

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION, May 8, 2018 at 6:00 p.m. with Mayor Mike Murray presiding in the Municipal Building, 819 Superior Ave., Tomah, WI.

Following the Pledge of Allegiance, roll call was taken with Travis Scholze, Lamont Kiefer, Wayne Kling, Larry Siekert, Mary Ann Komiskey, Richard Yarrington, Shawn Zabinski, Jeff Cram (immediately after appointment) and Mike Murray present. Absent: None. Quorum present. Also in attendance: City Admin. Roger Gorius, City Atty. Penny Precour, and City Clerk JoAnn Cram. Greg Hagen videotaped the meeting.

Appointment of Alderperson District 3 (Wards 7,8,17,& 20) to Fulfill the Remaining Term of Mike Murray with the Term Expiring April 2019. Jeff Cram submitted a letter of interest and appeared before the Council members.

Motion by Siekert, second by Scholze to appoint Jeffery Cram to serve as the Third Aldermanic District Alderperson with the term expiring April 2019. Motion passed without negative vote.

Swearing in of Newly Appointed Alderperson District 3 (Wards 7,8,17, & 20). Alderperson Jeff Cram was subsequently sworn in by City Clerk JoAnn Cram and Mr. Cram joined the meeting at 6:03 p.m.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to Confer with Legal Counsel With Respect to Personnel Reclassification and Personnel Issues. Motion by Scholze, second by Kiefer to adjourn to closed session pursuant to State Statute 19.85(1)(c) to confer with legal counsel with respect to personnel reclassification and personnel issues. Motion passed with one negative vote (Yarrington). Meeting adjourned to closed session at 6:04 p.m. Meeting reconvened at 6:30 p.m.

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

Mayor. Mayor Murray acknowledged fellow elected officials and their efforts in serving the City.

City Administrator & Long Range Plan Committee Report. City Administrator Gorius provided a report regarding current and ongoing activities. **Main Street Award.** Admin. Gorius advised the City and Chamber received an award acknowledging significant achievements in downtown community efforts in revitalization of Wisconsin's main streets. The award recognized the renovation of the former Dept. of Natural Resource building as the new location for the Tomah Chamber of Commerce and Visitors Center. The Center took top honors in the Connect Communities: Population over 5,500 at the Wisconsin Main Street Awards ceremony. **\$250,000 Award Grant** was received from the State of Wisconsin for the 3rd Gen LLC project. State officials presented the award at the site of the project. **Amtrak Update.** At present, there are no plans to amend the status of the Amtrak through the City.

City Clerk. Election. The Spring Election was held on April 3 and 1,169 votes were cast in the City of Tomah. **Board of Review** is scheduled for May 23, 2018 from 8:30 a.m. to 10:30 a.m. **Open Book** is scheduled for May 8-10th with the assessor available on May 10th from 8:30 to 4:00 p.m. **Andres Fund Applications** are currently being worked on by City officials

Election Tally for the April 3, 2018 Spring Election. Total votes cast were 1,169 which is 30% of eligible registered voters of 3,877. 134 Absentee ballots were cast and 34 votes registered on Election Day.

Motion by Yarrington, second by Komiskey to accept the Election Tally Report for the April 3, 2018 Spring Election as submitted. Motion passed without negative vote.

Library Monthly Report. No report.

Convention & Visitors Bureau/Chamber of Commerce. Ex. Director Tina Thompson advised Kite Fest will be June 2nd & 50-100' kites will be flown at the soccer fields on Cty. Hwy ET. This event is free and open to the public. Registration for July 4th parade is open. A Health Care Heroes event will be held on May 23rd at Winnebago Park. A career job fair was held recently for high school students and the general public. The annual golf outing will be July 20th. There will be a happy hour on May 16th at 4 p.m. at Hiawatha Golf Course. Music on Milwaukee Street will be held August 11th. There will be 3 bands appearing from 3 p.m. to 11 p.m. Downtown businesses are encouraged to extend their hours as part of this event. There will be food and

beverage for purchase. Business After 5 will be held at the Monroe County Fair in July. A breakfast meet and greet will be held on Friday, June 8th at Unimin.

Tomah Public Housing & Community Development Block Grant Monthly Report. Director Muehlenkamp provided a written report. Ms. Muehlenkamp advised the 2017 audit is complete and the final submission to HUD was done. Public Housing Units are fully occupied. Rehab projects will occur as apartments become open. There have been a couple of economic development loans submitted for review. The school build project on Arthur Street continues.

