

MINUTES FOR COMMON COUNCIL 12/21/2021

A Common Council meeting was held on **Tuesday, December 21, 2021 at 6:30 p.m.** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. All motions were unanimous unless otherwise noted. Members of the public were able to attend the meeting remotely at the following link:

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

AGENDA:

Call To Order – Pledge of Allegiance – Roll Call

Mayor Mike Murray called the meeting to order at 6:31 p.m. After the Pledge of Allegiance, Clerk Weyer took roll call. Present: Michael Murray, Adam Gigous, Richard Yarrington, John Glynn, Shawn Zabinski, Mitchell Koel (remote), Lamont Kiefer, Nellie Pater, and Dean Peterson (remote). Absent: none. Others present: Public Safety Director Tim Adler, CDBG & Housing Director Rachel Muehlenkamp, Senior & Disabled Center Coordinator Pam Buchda, Librarian Irma Keller, Chamber Director Tina Thompson, Treasurer Molly Powell, and City Clerk Becki Weyer.

Anyone Desiring to Appear Before the City Council

No one desired to appear before the Council.

Emergency Service Building project Steel Bid Package recommendation from Keller Inc. and payment of invoice for Steel and Architectural and Engineering Services complete to date.

Motion by Gigous, second by Yarrington, to approve the Emergency Service Building project steel bid package recommendation from Keller Inc. for Olympic Builders, and to approve payment of invoice for steel and architectural and engineering services in the amount of \$150,000 for services complete to date. Motion carried.

Reports

Mayor

Mayor Murray thanked the City's departments for keeping the city running during this transitional time. He wished everyone a happy holiday and new year.

Interim City Administrator

Kirk Arity provided an interim City Administrator written report. Arity appreciated the Council for their trust and reiterated that it is a group effort that helps keep the city running. Economic development, city is open for business, reassure the public that all elements are still in place and functioning as normal.

Public Safety

Chief Adler provided a monthly written report for the Tomah Fire Department and Tomah Area Ambulance Service Fire: There were some incidents of gas lines down and tree lines down due to the storm last week. There was great reaction from utility companies to get things under control. The focus has been on the new Emergency Services building in order to meet the timeline for the bid process. Adler asked the Council to begin thinking of what will become of the current Northside fire station. The concern is that the City's emergency sound system is connected to the old building. It may be prudent to add a new emergency sound system to the new building as the old building may be sold. Adler has an estimate of \$22,000, which will include removal of the old system. This will not be part of the bid package for the new building.

EMS: It was a busy month; 251 runs, and they continue to work on getting the transfers out and business as usual. They did send in for the purchase of the 2022 ambulance. Then there will be 5 units and they can focus on the older 2 units' maintenance and/or replacement. Medicare has begun a tracking process where they will be requiring all ground ambulance services to complete a 64-page survey. Staff has been training on how to complete this requirement for Medicare.

City Clerk

Weyer provided a monthly written report and covered the highlights with the Council. Reminder to all potential spring election candidates that nomination paperwork and signatures is due back to the Clerk's office no later than 5 p.m. on January 4, 2022.

Treasurer

Powell thanked all the City's departments for their assistance in getting the tax bills out timely to residents. There was an issue where some of the tax bills were doubled, folks who received double bills only need to pay one bill. The Treasurer's office has been busy with end of the year reports and other required filings. Powell now has responsibility for the Tomah Transit and has been working through the required paperwork with the state for this service.

Library

Director Keller provided the Council with staff book picks. There is now a Wisconsin section at the library. There were 1,819 eBooks checked out in November and 4,111 guests visited the library. On January 6 story time with Mr. Dave will resume at the library; masks will be required. Starting January 15, Hot Reads for Cold Nights will begin.

Tomah Public Housing & Community Development Block Grant

Director Muehlenkamp provided a written report. She provided the Council with an update on the potential merging of the Tomah Housing Authority with the Monroe County Housing Authority. At the last board meeting, the board voted to not continue the merge at this time. Tomah is still assisting the county as they have new staffing. The need for vouchers has started to decrease for the Veteran's Housing; currently 79 are being utilized. Muehlenkamp anticipates that the extra vouchers will be taken back by the state and the program will be minimized over the next couple of years.

