

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION February 14, 2017 at 6:20 p.m. with Mayor Nellie Pater presiding. (Quorum requirement not met until 6:20 p.m.)

Following the Pledge of Allegiance, roll call was taken with Eric Prise, Lamont Kiefer, Wayne Kling, Larry Siekert (arrived at 6:20 p.m.), Mary Ann Komiskey, and Luke Bohlen present. Absent: Chris King and Mike Murray. Also in attendance: City Administrator Roger Gorius, City Attorney Penny Precour-Berry, and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

Motion by Kiefer, second by Siekert to adjourn to closed session pursuant to State Statute 19.85(1) (c) and (e) to confer with Legal Counsel with respect to appointment of Ambulance Director and establishing wage and benefit package, employee evaluations, and purchase of public property. Motion passed without negative vote. Meeting adjourned to closed session at 6:23 p.m. Meeting reconvened 7:28 p.m.

Anyone Desiring to Appear Before the City Council. Ken Gorski got up to speak and was advised to wait until the agenda item discussion later in the meeting.

Minutes. Motion by Prise second by Bohlen to approve the minutes of the January 10, 2017 regular Common Council meeting as presented. Motion passed without negative vote.

Mayor's Report. No report.

City Administrator/Long Range Planning Committee. City Administrator Gorius provided an administrative staff report and advised the City will be receiving a one-time impact fee of \$63,109 and thereafter an annual distribution of \$7,573 from the American Transmission Company/Xcel Energy for the connection of Badger Coulee Project taking electrical lines from just south of Madison into La Crosse. The City has extended the use of Bloyer Field for a helicopter that will be used by the American Transmission Company/Xcel Energy. They will be using helicopters to string the transmission wire in the future. Heather Daly has been named interim Ambulance Director due to the retirement of Director Allen. Interviews were held on Monday, February 13th. The TeePee structure has been demolished during the last month and construction of a new structure is scheduled to begin later this year. The Monroe County Economic Conference will be held next week.

Distinguished Service Resolution – Jody Allen. City Clerk Cram read the Resolution recognizing Jody Allen for distinguished service as she retires from the City of Tomah.

Motion by Prise, second by Siekert to approve **Resolution No. 2017-02-14-03** in recognition of Jody Allen in faithful service to the City of Tomah Ambulance Department. Motion passed without negative vote.

RESOLUTION NO. 2017-02-14-03
RESOLUTION IN RECOGNITION OF JODY ALLEN IN FAITHFUL SERVICE
TO THE CITY OF TOMAH AMBULANCE DEPARTMENT
1989-2017

WHEREAS, However effective government may be in serving the needs of its citizens, the soul of our city and its' vitality as a place to live and work depend on the relationship of families, friends, neighbors and co-workers, and

WHEREAS, Jody Allen has committed herself to faithfully serving the citizens of Tomah from 1989 to 2017 in exemplary service to the Tomah Ambulance Service, and

WHEREAS, Jody Allen began her career with the Tomah Ambulance Service on October 31, 1989 as a part time office manager. Mrs. Allen performed her duties with exception and on January 15, 1991 was promoted to full time Office Manager. Jody took her duties to heart and continued to learn and familiarize herself with the various duties and obligations of both her managerial duties and those of the Director. On January 29, 2007 Jody Allen was named as the Director of the Tomah Ambulance Department by the Tomah City Council.

Jody would go on to serve the City as Director for ten years. During her tenure Director Allen strengthened relations with Tomah Memorial Hospital utilizing nursing staff as ambulance transport personnel. Her involvement in the Emergency Medical Technician program brought a new level of coverage to the City and as it grew the department grew with it continuing to provide outstanding service to the citizens of Tomah.

