

**Council Chambers, Municipal Building, Baraboo, Wisconsin  
Tuesday, January 9, 2018 – 7:00 p.m.**

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Sloan, Petty, Ellington, Alt, Zolper, Thurow

Council Members Absent:

Others Present: Adm. Geick, Atty. Truman, Chief Schauf, T. Pinion, C. Haggard, B. Zeman, Dawn Gunderson Schiel, members of the press and others.

The Pledge of Allegiance was given.

Moved by Alt, seconded by Ellington and carried to approve the minutes of December 12, 2017.

The Mayor noted that NBR-1 should read "\$2,040,000 General Obligation Corporate Purpose Bonds, Series 2018A". Moved by Petty, seconded by Ellington and carried to approve the agenda as amended.

**Compliance with the Open Meeting Law was noted.**

**PUBLIC INVITED TO SPEAK** – None.

**MAYOR'S COMMENTS** –The Mayor congratulated School Resource Officer Michael Pichler on his 15<sup>th</sup> Anniversary with the Baraboo Police Department.

**CONSENT AGENDA**

**Resolution No. 17-119**

THAT the Accounts Payable, in the amount of \$ 6,451,849.07 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

**Resolution No. 17-120**

THAT the Mayor be authorized to apply for the 2018 Urban Mass Transit Operating Assistance Grant and funding offered by the Federal and State governments for the City of Baraboo, and;

THAT the Mayor be authorized to apply for the 2018 Capital Assistance funding offered by the Federal and State governments for the City of Baraboo, and;

THAT the City of Baraboo adopts the Department of Transportation procurement policy, and;

THAT the City of Baraboo adopts the Department of Transportation disposal guidance for federally funded taxi vehicles.

BE IT FURTHER RESOLVED that the Mayor be authorized to execute appropriate contracts if the applications are approved.

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-9 ayes.

**NEW BUSINESS**

**Ordinances:**

Moved by Kolb, seconded by Wedekind and carried unanimously to approve the 1<sup>st</sup> reading of **Ordinance No. 2473** revising §7.02(2)(b)2, the Official Traffic Map, to provide for a parking stall to be used by persons with a disability that limits or impairs the ability to walk on the south side of 2<sup>nd</sup> Street immediately east of the driveway at 522 2<sup>nd</sup> Street and on the south side of 14<sup>th</sup> Street immediately west of the entrance walk at 880 14<sup>th</sup> Street.

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

1. Section 7.02(2)(b)2, the Official Traffic Map, is revised to provide that there shall be a parking stall marked for use by persons with a disability that limits or impairs the ability to walk at the following locations:

A parallel parking stall on the south side of 2<sup>nd</sup> Street, to be located immediately east of the driveway at 522 2<sup>nd</sup> Street.

A parallel parking stall on the south side of 14<sup>th</sup> Street, to be located immediately west of the entrance walk serving the property at 880 14<sup>th</sup> Street.

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

Moved by Kolb, seconded by Ellington and carried unanimously to approve the 1<sup>st</sup> reading of **Ordinance No. 2474** revising the City of Baraboo Code of Ordinances §7.02 (2)(b)2 to provide for:

a. No Parking Any Time on the north end of Park Street from Aztec Place north.

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

1. The City of Baraboo Code of Ordinances § 7.02(2)(b)2, the Official Traffic Map, is revised to provide for:

a. No Parking Any Time on the north end of Park Street from Aztec Place north.

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

Moved by Kolb, seconded by Wedekind and carried unanimously to approve the 1<sup>st</sup> reading of **Ordinance No. 2475** amending the Municipal Code of the City of Baraboo to reflect the polling location for the City of Baraboo.

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

WHEREAS, the polling location for the City of Baraboo has been consolidated from three separate locations to one location, namely the ground floor gym in the City's Civic Center, and

WHEREAS, the Municipal Code for the City of Baraboo needs to be updated to reflect this change, which shall be as follows:

1.48 POLLING PLACES. The polling places for the City is the ground floor gym in the Baraboo Civic Center, located at 124 2nd St, Baraboo, WI 53913 ~~are as follows:~~ (1610 06/91, 2117 05/13/03)

- ~~(1) ALDERMANIC DISTRICTS 1, General Purpose Room 8, and 9 (WARDS 1, 2, 11, 12, 13, and 14) First Floor, East School~~  
~~(2) ALDERMANIC DISTRICTS 5, 6, General Purpose Room and 7 (WARDS 7, 8, 9, and 10) First Floor, West School~~  
~~(3) ALDERMANIC DISTRICTS 2, 3, and City Services Center 4 (WARDS 3, 4, 5, and 6)~~

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

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

**Resolutions:**

**Resolution No. 17-121**

WHEREAS, on December 12, 2017, the Common Council of the City of Baraboo, Sauk County, Wisconsin (the "City") adopted initial resolutions authorizing the issuance of general obligation bonds in the following amounts and for the following public purposes: \$1,620,000 for street improvement projects; \$255,000 for sewerage projects, consisting of stormwater projects; and \$195,000 for airport projects (the above-referenced initial resolutions are referred to herein as the "Initial Resolutions");

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

WHEREAS, to date, no petition for referendum has been filed with the City Clerk, and the time to file such a petition shall expire on January 11, 2018;

WHEREAS, on December 12, 2017, the Common Council of the City also adopted a resolution (the "Set Sale Resolution"), providing that the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated as "General Obligation Corporate Purpose Bonds, Series 2018A" (the "Bonds") for the purpose of paying the cost of the projects described in the Initial Resolutions (collectively, the "Project");

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 City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation bonds for such public purposes;

WHEREAS, pursuant to the Set Sale Resolution, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds to pay the cost of the Project;

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 January 9, 2018;

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 January 9, 2018;

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 necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$2,040,000 for the following purposes and in the following amounts: \$1,595,000 for street improvement projects; \$250,000 for sewerage projects, consisting of stormwater projects; and \$195,000 for airport projects.

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

Section 1. Ratification of the Notice of Sale and Offering Materials. The Common Council 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 1A. Authorization and Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of TWO MILLION FORTY THOUSAND DOLLARS (\$2,040,000) from the Purchaser in accordance with the terms and conditions of the Proposal. Subject to the condition that no valid petition for referendum is timely filed, 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 and applied in accordance with the Notice of Sale, 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 2018A"; shall be issued in the aggregate principal amount of

\$2,040,000; shall be dated February 1, 2018; 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 February 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 shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2019. 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 February 1, 2029 and thereafter are subject to redemption prior to maturity, at the option of the City, on February 1, 2028 or on any date thereafter. Said Bonds are 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 shall be 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 2018 through 2037 for payments due in the years 2019 through 2038 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 2018A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium 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 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 purpose or 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 purpose or 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 purpose(s) 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 the ownership, management and use of the projects will not cause the Bonds 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 City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

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 15th day of the 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, which the City Clerk or other authorized representative



of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently 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 or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement 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. 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 20. 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 21. 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 January 9, 2018.

\_\_\_\_\_  
Michael Palm  
Mayor

ATTEST:

\_\_\_\_\_  
Cheryl M. Giese  
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on February 1, 2027, 2032, 2035 and 2038 (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on February 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on February 1, 2027

<u>Redemption Date</u>	<u>Amount</u>
2026	\$100,000
2027	100,000 (maturity)

For the Term Bonds Maturing on February 1, 2032

<u>Redemption Date</u>	<u>Amount</u>
2030	\$100,000
2031	125,000
2032	125,000 (maturity)

For the Term Bonds Maturing on February 1, 2035

<u>Redemption Date</u>	<u>Amount</u>
2033	\$125,000
2034	125,000
2035	125,000 (maturity)

<u>Redemption Date</u>	<u>Amount</u>
2036	\$125,000
2037	100,000
2038	100,000 (maturity)

EXHIBIT E  
(Form of Bond)

UNITED STATES OF AMERICA  
 REGISTERED STATE OF WISCONSIN DOLLARS  
 SAUK COUNTY  
 NO. R-\_\_\_\_\_ CITY OF BARABOO \$\_\_\_\_\_  
 GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2018A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
 February 1, \_\_\_\_\_ February 1, 2018 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
 (\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Baraboo, Sauk County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2019 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by Bond Trust Services Corporation, Roseville, Minnesota (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$2,040,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the following public purposes: \$1,595,000 for street improvement projects; \$250,000 for

sewerage projects, consisting of stormwater projects; and \$195,000 for airport projects, as authorized by resolutions adopted on December 12, 2017 and January 9, 2018. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on February 1, 2029 and thereafter are subject to redemption prior to maturity, at the option of the City, on February 1, 2028 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

The Bonds maturing in the years 2027, 2032, 2035 and 2038 are subject to mandatory redemption by lot as provided in the resolution awarding the Bonds, at the redemption price of par plus accrued interest to the date of redemption and without premium.

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the

City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

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

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

CITY OF BARABOO,  
SAUK COUNTY, WISCONSIN

By: \_\_\_\_\_  
Michael Palm  
Mayor

(SEAL)

By: \_\_\_\_\_  
Cheryl M. Giese  
City Clerk

Moved by Sloan, seconded by Petty and carried that **Resolution No. 17-121** be approved-9 ayes.

**Resolution No. 17-122**

THAT the Fire Chief is authorized to sell the 1992 Pierce Lance Fire Engine to the City of Gassville, AR for \$30,000.00.

