

**MEETING MINUTES – CITY OF TOMAH
COMMITTEE OF THE WHOLE**

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 8th day of October, 2018 at 6:30 p.m. in the Council Chambers at City Hall with Council President Lamont Kiefer presiding.

Roll call was taken with the following members present: Travis Scholze, Lamont Kiefer, Wayne Kling, Shawn Zabinski, Richard Yarrington, Jeff Cram, and Mike Murray. Absent: Mary Ann Komiskey. Eighth Aldermanic District is vacant. Quorum present.

Also present: Public Works and Utilities Director Kirk Arity, Parks & Recreation Director Joe Protz, Fire Chief Tim Adler, Police Chief Mark Nicholson, City Clerk JoAnn Cram, City Treasurer Julia Mann, and Deputy City Clerk Diane Webster. Greg Hagen videotaped the meeting.

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Council President Kiefer called the meeting to order at 6:31 p.m. Mr. Kiefer thanked Larry Siekert for his years of dedicated service and thanked staff and public for attending.

Jim Steele (ATV), Robert Kersten (ATV), Susan Holme (ATV and Boy Scout Cabin) and Judy Jonson-Faulkner (Vino Anjo) requested to speak regarding agenda items.

Minutes. Motion by Yarrington, second by Murray to approve the minutes of the September 10, 2018 regular Committee of the Whole meeting. Motion passed without negative vote.

Fire Department Monthly Report. Fire Chief Tim Adler provided a department statistic and informational report: Chief Adler reported that this is Fire Prevention Week and requested everyone practice fire safety. Opened hiring process for Fire Department and has hired one firefighter. WI State Fire Journal profiled the Tomah Fire Department for a story in their magazine which will be published in January, 2019. Fire Department calendars are being distributed. Delivered fire safety information to all schools in the Tomah area using donations from local businesses.

Parks and Recreation Monthly Report - Recreation Programs, Aquatic Center, Recreation Park. Parks Department Director Joe Protz provided a written report and summarized department activities. Parks: Building and equipment maintenance, working on the fall tree planting program, work has started on the Butts Park trail and parking lot improvement. Recreation Programs: Softball, gymnastics and volleyball programs are in progress, working on winter programs, Special Needs Rec Halloween Party will be held on October 21st. Aquatic Center: Working on winterization. Rec Park: Three weddings scheduled for October, a gun show will be held October 26-28, youth hockey working on making ice.

Public Works & Utilities Monthly Report - Water, Sewer, Public Works, & Lake Updates. Public Works and Utilities Director Kirk Arity advised the following: Street Department: Cleaning ditches, outfalls and storm water collection basins. Public restroom: The inside is complete and they are waiting for contractor to work on outside masonry. Sold four pieces of equipment at auction for \$71,000. Walking trail work is progressing. Noth Avenue railroad crossing has been repaired. Fall leaf collection should begin October 15 and will run one day behind garbage pickup. Leaves only (no branches) should be placed in gutter. Sewer Department: 1.94 mg per day flow (higher due to heavy rainfall). Will be purchasing an emergency by pass pump to help combat the 1000 year rain events that continue to happen. Water Department: Semi-Annual hydrant flushing program began today. It is recommended that cold water taps in the house be opened wide to flush out discolored water that may be in the service line. Lake Committee: Trees and weeds were removed along the dam. Director Arity thanked the Frank Andres fund for the \$1200 donation being used to fund the “Kids Don’t Float” program which provides free use of life jackets.

Ambulance Department Monthly Report. A monthly written statistics report was provided. Julia Mann reported that \$40,000 of bad debt has been collected so far this year thanks to the efforts of Barb Hendricks and Brenda Pruess.

Accept Treasurers Cash and Investment Reports. September cash report, no investment report.

Motion by Murray, second by Scholze to accept the September cash report as presented. Motion passed without negative vote.

Bartender Licenses.

