



VILLAGE OF ELKHART LAKE

Elkhart Lake, Wisconsin 53020

MINUTES January 6th, 2020

Minutes of the regular meeting of the Board of Trustees of the Village of Elkhart Lake held on Monday, January 6th, 2020 at the Grashorn Memorial Civic Center in the Village of Elkhart Lake with the agenda having been duly posted on Thursday, January 2nd, 2019 at National Exchange Bank and Trust, the Elkhart Lake Post Office, and the Municipal Office between the hours of 2:30 P.M. and 2:50 P.M. and on the Village website on Thursday, January 2nd, 2019 at 3:30 P.M.

President Sadiq called the meeting to order at 6:06 P.M. with the following Trustees present: Geoff Bray, Bobbie Stroessner, Terri Knowles, John Schott and Mike Wolf. Trustee Lynn Shovan was absent.

Others in attendance include: Dave Beck; Dennis Wieck; Bill Hall; Bill Carlander; Phil Cosson; Cathy Ehlen; Josh McBroom; Gina Kauer; Curt Coenen; Marcia Schamberger; Ross Werner; Emmitt Feldner; Jessica Reilly, Administrator/ Clerk-Treasurer.

The Pledge of Allegiance was recited.

Approval of Minutes –

(Knowles/Schott) moved and seconded that the December 2nd & 16th, 2019 Board minutes be approved.
Motion Carried Unanimously

Treasurer's Report –

(Schott/Bray) moved and seconded to approve the December Treasurer's Report.
Motion Carried Unanimously

Public Comment – None

COMMITTEE REPORTS

DECEMBER BUILDING PERMITS – Reilly

This report was included in the Board packet on dropbox.

ADMINISTRATION & FINANCE– Sadiq

Highlights of the December 30th, 2019 meetings:

- 1) The Committee reviewed and approved the 2019 final bills.
- 2) The Committee reviewed the 2019 budget.
- 3) The Committee approved the vacation carryover and reviewed borrowing capacity and loan payments.

JT. PUBLIC WORKS, ADMINISTRATION & FINANCE, & MUNICIPAL PLANNING DEVELOPMENT – Schott

Highlights of the December 18th, 2019 meetings:

- 1) The Jt. Committee met and discussed potential options for the park plan. They will have the consultant put together plans and cost options for 4 different scenarios.

PUBLIC HEARING– Sadiq

Highlights of the January 6, 2020 meetings:

- 1) The Board listened to the comments regarding the short-term rental ordinance.

PRESIDENT’S REPORT – Sadiq- None.

UNFINISHED BUSINESS:

(Schott/Bray) moved and seconded to ratify the 2019 year end bills.

Motion Carried Unanimously

NEW BUSINESS:

Resolution 1 – A Resolution Authorizing and Providing for the Sale and Issuance of \$2,205,000* Taxable General Obligation Community Development Bonds, Series 2020A; and All Related Details
(I-Stroessner/Bray/Wolf) moved and seconded to approve Resoluion 1 - A Resolution Authorizing and Providing for the Sale and Issuance of \$2,205,000* Taxable General Obligation Community Development Bonds, Series 2020A; and All Related Details.

Motion Carried Unanimously

**VILLAGE BOARD
OF THE
VILLAGE OF ELKHART LAKE, WISCONSIN**

January 6, 2020

Resolution No.: 1-2020

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$2,205,000* Taxable General Obligation Community Development Bonds,
Series 2020A, and All Related Details**

RECITALS

The Village Board (the “**Governing Body**”) of the Village of Elkhart Lake, Wisconsin (the “**Issuer**”) makes the following findings and determinations:

The Issuer needs funds to provide financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under Sections 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337 of the Wisconsin Statutes, including, but not limited to, various infrastructure improvements within the Village’s Tax Incremental District No. 2 finance (collectively, the “**Project**”).

On December 2, 2019, the Governing Body adopted an initial resolution authorizing the sale and issuance of Taxable General Obligation Community Development Bonds of the Issuer in the principal amount of not to exceed \$2,205,000 for the purposes of the Project (the “**Initial Resolution**”).

The Clerk of the Issuer caused notice of the sale (the “**Notice to Bidders**”) of the Village of Elkhart Lake, Wisconsin Taxable General Obligation Community Development Bonds, Series 2020A (the “**Obligations**”) to be given to media typically monitored by potential bidders in the

manner and form directed by the Initial Resolution. The Notice to Bidders is made of record in these proceedings, and the Governing Body ratifies the notice.

In accordance with the Notice to Bidders and the bidding terms that were included in the document that was used for offering the Obligations for sale by competitive bid (the “**Notice of Sale**”), written bids for the sale of the Obligations were received and delivered to the Governing Body.

The Governing Body has considered all the bids it received. The Governing Body has decided to accept the bid of Bankers’ Bank (the “**Purchaser**”), or a group that it represents, to purchase the Obligations specified in the Purchaser’s bid. The Purchaser bid the price of \$2,142,070.00 for the entire issue of Obligations (the “**Purchase Price**”), plus any accrued interest, and specified that the Obligations maturing on February 1 in the years shown below will bear interest at the respective interest rates shown below:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2024	\$150,000	1.90%
2025	100,000	2.00
2026	125,000	2.10
2027	150,000	2.20
2028	200,000	2.30
2029	220,000	2.40
2030	230,000	2.50
2031	230,000	2.60
2032	250,000	2.70
2033	250,000	2.80
2034	250,000	2.90

The Purchaser’s bid complies with all terms of the Notice to Bidders and the Notice of Sale.

