

COMMON COUNCIL MEETING 10/19/2021

A meeting of the Common Council was held on October 19, 2021. Meeting participants were able to access the meeting remotely at the following link:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFlwMzdSZz09>

Call to Order Pledge of Allegiance –Roll Call

The meeting was called to order at 6:00 p.m. by Mayor Michael Murray. Following the Pledge of Allegiance, roll call was taken. Present: Michael Murray, Adam Gigous, Richard Yarrington, Shawn Zabinski, John Glynn, Mitchell Koel (arrived at 6:03 p.m.), Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: none. Also present was: Public Safety Director Tim Adler, Police Chief Scott Holum, Chamber/Convention & Visitors Bureau Director Tina Thompson, Sr. Center Coordinator Pam Buchda, Treasurer Molly Powell, Dir. Of Public Works Kirk Arity, Building Inspector Shane Rolff, and City Administrator Brad Hanson. Greg Hagen videotaped the meeting.

Adjourn to Closed Session Pursuant to State Statute 19.85(1) (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction and (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion by Zabinski, second by Gigous, to adjourn to closed session for the reasons above. Motion carried. Meeting adjourned to closed session at 6:01 p.m.

Meeting resumed to open session at 7:08 p.m. after a short recess.

Action on Closed Session

Motion by Gigous, second by Yarrington, to approve the pay increase for Police Chief Administrative Assistant Rhonda Culpitt from Range H Step 15 to Range I Step 7. Motion carried.

Desiring to appear before the Council

Katie Sparks from United Way appeared to give information to the Council on United Way the work it does in Monroe County. Sparks appealed to the Council to ask if United Way could come into the City and run an employee campaign. Council informed Sparks no action could be taken during this meeting and instructed the city Administrator to look further into the request from United Way.

Reports

Mayor

Alternate side parking will be beginning November 1st; Halloween items will be addressed in Director reports; Please be mindful of children during the Halloween holiday. The holiday train will not be arriving in Tomah again this year due to Covid-19.

City Administrator

Hanson provided a monthly written report and provided a summary for the Council. Hanson also recommended dates to the Council members for team building activities and training on Government 101.

Police Department

Chief Holum covered current staffing with the council. Mike Preuss has retired after 25 years of service. The PD has been awarded a \$1,500 Andres grant. Chief Holum applied for a grant to help purchase a ductless fume hood to safely test for drugs, and was awarded \$8,203. Alternate side parking starts November 1st and runs through April 1st. The first several weeks, infractions will get warnings, but the PD will issue citations when snow is in the forecast. The community can check Facebook for additional information. Trick or treating is from 4pm to 6pm this year. Officers will be out and visible.

Public Safety

Public Safety Director Tim Adler provided a written monthly report for both the Fire and EMS departments.

Fire: There are 37 members on the roster, and the department has been participating in Fire Prevention month in small groups and tours. There was a crack in the 2018 Fire Engine windshield, they are working with the insurance company on the replacement. The Fire Department received a matching grant from the DNR Forrest Protection grant program to be used towards the UTV/ATV purchase for the Fire/EMS departments. The department was thankful to have received a donation from the Duane Prise family.

EMS: Staffing: There are three full time shifts, two of the shifts area staffed with 5 full time employees, one shift has 4, and they are in the hiring process for the last full time slot. There are 5 part time paramedics and 12 part time EMTs. The soil borings have come back favorable for the Glendale Ball Park area for the Public Safety building, and Adler has been working with Keller on the building design. There will be a resolution in November for the Public Safety building and the Badger 5 project. Adler will also be bringing information to Council for the bid package and the recommendation to do two bid packages, since steel prices have increased considerably. Adler covered the repairs completed on two of the ambulances. The

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Tomah EMS was approved by DHS for Critical Care Licensing on September 17th and will be upgrading to critical care on November 1st. At that time, they can start completing critical care transports from the hospital. Adler summarized the incidents from his monthly report.

Public Works & Utilities

Dir. Arity provided a monthly written report.

Street: Wrapped up paving projects around town. The LeafVac has begun working some areas in town. They are also working on the bull pen staging area. Will be trimming trees in the boulevards and cleanup on the Cooper property. Still anticipate King Ave to get asphalted yet this year.

Sewer: Operations are normal

Water: They are in the middle of semi-annual flushing. The department is doing extended directional flushing to increase the water quality in the city. They are making some improvements in the water quality and will continue it for years to come.

Lake: The Lake Committee had a meeting on October 13th, and they are in the process of vetting a number of items to control the invasive plant species in the Lake. They have identified a number of options: chemicals, SolarBee, harvesting, dredging, or no action. The Lake Committee will come back with a recommendation for long term solutions.

