

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION September 12, 2017 at 6:00 p.m. with Mayor Nellie Pater presiding.

Following the Pledge of Allegiance, roll call was taken with Nellie Pater, Travis Scholze, Lamont Kiefer, Wayne Kling, Larry Siekert, Pam Buchda, and Mike Murray present. Absent: Luke Bohlen and Mary Ann Komiskey. Quorum present. Also in attendance: City Administrator Roger Gorius, City Attorney Penny Precour-Berry, and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

Motion by Scholze, second by Kling to adjourn to closed session pursuant to State Statute 19.85(1)(c) and (e) to confer with legal counsel with respect to personnel reclassification, consider promotion and compensation in the Ambulance Department, and investing of public funds. Motion passed without negative vote.

Meeting reconvened at 7:20 p.m.

Anyone Desiring to Appear Before the City Council. No one wished to appear.

Mayor. No report.

City Administrator and Long Range Plan Committee Report. City Admin. Gorius advised that the Long Range Planning Committee met to review applications and certificates of appropriateness for construction projects located within the boundaries of TID 8. All monies applied for and reviewed will be done at the Council level with the Council having sole authority to release funds or approve applications. TID 8 has not been active long enough to realize any gain in increment from tax revenue. This being the case until such time as the TID does show a positive balance, the Council will need to consider any aid applied for as well as offered by the City. Admin. Gorius also advised that the City Budget preparation has begun. The October Budget Workshop is scheduled for Saturday, October 14, 2017 at 8 a.m.

City Clerk. 1. Final Board of Review meeting was held August 22nd and resulted in a final real estate and personal property assessment total of \$613,902,250 without manufacturing. The overall increase was \$49,206,300 compared to \$5,614,430 in 2016. This is mostly due to the revaluation and also a substantial year in new construction. 2. The City was advised we have been awarded an insurance dividend due to the good claim experience of our account during 2016 and the City's efforts and cooperation in accident prevention. 3. City Clerk Cram also provided a summary of current changes occurring regarding the City's health insurance through the State of Wisconsin.

Library Report. No report.

Convention and Visitors Bureau/Chamber of Commerce. Ex. Director Tina Thompson advised that September has been declared Chamber of Commerce Month by Governor Walker. Marketing is being evaluated going forward regarding the Downtown Master Plan. Saluting Home Town Heroes events will be held next week at the September Business After 5 at Firemen's Park. Cranfest will be Sept. 22-24.

Tomah Public Housing and Community Development Block Grant Monthly Report. Director Muehlenkamp submitted a written report. Director Muehlenkamp advised that they are rehabbing several Lakeside apartments. Several other apartments have also vacated during the last few weeks due to a "no smoking" rule put into place and also because residents have been able to move up and find other housing and no longer require any assistance. No major changes have been proposed for the 2018 budget. The department is moving forward on the Tomah Area School Building trades project and the closing has occurred on the purchase of the property. The building specs and bid packets have been sent to area contractors. Students will be allowed to do as much as they are allowed to by code regulations. Building is anticipated to start in the spring of 2018.

Senior and Disabled Services Report. No report.

Planning/Building Inspection Report. Zoning Administrator/Building Inspector Shane Rolff provided a written report showing permit construction values and total permit fees collected in August.

Public Works Director – Water, Sewer, Public Works and Lake Updates. Public Works & Utilities Director Kirk Arity advised the following: Street Dept.: The Dept. should be finished this week with the new sidewalk installations and backfilling. An asphalt repair at West Foster Street was also completed. The City's paving machine needs to be replaced due to age of the equipment. The goal is to look at some of the short blocks that are beyond a maintenance program at this point in the 2018 Budget. There are significant patches currently being done on City streets. A sanitation operator has been hired. The renovation of the former Holy Smokes premise is being addressed. This will be brought to the Long Range Planning Committee for design standards and it is hoped that some of the inside work can be completed by City staff this winter. Sewer: Three repairs were made to Alley sewers on either

side of Superior Avenue leading up to 3 additional repairs for a total of six. The directional drill was done on Lincoln Avenue today and hopefully within the next week, the curb, aprons and sidewalks will be worked on. It is the Director’s recommendation to go to bid to replace the alley sewers adjacent to Superior Ave. next year. Water: Well #11 is back to normal after the lightning strike and power surge damage that occurred. Advertisements for the reservoir roof repair have been published with a bid date of Sept. 27th. The City will receive a principal forgiveness award relating to the abandonment of Well #9. Lake: Another dock will be refurbished this winter along with coordinating other improvements within the Parks and Recreation Department. The tainter gate painting should be complete this week.