The Issuer has taken all actions required by law and has the power to sell and issue the Obligations.

The Governing Body is adopting this resolution to sell the Obligations and provide for their issuance upon the terms and conditions set forth in this resolution.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Definitions.

In this resolution, the following terms have the meanings given in this section, unless the context clearly requires another meaning.

“**Book-Entry System**” means a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by

the Issuer, or in the name of such a depository's nominee, and the depository and its participants record beneficial ownership and effect transfers of the Obligations electronically.

“**Code**” means the Internal Revenue Code of 1986, as amended.

“**Continuing Disclosure Agreement**” means the Continuing Disclosure Agreement, dated as of the Original Issue Date, to be executed by the Issuer and delivered on the closing date of the Obligations.

“**Debt Service Fund**” means the fund created by the Issuer pursuant to Section 67.11 of the Wisconsin Statutes to provide for the payment of debt service on its general obligations.

“**Debt Service Fund Account**” has the meaning given in Section 16 of this resolution.

“**Depository**” means DTC or any successor appointed by the Issuer and acting as securities depository for the Obligations.

“**DTC**” means The Depository Trust Company.

“**Financial Officer**” means the Issuer's Treasurer.

“**Fiscal Agent**” means Bond Trust Services Corporation, or any successor fiscal agent appointed by the Issuer to act as authentication agent, paying agent, and registrar for the Obligations pursuant to Section 67.10 (2) of the Wisconsin Statutes.

“**Governing Body**” means the Issuer's Village Board.

“**Issuer**” means the Village of Elkhart Lake, Wisconsin.

“**Municipal Officers**” means the Village President and the Clerk of the Issuer. These are the officers required by law to execute general obligations on the Issuer's behalf.

“**Obligations**” means the \$2,155,000 Village of Elkhart Lake, Wisconsin Taxable General Obligation Community Development Bonds, Series 2020A, which will be issued pursuant to this resolution.

“**Original Issue Date**” means January 29, 2020.

“**Project**” has the meaning given in the recitals to this resolution.

“**Purchase Price**” has the meaning set forth in the Recitals hereto.

“**Purchaser**” has the meaning set forth in the Recitals hereto.

“**Record Date**” means the 15th day (whether or not a business day) of the calendar month just before a regularly scheduled interest payment date for the Obligations.

“**Recording Officer**” means the Issuer's Clerk.

“**Register**” means the register maintained by the Fiscal Agent in which the Fiscal Agent records:

The name and address of the registered owner of each Obligation.

All transfers of each Obligation.

“**Treasurer**” means the Issuer’s Treasurer.

Section 2. Exhibits.

The attached exhibits are also a part of this resolution as though they were fully written out in this resolution:

Exhibit A — Form of Obligation.

Exhibit B — Notice to Electors of Sale.

Section 3. Purposes of Borrowing; Issuance of Obligations.

The Governing Body authorizes the Obligations and orders that they be prepared, executed, and issued. The Obligations will be fully registered, negotiable, taxable general obligation community development bonds of the Issuer in the principal amount of \$2,155,000. The Obligations will be issued pursuant to the provisions of Chapter 67 of the Wisconsin Statutes to pay the costs of the Project and certain costs of issuing the Obligations (including printing costs and fees for financial consultants, bond counsel, fiscal agent, rating agencies, insurance, and registration, as applicable).

Section 4. Terms of Obligations.

The Obligations will be named “Village of Elkhart Lake, Wisconsin Taxable General Obligation Community Development Bonds, Series 2020A.” The Obligations will be dated the Original Issue Date, even if they are actually issued or executed on another date. Each Obligation will also be dated the date on which it is authenticated by the Fiscal Agent. That date is its registration date.

The face amount of each Obligation will be \$5,000 or any multiple thereof up to the principal amount authorized for that maturity.

The Obligations will bear interest from the Original Issue Date. Interest will be payable semiannually on each February 1 and August 1, beginning on August 1, 2020, until the principal of the Obligations has been paid. Interest on each Obligation will be (i) computed on the basis of a 360-day year of twelve 30-day months and (ii) payable to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The Obligations will be numbered consecutively as may be required to comply with any applicable rules or customs or as determined by the Municipal Officers executing the Obligations. The Issuer and the Fiscal Agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligations for all purposes whatsoever under this resolution. The following table shows when the Obligations will mature and the rate of interest each maturity will bear:

<u>Maturity Date</u> <u>(February 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2024	\$150,000	1.90%
2025	100,000	2.00
2026	125,000	2.10
2027	150,000	2.20
2028	200,000	2.30
2029	220,000	2.40
2030	230,000	2.50
2031	230,000	2.60
2032	250,000	2.70
2033	250,000	2.80
2034	250,000	2.90

The principal of, and interest on, the Obligations will be payable in lawful money of the United States of America.

Section 5. Fiscal Agent.

The Issuer appoints the Fiscal Agent to act as authentication agent, paying agent, and registrar for the Obligations. The appropriate officers of the Issuer are directed to enter into a fiscal agency agreement with the Fiscal Agent on behalf of the Issuer. The fiscal agency agreement may provide for the Issuer to pay the reasonable and customary charges of the Fiscal Agent for those services. The fiscal agency agreement shall require the Fiscal Agent to comply with all applicable federal and state regulations. Among other things, the Fiscal Agent shall maintain the Register.

Section 6. Appointment of Depository.