Senior & Disabled Services Report. No report.

Planning/Building Inspection Report. A written report was provided by Shane Rolff.

APPOINTMENTS:

Motion by Kiefer, second by Scholze to accept Mayor Murray's recommendation and appoint Bruce Peth to the **Public Works & Utilities Commission** to fulfill the remaining term of Tony Farmer with the term expiring April 2019. Motion passed without negative vote.

Motion by Komiskey, second by Kiefer to accept Mayor Murray's recommendation and appoint Mitch Koel to the **Long Range Planning Committee** to fulfill the remaining term of Tony Farmer with the term expiring April 2019. Motion passed without negative vote.

Motion by Kiefer, second by Kling to accept Mayor Murray's recommendation and appoint Mary Ann Komiskey to the **Historic Preservation Commission** to fulfill the remaining term of Nellie Pater, (representative of the Planning Commission) with the term expiring April 2020. Motion passed without negative vote.

Motion by Kiefer, second by Kling to accept Mayor Murray's recommendation and appoint Shawn Zabinski to the **Historic Preservation Commission** to fulfill the remaining term of Pam Buchda (representative of the Long Range Planning Committee) with the term expiring April 2020. Motion passed without negative vote.

Consent Agenda Items. Motion by Siekert, second by Kiefer to approve the following Consent Agenda items. Motion passed without negative vote.

- A. Minutes** of the April 10, 2018 regular Council Meeting and April 17, 2018 Re-organizational Council Meeting as presented.
- B. Treasurers Cash and Investment Reports** for April and amendments to February and March.
- C. Bartender License** for Nancy A. Reith.

Ordinance Annexing Land from the Town of Tomah to the City of Tomah (Tomah Memorial Hospital Properties). The City of Tomah received a petition for direct annexation by unanimous approval from Tomah Memorial Hospital for four parcels 042-00153-0000, 042-00153-2000, 042-00170-0000, and 042-00166-0000 and a Monroe County parcel (#042-00152-000 – road right-of-way). It is recommended that the parcels be temporarily zoned as A1- Agricultural District. The Planning Commission has reviewed the zoning for this annexation request and has been directed to prepare an ordinance setting forth permanent classifications and regulations for the zoning within one year of adoption of this ordinance. These parcels shall be established as Ward 21.

Motion by Siekert, second by Komiskey to waive the first verbatim reading of the Ordinance annexing land from the Town of Tomah to the City of Tomah (Tomah Memorial Hospital Properties). Motion passed without negative vote.

Motion by Siekert, second by Kiefer to waive the second verbatim reading of the Ordinance annexing land from the Town of Tomah to the City of Tomah (Tomah Memorial Hospital Properties). Motion passed without negative vote.

Motion by Siekert, second by Kiefer to adopt **Ordinance No. 2018-05-04-D** annexing land from the Town of Tomah to the City of Tomah (Tomah Memorial Hospital Properties). Motion passed without negative vote.

ORDINANCE NO. 2018-05-04-D
AN ORDINANCE ANNEXING LAND
FROM THE TOWN OF TOMAH TO THE CITY OF TOMAH
(Tomah Memorial Hospital and Monroe County Property)

WHEREAS, the City of Tomah received a petition for direct annexation by unanimous approval from Tomah Memorial Hospital for four parcels (#'s: 042-00153-0000, 042-00153-2000, 042-00170-0000, and 042-00166-0000) and Monroe County (Parcel #042-00152-0000 {road right-of-way}) for land in the Town of Tomah near the vicinity of Gopher Ave., Goose Ave., and STH 16 (herein Petitioners) dated April 16, 2018; and,

WHEREAS, the petition has been reviewed by the City of Tomah Planning Commission at its meeting on April 26, 2018, and the Planning Commission has made recommendations for temporarily zoning of the territory included in the petition; and

WHEREAS, the annexation petition appears to meet the requirements of §66.0217, Wisconsin Statutes; and,

WHEREAS, the City Council has determined that it is in the best interest of the City of Tomah to annex the territory described in the annexation petition.

NOW THEREFORE, the City Council of the City of Tomah hereby enacts the following ordinance:

SECTION ONE: Territory Annexed.

The City Clerk received a petition for direct annexation on the 16th day of April, 2018, signed by all of the electors residing in the territory and the owners of the real property in the territory. That the territory described in the annexation petition which is attached to this ordinance as Exhibit A and incorporated as if fully set forth herein is hereby annexed to the City of Tomah in accordance with sec. 66.0217(2) of Wisconsin Statutes.