Evolving with changing State regulations Director Allen took the initiative to begin researching a Paramedic Training Program for Tomah Ambulance. Under Jody's direction, and working with other City officials, Jody launched the Paramedic Program by providing tuition reimbursement for all successful candidates completing the course in exchange for a two year commitment to the City of Tomah. The result is that today Tomah is a fully staffed professionally trained Paramedic Service and an example to other ambulance services in surrounding communities. Due to her initiative, drive and commitment Director Allen has earned a reputation state wide in her field as a tireless advocate of her department and her City. This has earned Jody the respect and admiration of her fellow professionals, members of the paramedic community, her Mayor, the City Council, the City Administrator and her many coworkers and friends. Her thoughtfulness and commitment to all of Tomah will be greatly missed, and

WHEREAS, In appreciation for such dedication and service to our Community upon her taking leave as Ambulance Director for the City of Tomah the following is submitted to record;

NOW THEREFORE, BE IT RESOLVED, that as Mayor on behalf of The City of Tomah, I commend Jody for her outstanding contribution to our community. The Common Council of the City of Tomah does hereby express its sincere appreciation and thanks to Jody for 28 years of dedication and service to the citizens of the City of Tomah and extends its best wishes for her health and happiness in the future. Dated this 14th day of February, 2017

Nellie Pater, Mayor

ATTEST: JoAnn M. Cram, City Clerk

City Administrator Award of Excellence Resolution

City Administrator Gorius read the Resolution awarding Municipal Court Clerk Janice Nicholson the City Administrator's Award of Excellence for 2017.

Motion by Kiefer, second by Bohlen to approve **Resolution No. 2017-02-14-04** regarding the City Administrator's 2017 Award of Excellence for Janice Nicholson, Municipal Court Clerk. Motion passed without negative vote.

RESOLUTION NO. 2017-02-14-04
CITY ADMINISTRATORS AWARD OF EXCELLENCE

WHEREAS, However effective government may be in serving the needs of its citizens, the soul of our city and its' vitality as a place to live and work depend on the relationship of families, friends, neighbors and co-workers, and

WHEREAS, Janice Nicholson has worked in the City of Tomah since her date of hire on December 31, 2005 to the present. In her role, working with the Municipal Court System for Tomah, Janice is integral in keeping records, collecting monies in fines, coordinating court dates and informing witnesses and officers as well as City legal counsel of appearance dates and evidence requirements. Mrs. Nicholson performs these and numerous other duties within her department with enthusiasm and interest that reflects a positive and proficient image of our Municipal Court System. Janice is involved in matters of ruling by Municipal Judge Flock and coordinates and implements agendas for the Judge as well as assists our City Attorneys and other private citizens and legal counsel involved in cases as well.

An area, of particular note where Mrs. Nicholson excels at, is her endless ability to perform at a level of excellence in her own role while always being willing to step up to the plate to assist her fellow City Hall staff. Janice can often be seen working with our Treasures office to coordinate fines, lend a hand in preparing tax statements for mailing or just something as simple as providing a break for lunch when we are short staffed. An area Janice should be commended for is her commitment and involvement in the 2016 election process. Understanding the overwhelming complexity that this particular election brought to our staff Janice stepped in and assisted at the counter helping with registration and voter questions freeing other staff to attend to the polls. This and numerous other exhibitions of selflessness such as staying late and helping print off payroll, contributing to staff retirement functions or just providing words of support on those days when they are most needed deserve recognition for excellence.

WHEREAS, NOW THEREFORE, BE IT RESOLVED, that as City Administrator of the City of Tomah, and on behalf of our City, we commend Janice for her outstanding contribution to others and to our community and present her with the 2017 City Administrators Award for Excellence. The Common Council of the City of Tomah does hereby express its sincere appreciation to Janice for her continued service and commitment to our City and her unending contribution to her fellow coworkers. Dated this 14th day of February, 2017.

Nellie Pater, Mayor

ATTEST:

JoAnn Cram, City Clerk

Request for Financial Support of the Boys & Girls Club. Board President Cindy Zahrte appeared before the Council requesting financial support for the Boys & Girls Club. Various members of the Board of the Boys and Girls Club were also present. The Board is working hard on providing solvency for the Boys and Girls Club and each year work toward raising \$250,000. They are asking the City to put into the Budget an annual contribution of \$5,000 to keep the club running. The club helps our youth to become stronger and more resilient. More detailed club financial information was requested.

Tomah Area School District Update – Superintendent Cindy Zahrte. Ms. Zahrte advised that the School District was able to decrease the levy even though a referendum had been passed. The School District will be implementing year round school at the Lemonweir Elementary School beginning in the 2017/2018 school year. Ms. Zahrte thanked Gerke Construction who sponsored the Pledge of Allegiance programming on WKBT. Fifty years ago, the first open house was held at Tomah High School and the first graduating class graduated from the high school. They will be rolling out a Distinguished Alumni Program. Applications will be available May 7th to recommend alumni for induction into the Distinguished Alumni Program.

