

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION January 8, 2019 at 6:15 p.m. with Mayor Michael Murray presiding in the Municipal Building, 819 Superior Ave., Tomah WI.

Following the Pledge of Allegiance, roll call was taken with Mike Murray, Travis Sholze, Lamont Kiefer, Wayne Kling, Richard Yarrington, Shawn Zabinski, Mary Ann Komiskey and Jeff Cram present. Remy Gomez arrived at 6:20 p.m. Quorum present. Also in attendance: City Atty. Penny Precour, City Administrator Roger Gorius, Treasurer Julia Mann, City Clerk JoAnn Cram and Deputy City Clerk Diane Webster. Gregg Hagen videotaped the meeting.

Motion by Yarrington, second by Cram to adjourn to closed session pursuant to State Statute 19.85(1)(e) to Confer with Legal Counsel with Respect to Information Regarding Union Negotiations. Motion passed without negative vote. Meeting reconvened to open session at 7:05 p.m.

Anyone Desiring to Appear Before the City Council. None

Mayor. Thanked City staff for their efforts to keep the streets free of snow and ice.

City Administrator & Long Range Plan Committee Report. City Administrator Gorius provided a written report regarding current and ongoing activities. 1. Attended the Library fundraiser. 2. Attended the Volk Field Holiday event. 3. Working on AFSCME negotiations. 4. Thanked City crews for their dedication by working during City holiday events.

City Clerk. There will be no February Primary election. Had the drawing for placement on the Spring election ballot. Reconciliation of the November election is almost complete. Working on the personnel policy manual revision and implementation of an employee vision program.

Library Monthly Report. The annual tea and fundraiser was a success. Director Keller thanked Margie Gigous for organizing the event and local businesses for donating. A large screen for library movie events will be purchased with the proceeds. The Library will take part in Freeze Fest by hosting a family movie night.

Convention & Visitors Bureau/Chamber of Commerce. Director Thompson reported that the Chamber's 2019 Promotion theme is "Beyond the Bog" and will present that our community has more to offer than the local cranberry industry. The 2019 Area Guide is out for print and will be available at the annual awards banquet. The new CVB logo will be unveiled at the banquet as well. A variation of the logo will be used by the City. The Chamber is working with Tomah High School and other groups regarding the lack of workforce and how to promote the area to attract and keep workers. Director Thompson reminded everyone who is interested in attending the banquet to order tickets as soon as possible as it does sell out.

Tomah Public Housing & Community Development Block Grant Monthly Report. None.

Senior & Disabled Services Report. Pam Buchda, Senior & Disabled Services Coordinator provided a monthly calendar and summary of events. A music program was held on January 4th. United Health Care has committed to sponsoring monthly Bingo Bash events for one year which will provide \$600 to that program. A Snow Buddies project will be held Jan. 29th. The Senior Center will take part in Freeze Fest by hosting bingo and euchre on Friday, Feb. 1st as well a potluck meal. AA meetings are now being held at the Senior Center on Wed. evenings at 5:30 p.m. The awning project is in progress. The center will host an Alzheimer's Community Forum on January 5th. The next Senior and Disabled Services board meeting will be held at 6:30 p.m. on January 28th. Sunday Fun Day for special needs individuals and their families will be on Jan. 27th from 2-4PM.

Planning/Building Inspection Monthly Report. Shane Rolff provided a written report. There were 394 building permits issued in 2018. Total project valuation was \$65,327,015.00 with \$159,656.00 collected in fees.

Parks & Recreation Monthly Report--Recreation Programs, Aquatic Center, Recreation Park. Director Joe Protz provided a report summarizing department activities. Rec. staff is working on equipment and building maintenance. Men's league basketball continues with 13 teams playing on Wednesday evenings. The outdoor skating rink at Rec. Park is being flooded. and staff is continuing to work on snow removal. Freeze Fest will be held February 1st and 2nd and a floorball tournament is scheduled for April 13th. The 2019 activity guide will be printed this month.

Police Department Monthly Report. A written report regarding monthly statistics was handed out.

Fire Department Monthly Report. A written report was provided. Fire Chief Adler reported that there were 22 calls for service in December with no serious fires in the City. A house has been donated by Gerke Excavating for the purpose of Fire Department training. Mr. Gerke donated \$1,000 to the Fire Department which will be used to purchase a stand pipe kit. Performing follow up fire inspections on past violations. Taught fire safety training to a group of high school students who are pursuing child development careers. Department annual reports will be presented at the February City Council meeting.

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

- A. **Minutes** of December 10, 2018.
- B. **Treasurers Cash Reports** for December 2018.
- C. **Bartender Licenses** for Sarah L. Bohlen, Traci L. Bradley, Jade L. Engelson, Cindy M. Gnewikow, Hunter D. Littlejohn, Jada R. Rice, Brittany R. Salaudeen and Susan E. Screnock.
- D. **Special Beer and Wine Permit** for Families First of Monroe County for Trivia Night 2019 Fundraiser at Recreation Park on March 9, 2019.
- E. **Special Beer Permit** for Monroe County Tavern League for a pool tournament at Recreation Park on 11-13, 2019.
- F. **Second Hand Jewelry Dealer and Second Hand Article Dealer License Application** for Carolyn Habelman, Antique Mall of Tomah, 1510 Eaton Avenue for the period of January 1 to December 31, 2019.
- G. **Second Hand Jewelry Dealer and Second Hand Article Dealer License Application** Robert Pierce, 320 Superior Avenue for the period of January 1 to December 31, 2019.

Reserve "Class B" Liquor and Class "B" Fermented Malt Beverage License for Vino Anjo, LLC, 800 Superior Avenue. Joline Powell has submitted an alcohol beverage license application for the period of January 13, 2019 to June 30, 2019.

Motion by Kling, second by Kiefer to approve the application for a Reserve "Class B" Liquor License and Class "B" Fermented Malt Beverage license for Vino Anjo, LLC. 800 Superior Avenue for the period of January 13, 2019 to June 30, 2019. Motion passed with one negative vote (Yarrington).

Salt Shed Project Award. Bids were received on 12/19/2018 by the City of Tomah for construction of a new 40' by 94' salt shed on the City's property at the southwest corner of East Milwaukee Street and East Avenue.

Motion by Yarrington, second by Cram to approve the bid by Brickl Brothers for construction of a salt shed in the amount of \$208,595.00 as presented. Motion passed without negative vote.

Lease Agreement Between City of Tomah and Ivan Vulovic for Bloyer Field Hanger No. 8. Ivan Vulovic would like to lease Hangar #8 at Bloyer Field. The lease was drafted by City Atty. Precour with rent established at \$120 per month.

Motion by Yarrington, second by Kiefer to approve the lease agreement between the City of Tomah and Ivan Vulovic for Bloyer Field Hangar #8 as presented. Motion passed without negative vote.

Application and Resolution for State Trust Fund Loan in the Amount of \$1,000,000.00 for the Purpose of Financing TID #8 Development Incentive and Levying Upon All Taxable Property a Direct Annual Tax Sufficient to Pay the Annual Installments of Principal and Interest. This loan is part of the Development Incentive agreement previously established for the 3rd Gen Project. The loan term would be for 15 years repaid in annual installments at a 4.75% interest rate.

Motion by Kiefer, second by Kling to approve **Resolution No. 2019-01-08-01** Authorizing an application to the Board of Commissioners of Public Lands for a loan of \$1,000,000.00 for the purpose of financing TID #8 Development Incentive and levying upon all taxable property a direct annual tax sufficient to pay the annual installments of principal and interest. Motion passed without negative vote.

RESOLUTION NO. 2019-01-08-01

TO: BOARD OF COMMISSIONERS OF PUBLIC LANDS

We, the undersigned **Mayor** and clerk of the City of **Tomah**, in the County of **Monroe**, Wisconsin, in accordance with the provisions of Chapter 24 of the Wisconsin Statutes, do hereby make application for a loan of **One Million and 00/100 Dollars (\$1,000,000.00)** from the Trust Funds of the State of Wisconsin for the purpose of **financing TID #8 development incentive**.

The loan is to be continued for a term of **15** years from the 15th day of March preceding the date the loan is made. The loan is to be repaid in annual installments, as provided by law, with interest at the rate of **4.75** percent per annum.

We agree to the execution and signing of such certificates of indebtedness as the Board may prepare and submit, all in accordance with Chapter 24, Wisconsin Statutes.

The application is based upon compliance on the part of the City with the provisions and regulations of the statutes above referred to, as set forth by the following statements which we do hereby certify to be correct and true.

The meeting of the common council of the City of **Tomah**, in the County of **Monroe**, Wisconsin, which approved and authorized this application for a loan was a regularly called meeting held on the **8th day of January, 2019**.

At the aforesaid meeting a resolution was passed by a majority vote of the members of the common council approving and authorizing an application to The Board of Commissioners of Public Lands, State of Wisconsin for a loan of **One Million and 00/100 Dollars (\$1,000,000.00)** from the Trust Funds of the State of Wisconsin to the City of **Tomah** in the County of **Monroe**, Wisconsin, **for the purpose of financing TID #8 development incentive**. That at the same time and place, the common council of the City of Tomah by a majority vote of the members, adopted a resolution levying upon all the taxable property in the city, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, Sec. 3 of the Constitution and Sec. 24.66(5), Wisconsin Statutes.

A copy of the aforesaid resolutions, certified to by the city clerk, as adopted at the meeting, and as recorded in the minutes of the meeting, accompanies this application.

A statement of the equalized valuation of all the taxable property within the City of **Tomah**, certified to by the **City Administrator** and clerk, accompanies this application.

Given under our hands in the City of **Tomah** in the County of **Monroe**, Wisconsin, this **9th day of January, 2019**.

City Administrator Roger Gorius

ATTEST: City Clerk JoAnn Cram

Application and Resolution for State Trust Fund Loan in the Amount of \$180,000.00 for the Purpose of a Pass-Through Loan to the Veterans Assistance Foundation for Apartment Renovations in TID #8 and Levying Upon All Taxable Property a Direct Annual Tax Sufficient to Pay the Annual Installments of Principal and Interest. The loan would finance apartment renovations and roof repairs to the Veterans Assistance Foundation and would be for a term of fifteen (15) years and repaid in annual installments at a 4.75% interest rate.

Motion by Kiefer, second by Gomez to approve **Resolution No. 2018-01-08-02** authorizing an application to the Board of Commissioners of Public Lands for a loan of \$180,000.00 for the purpose of financing a pass-through loan to Veterans Assistance Foundation for apartment renovations in TID #8 and levying upon all taxable property a direct annual tax sufficient to pay the annual installments of principal and interest. Motion passed without negative vote.

RESOLUTION NO. 2019-01-08-02

TO: BOARD OF COMMISSIONERS OF PUBLIC LANDS

We, the undersigned **Mayor** and clerk of the City of **Tomah**, in the County of **Monroe**, Wisconsin, in accordance with the provisions of Chapter 24 of the Wisconsin Statutes, do hereby make application for a loan of **One Hundred Eighty Thousand and 00/100 Dollars (\$180,000.00)** from the Trust Funds of the State of Wisconsin for the purpose of **financing a pass-through loan to Veterans Assistance Foundation for apartment renovations in TID #8**.

The loan is to be continued for a term of **15** years from the 15th day of March preceding the date the loan is made. The loan is to be repaid in annual installments, as provided by law, with interest at the rate of **4.75** percent per annum.

We agree to the execution and signing of such certificates of indebtedness as the Board may prepare and submit, all in accordance with Chapter 24, Wisconsin Statutes.

The application is based upon compliance on the part of the City with the provisions and regulations of the statutes above referred to, as set forth by the following statements which we do hereby certify to be correct and true.

The meeting of the common council of the City of **Tomah**, in the County of **Monroe**, Wisconsin, which approved and authorized this application for a loan was a regularly called meeting held on the **8th day of January, 2019**.

At the aforesaid meeting a resolution was passed by a majority vote of the members of the common council approving and authorizing an application to The Board of Commissioners of Public Lands, State of Wisconsin for a loan of **One Hundred Eighty Thousand and 00/100 Dollars (\$180,000.00)** from the Trust Funds of the State of Wisconsin to the City of **Tomah** in the County of **Monroe**, Wisconsin, **for the purpose of financing a pass-through loan to Veterans Assistance Foundation for apartment renovations in TID #8**. That at the same time and place, the common council of the City of Tomah by a majority vote of the members, adopted a resolution levying upon all the taxable property in the city, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, Sec. 3 of the Constitution and Sec. 24.66(5), Wisconsin Statutes.

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City Administrator Roger Gorius

ATTEST: City Clerk JoAnn Cram

Resolution Authorizing Payment of Monthly Bills.

Motion by Zabinski, 2nd by Kiefer to approve **Resolution No. 2019-01-08-04** authorizing payment of the monthly bills in the amount of \$912,843.17 a presented. Motion passed without negative vote.

RESOLUTION NO. 2019-01-08-04
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	\$ 177,491.56	Check #'s 123555-123610, 123686-123770
2. Payroll	\$ 368,165.84	Direct Deposit #'s 55561-55844
3. Wire Transfers	\$ 26,828.55	
4. Invoices	\$ <u>254,590.63</u>	Check #'s 123809-123863
	\$ 827,076.58	

Mike Murray, Mayor

ATTEST: Diane Webster, Deputy City Clerk

Motion by Yarrington, second by Kiefer to reconsider the motion that was made by Committee of the Whole to deny the application and resolution for a State Trust Fund loan in the amount of \$70,000.00 to finance small business loans in the Downtown Rehabilitation TID #8. Revenue would come from the repayment of loans made to small businesses for façade improvements as designated by the Long Range Planning Committee and the Common Council. Motion passed without negative vote.

Discussion: City Clerk Cram explained that if the Common Council approves the application for funds, the City has four months to decide whether or not to request them and if the City does receive the funds and doesn't use them, the loan can be repaid without penalty. The loan fund would be revolving so once the fund is started, repayments will go into an account to finance future small business loans. Also the current rate will expire if the City chooses not to proceed with this application and resolution and apply for the funds within the four month time period. Alderperson Yarrington would prefer the fund be available to all small businesses in the City, not just those in TID #8.

Motion by Kiefer, second by Gomez to approve **Resolution No. 2019-01-08-03** Authorizing an application for a State Trust Fund Loan in the Amount of \$70,000.00 for the Purpose of Financing Small Business Loans in the Downtown Rehabilitation TID #8. District and Levying Upon All Taxable Property a Direct Annual Tax Sufficient to Pay the Annual Installments of Principal and Interest. The loan would fund requests for future rehabilitation projects within TID #8 and would be for a term of 5 years and repaid in annual installments at a 4.25% interest rate. Motion carried without negative vote.

RESOLUTION NO. 2019-01-08-03

TO: BOARD OF COMMISSIONERS OF PUBLIC LANDS

We, the undersigned **Mayor** and clerk of the City of **Tomah**, in the County of **Monroe**, Wisconsin, in accordance with the provisions of Chapter 24 of the Wisconsin Statutes, do hereby make application for a loan of **Seventy Thousand and 00/100 Dollars (\$70,000.00)** from the Trust Funds of the State of Wisconsin for the purpose of **financing a small business loan program in TID #8.**

The loan is to be continued for a term of **5** years from the 15th day of March preceding the date the loan is made. The loan is to be repaid in annual installments, as provided by law, with interest at the rate of **4.25** percent per annum.

We agree to the execution and signing of such certificates of indebtedness as the Board may prepare and submit, all in accordance with Chapter 24, Wisconsin Statutes.

The application is based upon compliance on the part of the City with the provisions and regulations of the statutes above referred to, as set forth by the following statements which we do hereby certify to be correct and true.

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City Administrator Roger Gorius

ATTEST:

City Clerk JoAnn Cram

Conditional Use Permit Application from Jonson & Faulkner Rentals, Inc. to install window And door awnings over the public sidewalk at 800 Superior Avenue. All signs installed over a public way require a conditional use permit pursuant to Municipal Code Section 52-152(1).

Motion by Yarrington, second by Cram to approve the conditional use permit for Jonson &

Faulkner Rentals Inc. to install window and door awnings over the public sidewalk at 800 Superior Avenue as presented. Motion passed without negative vote.

Ratification of Local 180 AFSCME AFL-CIO Union Contract for 2019.

Motion by Kiefer, second by Cram to approve ratification of Local AFSCME AFL-CIO union Contract for 2019 as presented. Motion passed without negative vote.

Mayor Murray was excused from the meeting due to a conflict of interest regarding the 3rd Gen LLC. Builders agreement. Council President Kiefer chaired the remainder of the meeting.

Builders Agreement 3rd Gen, LLC. The Builders Agreement between the City and 3rd Gen. states that upon the issuance of a Certificate of Occupancy, the City will issue a loan to 3rd Gen LLC in the amount of \$1.25 million. The City has received a \$250,000 grant for blighted property to improve the parking lot behind the building. Although the grant was included in the loan amount, 3rd Gen LLC understood that they would receive the \$250,000 grant in addition to the \$1.25 million loan from the City. Since the City had the intention of providing \$1.25 to 3rd Gen LLC and the improved parking situation would benefit citizens as well as various entities and businesses in the City, it is recommended the City borrow the additional \$250,000 for 3rd Gen LLC to make the total amount whole at \$1.5 million.

Motion by Cram, second by Gomez to approve borrowing an additional \$250,000 from the State Trust Fund to make whole the \$1,500,000 that was intended for 3rd Gen, LLC at the current interest rate. Motion passed with one negative vote (Yarrington).

Motion by Yarrington, second by Scholze to adjourn. Motion passed without negative vote. The meeting adjourned at 8:15 p.m.

Approved:

ATTEST:

Michael Murray, Mayor

Diane Webster, Deputy City Clerk
Minutes to be approved on February 12, 2019