SECTION TWO: Temporary Zoning.

Upon recommendation of the City of Tomah Planning Commission, the territory annexed to the City of Tomah by this ordinance is temporarily zoned as A-1 Agricultural District, pursuant to sec. 66.0217(8)(a) of the Wisconsin Statutes and Sec. 52-32(3) of the City of Tomah Zoning Ordinance. The Planning Commission is directed to prepare an amendment to the City of Tomah Zoning Ordinance, pursuant to Article IX of the Zoning Ordinance, setting forth permanent classifications and regulations for the zoning of the annexed area and to submit its recommendations to the City Council within one year of adoption of this ordinance.

SECTION THREE: Designations.

The population at the time of annexation to the City of Tomah was two (2) population and remains at two (2). Said property shall be established as Ward 21 and shall be included as part of Aldermanic District 8. Said property shall be part of County Supervisory District #10, Assembly District #96, Senate District #32, and Congressional District #3.

SECTION FOUR: Payment to Town as required by Statute.

The City agrees to pay annually to the Town of Tomah, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the 2017 tax roll under §70.65, Stats., pursuant to §66.0217(14)(a)1., Stats.

SECTION FIVE: Severability.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION SIX: Effective Date.

This ordinance is effective upon enactment pursuant to §66.0217(8)(c), Stats.

Dated this 8th day of May, 2018.

CITY OF TOMAH

Michael Murray, Mayor

ATTEST: JoAnn Cram, Clerk

8 Ayes 0 Nays

Resolution to Approve Creation of Tax Increment Finance District No. 10. Andrew Bremer of MSA provided information regarding proposed TID #10 at the Committee of the Whole meeting. The Planning Commission has held a public hearing regarding the creation of TID #10. The purpose of TID #10 is to carry out various (re)development and urban renewal projects within the District, or within 0.5 miles of the boundary of the District in support of tax base growth, business and employee retention and expansion, and infrastructure improvements. TID #10 is being proposed as a Mixed Use TIF District and generally includes properties west of Superior Avenue, east of W. Clifton, north of I-90 and south of W. Logan Street. The TID includes lands within the vicinity of the planned new Tomah Memorial Hospital and Gundersen Medical Clinic. Creation of the District supports the Comprehensive Plan to retain, expand, create and attract businesses that strengthen and diversify the local economy, grow the tax base, and enhance employee wages and benefits. Estimated project costs are \$15,817,813. Projects include infrastructure, streetscaping and site improvements, environmental studies and remediation, financing costs, possible allocation to TID 8, contributions to a Community Development Authority or Redevelopment Authority, incentives, and planning, promotion and development. The base value of the TID is estimated at \$1,567,900 excluding personal property. TID #10 would terminate no later than April 2038.

Motion by Scholze, second by Kiefer to approve **Resolution No. 2018-05-08-15** Approving the Creation of Tax Increment District No. 10 as proposed. Motion passed with 2 negative votes (Yarrington and Komiskey).

RESOLUTION NO. 2018-05-08-15
CITY OF TOMAH CITY COUNCIL
APPROVING CREATION OF
TAX INCREMENTAL FINANCE DISTRICT NO. 10
CITY OF TOMAH, WISCONSIN

WHEREAS, pursuant to sec. 66.1105, Wisconsin Statutes, the Planning Commission, City of Tomah, Monroe County, Wisconsin has held a public hearing on March 22nd, 2018 on the proposed creation of Tax Incremental Finance District No. 10 (herein "District"), and the proposed boundaries thereof, and on the proposed Project Plan for the Tax Incremental Finance District No. 10 (herein "Project Plan"); and

WHEREAS, pursuant to said statutory section, the City of Tomah (herein "City") has taken the following steps in order to implement the Project Plan. To wit:

- A. After notice as required by law, the Planning Commission held a hearing at which interested parties were afforded a reasonable opportunity to express their views on the Project Plan; and
- B. Following said hearing, the Planning Commission adopted the Project Plan, subject to the approval of the City Council; and

C. Prior to the publication of notice of said hearing, a copy of the notice was sent by first class mail to the chief executive officer or administrator of the Tomah School District, Western Technical College, Monroe County, and the Tomah Lake District; and

WHEREAS, the City desires to promote development, job growth, blight removal, infrastructure improvements, broaden and increase the property tax base in the District; and

