



Rob Boelk
Mayor

Ward 1
Anthony DeBaker
Aldersperson

Ward 2
Bob Smith
Aldersperson

Ward 3
Michael Schmidt
Aldersperson

Ward 4
Jesse Liebenow
Aldersperson

Ward 5
Ken Neumann
Aldersperson

Ward 6
Kim Olson
Aldersperson

**CITY OF MAYVILLE COMMON COUNCIL
SPECIAL MEETING AGENDA
MONDAY, JULY 22, 2024
6:00 PM
CITY HALL
15 S SCHOOL ST**

I. CALL TO ORDER AND ROLL CALL

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. CITIZEN COMMENT

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. AGENDA CHANGES

V. CONSENT AGENDA

VI. NEW BUSINESS

- A.** Approval of Minutes of the June 24, 2024 Committee of the Whole
- B.** Approval of Minutes of the July 8, 2024 Common Council Meeting
- C.** Resolution 5930-2024 – Resolution Authorizing the Issuance and Sale of up to \$225,111 Sewerage System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants with Respect Thereto
- D.** Resolution 5931-2024 – Resolution Authorizing the Issuance and Sale of up to \$539,214 Water System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants with Respect Thereto

VII. ADJOURNMENT

Mayor Boelk
City of Mayville Mayor

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.

Rob Boelk
Mayor

Ward 1
Anthony DeBaker
Aldersperson

Ward 2
Bob Smith
Aldersperson



**CITY OF MAYVILLE
COMMITTEE OF THE WHOLE
MONDAY, JUNE 24, 2024 AT 6:00 P.M.
CITY HALL, 15 S. SCHOOL ST.**

Ward 3
Michael Schmidt
Aldersperson

Ward 4
Jesse Liebenow
Aldersperson

Ward 5
Ken Neumann
Aldersperson

Ward 6
Kim Olson
Aldersperson

The Committee of the Whole was called to order by Council President Ken Neumann at 6:00 p.m.

Present: Council President Neumann, Aldersperson DeBaker, Aldersperson Smith, Aldersperson Schmidt, Aldersperson Liebenow and Aldersperson Olson.

Absent: Mayor Boelk

The Pledge of Allegiance was recited.

Motion by Aldersperson Olson to approve the May 28, 2024 Committee of the Whole Finance minutes, second by Aldersperson Liebenow. Voice vote, motion carried.

Motion by Aldersperson Schmidt to approve the May 28, 2024 Committee of the Whole Public Safety minutes, second by Aldersperson DeBaker. Voice vote, motion carried.

Motion by Aldersperson Olson to approve the May 28, 2024 Committee of the Whole Public Works minutes, second by Neumann. Voice vote, motion carried.

Motion by Aldersperson Schmidt to approve the May 28, 2024 Committee of the Whole Personnel minutes, second by Olson. Voice vote, motion carried.

There were no citizen comments.

Motion by Aldersperson Olson to not create an ordinance to remove cat licensing from the Municipal Code, second by Aldersperson Schmidt. Roll call vote, motion carried (6-0)

Motion by Aldersperson Smith to recommend to the Common Council replacing the existing Tornado Sirens with a High-Powered, Directional Rotating Siren and reducing the number of sirens from nine to five at a quoted price of \$114,000 with a funding source to be determined, second by Aldersperson Schmidt. Roll call vote; DeBaker-aye, Smith-aye, Schmidt-aye, Liebenow-aye, Neumann-nay, Olson-aye. Motion carried (5-1)

Motion by Alderperson Smith to approve Resolution 5927-2024 Appointment of Administrator as Depository Signer, second by Alderperson Neumann. Roll call vote, Motion carried (6-0)

Motion by Alderperson Olson to recommend beginning negotiations with Home Town Connect Fiber on Road Right-a-Way Permitting Waivers, second by Alderperson Schmidt. Roll call vote, Motion carried (6-0)

Motion by Alderperson Schmidt to adjourn at 6:38 p.m., second by Alderperson DeBaker. Voice vote, motion carried.

