

**COMMON COUNCIL MEETING
CITY OF WISCONSIN DELLS
NOVEMBER 21, 2016**

Mayor Landers called the meeting to order at 7:00P.M. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: First District Alderpersons Jesse DeFosse and Brian Holzem
Second District Alderpersons Mike Freel and Dar Mor
Third District Alderperson Ed Fox

Excused: Third District Alderperson Ed Wojnicz

Others: City Clerk/Coordinator Nancy Holzem, City Treasurer Karen Terry, Public Works & Utilities Director David Holzem, Planning & Zoning Administrator Chris Tollaksen, Police Chief Jody Ward, BID Chairperson Kelli Trumble, Assistant City Attorney Joe Hasler, Carol Wirth, Brandon Wirth, Kristie Mauer, Dan Zinke, Bonnie Hayskar, Tom Lines, Danielle Rodwell and Ed Legge from the *Dells Events*.
2. The Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Freel to approve the following consent agenda items:
 - a. October 17, 2016 Common Council meeting minutes.
 - b. Schedule of Bills Payable dated November 21, 2016.
 - c. Approve Bartender Licenses to the following: Patricia Brown, Lacramioara Chiribuca, Violeta Chitau, Nathan Dickerson, Maria Flores, Alli Kaufman, Nathan Roelke, Robert Rogers, Travis Schultz, Christine Simmons, Shinka Smilyanova, and Carmen Stevens-Repka; and to deny the application submitted by Matt J. Bell.Motion carried unanimously.
4. Updates were given by committee chairpersons. Motion by Ald. Mor seconded by Ald. Holzem to approve the Mayor's recommended appointments to the new River Art District Committee, contingent upon approval of agenda item #21. Motion carried unanimously.
5. Mayor Landers declared the Public Hearing on the city's 2017 budget open. No one from the public spoke for or against. Mayor Landers declared the Public Hearing closed.
6. Tawsif Anam, Southwest Wisconsin Regional Director for Senator Ron Johnson's office spoke and gave an update on projects during the comments/citizen appearances portion of the meeting.
7. Motion by Ald. Mor seconded by Ald. Holzem to approve the Application for an Original Class A Beer and Class A Liquor License submitted by Kristie's Foods Dells, LLC, Kristine Mauer agent, for Mauer's Market, 216 Washington Avenue, for the licensing period of December 1, 2016 thru June 30, 2017, contingent upon the sale of the business.

Motion carried unanimously. Mayor Landers welcomed the Mauer family and thanked the Zinke family for their years of commitment to the community.

8. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4325. BE IT HEREBY RESOLVED; that based upon the recommendation of the Finance Committee from their November 1, 2016 meeting; it Approves and Adopts the 2017 General Operating and Debt Levy Budgets. Motion seconded by Ald. Freel. Upon roll call vote the motion carried 5-0. Resolution adopted.
9. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4326. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their November 1, 2016 meeting, it Approves and Adopts the 2017 Capital and TIF District Budgets. Ald. DeFosse seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
10. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4327. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their November 1, 2016 meeting, it Approves and Adopts the 2017 Water, Sewer, Electric Utility Budgets and the Parking Utility Budget. Ald. Freel seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
11. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4328. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their November 1, 2016 meeting; it Approves and Adopts the 2017 Special Revenue Fund Budgets for Fire Services and for Rivers & Bay. Ald. Freel seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
12. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4329. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Finance Committee from their November 1, 2016 meeting; it Approves and Adopts the 2017 Premier Resort Tax Disbursements. Ald. Fox seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.
13. Ald. DeFosse introduced and moved for adoption RESOLUTION NO. 4330. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based upon the recommendation of the Finance Committee from their November 1, 2016 meeting, it Approves and Adopts the 2017 Business Improvement District Budget. Ald. Holzem seconded the motion. Upon roll call vote the motion to approve carried 5-0. Resolution adopted.
14. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4331. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Finance Committee from their November 21, 2016 meeting, it Approves Authorizing the Issuance and Sale of \$1,590,000 General Obligation Refunding Bonds; WHEREAS, the Common Council of the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin (the "City") hereby finds and determines that it is necessary, desirable and in the best interest of the City to raise funds for the public purpose of paying the cost of refinancing certain outstanding obligations of

