

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION January 10, 2017 at 6:00 p.m. with Council President Mike Murray presiding in the absence of Mayor Nellie Pater.

Following the Pledge of Allegiance, roll call was taken with Eric Prise, Lamont Kiefer, Wayne Kling, Larry Siekert, Chris King (arrived at 6:05 p.m.), Luke Bohlen, and Mike Murray present. Absent: Mary Ann Komiskey and Mayor Nellie Pater. Also in attendance: City Administrator Roger Gorius, City Attorney Penny Precour-Berry, and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

Motion by Prise, second by Kiefer to adjourn to closed session pursuant to State Statute 19.85(1) (e) to confer with Legal Counsel with respect to Union Negotiations and salary adjustments. Motion passed without negative vote. Meeting adjourned to closed session at 6:02 p.m. Meeting reconvened at 6:28 p.m.

Anyone Desiring to Appear Before the City Council. No one wished to appear before the Council.

Minutes. Motion by Prise second by Siekert to approve the minutes of the December 13, 2016 regular Common Council meeting as presented. Motion passed without negative vote.

Mayor's Report. No report.

City Administrator/Long Range Planning Committee. City Administrator Gorius provided an administrative staff report which included a summary review of 2016 and 2017 projections. 2017 projects include the Tomah Memorial Hospital Complex project, demolition of the former TeePee Supper Club building and the rebuilding of the property, continuing to work on the possibility of ATV/UTV routes within the City, and expansion of infrastructure to accommodate economic expansion on Grain Avenue.

Distinguished Service Resolution - Geraldine Wells. City Administrator Gorius read the resolution and presented a plaque in recognition of Geri Wells who retired from the City of Tomah Library on January 7, 2017.

Motion by Prise, second by King to approve **Resolution No. 2017-01-10-01** in recognition of Geraldine Wells who is retiring from the City of Tomah Library after 36 years of service. Motion passed without negative vote.

Resolution No. 2017-01-10-01

A RESOLUTION OF APPRECIATION TO GERALDINE M. WELLS, LIBRARIAN FOR HER 36 YEARS OF SERVICE TO THE CITY OF TOMAH, WISCONSIN

WHEREAS, Geraldine M. Wells began working for the City of Tomah Public Library as a library aid in 1981; and

WHEREAS, she was promoted to a permanent full time librarian; and

WHEREAS, generations of children have been introduced to books they came to love through Geraldine's passion for literature; and

WHEREAS Geraldine has introduced countless local school classes to the wonder of story, literature and the other treasures to be found in the Library; and

WHEREAS, Geraldine's knowledge of the collection has helped generations of children find the information they needed for school reports and to nurture their interests; and

WHEREAS, Geraldine has provided dedicated service to members of the community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Tomah expresses its gratitude and appreciation for Geraldine's nearly 36 years of dedication and loyalty to the Library Services Department and the community and wishes her a long and happy retirement. Passed by the City Council on the 10th day of January 2017.

Nellie Pater, Mayor

ATTEST:

JoAnn M. Cram, City Clerk

Tomah Area School District Update – Superintendent Cindy Zahrte. Due to inclement weather, Ms. Zahrte was not present.

City Clerk. 1. Interior inspections for reevaluation are winding down. Appointments can still be made for Thursdays during the day through the City Clerk's office. On-line scheduling is no longer available. 2. The spring election will affect Aldermanic Districts 1, 3, 5, and 7. Nomination papers were returned by Mary Ann Komiskey for District 1, Wayne Kling for District 7, and Travis Scholze for District 5. Notification of Non-Candidacy forms were submitted by alderpersons Eric Prise and Mike Murray. No nomination papers were submitted for District 3.

Library Report. – None.

Convention and Visitors Bureau/Chamber of Commerce. Executive Director Tina Thompson was not present.

Tomah Public Housing and Community Development Block Grant Monthly Report. A written report was provided by Dir. Muehlenkamp. Two Lakeside apartment remodels have been completed. Thirty additional veterans housing vouchers have been awarded and to date, eight have been filled in the City. Eligibility criteria must be met to qualify. The Community Development Block program is moving forward with the Tomah School Board on the cooperative effort of utilizing students

in the Building Trades Class to build a housing unit within the city. The CDBG Commission would have control over the design of the house, who it will be sold to, how it will be sold, etc. The decision of what type of building (single family home, duplex, 3-plex apartment building) will be made after a lot has been purchased. It is hoped that this will be an ongoing program so that a housing unit of some kind can be built every 3 years or so. A written agreement will be established between the school and the CDBG/Housing departments. The Department of Administration recently conducted a monitoring visit of the CDBG Housing revolving loan program.

