



Joseph Tillmann  
Aldersperson  
Kenneth Neumann  
Council President  
John Guinn  
Mayor  
Jack Abbott  
Aldersperson

Kim Olson  
Aldersperson  
Michael Schmidt  
Aldersperson  
Roger Smith  
Aldersperson

**CITY OF MAYVILLE COMMON COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, JUNE 12, 2023 7:00 PM  
CITY HALL**

**I. CALL TO ORDER AND ROLL CALL**

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

**III. CITIZEN COMMENTS**

*Citizen Comments are to be kept to a maximum of five minutes per speaker unless the chairperson allows an extension of time. Each citizen is to make comments at the podium after stating name and address. Each citizen may comment only one time per public hearing / meeting.*

**IV. CONSENT AGENDA**

1. Approve the Minutes of the May 4, 2023 Special Common Council Meeting
2. Approve the Minutes of the May 8, 2023 Common Council Meeting
3. Approve the Minutes of the May 11, 2023 Special Common Council Meeting
4. Approve the Minutes of the May 22, 2023 Special Common Council Meeting
5. Approve Operator's Licenses for the Following:

Logan M Arroyo, of Mayville, WI, Joel T Bertrand of Mayville, WI, Travis J Block of West Bend, WI, Kathleen A. Braeutigam (ne. McKeown) of Mayville, WI, Charles T Brockhaus of Menomonee Falls, WI, Joanne A Brockhaus (ne. Metke) of Menomonee Falls, WI, Connie L. Budahn (ne. Schrab) of Mayville, WI, Larry J Budahn of Mayville, WI, Cheyenne L Calaway, of Mayville, WI, Jill A Christian (ne. Voss) of Theresa, WI, Lori A Collien (ne. Schellpfeffer) of Mayville, WI, Mary L Danner (ne. Campton) of Horicon, WI, Brenna L Fehring of Iron Ridge, WI, Johanna M Fink (ne. Kasch) of Iron Ridge, WI, Evelynne Hasseldeck (ne. Leamer) of Mayville, WI, Bradley J Haugland of Mayville, WI, Jeri-Lynn B. Heintz (ne. Livingston) of Theresa, WI, Celia Garcia Hernandez of Mayville, WI, ChallaMai R. Hight of Iron Ridge, WI, Danielle L Hight of Mayville, WI, Christina M. Hilber (ne. Keller, ne. Apfelbeck) of Mayville, WI, June A Hill (ne. Harris) of Mayville, WI, Adam M Janssen of Mayville, WI, Tyia L Kemnitz (ne. Richter) of Neosho, WI, Faith E Kierzek of Mayville, WI, Christine A Kleinert (ne. Alioto) of West Bend, WI, Gwendolyn E Kolesari of Theresa, WI, Dawn M Kollmansberger (ne. Schaefer) of Mayville, WI, Victoria A Konstanski of Mayville, WI, Kelly L Lepple (ne. Riege) of Juneau, WI, Sinajah L Logston of Mayville, WI, Sherri L Magdic (ne. Marich) of Mayville, WI, Don M Mandick of Allenton, WI, Michael G Marrese of Lomira, WI, Trinity P Matthes of Mayville, WI, Keyna L Nuoffer

(ne. Rowe) of Hartford, WI, Annette L O'Donnell (ne. Mertes) of Theresa, Kimberly A Palmer (ne. Buerger) of Mayville, WI, WI, Donna L Perrotto (ne. Davies) of Mayville, WI, Jennifer A Powell (ne. Neumann) of Mayville, WI, Andre J Pruess of Mayville, WI, Kendall M Ripple (ne. Gourlie) of Mayville, WI, Jessica M Ryan of Theresa, WI, Aria J Schabel of Horicon, WI, Ashley M Schaefer (ne. Duley) of Mayville, WI, Brian T Schaefer of Mayville, WI, Tina M Schrab (ne. Justman) of Mayville, WI, Connie L Steger of Theresa, WI, Melissa S Thieme (ne. Lischka) of Mayville, WI, Briena L Thompson of Horicon, WI, Shayna L Vick (ne. Hess) of Horicon, WI, Russell R Wagner of Mayville, WI, Vera L Wandling (ne. Ward) of Beaver Dam, WI, Pamala D West (ne. Samples) of Hustisford, WI, Lynan C Wiese (ne. Van Norman) of Mayville, WI, Suzanne Wilderman (ne. Skidmore) of Mayville, WI, Matthew J Winchell of Mayville, WI, Eve M. Zander of Mayville, WI, and Fred M Zubke of Watertown, WI.

6. Approve Temporary Class "B" Retailer's License for Mayville Audubon Days (September 15, 16, and 17, 2023 at Fireman's Park, 475 Park Road, Mayville, WI)

## **V. REPORT OF OFFICERS**

### **A. Mayor**

1. Monthly Mayor's Report

### **B. Clerk Report**

1. Monthly City Clerk's Report

### **C. Comptroller/Treasurer Report**

1. Monthly Comptroller/Treasurer's Report

## **VI. COMMITTEES, COMMISSIONS AND BOARDS**

### **A. Water/Wastewater Commission**

1. Resolution 5873-2023: Approval Of Authorized Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund
2. Resolution 5874-2023: Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Safe Drinking Water Loan Program
3. Resolution 5875-2023: Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Clean Water Loan Program
4. Date and Time of Next Meeting - Wednesday. July 5, 2023 at 4PM

### **B. Library Board**

1. Monthly Library Report
2. Date and Time of Next Meeting - Thursday, July 13, 2023

### **C. Public Safety Committee**

1. Resolution 5871-2023: Action on 2023-2024 Liquor and Fermented Malt Beverage Renewal Licenses

2. Discuss, with Possible Action, the Operator's License Application of Travis J Warriner-Towers of Horicon, WI
  3. Date and Time of Next Meeting - Monday, June 26, 2023 at 6PM
- D. Personnel Committee
1. Date and Time of Next Meeting - Monday, June 26, 2023, Immediately Following Public Safety Committee
- E. Finance Committee
1. Resolution 5872-2023 Approve Transfer of Funds to Mayville Audubon Days, Inc.
  2. Discuss, with Possible Action, Caselle Software Conversion Update
  3. Review, with Possible Action, Server Upgrade
  4. Date and Time of Next Meeting - Monday, June 26, 2023, Immediately Following Personnel Committee
- F. Public Works Committee
1. Date and Time of Next Meeting - Monday, June 26, 2023, Immediately Following Finance Committee
- G. Parks/Rec/TAG Center Commission
1. Date and Time of Next Meeting - Wednesday. July 5, 2023 at 6PM
- H. Planning Commission
1. Date and Time of Next Meeting - Monday, July 10, 2023 at 5PM
- I. Community Development Authority
1. Discuss, with Possible Action, Recommendation to Approve Funding, Up to \$6,000, for Holiday Lights
  2. Date and Time of Next Meeting - Wednesday, June 28, 2023 at 6PM
- J. Communications Committee
1. Date and Time of Next Meeting - Monday, June 19, 2023 at 4PM

**VII. ADJOURNMENT**

**VIII. MINUTES APPROVAL**

1. Regular Meeting held December 14, 2020

**IX. RESOLUTIONS**

1. Resolution 5872-2023: Approve Transfer of Funds to Mayville Audubon Days, Inc.

**X. ACTION ITEMS**

1. Review, with Possible Action, Server Upgrade

Mayor Guinn  
Presiding Officer

NOTE: Persons with disabilities requiring special accommodations for attendance at the meeting should contact City Hall at least one (1) business day prior to the meeting.

**COMMON COUNCIL****MAY 4, 2023**

The meeting was called to order at 6:00 PM by Mayor John Guinn with the following roll call:

Attendee Name	Title	Status	Arrived
Michael Schmidt	Aldersperson	Present	
Kim Olson	Aldersperson	Remote	
Jack Abbott	Aldersperson	Present	
Roger Smith	Aldersperson	Present	
John Guinn	Mayor	Present	

Also present were Comptroller/Treasurer Runde and City Attorney Nolan Franti.

**PLEDGE OF ALLEGIANCE TO THE FLAG****CITIZEN COMMENTS**

Nichole DeBaker, Utilities Accountant for the City of Mayville. Pointed out that there has been a large amount of negative talk on social media and, if the employees were allowed to comment on social media, the public would hear some of the positive. Explained our employee handbook forbids us from speaking about City matters on social media and it is unfortunate that one employee has been posting negatively on social media. Ms. DeBaker explained there is no HR or City Administrator for employees to go to when they need help. City employees are getting burnt out - long nights, time away from family, and some have even had to seek medical attention. However we now have employee moral higher than it's been in many years. The employees also have someone who will now listen to them, Mayor Guinn. She thanked him for that. She explained he listens, sits down with the employees, asks our opinions, and never leaves without asking what is needed of him. There has been massive turnover over the last six years and now we are needing to clean up from that turnover and she doesn't understand why we can't all just work together. There are upcoming projects and funding in danger if we can't start working together. Let the City employees do their jobs, which they are more than capable of.

Cassandra May, 440 N Henninger Street, read into the record her letter of interest to be considered for the alderperson vacancy in Ward 5.

Keith Lodahl, 150 N German Street, read into the record his letter of interest to be considered for the alderperson vacancy in Ward 2.

Joe Homan, 271 S Main Street. States he appreciates we are starting to move in a new chapter forward. The process to be able to notify the public correctly and allowing the public to comments are important. There looks to be some experience ready to step in to help. Those on Council and the Mayor have a large task ahead of you, the time to come together is now. He believes it isn't a matter of missing money, just finding where it's been put. He looks forward to continued open and transparent government.

Becky Smith, 334 Pinecrest Court. She asks that the alderperson vacancies be appointed from the interested candidates, and then if anyone else is interested they can run during the general election. That she would like to see appointments made so we can move forward quickly with a full Council. She pointed out it's time to move on and represent the City.

Stephanie Billington, 257 N German Street. She would like to see better communication. There has been conflicting information on Facebook, she has had a hard time finding information on the City website. She just thinks everyone should be able to know what is going on. She stated there was a prayer group outside praying over the elected officials and City Hall so that everyone can come together. Thanked everyone for all they do.

## **ITEMS OF DISCUSSION**

### **Discuss the Process for Appointments for Alderperson Vacancies in Wards 2 and 5**

Mayor Guinn stated, from an agenda standpoint, this is a topic to inform the public what the process entails. Stated he has been pleased to see interest already in these positions, but in an interest of allowing participation, he had wanted to wait another week for interested parties to be present. Stated next Thursday there will be a special meeting to go over options, interview those who would like to be considered, and it is the Council's decision whether the City will appoint to fill these seats or ask for a special election. We have been working hard looking at and exploring all of the option. Reached out to Karen Gibson, Dodge County Clerk, regarding special elections. She indicated she cannot give legal advice. She stated she was unsure of the timeline for paperwork that would need to be filed and returned to the City Clerk. She also stated in the 20 plus years she has been a County Clerk, nowhere in Dodge County has there ever been a special election to fill a vacancy, including when there have been vacancies on the County Board, that the appointment process has always been used.

Alderperson Roger Smith stated he looked up statutes on special election it can't be less than 62 days but not more than 72 days to hold the election. Even if they wait a week, it would still be two and half months until they have a full Council. He expressed he is an advocate of going the appointment route, as it will allow the City to get back to business. We have good people on Council and have good people willing to step into the Council.

Alderperson Olson believes a special election should be allowed. It is up to the individuals in those wards to have the say.

Alderperson Abbott states he is leaning toward a special election. He understands there is an emergency here, but these are supposed to be elected positions.

Mayor Guinn pointed out we have two members of this Council who are here through appointment. He continued that everything will be given consideration, it will be completely transparent, and the public is invited for public comments. We do not come in to these meetings with predetermined outcomes. We will build the agenda so we can go a number of options. He asks those who want to serve in Ward 2 or 5 to come forward, that he is confident the Council is at a point where we are ready to work together.

Alderperson Schmidt explained back in 1999 he first got onto Council by appointment. There were five other people who were interested, they were interviewed by Council, and then they picked their appointment. He is back because he did not want to see his Ward unrepresented.

### **Status Update on Resignations of Comptroller/Treasurer and City Clerk**

Mayor Guinn explained after the April 24, 2023 Common Council meeting he received a resignation letter from City Clerk Gonstead, who cited many of the same issues as the Comptroller/Treasurer. Mayor Guinn explained after Sunday's alderperson resignations and some conversations, the resignation was rescinded. Mayor Guinn read into record City Clerk

Gonstead's May 2, 2023 letter rescinding her resignation. He explained he consulted with legal counsel, that they had not accepted the initial resignation, which is immaterial. He also read into record an email from County Clerk Karen Gibson regarding her praise of the work of City Clerk Gonstead. Mayor Guinn also explained City Clerk Gonstead will be going to a Clerk certification program through UW-Green Bay, which was approved by Council weeks prior. He explained it takes time to learn this skill set and asked the public give her the same courtesy and patience they provided her predecessor.

Mayor Guinn went on to explain elected officials have to remember the City employees sign a handbook and acknowledgement. Part of that is a code of conduct as it relates to social media posts. It is an awkward situation and, in his opinion an inappropriate situation, to have elected officials posting on a gossip page on Facebook, criticizing the job performance of city employees. He explains the City employees are dedicated and work hard, that we overwork them. He explained City Clerk Gonstead likely has not worked less than 40 hours a week since she took the position, some weeks it is upwards of 60 hours a week. At some level is exploitive. Mayor Guinn expressed praise of the work City Clerk Gonstead has done and expressed being pleased she has decided to stay.

Mayor Guinn explained at the conclusion of the April 24, 2023 Common Council meeting, they received a resignation letter from Comptroller Runde. He explained, in the interest of keeping things civil, he is going to fast forward and explain since receiving that resignation letter, Comptroller Runde has been here every single day. She is dedicated to helping us resolve our problems. She is a hard worker, she is tough, and she will not back down to those who attempt to intimidate or mistreat her. She is a wonderful asset to the City. He offered the opportunity to Comptroller Runde the opportunity to discuss her plans moving forward and explained the City would be remiss to not try to do everything possible to retain her. Mayor Guinn explained she tendered her resignation, it has not been accepted at this time.

Comptroller Runde explained her resignation still stands, that the Council needs to find somebody they are willing to work with. She explained that it does the City no good if everything she brings forward is treated as contentious. It is nothing like she has experienced before, it's not common. She explained her reports are just reports, there is nothing political in their nature. If finding somebody different suits them better, the Council is welcomed to do that. She pointed out, she is currently the only employee who is able to do payroll and financial instructions. Out of respect to the employees, she does not want to leave them hanging.

Aldersperson Olson inquired if City Clerk Gonstead and Comptroller/Treasurer Runde are suing the City of Mayville. Mayor Guinn stated no, they are not. He explained both have filed formal HR complaints with the City in early April 2023. Both himself and the Chief of Police have been named as witnesses in once instance in particular that involves an aldersperson who is no longer with the City. They have followed the employee handbook in how to handle HR complaints and they have sent the complaints to a third party for review and evaluation. She thanked Mayor Guinn for clearing that up, that she had heard otherwise and was glad to be transparent with the information for the citizens of Mayville.

Aldersperson Olson also inquired if, with both the City Clerk and Comptroller/Treasurer resigning, they should have to reapply for their positions. She pointed out she, personally, has no issue with either individual. Mayor Guinn explained, as previously pointed out, he consulted

legal counsel, and the City is in good standing. He explained they are able to remain in their position until a successor is hired. Attorney Franti went on to explain the City Clerk and Comptroller are appointed positions by statute and under City code. The resignations are not effective until a successor is appointed and qualified, they can always withdraw their resignations before a successor is appointed, as the City Clerk as done.

Aldersperson Olson asked if there is to be some sort of recognition to accept the resignations of the two alderpeople. Mayor Guinn told Aldersperson Olson she is getting off topic from the agenda. Attorney Franti indicated it is outside the scope of the agenda but was willing to address the issue, if the Council wanted him to do so. Aldersperson Roger Smith indicated he recommends they stay on the agenda, that it is their duty as alderpeople to do just that. If someone wants to add it, it can be added to the next Council agenda. Aldersperson Olson stated her point of bringing this up is that if they want to move forward with filling the vacancies before the next steps can be taken. Mayor Guinn told her she is off agenda and they are going to move forward. She can request it be added to a Committee agenda.

### **ADJOURNMENT**

Motion to adjourn by Aldersperson Schmidt, second by Aldersperson Roger Smith. 4-0, unanimous. Meeting adjourned at 6:32PM.

Anastasia Gonstead, City Clerk

**COMMON COUNCIL****MAY 8, 2023**

The meeting was called to order at 7:02 PM by Mayor John Guinn with the following roll call:

Present were Alderperson Jack Abbott, Alderperson Roger Smith, and Alderperson Kim Olson (Remote, via Zoom). Alderperson Michael Schmidt was excused.

Also present were Mayor John Guinn, Comptroller/Treasurer Angela Runde, and City Clerk Anastasia Gonstead.

**PLEDGE OF ALLEGIANCE TO THE FLAG****CITIZEN COMMENTS**

None.

**INFORMATIONAL PRESENTATION FROM MAYVILLE ENGINEERING COMPANY (MEC) BY JAG REDDY, CEO, AND TODD BUTZ, CFO**

Jag Reddy, CEO, and Todd Butz, CFO, for Mayville Engineering Company (MEC) provided an information presentation to the Common Council. They provided a handout (which has been made available to the public via the City of Mayville website). Mr. Reddy and Mr. Butz gave history on MEC and where they are at today, now as a publicly traded company. They also pointed out how much they have invested into the City and the County and stressed their charitable contributions will continue. As MEC looks toward their future they have a few jobs that require specific skill sets, which they have not been able to find matches for in this area. With this need, and the fact they are a publicly traded company, they have made the decision to move their headquarters to Milwaukee, WI. They explained this will not produce any job loss in Mayville. Alderperson Abbott asked for explanation on the jobs/job loss. Mr. Butz explained these are future jobs that will be at the Milwaukee, WI headquarters, there is no job loss and they are not requiring anyone to move to the new headquarters.

Alderperson Smith asked for a time frame on when the move will occur. Mr. Butz explained they do not have a time frame as of this moment.

Mayor Guinn pointed out that the City of Mayville has upcoming development that will bring more housing to Mayville. This could provide MEC greater opportunity for hiring. Mr. Reddy stated that will help the City and MEC to both grow. Alderperson Smith stated Mayville is a great community and we value our partnership with MEC. He expressed his appreciation of MEC's expressed desire to continue to grow with the City.

**CONSENT AGENDA**

Mayor Guinn explained consent agenda. That the notice requirement to use this feature is that the agenda packet needs to be to the alderpersons five days prior to the meeting. That this allows the Council to adopt/approve en mass. Anyone can ask for an item to come off the consent agenda to be discussed in the meeting, but that this feature allows items that are typically approved quickly to be put here, ie: minutes, operator's licenses. It is a tool outlined in our City ordinance. For this meeting, the notice requirement was not met, so each item will be addressed individually.

**Approve the Minutes of the April 10, 2023 Common Council Meeting**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. 2-0, Alderperson Olson abstains. Motion carries.

**Approve the Minutes of the April 18, 2023 Organizational Council Meeting**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. Roll vote taken, due to lag with Zoom.

Alderperson Smith - Yes/Aye  
Alderperson Abbott - Yes/Aye  
Alderperson Olson - No/Nay

2-1, motion carries.

**Approve Temporary Class "B" Retailer's Licenses for Mayville Lion's Club Polka Dances (May 13, 2023 & June 3, 2023) and Rotary Club of Mayville Rock 'n Boom (July 3, 2023)**

Motion to approve by Alderperson Abbott, second by Alderperson Olson. No discussion. Roll vote taken, due to lag with Zoom.

Alderperson Abbott - Yes/Aye  
Alderperson Olson - Yes/Aye  
Alderperson Smith - Yes/Aye

3-0, motion carries.

**Approve Operator's Licenses for the Following: Michael P. Engel of Mayville, WI, Tricia M. Wild of Mayville, WI, Jessica L. Fleischman of Fond du Lac, WI, Danielle J. Memmel of Mayville, WI, Jessica M. Samolyk of Mayville, WI, Heather C. Johnston of Mayville, WI, Scott M.D. Johnston of Mayville, WI, John J. Daubon of Mayville, WI, Jessica R. Borchardt of Fond du Lac, WI, and Brooke M. Schwab of Brownsville, WI**

Motion to approve en mass by Alderperson Abbott, second by Alderperson Smith. Confirmed that all aforementioned applications were approved by the Police Department. Roll vote taken, due to lag with Zoom.

Alderperson Abbott - Yes/Aye  
Alderperson Smith - Yes/Aye  
Alderperson Olson - Yes/Aye

3-0, motion carries.

**Resolution 5865-2023: Appointment of Andy Shoemaker, Joseph Tilmann, Jerry Koepp, and Bill Wallace to Board of Appeals**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. 2-0, Alderperson Olson abstains. Motion carries.

**Resolution 5866-2023: Appointment of Joseph Tilmann to Community Development Authority Committee**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. 2-0, Alderperson Olson abstains. Motion carries.

**Resolution 5868-2023: Appointment of Ashley Bobholz to Police & Fire & EMS Commission**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. 2-0, Alderperson Olson abstains. Motion carries.

**Discuss, with Possible Action, Approval/Payment of Annual Rock 'N Boom/Summer Concert Series Contracts, Including Band Contracts, Balance due on Spectrum Pyrotechnics Contract, and Mayville Rotary Club/Umpires**

Motion to approve by Alderperson Abbott, second by Alderperson Smith. No discussion. 3-0. Motion carries.

## REPORT OF OFFICERS

### Mayor's Report

#### Monthly Mayor's Report

Mayor Guinn reads his report. Explains he is learning more and more on civics daily, including roles of a mayor in a class iv City, as well as roles of Alderpersons, Comptroller/Treasurer, and City Clerk. He went on to state there are things to be learned, processes and procedures that need to go into place so we can do our jobs correctly. State and City are mentioned, because we have laid our parameters in which we can operate. We need a 5-Year Plan, so we can plan appropriately and strategically. He stated the City employees are the City's most valuable asset. We need to better manage that and then we can get more done. He explained it costs approximately six to nine months of an employee's salary to replace him or her. He expressed he is committed to complete transparency, more frequent updates, and making everything more accessible to the community and citizens. He explained we are making strides - the use of the Owl system, broadcasting meetings live and archiving them for later viewing. The citizens can see meetings without having to rely on the rumor mill. He pointed out there have been almost one thousand views of a recent City meeting. Mayor Guinn finished by stated on May 23, 2023, between 6 and 8 PM, he will be meeting with citizens at the Meating Place, at a Chamber/Main Street Mayville sponsored event.

### Clerk Report

#### Monthly City Clerk's Report

Liquor License/Operator License Reminder

- All liquor/operator's licenses expire on June 30<sup>th</sup>.
- Business liquor licenses will be reviewed at the May 22, 2023 Public Safety meeting, for consideration/approval at the June 12, 2023 Common Council meeting.
- Operator's licenses will be approved at the May and June Council meetings

Board of Review

- Board of Review is scheduled for Tuesday, May 16, 2023, from 6PM-8PM at Mayville City Hall.

Mock Presidential Debate

May 23, 2023 St John's School's 8<sup>th</sup> grade class will be using our Council Chambers for a mock presidential debate.

### Comptroller/Treasurer Report

#### Monthly Comptroller/Treasurer's Report

Comptroller/Treasurer Runde explained she had provided the March and April bills and the other reports are preliminary. She explained the audit is still underway and they are hoping to present

in June. She explained the software update is still in process. Additionally, there are reports due this time of year, she will be filing Form C once the audit is complete.

Aldersperson Smith asked how the software update is coming along. Comptroller/Treasurer Runde explained they have moved from the old server to the new server. There were connectivity issues, so WiseGuys IT will be in building on Wednesday. As of right now, the decision has to be made if the data is okay to migrate or if it will need to be recreated.

Aldersperson Olson stated she had several questions, but will meet with Comptroller/Treasurer Runde regarding them.

## **COMMITTEES, COMMISSIONS AND BOARDS**

### **Water/Wastewater Commission**

#### **Aldersperson's Update on the Water/Wastewater Commission Meeting**

Aldersperson Smith reports. He explained the Annual water town inspections are complete and repairs will be required by the DNR. Hydrant flushing is underway and information for GIS mapping. The annual report has been submitted, later loss is at 10%. He stated there is good news - the results of the PFAS are back and all were "no detect." The remaining monitoring requirements for 2023 have been waived. The first round of industrial mercury testing was sent out. There was a Notice of Non-Compliance for treatment facility overflow, a written response is due to the DNR by May 26, 2023.

Mayor Guinn asked for the measurement on the overflow. Aldersperson Smith stated he did not have an exact number in his notes, that it was not a lot but it was still there.

#### **Resolution 5864-2023: Award Bid Contract to Kruczek Construction Inc. for the 2023 Street and Utility Reconstruction Project - Alley Street Sanitary and Water, Metalcraft Site Watermain**

Nick Chikowski, Planning/Engineering, was present via Zoom for questions. Mayor Guinn read in the resolution. Mayor Guinn inquired if the resolution will be available online. City Clerk Gonstead stated it would, clarified the proposed resolution is already available as an agenda packet attachment and if the resolution is approved, a signed copy will also be available on the website.

Mr. Chikowski asked about Metalcraft, why it was not included. City Clerk Gonstead explained she included what was indicated in the email sent by Mr. Chikowski, indicating what Water/Wastewater Commission approved. Mr. Chikowski said it should include Metalcraft. Mayor Guinn asked if we can do this at a special meeting and regarding deadlines in conjunction with the bid opening. Mr. Chikowski stated we have 60 days from bid opening. The May 11, 2023 special Common Council meeting falls within that deadline. City Clerk Gonstead asked Mr. Chikowski to get her the additional information as soon as possible, so this can be put on the May 11, 2023 agenda.

Motion to table to May 11, 2023 special Common Council meeting made by Aldersperson Olson, second by Aldersperson Smith. 3-0, motion carries.

Date and Time of Next Meeting - June 6, 2023 at 4PM

### **Library Board**

### **Monthly Library Report**

Report by Jennifer Stasinopoulos, Library Director. Cleanup is still underway for the approaching move to the new library. They are reaching out to businesses for the City-wide scavenger hunt. City-wide scavenger hunt taking place June 2nd - June 12th. Summer reading program theme is "Catch the Reading Bug." In April, 24 programs were held at the library, ranging from preschool activities to genealogy roundtables. New children's magazines are being added this year as well.

Date and Time of Next Meeting - May 11, 2023 at 6PM

### **Public Works Committee**

#### **Discuss, with Possible Action, Amendment to City of Mayville §397.7(O) - Regarding Parking During Snow Emergencies**

Council members discussed options, such as tabling the matter or sending back to the committee level. This was moved forward, but it was open ended, discussion was that this may need to be more specific before coming back to Council for a final decision.

Motion to refer back to the Public Works Committee for discussion and possible recommendation to Council made by Alderperson Smith, second by Alderperson Abbott. Discussion: Alderperson Smith indicated part of the challenge was regarding parking for one of the cheese factories. This was confirmed by Alderperson Abbott, further stating it makes this a tough situation. Mayor Guinn indicated there is technology that exists that would allow information to get out to the community regarding snow emergencies. Alderperson Abbott brought up the example of Statewide notifications for things such as missing children. Mayor Guinn stated he believed Campbellsport had something in place for notification, that he would look into what they are using. Alderperson Abbott indicated he believed that could alleviate many of the questions and guessing. Alderperson Olson stated she understands there is a frustration to our plow drivers but stated snow plows are declining. She further explained there is a need for those who live on Main Street and employees on Main Street. She added the Police Department can issue tickets, agreed this matter needs to be revisited.

Vote was 3-0, motion carries.

Date and Time of Next Meeting - May 22, 2023 at 6PM

### **Personnel Committee**

Date and Time of Next Meeting - May 22, 2023, Immediately following Public Works Committee

### **Public Safety Committee**

Date and Time of Next Meeting - May 22, 2023, Immediately following Personnel Committee

### **Finance Committee**

#### **Approval of Monthly Payment of Bills for March and April 2023**

Motion to approve by Alderperson Smith, second by Alderperson Abbott. No discussion. 2-0, Alderperson Olson abstains. Motion carries.

#### **Discuss/Approve Recommendation to Approve Audubon Days Funds to be Handed Over, to be Managed by the Audubon Days Non-Profit Group, Contingent Upon Attorney Approval and the Drawing Up of Any Contracts Needed to Make Said Transition Possible**

Kristin Schaefer, of the Audubon Days organization, was present. She indicated tax forms have been submitted to the IRS. She submitted documents to Attorney Franti, they now have

everything she has. She has a bank account set up. She explained she has things moving so she needs available funds to get commitments paid.

Attorney Franti affirms he has the articles of incorporation and the bylaws. He explained the bylaws state that funds would go back to a non-profit or a state/local government. Discussed at the last meeting was an agreement between Mayville Audubon Days and the City of Mayville, that in the event the corporation is dissolved, or stops hosting Audubon Days, the remaining funds would come back to the City. If that is what the Council wants, he could get something in place quickly. He did indicate it would need approval by Council at another meeting.

Aldersperson Smith inquired if we can release funds to cover expenses Ms. Schaefer is currently incurring. Attorney Franti indicated he believes that is what has been happening. Mayor Guinn inquired if there is anything the Comptroller/Treasurer needs for this. Comptroller/Treasurer Runde stated if that was what they had previously been doing, she can make that work. Aldersperson Smith stated Ms. Schaefer should not be paying out of pocket, to bring in her receipts. Mayor Guinn confirmed these sentiments.

Aldersperson Abbott indicated he would like the aforementioned clause added. Mayor Guinn asked if that was a motion. Attorney Franti indicated he needed guidance from the Council on what, in particular, they would like added.

Motion to have Attorney Franti draft a Use of Funds Agreement to transfer the funds being held by the City to this the Mayville Audubon Days entity, with conditions placed on use of the funds indicating if the entity would fail to maintain their tax exempt status, if the funds are not being used for the intended purpose, dissolve, stop hosting Audubon Days event, the remaining funds will come back to the City of Mayville. Motion made by Aldersperson Abbott, second by Aldersperson Smith. Roll vote.

Aldersperson Abbott - Yes/Aye  
Aldersperson Smith - Yes/Aye  
Aldersperson Olson - Yes/Aye

3-0, motion carries.

#### **Discuss/Approve Recommendation to Approve Server Upgrade**

Comptroller/Treasurer Runde indicated we do not have had documentation yet from WiseGuys IT regarding costs.

Motion to table this matter to next month by Aldersperson Abbott, second by Aldersperson Smith. 3-0, motion carries.

Date and Time of Next Meeting - May 22, 2023, Immediately following Public Safety Committee

#### **Parks/Rec/TAG Center Commission**

##### **Aldersperson's Update on the Parks/Rec/TAG Center Commission**

Aldersperson Olson provides report. She explains at one time there was a park and outdoor plan in place. The last time this was completed was in 2006, it is supposed to be completed in five year increments. Mike Kurutz is checking to see if, due to missing timelines, if we can still be involved with this program. Mayor Guinn inquired if this is the same as the fundraising Director

John Wild has brought up in the past. Alderperson Olson confirmed it is not. She explained this is a plan prepared by Dodge County in 1990, it is for recreation improvements through 2026. We need to see if we still qualify. Alderperson Abbott inquired if this is mainly concerning grants. Alderperson Olson explained it is, multiple. She indicated she did not have the information if they are still out there, but they do address needs in the City. Her concern is this time lapse. Alderperson Abbott asked if these are state or federal grants. Alderperson Olson explained they are County based.

Date and Time of Next Meeting - June 7, 2023 at 6PM

### **Planning Commission**

#### **Alderperson's Update on the Planning Commission Meeting**

None provided

#### **Resolution 5867-2023: Approve Sale of River Knoll Industrial Park Lot No 10 - Hocker's Development**

It was explained this resolution was needed to properly file everything for the title company from the previous sale of the property. Mayor Guinn read the in the resolution. Motion to approve by Alderperson Olson, second by Alderperson Smith. Discussion: Alderperson Abbott inquired how this is all coming along. Mayor Guinn explained they have moved ground. It's one acre lots and they are moving ground around to equalize everything. Alderperson Olson explained they must be close to complete. That the storage units are coming up quickly in the next few weeks. Alderperson Abbott inquired if the land was returned for use on neighboring lots. Mayor Guinn confirmed that it is, it is part of the developer's agreement. Role vote.

Alderperson Olson - Yes/Aye

Alderperson Smith - Yes/Aye

Alderperson Abbott - Yes/Aye

3-0, motion carries.

Date and Time of Next Meeting - June 12, 2023 at 5PM

### **Community Development Authority**

#### **Alderperson's Update on the Community Development Authority Committee Meeting**

Report from Alderperson Olson. She explained Dawn Guindt (Main Street Mayville/Chamber of Commerce) and John Wild (Parks Director) are working diligently to set up a committee and ideas for Mayville's holiday lights. Alderperson Olson inquired if the CDA balances have been determined. Comptroller/Treasurer Runde indicated she would look into that. Alderperson Olson indicated Ms. Guindt was interested in joining the committee. Mayor Guinn explained he looked into the statute, Ms. Guindt would need to be a City resident to fill a vacancy, she is not. Alderperson Olson inquired if she can be on as a citizen, while alderperson, or if that is a conflict.

Date and Time of Next Meeting - May 24, 2023 at 6PM

### **Communications Committee**

#### **Alderperson's Update on the Communications Committee Meeting**

None

Date and Time of Next Meeting - May 15, 2023 at 4PM

**ADJOURNMENT**

Motion to adjourn at 8:11

Anastasia Gonstead, City Clerk

The meeting was called to order at 6:00 PM by Mayor John Guinn with the following roll call:

Alderspersons Jack Abbott, Kim Olson, Michael Schmidt, and Roger Smith were all present. Also present was Mayor John Guinn, Attorney Nolan Franti, and City Clerk Anastasia Gonstead.

## PLEDGE OF ALLEGIANCE TO THE FLAG

## CITIZEN COMMENTS

Mark Fox, 913 Green Bay Drive, part of the second aldermanic district. He stated he is not happy as he is not currently being represented. Mr. Fox expressed there are many important issues coming up for the City to make decisions on and he wants a representative on Council now, someone who can take action on his behalf now. He discussed special election vs. appointment of the vacant positions. Mr. Fox explained special elections can take several months, he asked how much that is going to cost the city and when it will happen. He pointed out if it is in the middle of summer, nobody is around to vote. Mr. Fox stated that we currently have alderman who started off being appointed. He stated he believes the Council should appoint for the vacancies, let them fill the remainder of the terms, then have the election when it's time. He feels there is enough common sense between the people on Council to make the decisions. He added that he wants someone who can make decisions now. Mr. Fox further added he wished Comptroller/Treasurer Runde was present, stated the City needs her back and wishes we could retain her. He told Council they need to be making these decisions, that too much is happening right now for citizens to be unrepresented. He asked those on Council who want a special election to please reconsider their positions, as there is too much in limbo.

James Barron, 702 Golfview Drive, part of the second aldermanic district. Mr. Barron states he has been here seventeen years, the Council currently has an opportunity to make a good choice. He is an elder with a local church, and he prays the Council will make good decisions. He asked they take the list of candidates and make their best choice, and if they can't come to a choice, to send it to the people. That with God's wisdom, they will make a choice. He asked the Council not to be rash.

## ITEMS OF DISCUSSION/POSSIBLE ACTION

### **Resolution 5864-2023: Award Bid Contract to Kruczek Construction Inc. for the 2023 Street and Utility Reconstruction Project - Alley Street Sanitary and Water, Metalcraft Site Watermain**

Aforementioned resolution read in. Motion to approve by Alderperson Smith, second by Alderperson Schmidt. No discussion. Roll vote, 4-0, motion carries.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Roger Smith, Alderperson
<b>SECONDER:</b>	Michael Schmidt, Alderperson
<b>AYES:</b>	Abbott, Olson, Schmidt, Smith

### **Open Interviews of Interested Parties for Ward 2 Alderperson Vacancy**

Keith Lodahl and Joseph Tillmann both submitted paperwork as interested in filling the Ward 2 alderperson vacancy. Mr. Lodahl was interviewed first.

Mr. Lodahl was asked why he wants to serve on the City Council. He explained he served on the Council nearly 40 years ago. He also did not want to run against Bob Smith. He stated that he

honestly did not want to run at all, but with the current situation the City is in, with his experience with the City, and experience in his private/professional life, he left he could be of assistance. Alderperson Olson asked what field he had worked in. Mr. Lodahl said medical and work with manufacturers all over the state. He also stated he was an electrical engineer.

Mr. Lodahl was asked what experiences, talents, or skill he would bring to the Council. Mr. Lodahl explained he has interest in water quality. He explained he completed the training available through Moraine Park, he learned about water and how meetings are to be run.

Mr. Lodahl was asked what areas are of particular interest or are of expertise to him. Mr. Lodahl was asked if he wants to serve on Council for a particular local issue or is his interest more broad. Mr. Lodahl explained his main interest is making sure everything with the financial issues comes out correctly. He used to work for a company that went through financial issue and was able to work on the subsequent internal controls. He also indicated there needs to be transparency to make sure issues do not happen again, he wants to help with the communication end of things.

Mr. Lodahl was asked why he should be chosen. Mr. Lodahl explained if the Council decides not to pick him, his life goes on. He enjoys being retired. He does believe he has qualities to offer that can make what the City is currently going through come out a little less painful.

Mr. Tillmann was interviewed next. Mr. Tillmann was asked to give some information on his background and about himself. Mr. Tillmann explained he moved to Mayville in 2020 and has been wanting to do something positive for the community since he moved here. He volunteered with the coffee shop in town. He explained he has been in the public sector for approximately 12 years, building inspector in Milwaukee, Franklin, Sussex, Slinger, and Richfield. Mr. Tillmann was asked how many citizens that services. He stated approximately 30,000.

Mr. Tillmann was asked what interested him to this position. Mr. Tillmann explained nothing specifically, his motivation is to get in and try to help out.

Mr. Tillmann was asked why he should be chosen. Mr. Tillmann explained he has hoped to get involved for quite a while and he would plan to run again in the spring. He explained he is familiar with State statute and code, has a background in zoning, and has even written some ordinance.

Alderperson Olson inquired if at work, Mr. Tillmann has anyone that reports to him, is he a supervisor? Mr. Tillmann explained no, it's a small operation, his position self manages. He stated their administrator is great, allows them to do their job. Alderperson Olson asked with their staff, how many people do they serve? Mr. Tillmann stated approximately 12,000.

Alderperson Abbott asked if it will be a conflict making it to meetings. Mr. Tillmann explained it should not be an issue, he does not often have to work beyond 5PM.

#### **Open Interviews of Interested Parties for Ward 5 Alderperson Vacancy**

Cassandra May and Kenneth Neumann both submitted paperwork as interested in filling the Ward 5 alderperson vacancy. Ms. May was interviewed first.

Ms. May was asked why she wants to serve on Council. She explained it is something she has wanted to do for a while, but her previous work schedule would not allow for it. She wants to make a difference in the community and thinks this is a great way to do it.

Ms. May was asked what experiences, talents, or skill she would bring to the Council. Ms. May explained she did not have any alderman-type experience. She works in quality control, so doing a good job is very important, making good decisions, and doing right by her company. Everything she does at work reflects her company. Alderperson Abbott asked if she had any experiences outside of work. Ms. May said not necessarily.

Ms. May was asked what areas are of particular interest or are of expertise to her. Ms. May states she feels she can get along with people. She believes there is a disconnect between the citizens and the Council and feels she can bridge that gap to make a difference.

Alderperson Olson stated she likes the fact Ms. May is in quality control, asked if it is was in manufacturing. Ms. May confirmed it is. Alderperson Olson inquired how long Ms. May lived in Mayville. Ms. May stated a couple of years, prior to that she lived in Horicon

Mr. Neumann was interviewed next. He was asked why he wants to serve on Council. Mr. Neumann explained he has the experience of previously being an alderperson and he enjoyed it. He has a background in police science and administration. Mr. Neumann explained he has done a lot for the City over the years, and with the recent vacancies on Council, he felt representation was needed now. He wants to make good decisions for the City of Mayville.

Mr. Neumann was asked if there are any particular areas that are of interest or expertise for him. Mr. Neumann stated nothing in particular, but down the road he would be interested in the new sewage plant as it is a huge decision that will impact the City. He also spoke highly of the City's first responders and how safe he feels in this community because of them.

**Discuss, with Possible Action, Options for Filling Aldermanic Vacancies in Wards 2 and 5**

Alderperson Olson stated she is frugal and does not want to see more money being spent on a special election. She is hoping that they can appoint, as they have qualified candidates. However, if they cannot agree on who to have fill the seats, then they may need a special election. She expressed her hopes they can all come to an agreement that evening or soon. Alderperson Schmidt agreed. Alderperson Abbott noted the prior meeting he expressed the view that the position should be elected, however, with two vacancies and budget coming up he agrees the positions need to be filled quickly but not hastily. He believes they have good candidates and expressed a wish to vote blind or do a sealed vote. Mayor Guinn inquired if there were any opposing views, in favor of a special election. All expressed they did not like the money or time involved in a special election.

Alderperson Abbott makes a motion to make appointments to Ward 2 and Ward 5 by using sealed votes. Second by Alderperson Schmidt. Attorney Franti inquired if the appointments have ever been done by secret vote before. City Clerk Gonstead indicated they have happened during closed session in the past. Attorney Franti referenced ordinance and State statute that does not allow this to happen via secret ballot, he stated it cannot be done by secret ballot. Alderperson Smith asked if the voting can be done in open session. Mayor Guinn confirmed it can. Mr. Lodahl asked to speak, stated all the candidates are adults and can take the open vote. Attorney Franti asked how they here planning to do it, he stated he was looking at the handbook for municipal officials and the statute, the that ballot needs the name of the person voting and who they are voting for. Alderperson Smith stated he would be comfortable with that. Mayor Guinn stated it would then be in the possession of the City Clerk. City Clerk Gonstead informed the body the ballots would then be subject to open records requests. Alderperson Schmidt stated they might as well do a voice

vote. City Clerk Gonstead inquired of Attorney Franti if she needs to read who voted or maintain record of who voted. Attorney Franti explained it did not say in the handbook or statute, Attorney Franti indicated if there is a record that is kept, is in possession of the City Clerk, and is subject to open record, it should be in compliance with statute. City Clerk Gonstead clarified for Council that they could put their name and who they are voting for, that she does not need to read their name in conjunction with the vote, but would maintain record of it. Alderperson Olson said she'll do it any way, so long as it's the right way to do it.

Alderperson Abbott amends his motion to indicate the ballot will have the name of the voter and who they are voting for, per Wisconsin statute. Alderperson Schmidt stated they should just have a roll vote. Alderperson Smith stated it is subject to open records inquires anyway. Attorney Franti stated, to err on the side of caution they should do a voice vote or write it and read it into record. Alderperson Schmidt stated he is not seconding the amended motion, he believes they should do a voice vote. Second by Alderperson Olson. Discussion: Alderperson Smith stated he is inclined to do the open vote, to be completely transparent in this. Alderperson Olson stated she did not care either way, she just wants to get this done. Roll vote taken:

Alderperson Abbott - Aye/Yes  
 Alderperson Olson - Aye/Yes  
 Alderperson Schmidt - Aye/Yes  
 Alderperson Smith - Nay/No

3-1, motion carries.

Votes were tallied and read in by City Clerk Gonstead. Ward 2: Three (3) votes for Joseph Tillmann, one (1) vote for Keith Lodahl. Ward 5: Zero (0) votes for Cassandra May, four (4) votes for Keith Neumann. Note - At the end of the meeting Attorney Franti reviewed and confirmed the accuracy of the tallied votes.

Mayor Guinn stated, from a planning standpoint, they want to get moving as soon as possible. That he will call a special Common Council meeting just before the committee meetings on May 22, 2023, that the meeting will start at 6PM. During that meeting, the new members will be sworn, the Council will vote for a Council president and appointment to Planning Commission, and the Mayor will make appointments to the vacancies on standing committees.

#### **Mayoral Appointment to Public Safety Committee**

Mayor Guinn appoints Michael Schmidt to the Public Safety Committee.

#### **ADJOURNMENT**

Motion to adjourn at 6:52 PM by Alderperson Smith, second by Alderperson Olson. 4-0, motion carries. Meeting adjourned at 6:52 PM.

Anastasia Gonstead, City Clerk

**COMMON COUNCIL****MAY 22, 2023**

The meeting was called to order at 6:00 PM by Mayor John Guinn with the following roll call:

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Joseph Tillmann	Aldersperson	Present	
Kenneth Neumann	Council President	Present	
Jack Abbott	Aldersperson	Present	
Kim Olson	Aldersperson	Present	
Michael Schmidt	Aldersperson	Present	
Roger Smith	Aldersperson	Present	
John Guinn	Mayor	Present	

Also present was City Clerk Anastasia Gonstead

**PLEDGE OF ALLEGIANCE TO THE FLAG****CITIZEN COMMENTS**

Elijah Riese, 505 Grove Street, voiced her concerns about the secret ballot and read off the State statute Attorney Franti referenced in the May 11, 2023 Special Common Council Meeting. Ms. Riese stated the City Clerk did not read the voters' names and their votes into record. She also referenced the April 24, 2023 Finance Committee meeting wherein the members voted to not have the City Attorney present at all meetings in an effort to save City dollars. She noted the City Attorney has been present at all but one meetings since that decision. Ms. Riese also made the point that if they are spending the money to have Attorney Franti present, the Council should be taking his advice. She feels the citizens' rights were violated.

**ITEMS OF DISCUSSION/POSSIBLE ACTION****Mayor's Comments**

Mayor Guinn welcomes Joseph Tillmann and Kenneth Neumann to the Council. He stated it is time to work together to improve City government. He indicated he would be making assignments to committees this evening. Finance Committees will likely continue to be meetings of the whole, as we want all to have a voice with financial record keeping and decisions. June should see update from Sikich regarding the special audit. Anticipate audit results from Baker Tilly. Baker Tilly has helped narrow the spread regarding funds that were not properly allocated, but we still haven't reduced it to zero. Council will have to decide if we force balance the books and move forward, or what other options they want to pursue. Comptroller/Treasurer Runde's resignation was tendered a number of weeks ago, she has now given her two weeks notice. Due to a number of circumstances, Comptroller/Treasurer Runde is leaving and that will be a tough spot to fill. Sikich does have capacity for staff augmentation so we can keep things going in the interim, until we get a new person. In Finance Committee, we will talk about that in more depth.

**Swear In/Oath of Office of Ward 2 Aldersperson, Joseph Tillmann**

Aldersperson Joseph Tillmann sworn in.

**Swear In/Oath of Office of Ward 5 Aldersperson, Kenneth Neumann**

Aldersperson Kenneth Neumann sworn in.

**Council Election for Council President**

Nomination by Aldersperson Olson to elect Aldersperson Neumann as Council president, second by Aldersperson Abbott. Nomination by Aldersperson Smith to elect Aldersperson Schmidt as

Council President, no second. No discussion. Vote taken on nomination for Alderperson Neumann. 6-0, Alderperson Neumann elected Common Council president.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kim Olson, Alderperson
<b>SECONDER:</b>	Jack Abbott, Alderperson
<b>AYES:</b>	Tillmann, Neumann, Abbott, Olson, Schmidt, Smith

### **Council Election for Council Representative on the Planning Commission**

Nomination by Alderperson Smith to elect Alderperson Tillmann as representative on Planning Commission, second by Alderperson Neumann. No discussion, 6-0. Alderperson Tillmann elected Council representative to the Planning Commission.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Roger Smith, Alderperson
<b>SECONDER:</b>	Kenneth Neumann, Council President
<b>AYES:</b>	Tillmann, Neumann, Abbott, Olson, Schmidt, Smith

### **Mayoral Appointments to Finance, Public Safety, and Public Works Committees**

Mayor Guinn makes appointments to vacancies on the standing committees. Alderperson Tillmann appointed to Public Works Committee. Alderperson Schmidt and Alderperson Neumann appointed to Public Safety Committee, with Alderperson Schmidt being names chair of said committee. Alderperson Tillmann and Alderperson Neumann appointed to Finance Committee.

### **Resolution 5869-2023: Appointments to the Community Development Authority Committee - Council Members**

Mayor Guinn reads resolution that would add Alderperson Abbott and Alderperson Tillmann as appointments to the Community Development Authority Committee. Motion by to approve by Alderperson Schmidt, second by Alderperson Smith. No discussion, 6-0. Motion carries.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Schmidt, Alderperson
<b>SECONDER:</b>	Roger Smith, Alderperson
<b>AYES:</b>	Tillmann, Neumann, Abbott, Olson, Schmidt, Smith

### **Resolution 5870-2023: Appointment to the Water/Wastewater Commission - Council Member**

Mayor Guinn reads resolution that would add Alderperson Neumann as the appointment to the Water/Wastewater Commission. Motion by to approve by Alderperson Schmidt, second by Alderperson Smith. No discussion, 6-0. Motion carries.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Schmidt, Alderperson
<b>SECONDER:</b>	Roger Smith, Alderperson
<b>AYES:</b>	Tillmann, Neumann, Abbott, Olson, Schmidt, Smith

### **ADJOURNMENT**

Motion to adjourn at 6:17 PM by Alderperson Schmidt, second by Alderperson Neumann. 6-0, motion carries.

Meeting adjourned at 6:17 PM

Anastasia Gonstead, City Clerk

Attachment: Minutes - 05222023 Special CC Mtg (4926 : Approve the Minutes of the May 22, 2023 Special Common Council Meeting)

# Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ \_\_\_\_\_  
 Town  Village  City of Mayville

Application Date: 5-6-2023  
County of Dodge

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning Sept 15<sup>th</sup> 2023 and ending Sept 17<sup>th</sup> 2023 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

- 1. Organization** (check appropriate box) →
- Bona fide Club
  - Church
  - Lodge/Society
  - Chamber of Commerce or similar Civic or Trade Organization
  - Veteran's Organization
  - Fair Association

(a) Name Mayville Audubon Days  
 (b) Address W 3025 County Road Y Lomira WI 53048  
(Street)  Town  Village  City

(c) Date organized 3-10-23  
 (d) If corporation, give date of incorporation 3-10-23  
 (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:  
 President Kristin Schaefer  
 Vice President \_\_\_\_\_  
 Secretary Kelly Brummond  
 Treasurer Rachael Feucht  
 (g) Name and address of manager or person in charge of affair: Kristin Schaefer  
W3025 County Road Y, Lomira WI 53048

**2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:**

(a) Street number 475 Park Road Mayville, WI 53050  
 (b) Lot Freemans Park Block \_\_\_\_\_  
 (c) Do premises occupy all or part of building? whole park area.  
 (d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: All areas

**3. Name of Event**  
 (a) List name of the event Mayville Audubon Days  
 (b) Dates of event Sept 15, 16, 17 2023

**DECLARATION**

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer \_\_\_\_\_ (Signature/date)  
 Officer Mayville Audubon Days (Name of Organization)  
 Officer \_\_\_\_\_ (Signature/date)  
 Officer \_\_\_\_\_ (Signature/date)

Date Filed with Clerk \_\_\_\_\_ Date Reported to Council or Board \_\_\_\_\_

Date Granted by Council \_\_\_\_\_ License No. \_\_\_\_\_

Attachment: Picnic License - Audubon Days (4925 : Approve Temporary Class "B" Retailer's License for Mayville Audubon Days)

## RESOLUTION

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### **Resolution 5873-2023: Approval of Authorized Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund**

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WHEREAS, it is the desire of the City of Mayville, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its 2023 Street and Utility Improvements project under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59 and 281.61, Wis. Stats.); and,

WHEREAS, it is necessary to designate a representative for filing said applications; and,

NOW BE IT THEREFORE RESOLVED, by the Common Council of the City of Mayville, that the Director of Utilities is hereby appointed as the Authorized Representative for the City of Mayville for the purpose of filing these applications for state financial assistance under the Wisconsin Environmental Improvement Fund and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
John Guinn  
Mayor

Attest:

\_\_\_\_\_  
Anastasia Gonstead  
City Clerk

## RESOLUTION

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### Resolution 5874-2023: Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Safe Drinking Water Loan Program

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WHEREAS, the City of Mayville, Dodge County, Wisconsin, (the ‘Municipality’) owns and operates a water system (the ‘System’) as a public utility; and

WHEREAS, the Municipality plans to construct improvements to its water system on Alley Street and construct a watermain loop to provide a redundant watermain feed to the Metalcraft Facility located at the corner of CTH V and Slag Road, the Municipality intends to apply for a Safe Drinking Water Fund Loan (the ‘Loan’) through the Wisconsin Department of Natural Resources (WDNR), Project Nos. 5443-12 and 5443-13; and

WHEREAS, because proceeds from the Safe Drinking Water Fund Loan will not be available prior to commencement of construction on the project, the Municipality must provide interim financing to cover costs of the project incurred prior to closing on the Loan; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand and reserve balances on an interim basis until Loan proceeds become available,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Mayville, Dodge County, Wisconsin, that;

Section 1. Expenditure of Funds: The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until loan proceeds become available.

Section 2. Declaration of Official Intent: The Municipality hereby officially declares its intent to reimburse said expenditures with proceeds of the loan, the principal amount of which is not expected to exceed \$447,000.00.

Section 3. Unavailability of Long-Term Funds: No funds for payment of the Project from sources other than funds on hand are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget of financial policies.

Section 4. Public Availability of Official Intent Resolution: This Resolution shall be made available for public inspection at the Municipal Clerk’s Office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Loan is issued.

Section 5. Effective Date: This resolution shall become effective upon its adoption and approval.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
John Guinn

Mayor

Attest:

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Anastasia Gonstead  
City Clerk

## RESOLUTION

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### Resolution 5875-2023: Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing for the Clean Water Loan Program

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WHEREAS, the City of Mayville, Dodge County, Wisconsin, (the ‘Municipality’) owns and operates a sanitary sewer system (the ‘System’) as a public utility; and

WHEREAS, the Municipality plans to construct improvements to its sanitary sewer system on Alley Street and the Municipality intends to apply for a Clean Water Fund Loan (the ‘Loan’) through the Wisconsin Department of Natural Resources (WDNR), Project No. 4012-13; and

WHEREAS, because proceeds from the Clean Water Fund Loan may not be available prior to commencement of construction on the project, the Municipality must provide interim financing to cover costs of the project incurred prior to closing on the Loan; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance monies from its funds on hand and reserve balances on an interim basis until Loan proceeds become available,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Mayville, Dodge County, Wisconsin, that;

Section 1. Expenditure of Funds: The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Loan proceeds become available.

Section 2. Declaration of Official Intent: The Municipality hereby officially declares its intent to reimburse said expenditures with proceeds of the Loan, the principal amount of which is not expected to exceed \$193,500.00.

Section 3. Unavailability of Long-Term Funds: No funds for payment of the Project from sources other than funds on hand are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget of financial policies.

Section 4. Public Availability of Official Intent Resolution: This Resolution shall be made available for public inspection at the Municipal Clerk’s Office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Loan is issued.

Section 5. Effective Date: This resolution shall become effective upon its adoption and approval.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

---

John Guinn  
Mayor

Attest:

Anastasia Gonstead  
City Clerk

**RESOLUTION**

---

**Resolution 5871-2023: Action on 2023-2024 Liquor and Fermented Malt Beverage Renewal Licenses**

---

WHEREAS, the Public Safety Committee met on May 26, 2023, and did recommend approval of the Alcohol Beverage Licenses listed on the attached for the period of July 1, 2022, through June 30, 2023, provided all fees are paid in full and each property has passed an inspection by the Mayville Police Department and Fire Department;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Mayville does hereby approve the above recommendation of the Public Safety Committee and that licenses for the period July 1, 2023, through June 30, 2024, shall be issued as listed on the attached.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

---

John Guinn  
Mayor

Attest:

---

Anastasia Gonstead  
City Clerk

**RESOLUTION**

---

**Resolution 5872-2023 Approve Transfer of Funds to Mayville Audubon Days, Inc.**

---

WHEREAS, the City of Mayville is holding approximately \$39,281.48 in funds earmarked for the annual Mayville Audubon Days celebrations in the City of Mayville, Dodge County, Wisconsin; and,

WHEREAS, pursuant to the decision of the Mayville Common Council at the May 8, 2023 meeting, the City of Mayville wishes to transfer ownership of the Audubon Days funds to Mayville Audubon Days, Inc., pursuant to the terms established in the attached City of Mayville Use of Funds Agreement; and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Mayville does hereby approve transferring the aforementioned funds to Mayville Audubon Days, Inc., pursuant to the terms established in the attached City of Mayville Use of Funds Agreement.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

---

John Guinn  
Mayor

Attest:

---

Anastasia Gonstead  
City Clerk

**CITY OF MAYVILLE  
USE OF FUNDS AGREEMENT**

**THIS AGREEMENT** made as of the \_\_\_\_ day of June, 2023 by the City of Mayville (hereinafter, “the City”), having an address of 15 S. School Street, Mayville, WI, 53050, and Mayville Audubon Days, Inc., a Wisconsin nonstock corporation (hereinafter, “Audubon Days”), having an address of W3025 County Road Y, Lomira, WI 53048. The City and Audubon Days may be referred to herein individually as “a Party” and collectively as “the Parties.”

**WITNESSETH:**

**R.01 WHEREAS**, the City is holding approximately \$39,281.48 in a fund earmarked for the annual Mayville Audubon Days celebrations in the City of Mayville, Dodge County, Wisconsin (the “Audubon Days Fund”); and

**R.02 WHEREAS**, pursuant to Resolution 5872-2023 adopted by the City of Mayville Common Council on June 12, 2023, the City wishes to transfer ownership of the Audubon Days Fund to Audubon Days, subject to the terms and conditions contained in this Agreement.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound hereby, the Parties agree as follows:

**I. USE OF FUNDS AGREEMENT**

A. Transfer of the Audubon Days Fund to Audubon Days. Within (10) ten days of execution of this Agreement, the City agrees to transfer ownership of the Audubon Days Fund to Audubon Days, subject to the terms and conditions contained in this Agreement.

B. Use of Funds. Audubon Days agrees that the Audubon Days Fund shall be used exclusively for the furtherance of its exempt purposes for its tax-exempt status under section 501(c)(4) of the Internal Revenue Code, as stated in the corporation’s Articles of Organization. Audubon Days may not transfer or assign the Audubon Days Fund to another person, entity, or organization, except back to the City according to the terms of this Agreement.

C. Return of Audubon Days Fund to City. Upon occurrence of any of the following events, as determined by the City in its sole discretion, the Audubon Days Fund, or the remaining balance thereof, shall be immediately refunded to the City:

1. Audubon Days fails to obtain tax-exempt status from the Internal Revenue Service.
2. Audubon Days is no longer using the funds for the corporation’s exempt purposes as stated in the corporation’s Articles of Organization.
3. Audubon Days ceases hosting an annual Audubon Days celebration in the City of Mayville, Dodge County, Wisconsin.
4. Audubon Days transfers, or attempts to transfer, all or substantially all of its assets to another person, entity, or organization.
5. Audubon Days ceases all or substantially all of its operations.

Attachment: 5-30-23 Use of Funds Agreement - City of Mayville - Mayville Audubon Days (4951 : Resolution 5872-2023 Approve Transfer of

6. Audubon Days dissolves as a non-stock corporation or converts or attempts to convert from a nonstock corporation to a different type of organization or entity.

## II. MISCELLANEOUS

A. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Wisconsin.

B. Incorporation of Recitals. The Recitals first set forth above are hereby acknowledged and incorporated herein.

C. Understanding of the Agreement Right to Counsel. The Parties represent that they have fully read the Agreement, understand its provisions, and are entering into the Agreement voluntarily. The parties further acknowledge that they have been informed of their right to seek legal advice regarding this Agreement and have done so to the extent necessary to fully understand this Agreement.

