

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION October 10, 2017 at 6:30 p.m. with Mayor Nellie Pater presiding.

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

Anyone Desiring to Appear Before the City Council. Bob Kersten of Hollister Avenue appeared requesting some traffic monitoring on Highway 16 and Hollister Street. Police Chief Nicholson addressed Mr. Kersten's concerns and will monitor traffic in that area.

Mayor. No report.

City Administrator and Long Range Plan Committee Report. City Admin. Gorius advised that he spoke at the groundbreaking ceremony for Tomah Memorial Hospital's new location. An announcement was made that Gundersen Health will be building an adjoining clinic facility on the campus as well. Admin. Gorius also advised that labor talks with the Tomah Paramedics in relation to forming a union continue. The talks included a mediator from the state and a final agreement has not been reached at this time. The Saturday Budget Workshop will be held October 14th. Open enrollment for health insurance is currently underway. This year, the state plan eliminated the Health Tradition Health Plan which is utilized by a large portion of employees. The plan was replaced with a much higher costing plan and it is difficult at this time to make adjustments in the budget as this will have a significant impact if employees don't change providers. The budget will be prepared to include multiple scenarios dependent on membership participation in health care plans.

City Clerk. 1. The population estimate challenge was reviewed by the State Dept. of Administration and the estimate was changed from 9,360 residents to 9,491; an overall increase of 131 residents for 2017.

Library Report. Library Director Irma Keller advised the Library had a summer reading program for adults. The Library is showing scary movies on Sunday nights for adults only at 5:30 p.m.

Convention and Visitors Bureau/Chamber of Commerce. Ex. Director Tina Thompson advised that the Chamber hosted a "Hometown Hero" event during Business After 5 in September. The City of Tomah was named # 6 in the state as far as positive growth activities. The Activity Guide is being prepared and it is anticipated that 37,000 copies will be distributed. There will be an active shooter training on October 19th. "Jingle all the Way" is the theme for the November Holiday parade.

Tomah Public Housing and Community Development Block Grant Monthly Report. Director Muehlenkamp submitted a written report.

Senior and Disabled Services Report. No report.

Planning/Building Inspection Report. Zoning Administrator/Building Inspector Shane Rolff provided a written report showing permit construction values and total permit fees collected in September.

Public Works Director – Water, Sewer, Public Works and Lake Updates. Public Works & Utilities Dir. Kirk Arity advised the following: Street Dept.: The storm sewer was installed along Berry Ave. and the remaining curb and gutter improvements will follow. Leaf pickup will start in mid-October. Citizens were requested not to add branches, rocks or garbage to the piles of leaves. The Dept. has been busy asphalt patching and installing/repair storm sewer throughout the City. The preliminary design/concept plans for the old Holy Smokes building were presented to the Parks & Recreation Commission along with the Long Range Planning Committee. Sewer: City staff separated the sanitary sewer at the old Holy Smokes building from the adjacent property owners. Operations at the sewer plant are normal. Water: The city has completed the hydrant flushing. Lake: Nothing to report at this time.

Police Department Report. Police Chief Nicholson provided a monthly written report for review. Chief Nicholson advised the "Coffee with a Cop" event at Culvers was very successful. Chief Nicholson provided an overview of Homecoming events. Two new squads are now in service. At noon on October 12th, the Tomah Lions Club and City officials will be having a dedication for the donated statue and the lion water fountain at Gillette Park.

Consent Agenda Items:

Motion by Scholze, 2nd by Kiefer to approve the following Consent Agenda Items:

- A. Minutes** of the September 12, 2017 regular Common Council meeting as presented.
- B. Treasurer – September Cash & Investment Reports.**

- C. **Bartender Licenses** - Haley L. Beckjordan, Brianna M. Bemis, Sierra R. Butzler, Leah B. Finch, HeidiLynn M. James, Holly M. Phillips, and Thomas P. Ryan.
- D. **Request for Change of Agent from Kristie V. Hemmersbach for Skogen's Foodliner, Inc. (Festival Foods) at 701 E. Clifton Street, Tomah**
- E. **Authorization to Close Alleyway Between Smokes Elbow Room and Kelsey's for a Benefit on October 14, 2017 from 8 a.m. to 7 p.m.**
- F. **Request for Extension of Class "B" Fermented Malt Beverage and "Class B" Liquor License to the outside fenced in area for Smoke's Elbow Room and Kelsey's Bar for October 14, 2017**
- G. **Special Beer Permit – Monroe County Tavern League for Pool Tournament in the Recreation Building at Recreation Park on January 12-14, 2018**
- H. **Special Beer & Wine Permit for Ferret Underground on December 2, 2017 at 218 W. Juneau Street**
- I. **2017 Budget Amendment to Provide Funding for the MSA Professional Service Agreement for Tomah TID #9 Creation and Administration from Reserved for Contingencies (Transfer \$12,000 from Acct. # 01-51980-2270 Reserve for Contingencies to Acct. #17-56700-2100 Economic Development Professional Services)**

Motion passed without negative vote.

Request for Consideration of Class "B" Fermented Malt Beverage License and "Class B" Liquor License from "Reserve" to a "Regular" License for T & J Hospitality, LLC d/b/a Ground Round Grill & Bar and Request for Waiving the Fee. The Ground Round holds a "Reserve" liquor and beer license and initially paid \$10,000 plus the regular license fees. They renewed the Reserve license for July 1st, however, since the regular license formerly held by Burnstad's European Café has become available, they are requesting that they be issued a "regular" license and they would then relinquish the "Reserve" license. They are also asking that the prorated fee of \$431.32 for the new license be waived as they have already paid for the renewal period of 2017/2018 when the reserve license was renewed.

Motion by Kiefer, second by Buchda to approve the original license application changing the reserve to a regular license for T & J Hospitality, LLC, d/b/a Ground Round Grill and Bar contingent on releasing the reserve license and waive the prorated license fee for the remainder of the license period expiring June 30, 2018. Motion passed without negative vote.

Application to Modify an Existing Licensed Outdoor Facility by Troy Gilson & Jay Larsen (Crow Bar) Located at 1206 Superior Avenue and Amendment of the Class "B" Fermented Malt Beverage and "Class B" Liquor License to Include the Outdoor Facility. Based on review of the application, the Planning Commission and Committee of the Whole recommends approval of the modification to the existing Outdoor Facility License with the condition that the license be reviewed by the Planning Commission in May of 2018. The intention is to allow any adjacent property owners an opportunity to provide feedback regarding noise, lighting, or any other concerns. Concern was voiced regarding looking into how other communities are handling this and their respective ordinances.

Motion by Kiefer, second by Scholze to amend an existing Class "B" Fermented Malt Beverage License and "Class B" Liquor License to include an outdoor facility operated by Troy Gilson & Jay Larsen at the Crow Bar located at 1206 Superior Avenue with the condition that the license be reviewed by the Planning Commission prior to the May license renewal in 2018. Motion passed without negative vote.

City of Tomah and Western Technical College Regarding Emergency Medical Technician-Advanced Program Experience Setting Affiliation Agreement for Clinical Fieldwork, Internship, or Practicum & Addendum for Same. The Ambulance Director is requesting authorization to sign an agreement with Western Technical College for the purpose of making Tomah Area Ambulance Service an approved Experience Setting. The purpose of this agreement will allow Tomah Area Ambulance to accept students that are currently enrolled in Emergency Medical Training (EMT) and provide them with fieldwork, internship, or practicum.

Motion by Siekert, second by Buchda to approve the City of Tomah and Western Technical College Emergency Medical Technician-Advanced Program Experience Setting Affiliation Agreement for Clinic Fieldwork, Internship, or Practicum and the addendum for the same as presented and authorize City Administrator Gorius to sign the agreement. Motion passed without negative vote.

Ordinance Amending Chapter 52 Sections 52-14 and 52-209 Regarding Fences and Hedges. The current ordinance allows fences to be closer than 2' from your property line if you received signed permission from the adjacent property owner. The applicant is required to submit a "sketch" showing lot lines and the location of the fence. The proposed amendment requires the applicant provide a property survey map depicting the proposed fence in relation to the property boundaries. The amendment also eliminates the need for signed permission from the adjacent property owner since the burden is now placed on the applicant to verify their existing property boundary. In addition, the amendment allows fences to be erected higher than 6' in special situations when erected to provide visual screening for onsite utilities, dumpsters, or similar items with Plan Commission approval.

Concern was voiced regarding the elimination of the 2 foot setback and does not see a problem that is being solved by eliminating the 2 foot setback.

Motion by Buchda, second by Murray to waive the first verbatim reading of the ordinance amending Chapter 52 Sections 52-14 and 52-209 regarding fences and hedges as presented. Motion passed with one negative vote (Bohlen).

Request for Authorization to Offer “Opt Out Incentive” to Full Time Employees Eligible for Health Insurance. For several years prior to 2010, the City offered a \$3,000 annual opt-out for full time employees eligible for family health insurance and \$1,200 annually to full time employees eligible for single health insurance who declined the coverage because they had other coverage from a different source. Due to the increased cost of health insurance for the Mayo plan, it would be in the City’s best interest to offer the opt-out incentive at this time.

Motion by Kling, second by Bohlen to authorize the opt-out incentive to full time employees eligible for family health insurance in the amount of \$3,000 annually as specified and \$1,200 for full time employees eligible for single health insurance coverage. Motion passed without negative vote.

Resolution Accepting Dedication of Land for Recreation Trail/Open Park Spaces. The Tomah Area School District has petitioned to dedicate/donate land to the City of Tomah for public use. This land will be used as part of the westward extension of the City walking trail and will allow safe passage around the County ET roadway.

Motion by Bohlen, second by Kiefer to approve **Resolution No. 2017-10-10-41** Accepting Dedication of Land for Recreation Trail/Open Park Spaces. Motion passed without negative vote.

RESOLUTION NO. 2017-10-10-41
RESOLUTION ACCEPTING DEDICATION OF LAND
FOR RECREATION TRAIL/OPEN PARK SPACES

WHEREAS, owner, Tomah Area School District, has petitioned to dedicate/donate land to the public, subject to a reconveyance restriction, as set forth on the proposed Quit Claim Deed attached hereto and marked Exhibit 1, and
WHEREAS, the land is completely undeveloped and generates no property tax revenue, and
WHEREAS, it will be possible in the future to link new walking trails through the property with existing Parks & Recreation trails, and
WHEREAS, there is a need for a resolution to be filed with the Monroe County Register of Deeds to formally accept said land dedicated to the City of Tomah for recreational trail/open park space purposes;
NOW THEREFORE BE IT RESOLVED, the City Council, City of Tomah, Monroe County, Wisconsin does hereby accept land as described on the attached Exhibit 1, with the reconveyance restriction set forth thereon, for future Parks and Recreation use; and

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

Resolution Authorizing Payment of Monthly Bills.
Motion by Bohlen, second by Kling to approve payment of the monthly bills in the amount of \$1,581,672.31 as presented. Motion passed without negative vote.

RESOLUTION NO. 2017-10-10-42
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	\$ 888,659.33	Check #'s 120657-120817
2.	Payroll	\$ 454,120.33	Direct Deposit #'s 51515-51774 & 9292017-9292121
3.	Wire Transfers	\$ 33,503.57	
4.	Invoices	<u>\$ 205,389.08</u>	Check #'s 120833-120925
		\$1,581,672.31	

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

Resolution Regarding Six Year Airport Improvement Plan. A yearly resolution is required to be eligible for the 80/20 state funding program for improvements at the Airport.

Motion by Siekert second by Buchda to approve **Resolution No. 2017-10-10-43 Regarding the Six Year Airport Improvement Plan.** Motion passed without negative vote.

RESOLUTION NO. 2017-10-10-43

RESOLVED, by the **CITY OF TOMAH** that the attached list of proposed improvements are in the best interest of the **BLOYER FIELD AIRPORT**; and
WHEREAS, Wisconsin Statutes require a Statement of Project Intentions from airport owners contemplating federal and/or state aid within the next six years; and
WHEREAS, this Six Year Statement of project Intentions is used by the Department of Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition for federal and/or state aid; and
NOW, THEREFORE BE IT RESOLVED that this governing body contemplates requesting federal and/or state aid for the projects listed on the attached schedule of airport improvements.
Resolution introduced by:

Kirk Arity, Director of Public Works & Utilities
Larry Siekert, Alderperson
Pam Buchda, Alderperson

I, JoAnn Cram, Clerk of the City of Tomah, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a City Council meeting on October 10, 2017, adopted by a majority vote, and recorded in the minutes of said meeting.

JoAnn M. Cram, City Clerk

Request from Noah Nauman to Obtain a Conditional Use Permit to Operate a Home Business from his Detached Garage at 1216 Hollister Avenue. Mr. Nauman wishes to use a detached garage to operate a woodworking business in the R2 one-and two-family residential district. There will not be a showroom and the woodworking is a supplement to his construction business. Based on review of the application, the Planning Commission recommends approval of the Conditional Use Permit with the condition that no commercial signage be permitted on the premises. Operation of the business would be 8 to 5 Monday-Friday.

Motion by Scholze, second by Siekert to approve the request from Noah Nauman to obtain a conditional Use Permit to operate a home business from the detached garage at 1216 Hollister Avenue with the condition that no commercial signage be permitted on the premises. Motion passed without negative vote (Murray abstained).

Motion by Kiefer second by Bohlen to adjourn. Motion passed without negative vote. Meeting adjourned at 8:03 p.m.

Respectfully Submitted,

Nellie Pater, Mayor

JoAnn M. Cram, City Clerk