

The **COMMON COUNCIL** of the City of Tomah met in **REGULAR SESSION on May 18, 2021** at 6:00 p.m. with Mayor Michael Murray presiding. Following the Pledge of Allegiance, roll call was taken. Present: Michael Murray, Adam Gigous, Richard Yarrington, Shawn Zabinski, John Glynn, Mitchell Koel, Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: None. Also in attendance: City Administrator Bradley Hanson, City Attorney Penny Precour, City Clerk Becki Weyer, City Treasurer Molly Powell, Public Safety Director/Fire Chief Tim Adler, Library Director Irma Keller, Chamber/CVB Director Tina Thompson (remote), Building Inspector Shane Rolf (remote) and Senior and Disabled Ctr. Coordinator Pam Buchda. Gregg Hagen videotaped the meeting.

The general public was able to access the meeting via Zoom at this link:

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

Password: Tomah2020

Adjourn to Closed session

Motion by Gigous, second by Zabinski, to adjourn to closed session according to Wis. Statutes 19.85(1)(c): Considering compensation for the Deputy Fire Chief, Assistant Police Chief, and Police Lieutenant, and discussion of the 2021-2023 Ambulance Union contract; and 19.85(1)(e): regarding potential development in a tax incremental financing district and deliberating or negotiating the investing of public funds or conducting other specified public business. Motion carried.

Meeting resumed to open session at 6:46 p.m.

No one desired to appear before the Council.

Action on Closed Session Items:

Motion by Gigous, second by Glynn, to set the wage for the Assistant Police Chief Range P Step 9, \$88,524.80 annually and the Police Lieutenant at Grade O Step 6, \$80,579.20 annually. Motion carried with one negative vote (Yarrington)

Motion by Yarrington, second by Gigous, to set the wage for Deputy Fire Chief Jeremy Likely to Grade M, Step 2, at \$64,937 annually. Motion carried.

Reports

Mayor

Mayor Murray will be out of town next week. NASA will do the dedication for the Inclusive Park next week. A big thank you to everyone for their hard work, time and effort for a great cause.

Motion by Peterson, second by Yarrington to ratify the three-year Union contract between the Local #127, AFL-CIO-CLC and the City of Tomah. Motion carried.

Public Safety Report

Chief Adler provided a monthly report for both the Ambulance and Fire services and provided the highlights for the Council. Adler gave the Council an extensive history of the need for the new Public Safety Building and gave updates on his research into other modern fire stations and takeaways for designs for the City's new building. He also provided the advantages to the City in constructing the new building.

City Clerk

Board of review training and affidavits of training were completed on May 7, 2021. Weyer will be conducting summer training for election officials; a reminder for new and existing Council members to check email regularly for updates.

Weyer requested the Council accept the Election Tally for the April, 2021 election.

Motion by Yarrington, second by Gigous, to accept the Election Tally for the April 6, 2021 election. Motion carried.

City Administrator

Hanson provided a monthly written report and reviewed the highlights with the Council. Hanson thanked the City for his experience in the last 5 months so far.

Treasurer

Powell reiterated that the Treasurer's office is still getting caught up from the position being vacant for some time and she will have updated financial reports for the Council in time for the June meeting. The financial audit has been completed. A special thank you to the Treasurer's office, the Clerk's office, and Brad Hanson for their help with the City's financial audit.

Library

Dir. Keller advised there were 1,862 e-book checkouts in April. Physical materials: 1279. The Library has is now open during regular business hours. The only change to hours is the library is not open on Sundays. Mon-Wed 9am -8pm. And 9am-5pm on Thursday-Saturday. There are many new books available. For safety

purposes, story time is still virtual and the summer reading program will also be virtual. Keller is currently writing a grant proposal for large-print books. There will be book sale on June 4th and 5th at the Fairgrounds. The Library Board is continuing to waive fines until June if the item is returned. Newspapers can be checked out and returned the next day.

Tomah Public Housing & Community Development Block Grant

No report was submitted.

Senior & Disabled Services

Coordinator Buchda provided a monthly written report and highlighted the events scheduled over the next month. The Boys and Girls Club has been invited to the Sr. Center during the summer months. Euchre players are returning to the Sr. Center – the target date is Tuesday June 1st. Sunday Funday will be resuming on Sunday June 27th from 2-4 at Winnebago Park. Still working on hiring a part time aide for the Sr. Center.

Planning & Building Inspection

Building Inspector Rolf provided a monthly written report. The LRPC is considering some potential food truck ordinance changes.

Chamber/CVB

Events are increasing in the City. Area guides have been distributed. Events include: The Monroe County Fair, The No Place Like Home (Tomah) Mixer, (Monday June 7th at Cranberry Country Lodge.) Tickets are \$125.00; the 3rd of July Parade, the golf outing, and Downtown Thursday Nights. The Chamber/CVB is down one staff member and may be hiring soon.

CONSENT AGENDA

Motion by Yarrington, second by Peterson to approve the following consent agenda:

- A. Approval of Minutes from April 20, 2021
- B. Approval of the Minutes from May 4, 2021
- C. Special Beer Permit Application for Tomah Lions Club, Inc. for their event Kindness Classic on June 19, 2021
- D. Renewal of Alcohol Beverage Licenses for the Period of 7/1/2021 through 6/30/2022
- E. April Cash and Investments Report

Motion carried. (Gigous abstained)

Committee of the Whole

2021 - 2022 Property and Equipment Insurance Proposals

Motion by Yarrington second by Peterson to postpone this issue and instruct the City Administrator to solicit proposals other “A” rated insurance carriers. Motion carried with two negative votes. (Koel and Glynn)

Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. (1st & 2nd Reading & Adoption)

Motion by Gigous second by Yarrington to waive the first verbatim reading of the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. Motion carried.

Motion by Gigous, second by Yarrington to waive the second verbatim reading of the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. Motion carried.

Motion by Gigous, second by Kiefer to adopt the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. Motion carried.

Ordinance No. 2021-05-03-D

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF TOMAH, WISCONSIN

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

SECTION 1. Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of Tomah is Authorized to prepare, adopt, and amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. The City Council has found it necessary to make certain amendments to the City of Tomah Comprehensive Plan 2013-2033, originally adopted September 10, 2013 and as most recently amended on January 10, 2017. Said amendment is to Amend Parcel # 286-01622-4200 from Commercial to High Density Residential

SECTION 3. The City of Tomah Planning Commission has reviewed and recommended said Map Amendments to the Comprehensive Plan at a regular monthly meeting.

SECTION 4. The City of Tomah has held at least one public hearing on this amendment, in compliance With the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 5. The Comprehensive Plan may be used as the basis for, among other things, official mapping, Local subdivision regulations, general zoning ordinances, shoreland/wetland zoning, and as a guide for Approving or disapproving actions affecting growth, development, conservation, and recreation within The jurisdiction of the City of Tomah and its extraterritorial plat review area.

SECTION 6. The City Council of the City of Tomah, Wisconsin, does, by enactment of this ordinance,

formally amend the document entitled, "City of Tomah, WI, Comprehensive Plan 2013-2033," pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Council and [publication/posting] as required by law.

Adopted this __18th__ day of ____May_____, 2021

Mayor: _____ Michael Murray

(Published/Posted): 05/27/2021

(Approved, Vetoed):05/18/2021

Attest, City Clerk: _____ Rebecca Weyer

Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. (1st & 2nd Reading & Adoption)

Motion by Koel second by Gigous to waive the first verbatim reading of the Ordinance amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. Motion carried.

Motion by Koel second by Gigous to waive the second verbatim reading of the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. Motion carried.

Motion by Koel, second by Kiefer to adopt the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. Motion carried.

Ordinance No. 2021-05-04-D

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN OF THE CITY OF TOMAH, WISCONSIN

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

SECTION 1. Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of Tomah is Authorized to prepare, adopt, and amend a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION 2. The City Council has found it necessary to make certain amendments to the City of Tomah Comprehensive Plan 2013-2033, originally adopted September 10, 2013 and as most recently amended on January 10, 2017. Said amendment is to Amend Parcel # 286-02651-3600 from Commercial to High Density Residential

SECTION 3. The City of Tomah Planning Commission has reviewed and recommended said Map Amendments to the Comprehensive Plan at a regular monthly meeting.

SECTION 4. The City of Tomah has held at least one public hearing on this amendment, in compliance With the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION 5. The Comprehensive Plan may be used as the basis for, among other things, official mapping. Local subdivision regulations, general zoning ordinances, shoreland/wetland zoning, and as a guide for Approving or disapproving actions affecting growth, development, conservation, and recreation within The jurisdiction of the City of Tomah and its extraterritorial plat review area.

SECTION 6. The City Council of the City of Tomah, Wisconsin, does, by enactment of this ordinance, formally amend the document entitled, "City of Tomah, WI, Comprehensive Plan 2013-2033," pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 7. This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Council and [publication/posting] as required by law.

Adopted this __18th__ day of ____May_____, 2021

Mayor: _____ Michael Murray

(Published/Posted): 05/27/2021

(Approved, Vetoed):05/18/2021

Attest, City Clerk: _____ Rebecca Weyer

Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District

Motion by Gigous, second by Kiefer, to waive the first verbatim reading of the Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District. Motion carried.

Motion by Gigous, second by Kiefer, to waive the second verbatim reading of the Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District. Motion carried.

Motion by Gigous, second by Kiefer, to adopt the Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District. Motion carried.

Ordinance No.

ORDINANCE NO. 2021-05-05-D _____
ORDINANCE RE-ZONING PROPERTY
PARCEL #286-01622-4200

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

SECTION ONE: After Petition, Notice and Public Hearing in accordance with the Wisconsin Statutes and City of Tomah Ordinance, the Common Council of the City of Tomah hereby re-zones the following described real estate from B-Business District to R-5 Mobile Home Park.

LOT 21 OF NORTH TOMAH SUBDIVISION

SECTION TWO: All Ordinances or part thereof 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:
PASSED:
PUBLISHED:

Ordinance Rezoning Parcel #286-02651-3600 from B2-Highway Business District to R5-Mobile Home District (1st & 2nd Reading & Adoption)

Motion by Kiefer, second by Yarrington, to waive the first verbatim reading of the Ordinance Rezoning Parcel #286-02651-3600 from B2-Highway Business District to R5-Mobile Home District. Motion carried.

Motion by Kiefer, second by Koel, to waive the second verbatim reading of the Ordinance Rezoning Parcel #286-02651-3600 from B2-Highway Business District to R5-Mobile Home District. Motion carried.

Motion by Kiefer, second by Peterson, to adopt the Ordinance Rezoning Parcel #286-02651-3600 from B2-Highway Business District to R5-Mobile Home District. Motion carried.

Ordinance No. 2021-05-06D

**ORDINANCE RE-ZONING PROPERTY
PARCEL #286-02651-3600**

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

SECTION ONE:

After Petition, Notice and Public Hearing in accordance with the Wisconsin Statutes and City of Tomah Ordinance, the Common Council of the City of Tomah hereby re-zones the following described real estate from B-2 Highway Business District to R-5 Mobile Home Park.

PART OF THE NE1/4 OF SE1/4 BEING LOT 1 OF 4 CSM'S 22 #345456; ALSO AN EASEMENT 30' IN WIDTH FOR INGRESS & EGRESS

SECTION TWO:

All Ordinances or part thereof 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: 05/18/2021
PASSED: 05/18/2021
PUBLISHED: 05/27/2021

Amendment to 28-81 correcting previous typo within the ordinance and add language allowing for bow hunting on parcel 286-02674-000 which is owned by the City. (Second Reading and Adoption)

Motion by Kiefer, second by Gigous, to waive the second verbatim reading of the Amendment to 28-81 correcting previous typo within the ordinance and add language allowing for bow hunting on parcel 286-02674-000 which is owned by the City. Motion Carried with two negative votes. Pater and Zabinski.

Motion by Gigous second by Koel to adopt the Amendment to 28-81 correcting previous typo within the ordinance and add language allowing for bow hunting on parcel 286-02674-000 which is owned by the City. Motion carried with two negative votes. Pater and Zabinski.

**Ordinance No. 2021-05-07-D
Ordinance Amending Article IV Sec 28-81. – Bow Hunting
ARTICLE IV. - WEAPONS**

Bow hunting, either by bow and arrow or crossbow, within the City of Tomah shall be allowed with the following restrictions:

- (1) All persons bow hunting shall comply with all rules and regulations established by the state department of natural resources for hunting with a bow.
- (2) Bow hunting shall only be permitted during seasons as established by the department of natural resources.
- (3) It shall be unlawful for a person to discharge a bow and arrow or crossbow within a distance of 100 yards from a building located on another person's land. This restriction shall not apply if the person who owns the land on which the building is located allows and gives written permission to the person to use or discharge an arrow or crossbow within the specified distance of the building.
- (4) Except at the followings location bow and arrows or crossbows may not be discharged on or across any portion of land owned or occupied by the City of Tomah unless specifically authorized by the city chief of police or the chief of police's designee.
 - a. Bow hunting for deer shall be permitted on that land owned by the city and located at Bloyer Field that is east of the north-south runway and north of the east-west runway extended to the railroad tracks and south of the railroad tracks, subject to the following restrictions:
 - (i) No person shall hunt, stand, walk or drive any vehicle within 200 feet of the paved runway.
 - (ii) Notwithstanding the foregoing, all other regulations involving the airport are hereby affirmed.
 - b. Bow hunting for deer shall be permitted on that land owned by the city and located on a parcel of land so noted as Parcel ID 286-02716-0000 within the Monroe County GIS internet based system. Due to the Tomah Police Departments firearms range, bow hunting on this parcel shall be restricted to the following location within this parcel:
 - (i) Using the western most border line, running north and south, of Parcel ID 286-02716-003 (440 Cardinal Avenue), and extending the same line south through Parcel ID 286-02716-0000, bow hunting is allowed to the west of this line.
 - c. Bow hunting for deer shall be permitted on that land owned by the city and located on a parcel of land so noted as Parcel ID 286-02716-4700 within the Monroe County GIS internet based system. Due to the city's waste water facility being located on this parcel of land, bow hunting on this parcel shall be restricted to the following location within this parcel:
 - (i) Bow hunting shall not be allowed within the confines of the waste water facility or within 200 yards of the confines of the facility.
 - d. Bow hunting for deer shall be permitted on that land owned by the city and located on a parcel of land so noted as Parcel ID 286-02674-000 within the Monroe County GIS internet based system. Bow hunting is not allowed within the confines of the fenced in area.

Dated this 18th Day of May, 2021

Mayor Michael Murray
Attest: _____
Rebecca Weyer, City Clerk
READ: 05/18/2021
PASSED: 05/18/2021
PUBLISHED: 05/27/2021

3RT/Lynxx Information Technology Agreement Reviewed

Motion by Gigous, second by Koel, to approve the additional spending on the 72-month contract with 3RT. Motion carried.

City Debt Structure & Repayment

Informational only – Hanson presented the Council with a consolidated worksheet showing all of the City’s debt and payments due in an easy to read format.

Core Distinction Group Comprehensive Hotel Study

Informational only – Hanson presented the Council with an update on the Comprehensive Hotel Study and advised the completed study was received over the weekend and available for viewing.

NASA Lease Agreement

Motion by Yarrington, second by Koel, to approve the lease agreement between The North American Squirrel Association and the City of Tomah. Motion carried.

New Fire Department Development Update

Informational only. Chief Adler gave an update on the scheduling of the testing of the land on N Superior and updated the Council on the progress of the CDBG loan application. He and Hanson suggested beginning engineering and architectural needs as soon as the studies are completed, and the City has closed on the property for the new Public Safety Building.

Resolution Authorizing Payment of Monthly Bills

Motion by Gigous, second by Pater, to approve the Resolution Authorizing the Payment of Monthly Bills in the amount of \$1,863,144.36. Motion carried.

RESOLUTION NO :

2021-05-18-22

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	\$1,560,079.43	Check #'s:	<div style="border: 1px solid black; padding: 2px;">129777-129920</div> <div style="border: 1px solid black; padding: 2px;">129945-130014</div>
2. Payroll:		\$251,506.05	Dir Dep #'s:	<div style="border: 1px solid black; padding: 2px;">62922-63174</div>
3. Wire/ACH Transfers:		\$35,500.47		
4. Invoices:		<div style="border: 1px solid black; padding: 2px;">\$16,058.41</div>		
Total:		<div style="border-top: 1px solid black; border-bottom: 3px double black; padding: 2px;">\$1,863,144.36</div>		

Mayor

Clerk

Requested by:
Finance Department

Submitted by:
Committee of the Whole

May 1, 2021

Bid Proposal Approval for Roller Gate on Dam

Motion by Kiefer, second by Yarrington, to recommend the Council approve the bid for Sabel Mechanical LLC in the amount of \$23,230.00 for the repair of the roller gate at the dam. Motion carried.

