

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
CITY HALL COUNCIL CHAMBERS
TUESDAY, APRIL 6, 2022**

The Wednesday, April 6, 2022 meeting of the City of Jefferson Common Council was called to order at 7:00 p.m. by Mayor Oppermann. Member's present were: Ald. Tully, Ald. Neils, Ald. Young, Ald. Miller, Ald. Beyer and Ald. Teeter. Absent: Ald. Brandel and Ald. Lares. Also present were: City Attorney Rogers, City Engineer Pinnow, City Clerk/Deputy Treasurer Copsey, and Police Chief Pileggi.

PUBLIC PARTICIPATION

None.

**MAYORAL PROCLAMATION: NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK**

**PROCLAMATION
CITY OF JEFFERSON, WISCONSIN**

2022 NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers is dependent upon the quality and accuracy of information obtained from citizens who telephone the Jefferson Dispatch Center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers by monitoring their activities by radio, providing them information, and insuring their safety; and

WHEREAS, enduring long hours, abnormal schedules, and handling frequent life and death emergencies, Dispatch Supervisor Leigh-Anne Hauser, Dispatchers Kelly Cuevas, Katie Chapman and Terri Heinz set high standards in performing their duties in a dedicated, diligent, and compassionate manner; and

WHEREAS, our Public Safety Communications personnel serve the public daily in countless ways without due recognition by beneficiaries of their services; and

NOW, THEREFORE, be it resolved that I, Dale W. Oppermann, Mayor of the City of Jefferson, declares the week of April 10th - 16th, 2022 to be National Public Safety Telecommunicators Week in Jefferson, in honor of Leigh-Anne Hauser, Kelly Cuevas, Katie Chapman and Terri Heinz whose diligence and professionalism keep our City and citizens safe.

CONSENT AGENDA

(To be introduced by Ald. Beyer.)

**CITY OF JEFFERSON
RESOLUTION NO. 108**

BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that the consent agenda for April 6, 2022, is hereby adopted.

- A. Vouchers Payable for April 2022 in the amount of \$914,442.21.
Payroll Summary for March 25, 2022, in the amount of \$171,569.04.
- B. American Legion 2022 Flag Installation Subsidy.
- C. Council Minutes from March 15, 2022 of the Common Council.
- D. Licenses as Approved by the Regulatory Committee.
 - 1. Operator's Licenses.
 - 2. Cigarette License- Spirits Wild Saloon, LLC.

Ald. Beyer, seconded by Ald. Teeter moved to approve Resolution No. 108. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING FUNDING FOR A TOURISM/MAINSTREET POSITION IN COORDINATION WITH THE JEFFERSON CHAMBER OF COMMERCE.

(To be introduced by Ald. Neils.)

**CITY OF JEFFERSON
RESOLUTION NO. 109**

WHEREAS, the Jefferson Chamber of Commerce Executive Director position is presently vacant, and the Chamber Board of Directors is reviewing options to fill the position; and

WHEREAS, as part of their review, the Board of Directors is proposing to reorganize the Chamber of Commerce, affecting those services which the Chamber provides and how these services are delivered; and

WHEREAS, the Board of Directors is proposing that an additional position be created to coordinate local tourism efforts and to facilitate efforts for Jefferson to become a Wisconsin Mainstreet Program Community; and

WHEREAS, the role of the Tourism-Main Street Director Position would be to manage the Main Street and Tourism Program, including:

- Partnering with vested stakeholders to advance downtown revitalization initiatives; and
- Fostering economic growth by managing tourism marketing efforts; and

WHEREAS, the Board of Directors is requesting financial assistance from the City of Jefferson to fund a portion of the cost of creating and staffing a Tourism-Main Street Director Position per the following parameters:

- A three-year funding commitment in the total amount of \$120,000
- Said amount to be in three annual payments each in the amount of \$40,000.
- The first payment of \$40,000 to be made in 2022. The second payment of \$40,000 to be made in 2023. The third and final payment of \$40,000 to be paid in 2024; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves and authorizes a financial commitment in the total amount of \$120,000 to assist with funding and staffing a Tourism-Main Street Director Position subject to the following conditions:

- The sum of \$120,000 to be paid in three, equal annual installments of \$40,000. Payment #1 to be made by July 31, 2022. Payment #2 to be made by March 31, 2023, and Payment #3 to be made by March 31, 2024
- Payment #2 and payment #3 are subject to authorization by the Finance Committee upon their review and finding that the Position has met or exceeded the metrics of accomplishments established for the Position
- Said annual payments are to be made to the Jefferson Chamber of Commerce until such time as the community has been accepted into the Wisconsin Main Street Program. At such time, the payment is to be made to the Jefferson Main Street Program
- The Mayor or his/her designated representative will be a member of the team assembled to interview candidates for the Tourism-Main Street Director Position and to recommend a preferred candidate for said position
- The Chamber of Commerce will be responsible for managing tourism related activities for the City of Jefferson and the Wisconsin Main Street Program

BE IT FURTHER RESOLVED, by the Common Council that the Mayor or his/her authorized representative is authorized to sit on any oversight board or committee that may be established to oversee the Tourism – Main Street Director Position.

Ald. Neils, seconded by Ald. Beyer moved to approve Resolution No. 109. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS

(To be introduced by Ald. Miller.)

CITY OF JEFFERSON RESOLUTION NO. 110

BE IT RESOLVED by the Common Council of the City of Jefferson, Jefferson County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$2,150,000 for the public purpose of paying the cost of street improvements.

Ald. Miller, seconded by Ald. Young moved to approve Resolution No. 110. On call of the roll, Motion carried unanimously.

**RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS
RELATING TO BOND ISSUES**

(To be introduced by Ald. Young.)

**CITY OF JEFFERSON
RESOLUTION NO. 111**

WHEREAS, an initial resolution authorizing general obligation bonds has been adopted by the Common Council of the City of Jefferson, Jefferson County, Wisconsin (the "City") and it is now necessary that said initial resolution be published to afford notice to the residents of the City of its adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats.

Ald. Young, seconded by Ald. Tully moved to approve Resolution No. 111. On call of the roll, Motion carried unanimously.

**RESOLUTION ESTABLISHING PARAMETERS FOR THE SALE OF GENERAL
OBLIGATION STREET IMPROVEMENT BONDS**

(To be introduced by Ald. Tully.)

**CITY OF JEFFERSON
RESOLUTION NO. 112**

**Establishing Parameters for the Sale of Not to Exceed \$2,150,000 General Obligation Street
Improvement Bonds, Series 2022A.**

WHEREAS, on this same day the Common Council of the City of Jefferson, Jefferson County, Wisconsin (the "City") has adopted an initial resolution authorizing the issuance of general obligation bonds in an amount not to exceed \$2,150,000 for the public purpose of paying the cost of street improvements (the "Project") (the above-referenced initial resolution is referred to herein as the "Initial Resolution");

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, it is the finding of the Common Council that it is in the best interest of the City to direct its financial advisor, Ehlers & Associates, Inc. ("Ehlers"), to take the steps necessary for the City to offer and sell the general obligation bonds (the "Bonds") at public sale and to obtain bids for the purchase of the Bonds; and

WHEREAS, in order to facilitate the sale of the Bonds in a timely manner, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City to delegate to the City Administrator or Finance Director/Treasurer (each an "Authorized Officer") the authority to accept on behalf of the City the bid for the Bonds that results in the lowest true interest cost for the Bonds (the "Proposal") and meets the terms and conditions provided for in this Resolution by executing a certificate in substantially the form attached hereto as Exhibit A and incorporated herein by reference (the "Approving Certificate").