Ken Neumann
Council President

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 – JULY 8, 2024 – MINUTES

Call to Order

The meeting was called to order at 7:00PM by Mayor Rob Boelk, with the following roll call:

Present: Ald. Tony DeBaker, Ald. Bob Smith, Ald. Michael Schmidt, Ald. Jesse Liebenow, Ald. Ken Neumann, and Ald. Kim Olson.

Excused: None

Absent: None

Staff Present: Administrator Stephanie Justmann, Comptroller/Treasurer Nichole DeBaker, Police Chief Ryan Toellner, Police Lieutenant Jeremy Johnson, EMS Director Christine Churchill, Julie Staffin (EMS), and Clerk Anastasia Gonstead.

Pledge of Allegiance to the Flag

Pledge of Allegiance was recited by those in attendance.

Citizen Comment

Mark Fox, 913 Green Bay Drive – Spoke regarding tornado sirens. He urged Council to take the steps to replace the sirens if there is a cost-effective option.

Agenda Changes

Mayor Boelk recommended suspending the rules to allow item IX B – Presentation by John Rader from Baker Tilly on the 2023 City of Mayville Audit to be moved up on the agenda. Motion to suspend the rules to move up on the agenda item IX B – Presentation by John Rader from Baker Tilly on the 2023 City of Mayville Audit was made by Ald. Smith and seconded by Ald. DeBaker.

Discussion: None

Vote – 6 ayes, 0 nays. Motion carried.

Consent Agenda

The motion to approve the consent agenda was made by Ald. Olson and seconded by Ald. Liebenow.

Discussion: None

Vote – 6 ayes, 0 nays. Motion carried.

Mayor's Report

Mayor Boelk reported, thanking those who made Rock 'N Boom a success, the organizations and the sponsors. He further reported that City Hall is fully staffed, which was a top priority of what he wanted to accomplish coming into office. The next priority is to go back to a functioning budget process, with the intent to have a budget adopted in November. Mayor Boelk provided an overview of the tornado siren costs. He provided information on the updates to Link Academy, which received WEDC Grant

funds, as well as Mayville Fascade Matching Grant Program funds. He finished by reporting on the creation of a new TID in the north industrial park.

Administrator's Report

Administrator Justmann reported on the current day to day activities.

City Clerk's Report

Clerk Gonstead reported, providing an overview of upcoming important dates with relation to the August Partisan Primary Election. She further provided an overview of upcoming training.

Treasurer's Report

Comptroller/Treasurer DeBaker provided an overview of the current reporting that has been completed and upcoming deadlines and trainings. Comptroller/Treasurer DeBaker and Financial Accountant Cameron Sawyer reported on the budget to actual for the General Fund from January through May 2024.

Report for Water/Wastewater Commission

Next meeting is scheduled for August 6, 2024 at 6:00 PM.

Report for Library Board

Date and time for the next meeting was provided, July 11th at 6PM. This is a deviation from what was listed on the agenda.

Report for Public Works Committee

Next meeting is scheduled for July 22, 2024 at 6:00 PM.

Report for Personnel Committee

Next meeting is scheduled for July 22, 2024 at 6:00 PM.

Report for Public Safety Committee

Next meeting is scheduled for July 22, 2024 at 6:00 PM.

Report for Finance Committee

Next meeting is scheduled for July 22, 2024 at 6:00 PM.

Report for Parks/Rec/TAG Center Commission

Next meeting is scheduled for July 10, 2024 at 1:00 PM.

Report for Planning Commission

Next meeting is scheduled for July 24, 2024 at 4:00PM.

Report for Community Development Authority

Next meeting is scheduled for July 24, 2024 at 5:00 PM.