Senior and Disabled Services Report- None.

Treasurer's Cash and Investment Reports for December. Motion by Prise, second by Bohlen to accept the investment report. Motion passed without negative vote. The cash report will be available in February.

Request to Appeal Denial of Taxi Cab Driver's License. Allen Jorgenson's taxi cab driver's license application was denied by the Police Chief and City Clerk due to drug related arrests and convictions. Mr. Jorgensen failed to appear at the Committee of the Whole meeting regarding his appeal.

Motion by King, second by Prise to uphold the denial for Allen Jorgenson's taxi cab driver's license as he failed to appear as required. Motion passed without negative vote.

Bartender Licenses.

Motion by King, second by Siekert to approve the bartender's licenses as listed. Motion passed without negative vote. Bartender licenses approved as follows: Barbara E. Halverson, Ashlee M. Hansen, Payton C. Korner, and Kym L. Meltesen.

Special Beer Permit for Tomah-Warrens Sportsman's Alliance for Fisheree at Winnebago Park on February 11, 2017. Motion by King, second by Kiefer to approve the temporary "Class B" beer License for Tomah-Warrens Sportsman's Alliance for a Fisheree at Winnebago Park on February 11, 2017. Motion passed without negative vote.

Special Beer Permit for Tomah-Warrens Sportsman's Alliance for a Turkey Federation Banquet at Recreation Park on March 25, 2017. Motion by Kiefer, second by Kling to approve the temporary "Class B" beer License for Tomah-Warrens Sportsman's Alliance for a Turkey Federation Banquet at Recreation Park on March 25, 2017. Motion passed without negative vote.

Two applications have been received for the liquor and beer license for The Bank Bar. Both applicants have offers to purchase on the table and it is unknown who will be purchasing the property. A letter has been received from Suzanne Yorick advising she would relinquish the current license upon closing of the property. There is not a definitive sale at this time.

"Class B" Liquor License and Class "B" Fermented Malt Beverage License for Jama Investments, LLC d/b/a The Bank Bar for the Period 01/11/2017 through 6/30/2017. Jama Investments has applied for the license with Andrew Schmitz acting as agent.

Motion by Kiefer, second by Prise to approve the "Class B" Liquor and Class "B" Fermented Malt Beverage License for Jama Investments, LLC d/b/a The Bank Bar for the license period ending 6/30/2017 unless sooner revoked contingent upon purchase of the property and contingent on providing proof of the sale to the City Clerk prior to the issuance of the license. Motion passed without negative vote.

"Class B" Liquor License and Class "B" Fermented Malt Beverage License for M&M Vending Amusements, LLC d/b/a The Bank for the Period 01/11/2017 through 6/30/2017. M&M Amusements, LLC, has applied for the license with Troy Gilson, Agent.

Motion by Kiefer, second by Prise to approve the "Class B" Liquor and Class "B" Fermented Malt Beverage License for M&M Vending Amusements, LLC, d/b/a The Bank for the license period ending 6/30/2017 unless sooner revoked contingent upon purchase of the property and contingent on providing proof of the sale to the City Clerk prior to the issuance of the license. Motion passed without negative vote.

2016 Budget Amendment – Recognizing \$1,135 Donation in Acct. G-48500 Donations – Recreation Programs and Authorizing the Expenditure of \$1,135 in Acct. G-55300-340 Recreation Supplies. Funds were raised to cover the cost of the community Halloween party at Recreation Park.

Motion by Kling, second by Siekert to approve the 2016 Budget Amendment recognizing \$1,135 in donations in Acct. G-48500 Donations – Recreation Programs and authorizing the expenditure of

\$1,135 in Acct. G-55300-340 Recreation Supplies to cover costs of the event. Motion passed without negative vote.

Taxi Cab License – DL & KL Enterprises, LLC d/b/a Ace Cab Company for a 2001 Ford Taurus. Inspections are complete and the certificate of insurance is on file.

