

**VILLAGE OF WINDSOR  
VILLAGE BOARD RESOLUTION 2019-81**

**AUTHORIZING AN APPLICATION SUBMITTAL FOR A BOARD OF  
COMMISSIONERS OF PUBLIC LANDS STATE TRUST FUND LOAN OF \$2,000,000**

**WHEREAS**, by the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

**WHEREAS**, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.), and

**WHEREAS**, the Village of Windsor is in need of funds aggregating \$2,000,000, for the purpose of, financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion and for no other purpose.

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board, of the Village of Windsor, in the County of Dane, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Two Million And 00/100 Dollars (\$2,000,000.00) for the purpose of financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion and for no other purpose.

**BE IT FURTHER RESOLVED**, that the loan is to be payable within 10 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 3.75 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

**BE IT FURTHER RESOLVED**, that there shall be raised and there is levied upon all taxable property, within the Village of Windsor, in the County of Dane, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

**BE IT FURTHER RESOLVED**, that no money obtained by the Village of Windsor by such loan from the state be applied or paid out for any purpose except financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion without the consent of the Board of Commissioners of Public Lands.

**BE IT FURTHER RESOLVED**, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the president and clerk of the Village of Windsor, in the County of Dane, Wisconsin, are authorized and empowered, in the name of the Village to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the Village pursuant to this resolution. The president and clerk of the Village will perform all necessary actions to fully carry out the provisions of Chapter 24 Wisconsin Statutes, and these resolutions.



**STATE OF WISCONSIN  
BOARD OF COMMISSIONERS OF PUBLIC LANDS  
101 EAST WILSON STREET, 2<sup>ND</sup> FLOOR  
POST OFFICE BOX 8943  
MADISON, WISCONSIN 53708-8943**

**APPLICATION FOR STATE TRUST FUND LOAN**

**VILLAGE - 20 YEAR MAXIMUM**

Chapter 24 Wisconsin Statutes

**VILLAGE OF WINDSOR**

**Date sent: July 12, 2019**

**Received and filed in Madison, Wisconsin:**

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**ID # 05605133**

**RAS**

**RETURN THIS ORIGINAL – DO NOT RETURN PHOTOCOPY**

TO: BOARD OF COMMISSIONERS OF PUBLIC LANDS

We, the undersigned president and clerk of the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, in accordance with the provisions of Chapter 24 of the Wisconsin Statutes, do hereby make application for a loan of **Two Million And 00/100 Dollars (\$2,000,000.00)** from the Trust Funds of the State of Wisconsin for the purpose of **financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion.**

The loan is to be continued for a term of **10** years from the 15th day of March preceding the date the loan is made. The loan is to be repaid in annual installments, as provided by law, with interest at the rate of **3.75** percent per annum.

We agree to the execution and signing of such certificates of indebtedness as the Board may prepare and submit, all in accordance with Chapter 24, Wisconsin Statutes.

The application is based upon compliance on the part of the Village with the provisions and regulations of the statutes above referred to, as set forth by the following statements which we do hereby certify to be correct and true.

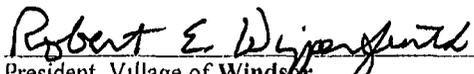
The meeting of the village board of the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, which approved and authorized this application for a loan was a regularly called meeting held on the 1st day of August, 20 19.

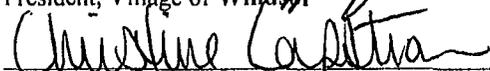
At the aforesaid meeting a resolution was passed by a vote of not less than a majority of the members of the village board approving and authorizing an application to the Board of Commissioners of Public Lands, State of Wisconsin, for a loan of **Two Million And 00/100 Dollars (\$2,000,000.00)** from the Trust Funds of the State of Wisconsin to the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, for the purpose of **financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion.** That at the same time and place, the village board of the Village of **Windsor** by a majority vote of the members, adopted a resolution levying upon all the taxable property in the Village, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, Sec. 3 of the Constitution and Sec. 24.66(5), Wisconsin Statutes.

A copy of the aforesaid resolutions, certified to by the village clerk, as adopted at the meeting, and as recorded in the minutes of the meeting, accompanies this application.

A statement of the equalized valuation of all the taxable property within the Village of **Windsor**, certified to by the president and clerk, accompanies this application.

Given under our hands in the Village of **Windsor**, County(ies) of **Dane**, Wisconsin, this 1st day of August, 20 19.

  
\_\_\_\_\_  
President, Village of Windsor

  
\_\_\_\_\_  
Clerk, Village of Windsor

**RETURN THIS ORIGINAL – DO NOT RETURN PHOTOCOPY**

FORM OF RECORD

The following preamble and resolutions were presented by Trustee Don Madelung and were read to the meeting.

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of **Two Million And 00/100 Dollars (\$2,000,000.00)** for the purpose of **financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion and for no other purpose.**

The loan is to be payable within **10** years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **3.75** percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the Village of **Windsor** by such loan from the state be applied or paid out for any purpose except **financing the purchase of property for downtown redevelopment including municipal buildings, parking, and park expansion** without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the president and clerk of the Village of **Windsor**, in the County(ies) of **Dane**, Wisconsin, are authorized and empowered, in the name of the Village to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the Village pursuant to this resolution. The president and clerk of the Village will perform all necessary actions to fully carry out the provisions of Chapter 24 Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this Village forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

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Trustee Monica Smith moved adoption of the foregoing preamble and resolutions.

The question being upon the adoption of the foregoing preamble and resolutions, a vote was taken by ayes and noes, which resulted as follows:

1.	Trustee	<u>Bob Wipperfurth</u>	voted	<u>aye</u>
2.	Trustee	<u>Bruce Stravinski</u>	voted	<u>aye</u>
3.	Trustee	<u>Don Madelung</u>	voted	<u>aye</u>
4.	Trustee	<u>Monica Smith</u>	voted	<u>aye</u>
5.	Trustee	<u>Brad Mueller</u>	voted	<u>aye</u>
6.	Trustee	_____	voted	_____
7.	Trustee	_____	voted	_____
8.	Trustee	_____	voted	_____
9.	Trustee	_____	voted	_____
10.	Trustee	_____	voted	_____

A majority of the members of the village board of the Village of Windsor, in the County(ies) of Dane, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.

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STATE OF WISCONSIN

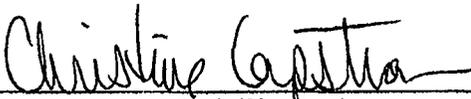
Village of Windsor

County(ies) of Dane

I, Christine Capstran, Clerk of the Village of Windsor, County(ies) of Dane, State of Wisconsin, do hereby certify that the foregoing is a true copy of the record of the proceedings of the village board of the Village of Windsor at a meeting held on the 1st day of August, 2019 relating to a loan from the State Trust Funds. I further certify that I have compared the same with the original record thereof in my custody as clerk and that the same is a true copy thereof, and the whole of such original record.

I further certify that the village board of the Village of Windsor is constituted by law to have 5 members, and that the original of said preamble and resolutions was adopted at the meeting of the village board by a vote of 5 ayes to 0 noes and that the vote was taken in the manner provided by law and that the proceedings are fully recorded in the records of the Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Windsor this 1st day of August, 2019

  
Clerk (Signature)

Village of Windsor

County(ies) of Dane

State of Wisconsin

**RETURN THIS ORIGINAL – DO NOT RETURN PHOTOCOPY**



*Draft*

DRAFT

VILLAGE OF WINDSOR  
VILLAGE BOARD MEETING

Minutes

August 1, 2019

1. CALL MEETING TO ORDER AND ROLL CALL.

Meeting convened by President Wipperfurth at 5:00 p.m. Trustees present: Don Madelung, Brad Mueller, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Others present: Village Clerk Christine Capstran, Village Administrator Tina Butteris, Village Deputy Administrator/Director of Economic Development Jamie Rybarczyk, and Village Attorney Bill Cole.

2. RECITATION OF THE PLEDGE OF ALLEGIANCE.

The flag pledge was led by Trustee Madelung.

3. ANNOUNCEMENTS.

None.

4. APPEARANCES BEFORE THE BOARD.

Sherry Baldwin, 4350 Memorial Circle, appeared before the Village Board. She lives in Wolf Hollow. There is an outlot near her home. She was questioning why the village mowed it. There is a wide array of wildlife: bees, butterflies, frogs. On July 18, it was beautiful and then was mowed down to the ground. The Monarch caterpillars were destroyed. Why was it mowed? She felt the village should consider not mowing it but only doing so in the spring and late fall.