WHEREAS, the Project Plan, which is attached to this resolution and incorporated herein by reference, meets all of the following requirements of sec. 66.1105, Wisconsin Statutes, to wit:

- A. Includes a statement listing the kind, number and location of all proposed public works and improvements within such District; and
- B. Contains an economic feasibility study; and
- C. Contains a detailed list of estimated project costs; and
- D. Contains a description of the methods of financing, all estimated project costs, and the time when such costs or monetary obligations related thereto are to be incurred; and
- E. Includes maps showing existing land use, zoning, future land use, and proposed improvements of real property in such District; and
- F. Includes proposed changes, if any, in zoning ordinances, master plan map, building codes, and City ordinances; and
- G. Contains a list of estimated non-project costs; and
- H. Contains a statement of the proposed method for the relocation, if any, of persons to be displaced by the projects; and
- I. Contains a statement indicating how creation of the District promotes the development of the City; and
- J. Includes an opinion of the City attorney advising that the Project Plan is complete and complies with sec. 66.1105, Wisconsin Statutes.

WHEREAS, the City Council makes the following findings:

1. The name of the District shall be Tax Increment Finance District #10, a Mixed Use type district; and
2. The boundaries of the District are described in the attached Project Plan that is incorporated by reference, and such boundaries are contiguous and of sufficient definiteness to identify with ordinary and reasonable certainty the territory included therein. Boundaries include only those whole units of property that are assessed for general tax purposes. The boundaries of the District include annexed territory that was not within the boundaries of the City within the last three years. As such, the City pledges that the Town of Tomah shall receive an amount equal to the property taxes the Town levied on the territory for each of the next five years; and
3. The creation date of the District for purposes of determining the expenditure and termination periods shall be the date upon which the City Council approves a resolution adopting the Project Plan. For purposes of allocating tax increment the creation date shall be January 1, 2018; and
4. Not less than 50% of the real property in the District is suitable for mixed-use development, as defined under State Statute §66.1105(2)(cm); and
5. Newly platted residential development, as defined under Wis. Stat. 66.1105, will not exceed 35% of the area in the District; and
6. The City will only allow tax increment revenue to be spent on newly platted residential development in the District if one of the following three applies:
 - Density of the residential housing is at least three (3) units per acre, or
 - Residential housing is located in a conservation subdivision, as defined in sec. 66.1027(1)(a), Wis. Stats., or
 - Residential housing is located in a traditional neighborhood development, as defined in sec. 66.1027(1)(c), Wis. Stats.
7. The estimated percentage of territory within the District that will be devoted to retail business at the end of the maximum expenditure period is not anticipated to exceed 35 percent of the area of the District; and
8. The improvement of such area is likely to enhance significantly the value of substantially all other real property in the District; and
9. The project costs directly serve to promote orderly development consistent with the purposes for which the District is created; and
10. The equalized value of the taxable property of the District plus the aggregate value increment of all existing districts within the City does not exceed 12% of the total value of equalized taxable property within the City; and
11. The Project Plan for the District is feasible; and
12. Improvements to the District are likely to encourage and promote conformity with the City's planning policies and procedures; and
13. The development described in the Project Plan would not occur, or would occur to a lesser extent, without the creation of TID #10

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tomah, Monroe County, Wisconsin hereby approves and adopts the Project Plan for Tax Incremental Finance District No. 10, said Project Plan being attached and incorporated by reference.

BE IT FURTHER RESOLVED, that the City Council does recommend the Project Plan for adoption by the Joint Review Board for the City of Tomah, Monroe County, Wisconsin. Dated this 8th day of May 2018.

OFFERED BY: Travis Scholze, Council Member

APPROVED BY: Mayor Michael Murray

SECONDED BY: Lamont Kiefer, Council Member

ATTESTED: JoAnn Cram, City Clerk

Voted Yes: 6 Voted No: 2

Resolution to Approve Allocation of Excess Tax Increment from Tax Increment Finance District #10 (Donor TID) to Tax Increment Finance District #8 (Recipient TID). The Planning Commission held a public hearing on March 22nd, 2018 on the proposed creation of Tax Incremental

Finance District No. 10, and the proposed boundaries thereof, and on the proposed Project Plan for the Tax Incremental Finance District No. 10. The Project Plan includes the ability to allocate excess funds from TID #10 to TID #8 if needed.