Ordinance Adopt 1138-2024 An Ordinance to Amend City Code Section 182-2 “Purchase and Possession by Minors”

Chief Toellner provided an overview of the need for the amendment to the aforementioned code.

The motion to adopt Ordinance 1138-2024 was made by Ald. Liebenow and seconded by Ald. Olson.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Ordinance Adopt 1139-2024 An Ordinance to Amend City Code Section 182-3 “Sale to Minors”

The motion to adopt Ordinance 1139-2024 was made by Ald. Olson and seconded by Ald. Schmidt.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Approve Minutes of the June 10, 2024 Common Council Meeting and June 26, 2024 Special Common Council Meeting

The motion to approve the minutes of the June 10, 2024 Common Council meeting and the June 26, 2024 Special Common Council meeting was made by Ald. Smith and seconded by Ald. Neumann.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Presentation by John Rader from Baker Tilly on the 2023 City of Mayville Audit

John Rader and Aaron Guillman, with Baker Tilly, were present to provide the financial highlights and an overview of the 2023 City of Mayville audit. Mr. Rader provided background on the process of the audit and gave oversight as to what duties they perform in an audit. He reported on the General Fund, Library, Debt Service, Capital Improvements, and Nonmajor Governmental Funds. Mr. Rader provided an overview of previous accounting practices and pointed out that the lack of financial oversight has been occurring over the last number of years.

Mr. Guillman provided the detail on the Fund Balance Policy and Debt Service. The Fund Balance Policy is to maintain 25% of subsequent year’s budgeted expenditures which the city has maintained until 2023. The Unassigned General Fund Balance in 2022 was 35.8% and in 2023 dropped to 13.6%. This is the result of the General Fund advancing funds to the Customer Loan Fund, Recycling, TAG Center, TIF District No. 4, No. 5 and No. 6, Recreation Fund and Capital Projects Fund. Mr. Gillman also went on to explain the Debt Management policy. The city does not have a debt management policy and has an 16% of actual debt. Baker Tilly’s recommendation is to maintain an average debt limit around 20-40%. The City has done a good job of managing debt.

Mr. Rader expressed the completed audit was not a forensic audit to uncover fraud or criminal behavior. During the audit process there were material weaknesses identified due to inadequate segregation duties and missing key controls. These types of deficiencies as material weaknesses are common in a municipality the size of the City of Mayville. Mr. Rader also addressed the concern of \$700,000 of

missing funds during the previous year's audit. The financial accounting, or lack of accounting, by the City of Mayville was the reason for the appearance of fraudulent activity. There were significant difficulties encountered during the previous year's audit and much of this was alleviated through the financial consultants engaged by the City. There was additional discussion by the Common Council regarding the audit. The 2023 Audit will be posted on the city website.

Approve Resolution 5928-2024 Mayoral Appointments of the Standing Committees

The motion to approve Resolution 5928-2024 was made by Ald. Olson and seconded by Ald. DeBaker.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Approve Resolution 5929-2024 Appointing Election Officials for the 2024-2025 Term

The motion to approve Resolution 5929-2024 was made by Ald. Smith and seconded by Ald. Liebenow.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Discuss, with Possible Action, Repairing, Replacing, or Removing Tornado Sirens

Motion to approve replacing of tornado sirens was made by Ald. Smith and seconded by Ald. Schmidt.

Discussion: Administrator Justmann provided an overview of the source to fund and the intent is to replace one immediately, and the remaining sirens would be budgeted for in 2025 budget. Ald. Olson wanted to ensure it has a substantial lifespan. Chief Toellner provided an overview of the maintenance and need to add to Capital Improvement Plan to update them in a timely manner. Mayor Boelk pointed out this would be approving up to \$115,000. Ald. Smith sought clarification on how implementation and payment will be phased in. Chief Toellner provided an overview of his discussions with the company.

Roll vote taken:

Ald. Smith – Aye, Ald. Schmidt – Aye, Ald. DeBaker – Aye, Ald. Liebenow – Aye, Ald. Neumann – Nay, and Ald. Olson – Aye.