The Issuer appoints DTC to act as securities depository for the Obligations. An authorized representative of the Issuer has previously executed a blanket issuer letter of representations with DTC on the Issuer's behalf, and the Issuer ratifies and approves that document.

Section 7. Book-Entry System.

On the date of their initial delivery, the Obligations will be registered in the name of DTC or its nominee and maintained in a Book-Entry System. If the Issuer's relationship with DTC is terminated, then the Issuer may appoint another securities depository to maintain the Book-Entry System.

The Issuer may decide at any time not to maintain the Obligations in a Book-Entry System. If the Issuer decides not to maintain a Book-Entry System, then it will do the following:

At its expense, the Issuer will prepare, authenticate, and deliver to the beneficial owners of the Obligations fully-registered, certificated Obligations in the denomination of \$5,000 or any multiple thereof in the aggregate principal amount then outstanding. The beneficial owners will be those shown on the records of the Depository and its direct and indirect participants.

The Issuer will appoint a fiscal agent to act as authentication agent, paying agent, and registrar for the Obligations under Section 67.10 (2) of the Wisconsin Statutes (the Fiscal Agent may be reappointed in this capacity).

Section 8. Redemption.

The Obligations maturing on and after February 1, 2030 are subject to redemption before their stated maturity dates, at the Issuer’s option, in whole or in part, in the order of maturity selected by the Issuer, on February 1, 2029 and on any date thereafter. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date. If less than all the principal amount of a specific maturity is redeemed, then the Obligations will be redeemed in \$5,000 multiples in accordance with Sections 9 and 10, and if a portion, but not all, of a maturity that is subject to mandatory partial redemptions by operation of a sinking fund (as described below) is being redeemed, then the Issuer will select the amounts to be redeemed on future Sinking Fund Redemption Dates (as defined below) that are reduced as a result of the partial redemption.

The Obligations maturing on February 1, 2024 (the “**Term Bonds**”) are also subject to mandatory partial redemptions prior to the stated maturity date by operation of a sinking fund. On the following redemption dates (each a “**Sinking Fund Redemption Date**”), the Issuer will redeem the following principal amounts (subject to reduction as provided in the immediately preceding paragraph) of the Term Bonds:

<u>Term Bonds Maturing February 1, 2024</u>	
<u>Sinking Fund Redemption Date (February 1)</u>	<u>Principal Amount To be Redeemed</u>
2022	\$25,000
2023	50,000
2024 (Stated Maturity)	75,000

The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. The particular Term Bonds to be redeemed will be selected in accordance with Sections 9 and 10 hereof, and the Issuer will give notice of the redemption in the manner stated in said sections.

Section 9. Manner of Payment/Transfers/Redemption Notices Under Book-Entry System.

So long as the Issuer maintains the Obligations in a Book-Entry System, the following provisions apply:

Payment. The Fiscal Agent is directed to pay the principal of, and interest on, the Obligations by wire transfer to the Depository or its nominee in accordance with the Depository’s rules that are then in effect.

Transfers. The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, the Issuer will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository, and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption.

Partial Redemption. If less than all the principal amount of a specific maturity is to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed. If an Obligation has been called for redemption but less than all the principal amount of such Obligation is redeemed, then on or after the redemption date and upon surrender to the Fiscal Agent of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

Section 10. Manner of Payment/Transfers/Redemption Notices Not Under Book-Entry System.

If on any date the Issuer decides *not* to maintain the Obligations in a Book-Entry System, then the following provisions apply:

Payment. The Fiscal Agent will pay the principal of each Obligation upon its presentation and surrender on or after its maturity or earlier redemption date at the designated office of the Fiscal Agent, and the Fiscal Agent will pay, on each interest payment date, the interest on each Obligation by wire or other electronic money transfer or by check of the Fiscal Agent sent by first class mail to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date.

Transfers. Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$5,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation shall be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The Issuer will issue one or more new fully registered Obligations in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the Issuer or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after the Obligation has been called for redemption.

Partial Redemptions. If less than all the principal amount of a specific maturity is to be redeemed, then the Issuer or the Fiscal Agent will randomly select the Obligations to be redeemed. If less than the entire principal amount of a particular Obligation has been called for redemption, then upon surrender to the Fiscal Agent of the Obligation to be redeemed, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations shall be sent by first class mail, not less than 30, and not more than 60, days before the redemption date to the registered owners of the Obligations to be redeemed at the addresses set forth in the Register. A notice of redemption may be revoked by sending a notice, by first class mail, not less than 15 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

Section 11. Form of Obligations.

The Obligations shall be in substantially the form shown in Exhibit A. Omissions, insertions, or variations are permitted if they are deemed necessary or desirable and are consistent with this resolution or any supplemental resolution. The Issuer may cause the approving opinion of bond counsel to be printed or reproduced on the Obligations.

Section 12. Execution of Obligations.

The Obligations shall be signed by the persons who are the Municipal Officers on the date on which the Obligations are signed. The Obligations shall be sealed with the Issuer's corporate seal (or a facsimile), if the Issuer has one, and they shall also be authenticated by the manual signature of an authorized signatory of the Fiscal Agent.

The Obligations will be valid and binding even if before they are delivered any person whose signature appears on the Obligations is no longer living or is no longer the person authorized to sign the Obligations. In that event, the Obligations will have the same effect as if the person were living or were still the person authorized to sign the Obligations.

A facsimile signature may be used as long as at least one signature of a Municipal Officer is a manual signature or the Fiscal Agent's certificate of authentication has a manual signature. If a facsimile signature is used, then it will be treated as the officer's own signature.