the City, to wit: the 2018 and 2019 maturities of the General Obligation Promissory Notes, Series 2009, dated April 1, 2009 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding"); WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of restructuring the outstanding indebtedness of the City; WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations; and WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and to sell the general obligation refunding bonds to Bankers' Bank (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal"). NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that: Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of ONE MILLION FIVE HUNDRED NINETY THOUSAND DOLLARS (\$1,590,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, general obligation refunding bonds aggregating the principal amount of ONE MILLION FIVE HUNDRED NINETY THOUSAND DOLLARS (\$1,590,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery. Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$1,590,000; shall be dated December 15, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Proposal. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Section 2A. Designation of Maturities. For purposes of State law, the Bonds are designated as being issued to pay and discharge the debts incurred by the City through the issuance of the Refunded Obligations and the obligations refunded by the Refunded Obligations in the order in which those debts were incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which were incurred first. Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption. Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference. Section 5. Tax Provisions. (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2016 through 2021 for the payments due

in the years 2017 through 2022 in the amounts set forth on the Schedule. (B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below. (C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied. Section 6. Segregated Debt Service Fund Account. (A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund. Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, dated December 15, 2016" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes. (B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations"). (C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account. Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations. Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations. (b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply. Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations. Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date

of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects. Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent"). Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer. The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer. Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date. Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office. Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause

copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser. Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds). To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking. Section 18. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on March 1, 2017 at a price of par plus accrued interest to the date of redemption. The City hereby directs the City Clerk to work with Wisconsin Public Finance Professionals, LLC to cause timely notice of redemption, in substantially the form attached hereto as Exhibit D and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book. Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein. Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law. Ald. Fox seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

15. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4332. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 14, 2016 meeting, it Approves the Task Order from MSA Professional Services for Bauer Street Reconstruction. Ald. Holzem seconded the motion. Upon roll call vote the motion to approve carried 5-0. Resolution adopted.

16. Ald. Mor introduced and moved for adoption RESOLUTION NO. 4333. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 14, 2016 meeting, it Approves the Task Order from MSA Professional Services for Michigan Avenue and Plum Street Surveying and Fieldwork. Ald. Fox seconded the motion. Upon roll call vote the motion to approve carried 5-0. Resolution adopted.
17. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4334. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 14, 2016 meeting, it Approves the REU change of use fee for San Antonio Restaurant not to exceed \$15,000; Actual fee to be determined after additional investigation. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 5-0. Mayor Landers declared the resolution adopted.
18. Ald. Holzem introduced and moved for adoption RESOLUTION NO. 4335. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the Public Works Committee from their November 14, 2016 meeting, it Approves the request from San Antonio Restaurant for their egress doors to swing into the alley at 742 Eddy Street. The existing door may be used for deliveries and the new emergency door is to be used for emergency use only. The exhaust fan may be mounted to the side of the building within the alley right of way air space. These are not be used for conducting business so no privilege agreement or lease payment is required. Ald. DeFosse seconded the motion. Upon roll call vote the motion to approve carried 5-0. Mayor Landers declared the resolution adopted.
19. Ald. Freel introduced and moved for adoption RESOLUTION NO. 4336. BE IT HEREBY RESOLVED by the City of Wisconsin Dells that based on the recommendation of the City Plan Commission from their November 14, 2016 meeting, it Approves the application for a Planned Development District submitted by Riverwood Eagle's Nest LLC, with the conditions in the staff report. Ald. Mor seconded the motion. Upon roll call vote the motion to approve carried 5-0. Resolution adopted.
20. Ald. Mor introduced and moved for adoption the first reading of the following ordinance:

ORDINANCE NO. A-804
Amending Board of Review Structure

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

All Wisconsin municipalities must have a board of review. The board is a quasi-judicial (i.e. court like) body that hears and decides appeals by property owners dissatisfied with the value placed upon their property by the municipal assessor for property tax purposes. Boards of review have the following three primary duties:

1. Adjust the assessor's valuation of a parcel when the assessment has been proven incorrect by sworn testimony at hearing before the board.
2. Correct any errors or omissions in the descriptions or computations found on the assessment roll.
3. Check the assessment roll for omitted property and double assessments.

The current composition of the Wisconsin Dells Board of Review is the mayor (chair), the clerk and a council member, with an alternate. This ordinance increases the size of the board, modifies the board's membership and clarifies when the alternate member may act.

SECTION II: PROVISIONS AFFECTED

Wisconsin Dells Code sec. 1.04(4) is repealed and recreated.

SECTION III: PROVISIONS AS AFFECTED:

1.04(4) Board of Review.