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

Section 1. Award and Sale of the Bonds; Parameters. For the purpose of paying costs of the Project, the City is authorized to borrow pursuant to Section 67.04, Wisconsin Statutes, the principal sum of not to exceed TWO MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$2,150,000) upon the terms and subject to the conditions set forth in this Resolution. Subject to satisfaction of the conditions set forth in Section 17 of this Resolution, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the financial institution that submitted the Proposal (the "Purchaser") for, on behalf of and in the name of the City, Bonds aggregating the principal amount of not to exceed TWO MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$2,150,000). The purchase price to be paid to the City for the Bonds shall not be less than 98.75% nor more than 107.00% of the principal amount of the Bonds.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Street Improvement Bonds, Series 2022A"; shall be issued in the aggregate principal amount of up to \$2,150,000; shall be dated as of their date of issuance which shall be on or after May 6, 2022; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and mature or be subject to mandatory redemption on the dates and in the principal amounts set forth below, provided that the principal amount of each maturity or mandatory redemption amount may be increased or decreased by up to \$75,000 per maturity or mandatory redemption amount and that the aggregate principal amount of the Bonds shall not exceed \$2,150,000. The schedule below assumes the Bonds are issued in the aggregate principal amount of \$2,150,000.

<u>Date</u>	<u>Principal Amount</u>
03-01-2023	\$160,000
03-01-2024	390,000
03-01-2025	375,000
03-01-2026	275,000

03-01-2027	140,000
03-01-2028	100,000
03-01-2029	110,000
03-01-2030	100,000
03-01-2031	100,000
03-01-2032	100,000
03-01-2033	100,000
03-01-2034	100,000
03-01-2035	100,000

Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2023. The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) will not exceed 3.75%. 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.

Section 3. Redemption Provisions. The Bonds shall be callable as set forth on the Approving Certificate. If the Proposal specifies that certain of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment to the Approving Certificate labeled as Schedule MRP. 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 the Approving Certificate 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 B 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 2022 through 2034 for the payments due in the years 2023 through 2035 in the amounts as are sufficient to meet the principal and interest payments when due.

(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 Street Improvement Bonds, Series 2022A" (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 (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. 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 a financial institution selected by Ehlers at Closing for further distribution by Ehlers.

Section 17. Conditions on Issuance and Sale of the Bonds. The issuance of the Bonds and the sale of the Bonds to the Purchaser are subject to satisfaction of the following conditions:

- (a) expiration of the petition period provided for under Section 67.05(7)(b), Wis. Stats., without the filing of a sufficient petition for a referendum with respect to the issuance of the Bonds; and
- (b) approval by an Authorized Officer of the principal amount, definitive maturities, redemption provisions, interest rates and purchase price for the Bonds, which approval shall be evidenced by execution by an Authorized Officer of the Approving Certificate.

The Bonds shall not be issued, sold or delivered until these conditions are satisfied. Upon satisfaction of these conditions, the Authorized Officer is authorized to execute a Proposal with the Purchaser providing for the sale of the Bonds to the Purchaser.

Section 18. Official Statement. The Common Council hereby directs the Authorized Officer to approve the Preliminary Official Statement with respect to the Bonds and deem 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 the Authorized Officer or other 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 19. 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 20. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

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

Section 22. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.
(To be introduced by Ald. Tully.)

EXHIBIT A

Approving Certificate

CERTIFICATE APPROVING THE DETAILS OF
GENERAL OBLIGATION STREET IMPROVEMENT BONDS, SERIES 2022A

The undersigned [City Administrator] [Finance Director/Treasurer] of the City of Jefferson, Jefferson County, Wisconsin (the "City"), hereby certifies that:

1. Resolution. On April 6, 2022, the Common Council of the City adopted a resolution (the "Resolution") establishing parameters for the sale of not to exceed \$2,150,000 General Obligation Street Improvement Bonds, Series 2022A of the City (the "Bonds") after a public sale and delegating to me the authority to approve the purchase proposal for the Bonds and to determine the details for the Bonds within the parameters established by the Resolution.

2. Proposal; Terms of the Bonds. On the date hereof, the Bonds were offered for public sale and the bids set forth on the Bid Tabulation attached hereto as Schedule I and incorporated herein by reference were received. The institution listed first on the Bid Tabulation, _____ (the "Purchaser"), offered to purchase the Bonds in accordance with the terms set forth in the Proposal attached hereto as Schedule II and incorporated herein by this reference (the "Proposal"). Ehlers & Associates, Inc. recommends the City accept the Proposal. The Proposal meets the parameters and conditions established by the Resolution and is hereby approved and accepted.