Section 13. Continuing Disclosure.

The appropriate officers of the Issuer are directed to sign the Continuing Disclosure Agreement, and the Issuer agrees to comply with all its terms.

Section 14. Sale of Obligations.

The Issuer awards the sale of the Obligations to the Purchaser at the Purchase Price, plus any accrued interest from the Original Issue Date to the date of delivery of the Obligations. The Issuer approves and accepts the purchase agreement signed and presented by the Purchaser to

evidence the purchase of the Obligations (the “**Purchase Agreement**”). The Municipal Officers are directed (i) to sign the Purchase Agreement in the Issuer’s name and (ii) to take any additional actions needed to complete the sale of the Obligations, including arranging for a specific date, time, and location of closing of the sale.

The Financial Officer is directed to comply with the terms of the Notice of Sale with respect to any good-faith deposit requirements.

The officers of the Issuer are directed to sign the Obligations and to arrange for delivery of the Obligations to the Purchaser through the facilities of DTC in accordance with the Purchase Agreement and this resolution. The Obligations may be delivered to the Purchaser upon payment by the Purchaser of the Purchase Price, plus any accrued interest, as required by this resolution.

Unless waived by the Purchaser, the delivery of the Obligations is conditioned upon the Issuer furnishing the following items to the Purchaser:

The Obligations, together with the written, unqualified approving opinion of the law firm of Foley & Lardner LLP, bond counsel, evidencing the legality of the Obligations.

A transcript of the proceedings relating to the issuance of the Obligations.

A certificate showing that no litigation has been threatened or is pending that would affect the legality of the Obligations or the right of the Issuer to issue them at the time of their delivery.

Section 15. General Obligation Pledge; Tax Levy.

For the prompt payment of the principal of, and interest on, the Obligations, the Issuer irrevocably pledges its full faith and credit. The Issuer hereby levies upon all property in its territory a direct, annual, and irrevocable tax in an amount sufficient to pay, and for the express purpose of paying, the interest on the Obligations as it falls due and also to pay and discharge the principal of the Obligations on their maturity dates.

This tax shall be carried from year to year into the Issuer’s tax roll. It shall be collected in addition to all other taxes and in the same manner and at the same time as all other taxes. The amount of this tax that is carried into the Issuer’s tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account available to pay debt service on the Obligations for such year. This tax for each year the levy is made will be in the following amounts:

<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>	<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>
2020	\$ 53,385.00	2027	\$240,310.00
2021	78,147.50	2028	255,370.00
2022	102,435.00	2029	259,855.00
2023	126,247.50	2030	253,990.00
2024	149,535.00	2031	267,625.00
2025	172,222.50	2032	260,750.00
2026	194,260.00	2033	253,625.00

Taking into account any accrued interest received on the date of delivery of the Obligations and any premium paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations that has been deposited into the Debt Service Fund Account as provided in Section 16 hereof, the Issuer hereby appropriates an amount of proceeds of the Obligations equal to \$107,066.58 which is sufficient to pay the interest due on the Obligations through and including February 1, 2022. As a result of the foregoing, the Issuer does not need to levy a tax for the interest payment coming due on the Obligations on August 1, 2020 and the taxes levied for the interest payments coming due on the Obligations on February 1, 2021 through and including February 1, 2022 will be abated.

Section 16. Debt Service Fund Account.

The Issuer shall create a separate account within the Debt Service Fund solely for the Obligations (the “**Debt Service Fund Account**”), which shall be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Director of Finance is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund Account. Any accrued interest received on the date of delivery of the Obligations and the premium, if any, paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations shall be deposited into the Debt Service Fund Account and used to pay interest on the Obligations. If the money in the Debt Service Fund Account is insufficient to make a payment of principal of, or interest on, the Obligations on a date on which such a payment is due, then the Issuer will promptly provide the necessary funds to make the payment from other available sources.

Section 17. Borrowed Money Fund.

The sale proceeds of the Obligations (not including any accrued interest or premium received) shall be deposited in and kept by the Financial Officer in a separate fund. The fund shall be designated with both the name of the Obligations and the name Borrowed Money Fund (herein referred to as the “**Borrowed Money Fund**”). The Escrow Account will be deemed to be a portion of the Borrowed Money Fund for the Obligations for the purposes of Section 67.10 (3) of the Wisconsin Statutes. Money in the Borrowed Money Fund, including any earnings, shall be (a) used to pay the costs of the Project, issuing the Obligations, and capitalized interest, or (b) transferred to the Debt Service Fund Account as provided by law. The portion of the proceeds of the Obligations that has been appropriated to pay capitalized interest on the Obligations will be held in the Borrowed Money Fund until needed to pay interest on the Obligations, at which times the necessary amount will be transferred to the Debt Service Fund Account and applied to the required interest payment.

Section 18. Official Statement.

The Issuer approves and ratifies the preliminary offering document prepared and distributed in connection with the sale of the Obligations, and the Issuer authorizes and approves the final version of such document (the “**Official Statement**”) to be prepared prior to the issuance of the Obligations; *provided, however*, that the Official Statement shall be substantially in the form submitted to this meeting, with such modifications as the Municipal Officers approve. The Municipal Officers are directed to deliver copies of the Official Statement to the Purchaser and, if the Purchaser requests, execute one or more copies on behalf of the Issuer. Execution and delivery of the Official Statement will conclusively evidence the approval of the Municipal Officers.

Section 19. Publication of Notice.