Motion by Yarrington, second by Cram to recommend the Common Council approve the bartender licenses as follows: Stephanie A. Backus, Ryan J. Hill, JeanAnn M. Loendorf, Barbara K. Munding, Rodney R. Nees, Alissa L. Payne, and Meghan N. Raap. Motion passed with two negative votes (Kling and Zabinski).

Cabaret License for Vino Anjo, Joline Powell Agent at 800 Superior Ave.

Motion by Murray, second by Scholze to recommend the Common Council approve the cabaret license for Vino Anjo at 800 Superior Avenue effective October 9, 2018 to June 30, 2019. Motion passed without negative vote.

Special Beer Permit for Queen of the Apostles for an All Souls Day Memorial Dinner at 303 W. Monroe Street on November 2, 2018.

Motion by Cram, second by Yarrington to recommend the Common Council approve a Special Beer Permit for the Queen of the Apostles effective Nov. 2, 2018 for an All Souls Day Memorial Dinner at 303 W. Monroe St. as requested. Motion passed without negative vote.

Request for Change of Agent to James A. Gerlach for Northfield Restaurant Corp. (Tomah Pizza Hut) at 1821 N. Superior Ave.

Motion by Scholze second by Cram to recommend the Common Council approve James A. Gerlach as Agent for Tomah Pizza Hut, at 1821 N. Superior Ave. as requested. Motion carried without negative vote.

2018 Budget Amendment to Apply Senior Center Fund Balance of \$25,361 from Acct. 12-55500-3400 Senior Center Operating Supplies to Cover the Reimbursement of Utility Payments Made to the Senior Center in Error. Since 2009 Morgan Stanley has been paying its utility bills for 1009 1/2 Superior Ave. directly to the utility companies as well as paying \$229 per month to the Senior Center for those same utility bills. As a result the City received \$25,361 in error and needs to reimburse Morgan Stanley for that amount.

Motion by Murray, second by Scholze to recommend the Common Council approve the budget amendment to apply fund balance of \$25,361 from Account 12-55500-3400 Senior Center Operating Supplies to cover the reimbursement of utility payments. Motion carried without negative vote.

Budget Amendment 2018 – Transferring \$3,200.00 from 01-51980-2270 Contingency, to 01-52100-3550 Building Repair and Maintenance. The safety/partition window in the Police Department lobby is in need of replacement. This replacement was not anticipated and not in the 2018 budget.

Motion by Murray, second by Cram to recommend the Common Council approve the budget amendment transferring \$3,200.00 from account 01-51980-2270 Contingency to 01-52100-3550 Building Repair and Maintenance. Motion carried without negative vote.

Budget amendment to increase Ambulance Department expenses by \$5,731.09 for Paramedic Training Reimbursement. The City of Tomah and the Ambulance Department have an agreement with Lisa Hart to reimburse her for her paramedic class upon successful completion of the course and obtaining her paramedic license. The agreement also requires that she work for the City of Tomah for at least three years.

Motion by Yarrington, second by Scholze to recommend the Common Council approve the budget amendment to increase expense account #03-52300-3350 by \$5,731.09. Motion carried without negative vote.

Intergovernmental Cooperation in Reclamation of the Veterans Hospital Golf Course. The Public Works and Utilities Commission is recommending that the City of Tomah partner with the Jason Simkowskie Memorial Foundation in assisting them with various projects during the rehabilitation of the Tomah V.A. golf course. The cost to the City should be minimal but would include labor, machinery and fuel expenditures.

Motion by Yarrington, second by Murray to recommend the Common Council approve a partnership between the City of Tomah and the Jason Simkowskie Memorial Foundation to work on various projects during the rehabilitation of the Tomah VA golf course. Motion carried without negative vote.

Preliminary Resolution declaring intent to levy special assessments. The west side of Berry Avenue from Larkin Street to W. Veterans Street will have sidewalk, curb and gutter installed. The improvements will be assessed to the adjacent properties.

