

PUBLIC NOTICE

AGENDA FOR REGULAR MEETING #1931  
Tuesday, December 15, 2015 at 7:00 PM  
Village Hall Board Room, 12621 W. Hampton Avenue

PLEASE TAKE NOTICE that a Regular Meeting of the Butler Village Board will be held on the 15<sup>th</sup> day of December 2015 at 7:00 PM at the Village Hall Board Room, 12621 W. Hampton Avenue, Butler, Wisconsin, at which time and place the following items of business will be considered and possibly acted upon:

- I. Pledge of Allegiance
- II. Roll Call
- III. Persons Desiring to be Heard
- IV. Consideration of Minutes:
  - December 1, 2015 Regular Meeting
- V. Communications
- VI. Committee Reports
  - A. Public Safety Meeting – 6:15 PM
    - 1. Police Department Report
    - 2. Fire Department Report
  - B. Building Board – 6:35 PM
    - 1. Building Permit:
      - a. 5220 N. 125 Street, Fence
      - b. 12419 W. Hampton Ave., Sign
  - C. Finance Committee – 6:50 PM
    - 1. Review and Approve Current Invoices
    - 2. Review and Approve November Statement of Revenues and Expenditures.
  - D. Library Board
- VII. Review of Monthly Department Reports
- VIII. Report of the Administrator
- IX. New Business
  - (A) Discussion and Possible Action on Bartender’s License(s).
  - (B) Discussion and Possible Action on approving Current Invoices.
  - (C) Discussion and Possible Action on approving November Statement of Revenues and Expenditures.
  - (D) Discussion and Possible Action on approving Resolution 15-20; an Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$1,020,000 for Street Improvement Projects.

- (E) Discussion and Possible Action on approving Resolution 15-21; an Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$25,000 for Sanitary Sewer Improvement Projects.
- (F) Discussion and Possible Action on approving Resolution 15-22; an Initial Resolution authorizing General Obligation Bond in an amount not to exceed \$40,000 for Storm Water Improvement Projects.
- (G) Discussion and Possible Action on approving Resolution 15-23; a Resolution providing for the Sale of not to exceed \$1,085,000 General Obligation Corporate Purpose Bonds, Series 2016A.
- (H) Discussion and Possible Action on an Application for a Permit to Pave or Alter Portions of Village Right-of-Way or to Construct Encroachments Thereon, Pursuant to Sections 6-2-19 and/or 13-1-96 of the Municipal Code.
- (I) Discussion and Possible Action on Resolution 15-24; a Resolution Amending the 2015 Budget to Reflect Changes in Revenues and Expenditures.
- (J) Discussion and Possible Action on an Engagement Letter with vonBriesen & Roper, S.C, for attorney services related to representing the Village of Butler in an appeal to the Wisconsin Department of Revenue regarding a denied chargeback request.

X. Adjournment

Dated: December 11, 2015

**VILLAGE OF BUTLER**

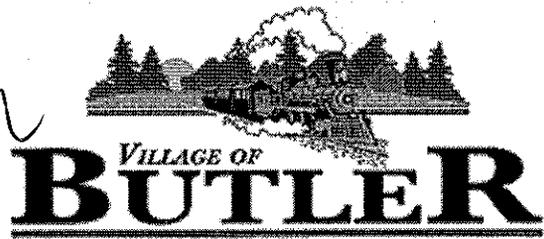
\_\_\_\_\_  
Patricia Tiarks, President

\_\_\_\_\_  
Kayla Chadwick, Administrator/ Clerk

Notice: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to in the above notice.

Please note that, upon reasonable notice, good faith efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Administrator /Clerk at 262-783-2525 at least 24 hours in advance of the meeting.

To: President Tiarks  
Village Board of Trustees  
From: Kayla Chadwick, Village Administrator  
Date: December 11, 2015  
Re: December 15<sup>th</sup> Supplemental Agenda



---

VIII. New Business

- (A) Discussion and Possible Action on Bartender's License(s).

***Staff recommendation to be made at meeting.***

- (B) Discussion and Possible Action on Approving Current Invoices.

***Staff recommends approval.***

- (C) Discussion and Possible Action on approving November Statement of Revenues and Expenditures

***Staff recommends approval.***

- (D) Discussion and Possible Action on approving Resolution 15-20; an Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$1,020,000 for Street Improvement Projects.

- (E) Discussion and Possible Action on approving Resolution 15-21; an Initial Resolution authorizing General Obligation Bonds in an amount not to exceed \$25,000 for Sanitary Sewer Improvement Projects.

- (F) Discussion and Possible Action on approving Resolution 15-22; an Initial Resolution authorizing General Obligation Bond in an amount not to exceed \$40,000 for Storm Water Improvement Projects.

- (G) Discussion and Possible Action on approving Resolution 15-23; a Resolution providing for the Sale of not to exceed \$1,085,000 General Obligation Corporate Purpose Bonds, Series 2016A.

Items (D) – (G) are the initial resolutions to borrow money for the 2016 Road and Infrastructure Improvement Program that the Board reviewed earlier this year. It is expected that the total project costs, including all issuance fees, will be \$1,085,000, and will include Road, Sewer, and Storm work for 132<sup>nd</sup> terminus to Fairmont Ave, 132<sup>nd</sup> from Hampton to terminus, and Glendale Ave from 132<sup>nd</sup> to 128<sup>th</sup>. Included in your packet is a pre-sale report that outlines the levy impact, the repayment schedules per fund, the breakdown of total costs, and an explanation of the process and timeline for sale.

It is anticipated that the final sale will be ready to be approved by the Board on January 19.

Todd Taves from Ehlers will be at the meeting to answer any questions you may have regarding the process. ***Staff recommends approval.***

(H) Discussion and Possible Action on an Application for a Permit to Pave or Alter Portions of Village Right-of-Way or to Construct Encroachments Thereon, Pursuant to Sections 6-2-19 and/or 13-1-96 of the Municipal Code.

This is a permit application to install three new driveway aprons for the fueling station development on 124<sup>th</sup> and Hampton. The new aprons will be on 125<sup>th</sup> (as outlined in the materials in your packet). These aprons will allow for appropriate ingress and egress from each section of the development (convenience store, traditional fuel pumps, and specialty fuel pumps).

***Staff recommends approval.***

(I) Discussion and Possible Action on Resolution 15-24; a Resolution Amending the 2015 Budget to Reflect Changes in Revenues and Expenditures.

This is a housekeeping resolution to transfer money into accounts that are over budget in 2015. It is important to note that this resolution does not affect the 'bottom line'. Most of these transfers are within the department.

***Staff recommends approval.***

(J) Discussion and Possible Action on an Engagement Letter with von Briesen & Roper, S.C. for attorney services related to representing the Village of Butler in an appeal to the Wisconsin Department of Revenue regarding a denied chargeback request.

As the Board is aware, we filed a chargeback request with the Department of Revenue to recoup the other taxing jurisdictions (School District, County, Tech College, State) portion of the refunded property tax's resulting from the Cole Family Lawsuit. We were requesting nearly \$13,000 in chargebacks. The DOR denied our request for a chargeback.

The Village Assessor, Perry Nell, recommended Alan Marcuvitz from von Briesen & Roper, S.C. to assist the Village in our appeal of the denial. Mr. Marcuvitz is very experienced in this issue. The appeal process for a chargeback denial is to file notice in circuit court requesting the DOR to re-evaluate their determination. We filed this request on December 10.

The engagement letter is to retain von Briesen & Roper, S.C. for representation through the appeal process.

***Staff recommends approval.***

OF THE BUTLER VILLAGE BOARD

*Minutes not formally approved until Regular Board Meeting on December 15, 2015.*

Village President Patricia Tiarks called the Board Meeting to order at 7:00 PM at the Village Hall Board Room.

ROLL CALL

Present: Village President Patricia Tiarks, Michael Thew, Paul Kasdorf, Marc Van Gompel, William Benjamin, Jodi Kessel Szpizar and Dave Hesselgrave

Also present: Administrator Kayla Chadwick and Police Chief Wentlandt

PERSONS DESIRING TO BE HEARD: None

CONSIDERATION OF MINUTES:

Motion by Kasdorf; second by Hesselgrave to approve the minutes of the November 17, 2015 Village Board Meeting. Motion carried 7-0.

COMMUNICATIONS: None

COMMITTEE REPORTS

(A) *Building Board – Trustee Benjamin*

Present: Benjamin, Kasdorf, Hesselgrave and Klibowitz

Also Present: Administrator Chadwick, Village President Tiarks, Szpizar, Van Gompel and Thew

1. Motion by Kasdorf; second by Hesselgrave to approve an occupancy permit for AB Metal Fabrication LLC, 12726 W. Arden Place. Motion carried 4-0.

Motion by Hesselgrave; second by Klibowitz to adjourn Building Board. Motion carried 4-0. The meeting adjourned at 6:33 pm.

(B) *Finance Committee – Trustee Thew*

Present: Thew, Van Gompel and Szpizar

Also present: Administrator Chadwick, Village President Tiarks, Benjamin, and Hesselgrave

1. Motion by Szpizar; second by Van Gompel for Finance Committee to review and send current invoices to Village Board for approval. Motion carried 3-0.

Motion by Szpizar; second by Van Gompel to adjourn Finance Committee. Motion carried 3-0. The meeting adjourned at 6:54 pm.

(C) *Park & Recreation Commission – Trustee Thew*

Trustee Thew submitted the Park and Recreation minutes for the record.

REPORT OF THE ADMINISTRATOR - Administrator Chadwick reported that the Village was awarded a \$10,000 grant from the Wisconsin Department of Natural Resources to help offset the cost of the Emerald Ash Borer Management Plant.

NEW BUSINESS

- (A) There were no Bartender Licenses.
- (B) Motion by Thew; second by Van Gompel to approve the invoices as presented for \$52,596.90. Motion carried 7-0.
- (C) Motion by Benjamin; second by Thew to approve Contract between Bartolotta Fireworks Company, Inc. and Village of Butler for July 4, 2016 fireworks display. Motion carried 7-0.
- (D) Motion by Szpiszar; second by Hesselgrave to approve Ordinance 15-08; an Ordinance to Repeal Article B, Sections 9-4-15 through 9-4-28 of the Village of Butler Code of Ordinances and create Article B, Sections 9-4-15 through 9-4-31 of the Village of Butler Code of Ordinances relating to the Control of Post-Construction Runoff. Motion carried 5-2. Kasdorf and Thew opposed.
- (E) Motion by Benjamin; second by Szpiszar to approve Ordinance 15-09; an Ordinance to Repeal Article C, Sections 9-4-40 through 9-4-53 of the Village of Butler Code of Ordinances and create Article C, Sections 9-4-40 through 9-4-56 of the Village of Butler Code of Ordinances relating to Construction Site Erosion and Sediment Control. Motion carried 5-2. Kasdorf and Thew opposed.
- (F) Motion by Kasdorf; second by Thew to approve the Poll Worker List from January 1, 2016 to December 31, 2017 according to Wisconsin Statute 7.30(4). Motion carried 5-0. Benjamin and Tiarks abstained.

ADJOURNMENT

Motion by Thew; second by Hesselgrave to adjourn. Motion carried 7-0. The meeting was adjourned at 7:08 PM.

Submitted by:  
Kayla Chadwick, Village Administrator/Clerk

Approval Date: \_\_\_\_\_

Correction/Amendment:

## PUBLIC NOTICE

Meeting - Public Safety Committee  
Tuesday, December 15, 2015  
6:15 PM – Village Hall Board Room

PLEASE TAKE NOTICE that a regular meeting of the Butler Public Safety Committee will be held on the 15th day of December, 2015 at 6:15 PM at the Village Hall Board Room, 12621 W. Hampton Avenue, Butler, Wisconsin, at which time and place the following items of business will be considered and possibly acted upon.

- I. Roll Call
- II. Persons Desiring to be Heard
- III. Consideration of Minutes
- IV. New Business
  1. Police Department Report
  2. Fire Department Report
- V. Adjournment

Dated: December 10, 2015

Paul Kasdorf  
Chairman  
Public Safety Committee

BY: Kayla Chadwick  
Administrator/Clerk

Notice: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to in the above notice.

Please note that, upon reasonable notice, good faith efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Administrator/Clerk at 262/783-2525 at least 24 hours in advance of the meeting.

Minutes.PSC

WP:MINUTESAGENDA.PSC

## PUBLIC NOTICE

Meeting - Building Board  
Tuesday, December 15, 2015  
6:35 PM – Village Hall Board Room

**PLEASE TAKE NOTICE** that a Regular Meeting of the Butler Building Board will be held on the 15th day of December, 2015, at 6:35 PM at the Village Hall Board Room, 12621 W. Hampton Avenue, Butler, Wisconsin, at which time and place the following items of business will be considered and possibly acted upon.

I. Roll Call

II. Persons Desiring to be Heard

III. Consideration of Minutes

IV. New Business:

1. Building Permit(s):

a. 5220 N. 125 Street, Fence

b. 12419 W. Hampton Ave., Sign

V. Adjournment

Dated: December 10, 2015

William Benjamin  
Chairman  
Building Board

BY: Kayla Chadwick  
Administrator/Clerk

Notice: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to in the above notice.

Please note that, upon reasonable notice, good faith efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Administrator/Clerk at 262/783-2525 at least 24 hours in advance of the meeting.

## PUBLIC NOTICE

Meeting - Finance Committee  
Tuesday, December 15, 2015  
6:50 PM – Village Hall Board Room

PLEASE TAKE NOTICE that a regular meeting of the Butler Finance Committee will be held on the 15<sup>th</sup> day of December, 2015 at 6:50 PM at the Village Hall Board Room, 12621 W. Hampton Avenue, Butler, Wisconsin, at which time and place the following items of business will be considered and possibly acted upon.

- I. Roll Call
- II. Persons Desiring to be Heard
- III. Consideration of Minutes
- IV. Old Business:
- V. New Business:
  1. Review and Approve Current Invoices.
  2. Review and Approve November Statement of Revenues and Expenditures.
- VI. Adjournment

Dated: December 10, 2015

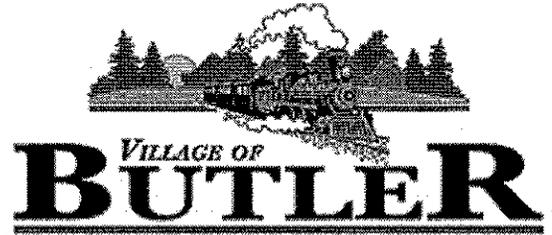
Michael Thew  
Chairman  
Finance Committee

BY: Kayla Chadwick  
Administrator/Clerk

Notice: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to in the above notice.

Please note that, upon reasonable notice, good faith efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Village Administrator/Clerk at 262/783-2525 at least 24 hours in advance of the meeting.

**To:** President Tiarks  
Village Board of Trustees  
**From:** Kayla Chadwick, Village Administrator  
**Date:** December 10, 2015  
**Re:** November Administration/Finance Report



---

### **Administrator**

- Attended 11 meetings on behalf of the Village.
- Attended training session for new election equipment at Waukesha County
- Prepared for 3 Village Board Meetings, and 1 Playground Fundraising Committee Meeting.
- Worked with treasurer to finalize tax worksheets and prepare tax bills with Waukesha County.

### **Clerk**

- Election Training for new DS200 and Express Vote machines
- Attended District V Meeting
- Pilot Election Testing for new DS200 and Express Vote machines
- Attended MMCA meeting on 11-20-15
- Filed and distributed permits to businesses/residents.
- Prepared and distributed agenda, packets/minutes for all public meetings.

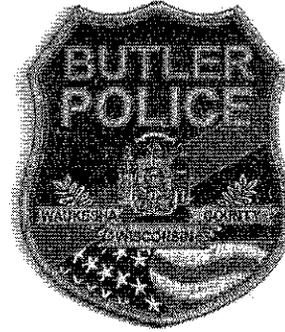
### **Treasurer**

- Completed payroll and accounts payable activities.
- Reconciled bank statements.
- Prepared water/sewer lein letters
- Finalized property tax worksheet and sent to county for printing of bills
- Worked with auditors on preliminary fieldwork audit

### **Building**

- Issued 16 Permits
  - 1 Sign
  - 1 HVAC Permit
  - 2 Electrical
  - 3 Plumbing
  - 2 Building
  - 7 Occupancy
  - 0 Zoning
- Issued permits resulted in \$1,983.80 of revenue.

**To:** President Tiarks  
Village Board of Trustees  
**From:** David Wentlandt, Chief of Police  
Robin Mateicka, Court Clerk  
**Date:** December 10, 2015  
**Re:** November Police/Court Report



---

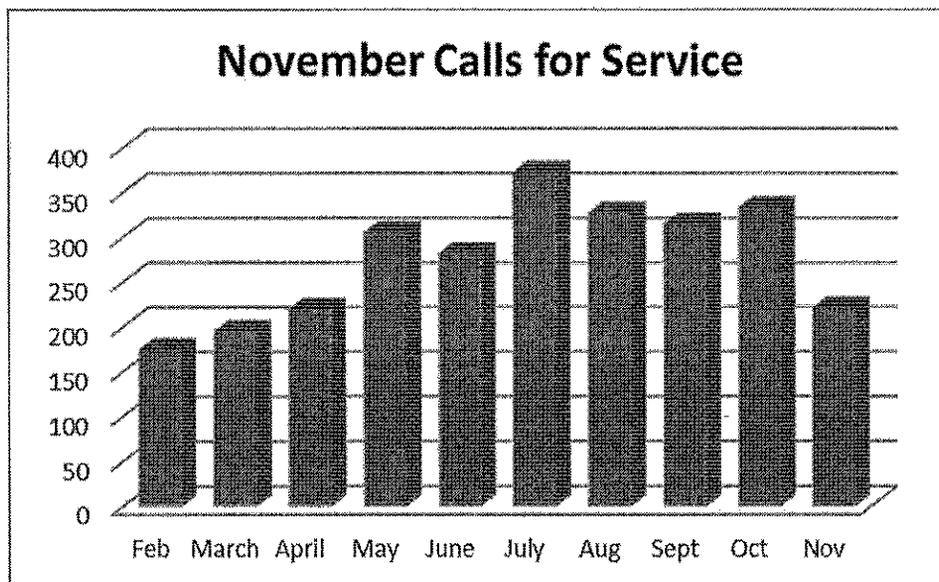
### Squad Car Usage

	<u>Miles</u>	<u>Gallons</u>	<u>MPG</u>
2013 Marked Taurus	1062	88.756	11.96
2011 Marked Crown-Vic	190	15.097	12.58
2015 Marked Explorer	2715	231.496	11.17

---

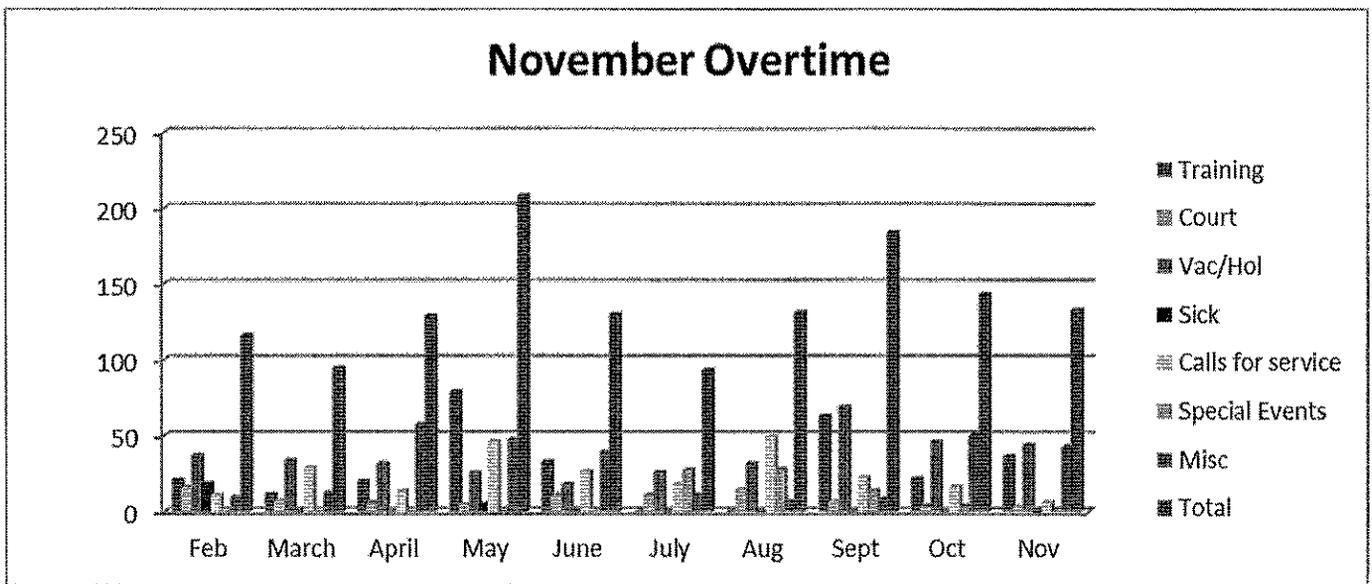
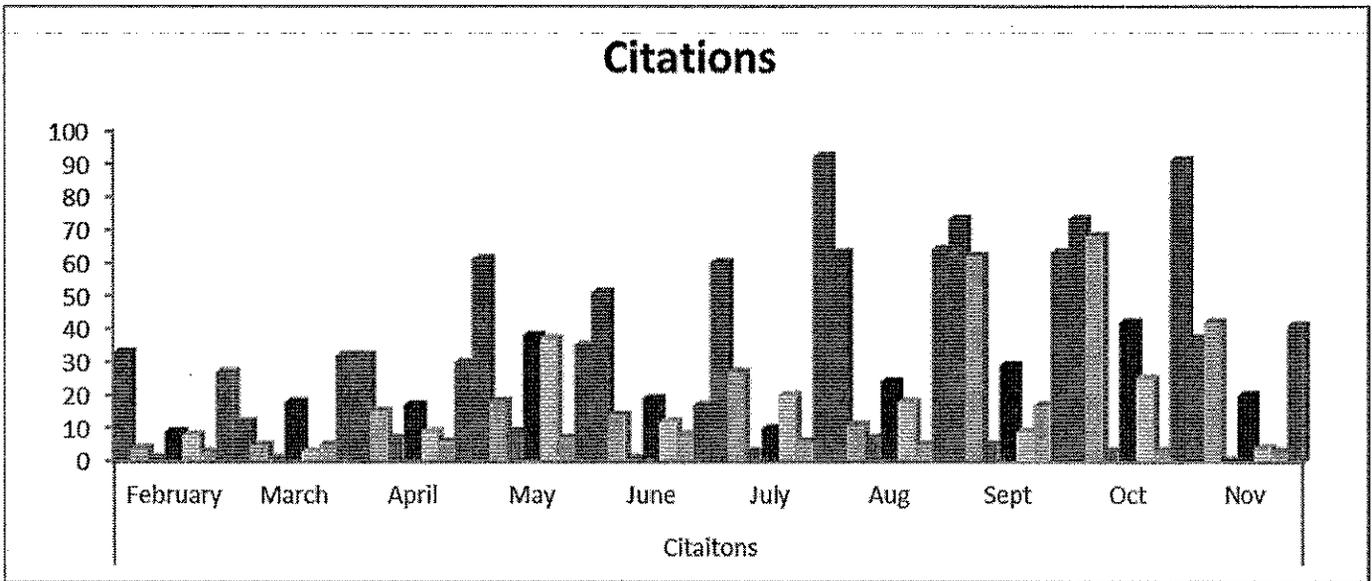
### Notes of Interest

- Officer Fus graduated from of the Leadership in Police Organizations School.
  - The flashing stop sign had been moved to the intersection of 126th and Courtland Ave
  - The speed trailer was returned to the Village of Elm Grove PD.
  - Officer Ratzlaff attended schools for Advanced Roadside Impaired Driving Enforcement and an Identifying Deceptive Behavior.
  - Officers had a total of 727 citizen contacts throughout the month. This equals 24.23 contacts per day or just over 8 contacts per shift.
- 



### Citations

Insurance, Registration Citations	37
Speeding Citations	42
Alcohol/Drugs Citations	0
Moving Citations	20
Non-Moving Citations	4
Municipal Citations	3
Parking Citations	41
<b>Total Citations Issued:</b>	<b>147</b>



# Municipal Court

Docket 11-5-15      Total: 318 adult cases /1 juvenile      Appearances: 52 Persons

- 25      Adjournment
- 227      Initial appearance
- 765      Indecency hearing
- 0      Motions
- 0      Pre-Trial
- 2      Sentencing hearing
- 1      Trial

Citation List for 11-5-15 court date:

- Total due      \$19,598
- Total paid      \$3,648
- Balance due      \$15,950

Monthly financial total \$10,674

**AMOUNT RETAINED BY MUNICIPALITY: \$7,351**

- Above includes \$0 received through the WI State Income Tax Refund Intercept program (TRIP).

Parking ticket payments received in August: \$1,220

**To:** President Tiarks  
 Village Board of Trustees  
**From:** Jim Bremberger, DPW Supervisor  
**Date:** December 10, 2015  
**Re:** November DPW Report



The top November priorities were;

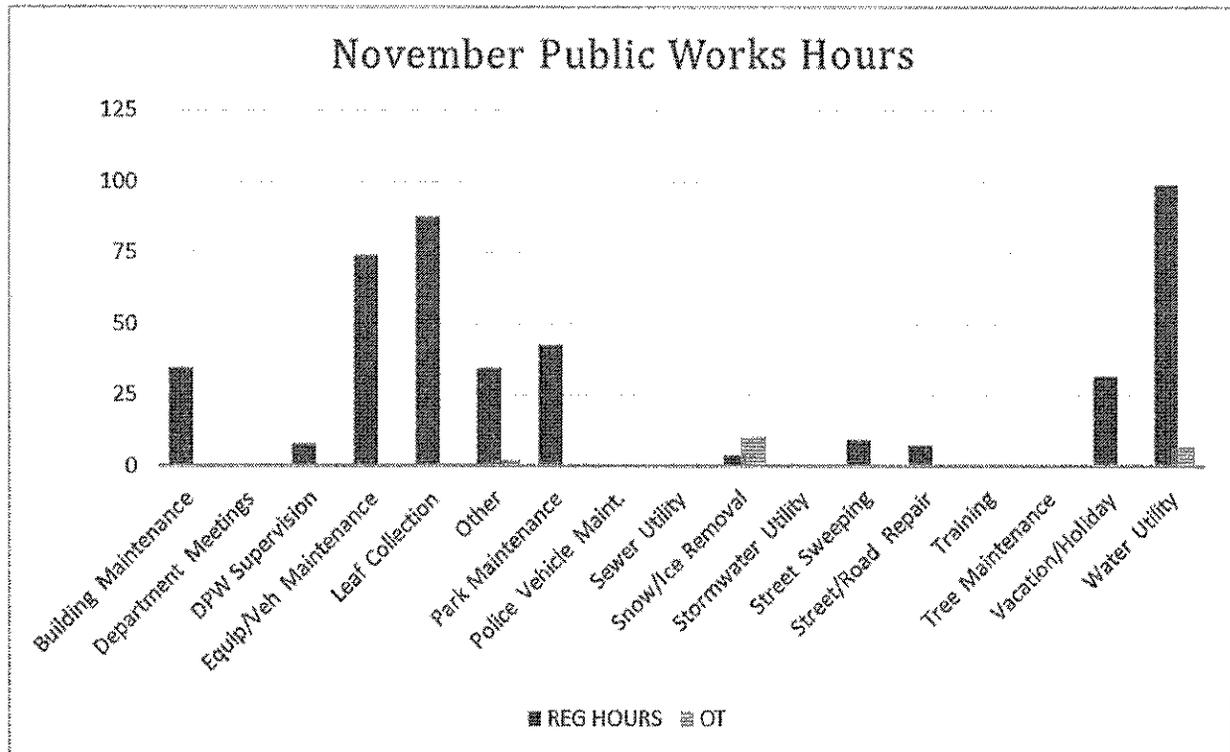
- Close parks for the year
- Leaf collection

**November Activity**

- Daily leaf collection
- Repairs to siding at Library
- Repairs to light pole on 132<sup>nd</sup> and Hampton
- Equipment maintenance and prepare trucks for snow plowing season
- Decorate Village for Christmas

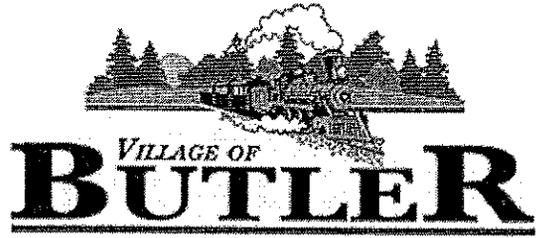
**Utility Activity**

- Completed daily, monthly, and quarterly water samples.
- Repair water main break on Glendale Ave
- Repair water main break on 129<sup>th</sup> and Lancaster
- Repair valve at 127<sup>th</sup> and Ruby
- Read water meters



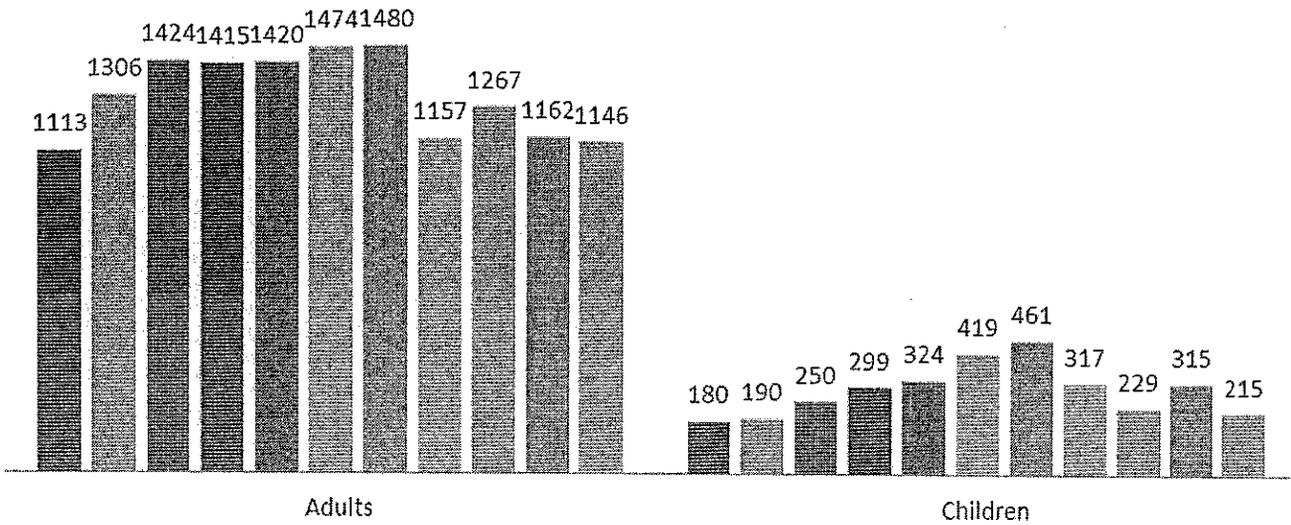


**To:** President Tiarks  
 Village Board of Trustees  
**From:** Gail Duernberger, Library Director  
**Date:** December 10, 2015  
**Re:** November Library Report



### YTD Library Attendance

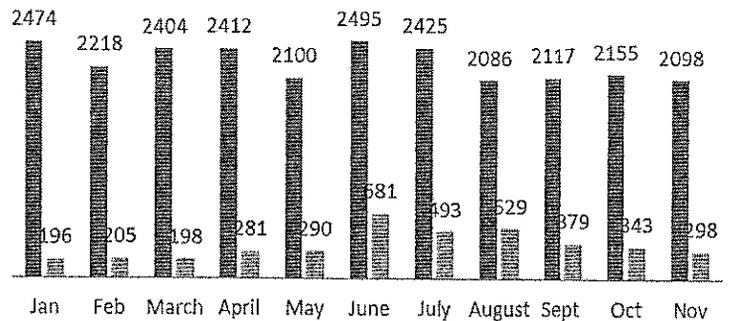
■ Jan ■ Feb ■ March ■ April ■ May ■ June ■ July ■ August ■ Sept ■ Oct ■ Nov

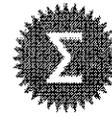


- 310 Reference questions were asked of Library Staff in November.
- 515 uses of Library computers, down from 584 in October.
- The Library Conference Room was for the following programs.
  - Story Programs
  - Lions Club
  - Wolf Den
  - Book Club
- 9 new Library cards were issued
- November events included;
  - Children's Program
  - Reading for Early Readers

### YTD Circulation

■ Adults ■ Children





**EHLERS**  
LEADERS IN PUBLIC FINANCE

December 15, 2015

Pre-Sale Report for

Village of Butler, Wisconsin

\$1,085,000 General Obligation Corporate Purpose  
Bonds, Series 2016A



**Prepared by:**

Greg Johnson  
Senior Municipal Advisor

And

Todd Taves  
Senior Municipal Advisor



## Executive Summary of Proposed Debt

Proposed Issue:	\$1,085,000 General Obligation Corporate Purpose Bonds, Series 2016A
Purposes:	<p>The proposed issue includes financing for the following purposes:</p> <ul style="list-style-type: none"> <li>• Sanitary Sewer improvements. Debt service will be paid from sewer revenues.</li> <li>• Storm Water improvements. Debt service will be paid from storm sewer revenues.</li> <li>• Street improvement projects. Debt service will be paid from ad valorem property taxes.</li> </ul>
Authority:	<p>The Bonds are being issued pursuant to Wisconsin Statutes, Section 67.04.</p> <p>The Bonds will be general obligations of the Village for which its full faith, credit and taxing powers are pledged.</p> <p>The Bonds count against the Village's General Obligation Debt Capacity Limit of 5% of total Village Equalized Valuation. Following issuance of the Bonds, the Village's total General Obligation debt principal outstanding will be \$3,365,086 which is 27% of its limit. Remaining General Obligation Borrowing Capacity will be approximately \$9,000,000.</p>
Term/Call Feature:	<p>The Bonds are being issued for a 20-year term. Principal on the Bonds will be due on February 1 in the years 2017 through 2036. Interest is payable every six months beginning August 1, 2016. The Bonds maturing on and after February 1, 2024 will be subject to prepayment at the discretion of the Village on February 1, 2023 or any date thereafter.</p>
Bank Qualification:	<p>Because the Village is expecting to issue no more than \$10,000,000 in tax exempt debt during the calendar year, the Village will be able to designate the Bonds as "bank qualified" obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.</p>
Rating:	<p>The Village's most recent bond issues were rated "A1" by Moody's Investors Service. The Village will request a new rating for the Bonds.</p> <p>If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the Village's bond rating in the event that the bond rating of the insurer is higher than that of the Village.</p>
Basis for Recommendation:	<p>Based on our knowledge of your situation, your objectives communicated to us, our advisory relationship as well as characteristics of various municipal financing options, we are recommending the issuance of Bonds based on:</p>



	<ul style="list-style-type: none"> <li>• The expectation this form of financing will provide the overall lowest cost of funds while also meeting the Village's objectives for term, structure and optional redemption.</li> <li>• The Village having adequate General Obligation debt capacity to undertake this financing.</li> <li>• The Village's current Capital Improvements Plan, which identified issuance of General Obligation Bonds to finance these projects.</li> </ul>
<p>Method of Sale/Placement:</p>	<p>In order to obtain the lowest interest cost to the Village, we will competitively bid the purchase of the Bonds from local and national underwriters/banks.</p> <p>We have included an allowance for discount bidding equal to 1.25% of the principal amount of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.</p> <p>If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to lower your borrowing amount.</p> <p><b>Premium Bids:</b> Under current market conditions, most investors in municipal bonds prefer "premium" pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered "reoffering premium."</p> <p>For this issue of Bonds, any premium amount received that is in excess of the underwriting discount and any capitalized interest amounts must be placed in the debt service fund and used to pay a portion of the interest payments due on the Bonds.</p> <p>The amount of premium allowed can be restricted in the bid specifications. Restrictions on premium may result in fewer bids, but may also eliminate large adjustments on the day of sale and unintended results with respect to debt service payment impacts. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the Village's objectives for this financing.</p>
<p>Other Considerations:</p>	<p>The Bonds will be offered with the option of the successful bidder utilizing a term bond structure. By offering underwriters the option to "term up" some of the maturities at the time of the sale, it gives them more flexibility in finding a market for your Bonds. This makes your issue more marketable, which can result in lower borrowing costs. In the event that the successful bidder utilizes a term bond structure, we recommend the Village retain a paying agent to handle responsibility for processing mandatory redemption/call notices associated with term bonds.</p>



Review of Existing Debt:	<p>We have reviewed all outstanding indebtedness for the Village and find that there are no refunding opportunities at this time.</p> <p>We will continue to monitor the market and the call dates for the Village's outstanding debt and will alert you to any future refunding opportunities.</p>
Continuing Disclosure:	<p>Because the Village has less than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the Village will be agreeing to provide its Audited Financial Statements annually as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the "MSRB"), as required by rules of the Securities and Exchange Commission (SEC). The Village is already obligated to provide such reports for its existing bonds, and has contracted with Ehlers to prepare and file the reports.</p>
Arbitrage Monitoring:	<p>Because the Bonds are tax-exempt securities, the Village must ensure compliance with certain Internal Revenue Service (IRS) rules throughout the life of the issue. These rules apply to all gross proceeds of the issue, including initial bond proceeds and investment earnings in construction, escrow, debt service, and any reserve funds. How issuers spend bond proceeds and how they track interest earnings on funds (arbitrage/yield restriction compliance) are common subjects of IRS inquiries. Your specific responsibilities will be detailed in the Tax Exemption Certificate prepared by your Bond Attorney and provided at closing. We recommend that you regularly monitor compliance with these rules and/or retain the services of a qualified firm to assist you.</p>
Risk Factors:	<p><b>GO with Planned Abatement:</b> The Village expects to abate a portion of the Village debt service with sewer utility revenues and storm water utility revenues. In the event these revenues are not sufficient, the Village is obligated to levy property taxes in an amount sufficient to make all debt payments.</p>
Other Service Providers:	<p>This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, so their final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.</p>



	<b>Bond Attorney:</b> Quarles & Brady LLP <b>Paying Agent:</b> Bond Trust Services Corp. (If term bonds) <b>Rating Agency:</b> Moody's Investors Service
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------

This presale report summarizes our understanding of the Village's objectives for the structure and terms of this financing as of this date. As additional facts become known or capital markets conditions change, we may need to modify the structure and/or terms of this financing to achieve results consistent with the Village's objectives.

### Proposed Debt Issuance Schedule

Pre-Sale Review by Village Board:	December 15, 2015
Distribute Official Statement:	Week of January 4, 2015
Conference with Rating Agency:	Week of January 4, 2015
Village Board Meeting to Award Sale of the Bonds:	January 19, 2016
Estimated Closing Date:	February 9, 2016

### Attachments

- Existing G.O. Debt Analysis
- Sources and Uses of Funds
- Proposed Debt Service Allocation
- Estimated Tax Impact Analysis
- Utility Debt Summary

### Ehlers Contacts

Municipal Advisors:	Greg Johnson	(262) 796-6168
	Todd Taves	(262) 796-6173
Disclosure Coordinator:	Brendan Leonard	(262) 796-6169
Financial Analyst:	Kathy Myers	(262) 796-6177

The Official Statement for this financing will be mailed to the Village Board at their home address or e-mailed for review prior to the sale date.



# Village of Butler, WI

General Obligation Debt Projected Tax Levy and Rate Impact  
As of January 1, 2016



**EHLERS**  
LEADERS IN PUBLIC FINANCE

Debt Service Source of Payment and Levy Analysis									
Year	Total Annual P&I Payment	Less TIF:	Less Sewer:	Less Storm:	Less: Interest Earnings	Net Tax Levy for Debt	EV Projection <sup>1</sup>	Tax Rate for Debt Service	Year
2016	618,688	(133,510)	(103,850)	(94,588)	(500)	286,240	223,062,300	1.28	2016
2017	517,370	(131,235)		(92,188)		293,948	225,292,923	1.30	2017
2018	385,134			(89,588)		295,546	227,545,852	1.30	2018
2019	388,372			(91,788)		296,584	254,736,511	1.16	2019
2020	227,180			(93,600)		133,580	257,283,876	0.52	2020
2021	131,710					131,710	259,856,715	0.51	2021
2022	129,621					129,621	262,455,282	0.49	2022
2023	16,069					16,069	265,079,835	0.06	2023
2024	16,069					16,069	267,730,633	0.06	2024
2025	0					0	270,407,939	0.00	2025
2026							273,112,019	0.00	2026
<b>TOTAL</b>	<b>2,430,212</b>	<b>(264,745)</b>	<b>(103,850)</b>	<b>(461,750)</b>	<b>(500)</b>	<b>1,599,367</b>			

Projected TID Closure

# Village Butler, WI

## Estimated Project Costs & Financing Plan



G.O. Bond

2/9/2016

**Projects<sup>1</sup>**

Street Improvements	957,548
Sanitary Improvements	22,725
Storm Water Improvements	36,727
<b>Subtotal Needed for Projects</b>	<b>1,017,000</b>

**Finance Related Expenses**

Municipal Advisor	14,500
Bond Counsel (Estimate)	10,000
Rating Agency Fee	11,500
Paying Agent (if Term Bonds)	675
Underwriter's Discount	13,563
Capitalized Interest	13,817

\$12.50

**Total Financing Required** **1,081,054**

Estimated Interest Earnings (750)

Rounding 4,696

**NET ISSUE SIZE** **1,085,000**

Notes:

- Projects include 132nd Street (terminus to Fairmount Ave.);  
132nd Street (Hampton to Glendale); 132nd Street (Glendale to terminus);  
Glendale Avenue (132nd Street to 128th Avenue).

Village of Butler, Wisconsin  
Proposed G.O. Bonds Series 2016



	Street			Sanitary			Storm			TOTAL			
	Principal (2/1)	Interest	Total	Principal (2/1)	Interest	Total	Principal (2/1)	Interest	Total	Principal	Interest	Total	
2016		\$13,334	\$13,334		\$119	\$119				\$0	\$13,817	\$13,817	2016
2017	\$40,000	\$27,709	\$67,709	\$25,000	\$125	\$25,125		\$363	\$363	\$65,000	\$28,594	\$93,594	2017
2018	\$40,000	\$27,259	\$67,259					\$760	\$760	\$40,000	\$28,019	\$68,019	2018
2019	\$40,000	\$26,689	\$66,689					\$760	\$760	\$40,000	\$27,449	\$67,449	2019
2020	\$45,000	\$26,009	\$71,009					\$760	\$760	\$45,000	\$26,769	\$71,769	2020
2021	\$45,000	\$25,222	\$70,222				\$40,000	\$380	\$40,380	\$85,000	\$25,602	\$110,602	2021
2022	\$45,000	\$24,367	\$69,367							\$45,000	\$24,367	\$69,367	2022
2023	\$45,000	\$23,433	\$68,433							\$45,000	\$23,433	\$68,433	2023
2024	\$45,000	\$22,421	\$67,421							\$45,000	\$22,421	\$67,421	2024
2025	\$45,000	\$21,341	\$66,341							\$45,000	\$21,341	\$66,341	2025
2026	\$50,000	\$20,129	\$70,129							\$50,000	\$20,129	\$70,129	2026
2027	\$50,000	\$18,742	\$68,742							\$50,000	\$18,742	\$68,742	2027
2028	\$50,000	\$17,242	\$67,242							\$50,000	\$17,242	\$67,242	2028
2029	\$55,000	\$15,667	\$70,667							\$55,000	\$15,667	\$70,667	2029
2030	\$55,000	\$13,926	\$68,926							\$55,000	\$13,926	\$68,926	2030
2031	\$55,000	\$12,095	\$67,095							\$55,000	\$12,095	\$67,095	2031
2032	\$60,000	\$10,181	\$70,181							\$60,000	\$10,181	\$70,181	2032
2033	\$60,000	\$8,118	\$68,118							\$60,000	\$8,118	\$68,118	2033
2034	\$65,000	\$5,899	\$70,899							\$65,000	\$5,899	\$70,899	2034
2035	\$65,000	\$3,591	\$68,591							\$65,000	\$3,591	\$68,591	2035
2036	\$65,000	\$1,219	\$66,219							\$65,000	\$1,219	\$66,219	2036
	\$1,020,000	\$364,593	\$1,384,593	\$25,000	\$244	\$25,244	\$40,000	\$3,783	\$43,783	\$1,065,000	\$368,621	\$1,433,621	

# Village of Butler, WI

## Projected Levy & Rate Impact of Existing & Proposed 2016 Debt



Existing G.O. Debt Only						
YEAR	Equalized Value Projection	Total Payment (P&I)	Less Non Levy Revenues	Less Interest Earnings	Net Debt Service Levy	Debt Service Tax Rate
2016	223,062,300	618,688	(331,948)	(500)	286,240	1.28
2017	225,292,923	517,370	(223,423)		293,948	1.30
2018	227,545,852	385,134	(89,588)		295,546	1.30
2019	224,735,501	388,372	(91,788)		296,584	1.16
2020	257,283,876	227,180	(93,600)		133,580	0.52
2021	259,856,715	131,710			131,710	0.51
2022	262,455,282	129,621			129,621	0.49
2023	265,079,835	16,069			16,069	0.06
2024	267,730,633	16,069			16,069	0.06
2025	270,407,939	0				
2026	273,112,019					
2027	275,843,139					
2028	278,601,570					
2029	281,387,586					
2030	284,201,462					
2031	287,043,476					
2032	289,913,911					
2033	292,813,050					
2034	295,741,181					
2035	298,698,593					
2036	301,685,579					
<b>TOTALS</b>	<b>5,672,493,430</b>	<b>2,430,212</b>	<b>(830,345)</b>	<b>(500)</b>	<b>1,599,367</b>	

Proposed Debt Service									
Proposed G.O. Bonds, Series 2016A \$1,085,000 Dated 2/9/16				Less Capitalized Interest	Less Sewer Revenues	Less Storm Revenues	Net Debt Service Levy (All Debt)	Debt Service Tax Rate	YEAR
Prin (12/31)	Est. Rate	Interest	Total						
		13,817	13,817	(13,817)			286,240	1.28	2016
65,000	1.000%	28,594	93,594		(25,125)	(760)	361,657	1.61	2017
40,000	1.250%	28,019	68,019			(760)	362,806	1.59	2018
40,000	1.600%	27,449	67,449			(760)	363,273	1.43	2019
45,000	1.600%	26,769	71,769			(760)	204,589	0.80	2020
85,000	1.900%	25,602	110,602			(40,380)	201,932	0.78	2021
45,000	1.900%	24,367	69,367				198,988	0.76	2022
45,000	2.250%	23,433	68,433				84,502	0.32	2023
45,000	2.250%	22,421	67,421				83,490	0.31	2024
45,000	2.550%	21,341	66,341				66,341	0.25	2025
50,000	2.550%	20,129	70,129				70,129	0.26	2026
50,000	3.000%	18,742	68,742				68,742	0.25	2027
50,000	3.000%	17,242	67,242				67,242	0.24	2028
55,000	3.000%	15,667	70,667				70,667	0.25	2029
55,000	3.329%	13,926	68,926				68,926	0.24	2030
55,000	3.329%	12,095	67,095				67,095	0.23	2031
60,000	3.329%	10,181	70,181				70,181	0.24	2032
60,000	3.550%	8,118	68,118				68,118	0.23	2033
65,000	3.550%	5,899	70,899				70,899	0.24	2034
65,000	3.550%	3,591	68,591				68,591	0.23	2035
65,000	3.750%	1,219	66,219				66,219	0.22	2036
<b>1,085,000</b>		<b>368,621</b>	<b>1,499,621</b>	<b>(13,817)</b>	<b>(25,125)</b>	<b>(43,420)</b>	<b>2,970,626</b>		<b>TOTALS</b>

**NOTES**

Projected TID Closure

1. 2016 interest rates based on A1 sale of 11/23/2015 plus 25 basis points (1 basis point = .01%)

**Village of Butler Sewer Utility Debt Service Summary**

Year	Existing G.O. Debt	Proposed G.O. Debt	Total G.O. Debt
2016	\$103,850		\$103,850
2017		\$25,125	\$25,125

**Village of Butler Storm Water Utility Debt Service Summary**

Year	Existing G.O. Debt	Proposed G.O. Debt	Total G.O. Debt
2016	\$94,588		\$94,588
2017	\$92,188	\$760	\$92,948
2018	\$89,588	\$760	\$90,348
2019	\$91,788	\$760	\$92,548
2020	\$93,600	\$760	\$94,360
2021		\$40,380	\$40,380



**Resolution No. 15-20**

INITIAL RESOLUTION AUTHORIZING  
GENERAL OBLIGATION BONDS  
IN AN AMOUNT NOT TO EXCEED  
\$1,020,000 FOR STREET IMPROVEMENT PROJECTS

BE IT RESOLVED by the Village Board of the Village of Butler, Waukesha County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$1,020,000 for the public purpose of paying the cost of street improvement projects.

Adopted, approved and recorded December 15, 2015.

---

\_\_\_\_\_  
Patricia Tiarks  
President

ATTEST:

\_\_\_\_\_  
Kayla Chadwick  
Village Administrator/Clerk

(SEAL)

**Resolution No. 15-21**

INITIAL RESOLUTION AUTHORIZING  
GENERAL OBLIGATION BONDS  
IN AN AMOUNT NOT TO EXCEED  
\$25,000 FOR SANITARY SEWER IMPROVEMENT PROJECTS

BE IT RESOLVED by the Village Board of the Village of Butler, Waukesha County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$25,000 for the public purpose of paying the cost of sewerage projects, consisting of sanitary sewer improvement projects.

Adopted, approved and recorded December 15, 2015.

---

\_\_\_\_\_  
Patricia Tiarks  
President

ATTEST:

\_\_\_\_\_  
Kayla Chadwick  
Village Administrator/Clerk

(SEAL)

**Resolution No. 15-22**

INITIAL RESOLUTION AUTHORIZING  
GENERAL OBLIGATION BONDS  
IN AN AMOUNT NOT TO EXCEED  
\$40,000 FOR STORM WATER IMPROVEMENT PROJECTS

BE IT RESOLVED by the Village Board of the Village of Butler, Waukesha County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$40,000 for the public purpose of paying the cost of sewerage projects, consisting of storm water improvement projects.

Adopted, approved and recorded December 15, 2015.

---

\_\_\_\_\_  
Patricia Tiarks  
President

ATTEST:

\_\_\_\_\_  
Kayla Chadwick  
Village Administrator/Clerk

(SEAL)

**Resolution No. 15-23**

RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED  
\$1,085,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2016A

WHEREAS, the Village of Butler, Waukesha County, Wisconsin (the "Village") has adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds for the following public purposes and in the following not to exceed amounts: \$1,020,000 for the public purpose of paying the cost of street improvement projects; \$25,000 for the public purpose of paying the cost of sewerage projects, consisting of sanitary sewer improvement projects; and \$40,000 for the public purpose of paying the cost of sewerage projects, consisting of storm water improvement projects (collectively, the "Project");

WHEREAS, the Village Board hereby finds and determines that the Project is within the Village's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes; and

WHEREAS, the Village Board of the Village hereby finds and determines that general obligation bonds in an amount not to exceed \$1,085,000 should be issued pursuant to the Initial Resolutions to pay the costs of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village that:

Section 1. Combination of Issues. The issues referred to above are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds, Series 2016A" (the "Bonds") in an amount not to exceed \$1,085,000 for the purposes above specified.

Section 2. Sale of the Bonds. The Village Board hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the Village Board shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Sale. The Village Administrator/Clerk (in consultation with the Village's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Bonds to be publicized at such times and in such manner as the Village Administrator/Clerk may determine and to cause copies of a complete, official Notice of Sale and other pertinent data to be forwarded to interested bidders as the Village Administrator/Clerk may determine.

Section 4. Official Statement. The Village Administrator/Clerk (in consultation with Ehlers) shall also cause an Official Statement to be prepared and distributed. The appropriate Village officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

Section 5. Award of the Bonds. Following receipt of bids for the Bonds, the Village Board shall consider taking further action to provide the details of the Bonds; to award the Bonds

to the lowest responsible bidder therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Village Board or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded December 15, 2015.

---

Patricia Tiarks  
President

ATTEST:

---

Kayla Chadwick  
Village Administrator/Clerk

(SEAL)

VILLAGE OF BUTLER  
12621 West Hampton Avenue  
Butler, Wisconsin 53007  
(262) 783-2525

SECTION 6-2-19 AND/OR SECTION 13-1-96

FEE: \$50.00

No. \_\_\_\_\_

APPLICATION FOR PERMIT TO PAVE OR ALTER PORTIONS OF  
VILLAGE RIGHT-OF-WAY OR TO CONSTRUCT ENCROACHMENTS  
THEREON, PURSUANT TO SECTIONS 6-2-19 AND/OR 13-1-96  
OF THE MUNICIPAL CODE.

Name of Applicant Spring West, LLC

Location 12419 W. Hampton Ave  
Butler, WI 53007

Telephone 414-588-0554

10-22-15 12:50p  
\$50.00  
Transaction 12736  
ROAD CUT PERMIT \$50.00

Mailing Address 4725 N. 159th Pl  
(If different Brookfield, WI 53005  
from above)

If corporation or partnership, give names and addresses of officers/partners:

Name and Title (if applicable)	Address
<u>ADIT S. WALIA - Member</u>	<u>4725 N. 159th Pl</u> <u>Brookfield, WI 53005</u>
_____	_____
_____	_____
_____	_____

Nature of use of buildings (if any) on non-right-of-way portion of premises:  
Full Shop / Legar

Exact description of proposed paving, alteration or encroachment (attach scale drawing with dimensions of lot or lots involved, the right-of-way portion of same, and the proposed location of paving, alteration or encroachment).  
See Plan

Remove three parking meters located on 125th St - ~~at~~  
East side of the 125th St. include to new driveway per Plan

Are you also requesting permission to park on the right-of-way? NO

The undersigned, as Applicant, herewith applies for a permit to pave or alter certain portions of the public right-of-ways of the Village of Butler, or to construct encroachments thereon, as described above, and as consideration for the granting of said permit by the Village Board, further agrees to the following terms and conditions, all pursuant to Sections 6-2-19 and/or 13-1-96 of the Municipal Code of Ordinances and as it may be amended in the future. By this Agreement, the Village retains all rights in the land which is the subject of this Agreement (including the continuation of the status of such land as part of the public right-of-ways of the Village) except as may be expressly provided herein. The Village expressly retains the right to use or permit others to use the right-of-way for utility purposes. Whenever such right-of-ways are used for utility purposes, there shall be no obligation on the part of the Village or any Municipal utility to restore the area of work or installation beyond backfilling it to grade.

1. Indemnification. The Applicant agrees to be liable for, and to hold the Village harmless from, all damages which occur during the progress of the construction of any paving, alteration or encroachment or which subsequently results from said construction. The Applicant further agrees to be liable for, and to hold the Village harmless from, all damages which result from either the existence or the maintenance of the paving, alteration or encroachment.
2. The Applicant agrees to indemnify and hold harmless the Village, its agents or employees, for any claim arising from the use of such right-of-way, including any costs and attorney fees associated with such claim. This obligation shall be assumed by any subsequent transferee of the premises abutting the Village land.
3. Maintenance. The Applicant further agrees to construct and maintain the paving, alteration or encroachment exactly as described in this Application for Permit, and also in accordance with the ordinances, rules and regulations of the Village, and to perform and complete all work thereon to the satisfaction of the Village including replacing any damaged surface and shall restripe or repaint markings as may be necessary to facilitate an orderly use of all parking spaces developed.
4. Parallel Parking. The Village shall not enforce any parallel parking obstructions which may impede angle parking unless a duly enacted ordinance restricts parallel parking and appropriate signage is installed. The Village will consider the enactment of such restrictions at the request of Applicant, but any signage installed shall not be at the expense of the Village and shall conform to all state recommended standards. In the event that the Village enacts any restrictions regarding parallel parking, it shall have an unrestricted right to repeal or modify such restrictions without any consent by the Applicant.
5. Parking Procedure. All vehicles parked in parking spaces created with Village land shall conform to the parking markings and shall not extend beyond the curb edge on the outside of the street.

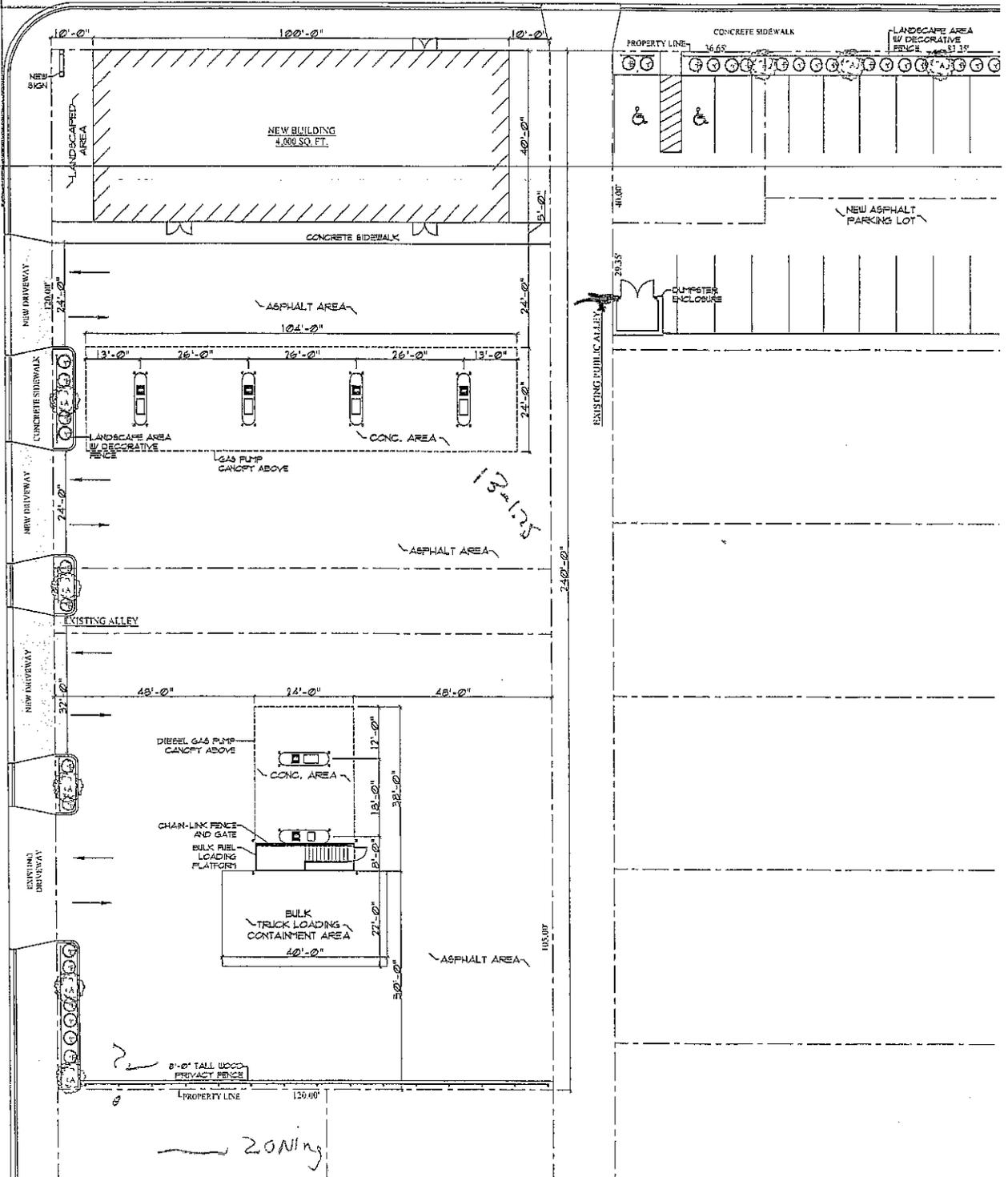
6. Consideration. The Applicant shall not have to pay any monetary consideration to the Village for the permission granted herein, but must grant the public permission to utilize any parking space created by incorporation of Village land.
7. The Applicant further agrees to observe any additional special limitations which are imposed by the Village Board as a condition of granting the permit requested in this Application for Permit.
8. Enforcement Costs. In the event that the Applicant does not comply with any provisions of this Agreement, the Village may terminate this Agreement at will upon ten (10) days written notice. Within thirty (30) days following receipt of such notice, Applicant shall thereupon restore the above-described right of way area by removing any parking surface regardless of material and installing grass or landscaping to the Village land in a manner acceptable to the village as approved by the Director of Public Works. Applicant further agrees to pay any attorney fees incurred by the Village associated with the seeking of compliance with this Agreement.
9. Recording of Agreement. This Agreement shall be prepared and recorded at the expense of the Applicant.

Termination. The Applicant further agrees that any permit granted is terminable at will by the Village Board whenever the Village Board determines that it is in the public interest that the paving, alteration or encroachment be removed from the public right-of-way, in whole or in part; or allow the area to remain in the paved or altered condition, but no longer allow parking on the paved or altered area. In the event of termination, the Applicant agrees to promptly remove, at his own expense, the paving, alteration or encroachment, and to restore the public right-of-way as nearly as practicable to its former condition in a manner acceptable to the Village as approved by the Director of Public Works, if the Village Board determines that the area should be so restored.



WEST HAMPTON AVE

NORTH 125TH STREET



1 New Site Plan  
 C-1.0 Scale: 1/16" = 1'-0"



# Google Maps 12419 W Hampton Ave



Imagery ©2015 Google, Map data ©2015 Google 20 ft

## RESOLUTION 15-24

### RESOLUTION AMENDING THE 2015 BUDGET TO REFLECT CHANGES IN REVENUES AND EXPENDITUES

**WHEREAS**, Resolution 14-19, a resolution adopting the 2015 annual budget and establishing the 2014 tax levy, was adopted on November 19, 2014;

**WHEREAS**, the Village of Butler finds it necessary to amend the General Fund and Water Utility Fund;

<b>General Fund</b>				
<b>Account Description</b>	<b>Account Number</b>	<b>Budgeted Amount</b>	<b>Amended Budget</b>	<b>Increase/Decrease</b>
FICA/Medicare	100-51100-120	\$ 561.66	\$ 1,139.81	\$ 578.15
Salaries	100-51100-110	\$ 15,598.34	\$ 15,020.19	\$ (578.15)
Membership Dues	100-51100-127	\$ 2,372.25	\$ 2,416.28	\$ 44.03
Misc. Expenses	100-51100-130	\$ 92.75	\$ 162.75	\$ 70.00
Disability Insurance Premium	100-54320-126	\$ 119.00	\$ 128.52	\$ 9.52
Travel/Training/Meetings	100-51320-126	\$ 3,091.00	\$ 2,317.70	\$ (773.30)
Health Ins. Deductable	100-51200-122	\$ 300.00	\$ 504.00	\$ 204.00
Group Life Insurance Premium	100-51200-124	\$ 144.00	\$ 154.47	\$ 10.47
Disability Insurance Premium	100-51200-125	\$ 159.00	\$ 171.36	\$ 12.36
Misc Expenses	100-51200-130	\$ 4,100.00	\$ 3,873.17	\$ (226.83)
Membership Dues	100-51411-127	\$ 192.50	\$ 347.50	\$ 155.00
License/Permit Processing	100-51411-176	\$ 500.00	\$ 504.47	\$ 4.47
Election Supplies	100-51411-178	\$ 480.00	\$ 1,270.28	\$ 790.28
Election Equipment Maint.	100-51411-177	\$ 850.00	\$ 550.00	\$ (300.00)
Printing/Publishing/Advertising	100-51550-132	\$ 1,170.00	\$ 1,970.00	\$ 800.00
Bank Fees	100-51550-133	\$ 625.00	\$ 1,260.60	\$ 635.60
Personal Property/Bad Debt	100-51550-690	\$ 2,500.00	\$ 2,737.13	\$ 237.13
Software Support/Consulting	100-51550-131	\$ 2,550.00	\$ 1,550.00	\$ (1,000.00)
Printing/Publishing/Advertising	100-51710-132	\$ 2,125.00	\$ 2,638.16	\$ 513.16
Building Maintenance	100-51710-139	\$ 14,450.00	\$ 13,264.11	\$ (1,185.89)
Disability Insurance Premium	100-52110-125	\$ 2,222.00	\$ 2,232.44	\$ 10.44
Police Guns/Ammo	100-52120-141	\$ 9,000.00	\$ 9,595.19	\$ 595.19
Ballistic Vests	100-52140-145	\$ 7,500.00	\$ 7,604.00	\$ 104.00
Computer Equipment/Maint	100-52140-164	\$ 500.00	\$ 647.02	\$ 147.02
Gas & Oil	100-52140-146	\$ 20,000.00	\$ 19,143.35	\$ (856.65)
Public Works Overtime	100-54110-108	\$ 5,197.55	\$ 6,335.01	\$ 1,137.46
Seasonal Wages	100-54110-109	\$ 3,481.00	\$ 4,095.00	\$ 614.00
Salaries	100-54110-110	\$ 33,216.00	\$ 34,847.59	\$ 1,631.59
FICA/Medicare	100-54110-120	\$ 3,037.00	\$ 3,288.94	\$ 251.94
Retirement Contribution	100-54110-123	\$ 2,342.00	\$ 2,711.28	\$ 369.28
Telephone/Internet	100-54130-135	\$ 1,253.00	\$ 1,664.85	\$ 411.85
Licensing/Testing	100-54130-150	\$ 180.00	\$ 256.00	\$ 76.00