Motion by Scholze, second by Siekert to approve **Resolution No. 2018-05-08-16** Approving Allocation of Excess Tax Increment from Tax Increment Finance District No. 10 to No. 8. Motion passed with one negative vote (Komiskey).

RESOLUTION NO. 2018-05-08-16
CITY OF TOMAH CITY COUNCIL
APPROVING ALLOCATION OF EXCESS TAX INCREMENT FROM
TAX INCREMENTAL FINANCE DISTRICT NO. 10 TO NO. 8
CITY OF TOMAH, WISCONSIN

WHEREAS, pursuant to sec. 66.1105, Wisconsin Statutes, the Planning Commission, City of Tomah, Monroe County, Wisconsin has held a public hearing on March 22nd, 2018 on the proposed creation of Tax Incremental Finance District No. 10 (herein "District"), and the proposed boundaries thereof, and on the proposed Project Plan for the Tax Incremental Finance District No. 10 (herein "Project Plan"); and

WHEREAS, pursuant to said statutory section, the City of Tomah (herein "City") has taken the following steps in order to implement the Project Plan. To wit:

- A. After notice as required by law, the Planning Commission held a hearing at which interested parties were afforded a reasonable opportunity to express their views on the Project Plan; and
- B. Following said hearing, the Planning Commission adopted the Project Plan, subject to the approval of the City Council; and
- C. Prior to the publication of notice of said hearing, a copy of the notice was sent by first class mail to the chief executive officer or administrator of all local governmental entities having the power to levy taxes on property within the District including the Tomah School District, Western Technical College, Monroe County, and the Tomah Lake District.

WHEREAS, the City of Tomah desires to promote development, job creation, blight removal, infrastructure improvements, broaden and increase the property tax base in Tax Increment District No. 10 and Tax Increment District No. 8; and

WHEREAS, the Project Plan to create TID No. 10, which is attached to this Resolution and incorporated herein by reference, includes as an eligible expenditure the allocation of future excess tax increment from TID No. 10 (the "Donor TID") to TID No. 8 (the "Recipient TID"); and

WHEREAS, the Project Plan meets all of the following requirements of sec. 66.1105, Wisconsin Statutes, to wit:

- A. Includes a statement listing the kind, number and location of all proposed public works and improvements within such District; and
- B. Contains an economic feasibility study; and
- C. Contains a detailed list of estimated project costs; and
- D. Contains a description of the methods of financing, all estimated project costs, and the time when such costs or monetary obligations related thereto are to be incurred; and
- E. Includes maps showing existing uses, conditions of real property, and proposed improvements of real property in such District; and
- F. Includes proposed changes, if any, in zoning ordinances, master plan, map, building codes, and City ordinances; and
- G. Contains a list of estimated non-project costs; and
- H. Contains a statement of the proposed method for the relocation, if any, of persons to be displaced by the project; and
- I. Contains a statement indicating how creation of the District promotes the development of the City.
- J. Includes an opinion of the City attorney advising that the Project Plan is complete and complies with sec. 66.1105, Wisconsin Statutes.

WHEREAS, the City Council makes the following findings:

- 1. TID No. 10 and TID No. 8 have the same overlaying taxing jurisdictions; and
- 2. The Project Plan for TID No. 10 demonstrates that the District's current and projected increment is sufficient to pay off all costs incurred by the District and provides enough surplus revenue to pay some of the costs for the recipient TID No. 8; and
- 3. TID No. 8 was created upon a finding that not less than 50% of the real property in TID No. 8 is blighted or in need of rehabilitation, thus allowing a Type 3 Paragraph (f) Allocation Amendment under Wisconsin State Statutes 66.1105(6)(f)2; and
- 4. That the allocation of excess tax increment from the District directly serves to promote redevelopment and blight elimination activities in TID No. 8 and is likely to enhance significantly the value of real property in TID No. 8; and
- 5. Once the donor amendment is established the District cannot request or receive an extension to its maximum life under current State Statutes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tomah, Monroe County, Wisconsin hereby approves and adopts the Project Plan for Tax Incremental Finance District No. 10, said Project Plan being attached and incorporated by reference.

BE IT FURTHER RESOLVED, that the City Council does recommend the Project Plan for adoption by the Joint Review Board for the City of Tomah, Monroe County, Wisconsin. Dated this 8th day of May 2018.