Police Department Report. Police Chief Nicholson provided a monthly written report for review. Chief Nicholson advised the department continues to be more actively involved in criminal investigations. The Department is currently going through an extended hiring process for a patrol officer. The full time police clerk resigned, however, the department was in the process of hiring a part time police clerk. One of the applicants for the part time position has accepted the full time position and the department is still down one part time employee and lobby hours are currently restricted to 4:30 p.m. due to the shortage of staff. A part time custodian was also hired and began employment earlier this week. Chief Nicholson informed the Council of Crossing Guard location changes for the current school year. The Police Department is starting a new program called “Coffee with a Cop”. This will include conversations and coffee and citizens are welcome to attend from 1 p.m. to 4 p.m.

Consent Agenda Items:

Motion by Scholze, 2nd by Murray to remove the Resolution Authorizing Participation in the Wisconsin Economic Development Corporation’s Community Development Investment Program from the Consent Agenda. Motion passed without negative vote.

Motion by Kiefer, 2nd by Siekert to approve the following Consent Agenda Items:

- A. Minutes** of the August 8, 2017 regular Common Council meeting as presented.
- B. Treasurer – Cash & Investment Reports** for August as presented.
- C. Authorization to Begin the Process of Creating TID 9 to Assist Economic Development in the Industrial Park and approval of contract with MSA to Create TID #9.**
- D. Bartender Licenses** for Rebecca D. Bogle, Jessica A. Christensen, Ronald P. Coffey, Bobbi J. Cook, Tracy L. Dechant, Dustin A. Douglas, Amy L. Hart, Hailey M. Hays, Caitlin D. Henry, Larissa L. Matteau, Ella P.J. Meyer, Christine M. Morrow, Michelle L. Smith, Colt J. Sullivan, Ashley L. Wankerl, and Srikanth R. Yellolla.
- E. Special Beer Permit** to the Tomah Fire Department for Hunters Night Out at the Recreation Building, Recreation Park, on November 4, 2017.
- F. “Class A” Liquor and Class “A” Fermented Malt Beverage License for Skogen’s Foodliner, Inc. d/b/a Festival Foods at 701 E Clifton Street** for the license period Dec. 10, 2017 expiring 06/30/2018 unless sooner revoked and contingent on any or all unpaid tax obligations, assessments or other fees owed to the City are paid and must be compliant with building, plumbing, electrical, zoning, health or fire codes at the time the license is to be issued.
- G. 2017 Budget Amendment – Recognizing an \$1,800 Wal-Mart Grant in Acct. #05-48500 and Authorization of an Expenditure from Acct. 01-52100-290 Police Department Service Contracts in the Amount of \$1,758 for the Leads Online Program**
- H. 2017 Budget Amendment – Acceptance of \$100 Donation from Tony Trunkel in Acct. #05-48503 to be used in the future for the K-9 Program for future K-9 related expenses.**
- I. 2017 Budget Amendment – Transfer of \$5,481.01 from Reserve for Contingency Acct. #01-51980-2270 to Police Dept. Building Maintenance Acct. #01-52100-3550 for Generator Repair.**
- J. Lease Agreement Between City of Tomah Bloyer Field and William Fleming for Hangar #7** as presented effective Sept. 15, 2017 and expiring Dec. 31, 2017.
- K. Lease Agreement Between Tomah Area Ambulance Service and Tomah Memorial Hospital** effective September 18, 2017 as presented.
- L. Request for Authorization for the City Clerk to Submit a City of Tomah Population Estimate Challenge** to the Department of Administration as it is not believed that there has been a significant institution population decrease in either the VAMC or the Nursing Home.
- M. Resolution Authorizing Payment of Monthly Bills.**

**RESOLUTION NO. 2017-09-12-36
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	\$1,869,192.54	Check #'s 120438-120470 & 120550-120656
2.	Payroll	\$ 330,888.32	Direct Deposit #'s 51242-51514
3.	Wire Transfers	\$ 24,268.75	
4.	Invoices	<u>\$ 150,260.93</u>	Check #'s 120658-120734
		<u>\$2,374,610.54</u>	

Nellie Pater, Mayor

ATTEST: JoAnn M. Cram, City Clerk

Motion passes without negative vote.

