

REGULAR MEETING OF THE COMMON COUNCIL

March 4, 2014

The Common Council of the City of Richland Center, Wisconsin, met in the Council Room of the municipal building on Tuesday, March 4, 2014 commencing at 7:30 P.M., Mayor Paul F. Corcoran presiding. Alderpersons Marie Rakow, Susan Fruit, Lester Parker, Jay Buchanan Mueller, Marsha Machotka, Judy Shireman, Dawn Elliott and Lorna Dilley were present. Mayor Corcoran ascertained from the Clerk that the meeting was properly noticed.

Motion by Rakow, second by Fruit to waive the reading of the minutes of the last two meetings (February 18, 2014 and February 25, 2014) in lieu of printed copies and to approve the same. Motion carried.

PLANNING COMMISSION RECOMMENDATIONS:

CONSIDER AND POSSIBLE ACTION ON APPLICATION FOR A CONDITIONAL USE PERMIT FROM ADVANCED AUTO CARE CENTER, LLC (DON AND PATRICIA SMITHEY) TO OPERATE AN AUTO REPAIR, TIRES, AND BRAKES FACILITY AT 1491 US HWY 14 EAST: Mr. Smithey reported the business is co-sponsored with NAPA and will be limited to auto repairs, not including body shop repairs. The building was formerly the site of the Mobile Mart auto repairs. Motion by Mueller to grant the conditional use permit to Advanced Auto Care Center, LLC for 2 years, contingent on any outside storage of items and fluids is only permitted within the area inside the privacy fence located behind the building. Alderperson Fruit seconded and the motion carried 7-0 with Alderperson Rakow abstaining.

CONSIDER AND POSSIBLE ACTION ON APPLICATION FOR DRIVEWAY PERMIT FROM JOHN ALLBAUGH AT 1900 SNYDER DRIVE: Mr. Allbaugh stated he has a larger truck and wants a second garage to park it and personal storage in. He informed the Council that he has two businesses that would not be operated on the property. Motion by Mueller to approve the second driveway permit at 1900 Snyder Drive. Parker seconded and the motion carried 8-0.

CONSIDER AND POSSIBLE ACTION ON PAYMENT APPLICATION FROM HARRY VINER, INC TO BE PAID TO BANKRUPTCY TRUSTEE: Attorney Robb explained the work was done on Central Avenue, Viner filed bankruptcy and the payment was held. The bankruptcy trustee is now requesting payment. There is still a punch list to be finished and an additional \$6,000.00 is held from the contract for completing those items. Motion by Mueller to approve the \$13,522.25 payment contingent on the Utility Commission paying their portion. Shireman seconded and the motion carried 8-0.

UTILTIY COMMISSION RECOMMENDATIONS:

CONSIDER AND POSSIBLE ACTION ON RESOLUTION ON CERTIFICATIONS AND OPINIONS FOR UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT FINANCING OF WASTEWATER PROJECT: Attorney Lawrie Kopsa from Boardman Clark stated the closing is in process with the USDA Rural Development financing of the wastewater treatment facility. She reviewed attachment A certification of the right-of-way map and attachment B which is certification of the right-of-way. Motion by

Shireman, second by Dilley to approve and authorize signatures on Resolution 2014-5 also Attachment A and B. Motion carried 8-0.

CONSIDER AND POSSIBLE ACTION ON RESOLUTION PROVIDING FOR THE SALE OF \$15,740,000 SEWERAGE SYSTEM REVENUE BOND ANTICIPATION NOTES: Mr. Todd Fischer, Waste Water Superintendent stated the bonds will be a 2 year loan and paid in full with the USDA Rural Development reimbursement that has previously been approved. Rural Development will then become the loan for the new waste water facility. He stated local funding has to be used first; there is a \$500,000 CDBG Public Facilities grant, the USDA loan and finally the USDA grant. Motion by Rakow to approve Resolution 2014-6 as presented. Alderperson Fruit seconded and the motion carried 8-0.

RESOLUTION 2014-6
RESOLUTION PROVIDING FOR THE SALE OF \$15,740,000 SEWERAGE SYSTEM
REVENUE BOND ANTICIPATION NOTES

WHEREAS the City of Richland Center, Richland County, Wisconsin (the “City”) is presently in need of an amount not to exceed \$15,740,000 for the public purpose of financing improvements to the City’s Sewerage System, including a wastewater treatment plant; and

WHEREAS it is desirable to borrow said funds through the issuance of sewerage system revenue bond anticipation notes pursuant to Section 66.6021(4)(L), Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED that;

Section 1. The Notes. The City shall issue its Sewerage System Revenue Bond Anticipation Notes in an amount not to exceed \$15,740,000 (the “Notes”) for the purpose above specified.

Section 2. Sale of Notes. The Common Council hereby authorizes and directs that the Notes be offered for public sale. At a subsequent meeting, the Common Council shall consider such bids for the Notes as may have been received and take action thereon.