City Clerk

Weyer provided a monthly written report and covered the highlights with the Council, including redistricting information, introduction to Badger Books, and open enrollment information for City employees.

Treasurer

Powell included the August financials for review. The Treasurer's office has been busy with the budget, meeting with different departments and adjusting as necessary. The department has been working to update the miViewPoint to a server based program. The program has received good reviews from department directors who appreciate the transparency of the real-time budget information. Powell has met with several local hotels as there are changes to the Transient Room Tax reporting. This may have some effect on recovering tax due to the city from third party companies.

Library

Dir. Keller was unable to attend.

Tomah Public Housing & Community Development Block Grant

No report was submitted.

Senior and Disabled Services

Buchda provided a written report and outlined the upcoming month's recreational activities. The Halloween party is on October 31st, from 2pm-4pm at the Fairgrounds and is free to anyone in the City. The City's trick or treat times are from 4pm - 6pm.. Volunteers are needed to assist with the party. Friday November 19th the Sr. Center will be closed due to the Arts and Crafts fair at the Fairgrounds. Thanksgiving Thursday and the Friday following, the Sr. Center will also be closed. Buchda will be assisting with energy assistance applications. She covered the programs that were done at the Sr. Center over the last month. There is a one-bedroom apartment available to rent behind the Sr. Center and business space is available to rent at 1004 Superior Avenue.

Planning and Building Inspection

Rolf provided a written monthly report. The new code enforcement officer is Casey Skowronski, and she started on October 6th. She has been training in Public works and will be starting to train in Code Enforcement in November.

Chamber/Convention & Visitors Bureau

The Outdoor Night Market event is this Thursday, October 21st from 430pm-730pm at Rec Park in the open pavilion. Volunteers are needed. The 2022 area guide design phase has begun. In a typical year, they distribute 35,000 copies. The Chamber/CVB is also working on new maps to distribute. Security cameras at the Chamber have been repaired. The holiday parade theme coming up is "Snow Place Like Home." The Chamber/CVB is working on Manufacturing Month where they work with area manufactures to do work force panels at area schools. They are still looking for additional staffing.

Consent Agenda:

Motion by Zabinski, second by Kiefer, to approve the following consent agenda with the amendment to make item D contingent upon approval of a Beer Garden application.

- A. Approval of Minutes from August 25, 2021
- B. Approval of Minutes from September 21, 2021

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- C. September 30, 2021 Cash and Investments Report
 - D. Application for Class “B” Fermented Malt Beverage License for BAD Property Group DBA “The Lot”, Anthony Damiano-Agent, for the period 10/19/2021 through 6/30/2022
 - E. Application for Outdoor Cabaret License for BAD Property Group DBA “The Lot” at 1110/1112 Superior Avenue
- Motion carried.

Resolution Approving the Wastewater's Advance to Tax Incremental Financing District (TID) 8 for the 2019 Alley Repair Work

Motion by Yarrington, second by Gigous, to approve the Resolution Approving the Wastewater's Advance to Tax Incremental Financing District (TID) 8 for the 2019 Alley Repair Work. Motion carried.

RESOLUTION NO: 2021-10-19-42

APPROVING THE 2019 ADVANCE FROM THE WASTEWATER (SEWER) UTILITY TO THE TAX INCREMENTAL FINANCING DISTRICT (TID) 8 FOR THE REPAIR OF THE UTILITIES AND SURFACE MATERIAL TO THE ALLEY WAYS WITHIN TID 8

WHEREAS, it was necessary for the City of Tomah to repair the alley ways and the utilities underneath them to ensure the economic viability of TID 8; and

WHEREAS, the Wastewater (Sewer) Utility had funds available to be able to carry the full amount of the project financially, which saved the City costs with bonding, higher interest rates at the time, and provided TID 8 with flexibility on a repayment plan; and

WHEREAS, all of the utilities and alley surface repairs were within TID 8's approved boundaries as of the time of design, bidding procedures, and construction;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council agrees and approves the carrying of implementation costs by the City's Wastewater (Sewer) Utility's advancement and for the Water Services and Wastewater (Sewer) Utilities reconstruction, along with the reconstruction of the alleys within TID 8 completed in 2019.

NOW THEREFORE, BE IT further RESOLVED TID 8 shall here forth pay interest to the implementation, advancement, and carrying of TID 8's debt for the alley reconstruction to the Wastewater (Sewer) Utility annually after the annual audit has been completed beginning with the 2020 Annual Budget year.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.