Vote – 5 ayes, 1 nay. Motion carried.

Discuss, with Possible Action, on Resolution 5927-2024 Appointment of Administrator as Depository Signer

The motion to approve Resolution 5927-2024 was made by Ald. Olson and seconded by Ald. Smith.

Discussion: None.

Vote – 6 ayes, 0 nays. Motion carried.

Approve Operator's Licenses

The motion to approve the operator's licenses for Annette L. O'Donnell, Christine H. Dargatz, Crystal Stowers, Noah Hintz, Richelle Feucht, Dennis Brummond, Jody L. Herringa, Nikita L. Cook, Lindsay Unger, Erin Bednarek, and Norma Rodriguez was made by Ald. Schmidt and seconded by Ald. DeBaker.

Discussion: None

Vote – 6 ayes, 0 nays. Motion carried.

Adjournment

The motion to adjourn at 7:54 PM was made by Ald. Neumann and seconded by Ald. Schmidt.

Vote – 6 ayes, 0 nays. Motion carried, meeting adjourned.

Respectfully submitted,

Anastasia Gonstead – City Clerk

RESOLUTION NO. 5930-2024

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$225,111 SEWERAGE SYSTEM REVENUE BONDS, SERIES 2024,
AND PROVIDING FOR OTHER DETAILS AND
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Mayville, Dodge County, Wisconsin (the "Municipality") owns and operates a sewerage system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, pursuant to Resolution No. 4133-2006 adopted by the Governing Body on January 8, 2007 (the "2007 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2007, dated January 24, 2007 (the "2007 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 4501-2011 adopted by the Governing Body on June 6, 2011 (the "2011 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2011, dated June 22, 2011 (the "2011 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 4566-2012 adopted by the Governing Body on February 13, 2012 (the "2012 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2012, dated February 22, 2012 (the "2012 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5026-2016 adopted by the Governing Body on June 13, 2016 (the "2016 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2016, dated June 22, 2016 (the "2016 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5284-2018 adopted by the Governing Body on May 14, 2018 and ratified on May 29, 2018 (collectively, the "2018 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2018, dated June 13, 2018 (the "2018 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5428-2019 adopted by the Governing Body on June 10, 2019 (the "2019 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 2019, dated June 26, 2019 (the "2019 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, the 2007 Bonds, the 2011 Bonds, the 2012 Bonds, the 2016 Bonds, the 2018 Bonds and the 2019 Bonds shall collectively be referred to as the "Prior Bonds"; and

WHEREAS, the 2007 Resolution, the 2011 Resolution, the 2012 Resolution, the 2016 Resolution, the 2018 Resolution and the 2019 Resolution shall collectively be referred to as the "Prior Resolutions"; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Clean Water Fund Program Project No. 4012-13 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. S-2023-0140 and dated March 24, 2023 and No. S-2023-0613 and dated September 12, 2023 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell sewerage system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, the Prior Resolutions permit the issuance of additional bonds on a parity with the Prior Bonds upon certain conditions, and those conditions have been met; and

WHEREAS, other than the Prior Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$225,111 Sewerage System Revenue Bonds, Series 2024, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;

(f) "Debt Service Fund" means the Sewerage System Revenue Bond and Interest Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;

(g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;

(h) "Fiscal Year" means the twelve-month period ending on each December 31;

(i) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;

(j) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from sewerage charges imposed by the Municipality, all payments to the Municipality under any wastewater treatment service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees, any tax incremental district revenues or other revenues of the Municipality pursuant to Section 9 appropriated by the Governing Body to the System, and any special assessments levied and collected in connection with the Project;

(k) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(l) "Municipality" means the City of Mayville, Dodge County, Wisconsin;

(m) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;

(n) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(o) "Prior Bonds" means the 2007 Bonds, 2011 Bonds, 2012 Bonds, 2016 Bonds, 2018 Bonds and 2019 Bonds, collectively;