The Bonds shall be issued in the aggregate principal amount of \$_____, which is not more than the \$2,150,000 approved by the Resolution, and shall mature on March 1 of each of the years and in the amounts and shall bear interest at the rates per annum as set forth in the Pricing Summary attached hereto as Schedule III and incorporated herein by this reference. The amount of each annual principal or mandatory redemption payment due on the Bonds is not more than \$75,000 more or less per maturity or mandatory redemption amount than the schedule included in the Resolution as set forth below:

<u>Date</u>	<u>Resolution Schedule</u>	<u>Actual Amount</u>
03-01-2023	\$160,000	\$ _____
03-01-2024	390,000	_____
03-01-2025	375,000	_____
03-01-2026	275,000	_____
03-01-2027	140,000	_____
03-01-2028	100,000	_____
03-01-2029	110,000	_____
03-01-2030	100,000	_____
03-01-2031	100,000	_____
03-01-2032	100,000	_____
03-01-2033	100,000	_____
03-01-2034	100,000	_____
03-01-2035	100,000	_____

The true interest cost on the Bonds (computed taking the Purchaser's compensation into account) is _____%, which is not in excess of 3.75%, as required by the Resolution.

3. Purchase Price of the Bonds. The Bonds shall be sold to the Purchaser in accordance with the terms of the Proposal at a price of \$_____, plus accrued interest, if any, to the date of delivery of the Bonds which is not less than 98.75% nor more than 107.00% of the principal amount of the Bonds as required by the Resolution.

4. Redemption Provisions of the Bonds. The Bonds maturing on March 1, ___ and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, ___ 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. [The Proposal specifies that [some] of the Bonds are subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Schedule MRP and incorporated herein by this reference.]

5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same respectively falls due, the full faith, credit and taxing powers of the City have been irrevocably pledged and there has been levied on all of the taxable property in the City, pursuant to the Resolution, a direct, annual irrepealable tax in an amount and at the times sufficient for said purpose. Such tax shall be for the years and in the amounts set forth on the debt service schedule attached hereto as Schedule IV.

6. Expiration of Petition Period. The petition period provided for under Section 67.05(7)(b), Wisconsin Statutes, has expired without the filing of a sufficient petition for a referendum with respect to the initial resolution authorizing the issuance of the Bonds.

7. Approval. This Certificate constitutes my approval of the Proposal, and the principal amount, definitive maturities, interest rates, purchase price and redemption provisions for the Bonds and the direct annual irrepealable tax levy to repay the Bonds, in satisfaction of the parameters set forth in the Resolution.

IN WITNESS WHEREOF, I have executed this Certificate on _____, 2022 pursuant to the authority delegated to me in the Resolution.

Timothy Freitag
City Administrator

OR

Tanya N. Stewart
Finance Director/Treasurer

SCHEDULE I TO APPROVING CERTIFICATE

Bid Tabulation

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

(See Attached)



SCHEDULE II TO APPROVING CERTIFICATE

Proposal

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

(See Attached)

SCHEDULE III TO APPROVING CERTIFICATE

Pricing Summary

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

(See Attached)

SCHEDULE IV TO APPROVING CERTIFICATE

Debt Service Schedule and Irrepealable Tax Levies

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

(See Attached)

[SCHEDULE MRP

Mandatory Redemption Provision

The Bonds due on March 1, _____, _____ and _____ (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 March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, 20

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT B

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
JEFFERSON COUNTY
NO. R-____ CITY OF JEFFERSON \$_____
GENERAL OBLIGATION STREET IMPROVEMENT BOND, SERIES 2022A

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, _____, 2022 _____%

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Jefferson, Jefferson 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 March 1 and September 1 of each year commencing on March 1, 2023 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 \$_____, 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 public purpose of paying the cost of street improvements, as authorized by resolutions adopted on April 6, 2022 as supplemented by a Certificate Approving the Details of General Obligation Corporate Purpose Bonds, Series 2022A (the "Approving Certificate")

(collectively, the "Resolution"). Said Resolution is recorded in the official minutes of the Common Council for said date.