ATTEST: MICHAEL MURRAY, MAYOR
REBECCA WEYER, CITY CLERK

2021 Budget Amendment for the Tax Incremental Financing Districts (TIDs) Plan Amendments, Hotel Market Feasibility Study, and the Cooper Property Acquisition

Motion by Gigous, second by Yarrington, to approve the budget amendments allocating the movement of funds from the fund balance account 01-49300 to: 14-56700-2100 in the amount of \$10,400; 17-56700-2100 in the amount of \$4295.00; account 18-56700-2100 in the amount of \$7,903.00; account 20-56700-2100 in the amount of \$14,000; and account 17-57331-8200 in the amount of \$60,000 for reasons relating to TID amendments and purchase of buildings/land. Motion carried.

Request for approval of expenditure of ARP funds for a new City of Tomah Website

Clerk Weyer presented the ARP funds expenditure request for the new City of Tomah website. Motion by Zabinski, second by Koel, to approve the expenditure ARP funds of up to \$20,000 for a new City of Tomah website, and to authorize the City Clerk to select a vendor that best meets the needs of the City. Motion carried.

Resolution to Approve Tax Incremental Financing District (TIDs) Interest Payments to Advancing (Loaning) Department

Motion by Kiefer, second by Zabinski, to approve the resolution approving TID interest payments to Advancing (Loaning) Department. Motion carried.

RESOLUTION NO: 2021-10-19-43

RESOLUTION APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICTS (TIFS OR TIDS) INTEREST CHARGES AND PRINCIPLE PAYMENTS IF POSSIBLE TO THE CITY OF TOMAH'S WATER AND WASTEWATER (SEWER) FUNDS, AND THE GENERAL FUND TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, according to the Board of Commissioners of Public Lands on September 23, 2021 the interest rate for new loans was at “3.00%” for loans with a repayment of 6 – 10 years, which is a change in the year amount from the 2019 repayment due to the knowledge of the term being between that period as of this date; and

WHEREAS, TID 8's current debt to the Wastewater (Sewer) Utility has been calculated as a fluid repayment schedule to take seven (7) years from 2021 – 2027; and

WHEREAS, the priorities of all TIDs are to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability, (3) to pay for or assist the General Fund (GF) with roads that service the TID; and

WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) complete projects within the TID to ensure its economic survivability, (3) pay the interest for any City funded loans, and (4) repay any internal City loans principal with a priority to the City owned utilities with the General Fund being repaid last; and

WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the transfer of funds as described herein as interest payments from TID 8 December 31, 2020 ending balance at an interest rate of 2.5% and directs City staff to use these funds for the following interest expense within the 2021 fiscal year:

- Water Services Fund principal loan of \$70,822 @ 2.5% interest: \$ 1,770.55
- Wastewater Fund principal loan of \$2,499,506 @ 2.5% interest: \$ 62,487.65

NOW THEREFORE, BE IT further RESOLVED in the event any TID is unable to make these payments, then the interest payments shall be added to the principal of each internal outstanding loan.

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PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.
ATTEST: MICHAEL MURRAY, MAYOR
REBECCA WEYER, CITY CLERK

American Rescue Plan Act Project Item: Public Safety ATV/UTV

Public Safety Dir. Tim Adler appeared to the Council to request the use of ARP funds in the amount of \$30,000 to be used in conjunction with pending grants for the purchase of a new ATV/UTV for the Fire Department/ Tomah EMS department. Motion by Koel, second by Glynn, to approve the use of ARP funds in the amount of \$30,000 towards the purchase of a new ATV/UTV for the Fire Department/Tomah EMS department and give Public Safety Director Adler the discretion to select and purchase. Motion carried.

Grant writer for Emergency Services Building, Ambulance Staffing, Community Development, Housing, and Other Infrastructure needs from the American Recovery Plan Act (ARPA) funding and other opportunities

City Administrator Hanson requested the Committee of the Whole and Council approve the procurement of a grant writer to assist in applying for funds from the myriad of grants currently available. Motion by Yarrington, second by Koel to authorize up to \$50,000 of savings to acquire a grant writer to assist in finding and procuring grants. Motion carried.

Ordinance Amending Aldermanic Districts First Reading, Second Reading, Adoption

City Clerk Weyer presented the updated Aldermanic district map and amended ordinance adopting the new redistricted aldermanic districts.

Motion by Zabinski, second by Koel, to waive the first verbatim reading of the ordinance amending the Aldermanic Districts. Motion carried.

Motion by Zabinski, second by Peterson, to waive the second verbatim reading of the ordinance amending the Aldermanic Districts. Motion carried.

Motion by Kiefer, second by Zabinski, to adopt the Ordinance Amending Aldermanic Districts. Motion carried.