Common Council – December 21, 2021

Senior & Disabled Services

Pam Buchda provided the Council with the Sr. Center participation over the last month. The Sr. Center will be closed on 12/23, 12/24 and 12/31. The annual Christmas party sponsored by the Rotary on December 10th was a success. Line dancing has been cancelled for December but will resume in January. Buchda gave an update on PALS training she is completing and asked if anyone was interested to contact her at the Sr. Center. The next Sunday Funday will be on January 9th from 11:30 a.m.-3:30 p.m. and will be a Packer tailgate party for special needs participants and their families. There were 122 volunteer spaces that were filled in November. 1004 Superior Ave is still for rent, contact her for a tour and/or more details. The Arts and Crafts fair was a success.

Planning & Building Inspection

Rolf provided a monthly report and appeared to answer questions from the Council. The new Code Enforcement officer will begin training after the start of the new year on the Code Enforcement portion of her position.

Chamber/Convention & Visitors Bureau

New community maps and content has been submitted and should be available mid to late February. December 31st is the deadline for submissions for the area guide. Thompson brought forth a safety concern to the council regarding parking lot safety at the Chamber.

CONSENT AGENDA: *(Items on the Consent Agenda are routine in nature and require one motion to approve all items listed. Prior to voting on the Consent Agenda, the Mayor or any Council member can request item(s) be removed from the Consent Agenda and addressed on the regular agenda).*

Motion by Zabinski, second by Pater, to approve the following consent agenda:

- A. Approval of Minutes from November 30, 2021
- B. November 30, 2021 Cash and Investments Report
- C. Secondhand Article and Jewelry Dealers
- D. Renewal Taxicab License for Running, Inc. DBA Tomah Transit
- E. Renewal of Airport Leases

Motion carried.

APPOINTMENTS:

Appointment of 2022-2023 Election Officials

Motion by Gigous, second by Yarrington, to approve the appointment of the 2022-2023 Election Officials as presented. Motion carried.

Regular Election Officials

Jody Allen, Berta Downs, Janice Nicholson, Renee Fletcher, Myra Anderson, Shirley Galstad-Roh, Elmer Pasch Jr., Kathleen Wagner, Christi Anderson, Kitty Gnewikow, Deb Reid, Barbara Enos, Adam Balz, Cynthia Hansen, Sheila Robertson, Debra Hancock, Karen Betthausen, Barbara Hendricks, Bonnie Roscovius, Denise Brabham, Bradley Hillestad, Jane Schave, Joseph Buth, Linda Ingenthron, Lavonne Smith, Carroll Chinnock, Dennis Koranda, Mary Smith, Lori Ann Costello, Janet Koranda, Dawn Spence, JoAnn Cram, Sonja Ley, and Rose Vanderbloemen

Chief Inspector Election Officials

Adam Balz, Kitty Gnewikow, Denise Brabham, Cynthia Hansen, JoAnn Cram, Darlene Nelson, Maureen Decorah, and Sheila Robertson

Special Voting Deputies

Adam Balz, Marla Leverich, Debra Hancock, JoAnn Cram, Odile Nelson, Shirley Galstad-Roh, Sheila Robertson, Kitty Gnewikow, Bonnie Roscovius, Cynthia Hansen, Dawn Spence, Barbara Hendricks, and Renee Fletcher

Special Registration Deputies

Rebecca Weyer, Candice Maas, Matthew Baumgartner, Molly Powell, Nicole Jacobs, and Barbara Hendricks

Committee of the Whole

Resolution reversing and canceling Resolution 2021-02-09-02, which approved the transfer of Tax Incremental Financing District (TIF or TID) 9 and 10, Donor TIDS, to TID 8, the Donee TID and then to the City of Tomah's General Fund (GF), Water, and Wastewater (Sewer) Funds to assist with the repayment of the City's Internal Loans to TID 8 for 2019 interest payable in 2020

Motion by Pater, second by Zabinski, to approve the Resolution reversing and cancelling Resolution 2021-02-09-02. Motion carried.

Common Council – December 21, 2021

RESOLUTION 2021-12-21-54

REVERSING AND CANCELING RESOLUTION 2021-02-09-02, WHICH APPROVED THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICT (TIF OR TID) 9 AND 10, DONOR TIDS, TO TID 8, THE DONEE TID AND THEN TO THE CITY OF TOMAH’S GENERAL FUND, WATER, AND WASTEWATER (SEWER) FUNDS TO ASSIST WITH THE REPAYMENT OF THE CITY’S INTERNAL LOANS TO TID 8 FOR 2019 INTEREST PAYABLE IN 2020

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, on February 9, 2021 then Council passed Resolution 2021-02-09-02 designating certain funds to be paid as interest payments for outstanding debts advanced by the General Fund (GF), Water Services, and Wastewater (Sewer) Services; and

WHEREAS, during the 2020 Audit by the City’s new auditing firm, Clifton Larson Allen, they discovered the following concerns with this interest payment:

- 1. The City never passed a resolution authorizing the advance from any fund to any of the TIDs, specifically to TID 8 prior to interest being paid;
- 2. After the resolution was passed, previous responsible staff did not ensure the payment was made;
- 3. Due to the GF financial concerns that the City discovered in 2021, the interest payment burden would just add to the issue; and

WHEREAS, the Common Council has formally approved the advances to TID 8, which therefore 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, beginning with the 2020 interest earned and collected in 2021 and all future years;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council hereby cancels the financial obligations established by Resolution 2021-02-09-02.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 21st day of December, 2021.