President Wipperfurth stated, because this was not a noticed agenda item, no action could be taken.

He explained that the weeds go to seed. The village can look to see if there is something different it can do. He suggested a conversation with Davis Clark.

5. CONSENT AGENDA.

5.a. Minutes – June 18, 2019.

5.b. Consider Vouchers For Payment.

5.c. Operator Licenses.

*Draft*

5.d. Direct Sellers Permits.

A motion was made by Trustee Smith, seconded by Trustee Stravinski, to approve the Consent Agenda. Motion carried with a 5-0 vote.

6. OLD BUSINESS.

None.

7. NEW BUSINESS.

7.a. Brian And Dawn Lobenstein, 4310 Autumn Fields Road, Windsor, Special Exception For Location Of Fence.

Village Deputy Administrator/Director of Economic Development Rybarczyk explained that the Lobensteins are requesting a special exception to the ordinance with regard to placement of a fence they would like to put on their property. A survey of their lot was shown. There is a 15-foot public recreational easement on the back of their property. The actual bike path was not installed on the recreational path easement. They would like to fence in their backyard but, per ordinance, are not allowed to put the fence within a public utility easement. They are requesting from the Board a special exception. The bike path is not located inside the easement. They would also be willing to acknowledge that, at such time in future if the village ever needed to use that easement, with sufficient time they would have the fence removed.

Staff worked with the Village Attorney on this. Village Attorney Cole stated it was difficult to gain an easement back if the village vacated it. He suggested going with a special exception.

Dawn Lobenstein's only other consideration was that they would ask for 30 days if something needed to be done.

Village Attorney Cole responded that the village would be agreeable with timing if they needed more time to remove it.

Trustee Madelung discussed setbacks.

A motion was made by Trustee Smith, seconded by Trustee Madelung, to approve Resolution 2019-83, Approval Of A Special Exception For Placement Of A Fence At 4310 Autumn Fields Road, In the Village Of Windsor, Dane County. Motion carried with a 5-0 vote.

7.b. Resolution 2019-77 Windsor Gardens (Phase 4) Reduction In The Letter Of Credit.

Village Deputy Administrator/Director of Economic Development Rybarczyk explained that the developer, Don Tierney, is finishing out Phase 4. All of the public improvements are in. He is

*Draft*

getting ready to sell some additional lots. Engineer Groth has reviewed all cost assessments. Mr. Tierney is 90 percent complete with the project. He is asking for a reduction to \$50,850.25 for remaining work.

A motion was made by Trustee Smith, seconded by Trustee Madelung, to approve Resolution 2019-77, Approval Of A Reduction In The Letter Of Credit For Windsor Gardens – Phase 4. Motion carried with a 5-0 vote.

7.c. Ordinance 2019-18 Emergency Management.

Windsor has created an Emergency Management Committee. This ordinance describes the structure of that Committee.

A motion was made by Trustee Stravinski, seconded by Trustee Mueller, to approve Ordinance 2019-18, An Ordinance Concerning Emergency Management. Motion carried with a 5-0 vote.

7.d. Ordinance 2019-19 Allowing Board Members To Attend Meetings By Telephone.

Village Clerk Capstran explained the ordinance. This would allow Board and committee members to attend meetings by phone and count toward a quorum. This will happen infrequently. Windsor has the appropriate equipment.

Village Attorney Cole suggested changing “telephone” to “electronic means.” Anyone attending by phone must give the village 24 or 48 hours’ notice.

Trustee Stravinski added that CARPC allows this using a cellphone on a speaker. They have done it with two people.

Village Attorney Cole said this could turn into a fiasco if there are documents and photos involved.

President Wipperfurth said there would still need to be a physical quorum at the meeting.

Village Attorney Cole said this is not the law. Nearly all communities follow this. It presents challenges for the person taking the minutes for the meeting. People can step in and out of the meeting. The quorum issue is a good issue. It is a policy issue as to whether you want to allow that. He thought it would be a bad policy if four out of five members appeared by phone.

