The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION July 13, 2017 at 6:00 p.m. with Mayor Nellie Pater presiding. (Meeting was rescheduled for Thursday, July 13th due to no quorum on July 11, 2017.)

Following the Pledge of Allegiance, roll call was taken with Nellie Pater, Travis Scholze, Lamont Kiefer, Wayne Kling, Larry Siekert, Mary Ann Komiskey, Mike Murray, and Luke Bohlen present. Absent: 4th Aldermanic District Seat is vacant. Also in attendance: City Administrator Roger Gorius, City Attorney Penny Precour-Berry, and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

Motion by Scholze, second by Komiskey to adjourn to closed session pursuant to State Statute 19.85(1)(c) and (e) to confer with legal counsel with respect to other public business regarding investing of public funds and to consider promotion and compensation in Ambulance Department. Motion passed without negative vote. Meeting adjourned to closed session at 6:02 p.m. Meeting reconvened at 7:10 p.m.

Anyone Desiring to Appear Before the City Council. No one appeared.

Minutes. Motion by Kiefer, second by Kling to approve the minutes of the June 13, 2017 regular Common Council meeting as presented. Motion passed without negative vote.

Mayor. Mayor Pater thanked everyone who participated in the 4th of July parade. Mayor Pater also advised that she was asked to speak on August 8th at the University of Marshfield.

City Administrator and Long Range Plan Committee Report.

Distinguished Service Resolution – Mike Wetzel. City Administrator Gorius read the Resolution recognizing Mike Wetzel for distinguished service as he retires from the City of Tomah.

Motion by Murray, second by Siekert to approve **Resolution No. 2017-07-11-28** in recognition of Mike Wetzel in faithful service to the City of Tomah Waster Treatment facility. Motion passed without negative vote.

RESOLUTION NO. 2017-07-11-28 RESOLUTION IN RECOGNITION OF MIKE WETZEL IN SERVICE TO THE CITY OF TOMAH AS LICENSED MAINTENANCE OPERATOR 1998-2017

WHEREAS, However effective government may be in serving the needs of its citizens, the soul of our city and its' vitality as a place to live and work depend on the relationship of families, friends, neighbors and co-workers.

WHEREAS, Mike Wetzel has committed himself to faithfully serving the citizens of Tomah from 1998 to 2017 as a Licensed Maintenance Operator at the Tomah Wastewater Treatment Facility, and

WHEREAS, Mike has proven himself to be a dedicated and trustworthy member of the City of Tomah. Mike's commitment to his community has been evidenced repeatedly in his service at the Tomah Waste Water Treatment Facility. As a licensed Maintenance Operator Mike has provided valuable service in analyzing and presenting test results to the State of Wisconsin in compliance with the facilities licensing. Mike's dedication and knowledge were instrumental in Tomah receiving the award of "Best Operating Treatment Facility" in the state of Wisconsin. Mike has dedicated his career to serving, not only the citizens of Tomah but the State of Wisconsin as well, as a dedicated advocate of clean water and environmental stability in the industry. Mike is an asset to the plant and will be sorely missed; and

WHEREAS, in appreciation for such dedication and service to our Community upon his retirement as Maintenance Operator the following is submitted to record;

NOW THEREFORE, BE IT RESOLVED, that as Mayor on behalf of The City of Tomah, I commend Mike for his outstanding contribution to our community. The Common Council of the City of Tomah does hereby express its sincere appreciation and thanks to Mike for nineteen years of dedication and service to the citizens of the City of Tomah and extends its best wishes for his health and happiness in the future. Dated this 13th day of July 2017. Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Ambulance Department Union Negotiations. The City has entered into preliminary talks with Local #127 of the International Association of Fire Fighters in regards to creation of a union representing the paramedic staff of the ambulance service. The initial exchange was primarily set to determine what language would be introduced into any contract which would be presented in future meetings.

Citizen Concern over Possible Loss of Amtrak Service. Over the last month, information has been proposed regarding budget cuts for Amtrak Services. The loss of Amtrak would be very unfortunate. A letter was received from a concerned citizen outlining the substantial impact the loss would be personally for them. It was the consensus of the Council to instruct the City Administrator to draft a letter to legislators in support of the Amtrak Service and authorize Mayor Pater to sign.