(p) "Prior Resolutions" means the 2007 Resolution, 2011 Resolution, 2012 Resolution, 2016 Resolution, 2018 Resolution and 2019 Resolution, collectively;

(q) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(r) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(s) "System" means the entire sewerage system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the collection, transmission, treatment and disposal of domestic and industrial sewerage and waste, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such sewerage system and including all appurtenances, contracts, leases, franchises, and other intangibles;

(t) "2007 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2007, dated January 24, 2007;

(u) "2007 Resolution" means Resolution No. 4133-2006 adopted by the Governing Body on January 8, 2007 authorizing the issuance of the 2007 Bonds;

(v) "2011 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2011, dated June 22, 2011;

(w) "2011 Resolution" means Resolution No. 4501-2011 adopted by the Governing Body on June 6, 2011 authorizing the issuance of the 2011 Bonds;

(x) "2012 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2012, dated February 22, 2012;

(y) "2012 Resolution" means Resolution No. 4566-2012 adopted by the Governing Body on February 13, 2012 authorizing the issuance of the 2012 Bonds;

(z) "2016 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2016, dated June 22, 2016;

(aa) "2016 Resolution" means Resolution No. 5026-2016 adopted by the Governing Body on June 13, 2016 authorizing the issuance of the 2016 Bonds;

(bb) "2018 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2018, dated June 13, 2018;

(cc) "2018 Resolution" means Resolution No. 5284-2018 adopted by the Governing Body on May 14, 2018 and ratified on May 29, 2018 authorizing the issuance of the 2018 Bonds;

(dd) "2019 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 2019, dated June 26, 2019; and

(ee) "2019 Resolution" means Resolution No. 5428-2019 adopted by the Governing Body on June 10, 2019 authorizing the issuance of the 2019 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to

the sum of \$225,111; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Clean Water Fund Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Sewerage System Revenue Bonds, Series 2024" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 2.365% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2024 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter continued, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, on a

parity with the pledge granted to the holders of the Prior Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by the Resolution adopted July 14, 1997 (the "1997 Resolution") are hereby continued and shall be used solely for the following respective purposes:

- (a) Sewerage System Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.
- (b) Sewerage System Revenue Bond and Interest Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and Parity Bonds as the same becomes due. The Reserve Account created by the 1997 Resolution within the Debt Service Fund is not pledged to the payment of principal of or interest on the Prior Bonds or the Bonds, and moneys in the Reserve Account shall under no circumstances be used to pay principal of or interest on the Prior Bonds or the Bonds.
- (c) Sewerage System Depreciation Fund (the "Depreciation Fund"), which shall be used to provide a proper and adequate depreciation account for the System.
- (d) Sewerage System Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to meet requirements of the Operation and Maintenance Fund including the one month reserve, the Debt Service Fund including the Reserve Account, and the Depreciation Fund. Any money then remaining in the Surplus Fund at the end of any Fiscal Year may be used only as permitted and in the order specified in Section 66.0811(2), Wis. Stats. Money thereafter remaining in the Surplus Fund may be transferred to any of the funds or accounts created by this section.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and, if not needed to remedy any deficiency in the Debt Service Fund, for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Prior Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Prior Bonds, the Bonds and any Parity Bonds

coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by future resolutions authorizing the issuance of Parity Bonds to be deposited in the Reserve Account;

- (c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and
- (d) to the Surplus Fund, any amount remaining after the monthly transfers required above have been completed.