D. Notices. The following addresses shall be used for delivery of all notices under this Agreement and the Note:

If to the City:

City Clerk  
 City of Mayville  
 15 S. School Street  
 P.O. Box 273  
 Mayville, WI 53050  
[cityclerk@mayvillecity.com](mailto:cityclerk@mayvillecity.com)

With a copy to:

Attorney Patrick H. Madden  
 Madden Law Group, S.C.  
 116 S. Main Street  
 Mayville, WI 53050  
[pmadden@getmadden.com](mailto:pmadden@getmadden.com)

If to Audubon Days:

Mayville Audubon Days, Inc.  
 Attn: Kristin R. Schaefer  
 W3025 County Road Y  
 Lomira, WI 53048  
[kristin@feuchttrucking.com](mailto:kristin@feuchttrucking.com)

Audubon Days shall notify the City of Mayville of any change in address. All notices shall be personally delivered or sent via United States Mail, or Certified Mail, Return Receipt requested, or

by email. If sent via United States Mail, notices shall be deemed delivered when mailed. If sent via email, notices shall be deemed delivered upon receipt.

E. Binding Agreement. This Agreement shall be binding on the Parties and their heirs, successors, and assigns, except as otherwise provided in this Agreement.

F. Waiver, Change or Modification. This Agreement may not be changed orally, but only by an agreement in writing and signed by the party against whom enforcement of any waiver, change, modification, or discharge is sought.

G. Severance. If any of the provisions, terms or clauses of this Agreement are declared illegal, unenforceable, or ineffective in a legal forum, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of the Agreement shall remain valid and binding upon all parties.

H. Full Agreement. This Agreement, including any amendments to it, contains the entire agreement of the Parties. All prior negotiations and discussions have been merged into this Agreement.

I. Authority. Audubon Days attests that its directors have duly authorized Audubon Days to enter into this Agreement.

J. Assignment. This Agreement is not assignable by Audubon Days without the City's written consent. Any assignee shall agree in writing to abide by all terms and conditions of this Agreement.

K. Attorney's Fees and Costs. If the City is required to take any action to enforce the terms of the Agreement, the City will be entitled to recover its attorney's fees and costs incurred in enforcing this Agreement.

**IN WITNESS WHEREOF**, the Parties hereto, intending to be legally bound hereby, and aware they are releasing important legal rights, have executed this Agreement as of the date first written above.

**CITY OF MAYVILLE**

By: \_\_\_\_\_  
John Guinn, Mayor

Attest: \_\_\_\_\_  
Anastasia Gonstead, City Clerk

**MAYVILLE AUDUBON DAYS, INC.**

By: \_\_\_\_\_  
Kristin R. Schaefer, President

**RESOLUTION**

---

**Resolution 5872-2023: Approve Transfer of Funds to Mayville Audubon Days, Inc.**

---

WHEREAS, the City of Mayville is holding approximately \$39,281.48 in funds earmarked for the annual Mayville Audubon Days celebrations in the City of Mayville, Dodge County, Wisconsin; and,

WHEREAS, pursuant to the decision of the Mayville Common Council at the May 8, 2023 meeting, the City of Mayville wishes to transfer ownership of the Audubon Days funds to Mayville Audubon Days, Inc., pursuant to the terms established in the attached City of Mayville Use of Funds Agreement; and,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Mayville does hereby approve transferring the aforementioned funds to Mayville Audubon Days, Inc., pursuant to the terms established in the attached City of Mayville Use of Funds Agreement.

Passed by the Common Council of the City of Mayville this 12<sup>th</sup> day of June, 2023.

---

John Guinn  
Mayor

Attest:

---

Anastasia Gonstead  
City Clerk

**CITY OF MAYVILLE  
USE OF FUNDS AGREEMENT**

**THIS AGREEMENT** made as of the \_\_\_\_ day of June, 2023 by the City of Mayville (hereinafter, “the City”), having an address of 15 S. School Street, Mayville, WI, 53050, and Mayville Audubon Days, Inc., a Wisconsin nonstock corporation (hereinafter, “Audubon Days”), having an address of W3025 County Road Y, Lomira, WI 53048. The City and Audubon Days may be referred to herein individually as “a Party” and collectively as “the Parties.”

**WITNESSETH:**

**R.01 WHEREAS**, the City is holding approximately \$39,281 in a fund earmarked for the annual Mayville Audubon Days celebrations in the City of Mayville, Dodge County, Wisconsin (the “Audubon Days Fund”); and

**R.02 WHEREAS**, pursuant to the resolution adopted by the City of Mayville Common Council on May 8, 2023, the City wishes to transfer ownership of the Audubon Days Fund to Audubon Days, subject to the terms and conditions contained in the Agreement.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound hereby, the Parties agree as follows:

**I. USE OF FUNDS AGREEMENT**

A. Transfer of the Audubon Days Fund to Audubon Days. Within (10) ten days of execution of this Agreement, the City agrees to transfer ownership of the Audubon Days Fund to Audubon Days, subject to the terms and conditions contained in this Agreement.

B. Use of Funds. Audubon Days agrees that the Audubon Days Fund shall be used exclusively for the furtherance of its exempt purposes for its tax-exempt status under section 501(c)(4) of the Internal Revenue Code, as stated in the corporation’s Articles of Organization. Audubon Days may not transfer or assign the Audubon Days Fund to another person, entity, or organization, except back to the City according to the terms of this Agreement.

C. Return of Audubon Days Fund to City. Upon occurrence of any of the following events, as determined by the City in its sole discretion, the Audubon Days Fund, or the remaining balance thereof, shall be immediately refunded to the City:

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3. Audubon Days ceases hosting an annual Audubon Days celebration in the City of Mayville, Dodge County, Wisconsin.
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6. Audubon Days dissolves as a non-stock corporation or converts or attempts to convert from a nonstock corporation to a different type of organization or entity.

## II. MISCELLANEOUS

A. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Wisconsin.

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City of Mayville  
15 S. School Street  
P.O. Box 273  
Mayville, WI 53050  
[cityclerk@mayvillecity.com](mailto:cityclerk@mayvillecity.com)

With a copy to:

Attorney Patrick H. Madden  
Madden Law Group, S.C.  
116 S. Main Street  
Mayville, WI 53050  
[pmadden@getmadden.com](mailto:pmadden@getmadden.com)

If to Audubon Days:

Mayville Audubon Days, Inc.  
Attn: Kristin R. Schaefer  
W3025 County Road Y  
Lomira, WI 53048  
[kristin@feuchttrucking.com](mailto:kristin@feuchttrucking.com)

Audubon Days shall notify the City of Mayville of any change in address. All notices shall be personally delivered or sent via United States Mail, or Certified Mail, Return Receipt requested,

or by email. If sent via United States Mail, notices shall be deemed delivered when mailed. If sent via email, notices shall be deemed delivered upon receipt.

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G. Severance. If any of the provisions, terms or clauses of this Agreement are declared illegal, unenforceable, or ineffective in a legal forum, those provisions, terms, and clauses shall be deemed severable, such that all other provisions, terms, and clauses of the Agreement shall remain valid and binding upon all parties.

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**IN WITNESS WHEREOF**, the Parties hereto, intending to be legally bound hereby, and aware they are releasing important legal rights, have executed this Agreement as of the date first written above.

**CITY OF MAYVILLE**

By: \_\_\_\_\_  
John Guinn, Mayor

Attest: \_\_\_\_\_  
Anastasia Gonstead, City Clerk

**MAYVILLE AUDUBON DAYS, INC.**

By: \_\_\_\_\_  
Kristin R. Schaefer, President

**CITY OF MAYVILLE  
USE OF FUNDS AGREEMENT**

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**WITNESSETH:**

**R.01 WHEREAS**, the City is holding approximately \$39,281.48 in a fund earmarked for the annual Mayville Audubon Days celebrations in the City of Mayville, Dodge County, Wisconsin (the “Audubon Days Fund”); and

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 15 S. School Street  
 P.O. Box 273  
 Mayville, WI 53050  
[cityclerk@mayvillecity.com](mailto:cityclerk@mayvillecity.com)

With a copy to:

Attorney Patrick H. Madden  
 Madden Law Group, S.C.  
 116 S. Main Street  
 Mayville, WI 53050  
[pmadden@getmadden.com](mailto:pmadden@getmadden.com)

If to Audubon Days:

Mayville Audubon Days, Inc.  
 Attn: Kristin R. Schaefer  
 W3025 County Road Y  
 Lomira, WI 53048  
[kristin@feuchtrucking.com](mailto:kristin@feuchtrucking.com)

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**CITY OF MAYVILLE**

By: \_\_\_\_\_  
John Guinn, Mayor

Attest: \_\_\_\_\_  
Anastasia Gonstead, City Clerk

**MAYVILLE AUDUBON DAYS, INC.**

By: \_\_\_\_\_  
Kristin R. Schaefer, President