Ad Hoc Committee of the Whole Committee Recommendation. The Ad Hoc Committee was formed to review the current process utilized in running the Committee of the Whole meeting. It is the recommendation of the Ad Hoc Committee that the date and time of the meeting remain the same and that a consent agenda be implemented at the Council meeting to allow for routine matters to be voted on in unison. Any member of the Common Council will have the ability to remove any item from the consent agenda for discussion and closer consideration should they feel it necessary. Each item on the consent agenda will be read at Council meetings so the public is aware of what is included in the consent agenda.

Motion by Kling, second by Scholze to adopt the consent calendar model agenda for the Common Council and instruct the City Administrator and the City Clerk to implement the policy at the August Council meeting. Motion passed without negative vote.

City Administrator Gorius advised there is an alderperson vacancy in Wards 5 & 6. Letters of interest should be submitted to the City Clerk on or before August 1, 2017 with the appointment being made at the August 8th Council meeting.

City Administrator Gorius provided an administrative staff report with a summary of monthly activity performed. Mr. Gorius advised that he attended the Truck and Tractor Pull luncheon and press conference. City Admin. Gorius also assisted with lining up the parade entries for the Chamber of Commerce July 4th parade.

City Clerk. 1. Revaluation. Open Book is July 10-14th. The assessment roll is available for public viewing through Friday, July 14th at 4:00 p.m. Objection forms are available at City Hall. Board of Review will be held at 9 a.m. on July 20th. Appointments should be scheduled by July 18th at 9 a.m. allowing for the required 48 hour notice. 2. 4 Year Maintenance – Election Postcards. The Wisconsin Election Commission mailed over 500 Notice of Suspension of Registration postcards within the City limits to voters identified as having not voted within the previous four years. The deadline for voters to respond with an Application for Continuation of Registration is July 15th. Voters who do not request continuation or who's Notice of Suspension of Registration was not returned to the clerk as undeliverable by July 15th will have their voter status changed to "Inactive". Voters with an Inactive status will have to re-register to vote prior to the next election they wish to cast a ballot. 3. 2016 Annual TID 8 Report. The Annual Joint Review Board meeting was held on June 27th. The report prepared by Andrew Bremer of MSA and meeting minutes were distributed. City Treasurer Mann filed the Department of Revenue report form on June 27th.

Request for Exemption for City of Tomah Residents from Monroe County Library Tax. The City must file a request annually for exemption of the County library tax as the City residents are already taxed through the City levy.

Motion by Kiefer, second by Kling to authorize Mayor Pater to send a letter to Monroe County requesting exemption for City of Tomah residents from the Monroe County library tax. Motion passed without negative vote.

Library Report. Library Director Keller advised that the Library received a donation from Eileen Fisher which include items from her son Brian's train collection. All of the train videos will be added to the Library's video collection. The summer reading program is in full force. Director Keller also provided information regarding all of the different programs and services the Library provides.

Convention and Visitors Bureau/Chamber of Commerce. No report.

Tomah Public Housing and Community Development Block Grant Monthly Report. No report.

Senior and Disabled Services Report. No report.

Public Works Director – Water, Sewer, Public Works and Lake Updates. Public Works & Utilities Director Kirk Arity advised the following: Street Dept.: Crack sealing completed for the year. Painting on Superior Avenue will start shortly. McLean Avenue street project is progressing well. Weather permitting, utilities will be completed around July 17th and curb & gutter installation has begun. Operations should start soon on Lincoln Ave. commencing towards the new hospital site. Downtown Information Center bids will be opened on July 19th. Sewer: Mike Wetzel has retired after 19.5 years of service to the City. There was an emergency sewer repair in the east alley behind J & R Variety. Water: After exhausting options combating radium issues at well #9, we have committed to abandonment of the well in 2018 (after the roof on the reservoir is repaired). We are applying for grants to defray much of the cost. Lake: The Committee is helping to facilitate the bidding of the walking trail which is scheduled for July 24th. The railroad is working on the concrete abutments of the railroad bridge below the dam. The recreational trail will be temporarily closed during this construction project and there will be limited use of the trail temporarily between N. Superior Avenue and the Lake dam. Public Works is working with the North American Squirrel Association on construction of a new handicap shelter at Butts Park.

Treasurer – Cash & Investment Reports - June and Cash Report - May. Motion by Kiefer, second by Komiskey to accept the cash report for May and investment and cash reports for June. Motion passed without negative vote.

Conditional Use Permit Application to Allow for Reconstruction of a Dwelling in the M-2 General Industrial District.

Motion by Kiefer, second by Scholze to approve a Conditional Use Permit allowing for the reconstruction of a single family dwelling in the M-2 General Industrial District without conditions. The property is owned by Reno Robles and is located at 1565 Townline Road, parcel #286-02598-0000. Motion passed without negative vote.

Conditional Use Permit Application to Allow a Business to be operated out of residence. Applicant wishes to sell firearms from his single family home. The Planning Commission recommends approval of the Conditional Use Permit with the condition that there is no outdoor advertising on the property.

Motion by Kiefer, second by Komiskey to approve a Conditional Use Permit allowing Aaron Larsen to operate a home business from his residence at 428 W. Monowau Street, parcel #286-00290-0000 with the condition that no outdoor advertising be allowed on the property as recommended by the Planning Commission. Motion passed without negative vote.

Proposed Modifications to Section 52-116 Regarding Flexible Parking Requirements in the Downtown Area. Current ordinances provide limited provisions that allow the City to grant reductions in the minimum number of parking stall requirements or to allow on-street parking stalls to be counted toward required off-street parking spaces. Both of these types of provisions are common and appropriate for development within downtown areas, as opposed to commercial highway or industrial uses located outside of a downtown setting. MSA developed recommendations for consideration by the Long Range Planning Committee. Possible options are as follows: The Planning Commission may reduce the number of required minimum parking stalls for new construction and expanding portions of commercial uses on a case-by-case basis with the Downtown Study Area, as identified in the Downtown Master Plan. The Planning Commission will consider the current availability of on-street parking and municipal parking lots in the vicinity of the development site, and the proposed intensity and uses of the development. The conditions of approval of this parking reduction shall be incorporated into a site plan or site plan revisions submitted to the City for approval.

Motion by Kiefer, second by Siekert to accept the MSA proposal and submit this proposal to the Planning Commission for consideration in July and return for action at the August Council meeting regarding any ordinance changes. Motion passed with one abstention (Murray).

Approval of TID 8 Rehabilitation and Redevelopment Project Application Forms. In past meetings the Long Range Planning Committee has been working on application forms that would be utilized in applying for TIF funding within the designated boundaries of TID 8. Two documents are being presented for consideration: The Rehabilitation Project application would allow for updates to existing structures to increase their assessed value and create increment for the TID. The Redevelopment Project application would be used for a far more extensive project such as razing and rebuilding. Guidelines for both are slightly different and funding has been capped at different levels regarding each application. The Long Range Planning Committee recommends that the Council accept and approve the Rehabilitation Project Application as presented.

Motion by Murray, second by Scholze to accept and approve the Rehabilitation Project Application and the Redevelopment Project Application as presented. Motion passed without negative vote.

Bartender Licenses. Motion by Siekert, second by Kiefer to approve the bartender's licenses as listed. Motion passed without negative vote. Bartender licenses approved as follows: David Barsotti, Jennifer Bires, Cassey Bungert, Zachary Gibbs, Steven Hessil, Makayla Moake, Heather Raiten, Amy Ritter, Daniel Shaw, Rebecca Spohn, Rebecca Williams and Nan Zheng.

Special Beer Permit for Area Community Theatre – Benefit on October 21, 2017 at Recreation Park. Motion by Siekert, second by Kling to approve the temporary "Class B" beer license for Area Community Theatre for a benefit being held on October 21, 2017 at Recreation Park. Motion passed without negative vote.

Special Beer and Wine Permit – Queen of the Apostles – Street Fest on the Hill on August 19-20, 2017 at 315 W. Monroe Street. Motion by Siekert, second by Komiskey to approve the temporary "Class B" beer license and temporary "Class B" wine license for Queen of the Apostles for Street Fest on the Hill on August 19-20, 2017 at 315 W. Monroe Street. Motion passed without negative vote.

Request for Change of Agent from Stella Patel to Hasmukh M. Patel for Hwy. 12 & 16 BP at 1030 E Clifton Street. Megan Patel has requested that Hasmukh M. Patel be approved as Agent for Hwy 12 & 16 BP at 1030 E. Clifton Street in Tomah.

Motion by Siekert, second by Kiefer to approve the change of Agent to Hasmukh M. Patel from Stella Patel effective immediately for Hwy 12 & 16 BP at 1030 E. Clifton Street in Tomah. Motion passed without negative vote.

Renewal of "Class B" Liquor and Class "B" Fermented Malt Beverage License for William Kohn d/b/a District 5 Bar at 1106 Superior Avenue. William Kohn has applied for renewal of the combination Class "B" Liquor and Fermented Malt Beverage license for District 5 Bar, 1106 Superior Avenue for the period of July 12, 2017 - June 30, 2018. Inspections still need to be completed.

Motion by Siekert, second by Kling to approve the renewal of the "Class B" Liquor and Class "B" Fermented Malt Beverage license for District 5 Bar, 1106 Superior Avenue for the period of July 12, 2017 - June 30, 2018 unless sooner revoked and contingent on any or all unpaid tax obligations, assessments or other fees owed to the City are paid and must be compliant with building, plumbing, electrical, zoning, health or fire codes at the time the license is to be renewed. Motion passed without negative vote.

Cabaret License. William Kohn has applied for a cabaret license for District 5 Bar, 1106 Superior Avenue for the period of July 12, 2017 – June 30, 2018.

Motion by Kling, second by Siekert to approve the cabaret license for District 5 Bar, 1106 Superior Avenue for the period of July 12, 2017 – June 30, 2018 unless sooner revoked and contingent on any or all unpaid tax obligations, assessments or other fees owed to the City are paid and must be compliant with building, plumbing, electrical, zoning, health or fire codes at the time the license is to be renewed. Motion passed without negative vote.

Request for Use of Public Space. Rebecca Chambers is requesting to use the area in front of the City's future Information Center at 1220 Superior Avenue to stage a car wash on either July 22 or August 12 to raise funds for the Tomah Limited Edition Show Choir.

Motion by Kling, second by Scholze to approve the request for use of public space on July 22 or August 12 to raise funds to the Tomah Limited Edition Show Choir. Motion passed without negative vote.

Request for Street Closure. Queen of the Apostles Church is requesting to have W. Monroe Street closed between Hollister Avenue and Clark Street for a festival on August 20, 2017.

Motion by Kling, second by Komiskey to approve the street closure as follows: West Monroe Street at Hollister on the west end and Clark Street at the east end as requested on August 20, 2017. Motion passed without negative vote.

Resolution Regarding Authorized Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund (Well No. 9). The City of Tomah desires to file several applications for state financial assistance for its 2018 Well No. 9 project under the Wisconsin Environmental Improvement Fund.

Motion by Kling, second by Kiefer to approve Resolution No. 2017-07-13-29 authorizing Mayor Pater to file the applications for financial assistance from the State of Wisconsin Environmental Improvement Fund and authorize the Mayor and City Clerk to sign the necessary documentation. Motion passed without negative vote.

RESOLUTION NO. 2017-07-13-29 AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND

WHEREAS, it is the desire of the City of Tomah, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its 2018 Well No. 9 project under the Wisconsin Environmental Improvement Fund (ss.281.58, 281.60 and 281.61. Wis. Stats.); and

WHEREAS, it is necessary to designate a representative for filing said applications;

BE IT THEREFORE RESOLVED by the City Council of the City of Tomah that Mayor Nellie Pater is hereby appointed as the authorized representative for the City of Tomah for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

Adopted the 13th day of July, 2017. CITY OF TOMAH, WISCONSIN

Nellie Pater, Mayor Attest: JoAnn Cram, City Clerk

Resolution Declaring Official Intent to Reimburse Expenditures for 2018 Well No. 9 Project. After

exhausting all alternatives for remedies related to the radium issue at Well #9, we have informed the DNR we will be abandoning Well #9 in 2018. We are applying for grant money to abandon Well #9 and anticipate a high score and grant money. This resolution is part of the application process.

Motion by Kling, second by Komiskey to approve Resolution No. 2017-07-13-30 declaring official intent to reimburse expenditures for 2018 Well No. 9 project and authorize the Mayor and City Clerk to sign the necessary documentation. Motion passed without negative vote.

CITY OF TOMAH, WISCONSIN RESOLUTION NO. 2017-07-13-30 RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR 2018 WELL NO. 9 PROJECT

WHEREAS, the City of Tomah, Monroe County, Wisconsin (the "Municipality") owns and operates a water system (the "System") as a public utility; and

WHEREAS, the Municipality plans to abandon the well (the "Project"); and WHEREAS, the Municipality expects to receive a loan (the "Loan") from the State of Wisconsin Safe Drinking Water oan Program (SDWLP) (the "Program") to finance the Project and expects to issue tax-exempt bonds (the "Bonds") to the

Program in evidence of the Loan; and WHEREAS, because the Loan will not become available prior to approximately June of 2018, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the Loan; and WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds

on hand on an interim basis until the Loan becomes available and the Bonds can be issued

NOW, THEREFORE, BE IT RESOLVED by the City of Tomah, Monroe County, Wisconsin that: <u>Section 1. Expenditure of Funds.</u> The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available. <u>Section 2. Declaration of Official Intent.</u> The Municipality hereby officially declares its intent under 26 CFR Section

1.103-18 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$500.000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Municipal Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This resolution shall be effective upon its adoption and approval. State of Wisconsin City of Tomah, Wisconsin

I certify that this is a true and correct copy of a document in the possession of the City of Tomah

Dated: July 13, 2017 Nellie Pater, Mayor ATTEST: JoAnn M. Cram, City Clerk

Resolution Regarding Authorized Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund (Reservoir). The City of Tomah desires to file several applications for state financial assistance for its 2018 Reservoir Roof Repair project under the Wisconsin Environmental Improvement Fund.

Motion by Kiefer, second by Bohlen to approve Resolution No. 2017-07-13-31 authorizing Mayor Pater to file the applications and that the representative is authorized to do all things necessary in connection with said applications. Motion passed without negative vote.

RESOLUTION NO. 2017-07-13-31 AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR FINANCIAL ASSISTANCE FROM STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND

WHEREAS, it is the desire of the City of Tomah, Wisconsin, a municipal corporation, to file several applications for state financial assistance for its 2018 Reservoir Roof Repair project under the Wisconsin Environmental Improvement Fund (ss.281.58, 281.60 and 281.61. Wis. Stats.); and

WHEREAS, it is necessary to designate a representative for filing said applications;

BE IT THEREFORE RESOLVED by the City Council of the City of Tomah that City Mayor Nellie Pater is hereby appointed as the authorized representative for the City of Tomah for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications. Adopted the 13th day of July, 2017.

CITY OF TOMAH, WISCONSIN Attest: JoAnn Cram, City Clerk Nellie Pater, Mayor

Resolution Declaring Official Intent to Reimburse Expenditures from Reservoir Roof Repair. The City of Tomah plans to repair the reservoir roof and expects to receive a loan from the State of Wisconsin Safe Drinking Water Loan Program to finance the project and expects to issue tax-exempt bonds in evidence of the loan. The loan will not become available prior to June of 2018, the municipality must provide interim financing to cover costs of the project incurred prior to that time.

Motion by Kiefer, second by Siekert to approve Resolution No. 2017-07-13-32 declaring official intent to reimburse expenditures for reservoir roof repair and authorize the Mayor and City Clerk to sign the necessary documentation. Motion passed without negative vote.

CITY OF TOMAH, WISCONSIN RESOLUTION NO. 2017-07-13-32 RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR RESERVOIR ROOF REPAIR

WHEREAS, the City of Tomah, Monroe County, Wisconsin (the "Municipality") owns and operates a water system (the

"System") as a public utility; and **WHEREAS**, the Municipality plans to repair the reservoir roof (the "Project"); and **WHEREAS**, the Municipality expects to receive a loan (the "Loan") from the State of Wisconsin Safe Drinking Water **WHEREAS**, the Municipality expects to receive a loan (the "Loan") from the State of Wisconsin Safe Drinking Water oan Program (SDWLP) (the "Program") to finance the Project and expects to issue tax-exempt bonds (the "Bonds") to the Program in evidence of the Loan; and

WHEREAS, because the Loan will not become available prior to June of 2018, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the Loan; and WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds

on hand on an interim basis until the Loan becomes available and the Bonds can be issued. **NOW, THEREFORE, BE IT RESOLVED** by the City of Tomah, Monroe County, Wisconsin that: <u>Section 1. Expenditure of Funds.</u> The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available. <u>Section 2. Declaration of Official Intent.</u> The Municipality hereby officially declares its intent under 26 CFR Section **1.102.19** to reimburge avail dynamic with the respondent to prove the property of the provide the provide the property of the provide the provide the provide the provide the property of the provide th

1.103-18 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$650.000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Municipal Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability

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of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

<u>Section 5. Effective Date.</u> This resolution shall be effective upon its adoption and approval.

State of Wisconsin City of Tomah, Wisconsin I certify that this is a true and correct copy of a document in the possession of the City of Tomah

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

Request to Use \$40,000 of Contingency to Repair Underground Pipe Work at the Tomah Aquatic Center – 2017 Budget Amendment. Director Protz along with Director Arity and city departments have been working on trying to resolve piping issues at the Aquatic Center. A major break occurred in an underground pipe near the winterization drainage manhole. The leak had been plugged but a zone is not operable in the pool until the pipe is fixed. After cutting a pipe in the manhole and running a camera in the pipe, the breakage was found. The area around the manhole needs to be dug up and the pipes need to be properly repaired to stop future breaks in the system due to movement of the ground and concrete. Gerke's Excavating has provided an estimate of \$38,943.29 for repairing the area needed to fix the pipe. It is requested that this work be done this fall which is the best time to dig and also insure an on time Aquatic Center startup for spring of 2018.

Motion by Kiefer, second by Kling to authorize the needed repair transferring \$40,000 from Account #01-51980-2270 Reserve for Contingency to Account #08-57622-8100 Capital Outlay to pay for needed repairs. Motion passed without negative vote.

Ordinance Amending Chapter 36 Section 36-12 Regarding Enforcement by Building Inspector and/or Code Enforcement Officer in the City of Tomah Municipal Code.

Motion by Kiefer, second by Bohlen to waive the first verbatim reading of the ordinance amending Chapter 36 Section 36-12 regarding enforcement by Building Inspector to include the following language: "and/or the Code Enforcement Officer" for the City of Tomah. Motion passed without negative vote.

Employee Assistance Program. Mr. Bruce Friell, the representative of the Gunderson Employee Assistance Program provided a short presentation to the Council explaining the benefits of the program. They are currently offering services to approximately 125 employers. This program is designed to deal with personal problems and determining how to solve the problems. This is assessment, short term counseling and referral if needed. They also offer complimentary management training, complimentary employer orientation sessions to teach employees what the program offers, and a complimentary management session is also available. Telephone access is offered 24/7. This is an effective management tool and an employee benefit. It is anticipated 5-10% of employees will take advantage of the program annually. Fees have not increased in the last 6-7 years and the fee would be \$15 per full time employee per calendar year. There are 6 full time therapists available who are primarily based in La Crosse but the therapists visit sites in the region.

Motion by Murray, second by Bohlen to move forward with the Employee Assistant Program proposed. Motion passed without negative vote.

Amended Lease for FDS Enterprises to Add New Van and Remove Retired Van.

Motion by Scholze, second by Kiefer to approve the amended lease with FDS Enterprises to add a 2017 Dodge Grand Caravan and remove a 2010 Dodge Grand Caravan. Motion passed without negative vote.

Resolution Authorizing Payment of Monthly Bills. Motion by Scholze, second by Kiefer to approve **Resolution No. 2017-07-13-33** authorizing payment of the monthly bills for a total amount of \$1,684,472.77. Motion passed without negative vote.

RESOLUTION NO. <u>2017-07-13-33</u> 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

nmends the	e City Council approve said	bills as follows:	
1.	Pre-Paid Checks	\$1,220,594.98	Check #'s 120023-120052, 120133-120214
2.	Payroll	\$ 324,520.56	Direct Deposit #'s 50665-50948
3.	Wire Transfers	\$ 23,920.42	
4.	Invoices	<u>\$ 115,436.81</u>	Check #'s 120264-120352
		\$ 1,684,472.77	
Nellie	Pater, Mayor		ATTEST: JoAnn M. Cram, City Clerk

Ordinance Amending Chapter 1 Section 1-15 Citation Method Employed in the Municipal Code (2nd Reading & Adoption).

Motion by Scholze, second by Siekert to waive the second verbatim reading of the Ordinance amending Chapter 1 Section 1-15 Citation Method Employed in the Municipal Code. Motion passed without negative vote.

Motion by Scholze, second by Siekert to adopt **Ordinance No. 2017-07-10-D** amending Chapter 1 Section 1-15 Citation Method Employed in the Municipal Code. Motion passed without negative vote.

ORDINANCE NO. <u>2017-07-10-D</u> Ordinance Amending Chapter 1 Section 1-15 Citation Method Employed

in the Municipal Code of the City of Tomah

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

SECTION ONE: Chapter 1, Section 1-15 Is Hereby Amended to read as follows:

Sec. 1-15. - Citation method employed.

Pursuant to the authority of Wis. Stats. § 66.0113, the city elects to use the citation method of enforcement of ordinances,

- including those for which a statutory counterpart exist. City citations shall be subject to the following provisions: (1) *Issuance of citations*. Any law enforcement officer, the building inspector, and the code enforcement officer may
 - issue citations for enforcement of any ordinances authorized under this section. The building inspector and/or the code enforcement officer shall consult with the city attorney prior to issuing a citation.
- (2) *Violator's options.* The provisions of Wis. Stats. § 66.0113, relating to violator's options and procedure on default, are hereby adopted and incorporated herein by reference.
- (3) Other proceedings. Adoption of this section in no way precludes the adoption of any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matter. The issuance of a citation under this section in no way precludes the proceeding under any other law or ordinance relating to the same or any other matter.

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

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

Nellie Pater, Mayor		ATTEST:	JoAnn Cram, City Clerk		
Read:	6/13/2017 & 7/13/2017	Passed:	7/13/2017	Published:	7/20/2017

Ordinance Amending Chapter 18, Section 18-23 Inspections in the Municipal Code (2nd Reading & Adoption)

Motion by Scholze, second by Kiefer to waive the second verbatim reading of the Ordinance amending Chapter 18, Section 18-23 Inspections in the Municipal Code as presented. Motion passed without negative vote.

Motion by Scholze, second by Kling to adopt **Ordinance No. 2017-07-11-D** amending Chapter 18, Section 18-23 Inspections in the Municipal Code as presented. Motion passed without negative vote. ORDINANCE NO. <u>2017-07-11-D</u>

Ordinance Amending Chapter 18 Section 18-23 Inspections in the Municipal Code of the City of Tomah

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

SECTION ONE: Chapter 18, Section 18-23 Is Hereby Amended to read as follows:

Sec. 18-23. - Inspections.

Except as otherwise provided in this chapter, whenever a complaint is made that a public nuisance exists within the city, the chief of police, building inspector, or code enforcement officer shall inspect or cause to be inspected the offending premises.

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

SECTION THREE: This ordinance should take effect upon passage and publication.								
	Nellie Pater, Mayor		ATTEST:	JoAnn Cram, City Clerk				
Read: 2017	June 13, 2017 & July 13, 2017	Passed:	July 13, 2017	Published:	July 20,			

Resolution Authorizing a Change in the Position Count by the Creation of One Full Time Captain of Ambulance and Establishing Wage and Approval of Ambulance Department Captain Job Description

Motion by Bohlen, second by Scholze to table this item as well as the approval of Ambulance Department Captain Job Description until the August meeting. Motion passed without negative vote.

Council Deliberation Regarding Member Participation. A reminder was given to the Council members of the importance of attending required meetings and notifying the City Clerk when unable to appear.

Motion by Kiefer, second by Siekert to adjourn. Motion passed without negative vote. Meeting adjourned at 8:40 p.m.

Respectfully Submitted,

Nellie Pater, Mayor

JoAnn Cram, City Clerk