Transfers to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Prior Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to meet reserve requirements.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Sewerage System CWFPP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing sewerage services for public purposes shall be charged against the Municipality and shall be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount

which, together with other revenues of the System, will produce in each Fiscal Year Net Revenues equivalent to not less than the annual principal and interest requirements on the Prior Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the Prior Bonds as to the pledge of revenues of the System. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Clean Water Fund Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as a registered municipal advisor, an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission

may calculate would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Clean Water Fund Program for the purchase price of up to \$225,111 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Sewerage System CWFP Project Fund." The Sewerage System CWFP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Sewerage System CWFP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to

enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Clean Water Fund Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Clean Water Fund Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Conflicting Resolutions. All ordinances, resolutions (other than the Prior Resolutions), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Prior Resolutions, the Prior Resolutions shall control as long as any of the respective Prior Bonds are outstanding.

Passed: July 22, 2024

Approved: July 22, 2024

Robert Boelk
Mayor

Attest:

Anastasia Gonstead
City Clerk

EXHIBIT A

(Form of Municipal Obligation)

REGISTERED
NO. _____

UNITED STATES OF AMERICA
STATE OF WISCONSIN
DODGE COUNTY
CITY OF MAYVILLE

REGISTERED
\$ _____

SEWERAGE SYSTEM REVENUE BOND, SERIES 2024

Final
Maturity Date

May 1, 2044

Date of
Original Issue

_____, 20__

REGISTERED OWNER: STATE OF WISCONSIN CLEAN WATER FUND PROGRAM

FOR VALUE RECEIVED the City of Mayville, Dodge County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed _____ DOLLARS (\$ _____) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2025 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.365% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2024.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2025 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and 365/1000ths percent (2.365%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Sewerage System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted July 22, 2024, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$225,111 Sewerage System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Sewerage System of the Municipality (the "Utility"). The Bonds are issued on a parity with the Municipality's Sewerage System Revenue Bonds, Series 2007, dated January 24, 2007, Sewerage System Revenue Bonds, Series 2011, dated June 22, 2011, Sewerage System Revenue Bonds, Series 2012, dated February 22, 2012, Sewerage System Revenue Bonds, Series 2016, dated June 22, 2016, Sewerage System Revenue Bonds, Series 2018, dated June 13, 2018 and Sewerage System Revenue Bonds, Series 2019, dated June 26, 2019, as to the pledge of income and revenues of the Utility. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Mayor and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF MAYVILLE,
WISCONSIN

(SEAL)

By: _____
Robert Boelk
Mayor

By: _____
Anastasia Gonstead
City Clerk

(Form of Assignment)

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

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

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

Signature(s) guaranteed by

SCHEDULE A

\$225,111

CITY OF MAYVILLE, WISCONSIN
SEWERAGE SYSTEM REVENUE BONDS, SERIES 2024

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)

PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2025	\$ 8,932.85
May 1, 2026	9,144.11
May 1, 2027	9,360.37
May 1, 2028	9,581.74
May 1, 2029	9,808.35
May 1, 2030	10,040.31
May 1, 2031	10,277.77
May 1, 2032	10,520.84
May 1, 2033	10,769.65
May 1, 2034	11,024.36
May 1, 2035	11,285.08
May 1, 2036	11,551.97
May 1, 2037	11,825.18
May 1, 2038	12,104.84
May 1, 2039	12,391.12
May 1, 2040	12,684.17
May 1, 2041	12,984.15
May 1, 2042	13,291.23
May 1, 2043	13,605.57
May 1, 2044	13,927.34

RESOLUTION NO. 5931-2024

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$539,214 WATER SYSTEM REVENUE BONDS, SERIES 2024,
AND PROVIDING FOR OTHER DETAILS AND
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Mayville, Dodge County, Wisconsin (the "Municipality") owns and operates a water system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, pursuant to Resolution No. 4961-2015 adopted by the Governing Body on December 14, 2015 (the "2015 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2015, dated December 23, 2015 (the "2015 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5025-2016 adopted by the Governing Body on June 13, 2016 (the "2016 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2016, dated June 22, 2016 (the "2016 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5279-2018 adopted by the Governing Body on May 14, 2018 and ratified on May 29, 2018 (collectively, the "2018 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2018, dated June 13, 2018 (the "2018 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5425-2019 adopted by the Governing Body on June 10, 2019 (the "2019 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2019, dated June 26, 2019 (the "2019 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to Resolution No. 5884-2023 adopted by the Governing Body on August 14, 2023 (the "2023 Resolution"), the Municipality has heretofore issued its Water System Revenue Bonds, Series 2023, dated September 13, 2023 (the "2023 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, the 2015 Bonds, the 2016 Bonds, the 2018 Bonds, the 2019 Bonds and the 2023 Bonds shall collectively be referred to as the "Prior Bonds"; and