Trustee Smith suggested the use of Skype. Her home is set up for video commuting.

Trustee Mueller liked the idea of it for convenience. He liked Trustee Smith’s idea of something visual like Skype to know and see who that person is. The technology is there. Audio is fine for now, but he would like to see Windsor move to video.

President Wipperfurth asked Trustee Mueller whether he saw Windsor having a quorum. It is harder to be engaged when you are on the phone. Does there need to be a physical quorum?

*Draft*

Trustee Stravinski said there would not have to be a physical quorum.

Trustee Mueller liked the preference that one can attend in person.

President Wipperfurth said when you hold a meeting for the municipality he thought it was imperative that there be a physical quorum. There would be terrible public reception if you allow four out of five to appear by phone.

Trustee Smith indicated this is working really well for her classroom and teaching.

Village Attorney Cole suggested a compromise. No more than one member can appear by telephone. They could appear and vote but did not count as part of the quorum.

Trustee Mueller suggested the Village Board try it. If it does not work or is abused, the Village Board can shut it down.

President Wipperfurth stated under this scenario there is the potential for everyone to be gone.

Trustee Smith asked Village Attorney Cole whether communities are recording these meetings for public access. He responded “yes.” There is a valid concern when there is a contentious issue appearing by phone.

President Wipperfurth was willing to go along with this. If it becomes an issue, it will be back on the agenda.

A motion was made by Trustee Madelung, seconded by Trustee Smith, to approve Ordinance 2019-19, An Ordinance Authorizing Meeting Attendance By Telephone, changing “telephone” to “electronic means.”

Trustee Mueller asked whether people or residents called in to meetings.

Village Attorney Cole replied “no.” Although he did not think there was anything legally prohibiting it.

President Wipperfurth said it would be too extreme to allow the entire body or committee to appear by phone.

Motion carried with a 4-1 vote, with President Wipperfurth voting “no.”

7.e. Ordinance 2019-20 Amend Chapter 26, Section 26-168 For False Alarms In The Windsor Code Of Ordinances.

Village Clerk Capstran explained that this ordinance is to bring our ordinance in compliance with the actual practice. It is a clean-up ordinance.

*Draft*

Trustee Stravinski suggested using “may” instead of “shall” in (2) of Exhibit A.

Village Administrator Butteris suggested removing (2) entirely from the ordinance because the Fire Department is on its own.

Trustee Stravinski suggested removing “and false alarms to the Fire Department” in (c).

A motion was made by Trustee Stravinski, seconded by Trustee Smith, to approve Ordinance 2019-20, An Ordinance Amending Chapter 26 Of The Code Of Ordinances Concerning Administrative Charge For False Alarms removing (2) and the change in (c). Motion carried with a 5-0 vote.

7.f. Resolution 2019-78 Creating A Census 2020 Complete Count Committee To Increase Community Awareness And Participation In The 2020 Census.

Village Clerk Capstran explained that last fall a Complete Count Committee was formed. This resolution codifies what was formed.

Trustee Stravinski asked whether the Village Board would confirm those appointed.

Village Attorney Cole responded that this is a temporary ad hoc committee. If the Board wants confirmation authority, now is the time to add it.

A motion was made by Trustee Mueller, seconded by Trustee Madelung, to approve Resolution 2019-78, Creating A Census 2020 Complete Count Committee To Increase Community Awareness And Participation In The 2020 Census. Motion carried with a 5-0 vote.

7.g. Resolution 2019-79 Approve Purchase Of Badger Books (Election).

Village Clerk Capstran explained that the Wisconsin Elections Commission has developed electronic poll books. This has been around since 2019 and the kinks have been worked out. It will bring many efficiencies, cost savings, and accuracy. It is not on the Internet.

A motion was made by Trustee Smith, seconded by Trustee Stravinski, to approve Resolution 2019-79, Resolution Authorizing The Purchase Of Badger Books. Motion carried with a 5-0 vote.

7.h. Resolution 2019-80 Request For Proposal For Assessment Services.

Village Clerk Capstran explained that, as Windsor has grown, so have its assessment duties. She and Village Administrator Butteris looked at what Windsor was doing and what they would like to see Windsor move towards.

Trustee Mueller said the village should take this out to bid.

Trustee Smith concurred.