ATTEST: MIKE MURRAY, MAYOR

REBECCA WEYER, CITY CLERK

Ordinance amendment 52-40 1st Reading, Second Reading, Adoption

This ordinance change would a approve structures exceeding three floors with the approval of the City of Tomah Fire Department.

Motion by Gigous, second by Yarrington, to waive the first verbatim reading of the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations.

Motion by Gigous, second by Zabinski, to waive the second verbatim reading of the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations. Motion carried.

Motion by Gigous, second by Zabinski, to adopt the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations. Motion carried.

ORDINANCE NO. 2021-12-11-D

Ordinance Amending Chapter 52, Sections 52-40 (k) of the City of Tomah Municipal Code Regarding Definitions, Residential Districts and Schedule of Regulations

The Common Council of the City of Tomah, Monroe County, Wisconsin, do ordain as follows:

SECTION ONE: Section 52-40 (k). – Schedule of regulations are hereby amended to read as follows:

Following is the schedule of the regulations as they apply to each zoning district:

SCHEDULE OF REGULATIONS

Minimum Yard Requirements (Ft.)												
Zone	Lot Requirements		Principal Buildings			Accessory Buildings		Maximum Building Height		% Max. Lot Coverage	Min. Lot Area Per Dwelling	Use
	Area in Sq. Ft.	Frontage in Ft.	Front	Each Side	Rear	Each Side	Rear	Stories	Feet			
B-2 Business	20,000	100	50	25	30	10	10	4	55	50	—	Highway business

(k) All structures exceeding 3 floor levels or a height above grade of 45’ shall require approval from the City of Tomah Fire Department.

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

SECTION THREE: This ordinance shall take effect upon passage and publication.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

READ: 12/21/2021
PASSED: 12/21/2021
PUBLISHED: 01/10/2022

Common Council – December 21, 2021

Surveillance camera system quotes/recommendation for City Hall and the Police Department using ARPA funds

Motion by Zabinski, second by Glynn, to approve the expenditure of ARPA funds in the amount of \$33,200.72 for the purchase of surveillance cameras for the City of Tomah Municipal center and Tomah Police Department, and the approval of using 5-Star Telecom as the selected vendor. Motion carried.

Resolution Accepting Donation of Land from Barbara Goetzka F/K/A Barbara J. Murdock

Motion by Gigous, second by Pater, to approve the Resolution Accepting Donation of Land from Barbara Goetzka F/K/A Barbara J. Murdock. Motion carried.

RESOLUTION NO. 2021-12-21-55

RESOLUTION ACCEPTING DONATION OF LAND

WHEREAS, a Petition to Dedicate Land was filed by Barbara J. Goetzka, f/k/a Barbara J. Murdock; and

WHEREAS, said land as set forth in Tax Parcel No. 286-02703-9998 land is .56 acres and legally described as follows:

Those lands described in Document No. 353354 recorded in the Office of the Register of Deeds, Monroe County, Wisconsin located in the Southwest Quarter of the Northeast Quarter, Section 33, Township 18 North, Range 1 West, EXCLUDING lands described on the following documents recorded in the Office of the Register of Deeds, Monroe County, Wisconsin:

1. All platted lands of Deer Creek Estates as set forth in Document No. 383683;
2. All lands described in Vol. 6 of CSM, page 17;
3. Lot 1 of Vol. 18 of CSM, page 172 as set forth in Document No. 550396;
4. All lands described in Vol. 7 of CSM, page 34 as set forth in Document No. 389844;
5. All lands described in Vol. 10 of CSM, page 100 as set forth in Document No. 443186;
6. All lands described in Vol. 10 of CSM, page 108 as set forth in Document No. 442904;
7. All lands described in Vol. 24 of CSM, page 138;
8. All lands described in Vol. 6 of CSM as set forth in Document No. 373448;
9. All lands described in Vol. 6 of CSM, page 001 as set forth in Document No. 372587.
10. All lands described in Vol. 6 of CSM as set forth in Document No. 373448; and
11. All lands lying south of the Plat of Deer Creek Estates and East of Lot 1 and 2 of Vol. 10 of CSM, page 108 as set forth in Document No. 442904.