WHEREAS, the 2015 Resolution, the 2016 Resolution, the 2018 Resolution, the 2019 Resolution and the 2023 Resolution shall collectively be referred to as the "Prior Resolutions"; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 5443-12 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans

and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. W-2023-0194 and dated March 14, 2023 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell water system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, the Prior Resolutions permit the issuance of additional bonds on a parity with the Prior Bonds upon certain conditions, and those conditions have been met; and

WHEREAS, other than the Prior Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$539,214 Water System Revenue Bonds, Series 2024, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Debt Service Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;

- (h) "Fiscal Year" means the twelve-month period ending on each December 31;
- (i) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;
- (j) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from water charges imposed by the Municipality, all payments to the Municipality under any service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees, any tax incremental district revenues or other revenues of the Municipality pursuant to Section 9 appropriated by the Governing Body to the System, and any special assessments levied and collected in connection with the Project;
- (k) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;
- (l) "Municipality" means the City of Mayville, Dodge County, Wisconsin;
- (m) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;
- (n) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;
- (o) "Prior Bonds" means the 2015 Bonds, 2016 Bonds, 2018 Bonds, 2019 Bonds and 2023 Bonds, collectively;
- (p) "Prior Resolutions" means the 2015 Resolution, 2016 Resolution, 2018 Resolution, 2019 Resolution and 2023 Resolution, collectively;
- (q) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;
- (r) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;
- (s) "System" means the entire water system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the extraction, collection, treatment, storage and distribution of water, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such water system and including all appurtenances, contracts, leases, franchises, and other intangibles;
- (t) "2015 Bonds" means the Municipality's Water System Revenue Bonds, Series 2015, dated December 23, 2015;

(u) "2015 Resolution" means Resolution No. 4961-2015 adopted by the Governing Body on December 14, 2015 authorizing the issuance of the 2015 Bonds;

(v) "2016 Bonds" means the Municipality's Water System Revenue Bonds, Series 2016, dated June 22, 2016;

(w) "2016 Resolution" means Resolution No. 5025-2016 adopted by the Governing Body on June 13, 2016 authorizing the issuance of the 2016 Bonds;

(x) "2018 Bonds" means the Municipality's Water System Revenue Bonds, Series 2018, dated June 13, 2018;

(y) "2018 Resolution" means Resolution No. 5279-2018 adopted by the Governing Body on May 14, 2018 and ratified on May 29, 2018 authorizing the issuance of the 2018 Bonds;

(z) "2019 Bonds" means the Municipality's Water System Revenue Bonds, Series 2019, dated June 26, 2019; and

(aa) "2019 Resolution" means Resolution No. 5425-2019 adopted by the Governing Body on June 10, 2019 authorizing the issuance of the 2019 Bonds;

(bb) "2023 Bonds" means the Municipality's Water System Revenue Bonds, Series 2023, dated September 13, 2023; and

(cc) "2023 Resolution" means Resolution No. 5884-2023 adopted by the Governing Body on August 14, 2023 authorizing the issuance of the 2023 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$539,214; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Water System Revenue Bonds, Series 2024" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 2.365% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2024 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter continued, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, on a parity with the pledge granted to the holders of the Prior Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by the 2015 Resolution are hereby continued and shall be used solely for the following respective purposes:

- (a) Revenue Fund, into which shall be deposited as received the Gross Earnings of the System, which money shall then be divided among the Operation and Maintenance Fund, the Debt Service Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Operation and Maintenance Fund, which shall be used for the payment of Current Expenses.

