

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**March 18, 2013
7:00 P.M.**

1. Roll Call.
2. Salute to the Flag and Mayor's opening remarks.
3. Consideration and possible action of the minutes of the Common Council meeting of February 18, 2013.
4. *Persons who wish to address the Mayor and Council on specific agenda items other than a "Public Hearing" must register their request at this time. Those who wish to address the Common Council during a "Public Hearing" are not required to identify themselves until the "Public Hearing" is declared open by the Mayor.
5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.
6. Presentation by Rettler Corporation of the Wisconsin Chapter of the American Society of Landscape Architects award to the City of Stevens Point for the Downtown Square Project.

Consideration and Possible Action on the Following:

7. Proclamation – Naming April, 2013 as Fair Housing Month.
8. Minutes and actions of the Plan Commission meeting of March 4, 2013.
9. Public Hearing – Request from Point of Beginning, Inc, representing the Stevens Point Area School District to rezone 349 Second Street North from "B-4" Commercial District to "R-2" Single Family Residence District.
10. Ordinance Amendment on the above.
11. Public Hearing – Request from Point of Beginning, Inc, representing the Stevens Point Area School District for a conditional use permit for the purposes of constructing an educational/community center at 341 Second Street North and 349 Second Street North.
12. Resolution on the above.
13. Public Hearing -- Chapter 23 – Zoning -- Reduce the building and parking lot setback requirements within the "B-5" Highway Commercial District.
14. Ordinance Amendment on the above.
15. Minutes and actions of the Public Protection Committee meeting of March 11, 2013.
16. Ordinance Amendment – Chapter 3 – Officials, Boards, Employees - Changes to the Appointment Process of the Standing Committees.

17. Minutes and actions of the Finance Committee meeting of March 11, 2013.
18. Resolution appropriating to the Community Development Authority anticipated funds in the amount of \$1,700,000 from note issued for purposes provided therein under restrictive conditions, i.e. Joint Agreement.
19. Resolution Authorizing and Providing for the Sale and Issuance of \$1,700,000 General Obligation Promissory Notes, Series 2013B, and All Related Details.
20. Minutes and actions of the Board of Public Works meeting of March 11, 2013.
21. WisDOT State/Municipal Agreement regarding construction costs associated with the I39/North Reserve Street Project.
22. Naming the new Transit Facility's conference room The Thurmaier Conference Room.
23. Preliminary Resolution – Special Assessment for Replacement of Non-Standard Water Services and Non-Standard Sanitary Sewer Laterals on Ellis Street from Division Street to Michigan Avenue.
24. Minutes and actions of the Personnel Committee meeting of March 11, 2013.
25. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of March 11, 2013.
26. Minutes and actions of the Police and Fire Commission meeting of March 5, 2013.
27. Minutes and actions of the Board of Park Commissioners meeting of March 6, 2013.
28. Minutes and actions of the Transportation Commission meeting of March 7, 2013.
29. Statutory Monthly Financial Report of the Comptroller-Treasurer.
30. Adjournment.

RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, "Persons who wish to address the mayor and council on non-agenda items." Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD #346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.

**City of Stevens Point
REGULAR COUNCIL MEETING**

**Council Chambers
County-City Building**

**February 18, 2013
7:00 P.M.**

Mayor Andrew J. Halverson, presiding

Roll Call: Ald. Beveridge, Suomi, O’Meara, Wiza, Slowinski, Trzebiatowski,
Patton, R. Stroik, Phillips, Moore
Excused: Ald. M. Stroik

Also Present: City Atty. Molepske, Clerk Moe, C/T Schlice, Directors Schatschneider,
Schrader, Ostrowski, Lemke, Emergency Mgt. Director McGinty, Police
Chief Ruder, Fire Chief Kujawa, Asst. to the Mayor Pazdernik,
Kevin Lu-Stevens Point Journal, Matt Brown-Portage County Gazette,
Brandi Makuski-Stevens Point City Times.

2. Salute to the Flag and Mayor’s opening remarks.

Mayor Halverson shared with Council the situation that has developed with the State relating to Skyward. He said the Department of Administration issued an intent to authorize a contract with Infinite Campus, which is a student information software company based out of Minnesota. He asked members of the public to communicate with Governor Walker and the State Superintendent of Public Instruction, Mr. Evers, to express their dissatisfaction for how this process has unfolded.

3. Consideration and possible action of the minutes of the Common Council meeting of January 21, 2013.

Ald. O’Meara **moved**, Ald. R. Stroik seconded to approve the minutes and actions of the Common Council meeting of January 21, 2013.

Roll Call: Ayes: All
Nays: None. Motion carried.

4. *Persons who wish to address the Mayor and Council on specific agenda items other than a “Public Hearing” must register their request at this time. Those who wish to address the Common Council during a “Public Hearing” are not required to identify themselves until the “Public Hearing” is declared open by the Mayor.

Gerry Hutnik, 5475 Woodland Street, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council.

Samuel Levin, 1600 Sherman Avenue, Stevens Point, WI
Item #5 – Persons who wish to address the Mayor and Council.
Item #6 – Community Development Department’s 2012 Annual Report

Dave Suchon, 540 Second Street N., Stevens Point, WI 54481
Item #5 – Persons who wish to address the Mayor and Council.
Item #9 – Finance Committee meeting of February 11, 2013.

Reid Rocheleau, 408 Cedar Street W., Stevens Point, WI 54481
Item #5 – Persons who wish to address the Mayor and Council.
Item #9 – Finance Committee meeting of February 11, 2013.

Mary Ann Laszewski, 1209 Wisconsin Street, Stevens Point, WI 54481
Item #5 – Persons who wish to address the Mayor and Council.
Item #9 – Finance Committee meeting of February 11, 2013.

5. Persons who wish to address the Mayor and Council for up to three (3) minutes on a non-agenda item.

Mary Ann Laszewski, 1209 Wisconsin Street, requested that Council postpone borrowing \$1.7 million for the Dunham parking lot and possibly increase the borrowing to \$3 million in order to retain ownership of Edgewater Manor. She expressed concern that private ownership of this facility would result in higher rents for senior citizens.

Dave Suchon, 540 Second Street N., spoke regarding taking care of the elderly in the community and save Edgewater Manor.

Reid Rocheleau, 408 Cedar W., concurred with the previous speakers and spoke against the borrowing of \$1.7 million.

Samuel Levin, 1600 Sherman Avenue, spoke on behalf of allowing public comments at CDA meetings.

Gerry Hutnik, 5475 Woodland Street, spoke against private development of Edgewater Manor.

Clerk Moe reminded everyone to vote at the Spring Primary on February 19th.

Consideration and Possible Action on the Following:

6. Community Development Department's 2012 Annual Report.

Director Ostrowski presented the 2012 Annual Report. His report included five different divisions which were listed as follows: Economic Development, Planning & Zoning, Historic Preservation, Permits & Inspections and Property Maintenance. A copy of Director Ostrowski's full report is on file in the City Clerk's Office.

Ald. Wiza asked Director Ostrowski if the City pulled permits for the new transit facility that was recently built on Week Street.

Director Ostrowski indicated that permits were pulled for the work, but a permit fee was not charged and no revenue was obtained from the permits.

Ald. Wiza also asked Director Ostrowski if the values listed under the "Permit & Inspections" column, included construction and whether or not the taxpayer money used to construct the municipal transit facility was included in the numbers provided in the report.

Director Ostrowski estimated there is approximately \$4 million with the transit facility, and probably another \$4 million of non-taxable.

Ald. Wiza asked if that is a record.

Director Ostrowski said other years did not list every project and to go through them would be time consuming.

Samuel Levin, 1600 Sherman Avenue, asked if there has been any interest from retailers to replace the former Copps grocery store on the south side of town. He also questioned the need for the study done on public housing as indicated in the Director's report.

7. Minutes and actions of the Plan Commission meeting of February 4, 2013.

Ald. Moore moved, Ald. Patton seconded, to approve the Minutes and actions of the Plan Commission meeting of February 4, 2013.

Roll Call: Ayes: All
Nays: None. Motion carried.

8. Minutes and actions of the Public Protection Committee meeting of February 11, 2013.

Ald. R. Stroik moved, Ald. Slowinski seconded, to approve the Minutes and actions of the Public Protection Committee meeting of February 11, 2013.

Roll Call: Ayes: All
Nays: None. Motion carried.

Ald. Wiza moved, Ald. Beveridge seconded, to pull agenda item #2 for further discussion.

Roll Call: Ayes: All
Nays: None. Motion carried.

Ald. Wiza said he was mistaken on the item he requested to pull.

Ald. R. Stroik moved, Ald. O'Meara seconded, to approve agenda item #2 of the Minutes and actions of the Public Protection Committee meeting of February 11, 2013.

Roll Call: Ayes: All
Nays: None. Motion carried.

9. Minutes and actions of the Finance Committee meeting of February 11, 2013.

Dave Suchon, 540 Second Street N, briefly spoke regarding the opening and closing of businesses in the City and the borrowing of money.

Reid Rocheleau, 408 Cedar W, spoke against borrowing \$1.7 million and building a parking lot downtown.

Mary Ann Laszewski, 1209 Wisconsin, spoke in favor of borrowing money for Edgewater Manor and the Fox Theater and against building a parking lot downtown in the immediate future.

Ald. Wiza **moved**, with the exception of pulling item #2 for further discussion, Ald. Suomi seconded, to approve the Minutes and actions of the Finance Committee meeting of February 11, 2013.

Roll Call: Ayes: Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski,
M. Stroik, O'Meara, Suomi, Beveridge
Nays: None. Motion carried.

Ald. Wiza asked if there is a better estimate as to what the remediation will cost.

Director Ostrowski said in the Finance Committee packet there was an estimate by AECOM of a total of \$720,000.

Ald. Wiza asked how this figure is different from the amount estimated prior to the referendum.