The Recording Officer is directed to publish notice that the Issuer has agreed to sell the Obligations. The notice shall be published in the Issuer’s official newspaper as a class 1 notice under Chapter 985 of the Wisconsin Statutes promptly after the execution of the Purchase Agreement. The notice shall be in substantially the form shown in Exhibit B. The Recording Officer shall obtain proof, in affidavit form, of the publication, and shall compare the notice as published with the attached form to make sure that no mistake was made in publication.

Section 20. Authorization of Officers.

The appropriate officers of the Issuer are directed to prepare and furnish the following items to the Purchaser and the attorneys approving the legality of the Obligations:

Certified copies of proceedings and records of the Issuer relating to the Obligations and to the financial condition and affairs of the Issuer.

Other affidavits, certificates, and information that may be required to show the facts about the legality of the Obligations, as such facts appear on the books and records under the officer’s custody or control or as are otherwise known to the officer.

All certified copies, affidavits, certificates, and information furnished for such purpose will be representations of the Issuer as to the facts they present.

Section 21. Further Authorization.

The Issuer authorizes its officers, attorneys, and other agents or employees to do all acts required of them to carry out the purposes of this resolution.

Section 22. Conflict with Prior Acts.

In case any part of a prior action of the Governing Body conflicts with this resolution, that part of the prior action is hereby rescinded.

Section 23. Severability of Invalid Provisions.

If a court holds any provision of this resolution to be illegal or invalid, then the illegality or invalidity shall not affect any other provision of this resolution.

Section 24. Effective Date.

This resolution takes effect upon its adoption and approval in the manner provided by law.

Attest:

Adopted and Approved this
6th day of January, 2020

Richard Sasiq, President

Ordinance 636 – Adoption of Short-Term Rental Licensing Ordinance

(I-Wolf/Schott/Knowles) introduced, moved and seconded to approve Ordinance 636 – Adoption of Short-Term Rental Licensing Ordinance

Motion Carried 4-2 by Roll Call Vote
4 – ayes (Wolf, Schott, Knowles, & Sadiq)
2 – nays (Bray & Stroessner)

**ORDINANCE 636
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

CREATE CHAPTER 31 – LICENSING OF SHORT-TERM RENTALS

WHEREAS the State of Wisconsin has passed 2017 Wisconsin Act 59 and revising regulations related to short-term rentals; and

WHEREAS the Village of Elkhart Lake finds it necessary to create an ordinance for the regulation of short-term rentals due to health, safety, and the transient nature of these rental; and

WHEREAS, the Village Board held an open house on October 3, 2019 where they reviewed comments and made some changes and a public hearing on January 3, 2020; and

WHEREAS, this ordinance numbers many pages, it is available for review in book form at the Clerk’s Office in the Village of Elkhart Lake located at 40 Pine Street; therefore, this document will only refer to subjects as listed in the Table of Contents of Chapter 31;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Elkhart Lake hereby creating Chapter 31 as follows:

CHAPTER XXXI

LICENSING OF SHORT-TERM RENTALS

- 31.00 Purpose**
- 31.01 Definitions**
- 31.02 Operation of Short-Term Rentals**
- 31.03 Short-Term Rental License**
- 31.04 Short-Term Rental License Procedure**
- 31.05 Renewal**
- 31.06 Standards for Short-Term Rentals**
- 31.07 Room Tax**
- 31.08 Display of Permit**
- 31.09 Appeal and License Revocation**
- 31.10 Fees & Penalties**

BE IT FURTHER RESOLVED, that this ordinance will become effective upon its publication and posting.

Attest:
Approved and Adopted this
6th day of January, 2020

Richard Sadiq, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Appoint Ad-Hoc Financial Forecasting Committee

(Knowles/Bray) moved and seconded to approve the ad-hoc financial forecasting committee of Richard Sadiq, John Schott, Mike Wolf, Bobbie Stroessner, Pat Zorn, Mike Meeusen, and Jessica Reilly.

Motion Carried Unanimously

Resolution Two- Reducing Election Workers & Combine Wards

(I-Wolf/Stroessner/Schott) introduced, moved and seconded to approve Resolution Two- Reducing Election Workers and Combining Wards.

Motion Carried Unanimously

**RESOLUTION TWO– 2020
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY WISCONSIN**

RESOLUTION DETERMINING THE NUMBER OF ELECTION INSPECTORS AND DESIGNATING ALL ELECTIONS TO BE HELD IN THE CIVIC CENTER

WHEREAS, the automation of the election process in Sheboygan County has reduced the work load during the counting process, and

WHEREAS, 2020 will require additional help to register voters as required by the State of Wisconsin,

NOW THEREFORE, BE IT RESOLVED that the Village of Elkhart Lake will reduce its election staff to a staff of five for each election in the year 2020 with up to four additional election inspectors to be authorized as needed on each election day.

BE IT FURTHER RESOLVED, that wards one and two will always vote together at the Grashorn Civic Center site in the year 2020.

Attest:
Adopted and approved this
6th day of January, 2020

Richard Sadiq, President

Jessica Reilly, Clerk

Michael Wolf, Trustee

Resolution Three- Budget Amendment #2-2019

(I-Scott/Bray/Knowles) introduced, moved and seconded to approve Resolution Three – Budget Amendment #2 – 2019.