Resolution Designating Public Deposit Public Depository and Authorizing Withdrawal of County, City, Village, Town or School District Moneys

W.B.A.100 (3/02)11024

RESOLUTION NO: 2021-05-18-23

Prepared and intended for use by commercial banks in transactions governed by Wisconsin Law.

RESOLUTION DESIGNATING PUBLIC DEPOSITORY AND AUTHORIZING WITHDRAWAL OF COUNTY, CITY, VILLAGE, TOWN OR SCHOOL DISTRICT MONEYS

(Not for use by City or County of Milwaukee)

CITY OF TOMAH, Wisconsin

(Municipality)

RESOLVED, that Citizens Community Federal N.A. (the "Bank"), qualified as a public depository under Ch. 34, Wis. Stats., is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited; that the following described account(s) be opened and maintained in the name of this Municipality with the Bank subject to the rules and regulations of the Bank from time to time in effect; that the person(s) and the number thereof designated by title opposite the following designation of account(s) is hereby authorized, for and on behalf of this Municipality, to sign order checks as provided in § 66.0607 (3), Wisconsin Statutes, for payment or withdrawals of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Bank any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality; that the endorsement for the deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and that any officer, agent or employee of this Municipality is hereby authorized to make oral or written requests of the Bank for the transfer of funds or money between accounts maintained by the Municipality at the Bank.

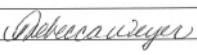
Name or Type of Account	Number of Signatures Required	Type or Print Titles of Authorized Persons
1. PUBLIC FUNDS CIVIC CHECKING NIB	ONE	MICHAEL WAYNE MURRAY REBECCA LYN WEYER MOLLY ANNE POWELL
2.		
3.		
4.		

This Resolution includes all of the provisions on the reverse side.

This is to Certify, that the foregoing is a true and correct copy of resolutions duly and legally adopted by the governing body of the Municipality at an open legal meeting held on the _____ day of _____, and said resolutions are now in full force and effect.

Signed and sealed this _____ day of _____

(NO) * SEAL


(Clerk)

The undersigned member of the governing body not authorized to sign order checks certifies that the foregoing is a correct copy of a resolution passed is therein set forth.

Title: _____

IMPORTANT

This Form, together with Signature Card, applies to all counties, cities, villages, towns and school districts except the County of Milwaukee and the City of Milwaukee. For Milwaukee County see § 66.0607(2) Wisconsin Statutes, and for the City of Milwaukee, see § 66.0607(5), Wisconsin Statutes.

Use Forms WBA 102 for Public Depository Accounts of all other public entities.

Facsimile signatures are permitted on checks drawn against these accounts, in accordance with § 66.0607(3), Wisconsin Statutes.

The original and one copy of this resolution is for the depository bank, and, if the treasurer is under Corporate Surety, one copy is for the Surety Company, with a copy to be retained by the local clerk.

WIM100

2021 Budget Amendment Park Improvement Cell Tower Account and Donation for Multi-Use Trail at Winnebago Park Point.

Motion by Koel, second by Zabinski, to approve a budget amendment accepting \$25,000 donation into account 05-48500 and transferring to account 08-5720-810 and \$17,000 from the fund balance of the cell tower to Park Outlay to account 08-5720-810 for use in the Winnebago Park point Trail project. Motion carried.

Mathy Construction Conditional Use Permit to Operate a Portable Hot Mix Asphalt Plant

Motion by Yarrington, second by Gigous, to approve the five-year Conditional Use Permit for Mathy Construction to operate a portable hot mix asphalt plant. Motion carried.

Adjourn

Motion by Koel, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 8:12 p.m.

Mayor Michael Murray

Attest: Rebecca Weyer

To Be Approved 06/15/2021