Director Ostrowski said these estimates did not occur until after the referendum. He said they occurred in April of that year.

Ald. Wiza reiterated that it was known there was contamination on the site, but the cost was not anticipated in the referendum.

Director Ostrowski said the City did not include any borrowing for environmental cost because the exact levels were not known at the time.

Ald. Wiza said his issue is that it was known there was contamination and it was not considered a priority. He said the City and the administration was authorized through the referendum to spend nearly \$6 million and at that time the estimates were known when they were presented to the public. He spoke about the public hearings that were held regarding the mall and the opinions of the public on the matter. Ald. Wiza said that the City is almost into \$10 million of borrowing with the taxpayers and he expressed concern with taking the property value of the site off the tax rolls. He stated that as a taxpayer, he will not see a return on the property in his lifetime and no

revenues are being generated through taxes. He also questioned whether or not a developer would want a parking lot should the \$1.7 million in borrowing be approved. Ald. Wiza does not want to construct a parking lot until it is needed; however, the remediation is needed but he does not feel the City should borrow to pay for it. He reiterated that he said "no" back then and he is saying "no" again.

Ald. Moore said he understands that remediation needs to be done and he questioned if only the money for the remediation could be borrowed.

Director Ostrowski said they could follow through on the remediation and regular construction of the buildings and the parking lot area could be put on hold. He said the reason the last development fell through was because of parking. There are about 50 parking stalls north of the Dunham's building and any use in that building is going to need more parking. Director Ostrowski expressed the lack of parking in the downtown area and the need to alleviate the parking in the Shopko lot. He said that more parking needs to be created in order to spur development in the Dunham's building and the Fox Theater.

Ald. R. Stroik questioned the urgency on the matter and whether or not it will hold up the Mid-State building construction.

Director Ostrowski said that Mid-State's bid packages are being released and the remediation needs to be done. He said if the remediation and reconstruction can be done simultaneously, it will save money but if we don't do the remediation with the reconstruction, we will go into the school ripping up new floorings and new walls to put in the system. Director Ostrowski said there is also contamination northwest of the Fox Theater which was the site of the former Dun-Rite Cleaners building. He said that remediation would be at the same time the parking lot would be constructed. In addition, he said that Mid-State will be reconstructing a portion of their parking lot on the northwest corner, site of the former Normington Dry Cleaners, which is identified as the source causing the vapor issues in the Mid-State building via its migration pattern to the south. Director Ostrowski said the issue is to get it done now so it can be done at the same time with the Mid-State building. He also stated that money can be saved as the Shopko parking lot will be repaved and the projects can be done at the same time. He informed the Council that the City is applying for additional grants in the amount of \$170,000 for environmental assessment funds that can be funneled back into the project to offset some of the borrowing. Director Ostrowski said the turn-around time on the grant is about 5 weeks.

Ald. R. Stroik said it sounds like it is fairly urgent and the parking lot would not be built until May or June. He questioned if the remediation could be funded out of contingency and hold off on building the parking lot to give the Fox Theater Committee a chance to come forward with their thoughts. Ald. R. Stroik then went back to discussing the Edgewater Manor. He discussed units not being shown when requested, and he questioned if the remediation can be done along with putting together a more encompassing plan.

Mayor Halverson questioned Director Ostrowski if there has been any reports of Edgewater Manor units not being shown by management when requested.

Director Ostrowski said he has never been made aware of the fact that an apartment has not been shown. He said there is not always a manager on site at that location, and if there is an incident when a showing is not made, he wants to be informed.

Ald. O'Meara said he appreciates the debate about the Edgewater Manor but feels it is a separate issue from the downtown borrowing. He feels there is consensus that as a municipality, we are obligated to clean up the contamination. He stated that at one point or another, the parking lot will need to be built and understands being hesitant on the matter. Ald. O'Meara expressed that the Edgewater Manor project will have to stand on its own merits and be kept separate from the downtown project.

Ald. Phillips said that when the referendum was introduced, 3 districts in the City voted against mall: District 4, District 7 and District 10. He said this was due to the fact that it was going to be a money pit and he questioned why the taxpayers should be burdened every time the administration falls short of a sale. Ald. Phillips stated now is the time to say enough is enough but if it is necessary to do the remediation, it should be done. He said however, it is not necessary to do the parking lot. He mentioned selling City property to raise money and expressed he cannot in good conscience vote for this proposal and stated it is time for administration to come up with a different plan that can be sold to the people he represents.

Ald. Moore questioned C/T Schlice if the City will get a better interest rate if the Council goes forward and borrows enough to pay for remediation at this time and separates the rest of it.

C/T Schlice said at this point it wouldn't make a difference.

Ald. Wiza asked how much is left in the initial referendum of the \$5.985 million for the mall project.

Director Ostrowski said \$400,000 but that does not include the construction that is left.

Mayor Halverson said those charges are accrued and that will zero out the borrowing.

Ald. Wiza questioned if the work is already done.

Director Ostrowski said it is being worked on right now.

Ald. Wiza said the City would need to borrow the \$720,000 or find it from somewhere else. He also questioned having a finite amount of money that the City can borrow.

Mayor Halverson said the bond rating is not affected until after 60% of debt capacity is reached and the City's current debt capacity has an additional \$14 to \$16 million available.

Ald. Wiza said he would argue that while they are separate projects, it does relate to the Edgewater property because there is only so much money that can be borrowed and only so much the Council feels comfortable borrowing. Ald. Wiza indicated he would rather borrow money for the Edgewater project than sink more money into the mall project. He said the money for the remediation should be found from existing projects.

Ald. Beveridge agreed with Ald. O'Meara's comments in which he stated at the Finance Committee meeting that the remediation is a public health issue. He said the vapor does have potential to get into the Mid-State building and some of these chemicals are dangerous. Ald. Beveridge said the mediation is something the City is obligated to do whether the money is borrowed or not. He also mentioned that there are opportunity costs to waiting to construct the parking lot and interest rates are at historic lows right now. He stated money can be saved by paving the lot at the same time the Shopko lot is paved because the equipment is already on site. Ald. Beveridge said a parking area is needed to attract buyers to the Dunham building and other businesses such as the Children's Museum and potential re-development of the Fox Theater. He also mentioned the site plans that came out of the community listening sessions about mall, there was no doubt that area was going to be developed for something. It was his recollection that the initial borrowing was enough to purchase the property and to get Mid-State into the property. He stated there was not money in that package for Phase 2 of the project, in which part of the mall was demolished. Ald. Beveridge stated the choice to do nothing has consequences and it could end up costing more money if it is done later.

Ald. O'Meara said talk of doing nothing and leaving a slab of gravel in the middle of downtown is not an option due to erosion control issues. He stated at some point there is going to be parking there.

Ald. O'Meara **moved**, seconded by Ald. Beveridge, to approve borrowing as authorized by the Finance Committee.

Ald. R. Stroik asked C/T Schlice if the money could be taken out of contingency until there is a more definitive plan in 30 to 45 days.

C/T Schlice said that would be a prerogative of the Council, yes. He said you could borrow from yourself and repay it either with a borrowing or future TID increments and there are a number of ways it could be handled.

Ald. R. Stroik asked about when the proposals for the sealed bids for the Edgewater Manor are due.

Director Ostrowski said the RFPs for Edgewater Manor were released and they are due in 60 days, or around mid-April at which time the proposals would be reviewed and it will be decided how to proceed. He said it was also stated that any and all proposals can be rejected if the City does not find a proposal that is advantageous.

Ald. R. Stroik asked if at that time, the Council will be made a part of those decisions or who will be making the decision on the proposals.

Director Ostrowski it will be the CDA because it is a CDA building. He said if there are any tax incremental financing requests, it would go to the Council.

Ald. R. Stroik said if the deadline is around April 16th, conceivably a parking lot could still be approved in May and by the 4th of July have a parking lot.

Director Ostrowski said it would still have to be run through Historic Preservation and through the Plan Commission to be sure that the design is correct. He said it would probably be August or September before a parking lot could be there.

Ald. R. Stroik stated he is generally supportive of what needs to be done downtown. He thinks Edgewater Manor is a part of the issue at hand because \$9,500 was approved last month to determine TID boundaries and whether or not it should be put into a TID. Ald. R. Stroik expressed that he does not want to sell the Edgewater Manor for a short term gain and a long term problem. He questioned Director Ostrowski's prior verbiage of a \$1.3 million investment could make money on the Edgewater.

Director Ostrowski said it would probably be more like \$1.6 million that would need to be spent and in the beginning years, money will be lost. He said if the building can fill up with occupants, money can be made. Director Ostrowski also questioned the restriction of the building remaining for the elderly and the restriction being lifted to fill the building. He asked if the CDA belongs in market rate housing projects because then it is not subsidized and it's not elderly.

Ald. R. Stroik stated that Edgewater Manor is on the side of a river in which you cannot get a boat under the bridge and the water cannot be used for recreation. He said the seniors enjoy being on the docks, feeding the ducks, enjoy the scenic river and have a path to walk.

Director Ostrowski said it is not being turned into market rate housing.

Ald. R. Stroik said but if Edgewater Manor is turned private, that is what is going to happen and like it or not, any private developer will look at the bottom dollar versus the market in which Edgewater was built. He stated HUD funding was not renewed and we should not turn a blind eye to it and he reiterated Edgewater is a part of the overall funding. Ald. R. Stroik would like to take some time to review the matters at hand before deciding how much to borrow. He expressed he will be voting no for the motion on the table.

Mayor Halverson clarified the HUD contract was not authorized in 2009 not under a predecessor, but under him. He stated Executive Director Jim Hamilton's, recommendation was to sell the property and put the proceeds into the housing trust fund. He said a community this size cannot spend \$2 million to get the building up to speed so it is marketable and rely on the general tax rate as the equalizer to subsidize the building.

Mayor Halverson was interrupted by Reid Rocheleau calling for point of order.