Section 3. Notice of Note Sale. The City Clerk (in consultation with the City’s financial advisor, Ehlers & Associates, Inc (“Ehlers”)) be and hereby is directed to cause notice of the sale of the Notes to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete, official Notice of Note Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk shall cause and Official Statement concerning this issue to be prepared by Ehlers. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Approved and recorded March 4, 2014

CITY AND UTILITY DEPARTMENT HEAD CONCERNS: Mr. Todd Fischer talked briefly on the easements needed for the USDA loan. He stated with the residents running water to avoid water main freezing, it produces an extra 200,000 gallons per day going through the waste water plant and the plant is able to handle the volume.

CONSIDER AND POSSIBLE ACTION ON REPLACEMENT OF SERVER IN CLERK’S OFFICE: Motion by Parker to postpone to the next meeting. Second was made by Rakow. Motion carried 8-0.

PUBLIC SAFETY COMMITTEE RECOMMENDATIONS:

CONSIDER AND POSSIBLE ACTION ON REQUEST FOR TEMPORARY “CLASS B” RETAILER’S LICENSE FROM ST. MARY OF THE ASSUMPTION CHURCH ON APRIL 26, 2014 FROM 5:00 TO 10:00 P.M. FOR AN EVENT HELD AT THE COMMUNITY CENTER LOCATED AT 1050 N. ORANGE STREET: Mr. Kaleb Frawley was present and stated that anyone can show up to eat and drink and they do not need a ticket to attend or purchase anything. He noted that raffle tickets are available to win land but a purchase is not required. Motion by Parker, second by Shireman to approve the temporary license for St. Mary’s for an event held on April 26, 2014 from 5:00 to 10:00 p.m. at 1050 N. Orange Street contingent on approval of the Park Board permit and excluding the senior center and office area. Motion carried 7-1 with Rakow dissenting.

TREASURER’S REPORT: City Clerk/Treasurer Melinda D. Jones presented the report for February 2014. The month end balance is as follows:

General Fund	337,198.36
Money Market Tax Acct.	13,331.95
State Pool - Account # 1	1,476,173.31
State Pool – Account #2 Long Term Care	542,622.02
State Pool - Account # 4 - Project Carryover	414,170.16
State Pool - Account # 6 - TIF - 2-5	1,698,301.64

SPECIAL ACCOUNTS:

CDBG - Housing RLF	32,979.92
Cemetery	4,657.76
Revolving Loan Fund- Savings	301,557.34
Revolving Loan Fund – Checking	5,979.94
Landfill Care – CD	280,761.99
Landfill Care - CD	276,809.40
Park / Community Center	46,077.43
Park and Rec Checking	3,207.54
Library Checking	86,482.88
RDA Checking	111,968.40
Room Tax	18,453.60

CITY UTILITIES:

Electric Utility Fund	176,706.90
Electric Unrestricted Funds	294,726.99

Water Utility Fund	16,957.36
Water Utility Unrestricted Funds	311,291.56
Waste Water Utility Fund	58,531.35
Waste Water Unrestricted Funds	34,515.45

RESTRICTED FOR PROJECTS:

Electric	1,196,339.48
Water	1,517,313.93
WWTP	7,617,307.95

DISCUSSION ON AMBULANCE SERVICE CURRENTLY PROVIDED BY RICHLAND COUNTY: Mayor Corcoran said at the last meeting it was suggested a small group be formed to assess the situation and come back in 120 days with a recommendation. The group is proposed as 2 City Council members, 2 County Board members, 2 EMTs, 2 Township Chairs and 1 Village Board member. He stated the next meeting would be the 3rd Wednesday in March and there would be no treat of a disruption of the current 911 service.

PAYMENT OF MONTHLY BILLS: Motion by Mueller, second by Dilley to approve the bills as presented. Motion carried 8-0.

Motion by Machotka, second by Rakow to go into closed session per WI Statute 19.85 (1) (e) investment of public funds, application of Brickhouse Pig LLC, Thaddeus and Kimberly Stanley. Motion carried 8-0.

CLOSED SESSION.

Motion by Dilley, second by Machotka to reconvene into open session to vote on matters pertaining to WI Statute 19.85 (1) (e). Motion carried 8-0.

Motion by Rakow, second by Fruit to approve a revolving loan fund loan to Brickhouse Pig LLC, Thaddeus and Kimberly Stanley in the amount of \$50,000.00, on a 10 year amortization with a 5 year balloon. The monthly payment would be \$486.28 at 3% interest. The City would have a second mortgage on the Stanley home and his mother's home on Central Avenue, and a second interest in the equipment. They would be required to create 5 FTE jobs. Motion carried 8-0.

ADJOURN: Motion by Mueller, second by Shireman to adjourn. Motion carried.
Minutes by Melinda D. Jones, City Clerk / Treasurer

Mayor, Larry. D. Fowler

Attest:

City Clerk / Treasurer Melinda D. Jones