Motion Carried Unanimously

**RESOLUTION THREE- 2020
VILLAGE OF ELKHART LAKE
SHEBOYGAN COUNTY, WISCONSIN**

2019 BUDGET AMENDMENT TWO

BE IT RESOLVED by the Board of Trustees of the Village of Elkhart Lake as follows:
That the General Fund Budget of the Village of Elkhart Lake be amended as follows:

- Increase Expenditure: 10-250-00-130 (Police Contract) by \$9,000.00
- Increase Expenditure: 10-250-00-131 (Police Crossing Guard) by \$1,800.00
- Increase Expenditure: 10-250-00-300 (Police Equipment) by \$5,600.00
- Increase Revenue: 10-620-727 (Police Contract) by \$7,400.00
- Increase Revenue: 10-640-730 (Police HG) by \$6,000.00
- Increase Revenue: 10-640-731 (Police HG SRO) by \$6,000.00
- Increase Expenditure: 10-275-00-355 (FR Occ Supp) by \$3,200
- Decrease Expenditure: 10-275-00-115 (FR Uniform Allowance) by \$200.00

- Increase Expenditure: 10-200-00-250 (FD Blding Maint.) by \$2,500.00
- Increase Expenditure: 10-200-00-300 (FD Equipment) by \$6,300.00
- Decrease Expenditure: 10-200-00-220 (FD Natural Gas) by \$2,250.00
- Decrease Expenditure: 10-200-00-310 (FD Equip Repair) by \$1,550.00
- Increase Revenue: 10-620-620 (State Fire Dues) by \$2,900.00
- Increase Revenue: 10-670-786 (Insurance Dividend) by \$2,100.00

- Increase Expenditure: 10-225-00-101 (Village FD Wages) by \$2,500.00
- Increase Expenditure: 10-580-00-210 (51 N. East Electric) by 300.00
- Increase Revenue: 10-630-960 (Cable TV Franchise) by \$2,800.00

Attest:

Adopted and Approved this
6th day of January, 2019

Richard Sadiq, President

Jessica Reilly, Clerk

John Scott, Trustee

Authorize Administration & Finance to Pay for January Bills for 2020

(Stroessner/Knowles) moved and seconded to approve authorizing Administration & Finance to pay for the 2020 January bills.

Motion Carried Unanimously

TRUSTEE REPORTS: None.

COMMUNICATIONS – Reilly- None

ADMINISTRATOR’S REPORT – Reilly

Nomination papers are out and due by January 7th, 2020. The incumbants are Terri Knowles, John Schott, and Lynn Shovan. There will only be one Board meeting for the months of February and March. The dates are February 17, 2020 and March 16, 2020. The February Primary election will be held on February 18th, 2020. The chamber recognition night will be held on February 13th and the volunteer banquet will be held in March.

Burg/Aston Flats Development Agreement

(Wolf/Knowles) moved to go into closed session at approximately 6:35 p.m. under Wisconsin Statute 19.85(1)(e) for the purpose of discussing public business involving private competition dealing with the Burg Development Agreement.

Motion Carried Unanimously
By roll call

President Sadiq announced that the Board would be going into a closed session under the above referenced statute and would return to open session in approximately ten minutes.

(Stroessner/Bray) moved and seconded to return to open session at 6:51 p.m.

Motion Carried Unanimously

(Schott/Wolf) moved and seconded to adjourn the meeting at 6:51 p.m.

Jessica Reilly, Administrator/Clerk-Treasurer

ANNOUNCEMENTS

www.elkhartlakewi.gov

The following is the schedule for regular meeting of the Board of Trustees of the Village of Elkhart Lake and **tentative** meetings of the Planning Commission and CDA:

WEDNESDAY, March 11, 2020 – 6:00 P.M.

PLANNING COMMISSION

MONDAY, March 16, 2020 – 6:00 P.M.

BOARD OF TRUSTEES

The Village of Elkhart Lake requests persons requiring auxiliary aids and service for participation in the above meeting contact the Clerk twenty-four (24) hours prior to the meeting. All meetings are held in the general meeting room of the Grashorn Memorial Civic Center, located at 84 North Lake St. in Elkhart Lake unless noted.

THE DEADLINE FOR BEING PLACED ON THE AGENDA FOR ANY REGULAR BOARD MEETING WILL BE AT 5:00 P.M. ON THE WEDNESDAY PRIOR TO THE REGULAR MEETING MONDAY AND ONE WEEK PRIOR TO A COMMITTEE OR COMMISSION MEETING. The Municipal Office is located in the Grashorn Memorial Civic Center and is open on Monday through Friday from 8:00 a.m. to 4:30 p.m. Please call and make an appointment for special needs.

VILLAGE BOARD MEMBERS

PRESIDENT: Richard Sadiq (POB 188) 876-3732

TRUSTEE: Geoff Bray (POB 736) 920-452-5397

TRUSTEE: Terri Knowles (POB 35) 876-3448

TRUSTEE: John Schott (913 Grassy Lane) 920-698-2480

TRUSTEE: Mike Wolf (POB 506) 920-207-2311

TRUSTEE: Lynn Shovan (POB 86) 920-207-4561

TRUSTEE: Bobbie Stroessner (POB 452) 920-917-0070

Dog Licenses are due March 31st

Please stop in at the Village Hall to provide proof of rabies vaccination and pay the fee (\$7.00 per spayed or neutered dog and \$14.00 per dog if not spayed or neutered.)