ORDINANCE NO. 2021-10-10-D

Ordinance Amending Chapter 2 Article 1, Sec. 2.2 Aldermanic Districts and Wards

The boundaries of the eight aldermanic districts of the city together with the 16 aldermanic wards are hereby established in accordance with the legal description together with the map showing the boundaries, a copy of which is available for inspection in the office of the city clerk, and which are specifically incorporated herein by reference.

Michael Murray, Mayor

Attest: Rebecca Weyer, City Clerk

Read: 10/21/2021
Passed: 10/21/2021
Published: 10/28/2021

Legal Description of City of Tomah Aldermanic Districts

Aldermanic District 1

Ward 1 and Ward 2 of the City of Tomah in Monroe County Supervisory District 11

Aldermanic District 2

Ward 3 and Ward 4 of the City of Tomah in Monroe County Supervisory District 11

Aldermanic District 3

Ward 7 of the City of Tomah in Monroe County Supervisory District 11 and Ward 8 of the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 4

Ward 5 and Ward 6 of the City of Tomah in Monroe County Supervisory District 12

Aldermanic District 5

Ward 15 and Ward 16 in the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 6

Ward 9 and Ward 10 of the City of Tomah in Monroe County Supervisory District 12

Aldermanic District 7

Ward 11 of the City of Tomah in Monroe County Supervisory District 12 and Ward 12 of the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 8

Ward 13 of the City of Tomah in Monroe County Supervisory District 9 and Ward 14 of the City of Tomah in Monroe County Supervisory District 13

Resolution for Adoption of Uniform Payroll Step Increase Date of January 1st

This item was postponed by the Committee of the Whole until the November Committee of the Whole and Council meetings.

Resolution for Payment of Monthly Bills

Motion by Zabinski, second by Pater, to recommend the Council approve the Resolution for the Payment of Monthly Bills. Motion carried.

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RESOLUTION NO : 2021-10-19-44

RESOLUTION 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:	2021	\$851,878.06	Check #'s:	130831-	131018
2. Payroll:		\$249,206.53	Dir Dep #'s:	9293839-9294077	
3. Wire/ACH Transfers:		\$115,045.27			
4. Invoices:		\$92,580.02		131019	131064
Total:		<u>\$1,308,709.88</u>			

Mayor

Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

October 19, 2021

Lake District Purchase Approval

It was requested that the Committee of the Whole and Council approve the purchase of four additional rollers at a cost of \$2,640 each for the repairs to the roller gate at the dam. Motion by Koel, second by Yarrington, to approve the purchase of four additional rollers for the repairs at the dam. Motion carried.

Approval for Lake Tomah CLP Survey/Mapping

The Lake Committee recommended approval of the study from Golden Sands Resource Conservation and Development Council Inc. for the study of algae and weed control measures for Lake Tomah. Motion by Zabinski, second by Pater, to approve the procurement of Golden Sands Resource Conservation and Development Council to conduct a study on Lake Tomah for algae and weed control. Motion carried.

Ordinance Amending Ordinance 2021-09-08-D For annexing land from the town of LaGrange to the City of Tomah 1st reading, 2nd reading, Adoption

Motion by Zabinski, second by Pater, to waive the first verbatim reading of the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

Motion by Kiefer, second by Zabinski, to waive the second verbatim reading of the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

Motion by Yarrington, second by Zabinski, to adopt the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

STATE OF WISCONSIN

CITY OF TOMAH

MONROE COUNTY

ORDINANCE NO. 2021-10-09-D
AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 2021-09-08-D ANNEXING LAND
FROM THE TOWN OF LAGRANGE TO THE CITY OF TOMAH
(Thorson Property)

WHEREAS, on September 21, 2021, the Common Council adopted Ordinance No. 2021-09-08-D to annex property into the City of Tomah from the Town of LaGrange; and

WHEREAS, a scrivener's error in section 4 was discovered. The ordinance should have read "pay annually to the Town of LaGrange" not "pay annually to the Town of Tomah."

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NOW, THEREFORE, the Common Council of the City of Tomah do ordain as follows:

SECTION ONE: Section 4 of Ordinance No. 2021-09-08-D is hereby amended to read as follows:

SECTION 4: Payment to Town as required by Statute.

The City agrees to pay annually to the Town of LaGrange, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the 2021 tax roll under §70.65, Stats., pursuant to §66.0217(14)(a)1., Stats.

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

SECTION THREE: This ordinance shall take effect upon enactment pursuant to §66.0217(8)(c), Stats., on October 19, 2021.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, Clerk

Adjourn

Motion by Zabinski, second by Gigous, to adjourn to closed session pursuant to State Statute 19.85(1) (c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction. Open session meeting adjourned at 8:14 p.m.

Michael Murray, Mayor

Attest: Rebecca Weyer, City Clerk