The Bonds maturing on March 1, ____ are subject to redemption prior to maturity, at the option of the City, on March 1, ____ 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 _____ are subject to mandatory redemption by lot as provided in the Approving Certificate, 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 and date of the Bonds called for redemption, CUSIP number, 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 Jefferson, Jefferson 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 JEFFERSON
JEFFERSON COUNTY, WISCONSIN

By: _____
Dale W. Oppermann
Mayor

(SEAL)

By: _____
Sarah L. Copsey
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned Resolution of the City of Jefferson, Jefferson County, Wisconsin.

**BOND TRUST SERVICES CORPORATION,
ROSEVILLE, MINNESOTA**

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

Ald. Beyer, seconded by Ald. Teeter moved to approve Resolution No. 103. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR 2022 STREET & UTILITY IMPROVEMENTS

(To be introduced by Ald. Neils.)

**CITY OF JEFFERSON
RESOLUTION NO. 114**

WHEREAS, the City of Jefferson received four bids from contractors interested in completing the **2022 STREET & UTILITY IMPROVEMENTS project for Contract A - North Sanborn Avenue**; and

WHEREAS, the value of the lowest bidder is included in the following table:

Company	Base Bid N Sanborn	Alternate 1 (Pipe Material)	Alternate 2 (North Street)	Alternate 3 (Ogden St)	Total
Wolf Paving	\$590,977.20	\$-(33,637.50)	\$236,095.51	\$162,921.01	\$773,650

WHEREAS, Town & Country Engineering and City staff reviewed the project bid results and recommends award of the Base bid and Alternate 1, while rejecting Alternate 2, 3 and Supplemental Bid Items for the improvements to North Sanborn Avenue; and

WHEREAS, the overall bid scope of work included a combination of storm sewer, curb spot curb replacement, pulverizing, grading and resurfacing pavement as well as the installation of new water main and services in North Sanborn Avenue; and

WHEREAS, of the total project bid amount of \$557,339.70, the streets and storm sewer portion of this bid totals \$174,028.70 with \$383,311.00 being associated with water main replacement; and

WHEREAS, monies for the project have been allocated in the 2022 Capital Budget and Storm Sewer Fund and Water budget;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the Wolf Paving bid for the **2022 STREET & UTILITY IMPROVEMENTS** in the amount of \$557,339.70.

BE IT FURTHER RESOLVED, by the Common Council that the City Administrator is herein authorized and directed to execute any contract or document associated with the above action on behalf of the City of Jefferson upon the review and consent of the City Attorney.

Ald. Tully, seconded by Ald. Miller moved to approve Resolution No. 112. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR STREETSCAPING IMPROVEMENTS

(To be introduced by Ald. Miller.)

**CITY OF JEFFERSON
RESOLUTION NO. 113**

AUTHORIZING AWARD OF CONTRACT FOR THE 2022 STREETSCAPING IMPROVEMENTS

WHEREAS, the City of Jefferson received two bids from contractors interested in completing the **2022 STREETSCAPING IMPROVEMENTS PROJECT** in downtown Jefferson; and

WHEREAS, the value of the lowest bidder is included in the following table:

Company	Base Bid	Alt Bid A	Alt Bid B	Alt Bid C	Alt Bid D	Supplemental Bid Items
Parisi Construction	\$582,153.75	\$77,583.90	\$58,716.35	\$78,854.00	\$41,393.00	\$5,550.00

WHEREAS, Town & Country Engineering and City staff reviewed the project bid results and recommends award of the Base Bid, Alternate A & Supplemental Bid Items in the amount of \$665,287.65 from Parisi Construction LLC while rejecting Alternate Bid Items B, C & D; and

WHEREAS, the engineering estimate for this portion of the project was \$630,786 monies for the project have been allocated in the 2022 Capital Budget;

WHEREAS, the scope of work includes but is not limited to replacement of existing pavers and adding new brick pavers, removal and replacement of existing street trees with new grates and up lighting, spot curb repair and other landscaping features within the downtown blocks of South Main Street, North Main Street and E Racine Street; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves the Parisi Construction LLC bid for the **2022 STREETSCAPING IMPROVEMENTS** in the amount of \$665,287.65;