Garbage Collection Holiday Schedule 2020



Memorial Day – Tuesday May 26th, 2020

Independence Day – Normal Monday Pick up

Labor Day- Tuesday September 8th, 2020

Thanksgiving Day – Normal Monday Pick up

Christmas Day – Normal Monday Pick up

New Year's Day – Normal Monday Pick up

*******Snow Removal*******

The Clerk’s Office has received complaints regarding treacherous sidewalks. Please remember that we have many residents and visitors who walk our sidewalks on a daily basis. It is a property owner’s responsibility to keep all sidewalks clear of snow and ice so that all may use the sidewalks without fear of slipping. Property owners who own corner lots must be sure to clear out the entire width of the corner access to crosswalks. A small path through is not sufficient, especially for those using wheelchairs, power scooters, or strollers. **Please check your sidewalks periodically for snow, slush, and ice.**



According to section 10.03 of the Village of Elkhart Lake Code:

- (1)** The owner, occupant or person in charge of each and every building or structure or unoccupied lot in the Village fronting or abutting any street, shall clean or cause to be cleaned the sidewalk in front of or adjoining each such home, building or unoccupied lot as the case may be, of snow or ice to the width of such sidewalk within 14 hours of any snowfall, within any 24-hour period.
- (2)** No person, firm, company or corporation shall push, place, shovel or blow snow or ice into or across Village streets, alleys, or around or against water hydrants.
- (3)** As to (1) above, the Village may remove the snow or ice accumulated in violation of this section and charge the reasonable cost of the same against the owner of the property affected by placing it on the tax roll; or as to (1) above and as to (2) above, any person or persons found to be in violation of this section, upon conviction thereof, shall forfeit not less than \$1.00 nor more than \$50.00, together with costs of prosecution.



You will not be notified that snow needs to be removed. If you have not shoveled in the time prescribed in ordinance 10.03, the Village will clear your sidewalk and bill you. Also, the entire sidewalk must be cleared. A small path is not sufficient and you will be in violation of the Village ordinance.

*******Winter Parking Regulations*******

NEW THIS YEAR!!

Parking is allowed overnight in the N. East Street parking lot until 6 am; at that time your vehicle must be moved until 9 am.



6.04(2) (a) No parking of any motor vehicle shall be permitted on either side of any Village street or in the parking lot north of Square Street between the hours of 2 A.M. and 6 A.M and no parking in the lot on North East Street from 6 A.M. until 9 A.M. commencing the fifteenth (15th) day of November and ending on the first (1st) day of April of every year.

(b) Any vehicle parked in violation of the provisions of this ordinance shall be removed from the streets and stored, and such removal and storage shall be at the expense of the owner of said vehicle.

Vehicles violating this ordinance will be ticketed.

Comprehensive Planning Survey - Get in the Know – Railroad Right-of-Way

The railroad tracks running through the Village have become a popular location for family photos, graduation photos, and selfies. Taking photos on the railroad tracks or the right-of-way is both dangerous and illegal. In most areas, including within Village limits, the railroad owns 50 feet each way from the center of the tracks. The only places it is legal to access railroad property is at a designated pedestrian or roadway crossing. The Federal Railroad Administration reminds people to “Always Expect a Train!” and to keep these tips in mind when crossing tracks:

- Trains do not follow a set schedule, so they can come at any time of day from either direction.
- A train traveling at 55 MPH can take more than a mile to stop.
- Trains overhang railroad tracks by three feet or more on either side. Even when you are not standing directly on the tracks, you risk being hit by a train by being on railroad property.
- Despite their size, trains are relatively quiet and do not always sound warning horns when approaching a crossing.
- Never attempt to walk under, around or between train cars, even when a train is at a complete stop.

For more safety tips, view FRA's railroad website - <https://www.fra.dot.gov>

BUILDING PERMIT REMINDER!

If you are planning a construction project on your home or business you must apply for a building permit. **Permits must be obtained prior to commencement of work. Failure to do so will result in double the permit fees and may result in a fine of up to \$1000.** If you are unsure if your project requires a permit, please call the Clerk's Office at 920-876-2122.



Sewer Rate Increase Effective January 1, 2020

Sewer rates will increase effective January 1, 2020. The new rate will be \$6.95 per 100 cubic feet of water consumption. The quarterly base fee will also increase by \$2.00 to \$25.00 per meter.

Please contact the Village Administrator/Clerk-Treasurer's Office at **(920) 876 - 2122** or clerk@elkhartlakewi.gov if you have questions related to water or sewer billing.



Pay your water bill automatically!
Call the Village Clerk's Office at 920-876-2122
for more information.

The 2018 Elkhart Lake Water Department Consumer Confidence Report is available. To view it online visit www.elkhartlakewi.gov/departments/water.

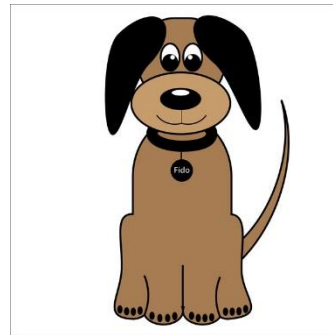
To obtain a paper copy, please stop in at the Clerk's Office at 40 Pine Street or call 876-2122 or email

Attention Dog Owners: It is unlawful for a dog to be within *any public park or beach or the fireman's park or beach* except as provided in the Village of Elkhart Lake-Glenbeulah Athletic Association Park rules and regulations (1)b14.

VILLAGE ORDINANCE 8.27: It shall be unlawful for any person who owns, harbors, or keeps a dog to permit such dogs to **run at large** any time of year within the Village limits. Any dog which is off the premises of its owner or keeper must be under the control of an **attendant holding a leash**, maximum of 8 feet. Any dog on owner's premise which is not leashed (15 feet maximum), fenced in, or under control of an attendant would be considered running at large.