Mayor Halverson told Mr. Rocheleau to be silent or he would be escorted out.

Mr. Rocheleau was then asked to leave.

Mayor Halverson went on to say the reason those were not reauthorized is specifically because it was not advantageous for the CDA to ultimately enter into that arrangement any more. Mayor Halverson said if this Council wants to borrow \$2 million directly on the City's tax base to subsidize a public housing project, he will support it all day long but financially, that is not where the City needs to be. Mayor Halverson said that is a dangerous endeavor that has never been embarked on as a community this size when it comes to public housing. He stated Edgewater Manor is not a part of this conversation. Mayor Halverson said the \$1.7 million is what is needed to finish the mall project which has plagued the City for the last 30 years. He answered Ald. Phillips question as to why the City taxpayers have to pay for it because there is no way around it. He explained that the City entered into a 5 way agreement with the mall and there is no other way to go besides the City's tax base to take care of the matter. He stated the City could have walked away from it, but it would have left us a vacant hole in our downtown. Mayor Halverson said Mid-State, a non-taxable entity, was chosen to be a part of the solution because it has 575 full time students, 50 full time staff members and a 3,000 total student count. He stated that traffic generation is what will drive increased property value in the downtown. Mayor Halverson explained we can piggy-back on the bid that is a part of the Mid-State parking lot project and the western half of the Shopko parking lot will be rebuilt this year and this can be a project that flows with it. He stated we should get the lowest cost for our money, borrow it and not use the fund balance. If there is a finished parking lot around the Dunham's building, the price probably just went up, which will offset borrowing. He said if the Council wants an intergovernmental agreement between the City and the CDA to ensure the money flows back, the City Attorney can write it up. Mayor Halverson said the whole idea is now is the time to finish it and he asks the Council to authorize the full \$1.7 million to finish and clean up the project and get it developable.

Ald. Slowinski expressed concern with the Fox Theater in that during the referendum there were suggestions made that the City would assist with the repairing of the stage. He asked for clarification of the status.

Mayor Halverson stated right now they are not looking at expanding the building. He said whether or not the City contributes financially to the Fox Theater is up to the Council to decide but it is too early in the process to make that decision. Mayor Halverson thinks the City should help them pursue historic tax credits and try to make the project a reality.

Ald. Beveridge commented about the erosion control being significant. He asked if this borrowing would make it impossible for the City to borrow money sufficient to renovate Edgewater and if we were to borrow to renovate Edgewater, would that borrowing need to be in a separate financial instrument from this borrowing.

C/T Schlice said whether it is separate or not would depend on the time frame for the borrowing. This type of borrowing that includes environmental issues cannot exceed 10 years. He said, however, if the Council wanted to include the Edgewater and take it out the 20 years, the payments would be less but interest would be more. C/T Schlice said depending upon what the dollar amount is, it can be structured in different ways.

Director Ostrowski stated the Edgewater projections were for 20 years.

Ald. Trzebiatowski questioned the pollution under the floors of the Mid-State building which he understood was coming from the old WPS site that was migrating from the northwest coming in towards the Mid-State building and under the parking lot. He questioned if there was any fiscal recourse with WPS for the remediation.

Mayor Halverson said there are two situations that exist. We have an offset exemption letter from WPS for any contributing environmental contamination that has flowed onto that site from the old coal gasification site Ald. Trzebiatowski referenced. The point of origin of the contamination is from the old Normington Dry Cleaners' site which is about where the JCPenney parking lot and Water Street are currently located. This contamination has migrated under what will become the new Mid-State building and this is the main concern for the vapor extraction given the concentration levels of that particular contaminant. He also stated the contaminants on that site are more hazardous from the WPS site but they are in a lower concentration. The borings from the coal gasification site are less of a concern and WPS is completely responsible for that contamination.

Ald. Trzebiatowski asked if we remediate this property, wouldn't it be wise to take care of both contaminations at the same time.

Mayor Halverson said the concentrations of the chemicals that exist with the WPS site are probably not at actionable level. He called on Mr. Senfelds from AECOM to discuss the concentrations of the different types of chemicals, points of origin, how they got there and how they are treated.

Dave Senfelds from AECOM verified there are two contamination sources with the first one being the old WPS site and the second being the old dry cleaner site contamination. He explained the two different sources, one in which WPS is responsible for cleaning up. Mr. Senfelds further explained there are contaminants from the WPS site underneath the mall due to travel of the groundwater. He said, however, the contaminants of concern which are the heavy petroleum compounds do not emit the same vapor characteristics that dry cleaning chemicals do. Mr. Senfelds indicated that years ago, WPS did a remediation and now they are under a long term groundwater monitoring program under the direction of the EPA. However, WPS is not at the point yet where they can get a regulatory case closure on the site. He stated that we are just in the early stages of dealing with this contamination in terms of starting to investigate and determine the issues. He continued by saying there has been enough investigation done to determine that the contamination under the mall needs active remediation to reduce the vapor levels in the sub-slab so it will not be a risk to people who inhabit the Mid-State building. Mr. Senfelds explained the rest of the work in terms of the

groundwater contamination that is associated with the soil contamination underneath the roadway which is something that will need to be dealt with over the long term.

Mayor Halverson reiterated the motion was to approve the actions of the Finance Committee which were authorizing the \$1.7 million.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Slowinski, Patton, Moore
Nays: Ald. Wiza, Trzebiatowski, R. Stroik, Phillips
Motion carried.

10. Minutes and actions of the Board of Public Works meeting of February 11, 2013.

Ald. O'Meara moved, Ald. Beveridge seconded, to approve the Minutes and actions of the Board of Public Works meeting of February 11, 2013.

Roll Call: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski,
Wiza, O'Meara, Suomi, Beveridge
Nays: None. Motion carried.

11. WisDOT State / Municipal Agreement – regarding design and fees associated with the I39/North Reserve Street Project.

Ald. O'Meara stated he is abstaining on this agenda item.

Ald. Moore moved, Ald. Suomi seconded to approve the WisDOT State / Municipal Agreement – regarding design and fees associated with the I39/North Reserve Street Project.

Ald. Wiza asked if Director Schatschneider could give a brief explanation of the agenda item.

Director Schatschneider explained that in 2014 the Department of Transportation will be replacing the two overpasses on I-39 that currently go over North Reserve Street. He informed the Council that the City had been approached by the DOT if the City wanted to do improvements that could be piggy-backed on the DOT as far as the construction project. Director Schatschneider feels it is a good opportunity to reconstruct North Reserve Street from where the curb and gutter section currently terminates on North Reserve Street and construct bike lanes and a 10' pedestrian trail with curb/gutter and lighting out to Bluebell Lane which would also encompass the Eagle Summit subdivision. He expressed this would be an opportunity to build a facility while the contractors are there and what is being proposed to Council are the design fees of approximately \$290,000. He said the City's portion of the \$290,000 would be \$20,000 with the total construction estimated at \$4.3 million and the City's estimated construction cost would be \$400,000 for 2014.

Ald. Moore questioned the project going further out to Dubai Avenue.

Director Schatschneider said he has not had a chance to review those numbers yet as to what the additional cost would be. He said right now the DOT is looking for a commitment as far as the design phase so they can get the project started.

Ald. Moore asked if it needs to be added as an option to put both designs in the plan to point out the differences.

Director Schatschneider said they could work with a consultant and run the numbers to get what the cost would be out to Dubai Avenue. He said he could report back at the March Board of Public Works Committee meeting.

Mayor Halverson said Council will get an estimate.

Roll Call: Ayes: Ald. Beveridge, Suomi, Wiza, Slowinski, Trzebiatowski, Patton,
R. Stroik, Phillips, Moore
Nays: None. Motion carried.
Abstained: Ald. O'Meara

12. Minutes and actions of the Personnel meeting of February 11, 2013.

Ald. Moore moved, Ald. Slowinski seconded, to approve the Minutes and actions of the Personnel meeting of February 11, 2013.

Ald. Wiza asked for clarification of the minutes in which Ald. O'Meara made a motion to amend and Mayor Halverson then clarified Ald. O'Meara's amendment to include the following from City staff and one of them is to visit with the remaining staff of the Assessor's office to get a feel of how things are going without a full time Assessor. He questioned which City staff are meeting with those people.

Mayor Halverson stated it would be Ms. Jakusz and himself.

Ald. Wiza asked if this had been already done.

Mayor Halverson said they have not met with the Assessor's office staff yet. He indicated he spent a long time meeting with the contract Assessor, Jim Siebers, to get his perspective on the meeting and other ideas. Mayor Halverson indicated that Mr. Siebers shared several reflections he had on potential structures. He said they will not meet for as long as possible to give staff time under this structure before they ask them for their prospective.

Ald. Wiza expressed concern in regard to questioning of City staff and suggested the contract assessor give the report. He indicated that if his job were on the line, and he was asked by the administration, he would say that everything was fine even when it's not.

Mayor Halverson said the working relationship with staff in City Hall is that we tend to be fairly frank with each other. He stated when that is done, it is expected that objective responses will be given back. Mayor Halverson said he expects staff to be thoroughly

honest and if they say it's not working and it is the worst thing we have ever seen, we will take that advisement and let Council know that is what staff indicated. He also indicated that the structure in the Assessor's Office probably cannot be thoroughly evaluated until the process has gone through one assessment cycle in a contract environment. Mayor Halverson said it will be stretched out as long as possible to get an accurate conversation from the two employees in the Assessor's office and it will be reported back to the Personnel Committee.

Ald. Wiza asked the City Attorney if it would be appropriate to authorize the contracted assessor to give a report on how he feels the office is functioning without a full time assessor.

City Attorney said that particular item should be amended to include that.

Ald. Wiza **moved**, Ald. Trzebiatowski seconded, that Council also authorize the contracted assessor to discuss with remaining staff in the Assessor's office to get a feel of how things are going without a full time assessor and report back directly to Council.