Resolution Authorizing Participation in the Wisconsin Economic Development Corporation's Community Development Investment Program.

Motion by Buchda, second by Scholze to approve **Resolution No. 2017-09-12-35** Authorizing Participation in the Wisconsin Economic Development Corporation's Community Development Investment Program. Motion passed without negative vote (Murray abstained)

RESOLUTION 2017-09-12-35

RESOLUTION AUTHORIZING PARTICIPATION IN THE WISCONSIN ECONOMIC DEVELOPMENT CORPORATION'S COMMUNITY DEVELOPMENT INVESTMENT GRANT PROGRAM

WHEREAS, State of Wisconsin monies are available under the Community Development Investment Grant Program administered by the Wisconsin Economic Development Corporation; and

WHEREAS, after public meeting and due consideration, the Tomah City Council has recommended that an application be submitted to the Wisconsin Economic Development Corporation for the following project:

3rd Gen LLC Downtown Mixed Use Development
804 Superior Avenue – Former Tee Pee Supper Club

WHEREAS, it is necessary for the Tomah City Council, to approve the preparation and filing of applications for the City of Tomah to receive funds from this program; and

WHEREAS, the Tomah City Council has reviewed the need for the proposed project(s) and the benefit(s) to be gained there from;

WHEREAS, the Tomah City Council further supports the project through development incentives offered through Tax Increment Finance District #8;

NOW, THEREFORE, BE IT RESOLVED, that the Tomah City Council does approve and authorize the preparation and filing of applications for the above-named projects; and the City Administrator is hereby authorized to sign all necessary documents on behalf of the City of Tomah; and that authority is hereby granted to the City Administrator to take the necessary steps to prepare and file the appropriate applications for funds under this program in accordance with this resolution.

ADOPTED on this 12th day of September, 2017.

Nellie Pater, Mayor

ATTEST:

JoAnn Cram, City Clerk

Request to Reconsider Operator's License Denial. It is recommended the license requested by Stephanie Hocking be denied as the applicant does not meet the qualifications and requirements and due to failure to appear at the Committee of the Whole as required.

Motion by Kling, second by Siekert to deny the request for reconsideration of the Operator's (bartender) license for Stephanie L. Hocking based on the information presented as qualifications and requirements are not met and Ms. Hocking failed to appear before the Committee of the Whole as required. Motion passed without negative vote.

Adoption of Policy for Tomah Fire Department Invoicing for Services. In the past it was the fire department's objective to invoice for certain services. Chief Adler has revised the policy that would be more in line with other area fire departments and with what our department is seeing a need for in Tomah. A fee structure is provided outlining proposed fees for services that are beyond what is reasonable as part of the tax levy.

Motion by Kling, second by Siekert to adopt the Policy for Tomah Fire Department Invoicing for Services as presented. Motion passed without negative vote.

Proposal for Remodel of Existing Ambulance Garage and Office Spaces. With the Tomah Area Ambulance Service moving to a full time paramedic service, it has become necessary to utilize the existing ambulance building as a full time housing unit to allow for 24 hour coverage. The current sleeping quarters were not originally designed for this use and the current configuration is not adequate to provide the necessary quarters. Director Dunford and City Administrator Gorius have been in discussion with Keller and Associates to determine if the building can be modified at a reasonable cost to address the needs.

Motion by Murray, second by Buchda to allow the City Administrator and Director of TAAS to engage Keller and Associates for a build design to move forward with obtaining bids for construction services. Motion passed without negative vote.

Resolution Designating Haven Drive as a City Street. New street construction is reported to the WI DOT by resolution to ensure that the City receives transportation aid for the roadway.

Motion by Murray, second by Kiefer to approve the resolution designating Haven Drive as a City street. Motion passed without negative vote.