Moved by Kolb, seconded by Ellington and carried that **Resolution No. 17-122** be approved-9 ayes.

**Resolution No. 17-123**

THAT the new service agreement with Baraboo Broadcasting for the period of January 1, 2018 through December 31, 2020 be approved.

Moved by Ellington, seconded by Plautz and carried that **Resolution No. 17-123** be approved-9 ayes.

**Resolution No. 17-124**

WHEREAS, the Ho-Chunk Nation has recently employed John Kratochwill as a police officer (“Ofc. Kratochwill”) to work for the Ho-Chunk Nation Police Department; and

WHEREAS, Ofc. Kratochwill is in need of police field training in order to become a competent police officer capable of working a uniformed, solo patrol assignment in a safe, skillful, productive, and professional manner; and

WHEREAS, it is mutually understood by the parties that the intent of field training is to introduce a new police officer to the procedures, policies, and purposes of working in law enforcement and to provide the initial formal and informal training specific to law enforcement and the day-to-day duties of police officers, as well as to enhance the professionalism, job skills, and ethical standards of both the Wisconsin and Ho-Chunk Nation law enforcement community; and

WHEREAS, the City’s Police Department has several trained and experienced police officers who are certified Field Training officers and Force Options instructors; and

WHEREAS, in the spirit of cooperation and mutual assistance, and to continue to foster a good working relationship between the Ho-Chunk Nation and the City, the City has offered to provide Ofc. Kratochwill with field training from one or more Baraboo Officers at no cost to the Ho-Chunk Nation, subject to the terms contained in the Memorandum of Understanding agreed to by the Ho-Chunk Nation.

**Now therefore be it resolved by the Common Council of the City of Baraboo, Sauk County, Wisconsin, that:**

The Common Council authorizes the Baraboo Police Department to provide field training to Ofc. Kratochwill of the Ho-Chunk Nation Police Department subject to the terms and conditions contained in the Memorandum of Understanding.

Moved by Ellington, seconded by Alt and carried that **Resolution No. 17-124** be approved-9 ayes.

**MAYOR, ADMINISTRATOR, AND COUNCIL COMMENTS**

Ed White, the Executive Director of the Sauk County Development Corporation, is going to be conducting a Sauk County housing meeting at the Civic Center on January 29<sup>th</sup>, 2018 at 6:00pm to discuss the condition of the housing stock and where there are shortages in Sauk County.

Ed Geick reminded the Council that there will only be 5 or 6 meetings left in this room. With any luck we will be at the new building by the end of March, first part of April.

Ellington noted that the Council’s efficiency is due to the established trust within the many committees/commissions within the City of Baraboo.

**REPORTS and MINUTES**

The City officially acknowledges receipt and distribution of the following:

**Monthly Reports for November & December 2017** – Treasurer, Fire Department**Minutes from the Following Meetings –****Finance/Personnel Committee – Council Chambers****December 12, 2017**

**Members Present:** Petty, Thurow, Sloan

**Absent:** none

**Others Present:** Mayor Palm, E. Geick, E. Truman, C. Haggard, W. Peterson, T. Pinion, B. Zeman, Jim Mann

**Call to Order** –Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Thurow, seconded by Sloan to adopt the agenda and carried unanimously. Moved by Sloan, seconded by Thurow to approve the minutes of November 28, 2017. Motion carried unanimously.

**Accounts Payable** – Moved by Thurow seconded by Sloan to recommend to Council approval of the accounts payable for **\$637,920.31**. Motion carried unanimously.

**General Obligation Corporate Purpose Bonds** – Jim Mann from Ehler’s addressed the Committee regarding the Series 2018A, new bond issuance, and the Series 2018B, refunding of previous debt. The 2018A issuance is for the purpose of three projects which includes streets, stormwater, and the airport. 2018B is the refunding of 2010 taxable bonds.

Motion by Sloan, seconded by Thurow and carried unanimously to recommend the General Obligation Corporate Purpose Bonds, Series 2018A (Agenda items a-e) to Council.

Motion by Sloan, seconded by Thurow and carried unanimously to recommend the General Obligation Refunding Bonds, Series 2018B, (Agenda item f) less the 2011 refunding through Baraboo National Bank, to Council for action.

**BioSolids Replacement Project** – W. Peterson informed the Committee that the bid opening was held on December 5, 2017. Only 2 contractors submitted proposals and the bids were within 3% of each other. Moved by Sloan, seconded by Thurow and carried unanimously to recommend awarding the low bid from Staab Construction to Council.

**Avaya Phone System** – T. Pinion explained that this upgrade will put the City Services Center (CSC), the Civic Center, and the new City Hall on the same voice over IP (VOIP) phone system. Moved by Sloan, seconded by Thurow and carried unanimously to recommend to Council.