VILLAGE ORDINANCE 8.29: Any person owning or having control of any animal shall **clean up** the feces of such animal immediately and dispose of it in a sanitary manner when the animal has defecated on the property of another or on **public property**. The Village has installed Dog Refuse Stations throughout the Village to help in the cleanup effort. The stations are located at

- S. End of Walkway
- N. End of Walkway
- Near Village Square Park
- S. Lake Street near Elm St.
- Osthoff Avenue
- Lions Park
- E. Rhine St. near Charlene's
- E. Rhine St. near Cal & Gus



Spring Elections February 18th and April 7th, 2020

Three Village Trustees are up for election at the **April 7th Election**. If you have any questions, please call the Village Clerk's Office at 920-876-2122.

NOTICE IS HEREBY GIVEN that an election will be held in the election district of the Village of Elkhart Lake on Tuesday, April 7th, 2020. The term for the Village President and the Village Trustees begins on April 21st, 2020. All terms are for two years unless otherwise indicated. The following officers are to be elected to succeed the present incumbents listed:

OFFICE
Village Trustee
Village Trustee
Village Trustee

INCUMBENT
Terri Knowles
John Schott
Lynn Shovan



NOTICE IS FURTHER GIVEN, that the first day to circulate nomination papers is December 1st, 2019 and the final day for filing nomination papers in the office of the Village Clerk is 5:00 P.M. on Tuesday, January 7th, 2020.

NOTICE IS FURTHER GIVEN, that if a primary is necessary, the primary will be held on February 18th, 2020.

Spring Election - Photo ID Required

Photo ID will be required at all elections.

This information is provided by the Wisconsin Elections Commission. For detailed information about the Voter Photo ID law, visit bringit.wi.gov. For other information on the Wisconsin Elections Commission, visit <http://elections.wi.gov> or call the Elections Help Desk at 1-866-VOTE-WIS or 608-266-8005.

What can I use as photo ID to vote?

The following photo IDs are acceptable for voting purposes, and can be unexpired or expired after, November 6, 2018 (currently the date of the last General Election):

- o A Wisconsin DOT-issued driver license, even if driving privileges are revoked or suspended. Your Wisconsin DOT-issued driver license does not need to be a "REAL ID".
- o A Wisconsin DOT-issued identification card. Your Wisconsin DOT-issued ID card does not need to be a "REAL ID".
- o Military ID card issued by the U.S. Uniformed Services
- o A U.S. passport book or card

The following photo IDs are also acceptable for voting purposes:

- o A certificate of naturalization (that was issued not earlier than two years before the date of the election)
- o An identification card issued by a federally recognized Indian tribe in Wisconsin
- o A driver license receipt issued by Wisconsin DOT (valid for 45 days from date issued)
- o An identification card receipt issued by Wisconsin DOT (valid for 45 days from date issued)
- o A Wisconsin DMV ID Petition Process Photo Receipt (valid for 180 days from date issued)
- o A Veteran Affairs ID card (must be unexpired or have no expiration date)

o A photo identification card issued by a Wisconsin accredited university or college, or technical college that contains the following: -Date the card was issued -Signature of student -Expiration date no later than two years after date of issuance, can still be used if expired -The university or college ID must be accompanied by a separate document that proves enrollment, such as a tuition fee receipt, enrollment verification letter, or class schedule

Are there any photo IDs I cannot use to vote?

Yes. The following photo IDs are NOT acceptable for voting purposes:

- o A State or Federal government employee ID
- o An out-of-state driver license or identification card
- o An employment ID
- o A membership or organization ID
- o A Certificates of Citizenship

Are there any photo IDs that can be used for voting that do not have a photo on them? Yes. The following documents, which do not contain a photo, can be used for voting purposes:

- o A citation or notice of intent to revoke or suspend a driver license, which is dated within 60 days of the date of the election. If your driver license has been taken away by law enforcement or a court, you may present written documentation of that fact in order to vote without your photo ID
- o A State of Wisconsin, DOT issued, identification card without a photo, issued to those electors with a religious objection to being photographed

Is there anyone who does not need to provide a photo id?

Yes. The following electors do NOT need to provide a Photo ID:

- o Confidential electors are always exempt from Photo ID requirements. Confidential electors have applied for this status with their municipal clerk, and have presented a court order, a letter from law enforcement, a letter from the staff of a domestic abuse shelter, or the staff of an agency assisting victims of domestic abuse
- o Active Military and Permanent Overseas voters are not required to provide a Photo ID when they vote by absentee ballot, but if they vote in-person, they must present Photo ID
- o Indefinitely confined voters and voters in special care facilities can provide a witness signature on their absentee ballot certificate envelope in substitute for showing Photo ID; if they vote in-person, they must present a Photo ID

What if I don't have a photo ID?

If you are eligible to vote but do not have a photo ID, you may obtain a free ID from the Department of Motor Vehicles. Apply for the ID as soon as possible. You'll need some documents to get the ID. For a complete list visit wisconsindot.gov or call (608) 264-7447.

**Your local DMV office is located at: Department of Motor Vehicles
3603 Kohler Memorial Drive
Sheboygan, WI 53081
(800) 924-3570**

Do I need a photo ID to absentee vote?

Absentee Ballot Requests: Requests for ballots sent by mail or email must be accompanied by a photocopy of an acceptable form of voter ID. You will not need to do this with future requests, as long as you have not changed your name or address.

In-person Absentee Voting: If you are casting an absentee ballot in the municipal clerk's office, you must present a photo ID, just as you would at the polls.