<b>General Fund</b>				
<b>Account Description</b>	<b>Account Number</b>	<b>Budgeted Amount</b>	<b>Amended Budget</b>	<b>Increase/Decrease</b>
FICA/Medicare	100-55000-120	\$ -	\$ 346.15	\$ 346.15
Community Center Programs	100-55000-331	\$ 801.00	\$ 1,594.00	\$ 793.00
Vehicle Maintenance	100-54140-144	\$ 18,799.45	\$ 15,799.45	\$ (3,000.00)
Gas & Oil	100-54140-146	\$ 11,760.00	\$ 10,760.00	\$ (1,000.00)
Snow Removal/Deicing	100-54140-155	\$ 24,000.00	\$ 22,368.73	\$ (1,631.27)
Retirement Contribution	100-55100-123	\$ 3,255.00	\$ 3,324.34	\$ 69.34
Library Copier Maintenance	100-55300-165	\$ 209.00	\$ 229.49	\$ 20.49
Library Adult Books	100-55500-173	\$ 3,800.00	\$ 5,636.00	\$ 1,836.00
Utilities	100-55200-134	\$ 11,000.00	\$ 10,500.00	\$ (500.00)
Office Supplies	100-55200-136	\$ 2,000.00	\$ 1,500.00	\$ (500.00)
Library Shared Database	100-55400-169	\$ 516.00	\$ -	\$ (516.00)
Library Special Events	100-55400-170	\$ 500.00	\$ 90.17	\$ (409.83)
Engineering/Consulting	100-57000-190	\$ 1,870.60	\$ 4,439.07	\$ 2,568.47
IT Support	100-57000-196	\$ 11,389.00	\$ 8,820.53	\$ (2,568.47)
<b>Totals</b>		<b>\$ 229,809.10</b>	<b>\$ 229,809.10</b>	
<b>Water Utility Fund</b>				
<b>Account Description</b>	<b>Account Number</b>	<b>Budgeted Amount</b>	<b>Amended Budget</b>	<b>Increase/Decrease</b>
Retirement Contribution	200-60000-220	\$ -	\$ 2,364.67	\$ 2,364.67
Bank Fees	200-60001-133	\$ 875.00	\$ 4,310.60	\$ 3,435.60
Telephone/Internet	200-60001-135	\$ 539.00	\$ 634.01	\$ 95.01
Vehicle Maintenance	200-60001-144	\$ 3,000.00	\$ 3,269.49	\$ 269.49
Pump Station Maintenance	200-60002-605	\$ 28,000.00	\$ 28,230.85	\$ 230.85
Hydrant Maintenance	200-60002-654	\$ 2,500.00	\$ 3,337.31	\$ 837.31
Capital Projects	200-60004-365	\$ -	\$ 17,208.34	\$ 17,208.34
Main Maintenance	200-60002-651	\$ 25,000.00	\$ 15,000.00	\$ (10,000.00)
Service Maintenance	200-60002-652	\$ 6,000.00	\$ 3,500.00	\$ (2,500.00)
Misc Expense	200-60002-930	\$ 21,125.00	\$ 9,183.73	\$ (11,941.27)
<b>Totals</b>		<b>\$ 87,039.00</b>	<b>\$ 87,039.00</b>	

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Village of Butler hereby amends the General Fund and Capital Fund.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of December, 2015.

THE VILLAGE OF BUTLER

By: \_\_\_\_\_  
Patricia Tiarks, President

ATTEST:

\_\_\_\_\_  
Kayla Chadwick, Administrator/Clerk

Res 15-24

December 3, 2015

Ms. Kayla Chadwick  
Village Administrator/Clerk  
Village of Butler  
12621 W. Hampton Ave.  
Butler, WI 53007

RE: Engagement Letter

Dear Ms. Chadwick:

Thank you for asking von Briesen & Roper, s.c. (the "Firm") to represent the Village of Butler (the "Village"). We look forward to working with you and thought it best to set out in writing the terms and conditions upon which we will provide legal services. The purpose of this letter is to articulate and confirm those terms and conditions.

#### **SCOPE OF SERVICES**

As attorneys, we owe certain professional obligations to our clients. With respect to the matter set forth in this letter, you have asked the Firm to represent the Village in connection with the Department of Revenue's chargeback denial.

#### **RESPONSIBILITIES**

In reliance upon information and guidance provided by you, we will provide legal services and assistance in accordance with this letter.

#### **FEES FOR LEGAL SERVICES**

Our fees for legal services rendered to the Village will be based on the amount of time required and the hourly rates of the attorneys and paralegals who render the services. These rates are periodically adjusted to reflect increased efficiency, skills and cost increases. The adjusted rates will apply to all services performed thereafter.

Our current billing rates for the attorneys and paralegals we anticipate will be working on behalf of the Village range from \$200 to \$390. As we proceed, we will use personnel with lower billing rates to the extent practical to work on your matter.

#### **LIMITED LIABILITY**

von Briesen & Roper, s.c., is a limited liability entity under Wisconsin law. This means that if we fail to perform our duties in our representation of the Village, and that failure causes the Village damages, our

Ms. Kayla Chadwick  
December 3, 2015  
Page 2

Firm and the shareholder(s) directly involved in the representation may be responsible to the Village for those damages, but the Firm's other shareholders will not be personally responsible.

Our professional liability insurance exceeds the minimum amounts required by the Wisconsin Supreme Court for limited liability entities of our size.

#### **COMMUNICATION BY E-MAIL**

Our firm primarily communicates with its clients via unencrypted internet e-mail, and this will be the way in which we communicate with you. While unencrypted e-mail is convenient and fast, there is risk of interception, not only within our internal networks and the systems used by internet service providers, but elsewhere on the internet and in the systems of our clients and their internet service providers.

#### **FILE RETENTION AND DESTRUCTION**

In accordance with our records retention policy, most paper and electronic records that we maintain are subject to a 10-year retention period from the last matter activity date or whatever date we deem appropriate. Extended retention periods may apply to certain types of matters or pursuant to your specific directives.

After the expiration of the applicable retention period, we will destroy your records without further notice to you, unless you notify us otherwise. At the conclusion of your matter, you may opt to retrieve your records from our firm. We are happy to accommodate you in this regard.

#### **GENERAL PROVISIONS**

Enclosed is a statement entitled "General Provisions" setting forth additional terms and conditions which are incorporated into this letter and apply to our representation to the extent they are not inconsistent with the terms of this letter.

We are pleased to have this opportunity to be of service to the Village. If at any time during the course of our representation you have any questions or comments about our costs, services, or any aspect of how we provide services, please don't hesitate to call me.

#### **POTENTIAL CONFLICTS OF INTEREST AND WAIVER**

We are a relatively large law firm and we represent many companies and individuals. The Village understands that the Firm represents clients who may have interests adverse to the Village in a wide variety of matters (including zoning, financing, environmental, real estate, traffic, tax and litigation against the Village, in which the Village has separate counsel); that the Firm's ability to represent the village for the aforementioned matter is not limited by the representation of the other clients in such other matters, and that the Village waives all current and future conflicts in those enumerated areas up to and including litigation against the Village in those areas.

Your signature on this letter confirms our understanding that nothing in this engagement shall preclude the Firm from representing the interests of its other clients or any related entities in the future, in matters other than the aforementioned matters, and in the event the interests of these related entities become adverse at some point to the Village, the Village has agreed that nothing in this engagement shall

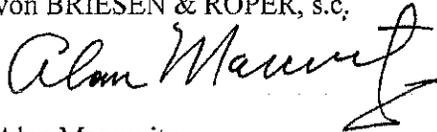
Ms. Kayla Chadwick  
December 3, 2015  
Page 3

prohibit the Firm, at the election of those related entities, from representing those related entities in connection with those matters.

The Village agrees to retain the services of von Briesen & Roper, s.c. under the terms and conditions specified above. We look forward to working with you.

Very truly yours,

von BRIESEN & ROPER, s.c.

A handwritten signature in cursive script, appearing to read "Alan Marcuvitz", written in black ink.

Alan Marcuvitz

Date: \_\_\_\_\_

VILLAGE OF BUTLER

By: \_\_\_\_\_

## GENERAL PROVISIONS

Except as modified by the accompanying engagement letter, the following provisions will apply to the relationship between von Briesen & Roper, s.c., and our clients:

- (1) The time for which a client will be charged will include, but will not be limited to, telephone and office conferences with a client and counsel, witnesses, consultants, court personnel, and others; conferences among our personnel; factual investigation; legal research; responding to clients' requests to provide information to auditors in connection with reviews or audits of financial statements; drafting of letters, pleadings, briefs, and other documents; travel time; waiting time in court or elsewhere; and time in depositions and other discovery proceedings.
- (2) Clients are responsible for payment to reimburse us for costs incurred in performing services such as large volume photocopying, messenger and delivery, air freight, videotape recording, travel (including mileage, parking, airfare, lodging, meals, and ground transportation), court costs, and filing fees. To the extent we directly provide any of these services, we will charge for our direct costs and overhead allocable to the services. Unless special arrangements are made, fees and expenses of others (such as experts, investigators, witnesses, appraisers, consultants, and court reporters) and other large disbursements will not be paid by our firm and will be the responsibility of, and billed directly to, the client.
- (3) We may, on occasion, furnish estimates of fees or charges we anticipate will be incurred on a client's behalf. These estimates are by their nature inexact. We are not bound by any estimates except as expressly set forth in the engagement letter or otherwise agreed to by us in writing.
- (4) Fees, disbursements, and other charges will be billed monthly and are payable upon presentation. We expect prompt payment.
- (5) A client shall have the right at any time to terminate our services and representation upon written notice to the firm. Such termination shall not, however, relieve the client of the obligation to pay for all services rendered and disbursements and other charges made or incurred on behalf of the client prior to the date of termination.
- (6) We reserve the right to withdraw from our representation with the client's consent or for good cause. Good cause may include the client's failure to honor the terms of the engagement letter, the client's failure to pay amounts billed in a timely manner, the client's failure to cooperate or follow our advice on a material matter, or any fact or circumstance that would, in our view, impair an effective attorney-client relationship or would render our continuing representation unlawful or unethical. If we elect to do so, the client will take all steps necessary to free us of any obligation to perform further, including the execution of any documents (including forms for substitution of counsel) necessary to complete our withdrawal, and we will be entitled to be paid for all services rendered and disbursements and other charges made or incurred on behalf of the client prior to the date of withdrawal.