Motion by Kling, second by Kiefer to approve the Taxi Cab License for DL & KL Enterprises, LLC d/b/a Ace Cab Company for a 2001 Ford Taurus VIN #1FAFP55U11A286764. Motion passed without negative vote.

Ordinance Regarding the Amendment to the City of Tomah Comprehensive Plan Related to the Future Land Use Map to Change the Designation of the Property Located at 24004 Gopher Ave (formerly known as the Randall Property) from Planned Neighborhood to Public and Institutional. The Planning Commission held a public hearing regarding amending the City of Tomah Comprehensive Plan related to the Future Land Use Map to change the designation of the property recently annexed from Eric Randall from Planned Neighborhood to Public and Institutional in support of Tomah Memorial's intent to build a new health care facility within this area.

Motion by Bohlen, second by Kiefer to waive the first verbatim reading of the Ordinance regarding the amendment to the City of Tomah Comprehensive Plan related to the Future Land Use Map to change the designation of the property located at 24004 Gopher Avenue (formerly known as the Randall property) from Planned Neighborhood to Public and Institutional. Motion passed without negative vote. (Prise Abstained)

Motion by Bohlen, second by Siekert to waive the second verbatim reading of the Ordinance regarding the amendment to the City of Tomah Comprehensive Plan related to the Future Land Use Map to change the designation of the property located at 24004 Gopher Avenue (formerly known as the Randall property) from Planned Neighborhood to Public and Institutional. Motion passed without negative vote. (Prise Abstained)

Motion by Bohlen, second by Kiefer to adopt **Ordinance No. 2017-01-01-D** regarding the amendment to the City of Tomah Comprehensive Plan related to the Future Land Use Map to change the designation of the property located at 24004 Gopher Avenue (formerly known as the Randall property) from Planned Neighborhood to Public and Institutional. Motion passed without negative vote. (Prise Abstained)

Ordinance No. 2017-01-01-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 Future Land Use Map of the City of Tomah Comprehensive Plan 2013-2033, originally adopted September 10, 2013 and as most recently amended on October 13, 2015. Said Map amendment is to change the designation of the property located at 24004 Gopher Ave from Planned Neighborhood to Public and Institutional.

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 10th day of January, 2017

Mayor: Nellie Pater

Attest, City Clerk: JoAnn Cram

Read: 01/10/2017

Passed: 01/10/2017

Published: 01/19/2017

Ordinance Rezoning the Property Located at 24004 Gopher Ave (known as the Randall Property) from A-1 Agricultural District to I-Institutional District

Motion by Bohlen, second by Kling to waive the first verbatim reading of the Ordinance rezoning the property located at 24004 Gopher Avenue (formerly known as the Randall property) from A-1 Agricultural District to I-Institutional District. Motion passed without negative vote. (Prise Abstained)

Motion by Bohlen, second by Kiefer to waive the second verbatim reading of the Ordinance rezoning the property located at 24004 Gopher Avenue (known as the Randall property) from A-1 Agricultural District to I-Institutional District. Motion passed without negative vote. (Prise Abstained)

Motion by Bohlen, second by Kiefer to adopt **Ordinance No. 2017-01-02-D** rezoning the property located at 24004 Gopher Avenue (formerly known as the Randall property) from A-1 Agricultural District to I-Institutional District. Motion passed without negative vote. (Prise Abstained)

Ordinance No. 2017-01-02-D
ORDINANCE RE-ZONING PROPERTY

Randall Property

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 A-1 Agricultural to I-Institutional Zoning District:

A parcel of land located in the SW ¼ - SW ¼, Sec. 9, T17N-R1W, City of Tomah, Monroe County, Wisconsin described as follows: Commencing at the Southwest corner of said forty; thence N88°49'00"E along the south line of said forty, same being the centerline of Cinder Ave., a distance of 122.82 feet, being the Point of Beginning; thence N1°11'00"W a distance of 200.00 feet; thence N88°49'00"E a distance of 290.00 feet; thence S1°11'00"E a distance of 200.00 feet to the south line of said forty and centerline of Cinder Ave.; thence S88°49'00"W a distance of 290.00 feet to the Point of Beginning. Containing 1.33 acres of land more or less. Subject to all easements and right-of-ways of record.

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.

Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

READ: 1/10/2017

PASSED: 1/10/2017

PUBLISHED:

1/19/2017

Ordinance Rezoning the Benjamin-Loendorf-Torkelson Annexation Property from A-1 Agricultural to C1-Conservancy and M-2 General Industrial Zoning District as Described. The Council previously approved the annexation of approximately 69.7 acres of land south of Grain Avenue referred to the Benjamin-Loendorf-Torkelson annexation Petition. A permanent district classification needs to be completed within one year. The ordinance proposes to permanently rezone all parcels in the original Benjamin-Loendorf-Torkelson annexation petition (286-02745-0000, 286-02746-0000, and 286-02747-0000 and thereby all properties in the subsequent December 1, 2016 approved Certified Survey Map (parcel 286-02745-1000 and parcel 286-02745-6000) to the M-2 General Industrial Zoning District except for parcel 286-02748-0000 and 286-02749-0000 which is recommended for C-1 Conservancy.

Motion by Prise, second by Kiefer to waive the first verbatim reading of the Ordinance rezoning the Benjamin-Loendorf-Torkelson Annexation property from A-1 Agricultural to C-1 Conservancy and M-2 General Industrial Zoning as described. Motion passed without negative vote.

Motion by Prise, second by Siekert to waive the second verbatim reading of the Ordinance rezoning the Benjamin-Loendorf-Torkelson Annexation property from A-1 Agricultural to C-1 Conservancy and M-2 General Industrial Zoning as described. Motion passed without negative vote.

Motion by Prise, second by Kiefer to adopt **Ordinance No. 2017-01-03-D** rezoning the Benjamin-Loendorf-Torkelson Annexation property from A-1 Agricultural to C-1 Conservancy and M-2 General Industrial Zoning as described. Motion passed without negative vote.

Ordinance No. 2017-01-03-D
ORDINANCE RE-ZONING PROPERTY
Benjamin, Loendorf, Torkelson

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 as follows:

Parcels 286-02748-0000 and 286-02749-0000 City of Tomah, Monroe County, Wisconsin from the A-1 Agricultural District to the C-1 Conservancy District and Parcels 286-02745-0000, 286-02746-0000 and 286-02747-0000, and thereby all properties in the subsequent December 1, 2016 approved Certified Survey Map (parcel 286-02745-1000 and parcel 286-02745-6000) City of Tomah, Monroe County, Wisconsin from the A-1 Agricultural District to the M-2 General Industrial District in accordance with the procedures outlined in Chapter 52, Article IX, Sec. 52-256 of the City's Code of Ordinances.

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.

Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

READ: 01/10/2017

PASSED: 01/10/2017

PUBLISHED:

01/19/2017

Options and Scenarios from Committee of the Whole Ad Hoc Review Committee. The Committee of the Whole Ad Hoc Review Committee provided multiple options and scenarios for Council consideration. Council members will review the information and discuss the issue in February in an effort to move forward with a recommendation on how to proceed.

Resolution Authorizing Payment of Monthly Bills.

Motion by Siekert, second by Bohlen to approve the resolution authorizing payment of the monthly bills for a total amount of \$642,178.99. Motion passed without negative vote.

RESOLUTION NO. 2017-01-10-02
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	\$ 158,293.85	Check #s 118847-118868 & 118952-119058
2.	Payroll	\$ 328,930.19	Direct Deposit #'s 48900-49168
3.	Wire Transfers	\$ 24,097.72	
4.	Invoices	<u>\$ 130,857.23</u>	Check #'s: 119090-119185
		\$ 642,178.99	

Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Ratification of AFSCME Union Contract - 2017. Motion by Kiefer, second by Kling to ratify the 2017 Local 180 WCCME, AFSCME, AFL-CIO Collective Bargaining Agreement and authorize City officials to sign the documents as presented with a .67% increase. Motion passed without negative vote.

Salary Adjustments for Non-Represented Personnel

Motion by Kiefer, second by King to approve a salary adjustment of .67% for non-represented personnel for 2017. Motion passed with two negative vote (negative votes Prise and Siekert).

Motion by Prise, second by Siekert to adjourn. Motion passed without negative vote. Meeting adjourned 7:07 p.m.

Respectfully submitted,

Michael Murray,
Council President

JoAnn Cram,
City Clerk