Mayor Halverson also added that the contract assessor would be joining in via conference call at the next Personnel Committee.

Ald. O'Meara said that he does not like having someone who is under contract with the City give a report due to the fact that he is being put in a bad spot and he would prefer not to do that to any colleague.

Mayor Halverson indicated that a vote will be taken on the amendment which was presented by Ald. Wiza which changes the outcome of Agenda item 1 of the Personnel Committee meeting.

Ald. Beveridge commented on clarification of the amendment which is to have the report come just from the contract assessor or in addition.

Ald. Wiza said it is in addition. He said he was uncomfortable with just having city staff report. He would like an objective opinion in addition to city staff. Ald. Wiza would like the contracted assessor to report as well.

Roll Call: Ayes: Majority.
Nays: Minority. Motion carried.

Mayor Halverson stated that is added to the minutes and actions of the Personnel Committee meeting. He then called for a vote on the meeting as a whole.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

13. Minutes and actions of the Board of Water & Sewerage Commissioners meeting of February 11, 2013.

Ald. O'Meara **moved**, Ald. Beveridge seconded, to approve Minutes and actions of the Board of Water & Sewerage Commissioners meeting of February 11, 2013.

Roll Call: Ayes: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski,
Wiza, O'Meara, Suomi, Beveridge
Nays: None. Motion carried.

*** 14. Authorization to submit Requests For Proposals, and to award a qualifications based contract to an engineering firm to assist the Wastewater Dept. in submitting a Focus on Energy grant for biogas and energy efficiency improvements.**

Mayor Halverson explained this was a late addition to the Agenda due to the timeliness of the grant program. He mentioned a memo given to the Council from Director Lemke explaining the grant and what it will be used for.

Ald. O'Meara said sewage treatment is probably the biggest energy user of anything the City has and he feels it is incumbent upon the Council to make the process as efficient as possible.

Ald. O'Meara **moved**, Ald. Beveridge seconded to approve Authorization to submit Requests for Proposals, and to award a qualifications based contract to an engineering firm to assist the Wastewater Dept. in submitting a Focus on Energy grant for biogas and energy efficiency improvements.

Roll Call: Ayes: Ald. Beveridge, Suomi, O'Meara, Wiza, Slowinski, Trzebiatowski,
Patton, R. Stroik, Phillips, Moore
Nays: None. Motion carried.

15. Minutes and actions of the Police and Fire Commission meeting of February 5, 2013 and the Special Police and Fire Commission meeting of January 22, 2013.

Ald. Wiza **moved**, Ald. R. Stroik seconded, to approve the Minutes and actions of the Police and Fire Commission meeting of February 5, 2013 and the Special Police and Fire Commission meeting of January 22, 2013.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

16. Minutes and actions of the Board of Park Commissioners meeting of February 6, 2013.

Ald. Slowinski **moved**, Ald. O'Meara seconded, to approve the Minutes and actions of the Board of Park Commissioners meeting of February 6, 2013.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

17. Minutes and actions of the Transportation Commission meeting of January 24, 2013.

Ald. Patton **moved**, Ald. Wiza seconded to approve the Minutes and actions of the Transportation Commission meeting of January 24, 2013.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

18. Statutory Monthly Financial Report of the Comptroller-Treasurer.

Ald. Moore **moved**, Ald. Wiza second to accept the Statutory Monthly Financial Report of the Comptroller-Treasurer and place it on file.

Roll Call: Ayes: Majority.
Nays: None. Motion carried.

19. Adjourn into closed session pursuant to Wisconsin State Statutes 19.85(1)(e) for the purpose of deliberating and developing a negotiation strategy for the purchase of a public property, namely the Emerson School site from the School District.

Ald. O'Meara **moved**, Ald. Patton seconded, to enter into closed session at 8:53 p.m.

Roll Call: Ald. Moore, Phillips, R. Stroik, Patton, Trzebiatowski, Slowinski,
Wiza, O'Meara, Suomi, Beveridge
Excused: Ald. M. Stroik

Adjournment.

The meeting adjourned at 9:28 p.m.

PROCLAMATION

WHEREAS, April 11, 2013 will mark the 45th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciated a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

WHEREAS, the City of Stevens Point is committed to highlight the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community and to plan partnership efforts with other organizations to help assure every American of the right to fair housing; now therefore

the City of Stevens Point does hereby proclaim April 2013 as

FAIR HOUSING MONTH

in the City, and urge all citizens to wholeheartedly recognize this celebration through the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Stevens Point to be affixed, this eighteenth day of March, in the year of our Lord, two thousand thirteen.

Andrew J. Halverson, Mayor

**ORDINANCE AMENDING THE REVISED MUNICIPAL CODE
OF THE CITY OF STEVENS POINT, WISCONSIN**

[349 SECOND STREET NORTH]

The Common Council of the City of Stevens Point, Portage County, Wisconsin, do ordain as follows:

SECTION I: That the Zoning Ordinance of the Revised Municipal Code of the City of Stevens Point shall be amended to reclassify the following described territory from "B-4" Commercial District to "R-2" Single Family Residence District:

*349 Second Street North (Parcel ID 2408-29-2100-07), described as S 5 RD OF N 735F OF W 16 RD OF PRT
N ½ NW ¼ LYG E OF OLD HWY 51 S 29 T24 R8 540301, City of Stevens Point, Portage County, Wisconsin.*

SECTION II: That this ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: March 18, 2013
Adopted: March 18, 2013
Published: March 22, 2013

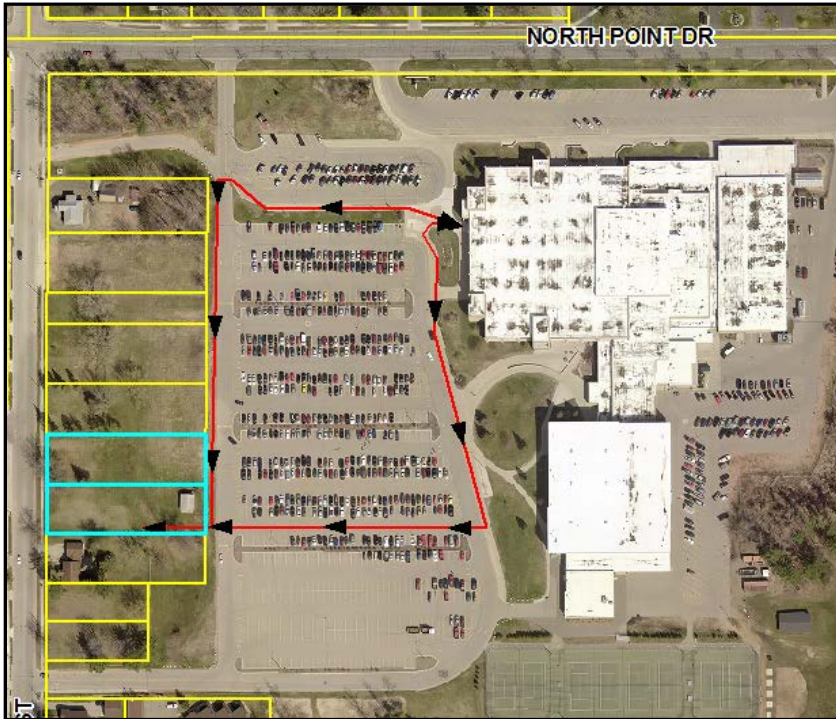
RESOLUTION

[341 & 349 SECOND STREET NORTH – LIFE SKILLS CENTER]

BE IT RESOLVED by the Common Council of the City of Stevens Point, Portage County, Wisconsin, that based upon the application and after reviewing the Plan Commission record and hearing the testimony of interested parties, the Common Council determines that all conditions required have been met, the properties located at **341 and 349 Second Street North (Parcel ID 2408-29-2100-08 and 2408-29-2100-07)**, described as S 82F OF N 817F OF W 16 RD OF PRT N 1/2 NW LYG E OF HWY 51 DES 190/461 S29 T24 R8 .49A 542391, and S 5 RD OF N 735F OF W 16 RD OF PRT N 1/2 NW 1/4 LYG E OF OLD HWY 51 S 29 T24 R8 540301, Stevens Point, Portage County, Wisconsin, are here by granted a Conditional Use Permit for the purpose of constructing educational/community center as shown on the attached plans. The Conditional Use Permit is subject to the following conditions:

1. All building codes shall be met and building permits obtained.
2. Vegetative landscaping or fencing at a height of 6' or above shall be installed along the southern most property line to buffer adjacent residential uses. Vegetation shall include a mixture of trees and screening vegetation. Trees shall be spaced at 1 per each 50 lineal feet at minimum.
3. If refuse containers are stored outside, they must be screened with screening materials to be approved by staff. The containers would only be allowed in the side or rear yards.
4. Minor modifications to the design and site plan can be approved by staff.
5. Two additional parking stalls shall be installed on the property directly east of the current parking stalls, meeting all applicable off-street parking dimensions, to accommodate increased traffic from facility programs.
6. Shall parking ever become an issue on SPASH's nearby property, which would be evidenced by additional on street parking, the Common Council reserves the right to require additional parking stalls on site.
7. The location of the attached garage with respect to the drive isle may create difficulty in accessing the garage with a vehicle. Staff would recommend shifting the building to the north approximately 10 feet to allow for a property turning radius.
8. Parking for the facility shall occur on the lots, or in the SPASH parking lot and not on the street.
9. If the Blue Light Café is open to the general public for serving purposes more than five times per calendar year, the owner/applicant must receive approval from the Community Development Department. The Department may place reasonable conditions upon the request to ensure the use does not negatively impact the neighborhood.

10. A designated path (e.g. sidewalk) from the High School to the Life Skills Center, similar to example identified in the image below, shall be established to provide a connection between the two buildings. Identified crosswalks shall be established where the path crosses a drive lane or the parking lot.