Motion by Murray, second by Scholze to recommend the Common Council approve a preliminary resolution declaring the City's intent to levy special assessments for curb, gutter and sidewalk installation on Berry Avenue. Motion carried without negative vote.

Resolution Designating Spruce Lane.

Motion by Murray, second by Cram to recommend the Common Council designate a total length of .14 miles along Spruce Lane as a City street as proposed. Motion carried without negative vote.

Resolution Designating Norway Avenue.

Motion by Cram, second by Scholze to recommend the Common Council designate a total length of .07 miles along Norway Ave. as a City street as proposed. Motion carried without negative vote.

Non-Renewal of Tomah Flying Club Lease

Motion by Scholze, second by Cram to recommend the City Council deny the request to not renew the lease with Tomah Flyers Club. Motion carried without negative vote.

The City Administrator has been directed to draft a letter to the Tomah Interstate Flyers Club regarding their use of Bloyer Field Airport and instructing them that they must discontinue use of Bloyer Field Airport in one year and that the City will assist them in finding an alternate location. The letter will be reviewed by the City Council at their November meeting.

Morgan Stanley Lease Renewal. Morgan Stanley current rents space at 1000 ½ Superior Avenue from the City of Tomah. The lease extension agreement includes a standard 2% increase in rent as well as modification of the dates of the agreement.

Motion by Murray, second by Scholze to recommend the Common Council approve a lease extension with Morgan Stanley, 1000 ½ Superior Avenue for a two year term beginning August 1, 2019 at a monthly rental amount of \$1,024.38. Motion carried without negative vote.

Ordinance Amending Chapter 52-206, Regarding Front Yard Parking. The Public Works and Utilities Commission voted to amend Ordinance 52-206, Parking in Front Yards, by including recreational vehicles by definition and updating the definition of a recreational vehicle in order to clarify the language, make less ambiguous and to accommodate enforcement.

Motion by Murray, second by Cram to recommend the Common Council approve amendments to Chapter 52-206 Regarding Front Yard Parking in the Municipal Code of the City of Tomah as proposed. Motions were withdrawn.

Motion by Murray, second by Yarrington to send this matter back to the Planning Commission for clarification of the definition of a recreational vehicle. Motion carried without negative vote.

Update the Title VI Plan for the City of Tomah. The City of Tomah adopted the Title VI Plan in May 2014. Recently, the Federal Transit Administration updated the language to the plan. What was added was a yearly review to determine if modifications are necessary to the plan. At this time no other updates for the City are necessary. This Plan is required due to the City receiving federal funds and needs to be submitted by 11/3/2018. Plan information is posted on the City website and in the Shared Ride vehicles.

Motion by Murray, second by Cram to recommend the Common Council approve the updated Title VI Plan for the City of Tomah as presented. Motion carried without negative vote.

Consolidate Policies and Create a Purchasing, Budget and Accounting Handbook for the City of Tomah. The City of Tomah has several policies regarding our various accounting practices but not for every aspect of governmental accounting. The proposed handbook consolidates all of the City policies in one easy to follow book. The book includes guidelines for a few items that we have been following but have not had in writing such as a records retention policy and an asset management policy. There is also a section on Federal Awards so we are in compliance with the rules regarding federal and state funding for the shared ride program.

Motion by Scholze, second by Murray to recommend the Common Council approve the Purchasing, Budget and Accounting Plan for the City of Tomah as presented. Motion carried without negative vote.

Resolution Authorizing Payment of Monthly Bills.

Motion by Murray, second by Cram to recommend the Common Council approve the monthly bills in the amount of \$777,536.72 as presented. Motion carried without negative vote.

Monthly Financial Report-September 2018.

Motion by Scholze, second by Murray to accept the September 2018 monthly financial report as presented. Motion passed without negative vote.