- (c) Debt Service Fund, which shall be used for the payment of the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and Parity Bonds as the same becomes due, and which may contain a Reserve Account established by a future resolution authorizing the issuance of Parity Bonds to secure such Parity Bonds.
- (d) Surplus Fund, which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the Prior Bonds, the Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the System.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Prior Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Prior Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by a future resolution authorizing the issuance of Parity Bonds to fund a Reserve Account established therein; and
- (c) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (c) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Prior Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account as required in connection with future Parity Bonds.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Water System SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing water services for public purposes shall be charged against the Municipality and shall be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Fiscal Year Net Revenues equivalent to not less than the annual principal and interest requirements on the Prior Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the Prior Bonds as to the pledge of revenues of the System. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional

obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

- (a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or
- (b) Additional Parity Bonds may also be issued if all of the following conditions are met:
 - (1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as a registered municipal advisor, an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may calculate would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.
 - (2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.
 - (3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.
 - (4) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$539,214 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in

anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Water System SDWLP Project Fund." The Water System SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Water System SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to

the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Safe Drinking Water Loan Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Safe Drinking Water Loan Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Conflicting Resolutions. All ordinances, resolutions (other than the Prior Resolutions), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Prior Resolutions, the Prior Resolutions shall control as long as any of the respective Prior Bonds are outstanding.

Passed: July 22, 2024

Approved: July 22, 2024

Robert Boelk
Mayor

Attest:

Anastasia Gonstead
City Clerk

EXHIBIT A

(Form of Municipal Obligation)

REGISTERED
NO. _____

UNITED STATES OF AMERICA
STATE OF WISCONSIN
DODGE COUNTY
CITY OF MAYVILLE

REGISTERED
\$ _____

WATER SYSTEM REVENUE BOND, SERIES 2024

Final
Maturity Date

May 1, 2044

Date of
Original Issue

_____, 20__

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN
PROGRAM

FOR VALUE RECEIVED the City of Mayville, Dodge County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed _____ DOLLARS (\$ _____) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2025 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.365% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2024.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2025 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and 365/1000ths percent (2.365%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Water System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted July 22, 2024, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$539,214 Water System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Water System of the Municipality (the "Utility"). The Bonds are issued on a parity with the Municipality's Water System Revenue Bonds, Series 2015, dated December 23, 2015, Water System Revenue Bonds, Series 2016, dated June 22, 2016, Water System Revenue Bonds, Series 2018, dated June 13, 2018, Water System Revenue Bonds, Series 2019, dated June 26, 2019 and Water System Revenue Bonds, Series 2023, dated September 13, 2023, as to the pledge of income and revenues of the Utility. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Mayor and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF MAYVILLE,
WISCONSIN

(SEAL)

By: _____
Robert Boelk
Mayor

By: _____
Anastasia Gonstead
City Clerk

(Form of Assignment)

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

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

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

Signature(s) guaranteed by

SCHEDULE A

\$539,214

CITY OF MAYVILLE, WISCONSIN
WATER SYSTEM REVENUE BONDS, SERIES 2024

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)

PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2025	\$21,397.07
May 1, 2026	21,903.11
May 1, 2027	22,421.12
May 1, 2028	22,951.38
May 1, 2029	23,494.18
May 1, 2030	24,049.81
May 1, 2031	24,618.59
May 1, 2032	25,200.82
May 1, 2033	25,796.82
May 1, 2034	26,406.92
May 1, 2035	27,031.44
May 1, 2036	27,670.73
May 1, 2037	28,325.15
May 1, 2038	28,995.03
May 1, 2039	29,680.77
May 1, 2040	30,382.72
May 1, 2041	31,101.27
May 1, 2042	31,836.81
May 1, 2043	32,589.76
May 1, 2044	33,360.50