIAN FINANCIAL GROUP, INC	2,027.26
59559	SHORT-ELLIOTT-HENDRICKSON	51,793.41
59560	SPECTRUM INSURANCE GROUP	44,419.00
59561	ST CROIX COUNTY HIGHWAY DEPT	458.03
59562	ST CROIX COUNTY SHERIFF'S DEPT	240.00
59563	ST CROIX COUNTY TREASURER - MUNICIPAL COURT	675.58
59564	STATE OF WI - COURT FINES & ASSESSMENTS	1,629.09
59565	STEPHENS SANITATION - RECYCLING	4,065.00
59566	SUPERIOR SEALERS, LLC	40,000.00
59567	THE PLANNING COMPANY, LLC	6,597.00
59568	TIMBERS-SELISSEN-RUDOLPH LAND SPECIALISTS	4,300.00
59569	TRITECH SOFTWARE SYSTEMS	6,441.09
59570	UNITED STATES TREASURY	136.71
59571	VERIZON WIRELESS (CITY)	309.99
59572	VILLAGE OF STAR PRAIRIE	64.43
59573	VILLAGE OF STAR PRAIRIE	231.41
59574	WAL-MART (OTHER PMTS)	102.48
59575	WASHINGTON NATIONAL INS CO	390.50
59576	WENDY'S WIGGLE, JIGGLE & JAM	285.00
59577	WI PROFESSIONAL POLICE ASSN, INC	539.50
59578	WISCONSIN SUPREME COURT	40.00
59579	XCEL ENERGY	545.24

TOTAL VOUCHERS

557,821.09

TOTAL VOUCHERS - CARRIED FORWARD **557,821.09**

ELECTRONIC FUND TRANSFERS

PAYROLL (6/24 & 7/5)	226,805.67
DEFERRED COMP	9,990.00
ROTH - WI	250.00
FEDERAL W/H	87,207.25
STATE W/H	15,738.45
POSTAGE	2,000.00
LT DISABILITY PREMIUMS	1,446.30
MEDICAL PREMIUMS	85,429.58
RETIREMENT	49,210.11
VISA P-CARDS	26,734.03
HRA	11,069.97
WI - SCTF	1,804.56
FLEX SPENDING	5,625.54
EMPLOYEE FUND	228.00
FIREMEN DUES DEDUCTIONS	330.00
CAPITAL PROJECTS TRANSFER	29,393.00
AFLAC	1,439.73
DELQ STATE TAX - REMITTANCES	38.16
LIBRARY - REST'D INVESTMENTS	2,500.00
IMPACT FEE TRANSFERS	12,223.00
MISC - FIRE TRUCK	80,400.00
MISC - RESTITUTIONS	70.00
WPPI LOAN PMTS	1,828.40
DEBT PMTS/BREMER LOAN PMTS	33,567.52

TOTAL ELECTRONIC FUNDS **685,329.27**

GRAND TOTAL **1,243,150.36**

CHAIRMAN OF FINANCE COMMITTEE
7/11/2016



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

TO: Mayor and City Council

FROM: Tanya Reigel, City Clerk

DATE: July 8, 2016

RE: 2015 City Financial Review

Background

The auditors will be at the meeting to give a presentation of the 2015 audit. Each of you has received a copy of the audit book in your box at City Hall. The public can review the 2015 Financial Statements by going to the City's website. A link was also posted on Facebook.

Attached is the report that the auditors will present at the Council Meeting.

CITY OF NEW RICHMOND
REPORT TO THE CITY COUNCIL

July 11, 2016

Presented By:

Baker Tilly Virchow Krause, LLP

Kimberly M. Shult, CPA, Partner
Kimberly.Shult@bakertilly.com

Note: Actual data was derived from current and prior years audited financial statements

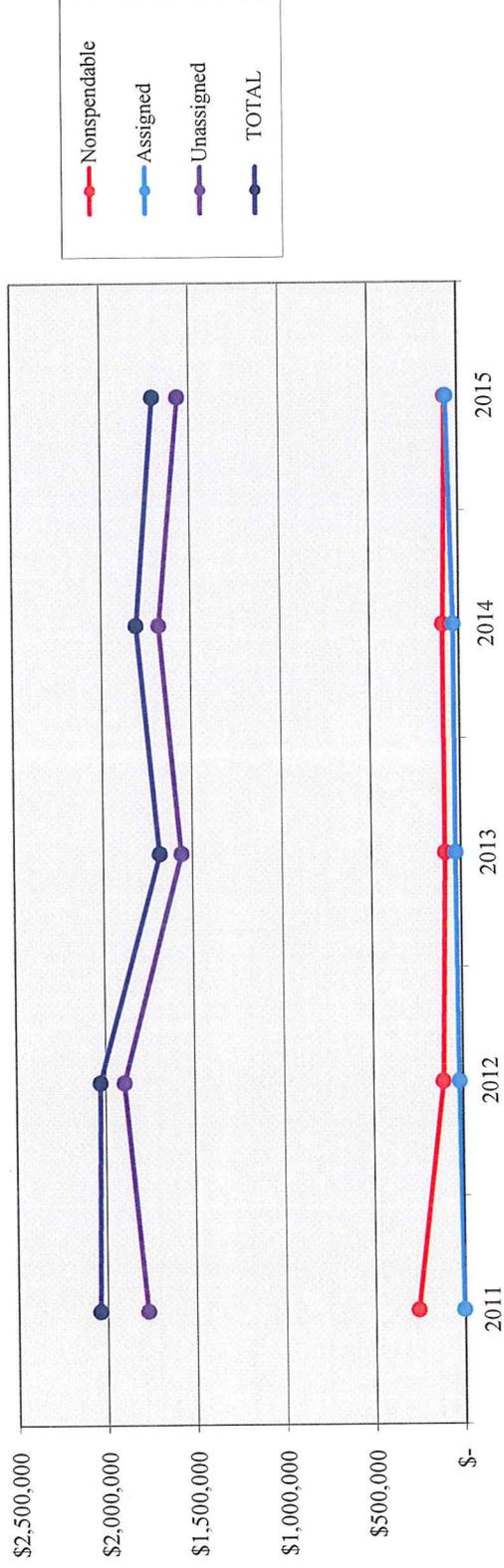
CITY OF NEW RICHMOND

2015 FINANCIAL STATEMENT HIGHLIGHTS

ANALYSIS OF GENERAL FUND BALANCE

<u>Detail of Fund Balance</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Nonspendable	\$ 262,321	\$ 112,290	\$ 89,930	\$ 92,891	\$ 72,980
Assigned	8,033	22,897	31,452	34,146	67,939
Unassigned	1,776,398	1,899,376	1,565,106	1,681,933	1,568,442
TOTAL	\$ 2,046,752	\$ 2,034,563	\$ 1,686,488	\$ 1,808,970	\$ 1,709,361

General Fund Balance Trends

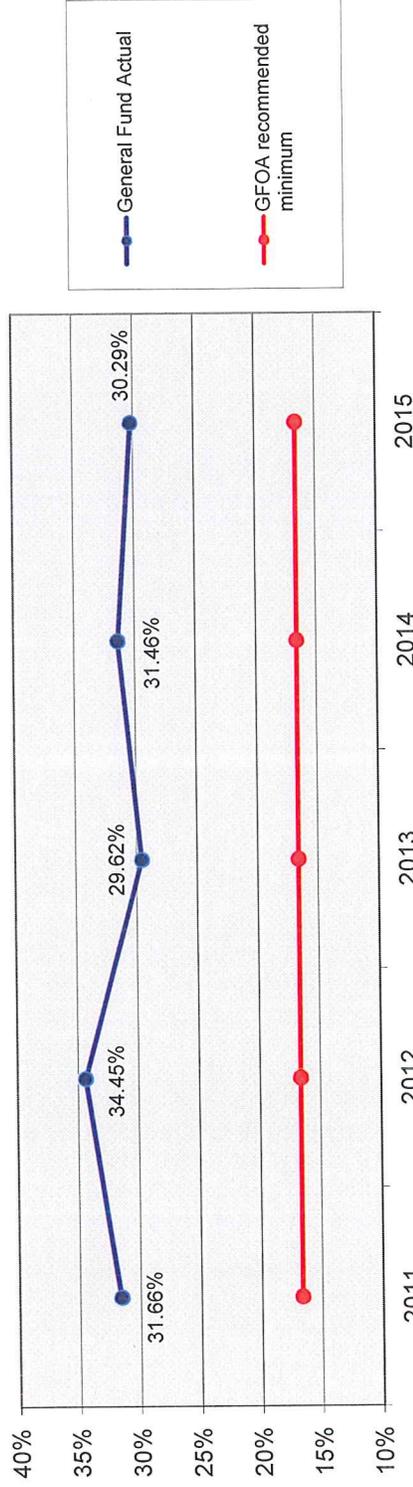


CITY OF NEW RICHMOND
2015 FINANCIAL STATEMENT HIGHLIGHTS

ANALYSIS OF GENERAL FUND BALANCE (cont.)

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Available Fund Balance	\$ 1,784,431	\$ 1,922,273	\$ 1,596,558	\$ 1,716,079	\$ 1,636,381
Operating revenues	5,635,833	5,580,649	5,389,510	5,454,878	5,402,572
% of operating revenues	31.66%	34.45%	29.62%	31.46%	30.29%

Available General Fund Balance as a Percentage of Operating Revenues



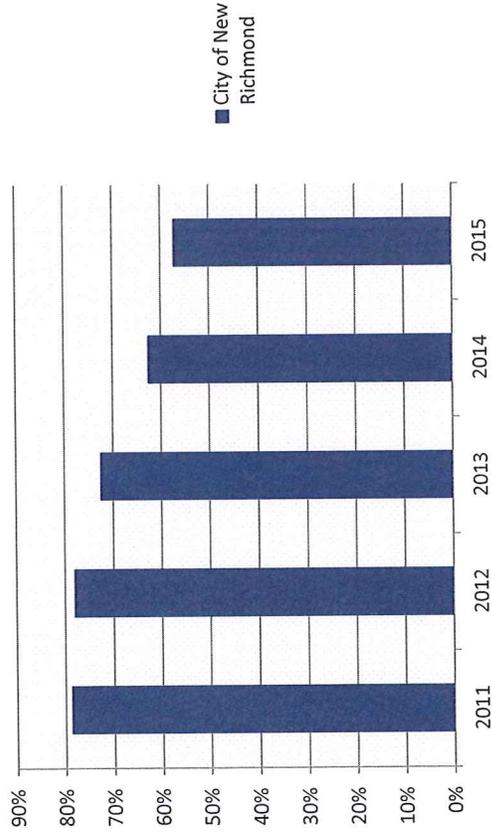
GFOA recommended range for % of operating revenues: no less than 2 months of GF operating revenues

CITY OF NEW RICHMOND 2015 FINANCIAL STATEMENT HIGHLIGHTS

GENERAL OBLIGATION DEBT OUSTANDING

	2011	2012	2013	2014	2015
Total General Obligation (G.O.) Debt (net)					
City	\$ 22,589,767	\$ 21,512,617	\$ 20,093,376	\$ 18,005,411	\$ 17,379,685
Utilities	90,721	-	-	-	-
Subtotal	22,680,488	21,512,617	20,093,376	18,005,411	17,379,685
Less: Debt service fund - fund balance	(73,650)	(73,650)	-	-	-
TOTAL	\$ 22,606,838	\$ 21,438,967	\$ 20,093,376	\$ 18,005,411	\$ 17,379,685
G.O. Debt Capacity	\$ 28,700,530	\$ 27,451,145	\$ 27,701,415	\$ 28,774,425	\$ 30,363,485
% of debt limit	79%	78%	73%	63%	57%

Percentage of Debt Limit



CITY OF NEW RICHMOND

2015 FINANCIAL STATEMENT HIGHLIGHTS

ANALYSIS OF DEBT SERVICE - GOVERNMENTAL FUNDS

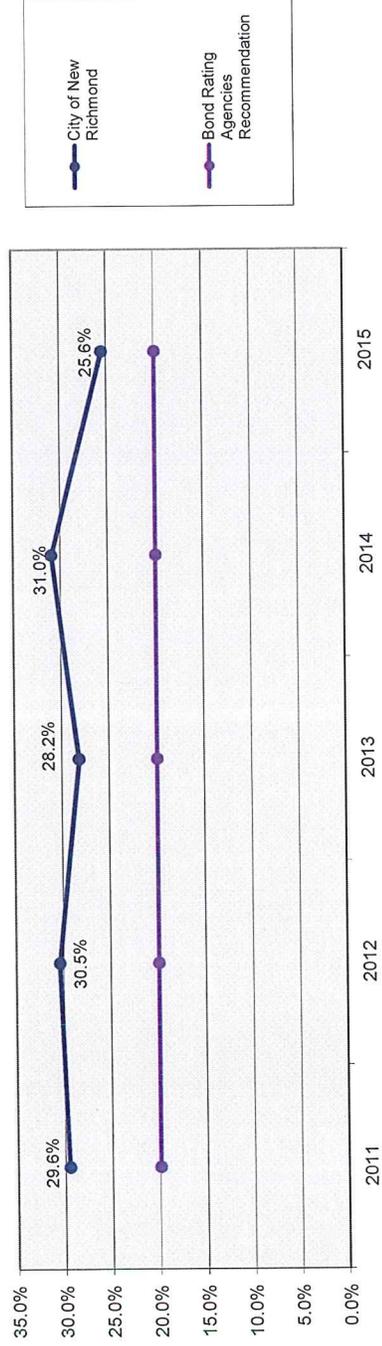
	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Total Debt Service					
Principal**	\$ 1,702,463	\$ 1,896,051	\$ 1,834,017	\$ 2,087,965	\$ 1,872,150
Interest	995,986	948,303	675,411	635,479	595,567
TOTAL	\$ 2,698,449	\$ 2,844,354	\$ 2,509,428	\$ 2,723,444	\$ 2,467,717
Total Non-Capital Expenditures					
Total governmental funds expenditures**	\$ 10,594,338	\$ 9,996,798	\$ 10,087,259	\$ 9,524,156	\$ 11,023,966
Less: capital outlay	(1,469,603)	(657,617)	(1,202,861)	(739,588)	(1,371,103)
TOTAL NON-CAPITAL EXPENDITURES	\$ 9,124,735	\$ 9,339,181	\$ 8,884,398	\$ 8,784,568	\$ 9,652,863

% of debt service to non-capital expenditures

	29.6%	30.5%	28.2%	31.0%	25.6%
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**Excludes debt refunding

Debt Service to Non-Capital Expenditures



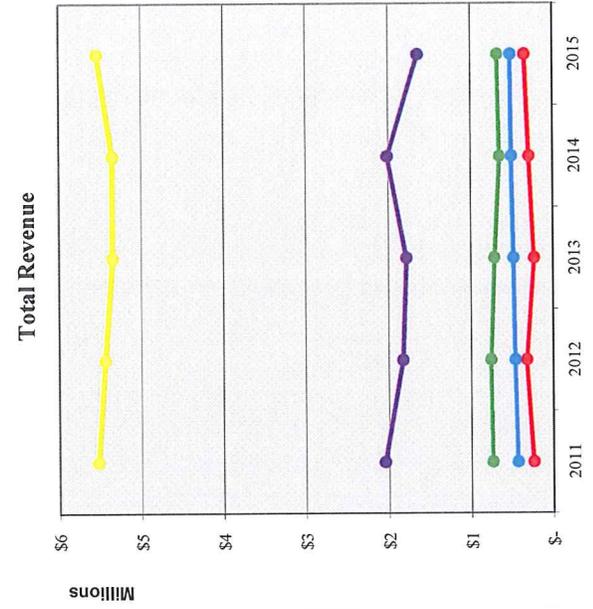
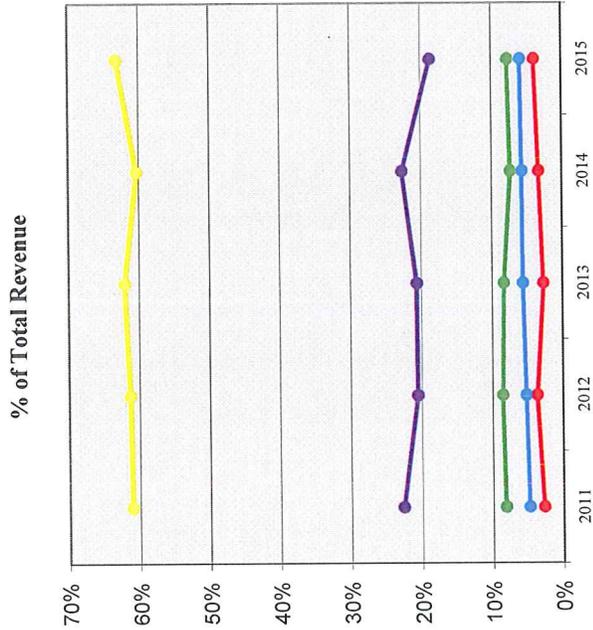
Bond rating agencies recommended %

CITY OF NEW RICHMOND

2015 FINANCIAL STATEMENT HIGHLIGHTS

GOVERNMENTAL FUND REVENUES

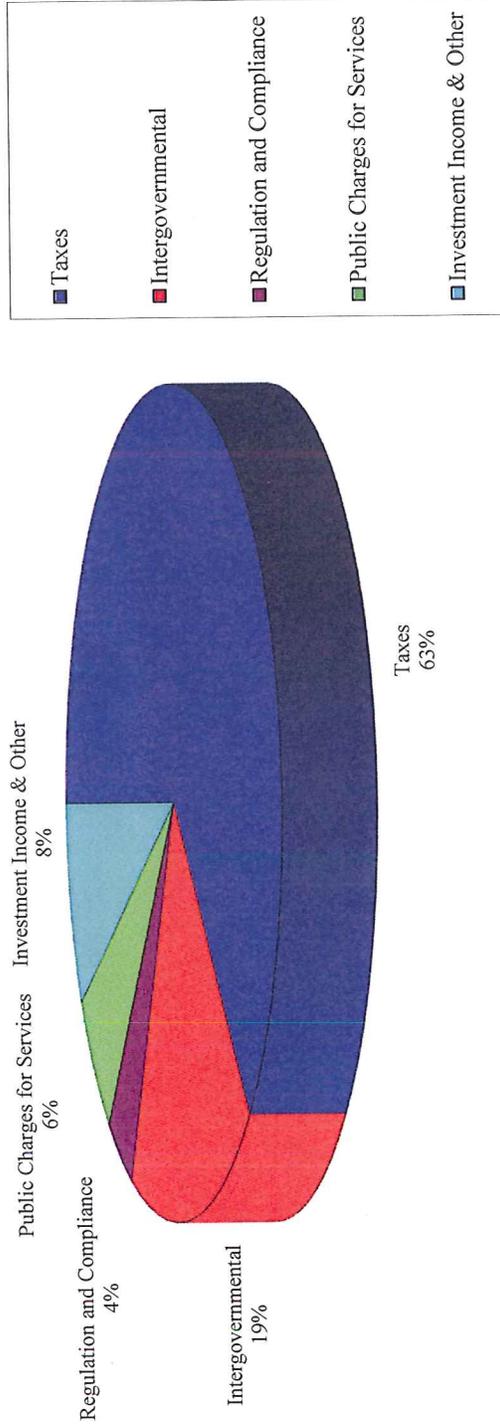
	2011	%	2012	%	2013	%	2014	%	2015	%
Total Revenues	\$ 5,542,672	61%	\$ 5,456,323	61%	\$ 5,366,244	62%	\$ 5,364,153	60%	\$ 5,552,570	63%
Taxes	2,055,999	23%	1,834,816	21%	1,788,507	21%	2,020,784	23%	1,649,132	19%
Intergovernmental	250,838	3%	332,149	4%	239,732	3%	301,289	3%	351,822	4%
Regulation and Compliance	448,411	5%	477,073	5%	496,777	6%	517,511	6%	529,525	6%
Public Charges for Services	754,175	8%	773,282	9%	730,290	8%	664,119	7%	689,616	8%
Investment Income & Other										
TOTAL	\$ 9,052,095	100%	\$ 8,873,643	100%	\$ 8,621,550	100%	\$ 8,867,856	100%	\$ 8,772,665	100%



CITY OF NEW RICHMOND
2015 FINANCIAL STATEMENT HIGHLIGHTS

GOVERNMENTAL FUND REVENUES

Total Revenues: \$8,772,665



CITY OF NEW RICHMOND

2015 FINANCIAL STATEMENT HIGHLIGHTS

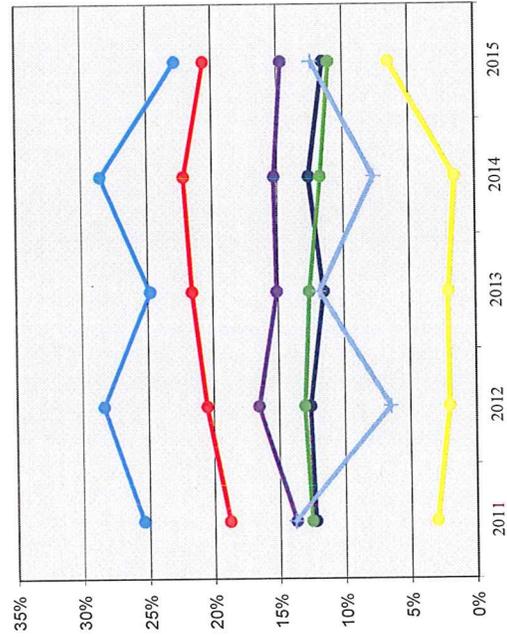
GOVERNMENTAL FUND EXPENDITURES

	2011	%	2012	%	2013	%	2014	%	2015	%
Total Expenditures	\$ 1,304,832	12%	1,264,963	13%	1,170,162	12%	1,205,458	13%	1,273,825	12%
General Government	1,998,623	19%	2,053,893	21%	2,182,154	22%	2,116,391	22%	2,277,842	21%
Public Safety	1,460,413	14%	1,658,237	17%	1,528,912	15%	1,457,707	15%	1,624,175	15%
Public Works	1,335,071	13%	1,308,948	13%	1,280,490	13%	1,125,431	12%	1,226,098	11%
Leisure Activities	2,698,449	25%	2,844,354	28%	2,509,428	25%	2,726,099	29%	2,521,812	23%
Debt Service**	1,469,603	14%	657,617	7%	1,202,861	12%	739,588	8%	1,371,103	12%
Capital Outlay	327,347	3%	208,786	2%	213,252	2%	153,482	2%	729,111	7%
TOTAL	\$ 10,594,338	100%	\$ 9,996,798	100%	\$ 10,087,259	100%	\$ 9,524,156	100%	\$ 11,023,966	100%

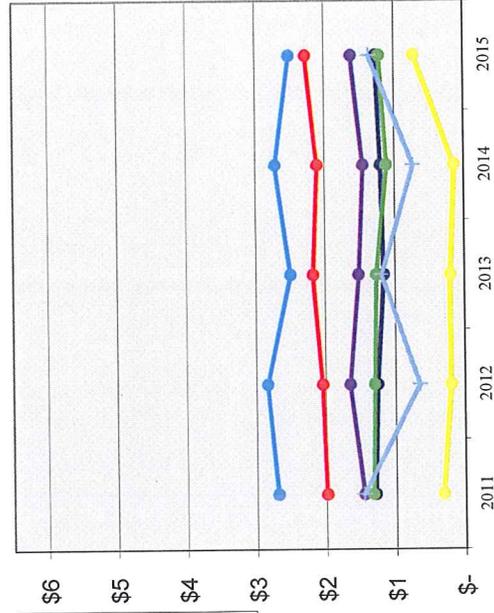
*Other includes Health and Human Services and Conservation and Development

**Excludes debt refunding

% of Total Expenditures



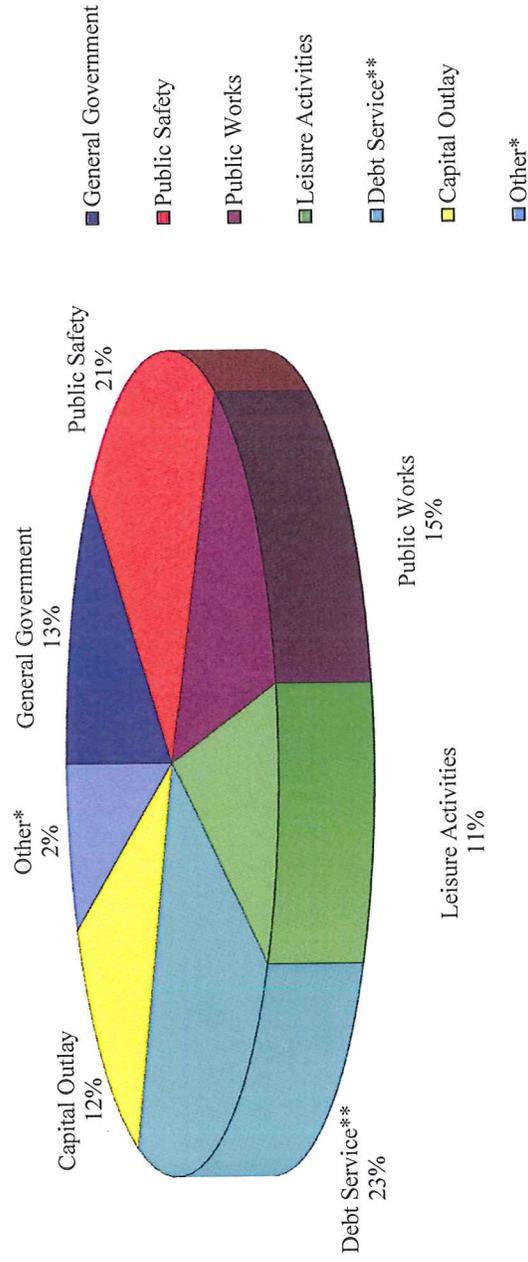
Total Expenditures



**CITY OF NEW RICHMOND
2015 FINANCIAL STATEMENT HIGHLIGHTS**

GOVERNMENTAL FUND EXPENDITURES

Total Expenditures: \$11,023,966



*Other includes Health and Human Services and Conservation and Development

**Excludes debt refunding



Memo

To: Mayor and City Council of New Richmond, WI
From: Sean Lentz, Ehlers
Cc: Mike Darrow, City Administrator
Date: July 7, 2016
Subject: July 11th Bond Sales

\$4,640,000 General Obligation Corporate Purpose Bonds, Series 2016A

At the June 27 meeting, the City Council discussed options for the repayment term on the \$4,640,000 General Obligation Corporate Purpose Bonds, Series 2016A. The Council determined a 15 year repayment term is in the best interest of the City. Subsequent to that decision, Ehlers and City Staff finalized the preliminary official statement and conducted a conference call with Moody's Investors Service to update the City's bond rating. We expect to receive the rating report by Friday July 8th.

The bond sale will occur on the morning of July 11th. Ehlers will prepare a Sale Report following receipt of the sale results. The report will be reviewed with the Council at the meeting on the 11th. Following the review, a bond sale resolution will be available for action by the Council. Approving the resolution will accept the winning bid and finalize the rates and terms offered by the winning bidder.

\$3,345,000 Water and Sewerage System Revenue Bonds, Series 2016B

The City Council approved proceeding with the sale of \$3,345,000 Water and Sewerage System Revenue Bonds, Series 2016B at the June 13th meeting. The 2016B Revenue Bonds will provide financing for utility projects and refinance the \$2,865,000 Water and Sewerage Revenue Bonds, Series 2007B for savings purposes. The City Staff and Ehlers presented information to Moody's Investors Service on July 1st to update the bond rating for the Water and Sewerage System Revenue Bonds. The updated rating and report will be available by Friday July 8th.

The bond sale for the 2016B Revenue Bonds will also occur on the morning of July 11th. Ehlers will prepare a Sale Report following receipt of the sale results. The report will be reviewed with the Council at the meeting on the 11th. Following the review, a bond sale resolution will be available for action by the Council. Approving the resolution will accept the winning bid and finalize the rates and terms offered by the winning bidder.



RESOLUTION NO. 071601

RESOLUTION AWARDING THE SALE OF
\$4,640,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2016A

WHEREAS, on May 9, 2016, the Common Council of the City of New Richmond, St. Croix County, Wisconsin (the "City") adopted initial resolutions authorizing the issuance of general obligation bonds in the following amounts for the following public purposes: \$4,010,000 for street improvement projects (the "Project Initial Resolution") and \$635,000 to refund certain obligations of the City;

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Project Initial Resolution, the City Clerk caused a notice to electors to be published in the New Richmond News, stating the purpose and maximum principal amount of the bond issue authorized by the Project Initial Resolution and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issue authorized by the Project Initial Resolution;

WHEREAS, no petition for referendum was filed with the City Clerk, and the time to file such a petition has expired;

WHEREAS, the Common Council hereby finds and determines that the general obligation bond issues authorized and described above be combined, issued and sold as a single issue of bonds designated as "General Obligation Corporate Purpose Bonds, Series 2016A" (the "Bonds") for the purpose of paying the cost of the projects described in the Project Initial Resolutions (the "Project") and the refunding of certain obligations;

WHEREAS, the obligations to be refunded are the State Trust Fund Loan, dated December 14, 2015 (the Refunded Obligations") (hereinafter the refunding of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of providing permanent financing for the projects financed by the Refunded Obligations;

WHEREAS, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on July 11, 2016;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on July 11, 2016;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the Common Council now deems it to be necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$_____ for the following public purposes and in the following principal amounts: \$_____ for street improvement projects and \$_____ to refund obligations of the City.

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

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2016A"; shall be issued in the aggregate principal amount of \$4,640,000; shall be dated August 4, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on the dates and in the principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be

rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on October 1, 2026 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on October 1, 2025 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2016 through 2030 for the payments due in the years 2017 through 2031 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. 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 General Obligation Corporate Purpose Bonds, Series 2016A, dated August 4, 2016" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (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 Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or 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. Any investment of the Debt Service Fund Account shall at all times conform 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 all of the Bonds have 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 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. 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 purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed

and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. 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 Bonds to be "arbitrage bonds" 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 Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" 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 Bonds 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds 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 Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds 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 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds 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 purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures

appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds 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 Bonds 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 Bonds, 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 Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond 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 Bond or Bonds 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 Bond surrendered for transfer.

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

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the

Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on August 11, 2016 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with Ehlers to take all actions necessary for the redemption of the Refunded Obligations on their redemption date. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 20. 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 Bonds in the Record Book.

Section 21. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 22. 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 July 11, 2016.

Frederick Horne
Mayor

ATTEST:

Tanya N. Reigel
City Clerk

(SEAL)

RESOLUTION NO. 071602

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
\$3,345,000 WATER AND SEWER UTILITY REVENUE BONDS, SERIES 2016B
OF THE CITY OF NEW RICHMOND, ST. CROIX COUNTY, WISCONSIN,
AND PROVIDING FOR THE PAYMENT OF THE BONDS AND
OTHER DETAILS WITH RESPECT TO THE BONDS

WHEREAS, the City of New Richmond, St. Croix County, Wisconsin (the "City") owns and operates its Water and Sewer Utility (the "System") which is operated for a public purpose as a public utility; and

WHEREAS, under the provisions of Section 66.0621, Wisconsin Statutes, (the "Act") any municipality in the State of Wisconsin may, by action of its governing body, provide funds for extending, adding to and improving a public utility or refunding obligations issued to finance such extensions, additions and improvements from the proceeds of bonds, which bonds are payable only from the income and revenues derived from any source by such utility and are secured by a pledge of the revenues of the utility; and

WHEREAS, pursuant to a resolution adopted on May 11, 1998 (the "1998 Resolution"), the City has heretofore issued its Water and Sewer Utility System Revenue Bonds, Series 1998, dated May 27, 1998 (the "1998 Bonds"), which bonds are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted on May 9, 2016 (the "2016 Resolution"), the City has heretofore issued its Water and Sewer Utility System Revenue Bonds, Series 2016, dated May 25, 2016 (the "2016 Bonds"), which bonds are payable from the income and revenues of the System on a parity with the 1998 Bonds (hereinafter the 1998 Bonds and the 2016 Bonds shall be referred to collectively as the "Prior Bonds"); and

WHEREAS, the City has outstanding its Water and Sewer Utility Revenue Bonds, Series 2007B, dated April 10, 2007 (the "Refunded Obligations"), which bonds are payable from the income and revenues of the System on a parity with the Prior Bonds; and

WHEREAS, the City has determined that it is necessary and desirable to refund the Refunded Obligations for the purpose of achieving debt service cost savings; and

WHEREAS, the City has also determined that certain additions, improvements and extensions to the System (the "Project") are necessary to adequately supply the needs of the City and the residents thereof; and

WHEREAS, it is necessary, desirable and in the best interests of the City to authorize and sell revenue bonds (the "Bonds") for such purposes payable solely from the revenues to be derived from the operation of the System, which bonds are to be authorized and issued pursuant to the provisions of Section 66.0621, Wisconsin Statutes on a parity with the Prior Bonds; and

WHEREAS, the 1998 Resolution and the 2016 Resolution permit the issuance of additional bonds payable from revenues of the System on a parity with the Prior Bonds upon compliance with certain conditions; and

WHEREAS, to the best of the Common Council's knowledge, information and belief, the City complies with such conditions; and

WHEREAS, other than the Prior Bonds and the Refunded Obligations, the City has no bonds or obligations outstanding which are payable from the income and revenues of the System; and

WHEREAS, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds; and

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on July 11, 2016; and

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on July 11, 2016; and

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, the Common Council of the City of New Richmond, St. Croix County, Wisconsin, do resolve that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization of Bonds. For the purpose of paying the cost of the Project and the Refunding, the City shall borrow on the credit of the income and revenue of the System the sum of \$3,345,000. Negotiable, fully-registered bonds of the City, in the denomination of

\$5,000, or any whole multiple thereof, shall be issued in evidence thereof. The Bonds shall be designated "Water and Sewer Utility Bonds, Series 2016B", shall be numbered from R-1 upward and shall be dated August 4, 2016. The Bonds shall bear interest at the rates per annum set forth in the Proposal and shall mature on May 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference.

Interest on the Bonds shall be payable on May 1 and November 1 of each year, commencing May 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

The Bonds maturing on May 1, 2026 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on May 1, 2025 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.

The schedule of maturities is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

The Common Council hereby determines that the Refunding is advantageous and necessary to the City.

Section 1C. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the City nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund provided for in Section 4 herein, and shall be a valid claim of the registered owner or owners thereof only against the Debt Service Fund and the Revenues of the System pledged to such fund, on a parity with the pledge granted to the owners of the Prior Bonds. Sufficient Revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds and the Bonds as the same becomes due.

Section 2. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 3. Definitions. In addition to the words defined elsewhere in this Resolution, the following words shall have the following meanings unless the context or use indicates another or different meaning or intent:

"Annual Debt Service Requirement" means the total amount of principal and interest due in any Fiscal Year on the Prior Bonds, the Bonds and Parity Bonds.

"Bond Year" means the one-year period ending on a principal payment date or mandatory redemption date for the Bonds.

"Code" means the Internal Revenue Code of 1986, as amended.

"Current Expenses" or "Operation and Maintenance Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but excluding depreciation, debt service, tax equivalents and capital expenditures.

"DTC" means The Depository Trust Company, New York, New York, or any successor securities depository for the City with respect to the Bonds.

"Fiscal Year" means the fiscal year adopted by the City for the System, which is currently the calendar year.

"Gross Earnings" or "Revenues" means the gross earnings of the System, including earnings of the System derived from water and sewer charges imposed by the City, all payments to the City under any service agreements between the City and any contract users of the System, and any other monies received from any source including all rentals and fees and any special assessments levied and collected in connection with the Project;

"Net Revenues" means the Revenues minus all Operation and Maintenance Expenses of the System.

"Parity Bonds" means additional bonds or obligations issued on a parity as to pledge and lien with the Bonds in accordance with the provisions of Section 7 of this Resolution.

"Reserve Requirement" means an amount, determined as of the date of issuance of the Bonds, equal to the least of (a) 10% of the stated principal amount of the Bonds (to the extent permitted pursuant to Section 148(d)(1) of the Code and Regulations); (b) the maximum annual debt service on the Bonds; and (c) 125% of average annual debt service on the Bonds. If Parity Bonds which are to be secured by the Reserve Account are issued, the Reserve Requirement shall mean an amount, determined as of the date of issuance of the Parity Bonds, equal to the least of (a) the amount required to be on deposit in the Reserve Account prior to the issuance of such Parity Bonds, plus the amount permitted to be deposited therein from proceeds of the Parity Bonds pursuant to Section 148(d)(1) of the Code and Regulations; (b) the maximum annual debt service on outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued; and (c) 125% of average annual debt service on the outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued.

"Regulations" means the Regulations of the Commissioner of Internal Revenue under the Code.

"System" means the entire water and sewer utility of the City specifically including that portion of the Project owned by the City and including all property of every nature now or hereafter owned by the City for the extraction, collection, treatment, storage and distribution of water and for the collection, transmission, treatment and disposal of domestic and industrial sewerage and waste, including all improvements and extensions thereto made by the City while any of the Prior Bonds, the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such water and sewer utility and including all appurtenances, contracts, leases, franchises, and other intangibles;

Section 4. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by a resolution adopted June 27, 1988 and are hereby continued, shall be used solely for the following respective purposes:

- (a) Operation and Maintenance Fund, which shall be used for the payment of Current Expenses.
- (b) Water and Sewer Utility Revenue Bond Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and Parity Bonds as the same becomes due. The Reserve Account provided by a resolution adopted on March 19, 2007 within the Debt Service Fund is hereby continued to secure the payment of principal and interest on the Bonds. The Reserve Account is not pledged to and shall under no circumstances be used to pay principal of or interest on the Prior Bonds and moneys in the Reserve Account shall under no circumstances be used to pay principal of or interest on the Prior Bonds.
- (c) Depreciation Fund, which shall be used to provide a proper and adequate depreciation account for the System.
- (d) Water and Sewer Utility Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to meet requirements of the Operation and Maintenance Fund including the one month reserve, the Debt Service Fund including the Reserve Account and the Depreciation Fund. Any money then remaining in the Surplus Fund at the end of any Fiscal Year may be used only as permitted and in the order specified in Section 66.0811(2), Wis. Stats.; provided that no money shall be transferred from the Surplus Fund to the general fund of the City. Money thereafter remaining in the Surplus Fund may be transferred to any of the funds or accounts provided in this section.

Section 4A. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one sixth (1/6) of the next installment of interest coming due on the Prior Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one twelfth (1/12) of the installment of principal of the Prior Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source);
- (c) to the Debt Service Fund for monthly transfer to the Reserve Account thereof, an amount equal to one-twelfth of the Reserve Requirement until the amount accumulated in the Reserve Account (after giving effect to amounts deposited in the Reserve Account from proceeds of the Bonds pursuant to Section 9 hereof, from any investment earnings or any other source) equals the Reserve Requirement. It is the intent of the City that at all times the Reserve Account constitutes a "reasonably required reserve fund" under the applicable Regulations and Section 148 of the Code;
- (d) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and
- (e) to the Surplus Fund, any amount remaining after the monthly transfers required above have been completed.

Transfers to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Common Council that the amount of Revenues to be set aside and paid into the Debt Service Fund (including the Reserve Account) shall in any event be sufficient to pay principal of and interest on the Prior Bonds, the Bonds and Parity Bonds and to meet the Reserve Requirement, and the City Treasurer shall each Fiscal Year deposit at least sufficient Revenues in the Debt Service Fund to pay promptly all principal and

interest falling due on the Prior Bonds, the Bonds and Parity Bonds and to meet the Reserve Requirement.

Section 4B. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the City and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 5. Service to the City. The reasonable cost and value of any service rendered to the City by the System by furnishing water and sewer utility services for public purposes, including reasonable health protection charges, shall be charged against the City and shall be paid by it in monthly installments as the service accrues, out of the current revenues of the City collected or in the process of collection, exclusive of the Revenues, and out of the tax levy of the City made by it to raise money to meet its necessary current expenses. It is hereby found and determined that the reasonable cost and value of such service to the City in each year shall be in an amount which, together with Revenues of the System, will produce Net Revenues equivalent to not less than 1.25 times the Annual Debt Service Requirement. Such compensation for such service rendered to the City shall, in the manner provided hereinabove, be paid into the separate and special funds described in Section 4 of this Resolution. However, such payment is subject to (a) annual appropriations by the Common Council therefor, (b) approval of the Wisconsin Public Service Commission, or successors to its function, if necessary, and (c) applicable levy limits, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the City to make any such appropriation over and above the reasonable cost and value of services rendered to the City and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 6. Operation of System; City Covenants. It is covenanted and agreed by the City with the owner or owners of the Bonds, and each of them, that:

(a) The City will faithfully and punctually perform all duties with reference to the System required by the Constitution and Statutes of the State of Wisconsin, including the making and collecting of reasonable and sufficient rates lawfully established for services rendered by the System, and will collect and segregate the Revenues of the System and apply them to the respective funds and accounts described hereinabove;

(b) The City will not sell, lease, or in any manner dispose of the System, including any part thereof or any additions, extensions, or improvements that may be made part thereto, except that the City shall have the right to sell, lease or otherwise dispose of any property of the System found by the Common Council to be neither necessary nor useful in the operation of the System, provided the proceeds received from such sale, lease or disposal shall be paid into the Debt Service Fund or applied to the acquisition or construction of capital

facilities for use in the normal operation of the System, and such payment shall not reduce the amounts otherwise required to be paid into the Debt Service Fund;

(c) The City will cause the Project to be completed as expeditiously as reasonably possible;

(d) The City will pay or cause to be paid all lawful taxes, assessments, governmental charges, and claims for labor, materials or supplies which if unpaid could become a lien upon the System or its Revenues or could impair the security of the Bonds;

(e) The City will maintain in reasonably good condition and operate the System, and will establish, charge and collect such lawfully established rates and charges for the service rendered by the System, so that in each Fiscal Year Net Revenues shall not be less than 125% of the Annual Debt Service Requirement, and so that the Revenues of the System herein agreed to be set aside to provide for the payment of the Prior Bonds, the Bonds and Parity Bonds and the interest thereon as the same becomes due and payable, and to meet the Reserve Requirement, will be sufficient for those purposes;

(f) The City will prepare a budget not less than sixty days prior to the end of each Fiscal Year and, in the event such budget indicates that the Net Revenues for each Fiscal Year will not exceed the Annual Debt Service Requirement for each corresponding Fiscal Year by the proportion stated hereunder, will take any and all steps permitted by law to increase rates so that the aforementioned proportion of Net Revenues to the Annual Debt Service Requirement shall be accomplished as promptly as possible;

(g) The City will keep proper books and accounts relative to the System separate from all other records of the City and will cause such books and accounts to be audited annually by a recognized independent firm of certified public accountants including a balance sheet and a profit and loss statement of the System as certified by such accountants. Each such audit, in addition to whatever matters may be thought proper by the accountants to be included therein shall include the following: (1) a statement in detail of the income and expenditures of the System for the Fiscal Year; (2) a statement of the Net Revenues of the System for such Fiscal Year; (3) a balance sheet as of the end of such Fiscal Year; (4) the accountants' comment regarding the manner in which the City has carried out the requirements of this Resolution and the accountants' recommendations for any changes or improvements in the operation of the System; (5) the number of connections to the System at the end of the Fiscal Year, for each user classification (i.e., residential, commercial, public and industrial); (6) a list of the insurance policies in force at the end of the Fiscal Year setting out as to each policy the amount of the policy, the risks covered, the name of the insurer, and the expiration date of the policy; and (7) the volume of water used as the basis for computing the service charge; and

(h) So long as any of the Bonds are outstanding the City will carry for the benefit of the owners of the Bonds insurance of the kinds and in the amounts normally carried by private companies or other public bodies engaged in the operation of similar systems. All money received for loss of use and occupancy shall be considered Revenue of the System payable into the separate funds and accounts named in Section 4 of this Resolution. All money received for losses under any casualty policies shall be used in repairing the damage or in replacing the

property destroyed provided that if the Common Council shall find it is inadvisable to repair such damage or replace such property and that the operation of the System has not been impaired thereby, such money shall be deposited in the Debt Service Fund, but in that event such payments shall not reduce the amounts otherwise required to be paid into the Debt Service Fund.

Section 7. Additional Bonds. The Bonds are issued on a parity with the Prior Bonds. No bonds or obligations payable out of the Revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if their lien and pledge is junior and subordinate to that of the Bonds. Additional obligations may be issued on a parity with the Bonds as to the pledge of Revenues of the System ("Parity Bonds") only if all of the following conditions are met:

a. The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional obligations must have been equal to at least 1.25 times the highest annual principal and interest requirements on all Prior Bonds, Bonds and Parity Bonds outstanding payable from Revenues of the System (other than Prior Bonds, Bonds and Parity Bonds being refunded) and on the Parity Bonds then to be issued in any Fiscal Year. Should an increase in permanent rates and charges, including those made to the City, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional obligations or during that part of the Fiscal Year of issuance prior to such issuance, then Revenues for purposes of such computation shall include such additional Revenues as an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

b. The payments required to be made into the funds and accounts enumerated in Section 4 of this Resolution (including the Reserve Account, but not the Surplus Fund) must have been made in full.

c. The Parity Bonds must have principal maturing on May 1 of each year in which principal falls due and interest falling due on May 1 and November 1 of each year.

d. If the Parity Bonds are to be secured by the Reserve Account, the amount on deposit in the Reserve Account must be increased to an amount equal to the Reserve Requirement applicable upon the issuance of Parity Bonds as defined in Section 3 of this Resolution.

e. The proceeds of the Parity Bonds must be used only for the purpose of providing additions, extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 8. Sale of Bonds. The bid of the Purchaser for the purchase price set forth in the Proposal be and it hereby is accepted and the Mayor and City Clerk are authorized and directed to execute an acceptance of the offer of said successful bidder on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

The officers of the City are authorized and directed to do any and all acts necessary to conclude delivery of the Bonds to the Purchaser, upon receipt of the purchase price, as soon after adoption of this Resolution as is convenient.

Section 9. Application of Bond Proceeds. All accrued interest received from the sale of the Bonds shall be deposited into the Debt Service Fund. An amount of proceeds of the Bonds sufficient to make the amount currently on deposit in the Reserve Account equal to the Reserve Requirement shall be deposited in the Reserve Account. An amount of proceeds of the Bonds sufficient to provide for the payment of the Refunded Obligations shall be deposited in a special account designated the "Refunding Fund" for that purpose. The balance of the proceeds, less the expenses incurred in authorizing, issuing and delivering the Bonds, shall be deposited in a special fund designated as "Water and Sewer Utility System Improvement Fund." Said special fund shall be adequately secured and used solely for the purpose of meeting costs of extending, adding to and improving the System, as described in the preamble hereof. The balance remaining in said Improvement Fund after paying said costs shall be transferred to the Debt Service Fund for use in payment of principal of and interest on the Bonds.

Section 10. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except:

a. The City may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and

b. This Resolution may be amended, in any respect, with the written consent of the owners of not less than two-thirds of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the City; provided, however, that no amendment shall permit any change in the pledge of Revenues derived from the System, or in the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 11. Defeasance. When all Bonds have been discharged, all pledges, liens, covenants and other rights granted to the owners thereof by this Resolution shall cease. The City may discharge all Bonds due on any date by depositing into a special account on or before that date a sum sufficient to pay the same in full; or if any Bonds should not be paid when due, it may nevertheless be discharged by depositing into a special account a sum sufficient to pay it in full with interest accrued from the due date to the date of such deposit. The City, at its option, may also discharge all Bonds called for redemption on any date when they are prepayable according to their terms, by depositing into a special account on or before that date a sum sufficient to pay them in full, with the required redemption premium, if any, provided that notice of redemption has been duly given as required by this Resolution. The City, at its option, may also discharge all Bonds of said issue at any time by irrevocably depositing in escrow with a suitable bank or

trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the City's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the City's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for. Upon such payment or deposit, in the amount and manner provided by this Section, all liability of the City with respect to the Bonds shall cease, terminate and be completely discharged, and the owners thereof shall be entitled only to payment out of the money so deposited.

Section 12. Investments and Arbitrage. Monies accumulated in any of the funds and accounts referred to in Sections 4 and 9 hereof which are not immediately needed for the respective purposes thereof, may be invested in legal investments subject to the provisions of Sec. 66.0603(1m), Wisconsin Statutes, until needed. All income derived from such investments shall be credited to the fund or account from which the investment was made; provided, however, that at any time that the Reserve Requirement is on deposit in the Reserve Account, any income derived from investment of the Reserve Account shall be deposited into the Debt Service Fund and used to pay principal and interest on the Bonds. A separate banking account is not required for each of the funds and accounts established under this Resolution; however, the monies in each fund or account shall be accounted for separately by the City and used only for the respective purposes thereof. The proceeds of the Bonds shall be used solely for the purposes for which they are issued but may be temporarily invested until needed in legal investments. No such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations.

An officer of the City, charged with the responsibility for issuing the Bonds, shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Bonds are not "arbitrage bonds" under Section 148 of the Code or the Regulations.

Section 13. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the City and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 10, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds 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 such owner's or owners' rights against the City, the governing body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the City, its governing body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the

Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.

Section 16. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond 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 Bond or Bonds 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 Bond surrendered for transfer.

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

Section 17. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 18. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" 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 Bonds 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds 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 Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

The foregoing covenants shall remain in full force and effect, notwithstanding the defeasance of the Bonds, until the date on which all of the Bonds have been paid in full.

Section 19. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 20. Redemption of Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on August 15, 2016 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with Ehlers to cause timely notice of redemption, in substantially the form attached hereto as Exhibit G and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 21. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 22. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it are hereby ratified and approved. In connection with the closing of the Bonds, the appropriate City official shall certify the Preliminary Official Statement and any addenda. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda to be distributed to the Purchaser.

Section 23. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or

by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 24. 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 Bonds in the Record Book.

Section 25. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 26. Execution of the Bonds; Closing; Professional Services. The Bonds 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, 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 purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds 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 Bonds 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 Bonds, 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 Bonds is hereby ratified and approved in all respects.

Section 27. Conflicting Ordinances or Resolutions. All prior ordinances, resolutions (other than the 1998 Resolution and the 2016 Resolution), rules, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the 1998 Resolution or the 2016 Resolution, the 1998 Resolution or the 2016 Resolution shall control so long as any bonds authorized by such resolutions are outstanding.

Adopted, approved and recorded July 11, 2016.

Frederick Horne
Mayor

ATTEST:

Tanya N. Reigel
City Clerk

(SEAL)

DRAFT



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

TO: Mayor and City Council

FROM: Tanya Reigel, City Clerk

DATE: July 8, 2016

RE: Hearings – Noxious Weeds/Nuisance

Background

Property owners are notified when their lawn or grass exceeds eight inches in length and given one week to mow it or the City will mow it and bill them. In this notice, there is a process for property owners to request a hearing before the Common Council. Steve Hirsch has requested a hearing for his property at 766 Brigetta Drive and for Sheldon Johnson's property at 754 and 748 Brigetta Drive. The hearing is required to be held within seven days, so will be held at the Council meeting on July 11, 2016.

Recommendation

Council members will listen to both the Weed Commissioner and the property owner and determine if a nuisance exists and if he has to mow the lawn/grass.

BASS LAKE, INC.
1195 Vail Way N.
Hudson, WI 54016
715-441-0110

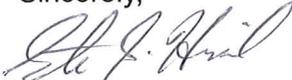
City Clerk
City of New Richmond
156 East First Street
New Richmond, WI 54017

July 8, 2016

Per the notice of Regulation of Length of Lawn and Grasses , Bass Lake, Inc. Owner of 766 Brigetta Dr. and Sheldon Johnson owner of 754 and 748 Brigetta Dr. do not believe the grass on their steep hills on these lots is a nuisance. We are requesting a hearing before the Common Council on this matter.

Included with this is the required \$25.00 bond per lot.

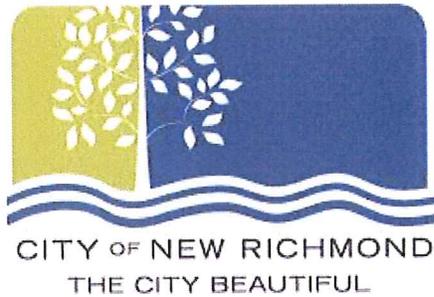
Sincerely,



Steven J. Hirsch
President
Bass Lake, Inc.



Steven J. Hirsch
Manager for Sheldon Johnson Properties



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne and City Council

FROM: Jesse Stenske, Student Representative
Noah Wiedenfeld, Management Analyst

DATE: July 7, 2016

SUBJECT: Pollinator Pledge

BACKGROUND

In response to a growing concern about a declining pollinator population (bees, butterflies, bats, some birds) the St. Croix Valley Pollinator Pledge was developed in partnership with the National Park Service. By signing the pledge, businesses and organizations commit to taking action to support pollinators. More than 50 businesses and organizations, including Andersen Corporation, Xcel Energy, Rotary clubs, the School District of New Richmond, and local conservation groups have signed the pledge. The City of New Richmond would be the first local government to sign the pledge and show support for pollinators.

Recently, the City of New Richmond received grants from the Natural Resources Foundation of Wisconsin and Star Prairie Fish & Game, and partnered with students from New Richmond High School to install bluebird houses, butterfly houses, and pollinator-friendly plants at Freedom Park.

Student Representative Jesse Stenske will give a brief presentation and answer any questions.



ACTION REQUESTED

The City Council should consider adopting Resolution #071603, which is included in the agenda packet.

Pollinator Pledge

RESOLUTION # 071603

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEW RICHMOND,

The undersigned recognize the critical importance of pollinator habitat both restored and maintained on public and private lands, particularly found within the St. Croix River Watershed and adjacent counties within Minnesota and Wisconsin. Through collaboration and outreach resulting from this resolution, an interconnected mosaic of pollinator habitat with large core areas will be developed to stabilize and/or increase populations of pollinator species throughout this project area.

WHEREAS, Pollinators include butterflies, bees, some birds, bats, and other insects that play a crucial role in flowering plant reproduction and given the breadth, severity, and persistence of pollinator losses, it is critical to expand efforts to take new steps to reverse pollinator losses and help restore populations to healthy levels;

WHEREAS, Monarch butterfly populations declined to the lowest recorded level in 2013-14, and there is an imminent risk of failed migration.

WHEREAS, Three-Fourths of the world's flowering plants and about 35 percent of the world's food crops depend on animal pollination to reproduce.

WHEREAS, The endangered Karner Blue Butterfly population blinked out in eastern Minnesota and Canada, and the western edge of the national population is currently anchored within the St. Croix River Watershed.

WHEREAS, For migratory pollinators, such as bats, hummingbirds, and the monarch butterfly, we recognize the importance of identification and protection of our nectar corridor;

THEREFORE, we declare that it is our goal to collaboratively and strategically protect and enhance pollinator species and their habitat on public and private lands throughout the St. Croix River Watershed and adjacent counties within northwest Wisconsin and northeastern Minnesota by:

- ***Increase and Improve Pollinator Habitat:*** Identify existing pockets of pollinator habitat, and then develop a network of habitat on public and private lands to develop a nectar corridor for migratory and non-migratory pollinator species.
- ***Public-Private Partnerships:*** Develop strategic partnerships to improve or create habitat for pollinators as well as provide educational opportunities within the scope of the resolution.

- **Education:** Encouraging voluntary, collaborative, and locally-led conservation that has proven to be effective in maintaining and enhancing working landscapes, this may include but is not limited to planting pollinator gardens, building bee blocks, and avoiding or limiting pesticide use.
- **Education:** Provide educational opportunities (both government and non-government) to those interested in enhancing pollinators and pollinator habitat opportunities.
- **Research:** Develop and/or promote citizen science opportunities for tracking key populations of pollinator species and habitat.

ADOPTED on this 11th Day of July, 2016.

Fred Horne, Mayor

ATTEST:

Tanya Reigel, City Clerk

Date _____



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne and City Council

FROM: Noah Wiedenfeld, Management Analyst

DATE: July 7, 2016

SUBJECT: Highway 64 Corridor Trail Committee

BACKGROUND

The St. Croix Bike and Pedestrian Trail Coalition is seeking to establish a subcommittee called the Highway 64 Corridor Trail Committee. This citizen advisory group would focus on establishing safe trail connections between the Highway 64 corridor communities including the Town of Richmond, the Town of St. Joseph, the Town of Somerset, the Town of Star Prairie, the Village of Somerset, and the City of New Richmond.

ANALYSIS

This committee is an advisory group only. A trail connection from Stillwater east to New Richmond along Highway 64 could offer great recreational and economic opportunities to the New Richmond community, and improve safety for bicyclists and pedestrians. If the City Council adopts Resolution #071604, Mayor Horne can recommend a community member or City staff member to serve as a representative on the committee at the regular August City Council meeting.

ACTION REQUESTED

The City Council should consider adopting Resolution #071604, which is included in the agenda packet.

RESOLUTION #071604
HIGHWAY 64 CORRIDOR TRAIL COMMITTEE CHARTER

Purpose

The Highway 64 Corridor Trail Committee (Committee) is hereby created by the St. Croix Bike and Pedestrian Trail Coalition (Coalition) to research and provide information to the Coalition regarding the following matter:

Collaboration between and among the Highway 64 corridor communities - specifically the Towns of Richmond, St. Joseph, Somerset and Star Prairie, the Village of Somerset and the City of New Richmond (Corridor Communities) - regarding trail connections along the Highway 64 corridor that ensure trails will ultimately connect from the Loop Trail being constructed as a part of the St. Croix River Crossing Project into the City of New Richmond.

Organization

The Committee shall be organized as follows:

1. The duration of the Committee shall be ongoing either as deemed necessary by the Board of Directors or until the trail connections are complete, and
2. The Committee shall meet at least semi-annually, and
3. Meetings may be called by the Chairperson of the Committee or a majority of the Coalition's Board of Directors (Directors), and
4. The Committee shall be an advisory body to the Directors. Actions taken by the Committee shall be at the request of the Directors only, and
5. Membership shall consist of at least one member appointed by each Corridor Community, a member of the Pathways organization, a member of the Coalition and not more than six members-at-large who must be either a resident of or merchant in one of the Corridor Communities. Membership on the Committee shall not exceed fourteen members, and
6. The Chairperson of the Committee may be either a Director or a member of the Coalition, and
7. A quorum shall be a majority of the membership, and
8. Meetings may be held at times and in public locations the committee may determine, coordinating with the Coalition Secretary, and
9. *Roberts Rules* shall be the basis for the Committees rules of procedure with more specific rules being adopted by the Committee as deemed necessary, and
10. Agendas for meetings shall be sent to the Coalition Secretary at least 10 days prior to the meeting for publication and distribution to members, and
11. Minutes from the meetings shall be sent to the Coalition Secretary at most 10 days following the meeting for publication and distribution to members, and
12. The Committee shall coordinate with the Coalition secretary regarding any further records required, and
13. A report shall be given to the Directors at each meeting in which the Committee met following the last Directors meeting, and
14. A written report shall be given to the Directors at least yearly before the annual meeting, anytime a significant action is requested or taken and whenever requested by the Directors. The report shall provide specific details needed for the Board to take action. These reports shall become a part of the public records of the Coalition.

RESOLUTION #071604
HIGHWAY 64 CORRIDOR TRAIL COMMITTEE CHARTER

Goals

The Committee should accomplish the following tasks as requested by the Coalition:

1. Designate an agreed upon, connected trail system along the Highway 64 corridor from the Loop Trail to New Richmond.
2. Assure Corridor Communities' trail plans are incorporated into St. Croix County's updated Bike & Pedestrian Plan. This task must be accomplished before the county's updated plan is finalized, optimally by September 2016.
3. Keep Committee members current with changes occurring in Corridor Communities' trail plans.
4. Research funding method (s) for designing, engineering and constructing the connected route through the Corridor Communities.
5. Set yearly construction and/or other priorities as deemed necessary for the Corridor Communities.
6. Provide united support for each community's planned design, engineering, and construction along the Hwy 64 Corridor as may be requested by the Corridor Communities for a variety of purposes.

I hereby certify that the foregoing resolution was duly adopted by City of New Richmond at a legal meeting held on the 11th day of July, 2016.

Fred Horne, Mayor

ATTEST:

Tanya Reigel, City Clerk

Date _____



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

TO: Mayor and City Council

FROM: Tanya Reigel, City Clerk

DATE: July 7, 2016

RE: "Just Fix It" Resolution

Background

Council Member Ard requested that this resolution be considered. It was discussed at the June work session as well. The attached resolution has been revised from the original version. If further changes are needed, they can be done prior to adoption if the Council chooses.

Resolution#071605
#JustFixItWI Transportation Funding Resolution
City of New Richmond, WI

WHEREAS, local government in Wisconsin is responsible for about 90% of the road miles in the state; and

WHEREAS, Wisconsin's diverse economy is dependent upon county and town roads as well as city and village streets and transit systems across the state; and

WHEREAS, high quality and fast transit systems are critical to attracting businesses and people to the state, yet state funding for transit is less today than it was five years ago; and

WHEREAS, levy limits do not allow local government to make up for the deterioration of state funding; and

WHEREAS, Wisconsin's over-reliance on borrowing eats away at the state's segregated funding sources – the state gas tax and vehicle registration fees – which increasingly pay debt service rather than fund transportation needs; and

WHEREAS, the City of New Richmond Common Council recognizes that our state highway and interstate system is the backbone of our surface transportation system and plays a vital role in the economy of Wisconsin. Both local *and* state roads need to be properly maintained in order for our economy to grow; and

WHEREAS, from a competitive standpoint Wisconsin motorists pay significantly more than other states for vehicle fees and given the number of vehicles in the state a review of the directed accounts is required and

WHEREAS, the Transportation Finance and Policy Commission, appointed by the Governor and Legislature clearly found that if Wisconsin does not address the situation, the condition of our state and local roads as well as local transit systems will deteriorate significantly over the next decade.

NOW, THEREFORE, BE IT RESOLVED the New Richmond City Council urges the Governor and Legislature to #JustFixItWI and agree upon a sustainable solution: one that includes a responsible level of bonding and a focused review of the gas tax, road construction innovations and the use of tollways to fund Wisconsin's multi-modal transportation system. Furthermore, the City Council directs the Clerk to send a copy of this resolution to our State Legislators, Governor Scott Walker and the League of Wisconsin Municipalities.

Passed and approved this 9th day of May, 2016.

Frederick Horne, Mayor

ATTEST:

Tanya Reigel, City Clerk



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

TO: Mayor and City Council

FROM: Tanya Reigel, City Clerk

DATE: July 8, 2016

RE: Schedule of fees

Background

A property owner inquired about applying for a Natural Lawn Permit. We have the application, but the fee was never established and approved by the Council.

Recommendation

Staff is recommending approval of the attached resolution establishing a fee of \$50 for this permit.

RESOLUTION #071606
RESOLUTION AMENDING THE SCHEDULE OF FEES

WHEREAS, the City of New Richmond hereby adopts the following Amendment to the Schedule of Fees:

Section	License/Fee Type	Fee
90-2	Natural Lawn Permit	\$50.00

Passed and Approved July 11, 2015

Fred Horne, Mayor

ATTEST:

Tanya Reigel, City Clerk



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne and City Council
FROM: Jeremiah Wendt, Director of Public Works
DATE: July 7, 2016
SUBJECT: Freedom Park Irrigation Phase 2 Bids

BACKGROUND

On Wednesday, June 22nd, 2016, sealed bids were received for the 2016 Freedom Park Irrigation project. This project would provide irrigation for two additional athletic fields.

Two bids were received for the project. The low bid was submitted by Northway Irrigation of Circle Pines, Minnesota in the amount of \$39,842.00. The other bid was received from Irrigation By Design of Minneapolis, MN in the amount of \$48,900.00.

Northway Irrigation is the same company that completed Phase 1 of the irrigation project at Freedom Park. Based on our experience and review, it is our opinion that Northway Irrigation has the required equipment and expertise to perform the work as outlined in the contract documents.

ACTION REQUESTED

The Park Board and City staff recommend awarding the 2016 Freedom Park irrigation project to Northway Irrigation in the low bid amount of \$39,842.00.



156 East First Street
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www.newrichmondwi.gov

TO: Mayor and City Council

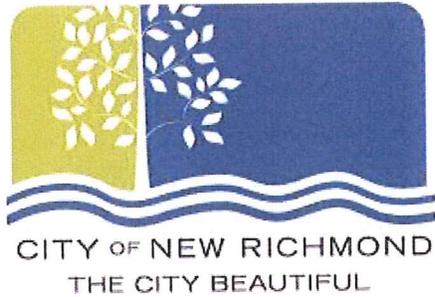
FROM: Jeremiah Wendt, Public Works Director

DATE: July 8, 2016

RE: 2016 Street and Utility Projects

Background

Staff will provide a progress update on the 2016 Street and Utility Projects, along with a proposed schedule for the upcoming month.



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www.newrichmondwi.gov

TO: Mayor and City Council
FROM: Jeremiah Wendt, Public Works Director
DATE: July 8, 2016
RE: North Shore Trail Easement

Background

As part of the North Shore Drive reconstruction project, a 900-foot segment of off-street trail is proposed to be constructed between North Shore Drive and the impoundment of the Willow River. According to St. Croix County's records, the parcel shows up as property of the City of New Richmond. However, early in the design process, Daniel Casey approached staff and indicated that he owned the property. He further indicated that, if he did own the property, he was still in favor of the trail in that location.

Staff commissioned St. Croix Title and Abstract to perform a 60-year title search on the property. This search established that the property does indeed belong to Daniel Casey. Staff and the City Attorney have developed an agreement with Daniel Casey for a 30-foot wide trail easement on the property.

In general, the conditions of the agreement are:

- Daniel Casey provides to the City a 30-foot wide trail easement across his property
- Daniel Casey provides a deed to the City for the parcel on the corner of Hidden Lane and North Shore Drive that currently has a stormwater pond on it.
- The City provides a 25-foot extension of water and sewer services to two parcels that Daniel Casey owns at 775 and 811 North Shore Drive as part of the 2016 North Shore Drive reconstruction project.
- The City removes brush from the upland areas on the parcel surrounding the trail to provide a more aesthetically pleasing area for the trail.

Recommendation

Staff recommends approval of the attached agreement with Daniel Casey.

**PUBLIC WALKWAY AND BIKE PATH
EASEMENT AND AGREEMENT**

THIS PUBLIC WALKWAY AND BIKE PATH EASEMENT AND AGREEMENT (“Agreement”), dated and effective as of July 11, 2016, is executed by and between Daniel J. Casey (“Grantor”), and the City of New Richmond, a Wisconsin municipal corporation (“City”).

RECITALS

- A. The Grantor is the owner of a parcel of land located in St. Croix County, Wisconsin, and legally described on **Exhibit A** (“Property”).
- B. The Grantor desires to grant to the City an permanent exclusive easement for public walkway, bike path and pedestrian access and use on, over, across and through portions of the Property.
- C. The City is willing to acquire the easement granted herein on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, both parties hereby agree as follows:

1. Grant of Walkway and Bike Path Easement by the Grantor. For good and valuable consideration including the extension of three water and sewer services in favor of vacant parcels Grantor owns on North Shore Drive and the brushing of upland areas along the proposed easement causing the removal of invasive buckthorn and honeysuckle, the Grantor, as owner of the parcel described in **Exhibit A**, for himself, his successors and assigns, hereby declares, creates, grants and establishes a perpetual exclusive easement (the “Walkway and Bike Path Easement”) for the benefit of the City and the public for the purpose of access on, over, across and through the walkway and bike path to be constructed by the City on that portion of the Properties legally described on **Exhibit B** and depicted on the Map of Survey attached as **Exhibit C** (the “Walkway and Bike Path Easement Area”). City will prepare at its own expense a survey to conform a legal description to the sketch plan/aerial depiction previously provided.
2. Maintenance of Easement Area. The Walkway and Bike Path Easement Area shall be kept and maintained by the City in a condition consistent with other City trail-ways and as part of the City’s park systems. Maintenance of the Walkway and Bike Path Easement Area shall include operating, maintaining, repairing and replacing (including removal of snow from) the walkway and bike path and other areas within the Walkway and Bike Path Easement Area and any lighting and signage installed in connection therewith.
3. Easement to Run with the Land. The benefits and burdens created by this Agreement shall constitute covenants running with the land and shall benefit and be binding upon all present and future owners, and their respective successors and assigns, of any portion of

the Property and upon each person having any interest therein derived through any owner thereof.

4. Underground Utilities. In the event the Grantor must disturb the constructed trail-way or easement for purposes of installing underground utilities to serve the Property, the Grantor shall restore the site to a rough grade and the City shall be responsible for restoring the finished trail-way surface and its sub-base. Any disturbances shall be temporary in nature.
5. Termination of Easements. The easement declared, granted, established, and conveyed herein is permanent in nature and may be terminated only by an agreement in writing signed by both parties. As and to the extent required for any reason, the parties agree to execute a recordable document to memorialize, record, or effect any such termination.
6. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of both parties, and their successors and assigns.
7. Time of the Essence. Time is of the essence in this Agreement.
8. Amendment. This Agreement may only be amended, modified or supplemented by an agreement in writing and signed by both parties.
9. Notices. Any notice required or permitted to be delivered in connection with this Agreement must be in writing and may be given by certified or registered mail, hand delivery or by overnight courier and shall be deemed to be received (a) if given by certified or registered mail, three (3) days after the same is deposited in the United States mail, postage prepaid, certified mail, return receipt requested, or (b) if given by hand delivery, when such notice is received by the party to whom it is addressed, or (c) if given by an overnight courier or delivery service, when delivered by such courier. Notice shall be sent to the address as set forth below. Any party shall have the right to change its address by giving five (5) days' written notice to the other party.

If to the Grantor: Daniel J. Casey
323 Sawmill Lane
New Richmond, Wisconsin 54017

If to City: City of New Richmond
156 East First Street
New Richmond, Wisconsin 54017
10. Governing Law. This Agreement is entered into in and shall be governed by and construed in accordance with the internal laws of the State of Wisconsin.
11. Severability. If any term or provision of this Agreement is ever determined to be invalid or unenforceable for any reason, such term or provision shall be severed from this

Agreement without affecting the validity or enforceability of the remainder of this Agreement.

IN WITNESS WHEREOF, the Grantor and the City have executed this Agreement to be effective as of the date first above written.

GRANTOR:

DANIEL J. CASEY

STATE OF WISCONSIN)
) ss.
COUNTY OF ST. CROIX)

The foregoing instrument was acknowledged before me this ____ day of July, 2016, by Daniel J. Casey, for and on behalf of himself.

Notary Public

[Signature Page to Easement Agreement]

CITY:

CITY OF NEW RICHMOND,
a Wisconsin municipal corporation.

By: _____
Its: Mayor

By: _____
Its: City Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF ST. CROIX)

The foregoing instrument was acknowledged before me this ____ day of July, 2016 by Fred Horne and Tanya Reigel, respectively, the Mayor and City Clerk of the City of New Richmond, a Wisconsin municipal corporation, on behalf of said municipal corporation.

Notary Public

[Signature Page to Easement Agreement]

THIS INSTRUMENT WAS DRAFTED BY:

Nicholas J. Vivian
Eckberg Lammers, P.C.
430 Second Street
Hudson, Wisconsin 54016
715.386.3733
nvivian@eckberglammers.com

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

[COMPLETE LEGAL TO BE INSERTED]

PARCEL ID: 261-1198-90-000
LEGAL DESCRIPTION: SEC 31 T31 N R17W PT SW ¼ PRT OL 425, CSM VOL 1 PG 26
ADDL ROAD R/W VOL 408 PAGE 363

EXHIBIT B

WALKWAY AND BIKE PATH EASEMENT AREA

Located in part of the SE1/4 of the NE1/4 and part of the NE1/4 of the SE1/4 of Section 36, T31N, R18W, City of New Richmond, St. Croix County, Wisconsin; described as follows:

Commencing at the E1/4 Corner of Section 36; thence S61°11'18"W 118.45' to the southwesterly right-of-way line of a public street (North Shore Drive) being the point of beginning; thence N21°30'57"W, along said southwesterly line, 194.72 feet; thence N62°38'45"W 23.02 feet to the point of curvature of a 83.00 foot radius curve, concave northeasterly, whose central angle measures 52°50'33", whose chord bears N36°13'28.5"W and measures 73.86 feet; thence northwesterly, along the arc of said curve, 76.55 feet; thence N09°48'12"W 76.31 feet to the point of curvature of a 211.00 foot radius curve, concave southwesterly, whose central angle measures 46°19'36", whose chord bears N32°58'00"W and measures 166.00 feet; thence northerly, along the arc of said curve, 170.60 feet; thence N56°07'48"W 4.74 feet to the point of curvature of a 89.00 foot radius curve, concave northeasterly, whose central angle measures 43°14'30", whose chord bears N34°30'33"W and measures 65.59 feet; thence northerly, along the arc of said curve, 67.17 feet; thence N12°53'18"W 122.44 feet to said southwesterly right-of-way line; thence N47°22'00"W, along said southwesterly line, 172.05 feet; thence S39°09'24"E 125.68 feet to the point of curvature of a 114.00 foot radius curve, concave southwesterly, whose central angle measures 26°16'06", whose chord bears S26°01'21"E and measures 51.81 feet; thence southerly, along the arc of said curve 52.27 feet; thence S12°53'18"E 101.11 feet to the point of curvature of a 119.00 foot radius curve, concave northeasterly, whose central angle measures 43°14'30", whose chord bears S34°30'33"E and measures 87.69 feet; thence southerly, along the arc of said curve, 89.81 feet; thence S56°07'48"E 4.74 feet to the point of curvature of a 181.00 foot radius curve, concave southwesterly, whose central angle measures 46°19'36", whose chord bears S32°58'00"E and measures 142.39 feet; thence southerly, along the arc of said curve 146.35 feet; thence S09°48'12"E 76.31 feet to the point of curvature of a 113.00 foot radius curve, concave northeasterly, whose central angle measures 52°50'33", whose chord bears S36°13'28.5"E and measures 100.56 feet; thence southerly, along the arc of said curve 104.22 feet; thence S62°38'45"E 6.32 feet to the point of curvature of a 51.00 foot radius curve, concave southeasterly, whose central angle measures 41°07'49", whose chord bears S42°04'51"E and measures 35.83 feet; thence southerly, along the arc of said curve, 36.61 feet; thence S21°23'05"E 126.51 feet to the point of curvature of a 29.00 foot radius curve, concave northeasterly, whose central angle measures 73°59'12", whose chord bears S58°30'32"E and measures 34.90 feet; thence southeasterly, along the arc of said curve 37.45 feet to the point of beginning.

Described easement contains 22,407 Sq. Ft.

EXHIBIT C
MAP OF SURVEY

See attached.



156 East First Street
New Richmond, WI 54017
Ph 715-246-4268 Fax 715-246-7129
www.newrichmondwi.gov

MEMORANDUM

TO: Mayor Horne and City Council

FROM: Noah Wiedenfeld, Management Analyst
Jeremiah Wendt, Director of Public Works
Michael Mroz, Public Works Operations Manager

DATE: July 7, 2016

SUBJECT: Rotary Lights Project

BACKGROUND

In December of 2015, the Park Board and City Council voted in favor of a proposed concept by the Rotary Club of New Richmond to create a holiday light display at Mary Park, with the understanding that additional details would be discussed and finalized in 2016. City staff have met with Lisa Woletz and Jo Wrich of the Rotary Club and developed the attached memorandum of understanding (MOU). Some highlights of the MOU include the following:

- Rotary Club will provide all labor and equipment for the installation and take-down of the lights, as well as long-term storage
- Event would begin on November 25, 2016 and continue every Thursday, Friday, and Saturday through December 31, 2016 from 5-10 pm
- There is no fee required to view the lights, but donations will be accepted for Five Loaves Food Shelf
- Visitors can walk or drive through the park. Pedestrians must stay on the Mary Park Trail
- No music will be played
- The City of New Richmond will be responsible for snow removal
- The City of New Richmond shall cover the electrical costs not to exceed \$350 plus minor costs associated with new outlets or rewiring; all costs for extension cords, lights, timers, and related supplies are the responsibility of the Rotary Club

ACTION REQUESTED

The Park Board and City staff recommend the approval of the Rotary Lights Project MOU as presented in the agenda packet.

Memorandum of Understanding

Between the Rotary Club of New Richmond and the City of New Richmond

July 11, 2016

This Memorandum of Understanding (MOU) states the terms and agreements between the Rotary Club of New Richmond and the City of New Richmond as it relates to the 2016 Rotary Lights Project at Mary Park in New Richmond, WI.

Background

Many communities in Wisconsin and Minnesota provide holiday light displays each winter for the public to view. These displays attract thousands of people each year and viewing them has become a holiday tradition for many families. The Rotary Club of La Crosse has put on a large light display for more than twenty years that now includes stop motion animation, music, and refreshments, and relies on more than 3,200 volunteers each year to operate. In the process, the Rotary Club of La Crosse has collected more than 3 million food items for local food pantries.

The Rotary Club of New Richmond presented the initial concept for a Rotary Lights Project at Mary Park to the City of New Richmond Park Board and City Council in December of 2015, and received preliminary approval with the understanding that more details would be presented, discussed, and finalized over the course of the next several months leading up to the 2016 event.

Purpose

The Rotary Club of New Richmond's President and President-Elect discussed more details about the project with staff from the City of New Richmond in the spring of 2016. Based on these conversations, this Memorandum of Understanding was developed to formalize the agreed upon activities and logistics for the Rotary Lights Project at Mary Park, and state the agreed upon responsibilities of both the Rotary Club of New Richmond and the City of New Richmond.

Event Preparation

Pending approval by the City of New Richmond Park Board and City Council, installation of the holiday lights at Mary Park will begin in October of 2016. The Rotary Club of New Richmond shall work closely in cooperation with the City of New Richmond, specifically the Public Works Department, Electric Department, and Administration Department in preparation for the event. The Rotary Club of New Richmond shall provide all labor and equipment needed for the installation and take-down of the light display, as well as provide for the long-term storage of all materials and supplies associated with the event. The Rotary Club of New Richmond shall contact all property owners who live on North Green Avenue, East Hughes Street, North Arch Avenue, North Starr Avenue, and Williams Avenue in writing before August 1, 2016 to provide details about the event related to traffic, parking, noise, and the dates and hours of the event. The Rotary Club of New Richmond shall be the primary contact for questions and concerns related to the event.

Event Schedule

The Rotary Lights at Mary Park will be visible to the public beginning on November 25, 2016 and continuing every Thursday, Friday, and Saturday through December 31, 2016. The holiday lights shall be turned on at 5 pm and be turned off promptly at 10 pm.

Admission Cost

There is no fee required to view the Rotary Lights at Mary Park. However, non-perishable food and cash contributions will be accepted at the event and donated to Five Loaves Food Shelf. The Rotary Club of New Richmond shall be solely responsible for the collection, supervision, and management of donations.

Traffic & Pedestrian Activity

Vehicles shall enter the main entrance of Mary Park under the archway and drive around the tennis courts, continuing to the south and exiting onto North Green Avenue. For safety reasons, all pedestrian traffic shall be limited to the Mary Park Trail. Vehicles can park in the Mary Park parking lot or on the nearby streets. Any and all winter parking restrictions still remain in effect. Finally, the City of New Richmond shall provide signage warning vehicles not to stack on the railroad tracks adjacent to Mary Park. The Canadian National Railroad is very active, and all precautionary measures should be taken to ensure the safe crossing of the railroad tracks by both vehicles and pedestrians.

Loud Noise

Out of courtesy to the surrounding property owners, no music (either through live musical performances or through various audio visual equipment) shall be played or performed as part of the Rotary Lights event. All other excessive noise (yelling, honking of vehicles) is strongly discouraged.

Snow Removal

The City of New Richmond shall remove all snow and ice from the Mary Park Trail, driveway, and parking lot within 24 hours of a snowstorm, in the same manner as in previous years at Mary Park and all other trails and parks operated by the City of New Richmond.

Site Restoration

If any damage is done to the grass at Mary Park during the installation or take-down of the light display as determined by the City of New Richmond's Director of Public Works, the Rotary Club of New Richmond shall cover all costs associated with grass/turf replacement. All lights, cords, and other equipment related to the Rotary Lights event shall be removed from Mary Park by the Rotary Club of New Richmond no later than February 1, 2017.

Reporting

As this is a new event, there are many unknowns related to the expected event attendance and consequently issues related to traffic and pedestrian safety. With this in mind, representatives from the Rotary Club of New Richmond and the City of New Richmond shall communicate (via email, telephone, or in-person meeting) no later than December 7, 2016 to discuss and address any concerns that have arisen from the first days of the event, and take mutually agreed upon corrective action not otherwise described in this MOU. Following the conclusion of the event and no later than February 1, 2017, representatives from the Rotary Club of New Richmond and the City of New Richmond shall begin preliminary conversations regarding future improvements or changes that should be made if there is interest in continuing the event in future years.

Funding

The City of New Richmond shall cover the electrical costs for the duration of the event, not to exceed \$350. The City of New Richmond shall also cover costs associated with providing adequate electricity for the event, such as any new outlets or rewiring. All costs for extension cords, holiday lights, timers, and related supplies are the responsibility of the Rotary Club of New Richmond. The City of New Richmond shall be recognized as a sponsor for its financial contributions and in-kind labor associated with the event.

Duration

This MOU is at-will and may be modified by mutual consent of authorized officials from the Rotary Club of New Richmond and the City of New Richmond. This MOU shall become effective upon signature by the authorized officials from the Rotary Club of New Richmond and the City of New Richmond and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from the Rotary Club of New Richmond and the City of New Richmond, this MOU shall end on February 1, 2017.

Contact Information

All communications regarding the contents of this MOU shall be directed to the following:

Jeremiah Wendt
Director of Public Works
City of New Richmond
jwendt@newrichmondwi.gov
Phone: 715-243-0439

Jo Wrich
2016-2017 President
Rotary Club of New Richmond
joann.m.wrich@westfieldshospital.com
Phone: 715-243-2942

Mike Darrow
City Administrator
City of New Richmond
mdarrow@newrichmondwi.gov
Phone: 715-243-0401

Lisa Woletz
2015-2016 President
Rotary Club of New Richmond
lwoletz@fn-cb.com
Phone: 715-243-6163

This Memorandum of Understanding is hereby adopted on this 11th day of July, 2016.

Fred Horne, Mayor
City of New Richmond

Jo Wrich, President
Rotary Club of New Richmond

ATTEST:

Tanya Reigel, City Clerk
City of New Richmond



Building Inspection Department 2nd Quarter Summary 2016

	April - June	Year To Date
Permits Issued	98	144
Dwelling Units	16	28
Construction Value		
Commercial	5,475,031.00	6,049,858.00
Residential	2,602,597.00	4,666,307.00
*Multi Family	-	-
Total Value	8,077,628.00	10,716,165.00
Fees Collected		
Building Permit Fee	53,947.54	78,731.17
Assessor Fees	3,350.00	5,400.00
Site Stabilization Deposit	16,000.00	26,000.00
Total Fees	73,297.54	110,131.17
<i>Sewer Access Charge</i>	16,446.50	27,114.50
<i>Water Impact Fee</i>	-	-
<i>Impact Fee</i>	-	-
<i>Park Fee</i>	5,600.00	10,175.00
<i>Municipal Facilities</i>	12,339.50	20,343.50
<i>Transportation</i>	18,500.00	30,500.00
<i>Water Facilities</i>	16,446.50	27,114.50
<i>Park Facilities</i>	1,387.50	1,387.50
Total Impact Fees	70,720.00	116,635.00
Total All Fees Collected	144,017.54	226,766.17

*3 or more units