Proposed Ordinance Regulating ATV/UTV Usage Within the City Limits of the City of Tomah. An ordinance regarding use of the public right of way in the City of Tomah was written. The ordinance addresses matters such as, but is not limited to, legal age requirements, adult supervision, adherence to approved and marked ATV/UTV routes, speed, vehicle lighting and licensing as well as an enforcement and penalty section to give law enforcement personnel clear guidelines for regulating such vehicles behavior within City limits. At a previous meeting, the proposed ordinance was considered and voted down by a majority of the City Council. At this time Alderman Lamont Kiefer has requested that the matter be revisited by the Committee of the Whole for discussion.

Currently, there are ATV/UTV routes coming up to the City limits in various locations but ATV/UTVs cannot be driven within the City limits without an ordinance designating a route being put in place. Once there is an ordinance in place the City could approach the state and county for approval of the designated routes.

Jim Steele: He would like ATV/UTV riders to be able to drive within the City limits so they can fill gas tanks.

Robert Kersten: Concerned about speed and noise from ATVs driving down City streets. He is fine with a route that goes around the City limits and by the north side businesses.

Mike Pierce: The state and county will not consider approving routes without the City having an ordinance in place first. He would like routes approved on the City's streets there are many people who prefer to ride on roads, not dirt trails.

Chief Nicholson: There are statistic showing that most ATV's involved in accidents are on undesignated land, not on approved routes. ATV/UTV riders must obey the laws just like all other motor vehicle operators.

Susan Holme: Opposed to a route being allowed in the City because of the high traffic. Believes that if there is an ATV involved death or accident in the City on an approved route, the blame lies with the City Council.

Mayor: All who are interested in this subject should contact their alderperson and provide input in order to give the City Council direction on how to proceed with regards to establishing an ATV/UTV route within the City Limits.

The proposed ATV/UTV ordinance and route map will be available at the City Clerk's window.

Tomah Boy Scout Cabin Update. Discussion was held concerning the ongoing efforts for restoration of the Boy Scout cabin located in Buckley Park near the Aquatic Center. Historic Preservation Commission has worked to gain the cabin status as a historical building. Boy Scout Troop 72 signed an automatically renewing lease agreement with the City in 1999 which stated they are responsible for maintaining the building however Troop 72 is no longer in existence. The Parks and Recreation and Public Works Departments have been working to keep the building from falling into further disrepair.

Scott White: He would like to use it for Boy Scouts but the building would also be available for other uses.

Administrator Gorius advised that the first step to restore the cabin would be to have an engineer determine whether the building is structurally sound so that it can be restored. The State may have funds available to help pay for that cost.

The Historical Preservation Commission is proposing that repairs be made to the logs and roof initially so the shell of the building available can be observed until the cabin can be restored for full indoor/outdoor use.

Suzanne Baker-Young: The state has relaxed some of their guidelines for restoration of an historic building however the logs and roof will be required to follow historical society guidelines. The cabin is one of only four in the state that are on the historical register. The committees end goal is for the building to be fully restored for use by the entire community. There are various fundraising efforts in place to help fund the project.

Motion by Kling to direct the Parks and Recreation Department put funds in their 2019 budget for repairs to the outside of the cabin. Motion died for lack of a second motion.

Director Protz recommends hiring a firm to design a plan with a cost analysis to get a better idea of what the building will look like and how much it will cost. He will be talking to a firm later this week to get a proposal for those services.

Tim White would like to use some the \$6,000 in the donation account to pay for the cost of a design plan. Wayne feels that money was donated for actual restoration of the building. Suzanne will check minutes of the Historical Commission meeting minutes to see if donated funds could be used for the design of the building.

Motion by Yarrington, second by Kling to move forward with the Parks and Recreation's comprehensive plan which includes restoration of the Boy Scout cabin.

Adjourn.

Motion by Cram, second by Zabinski to adjourn. Motion passed without negative vote. Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Diane Webster, Deputy City Clerk