WHEREAS, the land to be donated is currently a portion of an existing road/right of way and generates limited property tax revenue, and

WHEREAS, there is a need for a resolution to be filed with the Monroe County Register of Deeds to formally accept said land deeded to the City of Tomah for right of way/road purposes;

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Tomah hereby accepts the parcel of land legally described above as and for right of way/road purposes.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

Tourism Entity Agreement between the City of Tomah and the Tomah Chamber and Visitors Center

Attorney Precour handed out copies of a proposed agreement between the City of Tomah and the Tomah Chamber and Visitor’s Center. The agreement includes that all business would be done under one EIN number. The CVB was unable to apply for grants due to an unusable EIN number this past year. Attorney Precour has drafted the agreement based on the present ordinance in the City of Tomah. The City is able to terminate the agreement if bylaws are not followed. The Chamber/CVB must continue their current process of financial reporting. Thompson will take the contract to additional counsel for review.

Motion by Glynn, second by Gigous, to authorize Attorney Precour to finalize the contract and present to the Mayor for final approval. Motion carried.

Resolution Authorizing Payment of Monthly Bills

Motion by Zabinski, second by Yarrington, to approve the resolution authorizing the payment of monthly bills in the amount of \$858,694.77. Motion carried.

Common Council – December 21, 2021

RESOLUTION NO : 2021-12-21-56

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	\$735,506.95	Check #'s:	131185	131388
2. Payroll:		\$258,253.64	Dir Dep #'s:	9294312-9294551	
3. Wire/ACH Transfers:		\$774,790.43			
4. Invoices:		\$70,748.69		131113-131508	
Total:		\$1,839,299.71			

Mayor

Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

December 21,2021

Tomah Area Ambulance Service contribution for City of Tomah Pay Roll Clerk towards Wage and Benefit Package

Motion by Yarrington, second by Zabinski, to postpone this issue until the January meeting until a study can be completed to see how much time the payroll spends on Ambulance service duties. Motion failed with 6 negative votes. (Gigous, Glynn, Kiefer, Pater, Koel, and Peterson.)

Motion by Kiefer, second by Pater, to approve the Ambulance and Fire Commission’s recommendation that the Tomah Area Ambulance Service shall be responsible for payment of 20% of the payroll clerk’s wages and benefits, and that it shall be reviewed annually. Motion carried with one negative vote. (Yarrington)

Public Safety Director / Fire Chief / EMD Updated City of Tomah Emergency Operation Plan

Motion by Kiefer, second by Glynn, to approve the updated City of Tomah Emergency Operation Plan as presented. Motion carried.

Tomah Area Ambulance Service Stipend Pay for Salary Employees

Motion by Gigous, second by Glynn, to approve payment of stipend pay for salaried employees in the Tomah Area Ambulance Service who take transfer calls over and above normal working hours, with the understanding that stipend pay for salaried employees shall be reported on the monthly Ambulance Service report to the Council. Motion carried.

Vacation Time Adjustment for City Clerk

Motion by Kiefer, second by Gigous, to approve an additional week of vacation to city clerk Weyer due to the removal of comp time. Motion carried.

Personnel Manual Updates - Salary Policy and Evaluation Policy and Discussion on SOP Based Format

No action needed, this item was presented at the Committee of the Whole for discussion and presentation only.

Discussion on Elimination of the City Administrator Position

Powell presented to the Council the proposed financial savings if the City Administrator position is eliminated. The proposed total savings is around overall savings to the city in the amount of approximately \$93,000 fund after adjustments are made for salary increases and budget changes. The Mayor handed out the job description and there was discussion on how these duties would be divided. Attorney Precour brought up the existing ordinance regarding the City Administrator position and how it would need to be repealed or modified if this Senior Executive Team is put into place. Mayor Murray brought up the issue of compensation as the team is currently taking on additional work. Murry requested the Council consider retroactive compensation if and when the formation of the Senior Executive Team takes place.

The Council unanimously agreed to have the City Attorney work with the proposed Senior Executive Team and bring forth a proposed ordinance change to the January meeting to then be reviewed by the Council.

ADJOURN

Motion by Yarrington, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 8:22 p.m.

Michael Murray Mayor
Approved January 18, 2022

Attest: Rebecca Weyer, City Clerk