

AGENDA

MONDAY, AUGUST 29, 2016 in Village Board Room located @ 30 South 1st Street to consider:

6:30 p.m. Call to Order
Roll Call
Pledge of Allegiance
Public Participation
Communications

Old Business

None

New Business

Adopt Resolution 8.4-2016 – Loan Extension for Shallbetter Properties, LLC. 2011 IDB Loan
Adopt Amendment to Title 9, Chapter 1, Section 96 of the Village of Winneconne Zoning Code.

Repeal of 9-1-96 Animal Feed Yards, Animal Sales Yards, Commercial Kennels for Dogs or Cats, Riding Academies and Public Stables.

Adjourn to next Village Board Meeting.

Winneconne Municipal Center is accessible to the physically disadvantaged. If special accommodations are necessary, please contact the Village Clerk/Treasurer at (920) 582-4381 and we will make every effort to accommodate the request.

The Village of Winneconne Plan Commission will hold a **Public Hearing** on **August 29th, 2016 at 6:00 p.m.** at the Winneconne Municipal Center on the proposed repeal of the following sections of the Village of Winneconne Zoning Code :

Sec. 9-1-96 Animal Feed Yards, Animal Sales Yards, Commercial Kennels for Dogs or Cats, Riding Academies and Public Stables.

Animal feed yards, animal sales yards, commercial kennels for dogs or cats, riding academies and public stables shall be located no closer than two hundred (200) feet from any property line, shall provide automobile and truck egress, shall provide parking and loading spaces, so designed as to minimize traffic hazard and congestion, Proponent shall show that no odor, dust, noise, drainage shall constitute a nuisance or a hazard to adjoining property or uses.

This ordinance currently applies to all Zoning Districts in the Village of Winneconne.

Interested parties may express their opinions at the Public Hearing, or if unable to attend, submit a written notarized statement to the Village Offices, P.O. Box 488, Winneconne, WI 54986 prior to the hearing date.

Jacquie Stelzner
Plan Commission, Secretary

RESOLUTION 8.4-2016
LOAN EXTENSION FOR SHALLBETTER PROPERTIES, LLC
2011 IDB LOAN

WHEREAS, the Village of Winneconne entered into a loan agreement with Shallbetter Properties, L.L.C., Switchgear Power Systems, LLC, and Gregory Shallbetter as of August 24, 2011 (the "Loan Agreement"); and

WHEREAS, Shallbetter Properties, L.L.C., Switchgear Power Systems, LLC, and/or Gregory Shallbetter all individually or cooperatively entered into the following agreements with the Village of Winneconne pursuant to the Loan Agreement (the "Related Documents"):

- Amendment to Real Estate Mortgage, Collateral Pledge Agreement and Leasehold Improvement and Fixture Disclaimer; Shallbetter Properties LLC, Switchgear Power Systems, LLC and Gregory Shallbetter
- Promissory Note for \$600,000 amortized over 20 years at a rate of 2.599% (which represents the rate on the 2011 County Note plus 1%); Shallbetter Properties LLC
- Personal Guaranty; Gregory Shallbetter

WHEREAS, the Village of Winneconne, in accordance with the Loan Agreement and Related Documents, dispersed loan funds in the amount of Six Hundred Thousand and no/100 dollars (\$600,000.00) to Shallbetter Properties, L.L.C. (the "2011 Shallbetter Loan"); and

WHEREAS, Shallbetter Properties, L.L.C. has been timely and compliant with regard to its obligations under the Loan Agreement and Related Documents, including, making timely monthly principal and interest payments of \$3,208.43 each month; and

WHEREAS, the 2011 Shallbetter Loan has expired and became due in full to the Village for all principal and interest on September 1, 2016; and

WHEREAS, Shallbetter Properties LLC, Switchgear Power Systems LLC, and Gregory Shallbetter have requested the Village extend the 2011 Shallbetter Loan for an additional five (5) year period, subject to all of the obligations contained in the Loan Agreement and Related Documents; and

WHEREAS, to fund the 2011 Shallbetter Loan, the Village of Winneconne entered into a Promissory Note with the Winnebago County Board of Supervisors for \$600,000 under the Industrial Development Board loan program on or about August 24, 2011 (the "2011 County Note");

WHEREAS, the 2011 County Note has expired and principal in the amount of \$471,371.42 became due in full for all principal and interest on or about August 24, 2016; and

WHEREAS, the Village pledged its taxing authority to secure the 2011 County Note; and

WHEREAS, to grant the extension on the 2011 Shallbetter Loan, the Village must request the necessary approvals from the Winnebago County Board of Supervisors to extend the 2011 County Note with a remaining principal of \$471,371.42 for another five (5) year term. The extension to the 2011 County Note will bear interest at the 5-year treasury note rate plus 2.25%.

NOW, THEREFORE, BE IT RESOLVED the Village Board of Trustees for the Village of Winneconne, Wisconsin hereby authorizes the Village Administrator to request the necessary approvals from Winnebago County Board of Supervisors to extend the 2011 County Note with a remaining principal of \$471,371.42 for an additional five (5) years with interest on the extension and payment terms as set forth above; and, if such approval is granted from the County, the Village Board of Trustees hereby approves an extension of the 2011 Shallbetter Loan for an additional five (5) years at an interest rate of 1% above that being charged to the Village by the County for the extension and the payment terms as set forth in the 2011 Shallbetter Promissory Note, and subject to any other terms and conditions set forth in the Loan Agreement and Related Documents;

AND, The Village Board of Trustees for the Village of Winneconne is hereby authorized to pledge its taxing authority as security for the extension to the 2011 County Note;

AND, The Village Board of Trustees for Winneconne, Wisconsin hereby authorizes the Village President, Clerk, Attorney and Village Administrator to take such actions set forth herein and to execute any and all documents required to fulfill the Village commitments contained in this resolution.

Adopted at Winneconne, Wisconsin this 29th day of August, 2016, by a vote of the Village Board of Trustees ___ in favor, ___ opposed, and ___ abstain.

John A. Rogers
Village of Winneconne President

Jacquie Stelzner
Village Clerk-Treasurer