- (a) The Board of Review shall have five (5) members as follows: Mayor, two (2) members of the Common Council and two (2) public members; all appointed annually at the Common Council's organizational meeting.
- (b) There shall be one (1) alternate member, appointed annually at the organizational meeting who shall serve and act only if a sitting member is removed or unable to serve pursuant to Wis. Stat. sec. 70.47(6).
- (c) The Mayor shall be presiding officer of the Board. The City Clerk shall be the clerk of the Board and shall keep an accurate record of all proceedings and give the notices of meetings and adjournments as required.

SECTION IV: SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. First reading adopted.

21. Ald. DeFosse introduced and moved for adoption the first reading of the following ordinance:

ORDINANCE NO. A-805
Creating River Arts District Committee

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to create a “River Arts District Committee”.

SECTION II: PROVISIONS AFFECTED

- A. Wisconsin Dells Code sec. 1.11 is created.

SECTION III: PROVISIONS AS AFFECTED:

A. 1.11 RIVER ARTS DISTRICT COMMITTEE

- (1) Committee Established. The City shall have a “River Arts District Committee”.

- (2) Members/Officers. The Rivers Arts District Committee shall have six (6) members as follows:

(a) A member of the common council who shall serve as chairperson of the committee, the entertainment coordinator of the Wisconsin Dells Visitors and Convention Bureau; and four (4) public members.

(b) The members of the committee shall be appointed annually by the Mayor and confirmed by the Common Council.

(c) Two (2) of the public members may be non-residents of the City. The public members shall have backgrounds in the fields of tourism, arts or entertainment.

- (3) Without limitation the Committee shall oversee, plan and manage the following:

(a) River Arts District entertainment venues including Duchess Plaza.

(b) Busker program.

(c) Network with state, local and national artists for events and opportunities in the River Arts District.

- (d) River Arts District trademark and trade name.
- (e) Seek and coordinate funding and sponsorship of cultural and historic art opportunities.
- (f) Other such responsibilities as designated by the Mayor and/or Common Council.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1.

Ald. Mor seconded the motion. Upon roll call vote the motion carried 5-0. First reading adopted. Mayor Landers requested a second reading so that the committee can get started on scheduling for the upcoming summer entertainment. Motion by Ald. Mor seconded by Ald. Holzem to suspend the rules in order to adopt the second reading. Upon roll call vote the motion carried 5-0. Ald. Mor moved for adoption of the second reading. Motion seconded by Ald. Holzem. Upon roll call vote the motion carried 5-0. Ordinance adopted and in full force after publication.

22. Ald. Holzem introduced and moved for adoption the first reading of the following ordinance:

**ORDINANCE NO. A-806
Creating Planned Development District No. 2**

Whereas the zoning ordinance of the City of Wisconsin Dells authorizes the establishment and creation of a Planned Development District as a special overlay zoning appropriate for the development of large scale residential and commercial developments which could not otherwise be achieved through the city's existing zoning classifications; and

Whereas, on November 14, 2016, the City of Wisconsin Dells Plan Commission held a Public Hearing and reviewed the application for the creation of a Planned Development District submitted by Riverwood Eagle's Nest, LLC; and

NOW THEREFORE BE IT RESOLVED, BASED UPON THE RECOMMENDATION OF THE CITY PLAN COMMISSION, THAT THE FOLLOWING ORDINANCE BE ADOPTED;

SECTION I: PURPOSE

The purpose of this ordinance is to create Planned Development District (PDD) No. 2 for Riverwood Eagle's Nest, LLC.

SECTION II: PROVISIONS AMENDED

The zoning map for the City of Wisconsin Dells as set forth in the official map provided for in the Wisconsin Dells Code of Ordinances is hereby permanently amended to create Planned Development District No. 2.

SECTION III: PROPERTY AFFECTED

The following Columbia County Tax Parcels, attached as "Exhibit A", shall be designated as Planned Development District No. 2.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication as provided by statute.

SECTION VII:

This ordinance becomes a part of Zoning Map for the Wisconsin Dells.

Ald. Freel seconded the motion. Upon roll call vote the motion carried 5-0. First reading adopted.

23. No items for referral to the next council meeting.
24. Motion by Ald. Freel seconded by Ald. Mor to adjourn. Motion carried unanimously and the meeting adjourned at 7:15PM.

Nancy R. Holzem
City Clerk/Coordinator
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