OFFERED BY: Travis Scholze, Council Member APPROVED BY: Michael Murray, Mayor

SECONDED BY: Larry Siekert, Council Member ATTESTED: JoAnn Cram, City Clerk

Voted Yes: 7 Voted No: 1

Construction of an Ambulance Building With Residential Quarters. Representatives from Keller and Associates presented information regarding the proposed construction at the Committee of the Whole meeting. Plans include eight bays (5 ambulances, 1 wash bay, 1 quick response vehicle and 1 bay for a future ambulance), 8 sleeping rooms, a day room, classrooms, an exercise room and

training and meeting rooms. Lengthy discussion was held regarding whether the facility should be downsized in areas such as sleeping rooms, an ambulance bay, the workout room, the possibility of utilizing two locations for faster access to the north side of the City, and concern regarding the need for more ambulance availability when a transfer is needed from facility to facility. Comment was made that the proposed facility is needed to attract and retain employees to better meet the staffing needs of the service. The Committee of the Whole tabled this issue until the June Committee of the Whole meeting in order to gather more information.

Renewal of “Class B” Liquor & Class “B” Fermented Malt Beverage Licenses. Motion by Komiskey, second by Scholze to approve the “Class B” Liquor and Class “B” Fermented Malt Beverage Licenses in the City of Tomah as printed for the period of July 1, 2018 – June 30, 2019 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 renewed. Motion passed without negative vote.

1. American Legion Post 201 – Randi W. Owen, Agent at 800 Wisconsin Avenue
2. The Break Room – Chad Madson, Agent at 1123 Superior Ave.
3. The Bank – Jay Larsen at 1015 Superior Avenue
4. C & H Food Service, Inc. - Perkins, Justin Johnson, Agent at 1015 E. McCoy Blvd.
5. Cancun Bay Ltd. – Cancun Mexican Restaurant, Jesus Gonzalez Hidalgo, Agent at 1422 Superior Ave. (Reserve License)
6. Carlton LLC – The Carlton, Samantha G. Davis, Agent at 309 Superior Ave.
7. Cran-Bear Pub - T & J Hospitality, LLC - Tyson Koput, Agent at 319 Wittig Road
8. Crow Bar LLC – The Crow Bar, Troy Gilson, Agent at 1206 Superior Avenue
9. Dimensions II, LLC – Dimensions, Patrick J. Murphy, at 1110 Superior Avenue
10. Swami Hospitality - Econo Lodge, D. Patel, Agent at 2005 N. Superior Avenue
11. Franny’s Bar, James Frandsen, owner at 1115 Superior Avenue
12. Ground Round Grill & Bar - T & J Hospitality LLC - Tyson Koput, Agent at 201 Helen Walton Drive, Suite #1
13. Kelsey’s, Dave Berndt at 201 Superior Avenue
14. Smoke’s Elbow Room Bar - Kenneth Pierce, owner at 114 W. Benton Street
15. Strike Zone - Bruce Gilson, Agent at 202-210 Superior Avenue
16. Don Cinco De Mayo Cantina, Rosa Valencia, Agent at 918 McCoy Blvd.

Renewal of Class “B” Fermented Malt Beverage Licenses. Motion by Komiskey, second by Kiefer to approve the Class “B” Fermented Malt Beverage Licenses in the City of Tomah as printed for the period of July 1, 2018 – June 30, 2019 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 renewed. Motion passed without negative vote.

1. Area Community Theatre-Robert Shutter, agent at 907 Kilbourn Avenue
2. China Buffet, Eastern Chinese Restaurant, Cai Deng Zheng, owner at 115 W. McCoy Blvd.
3. Knights of Columbus Corp. – Anthony Felber, Agent – Knights of Columbus Hall, 202 E. Juneau Street
4. Peking Chinese Restaurant, LLC – Jiaona M. Ng, Agent at 1013 Superior Avenue
5. Northfield Restaurant Corp. – Pizza Hut, Ricky Murray, Agent at 1821 N. Superior Ave
6. Tomah Softball Association – Victoria Lesczynski, Agent at 400 N. Glendale Avenue (May 8, 2018 through October 31, 2018)

Renewal of “Class A” Liquor & Class “A” Fermented Malt Beverage Licenses Motion by Komiskey, second by Kling to approve the “Class A” Liquor and Class “A” Fermented Malt Beverage Licenses in the City of Tomah as printed for the period of July 1, 2018–June 30, 2019 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 renewed. Motion passed without negative vote.

1. Aldi Inc. – Troy Lenning, Agent at ALDI #52 at 1844 N. Superior Avenue
2. Festival Foods – Kristie Vaughn Korish, Agent at 701 E. Clifton Street
3. Hwy 21 BP – Rupesh Patel, Agent Wittig Corp. at 311 Wittig Rd
4. Hwy 21 Mobil.– Rupesh Patel, Agent at 907 E. McCoy Blvd.
5. Kwik Trip, Inc. – Jamie Allen Prestwood, Agent – Kwik Trip #484 at 124 W. McCoy Blvd.
6. Kwik Trip, Inc. – Toni Phelps, Agent – Kwik Trip #796 at 310 E. McCoy Blvd.
7. Kwik Trip, Inc. – Danita A. Schmitz, Agent, Kwik Trip #718 at 1504 Superior Ave.
8. Tomah Quick Stop & Spirit Shop, LLC – Casey B. Purdy, Agent at 201 W. Veterans Street
9. Wal-Mart Stores East, LP – David R. Schoeberl, Agent – Wal-Mart Supercenter #965, 222 W. McCoy Blvd.

Renewal of Class “A” Fermented Malt Beverage Licenses. Motion by Komiskey, second by Yarrington to approve the Class “A” Fermented Malt Beverage Licenses in the City of Tomah as printed for the period of July 1, 2018 – June 30, 2019 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 renewed. Motion passed without negative vote.

1. Casey’s General Store, Emma Monheim, Agent at 313 N. Superior Ave.
2. Tomah Mini Mart, Donovan Riedesel, Agent at 215 W. Clifton Street

Renewal of “Class C” Wine Licenses. Motion by Komiskey, second by Kiefer to approve the “Class C” Wine Licenses in the City of Tomah as printed for the period of July 1, 2018 – June 30, 2019 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 renewed. Motion passed without negative vote.

1. China Buffet, Eastern Chinese Restaurant – Cai Deng Zheng, owner at 1012 Superior Avenue
2. Natural Connection – Paula Caucutt, owner at 1012 Superior Ave.
3. Peking Chinese Restaurant LLC – Jiaona M. Ng, Agent at 1013 Superior Avenue

Cabaret Licenses. Motion by Komiskey, second by Scholze to approve the Cabaret Licenses as printed for the period of July 1, 2018 to June 30, 2019 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 renewed. Motion passed without negative vote.

1. American Legion Post 201 – Randi W. Owen, 800 Wisconsin Avenue
2. The Bank – Jay Larsen., 1015 Superior Avenue
3. The Break Room – Chad Madson, 1123 Superior Ave.
4. C & H Food Service, Inc. – Justin Johnson, 1015 E. Mc Coy Blvd.
5. The Carlton – Samantha Davis, 319 Superior Avenue
6. Cran-Bear Pub – Tyson Koput, 319 Wittig Road
7. Dimensions II – Patrick Murphy, 1110 Superior Avenue
8. Franny’s – James Frandsen, 1115 Superior Avenue
9. Knights of Columbus Corp.– Anthony Felber, 202 E. Juneau Street
10. Smoke’s Elbow Room – Kenneth Pierce, 114 W. Benton Street
11. Strike Zone - Bruce Gilson, 202-210 Superior Avenue
12. Kelsey’s – Dave Berndt, 201 Superior Avenue

Ordinance Amending Chapter 38-34 Restricted Use of Sidewalks in the Municipal Code. Tomah’s City Ordinance currently restricts those with mobility disabilities from using public sidewalks and is therefore not compliant with the Americans with Disabilities Act. It is requested that the ordinance be amended to include a tricycle, mobility scooter, or similar power-driven mobility device for persons with a mobility disability as a substitute for walking.

Motion by Yarrington, second by Kiefer to waive the first verbatim reading of the Ordinance amending Chapter 38-34 Restricted Use of Sidewalks in the Municipal Code of the City of Tomah as proposed. Motion carried without negative vote.

Change in Precision Retirement Policy Regarding Payout Upon Termination/Retirement Prior to Age 50 for Protective Services Category. The Committee of the Whole tabled this item.

Review of Room Tax Eligibility Requirements. The Area Community Theater and Historic Preservation Commission have requested that a portion of the City room tax be allocated to each of their organizations. According to WI Room Tax Statute 66.0615 neither the theater, nor the museum qualify as a “tourism entity”.

Motion by Zabinski, second by Scholze to deny the request for room tax allocation to the Area Community Theater and the Tomah History Museum. Motion carried without negative votes (Kling abstained).

Resolution Authorizing Payment of Monthly Bills. Motion by Zabinski, second by Yarrington to approve **Resolution No. 2018-05-08-17** Authorizing Payment of the Monthly Bills in the amount of \$1,726,086.49 as presented. Motion passed without negative vote.

RESOLUTION NO. 2018-05-08-17

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	\$ 1,267,840.22	Check #'s 122076-122122 and 122191-122291
2.	Payroll	\$ 351,699.91	Direct Deposit #'s 53450-53749
3.	Wire Transfers	\$ 25,390.32	
4.	Invoices	<u>\$ 81,156.04</u>	Check #'s 122310-122367
		\$ 1,726,086.49	

Michael Murray, Mayor

ATTEST: JoAnn M. Cram, City Clerk

Rehabilitation SR18-1. This would be a \$12,500 deferred payment loan for 502 E Saratoga Street for electrical repairs, deck, repair fireplace, and concrete repairs.

Motion by Yarrington, second by Siekert to approve Rehabilitation SR18-1, a \$12,500 deferred payment loan for work at 502 E Saratoga Street to include electrical repairs, deck work, fireplace repair, and concrete repairs. Motion passed without negative vote.

Conditional Use Permit Request from Wade and Connie Cox to Continue Use of Existing (4) Unit Multifamily Building at 1003 Oak Ave. The Planning Commission recommends approval with the condition listed below.

Motion by Komiskey, second by Siekert to approve the Conditional Use Permit for Wade and Connie Cox to Continue the use of an existing four (4) unit multifamily building at 1003 Oak Street with the following condition: That an ordinance compliant enclosed area constructed from maintenance free materials shall be provided for the placement of garbage cans and each dwelling unit shall be provided with a garbage can with a sealable lid. Motion passed without negative vote.

Resolution Authorizing a Change in the 2018 City of Tomah Position Count by the Abolishment of the Senior & Disabled Services Director Position and the Creation of Senior & Disabled Services Coordinator.

Motion by Yarrington, second by Kiefer to approve **Resolution No. 2018-05-08-18** Authorizing a change in the 2018 Position Count by the abolishment of the Senior & Disabled Services Director position and the creation of the Sr. & Disabled Services Coordinator. Motion passed with one negative vote (Komiskey).

RESOLUTION NO. 2018-05-08-18
A RESOLUTION AUTHORIZING A CHANGE IN THE 2018 CITY OF TOMAH
POSITION COUNT BY THE ABOLISHMENT OF THE
SENIOR & DISABLED DIRECTOR POSITION
AND THE CREATION OF SENIOR & DISABLED SERVICES COORDINATOR

WHEREAS, the Common Council of the City of Tomah hereby authorizes a change in the 2018 City of Tomah position county by the abolishment of the Senior & Disabled Services Director position effective May 8, 2018, and
WHEREAS, the Common Council of the City of Tomah hereby authorizes the creation of one full time Senior & Disabled Services Coordinator, who will be responsible for the Senior & Disabled Services functions under the supervision of the City Administrator, and

WHEREAS, the Common Council of the City of Tomah establishes the Senior & Disabled Services Coordinator as a full time position that includes all benefits afforded City employees as described in the City of Tomah Personnel Manual. This position will be classified as a non-exempt hourly employee and established at Range 10 of the City's wage scale with starting salary set between \$37,138 and the Step 10 salary of \$48,294 depending on qualifications. This individual will be required to work a varied and flexible schedule infrequently to provide for the needs of the department with majority of the hours Monday through Friday 8 a.m. to 4:30 p.m., and

NOW, THEREFORE BE IT FURTHER RESOLVED that the City of Tomah Common Council does hereby authorize a change in the 2018 City of Tomah Position Count by the abolishment of the Senior & Disabled Services Director position and hereby authorizes the creation of one full time Senior & Disabled Services Coordinator as described above.

Dated this 8th day of May 2018

Michael Murray, Mayor

ATTEST:

JoAnn M. Cram, City Clerk

Approval of Job Description for Senior & Disabled Services Coordinator.

Motion by Scholze, second by Kiefer to approve the Job Description for Senior & Disabled Services Coordinator as amended. Motion passed with one negative vote (Komiskey).

Motion by Scholze, second by Komiskey to adjourn. Motion passed without negative vote.
Meeting adjourned at 7:11 p.m.

Approved:

Michael Murray, Mayor

Attest:

JoAnn M. Cram, City Clerk

Minutes to be approved June 12, 2018