Request by Becky Ladd for Building Use at Recreation Park. Chasing Daylights is sponsoring a spay/neuter and release program for feral cats. The animals will need to be housed for a period after the procedure and after clearance by the vets, the animals will be released in the area where they were initially trapped. Veterinarians will volunteer services to perform surgery. They are requesting the use of the Recreation Building North Hall. It is the recommendation of the Parks and Recreation Commission to allow the use of the building for the clinic.

Motion by Prise, second by Kiefer to authorize the use of the Recreation Building North Hall for the spay/neuter and release program for feral cats sponsored by Chasing Daylight the week of February 20th. Motion passed without negative vote.

City Clerk. 1. The February Election will be held Tuesday, Feb. 21, 2017 in the Council Chambers for Superintendent of Public Instruction. Ballots for the April 4th Election will be available by the first week of March. There is still a vacancy in District 3 (Wards 7,8,17, & 20). Interior inspections for revaluation are winding down. Notices of valuation changes are anticipated to be mailed out around June 20th. Open Book is tentatively scheduled for July 10-14 and Board of Review is tentatively scheduled for July 20th. The assessor staff will be leaving door hangars at homes that have not had the interior inspections conducted. They will be doing outside work at those residences as they move around the city with the door hangars. However, if the assessor's are not allowed into the residence, property owners cannot use the avenue of Board of Review if they don't agree with the doomaged valuation.

Library Report. – Library Director Irma Keller advised various circulation statistics. The Baby Time program continues to grow. The Library will be starting “A Blind Date with a Book” program in April. There is craft night once a month for adults in addition to adult movie night.

Convention and Visitors Bureau/Chamber of Commerce. Executive Director Tina Thompson advised the annual banquet is February 27th. A position was developed regarding a special events coordinator who has been selected and will start on February 20th. Several camera crews will be out over the course of the next year as filming is done on several events.

Tomah Public Housing and Community Development Block Grant Monthly Report. A written report was provided by Dir. Muehlenkamp. Dir. Muehlenkamp advised that 2016 was a successful year. The elevator work at the Manor will start in March and the elevator will be down 4-6 weeks.

Senior and Disabled Services Report- Sr. & Disabled Services Director Delia Duncan advised the Sr. Center is doing well.

Treasurer’s Cash and Investment Reports for January. Motion by Prise, second by Kiefer to accept the cash and investment reports for January. Motion passed without negative vote.

Review and Approval of Youth Training & Community Development Project Agreement Between the City of Tomah and Tomah Area School District. The CDBG Program & Committee has been working with the Tomah Area School District to develop a partnership in which the CDBG Dept. with use of CDBG Federal Home Rehab funds would acquire a property lot that would be the worksite/living laboratory for youth participating in the Tomah Area School District Building Trades Program. They would help construct a single family and/or multi-family residential dwelling. The CDBG Federal Home Rehab fund balance as of 12/31/2016 is \$158,556.97. Concern was voiced that the agreement leaves open the possibility that students could file a claim against the City as they are not parties to the agreement. At this time, this concern is to be addressed in the agreement. The CDBG Committee has recommended the City Council approve the Youth Training & Community Development Project Agreement between the City of Tomah and the Tomah Area School District and authorize proceeding with execution of the agreement. Any work that cannot be done by the students will be contracted out.

Motion by Prise, second by Kiefer to approve the Youth Training & Community Development Project Agreement between the City of Tomah and the Tomah Area School District and authorize proceeding with execution of the agreement with Mayor and City Clerk signing the documents. Motion passed without negative vote.

Conditional Use Permit as Requested by Roy Burkhalter to Operate a Home Business from his Residence at 317 Glenview Drive. Based on review, the Planning Commission recommends approving the Conditional Use Permit for the internet home-based FFL business with conditions.

Motion by Komiskey, second by Prise to approve the Conditional Use Permit as requested by Roy Burkhalter to operate an Internet home-based FFL business from his residence at 317 Glenview Drive with the following conditions: 1) No commercial signage allowed on the premise. 2) Limit the hours of operation for conducting business on site to 3-7 p.m. on Wednesdays and Fridays. 3) Annual review by the Planning Commission to ensure compliance. Motion passed without negative vote.

Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$2,975,000 for Community Development Projects in Tax Incremental District No. 8. TID 8 expenditures under this debt issuance would be \$1,785,000 for the Southeast Water Main Loop, \$675,000 TID Professional Services and land purchase expenses, \$300,000 for a Kiosk – Park Project, and \$150,000 for costs related to a downtown parking lot.

Motion by Prise, second by Kiefer to approve **Resolution No. 2017-02-14-05** authorizing General Obligation Bonds in an amount not to exceed \$2,975,000 for community development projects in Tax Incremental District No. 8. Motion passed with one negative vote (Komiskey).

**Resolution No. 2017-02-14-05
INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS
IN AN AMOUNT NOT TO EXCEED \$2,975,000 FOR COMMUNITY DEVELOPMENT PROJECTS
IN TAX INCREMENTAL DISTRICT NO. 8**

RESOLVED that the City of Tomah, Monroe County, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$2,975,000 for the public purpose of providing financial assistance to community development projects under Section 66.1105, Wisconsin Statutes, by paying project costs of the City’s Tax Incremental District No. 8.

Adopted, approved and recorded February 14, 2017. CITY OF TOMAH
Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Initial Resolution Authorizing \$540,000 General Obligation Bonds for Water System Projects.
Water System Project costs are for McLean Avenue and Hospital Area Utilities North.

Motion by Bohlen, second by Prise to approve **Resolution No. 2017-02-14-06** the Initial Resolution authorizing \$540,000 General Obligation Bonds for Water System Projects. Motion passed without negative vote.

Resolution No. 2017-02-14-06
INITIAL RESOLUTION AUTHORIZING \$540,000 GENERAL OBLIGATION BONDS
FOR WATER SYSTEM PROJECTS

RESOLVED that the City of Tomah, Monroe County, Wisconsin, borrow an amount not to exceed \$540,000 by issuing its general obligation bonds for the public purpose of financing water system projects. Adopted, approved and recorded February 14, 2017. CITY OF TOMAH

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Initial Resolution Authorizing \$1,050,000 General Obligation Bonds for Sewerage Projects.
Sewerage costs include Hospital area utilities North and South as well as McLean Avenue.

Motion by Bohlen, second by Kiefer to approve **Resolution No. 2017-02-14-07** the initial Resolution authorizing \$1,050,000 General Obligation Bonds for sewerage projects. Motion passed without negative vote.

Resolution No. 2017-02-14-07
INITIAL RESOLUTION AUTHORIZING \$1,050,000 GENERAL OBLIGATION BONDS
FOR SEWERAGE PROJECTS

RESOLVED that the City of Tomah, Monroe County, Wisconsin, borrow an amount not to exceed \$1,050,000 by issuing its general obligation bonds for the public purpose of financing sewerage projects. Adopted, approved and recorded February 14, 2017. CITY OF TOMAH

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Initial Resolution Authorizing \$965,000 General Obligation Bonds for Street Improvement Projects.

Motion by Bohlen, second by Kiefer to approve **Resolution No. 2017-02-14-08** the initial Resolution authorizing \$965,000 General Obligation Bonds for street improvement projects. Motion passed without negative vote.

Resolution No. 2017-02-14-08
INITIAL RESOLUTION AUTHORIZING \$965,000 GENERAL OBLIGATION BONDS
FOR STREET IMPROVEMENT PROJECTS

RESOLVED that the City of Tomah, Monroe County, Wisconsin, borrow an amount not to exceed \$965,000 by issuing its general obligation bonds for the public purpose of financing street improvement projects. Adopted, approved and recorded February 14, 2017. CITY OF TOMAH

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Initial Resolution Authorizing \$265,000 General Obligation Bonds for Parks and Public Grounds Projects.

Motion by Siekert, second by Kling to approve **Resolution No. 2017-02-14-09** the initial Resolution authorizing \$265,000 General Obligation Bonds for parks and public grounds projects. Motion passed without negative vote.

Resolution No. 2017-02-14-09
INITIAL RESOLUTION AUTHORIZING \$265,000 GENERAL OBLIGATION BONDS
FOR PARKS AND PUBLIC GROUNDS PROJECTS

RESOLVED that the City of Tomah, Monroe County, Wisconsin, borrow an amount not to exceed \$265,000 by issuing its general obligation bonds for the public purpose of financing parks and public grounds projects. Adopted, approved and recorded February 14, 2017. CITY OF TOMAH

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Initial Resolution Authorizing \$585,000 General Obligation Bonds for Fire Department Equipment. These funds would be used for the purchase of a new fire truck and SCBA equipment.

Motion by Siekert, second by Kiefer to approve **Resolution No. 2017-02-14-10** the initial Resolution authorizing \$585,000 General Obligation Bonds for fire department equipment. Motion passed without negative vote.

Resolution No. 2017-02-14-10
INITIAL RESOLUTION AUTHORIZING \$585,000 GENERAL OBLIGATION BONDS
FOR FIRE DEPARTMENT EQUIPMENT

RESOLVED that the City of Tomah, Monroe County, Wisconsin, borrow an amount not to exceed \$585,000 by issuing its general obligation bonds for the public purpose of financing the acquisition of equipment for the fire department. Adopted, approved and recorded February 14, 2017. CITY OF TOMAH

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Resolution Directing Publication of Notice to Electors. Publication needs to be done regarding the authorization of the general bonds within 15 days of the Council meeting.

Motion by Siekert, second by Kiefer to approve **Resolution No. 2017-02-14-11** the initial resolution directing the publication of notice to the electors regarding the authorization to proceed with the general obligation bonds. Motion passed without negative vote.

**Resolution No. 2017-02-14-11
RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS**

WHEREAS initial resolutions authorizing general obligation bonds have been adopted by the Common Council of the City of Tomah, Wisconsin ("City") and it is now necessary that said initial resolutions be published to afford notice to the residents of the City of their adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto as Exhibit A in the official City newspaper as a class 1 notice under ch. 985, Wis. Stats. Adopted, approved and recorded February 14, 2017.

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Resolution Providing for the Sale of \$6,380,000 General Obligation Corporate Purpose Bonds. The above listed resolutions combine for a total of \$6,380,000. Alderperson Komiskey advised she is in favor of the bonds less the \$2,975,000 for TID 8.

Motion by Siekert, second by Prise to approve **Resolution No. 2017-02-14-12** providing for the sale of \$6,380,000 General Obligation Corporate Purpose Bonds. Motion passed without negative vote.

**Resolution No. 2017-02-14-12
RESOLUTION PROVIDING FOR THE SALE OF \$6,380,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS**

WHEREAS the Common Council of the City of Tomah, Monroe County, Wisconsin (the "City") has adopted initial resolutions authorizing the issuance of general obligation bonds for the following public purposes and in the following amounts:

- \$2,975,000 to finance community development projects in Tax Incremental District No. 8;
- \$540,000 to finance water system projects;
- \$1,050,000 to finance sewerage projects;
- \$965,000 to finance street improvement projects;
- \$265,000 to finance parks and public grounds projects; and
- \$585,000 to finance fire department equipment.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Combination of Issues. The issues referred to in the preamble hereof are hereby combined into one issue of bonds designated "General Obligation Corporate Purpose Bonds" (the "Bonds") and the City shall issue the Bonds in an amount not to exceed \$6,380,000 for the purposes above specified.

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

Section 3. Notice of Bond Sale. The City Clerk be and hereby is directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the City Clerk may determine and to cause copies of a complete, official Notice of Bond Sale and other pertinent data to be forwarded to interested bidders as the City Clerk may determine.

Section 4. Official Statement. The City Clerk shall cause an Official Statement concerning this issue to be prepared by Ehlers & Associates, Inc. The appropriate City 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.

Adopted, approved and recorded February 14, 2017.

Nellie Pater, Mayor

CITY OF TOMAH

JoAnn M. Cram, City Clerk

Bartender Licenses

Motion by Kling, second by Siekert to approve the bartender's licenses as listed. Motion passed without negative vote. Bartender licenses approved as follows: Cassandra J. Kiel.

Special Beer Permit for Queen of the Apostles Church – Mardi Gras Dance and Social on February 25, 2017 at 303 W Monroe Street. Motion by Kling, second by Kiefer to approve the temporary "Class B" beer License for Queen of the Apostles Parish for the Mardi Gras Dance and Social on February 25, 2017. Motion passed without negative vote.

Special Beer Permit for Families First of Monroe County, Inc. – 7th Annual Trivia Night Event on March 11, 2017 at Recreation Park Recreation Building Main Hall.

Motion by Kling, second by Siekert to approve the temporary "Class B" Beer License for Families First of Monroe County, Inc. for the 7th Annual Trivia Night Event on March 11, 2017 at Recreation Park Recreation Building Main Hall. Motion passed without negative vote.

2016 Budget Amendment – Acceptance of \$100 Donation in Acct. G-48500 Grants and Donations from the Knights of Columbus. Motion by Kling, second by Kiefer to approve the 2016 Budget Amendment accepting the \$100 donation in Account G-48500 Grants and Donations which was received from the Knights of Columbus. Motion passed without negative vote.

2017 Budget Amendment – Acceptance of \$500 Donation in Acct. G-48500 Grants and Donations from an Anonymous Donor

Motion by Komiskey, second by Kiefer to approve the 2017 Budget Amendment accepting the \$500 donation in Account G-48500 Grants and Donations from an anonymous donor. Motion passed without negative vote.

Disposition of Surplus City Property and the Use of Revenue from the Same. At this time, there are outdated pieces of fitness equipment in the Police Department. Surplus city property may be disposed of by public auction, sale by sealed bid, or negotiated sale.

Motion by Komiskey, second by Kiefer to authorize the Police Dept. to dispose of the outdated fitness equipment by sale and/or auction and allow the proceeds from the sales to be used for the purchase of other fitness equipment. Motion passed without negative vote.

Report on Annual Fire Department Fund Audit. The City Treasurer is required to audit the Fire Dept. funds. This has been done for their 2016 records and the books have been found in good order. No unusual activity was found.

Motion by Komiskey, second by Prise to approve the Fire Department annual report as presented. Motion passed without negative vote.

Modification to Bond Schedule for Municipal Ordinance 9-134.66 – Sale or Gift of Nicotine or Tobacco Products to a Juvenile which adopts WI State Statute 134.66. City of Tomah Ordinance 28-19 adopted Wisconsin Statute 134.66 which regulates the sale of nicotine or tobacco products to juveniles. This process allows for violations to be referred through Municipal Court rather than Circuit Court. However, when this occurred, it does not appear as though the City modified the City of Tomah Bond Schedule to include a fine/forfeiture for this violation.

Motion by Komiskey, second by Kiefer to modify the City of Tomah Bond Schedule so that a person found guilty of selling tobacco or nicotine products to a juvenile would be fined \$124 for the first offense and \$155.50 for the second and subsequent offenses. Motion passed without negative vote.

Revision of Ambulance Director Job Description. It is requested that item number 1 of the current job description be removed as this is a salaried exempt managerial position.

Motion by Prise, second by Siekert to approve the revised Ambulance Director job description as presented. Motion passed without negative vote.

Amendment to Scope of Services – MSA Professional Services. In reviewing the Downtown Information Center project with Public Works, it was decided to have MSA work up a cost analysis for an amendment to the scope of services previously provided for the project. In light of significant cost reduction through the use of City employees in the demolition and preparation stage it was requested that MSA provide costs for overseeing the design, bid, and construction phases of the project.

Motion by Prise, second by Kiefer to approve the amendment to the Scope of Services for MSA and authorize MSA to oversee the design, bid, and construction phase of the Downtown Information Center. Motion passed with one negative vote (Komiskey).

Ordinance Amending Section 12-61 - Sales of Certain Goods Restricted, Section 12-67 - Display of Registration, Section 12-68 – Location, and Section 12-69 – Hours of Operation of the City of Tomah Municipal Code Regarding Farmers’ Market. The Chamber and Convention & Visitor’s Bureau would like to provide marketing and assist in the management of the Farmers Market. Several ordinance amendments were requested regarding the goods that are allowed to be sold, organic items, location of overflow of sellers, and set up times.

Motion by Prise, second by Kiefer to waive the first verbatim reading of the ordinance amending Section 12-61 – Sales of Certain Goods Restricted, Section 12-67 – Display of Registration, Section 12-68 – Location, and Section 12-69 – Hours of Operation regarding the Farmers Market as presented. Motion passed without negative vote.

Ordinance Amending Section 30-34 – Hours of Operation of the City of Tomah Municipal Code Regarding Parks, Playgrounds and Public Swimming Pools (Access to Lake Tomah). The Ordinance Amending Section 30-34 allows access to Lake Tomah through the park after 11 p.m. when the park is officially closed. Signage will be reviewed to determine if language modifications are needed to accommodate the change.

Motion by Prise, second by Kiefer to waive the first verbatim reading of the ordinance amending Section 30-34 – Hours of Operation Regarding Parks, Playgrounds, and Public Swimming Pools (Access to Lake Tomah) as presented. Motion passed without negative vote.

Ordinance Creating Sections 44-185 to 44-192 Regarding the Use of ATV/UTVs Within City Limits of Tomah. After lengthy discussion at the Committee of the Whole meeting, a motion and second were made to recommend the Common Council adopt the ordinance, however, the motion did

not pass. Alderperson Kiefer advised at Council that he would like to change his position on this as he wanted to make sure that the ordinance be given time for the public to comment.

Motion by Kiefer, second by Prise to waive the first verbatim reading of the ordinance and continue forward with the ATV/UTV. Ayes: Siekert, Kiefer and Prise and Opposed were Bohlen, Komiskey and Kling. Mayor Pater broke the tie with a nay vote. Motion does not pass.

Approval of Lease Agreement Between City of Tomah and Fairway Outdoor Advertising. The City recently purchased the Cindy Loendorf property at 25097 Grain Avenue in Tomah. Ms. Loendorf had a lease agreement with Fairway Outdoor Advertising for a billboard structure. Attorney Radcliffe has provided documentation indicating the lease agreement for the sign has been amended to reflect the City of Tomah as the current lessor and the \$700 lease payment will be coming to the City of Tomah effective March 1, 2017.

Motion by Kiefer, second by Prise to approve the lease agreement between the City of Tomah and Fairway Outdoor Advertising for the billboard sign located at 25097 Grain Avenue in the City of Tomah with a lease payment of \$700 payable to the City of Tomah effective March 1, 2017. Motion passed without negative vote.

Update for Service Charges and Regulatory Fees Resolution for Special Assessment and Tax Search Fees. The treasurer's office spends a considerable amount of time fielding requests from title companies to check our records to see if there are outstanding special assessments, water and sewer bills, deferred assessments, flood plain classification, and real estate tax payment status throughout the year. Often these requests come in where the information is needed for a closing on the same day or the next day which doesn't give us adequate time to process the request. It is requested that the Service Charges and Regulatory Fees Resolution be amended to increase the fee for a standard request to \$25 and a rush request fee of \$35.

Motion by Kiefer, second by Kling to approve **Resolution 2017-02-14-13** regarding Service Charges and Regulatory Fees increasing the charge for special assessment and tax search fees to \$25 for standard requests and \$35 for rush requests as presented. Motion passed without negative vote.

RESOLUTION NO. 2017-02-14-13
SERVICE CHARGES AND REGULATORY FEES RESOLUTION

WHEREAS, various service charges and regulatory fees have been added or amended in the Municipal Code, and changes have not been made to the existing resolution since January 1, 2015, and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Tomah that the following service charges and fees are hereby adopted:

Agent Fee, initial or change of agent \$10.00
Beer Wholesaler License \$25.00 per year [125.28(4)]*
Bowling Alley \$ 10.00 per alley
Business Permit \$15.00
Cabaret License \$55.00
Cigarette License \$50.00 [134.65(2b)]*
Class "A" Retail Liquor License \$400.00 per year or fraction thereof [125.51(2)(d)]*
"Class A" Retailers Fermented Malt Beverage License \$200.00 per year or fraction thereof [125.25(4)-no maximum or minimum fee]*
"Class B" Retail Liquor License \$500.00 per year or fraction thereof [125.51(3)(e)]*
Reserve "Class B" Liquor – Initial issuance fee \$10,000 plus annual "Class B" Liquor License fee. The \$10,000 is a onetime fee per establishment and location. Bona fide clubs and lodges existing in the state for at least 6 years that apply for a reserve "Class B" license are exempt from paying the initial issuance fee of \$10,000. (125.51(3)(e)2)*
"Class B" Retail Fermented Malt Beverage License \$100 per year or fraction thereof [125.26(4)]*
"Class C" Wine License \$100 per year or fraction thereof (125.51(3m))*
Coin Operated Machines \$20.00 per machine
Dance Permits \$20.00 per event
Dance Permits \$55.00 Annual License (Jan.-Dec.)
Dance Hall License \$30.00
Direct Seller's/Transient Merchant Registration \$30.00 Annual
Farmer's Market/Seller's Registration \$25.00 Annual
Fireworks Seller's Permit \$250.00 Annual Permit
Limousine License \$25.00 per year for the first limousine and \$20 per year for each additional limousine
Mobile Home Park License \$35.00 for each fifty spaces
Operator's License (Bartender) \$50.00 2-Yr. License expiring even years prorated down each 6 months to \$15 for a 6 Month License (\$50/\$30/\$20/\$15)
Pawnbroker License \$210 per year from January to December [134.71(11)]*
Provisional Operator's License (Bartender) \$15.00 [125.17]*
Publication Fee \$12.00
Roller Rink License \$60.00
Secondhand Article Dealer's License \$27.50 Annually from Jan.-Dec. [134.71(11)]*
Secondhand Jewelry Dealer's License \$30.00 Annually from Jan.-Dec. [134.71(11)]*
Secondhand Article Dealer Mall and Flea Market License - \$165 – Valid for 2 years from May 1 of odd #d years to April 30 of next odd #d year [134.71(11)]*
Special Assessment & Tax Search 5 business days \$25.00
Special Assessment & Tax Search Rush Request (12-24 hour turn around time) \$35.00
Taxicab License \$25.00 per year for the first taxicab and \$20 per year for each additional taxicab
Taxicab Driver's License \$25.00 1-Yr License expiring December 31st

Temporary Class "B" Beer License \$10.00 per event [125.26]*
Weights and Measures License \$25.00 Annually (July 1-June 30)

*Fees governed by Wisconsin State Statute. Dated this 14th day of February, 2017. Effective February 15, 2017.
Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Options and Scenarios from Committee of the Whole Ad Hoc Review Committee. The Committee of the Whole Ad Hoc Review Committee provided options and scenarios for Council consideration. It was requested that the Ad Hoc Committee continue with investigation regarding a task Committee of the Whole, consent agendas, computers in front of council members, etc. No action required at this time. City Council and Task Committee of the Whole as well as the consent agenda.

Resolution Authorizing Payment of Monthly Bills.

Motion by Kiefer, second by Prise to approve **Resolution No. 2017-02-14-14** authorizing payment of the monthly bills for a total amount of \$4,071,301.09. Motion passed without negative vote.

**RESOLUTION NO. 2017-02-14-14
AUTHORIZING PAYMENT OF MONTHLY BILLS**

BE IT RESOLVED by the Common Council of the City of Tomah that the Committee of the Whole has reviewed the monthly bills and recommends the City Council approve said bills as follows:

1.	Pre-Paid Checks	\$3,417,313.24	Check #'s 119059-119089 & 119186-119228
2.	Payroll	\$ 329,102.22	Direct Deposit #'s 49169-49455
3.	Wire Transfers	\$ 24,260.74	
4.	Invoices	\$ 267,679.74	Check #'s: 119300-119420
5.	Vouchers Payable 2016	\$ 32,945.15	
		<u>\$4,071,301.09</u>	

Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Appointment of Ambulance Director and Establishment of Wage and Benefit Package.

Motion by Kiefer, second by Siekert to appoint Ambulance Director Randy Dunford with starting base salary of \$59, Range 17 Step 6 and awarded 10 days of vacation and 10 days sick leave. Mr. Dunford will waive the WRS benefit and will be compensated at 50% of the City's WRS contribution, health insurance premium and life insurance premium establishing the wage at \$70,664.16. Motion passed without negative vote.

Motion by Prise, second by Bohlen to adjourn. Motion passed without negative vote. Meeting adjourned 9:10 p.m.

Respectfully submitted,

Nellie Pater, Mayor

JoAnn Cram, City Clerk