*Drabe*

A motion was made by Trustee Mueller, seconded by Trustee Madelung, to approve Resolution 2019-80, Authorizing A Request For Proposals For Assessment Services. Motion carried with a 5-0 vote.

7.i. Resolution 2019-81 Authorizing Application Submittal For State Trust Fund Loan Of \$2,000,000.

Village Administrator Butteris explained. The village is looking at purchasing some land in the community for downtown redevelopment, including municipal buildings, park expansion and parking in the Windsor Road downtown area. Ehlers recommended Windsor finance with the Board of Commissioners of Public Lands. Windsor is looking at borrowing \$2,000,000 at 3.75 percent for 10 years. Windsor will be taking the money as it needs it.

A motion was made by Trustee Madelung, seconded by Trustee Smith, to approve Resolution 2019-81, Authorizing An Application Submittal For A Board Of Commissioners Of Public Lands State Trust Fund Loan Of \$2,000,000.

Roll call vote:

Trustee Mueller:	Yes.
Trustee Stravinski:	Yes.
Trustee Smith:	Yes.
Trustee Madelung:	Yes.
President Wipperfurth:	Yes.

Motion carried unanimously.

7.j. Resolution 2019-82 Approving An Amendment To Agreement With Baxter & Woodman Consulting Engineers To Add Survey Work.

Village Administrator Butteris explained. This is streamlining the process with the village. This would authorize Baxter & Woodman's survey services. This is just amending the agreement to add that in. Village Attorney Cole has reviewed it and approved it.

A motion was made by Trustee Stravinski, seconded by Trustee Madelung, to approve Resolution 2019-82, A Resolution Adopting Amendment #1 To The Independent Contractor Agreement Between The Village Of Windsor And Baxter & Woodman, Inc. For General Engineering Services. Motion carried with a 5-0 vote.

7.k. 2018 Audit Report.

Village Administrator Butteris explained. About a month ago Kevin Krynski went through the Audit Report. Now Windsor has the final copy. There were no drastic changes. Windsor had another good year.

*Draft*

A motion was made by Trustee Smith, seconded by Trustee Madelung, to accept the 2018 Audit Report. Motion carried with a 5-0 vote.

7.1. Public Safety Impact Fee Update.

Village Administrator Butteris has been working on a review of all of the impact fees and one of those was Public Safety. Windsor has a history of what has been going on with the Public Safety Impact Fee. Windsor should have authorized the addition and improvements made for sleeping quarters for the EMS. This was paid by the village's General Fund but should have come out of the Impact Fee fund. The expense should be moved from the Impact Fees to the General Fund for costs that have been done in the past, \$74,060. This is just for fire.

A motion was made by Trustee Madelung, seconded by Trustee Stravinski, to accept the Memo from Village Administrator Butteris. Motion carried with a 5-0 vote.

8. ADJOURNMENT.

At 6:19 p.m., a motion was made by Trustee Smith, seconded by Trustee Madelung, to adjourn the meeting. Motion carried with a 5-0 vote.

Respectfully submitted,

*Ellen G. Teed*

Ellen G. Teed  
Recording Secretary



**BCPL State Trust Fund Loan Program**  
**Anticipated Schedule of Disbursements**

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Village of Windsor  
Worksheet # 05605133  
Finance Property Purchase  
\$2,000,000.00

Please tell us when you anticipate the need for loan funds:

Disbursement Date	Disbursement Amount
<u>August 30, 2019</u>	<u>\$240,000</u>
<u>October 15, 2019</u>	<u>\$715,000</u>
<u>November 15, 2019</u>	<u>\$240,000</u>
<u>December 15, 2019</u>	<u>\$400,000</u>
<u>December 15, 2019</u>	<u>\$405,000</u>

**NOTE:** Fill out this form using your best estimates as of the loan application date. *This is not an actual disbursement form.* We request this information to help us better manage the investment of State of Wisconsin Trust Funds. After your loan has been approved, you will receive a "Request for Loan Disbursement" form to request the actual distribution of funds.

Please return form to:

Board of Commissioners of Public Lands  
PO Box 8943  
Madison, WI 53708-8943

fax 608.267.2787  
[richard.sneider@wisconsin.gov](mailto:richard.sneider@wisconsin.gov)