FURTHERMORE, the Common Council of the City of Jefferson, Wisconsin herein approves the City Administrator to authorize direct purchase items including but not limited to tree grates, bike racks, lighting fixtures and other items required for the project;

BE IT FURTHER RESOLVED, by the Common Council that the City Administrator is herein authorized and directed to execute any contract or document associated with the above action on behalf of the City of Jefferson upon the review and consent of the City Attorney. The City intends to fund this improvement with proceeds from the issuance of general obligation bonds or notes and will reimburse any City funds advanced to the project from said proceeds.

Ald. Miller, seconded by Ald. Neils moved to approve Resolution No. 113. On call of the roll, Motion carried unanimously.

RESOLUTION AUTHORIZING DEVELOPER’S AGREEMENT BETWEEN CITY OF JEFFERSON AND GORMAN AND COMPANY, LLC

(To be introduced by Ald. Beyer.)

**CITY OF JEFFERSON
RESOLUTION NO. 114**

WHEREAS, the City of Jefferson (City) and Bond Realty, LLC (Gorman & Company, LLC.) (Developer) have entered into an “offer to purchase” agreement for the sale of approximately 2.5 acres of City owned property located in the Meadows Estates Subdivision; and

WHEREAS, Gorman & Company, LLC., intends to construct an approximately 45-unit market rate apartment building on the property per the preliminary sketch and site plan attached to the approved “offer to purchase” contract; and

WHEREAS, a condition of the “offer to purchase” contract is for the City and Developer to enter into a Developer’s Agreement setting forth the responsibilities and obligations of the parties in the development of this project; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves and authorizes a Developer’s Agreement with Gorman and Company, LLC., as condition of an accepted “offer to purchase” agreement for the development of an approximately 45-unit apartment building in the Meadows Estates Subdivision.

Ald. Beyer, seconded by Ald. Young moved to approve Resolution No. 114. On call of the roll, Motion carried unanimously.

ADJOURN TO CLOSED SESSION PURSUANT TO SECTION 19.85(1)(C) OF THE WISCONSIN STATE STATUTES TO CONSIDER EMPLOYMENT, PROMOTION, COMPENSATION PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHAT THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY TO HIRE A FULL-TIME WASTEWATER OPERATOR

Ald. Teeter, seconded by Ald. Beyer moved to adjourn to Closed Session. On call of the roll, motion carried unanimously.

Ald. Tully, seconded by Ald. Miller moved to adjourn to Open Session. On call of the roll, motion carried unanimously.

RESOLUTION AUTHORIZING THE HIRE OF A FULL-TIME WASTEWATER OPERATOR.

(To be introduced by Ald. Teeter.)

**CITY OF JEFFERSON
RESOLUTION NO. 115**

WHEREAS, the Position of Water Wastewater Operator will be vacant in June 2022 and it has been determined to be in the best interest of the Water Wastewater Utility that the Position be filled when a qualified applicant has been identified; and

WHEREAS, the Personnel Committee has reviewed his candidacy and is recommending that Robert Lehman meets the requirements of the Position. The recommendation of the Personnel Committee is to hire Robert Lehman to fill the vacant Position of Water Wastewater Operator; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Jefferson, Wisconsin that it herein approves and authorizes the hire of Robert Lehman to fill the vacant Position of Wastewater Plant Operator, subject to the following parameters:

- He shall successfully pass a pre-employment physical and drug and alcohol screening;

- His starting salary shall be \$26.50 per hour and be placed at Classification Six on the City of Jefferson Compensation Plan;
- He will be placed on the PTO benefit schedule at the 7 years of service step.

Ald. Teeter, seconded by Ald. Miller moved to approve Resolution No. 115. On call of the roll, Motion carried unanimously.

Ald. Neils, seconded by Ald. Beyer moved to adjourn the Jefferson Common Council Meeting at 7:45 p.m., carried unanimously on a voice vote.