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**ORDINANCE NO. 2016-07****Ordinance to Create Section 58.140 of the Municipal Code of the Village of Pewaukee  
Relating to the Administration of Finances for Laimon Family Lakeside Park**

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WHEREAS, the Village has purchased property at 129 Park Avenue for the purpose of operating a boat launch facility, fueling station and Village Park; and

WHEREAS, as part of the acquisition of said lands, the Village received a donation from the Laimon Family; and

WHEREAS, the Village intends to lease both the residential property on said site, as well as the commercial property, which operator will manage the selling of fuel and collecting boat launch fees. Etc.; and

WHEREAS, the Village has also entered into Boat Slip Agreements with various parties for seasonal use of boat slips at said Park, as well as for storage of boat lifts off season; and

WHEREAS, it is the Village's expectation that the operations of the Laimon Family Lakeside Park will be self-sustaining; and

WHEREAS, the Board is desirous of setting forth rules and policies for the financial administration of Laimon Family Lakeside Park.

NOW, THEREFORE, the Village Board of the Village of Pewaukee, Waukesha County, Wisconsin, do ordain as follows:

**SECTION I**

Section 58.140 of the Municipal Code of the Village of Pewaukee is hereby created to read as follows:

**Sec. 58.140 – Laimon Family Lakeside Park – Administration of Finances****(a) General Organization.**

In accordance with Article 2 of this Chapter, the Village hereby authorizes the Joint Park and Recreation Department to administer and operate Laimon Family Lakeside Park, which operations shall be overseen by the Joint Park and Recreation Board and the Village Board of the Village of Pewaukee in accordance with the terms of this Ordinance.

(b) Laimon Park Fund.

(1) Revenues. There is hereby established a Laimon Park Fund to which all revenues from the operation of Laimon Family Lakeside Park shall be deposited, including, but not limited to, lease revenues; fuel sale revenues; boat launch revenues; and any other revenues related to the operation of said Park.

(2) Expenses. From said Park Fund shall be paid the expenses of the operation of the Park, which expenses shall be paid in the following order:

- a. Payment of the mortgage for the acquisition of the Park;
- b. Annual operating expenses of the Park, including but not limited to, maintenance expenses of the Park; fuel purchases; and insurance expenses for the Park; and
- c. Payments to the Village in lieu of real estate tax payments, which the Village would have received had this property remained under private ownership. Said real estate tax reimbursement shall be calculated annually based upon the projected assessed value of the property had the property been taxable, multiplied by the mill rate solely for Village operations. The projected assessed value needs to be requested in writing from the Village's Statutory Assessor;
- d. Capital Improvement Plan Funding; and
- e. Additional expenses may be paid from the Laimon Park Fund within the discretion of the Joint Park and Recreation Board.

(c) Maintenance.

The Joint Park and Recreation Board will maintain the Laimon Family Lakeside Park so as to protect the Village's capital investment and to minimize future maintenance and replacement costs. The Joint Park and Recreation Board will further project its equipment replacement and maintenance needs for the next five years and will annually update this projection. From this projection, a maintenance and replacement schedule will be developed and followed.

(d) Capital Budget.

The Joint Park and Recreation Board shall annually establish a capital improvement plan for the Laimon Family Lakeside Park. For purposes of this plan and the resulting capital budget, capital assets shall include those assets with a life expectancy of not less than five years and with a cost of more than \$5,000.00. Said plan shall be incorporated into a five year capital budget for the park which also shall be updated annually. Village Board approval shall be required for any purchases that are a part of the capital budget.

(e) Annual Operating Budget.

The Joint Park and Recreation Board shall establish annual operating budget for the Laimon Family Lakeside Park and disbursements from the Laimon Park Fund shall be made in accordance with said budget, unless approved by the Joint Park and Recreation Board on a two-thirds vote.

- (f) Reporting Responsibilities.  
The Joint Park and Recreation Board shall provide annually to the Village Board a report noting the balance in the Laimon Park General Fund, as well as the Laimon Park Donation Fund, a copy of the annual budget, as well as the five year projected capital budget.
- (g) Laimon Park Donation Fund.  
There shall be established a Laimon Park Donation Fund in which fund shall be deposited the donation received from the Laimon Family, as well as any other donations which may be made for the operation of the Park in the future. The funds deposited in the Laimon Park Donation Fund shall be used solely for capital expenditures related to the Laimon Family Lakeside Park and in accordance with the terms of the donation from the Laimon Family. Disbursements may be made from the Laimon Park Donation Fund for other than capital purposes, but only if not less than a two-thirds majority of the entire Park and Recreation Board approves such expenditure.
- (h) The Joint Park and Recreation Board shall not be permitted to engage in borrowing for the general operations or capital improvements of the Laimon Family Lakeside Park without the approval of the Pewaukee Village Board. Under no circumstances will borrowing be used for current operations.
- (i) All funds that are established hereunder or which relate to the operations of Laimon Family Lakeside Park shall be deposited, vested and managed in accordance with the rules and policies of the Village of Pewaukee.
- (j) The books and records of the Joint Park and Recreation Board with respect to the operation of Laimon Family Lakeside Park shall be maintained in accordance with National Committee on Government Accounting, as well as other provisions of State Law.
- (k) Regular monthly interim financial statements will be prepared to present a summary of financial activity of the operations of the Park. Appropriate systems of internal control will be maintained to provide reasonable safeguarding of assets and reliability of financial records.
- (l) Funds established and maintained hereunder shall be subject to annual audit by the Village of Pewaukee's auditors. The expense for which shall be an operating expense of Laimon Family Lakeside Park.
- (m) The Joint Park and Recreation Board and Joint Park and Recreation Department shall follow the policies of the Village of Pewaukee with respect to procurement of goods and services for operations of the Laimon Family Lakeside Park. Cooperative purchasing or purchasing through the obtaining of multiple bids is encouraged. Sole purchase may be made without competition, but only when authorized by the Joint Park Recreation Board. Disposal of obsolete supplies or equipment shall be

managed in accordance with the procedures of the Village of Pewaukee and the proceeds of such sales shall be deposited to the Laimon Park Fund.

(n) Modification.

This Ordinance section may only be modified by the Village Board of the Village of Pewaukee with not less than a two-thirds majority of all members of the Village Board.

## SECTION II

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

## SECTION III

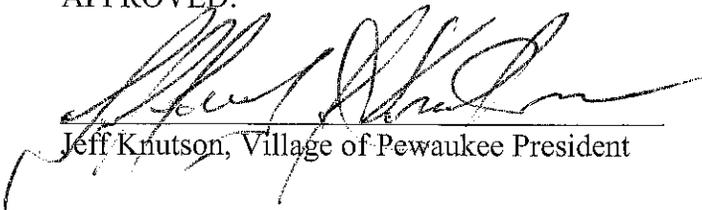
The several sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

## SECTION IV

This ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Pewaukee, and shall indicate the date and number of this amending ordinance therein.

Passed and adopted this 7<sup>th</sup> day of April 2016 by the Village Board of the Village of Pewaukee.

APPROVED:

  
Jeff Knutson, Village of Pewaukee President

Countersigned:

  
Chaz Schumacher,  
Village of Pewaukee Clerk