**Comments:** none

**Adjournment** – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:29 p.m.

**Administrative Committee****December 4, 2017**

Present: Alt, Thurow and Ellington

Absent: none

Also Present: Chief Schauf, Atty Truman, Mayor Palm, Clerk-Fin Dir Giese, Adm. Geick, Geri-rae Herritz

The meeting was called to order by Chmn. Thurow at 12:30 p.m., noting compliance with the Open Meetings law.

Moved by Alt and seconded by Ellington and carried to approve the minutes of November 6, 2017. Motion by Ellington, seconded by Alt to approve the agenda and carried unanimously.

**Airport Operations:** Giese reported on the current budget, runway reconstruction project and Students in Aviation. The Committee discussed that since an Airport Commission is replacing the former Committee, they no longer need to hear monthly reports. The Airport Commission will receive the monthly reports.

Moved by Ellington, seconded by Alt to no longer discuss the Airport Commission items as part of the agenda.

**Excessive Household Animals**

Geri-rae Herritz says that she has two dogs and her son has a dog which puts them over the code limit. She did not realize that the number of dogs is measured by the household. She is asking for permission to keep the 3<sup>rd</sup> dog until one passes. Gordy explained that there are numerous neighborhood issues and her son was a major part of the issues. Officers and animal control were in the neighborhood several times for the issues. Geri-rae stated that her ex-husband has offered to take the extra dog since it was his dog to begin with. She is not aware if all of the dogs are licensed.

Attorney Truman reviewed the code concerning the need for the additional animals due to change in circumstances, or need for service animal.



Moved by Ellington, seconded by Alt to recommend to Council that the 3<sup>rd</sup> dog be allowed until one of them passes.

Member comments

The next meeting will be January 8, 2018 at noon.

Moved by Ellington, seconded by Alt to adjourn. Motion carried, meeting adjourned at 1:58 p.m.

**BEDC, Business Walk Review Ad Hoc Committee**

**November 27, 2017**

**I. Call to Meeting to Order and Note Compliance with Open Meeting La**

The meeting was called to order by Andrew Bingle at 5:00 PM in the Room 12 of the Civic Center, 124 2<sup>nd</sup> St., Baraboo, WI. The meeting was noticed in conformance with Wisconsin State Statutes regarding open meetings.

**II. Roll Call**

Present: Bingle, Ayar, Cafilisch, Taylor, White  
 Absent: None  
 Other BEDC Members: Palm  
 Other: Patrick Cannon

**III. Approve Agenda**

Motion to approve the agenda as presented  
 Taylor (1); Ayar (2)  
 Aye: All via voice vote  
 Nay: None

**IV. Approval of Minutes**

A motion was made to approve the meeting minutes for October 17, 2017 as presented.  
 Cafilisch (1); Taylor (2)  
 Aye: All via voice vote  
 Nay: None

**V. Public Comments**

No one from the public wished to speak

**VI. Old Business**

**a. Discussion of 2017 Business Walk results and development of implementation plan based upon results of the Business Walk.**

The Mayor provided an updated map of the number of parking stalls in the downtown area and the approximate number of employees working that area. Based upon the data presented, there appears to be sufficient parking in the area. However, due to certain events in the downtown (Court), often these parking stalls are filled.

The committee discussed service new ideas for the area. This included changing the parking time limits in certain areas and talking with Sauk County about redirecting their employees to utilize different parking areas.

Various committee members were going to approach other groups to discuss the recommendations and report their findings at the next meeting.

It was also requested that the city explore the installation of electric car charging stations with the parking lot repairs scheduled in 2018.

Staff was asked to provide a copy of the current sign ordinance to the committee members to allow them a chance to review for discussion at a future meeting. The intent was to see which items needed to be amended based upon current standards.

Ms. Cafilisch indicated that the Chamber is looking at a Lunch and Learn to highlight the need to create a succession plan for businesses.

Staff was to prepare a letter to participants of the Business Walk and provide them with a copy of the final report.

**VII. New Business**

a. None

**VIII. Commissioner and City Staff comments**

No one from the Board had any additional comments.

**IX. Adjournment**

Motion to adjourn the meeting was made at 6:25 pm

Taylor (1); Ayar (2)

Aye: All via voice vote

Nay: None

**Copies of these meeting minutes are on file in the Clerk's office:**

Library Board	11-21-17	Library Expansion Committee	11-30-17
Library Expansion Committee	12-05-17	Park & Recreation Commission	11-13-17, 12-11-17
Baraboo Public Art Association	10-26-17		

**ADJOURNMENT**

Moved by Ellington, seconded by Petty, and carried on voice vote, that the meeting adjourn.

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Cheryl M. Giese, Clerk-Finance Director