RESOLUTION NO: 2017-09-12-37
RESOLUTION DESIGNATING HAVEN DRIVE

BE IT RESOLVED the Common Council of the City of Tomah hereby designates a total length of 1,028.68' along Haven Dr. (as described on the map), as a City street with full jurisdiction of the same and is open for traffic in the City of Tomah. Said street has an entire right-of-way width of 60 lineal feet.

Dated this 12th day of September, 2017.

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Resolution Designating Grain Avenue as a City Street.

Motion by Murray, second by Kling to approve the resolution designating Grain Avenue as a City street. Motion passed without negative vote.

RESOLUTION NO: 2017-09-12-38
RESOLUTION DESIGNATING GRAIN AVENUE

BE IT RESOLVED the Common Council of the City of Tomah hereby designates a total length of 1,069.82' along the south half of Grain Ave. (as described on the map), as a City street with full jurisdiction of the same and is open for traffic in the City of Tomah. Said street has an entire right-of-way width of 66 lineal feet, with the south 33 feet being located in the City of Tomah.

Dated this 12th day of September, 2017.

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Resolution Authorizing an Application to the Board of Commissioners of Public Lands for a Loan of \$600,000 for the Purpose of Financing TID #8 Economic Development Incentive and Levying a Direct Annual Tax to Pay the Annual Installments of Principal and Interest. The State Trust Fund Loan program has advised that the interest rate will be 3.50% for the proposed 10 year life of the loan. This interest is locked in for 60 days.

Motion by Siekert, second by Murray to approve **Resolution No. 2017-09-12-39** authorizing an application to the Board of Commissioners of Public Lands for a loan of \$600,000 for the purpose of financing TID #8 Economic Development incentive and levying a direct annual tax to pay the annual installments of principal and interest and authorizing appropriate signatures. Motion passed without negative vote.

RESOLUTION NO. 2017-09-12-39
FORM OF RECORD

The following preamble and resolutions were presented by Alderman Larry Siekert and were read to the meeting.

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the City of **Tomah**, in the County(ies) of **Monroe**, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of **Six Hundred Thousand And 00/100 Dollars (\$600,000.00)** for the purpose of **financing TID #8 economic development incentive** and for no other purpose.

The loan is to be payable within **10** years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **3.50** percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the City of **Tomah**, in the County(ies) of **Monroe**, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of **Tomah** by such loan from the state be applied or paid out for any purpose except **financing TID #8 economic development incentive** without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the **Mayor** and clerk of the City of **Tomah**, in the County(ies) of **Monroe**, Wisconsin, are authorized and empowered, in the name of the city to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the city pursuant to this resolution. The **Mayor** and clerk of the city will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this city forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

Approval of Audit Contract Extension for Hawkins Ash CPAs for Audit Years 2017, 2018 & 2019.

The total all-inclusive cost for the 2014-2016 audits was \$27,500 each year. The proposed increase is a modest increase over the next 3 years at \$28,400 annually. We have added a TIF since the last proposal and the fees for the first audit after 30% of the expenditures are made will cost \$1,000 and will be billed and completed in conjunction with the annual City audit the year that it occurs.

Motion by Siekert, second by Buchda to approve the audit contract extension for Hawkins, Ash, CPAs for Audit years 2017, 2018, and 2019 at the all-inclusive rate of \$28,400 per year as designated with the possibility of an additional \$1,000 for the TIF audit if required during that time period. Motion passed without negative vote.

Approval of Contract Agreement for Consulting, Assessing and Appraisal Services Between City of Tomah and Heather Wolf of Milde Appraisal Services for 2018, 2019 and 2020. The proposed contract agreement maintains the fee that was established prior to the revaluation which is \$40,800 and is for years 2018, 2019, and 2020.

Motion by Siekert, second by Kiefer to approve the contract agreement for Consulting, Assessing, and Appraisal Services between the City of Tomah and Heather Wolf of Milde Appraisal Services for 2018, 2019 and 2020. Motion passed without negative vote.