Such approval constitutes a Conditional Use under the City's ordinances.

Approved: _____

Andrew J. Halverson, Mayor

Attest: _____

John Moe, City Clerk

Dated: March 18, 2013

Adopted: March 18, 2013

Drafted by: Michael Ostrowski

Return to: City Clerk

SIDE AND REAR YARD PARKING LOT SETBACK

USE	ACROSS FROM ZONING DISTRICT												
	Cons & RLD	R1 SF	R2 SF	R3 2F	R4 MF	R5 OFF	B1 NB	B2 CBT	B3 CBD	B4 COMM	B5 HY10	M1 IND	M2
Cons & RLD	10	10	10	10	10	10	10	10	10	10	10	10	10
R-1 &R-2	10	10	10	10	10	10	10	10	10	10	10	10	10
R-3	10	10	10	10	10	10	10	10	10	10	10	10	10
R-4	10	10	10	10	10	10	10	10	10	10	10	10	10
R-5	10	10	10	10	10	10	10	10	10	10	10	10	10
B-1	5	5	5	5	5	5	5	5	5	5	5	5	5
B-2	3	3	3	3	3	3	3	3	3	3	3	3	3
B-3	3	3	3	3	3	3	3	3	3	3	3	3	3
U1&B4	5	5	5	5	5	5	5	5	5	5	5	5	5
B-5 See 23.02(2) (e)	5	5	5	5	5	5	5	5	5	5	5	5	5
M-1	5	5	5	5	5	5	5	5	5	5	5	5	5
M-2	5	5	5	5	5	5	5	5	5	5	5	5	5

SECTION II: That the table in Section 23.02(2)(e)(4) of the Revised Municipal Code of the City of Stevens Point be amended to read as follows:

minimum lot size	35,000 sq. ft.
minimum lot width	125 ft.
building street yard setback	40 ft. setback from Hwy. 10 E. 25 ft. setback from all other streets
parking lot street yard setback	30 ft. setback from Hwy. 10 E. 5 ft. setback from all other streets (Subject to review by Plan Commission and Common Council)
building side yard setback	10 ft.
parking side yard setback	5 ft.
building rear yard setback	20 ft.
parking rear yard setback	5 ft.

SECTION III: That this ordinance shall take effect upon passage and publication.

Approved: _____
Andrew J. Halverson, Mayor

Attest: _____
John Moe, City Clerk

Dated: March 18, 2013
Adopted: March 18, 2013
Published: March 22, 2013

OPTION 1

2.28 STANDING COMMITTEES. Following are the standing committees of the common council: Board of Public Works, Finance Committee, Public Protection Committee, and Personnel Committee. The appointments to such committees shall be made by the President of the Common Council on or before May 1 of each year, subject to confirmation by the common council, except where otherwise expressly provided by law.

Every alderperson of the several districts shall be appointed to at least one standing committee.

The respective Standing Committee shall thereafter appoint its Chairperson.

OPTION 2

2.28 STANDING COMMITTEES. Following are the standing committees of the common council: Board of Public Works, Finance Committee, Public Protection Committee, and Personnel Committee. The appointments to such committees shall be made by the President of the Common Council and two alderpersons selected by the President of the Council on or before May 1 of each year, subject to confirmation by the common council, except where otherwise expressly provided by law.

Every alderperson of the several districts shall be appointed to at least one standing committee.

The respective Standing Committee shall thereafter appoint its Chairperson.

OPTION 3

2.28 STANDING COMMITTEES. Following are the standing committees of the common council: Board of Public Works, Finance Committee, Public Protection Committee, and Personnel Committee. The appointments to such committees shall be made by the President of the Common Council and the two alderpersons with the longest aldermanic tenure on or before May 1 of each year, subject to confirmation by the common council, except where otherwise expressly provided by law.

Every alderperson of the several districts shall be appointed to at least one standing committee.

The respective Standing Committee shall thereafter appoint its Chairperson.

OPTION 4

2.28 STANDING COMMITTEES. Following are the standing committees of the common council: Board of Public Works, Finance Committee, Public Protection Committee, and Personnel Committee. The appointments to such committees shall be made by the Mayor, President of the Common Council and the alderperson with the longest aldermanic tenure on or before May 1 of each year, subject to confirmation by the common council, except where otherwise expressly provided by law.

Every alderperson of the several districts shall be appointed to at least one standing committee.

The respective Standing Committee shall thereafter appoint its Chairperson.

MEMORANDUM

TO: PUBLIC PROTECTION COMMITTEE, COMMON COUNCIL
FROM: RANDY STROIK
SUBJECT: POSSIBLE CHANGES TO STANDING COMMITTEE APPOINTMENTS
DATE: MARCH 5, 2013
CC: CITY CLERK JOHN MOE, MAYOR ANDREW HALVERSON, CITY ATTORNEY LOUIS MOLEPSKE

After receiving comments and feedback from many community members, I have decided the time is right to discuss the current process of appointments to standing committees of the common council. It is my understanding that years ago, the appointment process was in the hands of the 3 senior council members to make recommendations to the four standing committees and then the council would approve those appointments much like we do currently.

Although Mayoral appointments are most common in the area, in looking at other communities closest to our size it is split. For the City of Neenah (pop.25,723) and the City of Sun Prairie (pop. 29,840) the Mayor makes the appointments with the Council's confirmation. While in the City of Fitchburg (pop. 25,246) the Council President makes the appointments and the Council confirms. And in the City of Superior (pop.27,146) it is the Council President and Vice President that make the appointments and the Council confirms. In the cases of Neenah, Superior and Sun Prairie the Committees themselves select their Committee Chair. For the City of Fitchburg the Council President selects the Chairs.

Attached to this memo are some options that City Attorney Molepske has created to change the ordinance if we so choose. These are meant to be starting points for discussion and the Public Protection committee can choose one of these suggestions, modify and create a new proposed selection process, or simply choose to do nothing and essentially affirm the current process for selecting appointments to these committees.

Regards,

Randy Stroik
9th District Alderperson
Chair – Public Protection Committee

**JOINT MUNICIPAL AGREEMENT OF THE CITY OF STEVENS POINT AND
COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF STEVENS POINT
FOR EDGEWATER MANOR**

WHEREAS, the City of Stevens Point, a municipal corporation, and the Community Development Authority (CDA) of the City of Stevens Point, a separate body politic and corporate, desire to enter into an agreement regarding appropriations of certain monies to the CDA to fulfill certain contract obligations which the CDA has incurred and to complete the downtown rehabilitation project; and

WHEREAS, the City of Stevens Point has or anticipates borrowing the sum of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) which sum would be appropriated to the CDA for such uses as provided above; and

WHEREAS, the CDA has contemplated the sale of property which it owns and controls, namely Edgewater Manor, located on Water Street within the City of Stevens Point more particularly described as follows:

Tax Parcel No. 281-2408-32-2019-33:

Lot 1 of Portage County Certified Survey Map No. 4934 as recorded in Volume 17, Page 189 of Portage County Certified Surveys; being Outlot 1 of Portage County Certified Survey Map No. 4859-17-114 and part of Blocks 24 and 25 of Strongs, Ellis & Others Addition; and Government Lot 2; located in Section 32, Township 24 North of Range 8 East in the City of Stevens Point, Portage County, Wisconsin.

Tax Parcel No. 281-2408-32-2019-35:

Lot 2 of Portage County Certified Survey Map No. 4934 as recorded in Volume 17, Page 189 of Portage County Certified Surveys; being Outlot 1 of Portage County Certified Survey Map No. 4859-17-114 and part of Blocks 24 and 25 of Strongs, Ellis & Others Addition; and Government Lot 2; located in Section 32, Township 24 North of Range 8 East in the City of Stevens Point, Portage County, Wisconsin.

WHEREAS, the City of Stevens Point desires to advise and consent to any proposed sale of such property by the CDA.

NOW THEREFORE, in consideration of the appropriation of such funds as described above to the Community Development Authority (CDA) of the City of Stevens Point, the CDA does hereby agree and acknowledge that the CDA will not transfer, convey, sell or otherwise dispose of Edgewater Manor, except leases by the CDA for the purpose of residential dwelling occupation of the building by individual tenants, without the advice and consent of the Common Council of the City of Stevens Point.

This agreement and covenant shall remain in full force and effect until mutually modified by both of the undersigned entities and shall run with the land. The City Clerk is directed to record this agreement in the Office of the Register of Deeds for Portage County.

Dated this _____ day of March, 2013 at Stevens Point, Wisconsin.

By: _____ CDA of the City of Stevens Point – Chairman

By: _____ CDA of the City of Stevens Point – Exec. Sec.

By: _____ City of Stevens Point – Mayor

By: _____ City of Stevens Point - Clerk

**RESOLUTION APPROPRIATING FUNDS
OF THE CITY OF STEVENS POINT, WISCONSIN**

BE IT RESOLVED pursuant to Section 2.19 of the Revised Municipal Code, the Common Council of the City of Stevens Point does hereby appropriate the anticipated funds in the amount of One Million Seven Hundred Thousand Dollars (\$1,700,000.00) from a note issued for the purposes provided therein to the Community Development Authority (CDA) of the City of Stevens Point for completion of the project; on the condition that the CDA enters into a joint municipal agreement with the City of Stevens Point providing conditions on the transfer of Edgewater Manor by the CDA as set forth in the annexed agreement.

Adopted and approved this _____ day of March, 2013.

CITY OF STEVENS POINT, WISCONSIN

By: _____
Andrew J. Halverson, Mayor

(SEAL)

By: _____
John V. Moe, Clerk

**COMMON COUNCIL
OF THE
CITY OF STEVENS POINT, WISCONSIN**

March 18, 2013

Resolution No. _____

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$1,700,000 General Obligation Promissory Notes, Series 2013B,
and All Related Details**

RECITALS

The Common Council (the “**Governing Body**”) of the City of Stevens Point, Wisconsin (the “**Issuer**”) makes the following findings and determinations:

1. The Issuer needs funds to finance public projects, including, but not limited to, various environmental remediation and related reconstruction at specific Issuer locations (collectively, the “**Project**”).
2. The Governing Body wishes to borrow the funds needed for the Project by selling and issuing general obligation promissory notes pursuant to the provisions of Section 67.12 (12) of the Wisconsin Statutes.
3. The Issuer has taken all actions required by law and has the power to sell and issue the obligations authorized by 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.

“**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.

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

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

“**Governing Body**” means the Issuer’s Common Council.

“**Issuer**” means the City of Stevens Point, Wisconsin.

“**Municipal Officers**” means the Mayor 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 \$1,700,000 City of Stevens Point, Wisconsin General Obligation Promissory Notes, Series 2013B, which will be issued pursuant to this resolution.

“**Original Issue Date**” means April 1, 2013.

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

“**Purchase Price**” means \$1,700,000.

“**Purchaser**” means Investors Community Bank.

“**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 at its designated office, in which the Fiscal Agent records:

- (i) The name and address of the owner of each Obligation.
- (ii) 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:

- (i) *Exhibit A* — Form of Obligation.
- (ii) *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, general obligation promissory notes of the Issuer in the aggregate principal amount of \$1,700,000. The Obligations will be issued pursuant to the provisions of Section 67.12 (12) of the Wisconsin Statutes for the purposes of the Project and paying the expenses of issuing the Obligations (including printing costs, fees for financial consultants, bond counsel, rating agencies, insurance, and registration, as applicable).

Section 4. Terms of Obligations.

The Obligations will be named “City of Stevens Point, Wisconsin General Obligation Promissory Notes, Series 2013B.” 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 \$1,000 or any multiple of \$1,000 up to the principal amount authorized to be issued.

The Obligations will bear interest from the Original Issue Date. Interest will be payable on each April 1 and October 1 until the principal of the Obligations has been paid, beginning on April 1, 2014. 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 Obligations will mature on October 1, 2023 and will bear interest at the annual rate of 2.10%.

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 paying agent and registrar for the Obligations. Among other things, the Fiscal Agent must maintain the Register.

Section 6. Redemption.

The Obligations are subject to redemption before their stated maturity date at the Issuer’s option, in part, on any date. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. The Obligations will be redeemed in \$1,000 multiples in accordance with Section 7 hereof, and the amount redeemed will be applied against future Sinking Fund Redemption Dates (as defined below) in inverse order of redemption date.

The Obligations are also subject to mandatory partial redemptions prior to their 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 of the Obligations:

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
April 1, 2014	\$ 25,000
April 1, 2015	25,000
April 1, 2016	50,000
April 1, 2017	50,000
April 1, 2018	100,000
October 1, 2018	100,000
April 1, 2019	100,000
October 1, 2019	100,000
April 1, 2020	150,000
October 1, 2020	150,000
April 1, 2021	150,000
October 1, 2021	150,000
April 1, 2022	150,000
October 1, 2022	150,000
April 1, 2023	125,000
October 1, 2023 (Stated Maturity)	125,000

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. If there is more than one registered owner of the Obligations on a Sinking Fund Redemption Date, then the principal amount of the Obligations to be redeemed set forth above will be selected pro rata among the owners of the Obligations, and the Issuer will give notice of the redemption in the manner stated in this resolution. If there is only one registered owner of the Obligations on a Sinking Fund Redemption Date, then (i) the Issuer will redeem the portion of the Obligations equal to the principal amount to be redeemed set forth above, (ii) no notice of redemption need be given to the registered owner of the Obligations, and (iii) the registered owner of the Obligations may submit the Obligations to the Issuer to confirm the outstanding principal amount after the redemption.

Section 7. Payment of Obligations/Transfers/Redemption Notices.

Payment. Except as provided below with respect to certain sinking fund redemptions, 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 transfer or by check of the Fiscal Agent sent by first class mail to the person or entity in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The principal of each Obligation due on each Sinking Fund Redemption Date (other than October 1, 2023) on which there is only one registered owner of the Obligations will be paid by the Fiscal Agent on the applicable Sinking Fund Redemption Date, without presentation and surrender of the Obligations, by wire or other electronic 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 \$1,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation must 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 Fiscal Agent 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 day period before the date of the sending of any redemption notice with respect to a Sinking Fund Redemption Date, or (ii) 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 will randomly select the Obligations to be redeemed. Except as provided above for certain sinking fund redemptions, if an Obligation has been called for redemption but less than the entire principal amount is redeemed, then on the redemption date, upon surrender 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. Except as provided above for certain sinking fund redemptions, notice of the redemption of any of the Obligations must be sent by first class mail not less than 15, and not more than 30, days before the redemption date to the registered owners of the Obligations to be redeemed. A notice of redemption may be revoked by sending a notice by first class mail not less than 5 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

Accrual of Interest. 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.

Register. The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligation for all purposes whatsoever under this resolution.

Section 8. Form of Obligations.

The Obligations must 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.

Section 9. Execution of Obligations.

The Obligations must be signed by the persons who are the Municipal Officers on the date on which the Obligations are signed. The Obligations must be sealed with the Issuer's

corporate seal (or a facsimile), if the Issuer has one, and they must also be authenticated by the manual signature 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 10. Continuing Disclosure.

The Obligations are exempt from the requirement that a participating underwriter obtain the Issuer's undertaking to provide continuing disclosure.

Section 11. 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 time and place of closing of the sale.

The Municipal Officers are directed to sign the Obligations and to arrange for delivery of the Obligations to the Purchaser upon payment by the Purchaser of the Purchase Price, plus any accrued interest, as required by this resolution.

The sale of the Obligations is conditioned upon the Issuer furnishing the following items to the Purchaser:

- (i) 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 and that interest on the Obligations will be excluded from gross income for federal income tax purposes.
- (ii) A transcript of the proceedings relating to the issuance of the Obligations.
- (iii) 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 12. 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, credit, and resources. The Issuer hereby levies upon all

taxable 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 at maturity.

This tax must be carried from year to year into the Issuer’s tax roll. It must 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 available to pay debt service on the Obligations for such year. This tax will be in the following amounts:

<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>
2013	\$ 78,287.50
2014	59,912.50
2015	84,125.00
2016	83,075.00
2017	231,500.00
2018	227,300.00
2019	322,575.00
2020	316,275.00
2021	309,975.00
2022	253,937.50

Section 13. Debt Service Fund.

The Treasurer is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund. The Debt Service Fund must be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Issuer must create a separate account within the Debt Service Fund solely for the Obligations. Any accrued interest received at the time 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 must be deposited into the Debt Service Fund and used to pay debt service on the Obligations. If the money in the Debt Service Fund 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 14. Borrowed Money Fund.

The sale proceeds of the Obligations (not including any accrued interest or premium received) must be deposited in and kept by the Treasurer in a separate fund. The fund must be designated with both the name of the Obligations and the name Borrowed Money Fund

(herein referred to as the “**Borrowed Money Fund**”). Money in the Borrowed Money Fund, including any earnings, must be (i) used to pay the costs of the Project, the costs issuing the Obligations, and the costs investing amounts in the Borrowed Money Fund or (ii) transferred to the Debt Service Fund as provided by law.

Section 15. Publication of Notice.

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

Section 16. 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:

- (i) Certified copies of proceedings and records of the Issuer relating to the Obligations and to the financial condition and affairs of the Issuer.
- (ii) 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 are representations of the Issuer as to the facts they present.

Section 17. Qualified Tax-Exempt Obligations.

The Issuer designates the Obligations as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Section 18. Tax Law Covenants.

The Issuer covenants that it will comply with all requirements of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder, that must be satisfied so that interest on the Obligations will be excluded from gross income for federal income tax purposes.

Section 19. 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 20. Conflict with Prior Acts.

In case any part of a prior action of the Governing Body conflicts with this resolution, the Issuer rescinds that part of the prior action.

Section 21. 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 22. Effective Date.

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

* * * * *

Adopted: March 18, 2013

Approved: March __, 2013

Mayor

Clerk

EXHIBIT A

FORM OF OBLIGATION

STATE OF WISCONSIN
CITY OF STEVENS POINT

No. R-____ Registered
\$ _____

GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2013B

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Issue Date</u>	<u>CUSIP</u>
_____%	October 1, 2023	April 1, 2013	None

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS

THE CITY OF STEVENS POINT, WISCONSIN (herein called the “**Issuer**”), hereby acknowledges itself to owe, and for value received promises to pay to the Registered Owner, the Principal Amount, on the Maturity Date, and to pay interest on the Principal Amount from the Original Issue Date at the annual rate of the Interest Rate. Interest is payable on each April 1 and October 1 until the Principal Amount has been paid, beginning on April 1, 2014. Interest is computed on the basis of a 360-day year of twelve 30-day months.

This Obligation is one of a duly authorized issue of obligations (the “**Obligations**”) of the Issuer of an aggregate principal amount of \$1,700,000, all of like tenor, except as to denomination, issued by the Issuer pursuant to the provisions of Section 67.12 (12) of the Wisconsin Statutes, and is authorized by the resolution duly adopted by the governing body of the Issuer on March 18, 2013, entitled: “A Resolution Authorizing and Providing for the Sale and Issuance of \$1,700,000 General Obligation Promissory Notes, Series 2013B, and All Related Details” (the “**Resolution**”). The Obligations are issuable only in the form of fully registered obligations.

Except as provided below with respect to certain sinking fund redemptions, the principal on this Obligation will be paid by the Treasurer of the Issuer (who will act as paying agent and registrar for the Obligations), or any successor fiscal agent appointed by the Issuer to act as paying agent and registrar for the Obligations under Section 67.10 (2) of the Wisconsin Statutes (hereinafter called the “**Fiscal Agent**”), upon its presentation and surrender at the designated office of the Fiscal Agent on or after its maturity or earlier redemption date. Interest on this Obligation will be paid, on each interest payment date, by the Fiscal Agent, by wire or

other electronic transfer or by check of the Fiscal Agent sent by first class mail to the person or entity in whose name this Obligation is registered on the register (hereinafter called the “**Register**”) maintained by the Fiscal Agent at the end of the 15th day (whether or not a business day) of the calendar month preceding each regularly scheduled interest payment date (the “**Record Date**”). The principal of the Obligations due on each Sinking Fund Redemption Date (as defined below), other than October 1, 2023, on which there is only one registered owner of the Obligations will be paid by the Fiscal Agent on the applicable Sinking Fund Redemption Date, without presentation and surrender of the Obligations, by wire or other electronic transfer or by check of the Fiscal Agent sent by first class mail to the person in whose name the Obligations are registered on the Register at the end of the day on the applicable Record Date (no notice will be given to the registered owner of such a mandatory redemption).

The principal of, and interest on, this Obligation is payable in lawful money of the United States of America. For the prompt payment of the principal of, and interest on, this Obligation, the Issuer has irrevocably pledged its full faith, credit, and resources. The Issuer has levied upon all taxable property in its territory a direct, annual, and irrevocable tax sufficient in amount to pay, and for the express purpose of paying, the interest on this Obligation as it falls due and the principal of this Obligation on the Maturity Date.

The Obligations are subject to redemption before their stated maturity date, at the Issuer’s option, in part, on any date. The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the redemption date, and no premium will be paid. The Obligations will be redeemed in \$1,000 multiples as set forth below, and the amount redeemed will be applied against future Sinking Fund Redemption Dates (as defined below) in inverse order of redemption date.

The Obligations are also subject to mandatory partial redemptions prior to their 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 of the Obligations:

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
April 1, 2014	\$ 25,000
April 1, 2015	25,000
April 1, 2016	50,000
April 1, 2017	50,000
April 1, 2018	100,000
October 1, 2018	100,000
April 1, 2019	100,000
October 1, 2019	100,000
April 1, 2020	150,000
October 1, 2020	150,000
April 1, 2021	150,000
October 1, 2021	150,000
April 1, 2022	150,000
October 1, 2022	150,000

<u>Sinking Fund Redemption Date</u>		<u>Principal Amount to be Redeemed</u>
April 1, 2023		\$ 125,000
October 1, 2023	(Stated Maturity)	125,000

The redemption price will be 100% of the principal amount so redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. If there is more than one registered owner of the Obligations on a Sinking Fund Redemption Date, then the principal amount of the Obligations to be redeemed set forth above will be selected pro rata among the owners of the Obligations, and the Issuer will give notice of the redemption in the manner stated below. If there is only one registered owner of the Obligations on a Sinking Fund Redemption Date, then (i) the Issuer will redeem the portion of the Obligations equal to the principal amount to be redeemed set forth above, (ii) no notice of redemption need be given to the registered owner of the Obligations, and (iii) the registered owner of the Obligations may submit the Obligations to the Issuer to confirm the outstanding principal amount after the redemption.

Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$1,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation must 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 Fiscal Agent 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 day period before the date of the sending of any redemption notice with respect to a Sinking Fund Redemption Date, or (ii) after the Obligation has been called for redemption.

If less than all the principal amount of a specific maturity is to be redeemed, then the Issuer will randomly select the Obligations to be redeemed. Except as provided above for certain sinking fund redemptions, if an Obligation has been called for redemption but less than the entire principal amount is redeemed, then on the redemption date, upon surrender of the Obligation to be redeemed, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Except as provided above for certain sinking fund redemptions, notice of the redemption of any of the Obligations must be sent by first class mail not less than 15, and not more than 30, days before the redemption date to the registered owners of any Obligations to be redeemed. A notice of redemption may be revoked by sending a notice by first class mail not less than 5 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name this Obligation is registered on the Register as the absolute owner of this Obligation for all purposes.

The Issuer certifies, recites, and declares that all acts, conditions, and procedures required by law to be, or to be done, leading up to and in the issuing of this Obligation and of the issue of which it is a part, do exist, have happened, and have been done and performed in regular and due form, time, and manner as required by law; that the indebtedness of the Issuer, including this Obligation and the issue of which it is a part, does not exceed any limitation, general or special, imposed by law; and that a valid, direct, annual and irrevocable tax has been levied by the Issuer sufficient to pay the interest on this Obligation when it falls due and also to pay and discharge the principal of this Obligation at maturity.

IN WITNESS WHEREOF, the Issuer, by its governing body, has caused this Obligation to be executed in its name and on its behalf by the manual or facsimile signatures of its Mayor and Clerk and to be sealed with its corporate seal (or a facsimile thereof), if any, all as of April 1, 2013.

CITY OF STEVENS POINT, WISCONSIN

By: _____
Mayor

[SEAL]

And: _____
Clerk

Certificate of Authentication

Dated: April __, 2013

This Obligation is one of the Obligations described in the Resolution.

By: _____
Treasurer, as Fiscal Agent

ASSIGNMENT

For value received, the undersigned hereby sells, assigns, and transfers unto

PLEASE INSERT SOCIAL SECURITY OR
OTHER IDENTIFYING NUMBER OF ASSIGNEE

[Empty rectangular box for social security or identifying number]

(Please Print or Type Name and Address of Assignee)

the within-mentioned Obligation and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney-in-fact, to transfer the same on the books of the registry in the office of the Fiscal Agent, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signatures must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Fiscal Agent . Those requirements include membership or participation in the Securities Transfer Association Medallion Program (“STAMP”) or such other “signature guarantee program” as may be determined by the Fiscal Agent in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Note: The signature to this assignment must correspond with the name as written on the face of the within Obligation in every particular, without any alteration or change. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of the person’s authority to act must accompany this Obligation.

April __, 2013

City of Stevens Point
1515 Strongs Avenue
Stevens Point, Wisconsin 54481

Subject: \$1,700,000
City of Stevens Point, Wisconsin
General Obligation Promissory Notes, Series 2013B

We have acted as bond counsel to the City of Stevens Point, Wisconsin (the “**Issuer**”) in connection with the issuance of its \$1,700,000 General Obligation Promissory Notes, Series 2013B, dated April 1, 2013 (the “**Obligations**”).

We examined the law, a certified copy of the proceedings relating to the issuance of the Obligations, and certifications of public officials and others. As to questions of fact material to our opinion, we relied upon the certified proceedings and certifications without independently undertaking to verify them.

Based upon this examination, it is our opinion that, under existing law:

1. The Obligations are valid and binding general obligations of the Issuer.
2. All taxable property in the Issuer’s territory is subject to *ad valorem* taxation without any limit as to rate or amount to pay the principal and interest coming due on the Obligations. The Issuer is required by law to include in its annual tax levy the principal and interest coming due on the Obligations except to the extent that the Issuer has deposited other funds, or there is otherwise surplus money, in the account within the debt service fund created for the Obligations under Wisconsin law.
3. Interest on the Obligations is excluded from gross income for federal income tax purposes and is not a specific item of tax preference for purposes of the federal alternative minimum tax imposed on all taxpayers; however, interest on the Obligations is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax imposed on certain corporations. The Issuer must comply with all requirements of the Internal Revenue Code of 1986, as amended (the “**Code**”), that must be satisfied after the Obligations are issued for interest on the Obligations to be, or continue to be, excluded from gross income for federal income tax purposes. The Issuer has agreed to comply with those requirements. Its failure to do so may cause interest on the Obligations to be included in gross income for federal income tax purposes, in some cases retroactively to the date the Obligations

were issued. The Issuer has designated the Obligations as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code. We express no opinion about other federal tax law consequences relating to the Obligations.

The rights of the owners of the Obligations and the enforceability of the Obligations may be limited by bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors’ rights and by equitable principles (which may be applied in either a legal or an equitable proceeding).

We express no opinion as to the truth or completeness of any official statement or other disclosure document used in connection with the offer and sale of the Obligations.

Our opinion is given as of the date of this letter. We assume no duty to update our opinion to reflect any facts or circumstances that later come to our attention or any subsequent changes in law. In acting as bond counsel, we have established an attorney-client relationship only with the Issuer.

Very truly yours,

EXHIBIT B

NOTICE TO THE ELECTORS OF THE
CITY OF STEVENS POINT, WISCONSIN
RELATING TO NOTE SALE

On March 18, 2013, pursuant to Section 67.12 (12) of the Wisconsin Statutes, a resolution was offered, read, approved and adopted whereby the City of Stevens Point, Wisconsin authorized the borrowing of money and entered into a contract to sell general obligation promissory notes in the face amount of \$1,700,000. It is anticipated that the closing of this note financing will be held on or about April 1, 2013. A copy of all proceedings had to date with respect to the authorization and sale of said notes is on file and may be examined in the office of the City Clerk, at 1515 Strongs Avenue, Stevens Point, Wisconsin between the hours of 7:30 a.m. and 4:00 p.m. on weekdays.

This notice is given pursuant to Section 893.77 of the Wisconsin Statutes, which provides that an action or proceeding to contest the validity of such financing, for other than constitutional reasons, must be commenced within 30 days after the date of publication of this notice.

Publication Date: March __, 2013

/s/ John Moe

City Clerk

CERTIFICATIONS BY CLERK

I, John Moe, certify as follows:

- I am the duly qualified and acting Clerk of the City of Stevens Point, Wisconsin (the “**Municipality**”).
- As such I have in my possession, or have access to, the complete corporate records of the Municipality and of its Common Council (the “**Governing Body**”).
- Attached to this certificate is a true, correct, and complete copy of the resolution (the “**Resolution**”) entitled:

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$1,700,000 General Obligation Promissory Notes, Series 2013B,
and All Related Details**

I further certify as follows:

1. **Meeting Date.** On March 18, 2013, a meeting of the Governing Body was held beginning at 7:00 p.m.

2. **Posting.** On March __, 2013 (and not less than 24 hours prior to the meeting), I posted, or caused to be posted, at the Municipality’s offices in Stevens Point, Wisconsin a notice setting forth the time, date, place, and subject matter of said meeting. The notice specifically referred to the Resolution.

3. **Notification of Media.** On March __, 2013 (and not less than 24 hours prior to the meeting), I communicated or caused to be communicated, the time, date, place, and subject matter of said meeting to those news media that have filed a written request for such notice and to the official newspaper of the Municipality. The communication specifically referred to the Resolution.

4. **Open Meeting Law Compliance.** The meeting was a regular meeting of the Governing Body that was held in open session in compliance with Subchapter V of Chapter 19 of the Wisconsin Statutes and any other applicable local rules and state statutes.

5. **Members Present.** The meeting was duly called to order by the Mayor (the “**Presiding Officer**”), who chaired the meeting. Upon roll call, I noted and recorded that there were __ members of the Governing Body present at the meeting, such number being a quorum of the Governing Body.

6. **Consideration of and Roll Call Vote on Resolution.** Various matters and business were taken up during the course of the meeting without intervention of any closed

session. One of the matters taken up was the Resolution. A proper quorum of the Governing Body was present for the consideration of the Resolution, and each member of the Governing Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration, upon roll call, ___ of the Governing Body members voted Aye, ___ voted Nay, and ___ Abstained.

7. **Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I recorded the adoption of the Resolution.

8. **Approval of Presiding Officer.** The Resolution was approved by the Presiding Officer on March __, 2013, and I have recorded the approval. The approval is evidenced by the signature of the Presiding Officer on the copy of the Resolution this certificate is attached to.

9. **Publication of Exhibit B to Resolution.** I have caused Exhibit B to the Resolution to be published in the form and place specified in the Resolution.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Municipality, if any, on this certificate on March _____, 2013.

Clerk

[Seal]

PRELIMINARY RESOLUTION

RESOLVED, by the Common Council of the City of Stevens Point, Wisconsin:

SECTION I. The Common Council of the City of Stevens Point hereby declares its intention to exercise its police power under Section 66.0703(1) (a), Wisconsin Statutes, to levy special assessments upon property within the following described area for special benefits conferred upon such property by improvement to such areas:

- A. FOR REPLACEMENT OF NON-STANDARD WATER SERVICES - PROJECT # 09-13.
 - 1) All property fronting upon both sides of **ELLIS STREET** from its intersection with Division Street to its intersection with Michigan Avenue.
(Project # 09-13)
- B. FOR REPLACEMENT OF NON-STANDARD SANITARY SEWER LATERALS - PROJECT # 09-13.
 - 1) All property fronting upon both sides of **ELLIS STREET** from its intersection with Division Street to its intersection with Michigan Avenue.
(Project # 09-13)

SECTION II.

- A. The public improvement described in Section IA shall include the replacement of existing water services constructed of galvanized or other non-standard materials in said street or portion thereof. The public improvement does not include replacement of services between the right of way line and the house, this part of the service is located on private property and is not included in the assessment. The public improvement does include reconnecting the new service to the existing service at the right of way line/property line.
- B. The public improvement described in Section IB shall include the replacement of existing sanitary sewer laterals that are constructed of clay or other non-standard materials in said street or portion thereof. The public improvement does not include replacement of laterals between the right of way line and the house, this part of the lateral is located on private property and is not included in the assessment. The public improvement does include reconnecting the new lateral to the existing lateral at the right of way line/property line.

SECTION III. The total amount assessed against the properties in the defined assessment district shall not exceed 100% of the cost of the improvement. The Common Council determines that the improvement constitutes an exercise of the police power and the amount assessed against each parcel shall be based on actual cost.

SECTION IV. The manner and method of payment will be determined in the final resolution.

SECTION V. The Board of Public Works will prepare a report which shall consist of:

- A. Preliminary Plans and specifications for the improvements.
- B. The estimated cost of the proposed improvements.
- C. Schedule of proposed assessments.

SECTION VI. When the report is completed, the Board of Public Works shall file a copy of the report with the City Clerk.

SECTION VII. Upon receiving the report of the Board of Public Works, the Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed assessment district, the time and place at which the report may be inspected, and the time and place of the public hearing in the matters contained in the preliminary resolution and the report. This notice shall be published as a Class I notice and a copy shall be mailed, at least ten (10) days before the hearing to every interested party.

SECTION VIII. The hearing shall be held in the Council Chambers in the County-City Building at a time set by the City Clerk in accordance with Section 66.0703(7) (a), Wisconsin Statutes.

APPROVED: _____
Andrew J. Halverson, Mayor

ATTEST: _____
John Moe, City Clerk

Dated: March 1, 2013
Adopted: March 18, 2013
Publish: March 22, 2013

Minutes
Transportation Commission Meeting
March 7, 2013

Commission members in attendance: Chairperson Nichole Lysne, Bob Woehr, Ald. Mary Stroik, Ald. Jeremy Slowinski, Fred Hopfensperger, Elbert Rackow

Excused: Hans Walther

Others present: Transit Manager Susan Lemke

The meeting was called to order at 5:30 p.m. by Chairperson Nichole Lysne.

1. Approval of minutes from the January 24, 2013 Transportation Commission meeting.

Bob Woehr moved to approve the minutes of the January 24, 2013 Transportation Commission meeting. Ald. Mary Stroik seconded. Ayes all; Nays none; Motion carried.

2. Approval of the vendor award and purchase of an electric ride on sweeper/scrubber, funded through the American Recovery and Reinvestment Act grant at 100%.

Quotes were received from three (3) vendors for an electric ride on sweeper/scrubber for the transit system. The quotes were received as follows: Fairchild Equipment - \$48,092; Atlas First Access - \$52,500; Stepp Equipment \$53,874. All vendors met the specifications of the RFQ. Elbert Rackow moved to approve the purchase of the electric sweeper/scrubber with the award going to Fairchild Equipment in the amount of \$48,092. Bob Woehr seconded. Ayes all; Nays none; Motion carried.

3. Student "Freedom Passes" for 2013 summer break.

Elbert Rackow moved to offer student "Freedom Passes" for the 2013 summer break to elementary, junior high and high school students at \$20.00 for unlimited rides. Bob Woehr seconded. Ayes All; Nays None; Motion Carried.

4. Consideration and possible action on naming the conference room at the new Transit Facility the Thurmaier Conference Room.

Bob Woehr contacted Mayor Halverson to suggest the large conference/training room in the new Transit Facility be dedicated to the late Roland and Mary Thurmaier in recognition of their commitment and dedication to public transportation in Stevens Point. The Transportation Commission agreed it would be a fitting tribute to the Thurmaiers to name the room after them. Fred Hopfensperger suggested a plaque be ordered and displayed in the room; in addition, Jeremy Slowinski suggested a picture of the Thurmaiers with a brief description of their contributions be posted as well. Bob Woehr moved to recommend to the Public Works Committee and City Council that the large conference/training room be named the "Thurmaier Conference Room". Elbert Rackow seconded. Ayes all; Nays none; Motion carried.

5. Manager's report:

- **Update on Travel Training grant**

The Transit Division is currently advertising for a Travel Trainer.

- **Staff Update**

Two (2) Bus Operator positions are currently open. Staff will be working to fill all open positions.

6. Next meeting date.

The next Transportation Commission meeting is scheduled for April 25, 2013 at 5:30 p.m. It will be held in the small conference room at the Transit Facility.

7. Adjourn.

The meeting was adjourned at 6:35 p.m.

COMPTROLLER-TREASURER REPORT
for the period ending January 31, 2013

	Bal Jan. 1, 2013	Receipts	Disbursements	Bal Jan.31, 2013
GENERAL OPERATING CASH	\$5,766,946.33	\$13,747,415.87	\$16,761,673.78	\$2,752,688.42
WATER & SEWER (CASH & INVEST)	\$7,661,843.38	\$3,045,264.70	\$1,106,498.61	\$9,600,609.47

INVESTMENTS	Bal Jan. 1, 2013	TRANSFER IN	TRANSFER OUT	Bal. Jan. 31, 2013
GENERAL	\$20,262,328.43	\$5,000,000.00	\$2,000,000.00	\$23,262,328.43
SPECIAL REVENUE	\$704,582.96	\$0.00	\$0.00	\$704,582.96
DEBT SERVICE	\$17,830.25	\$0.00	\$0.00	\$17,830.25
CAPITAL PROJECTS	\$11,717,422.93	\$0.00	\$0.00	\$11,717,422.93
ENTERPRISE	\$905,452.29	\$0.00	\$0.00	\$905,452.29
TRUST	\$88,090.99	<u>\$0.00</u>	<u>\$0.00</u>	\$88,090.99
TOTALS	<u>\$33,695,707.85</u>	<u>\$5,000,000.00</u>	<u>\$2,000,000.00</u>	<u>\$36,695,707.85</u>

EXPENDITURES:	BUDGET	YTD	%	REVENUES	BUDGET	YTD	%
GENERAL GOVT	\$2,570,103.00	\$265,938.61	10.35%	GENERAL	\$21,711,448.00	\$11,310,632.72	52.10%
EMERGENCY GOVT	\$1,156,534.00	\$62,973.17	5.44%				
POLICE	\$5,097,379.00	\$486,703.31	9.55%				
FIRE	\$4,852,145.00	\$426,825.53	8.80%				
PUBLIC WORKS	\$5,545,542.00	\$264,292.32	4.77%				
PARK & REC	\$2,015,488.00	\$114,203.19	5.67%				
CAPITAL PROJECTS	\$426,920.00	\$27,384.92	6.41%				
DEBT SERVICE	\$4,789,299.00	\$983,676.88	20.54%				

effective 1/1/13 airport and transit will be reported to the Utility Commission