(11) Downtown Parking Minimum Reduction. The Plan Commission may reduce the number of required minimum parking stalls for new construction, and expanding portions of, commercial uses on a case-by-case basis within the Downtown Study Area, as identified in the Downtown Master Plan. The Plan Commission will consider the current availability of on-street parking and municipal parking lots in the vicinity of the development site, and the proposed intensity and uses of the development. The conditions of approval of this parking reduction shall be incorporated into a site plan or site plan revisions submitted to the City for approval.

SECTION TWO: All ordinances in conflict with the foregoing are hereby repealed.

SECTION THREE: This ordinance should take effect upon publication.

Nellie Pater, Mayor

ATTEST: JoAnn Cram, City Clerk

Read: 8/8/2017 & 9/12/2017

Passed: 9/12/2017

Published: 9/21/2017

Review & Approval of Proposed Contractors & Suppliers for the City of Tomah & Tomah Area School District Youth Training & Community Development Building Project at 436 Arthur Street to Construct Three (3) One (1) Bedroom Units Apartment Building. Bids were reviewed and it is hoped that contracts be awarded to the plumber, site prep, concrete work and heating. A plumbing plan also needs to be submitted to the State. These things need to be done to allow the project to proceed. The total estimated cost is \$246,620. The property has already been paid for as well as the building plans. It is anticipated that the additional funds will be received from loans paid back that are out and it is hoped that the additional funding will be available when needed at the end of the project.

Motion by Buchda, second by Murray to approve proposed contractors & suppliers as follows: Site Prep to R Moake Excavating LLC at \$9,600, Concrete-Foundation, sidewalks & patios to Built Construction at \$26,000; Plumbing – John Shuck Plumbing & Repair LLC at \$17,624; HVAC to Derrousseau Heating & Cooling at \$21,500, and State of WI Plumbing Plan Submission to Cornerstone Architecture LLC at \$1,550 for the City of Tomah & Tomah Area School District Youth Training & Community Development Building Project at 436 Arthur Street to construct three (3) one (1) bedroom units apartment building. Motion passed without negative vote.

Resolution for Approval of Final Plat of “The Pines West” Being Part of the NW ¼ - SW ¼ S28 T18N R1W City of Tomah Monroe County, WI. Motion by Siekert, second by Murray to adopt **Resolution No. 2019-09-12-40** approving the Final Plat of “The Pines West” being part of the NW ¼ - SW ¼ S28 T18N R1W City of Tomah, Monroe County, WI. Motion passed without negative vote.

RESOLUTION NO. 2017-09-12-40

**RESOLUTION FOR APPROVAL OF FINAL PLAT OF “THE PINES WEST”
BEING PART OF THE NW 1/4 - SW 1/4 S28 T18N R1W**

WHEREAS, the Common Council of the City of Tomah does hereby approve the final plat of The Pines West Subdivision described as follows:

“The Pines West”, located in Lot 2 of Vol. 27 Certified Survey Maps, Page 114, Document Number 660568, being part of NW ¼ - SW ¼, Section 28, T18N-R1W, City of Tomah, Monroe County, Wisconsin;

WHEREAS, the Dept. of Administration has no conditions on the Plat. The Plat complies with the Comprehensive Plan, official map and subdivision control ordinances, conforms with area-wide water quality management regulations, complies with Wisconsin shoreland management regulations, resolves possible problems with storm water runoff, fits the design to the topography, displays well designed lot and street layout, is served by public sewer or private sewage systems and includes services, or is serviceable by necessary utilities, and

NOW THEREFORE BE IT RESOLVED that the City of Tomah Common Council does hereby approve the final plat bearing the certified date of August 18, 2017 in “The Pines West” subdivision.

Dated this 12th day of September, 2017.

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk

Approval of Annual Homecoming Parade Route Scheduled for October 13, 2017. Parade route is as follows: Line up on Clark Street near the Middle School, Clark Street to Nott Street, Nott Street to Superior Avenue, Superior Avenue (southbound in the northbound loan) to Holton Street and Disperse onto West Holton Street to Lincoln Avenue.

Motion by Kling, second by Scholze to approve the annual homecoming parade route as presented scheduled for October 13, 2017. Motion passed without negative vote.

Motion by Murray second by Scholze to adjourn. Motion passed without negative vote. Meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk