

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION, February 13, 2018 at 6:30 p.m. with Mayor Nellie Pater presiding in the Municipal Building, 819 Superior Ave., Tomah WI.

Following the Pledge of Allegiance, roll call was taken with Travis Scholze, Lamont Kiefer, Wayne Kling, Larry Siekert, Mary Ann Komiskey, Nellie Pater, Mike Murray, Pam Buchda and Luke Bohlen present. Quorum present. Also in attendance: City Admin. Roger Gorius, City Atty. Penny Precour, City Treasurer Julia Mann, City Clerk JoAnn Cram and Deputy City Clerk Diane Webster. Greg Hagen videotaped the meeting.

Anyone Desiring to Appear Before the City Council. Pete Peterson thanked Council members, Administrator Gorius and Public Works and Utilities Director Kirk Arity director for their assistance with efforts to construct the New Monroe County Nursing Home in Tomah. The next Monroe County Board meeting is Feb. 28 at 6:00 p.m. at the Justice Center in Sparta.

Mayor. No report

City Administrator & Long Range Plan Committee Report. City Administrator Gorius provided a report regarding current and ongoing activities being addressed by the Administrator's office.

School District Administrative Update – Cindy Zahrt, Tomah School District Superintendent. School district is in its 2nd year of referendum that was passed in 2016. The referendum has not increased the school district tax rate. 2017 School taxes on a 100K home were \$804.27 (35th lowest mill rate in state of WI). The School Board will be seeking another referendum for funds to continue providing services such as C.N.A. training. Some of the programs being offered to students are "Reality Check" (an event for juniors where the students apply for jobs, interview, pay bills and learn other real life skills); "JAG" (jobs for American graduates) which is a program to ensure that every student that graduates from the program is employable. The school district has implemented the Distinguished Alumni Program. Four and five year old kindergarten registration will be Feb 22. Superintendent Zahrt encouraged everyone to attend the upcoming elementary and high school musicals. More school district information can be found in the "Howl" publication which will be included with the February 16, 2018 Foxy Shopper.

Salary Study Update – Patrick Glynn, Carlson-Dettman Consulting (Employee compensation consulting firm). Mr. Glynn provided an overview of the classification and compensation study project being done in the City. Mr. Glynn discussed the necessity of offering competitive pay to attract and retain workforce. Private sector annual wage increases are on average about .67 higher than annual increases for public sector employees. The study will compile data from comparable employers in both private and public sector. Employees are in the process of completing job description questionnaires. That information will be evaluated and matched to the marketplace. The information will be presented to the Council so it can begin to decide where the City's wages should be compared to where they currently are, and how competitive we want to be in the marketplace. Carlson-Dettman will then make pay scale recommendations and an implementation strategy will be reviewed. The goal is to complete the process and have the information to Council in time for the 2019 budgeting process.

City Clerk. The Spring Primary election is being held on February 20 in the Fire station behind City Hall. Offices on the ballot include Mayor and Justice of the Supreme Court. The spring election is April 3rd. In addition to Mayor and Supreme Court Justice, offices of the ballot include 2nd, 4th, 6th and 8th Aldermanic districts, Monroe County Supervisors, and 2 School Board member positions.

Library Monthly Report. January circulation: 9342. Knitting classes, sign language classes, computers for seniors, conversational Spanish are being offered. The library has acquired several new books. There will be information about the library at the Child Development Days event at Recreation Park on February 21 and 22.

Convention & Visitors Bureau/Chamber of Commerce. Director Thompson advised that the annual Chamber Banquet will be at Cranberry Country Lodge on Feb. 26. A Discover Wisconsin episode focusing on Tomah will premiere on February 18. Tomah Kite Fest will be June 2, 2018 at the Tomah Varsity Soccer fields and a crowd of 3000 is anticipated. A workforce round table will be coming up. The 2018 Activities Guide is now available. 30,000 copies are being distributed. Upcoming seminars include Sexual Harassment in the Workplace; Basics of

customer service; Time Management; and Leadership. Other upcoming events include a Tomah School District Career and Job Fair, Health Care Heroes evening on May 23 at Fireman's Park in conjunction with Nurses Week; a Back to School BBQ in August, a Taste of Tomah in October, and a speed networking event in November.

Tomah Public Housing & Community Development Block Grant Monthly Report. Director Muehlenkamp provided the 2017 Year-end Housing program report. Due to the improving economy the amount paid to the City for properties owned by Public Housing has increased. There are veterans housing vouchers available. Block grant program has funding available. Some applications have been picked up but none have been submitted. The CDBG / High School Building Trade project at 436 Arthur Street house is progressing. Completion is set for 5/19/18.

Senior & Disabled Services Report. No report.

Planning/Building Inspection Report. 2016/2017 annual building permit totals were provided.

Police Department Monthly Report. Officer David Heckman has been hired and is currently attending the Police Academy. There is a job opening due to resignation of Officer Steinborn and an applicant is currently under consideration. A part time clerk position open. At this time the Police Department will be open until 6 p.m. daily and duties will be handled by existing staff. Fencing has been constructed to block the sidewalk at the 3rd Gen construction site. Asking everyone to please not walk in the street. Police staff are working on a record retention project to get rid of records that are no longer needed. LEXIPO policy project is also being worked on.

Motion by Kiefer, second by Scholze to remove the requests by Heather Gray and Kyle Lowe from the consent agenda and place on the regular agenda for discussion. Motion passed without negative vote.

Consent Agenda Items.

Motion by Scholze, second by Kiefer to approve the following Consent Agenda items. Motion passed without negative vote.

- A. Minutes** of the January 9, 2018 regular Council Meeting as presented.
- B. Minutes** of the January 15, 2018 special Council Meeting as presented.
- C. Bartender Licenses for** Patrick Adler, Ashley Anderson, Taylor Bos, Alexa L. Byrum, Brianna Camacho, Jennifer Dubusik, Deborah L. Hojnacki, Sherry R. Koel, Harshal D. Patel, Jada R. Rice, Shannon Rowan, Rachel Wickersheim, Robert Yoder, and Kristina Young. Note: Ashley Anderson was denied by Chief of Police after agenda was distributed so no license will be issued.
- D. Special Beer and Wine Permit** – Families First of Monroe County for March 10, 2018 at Recreation Park Recreation Building.
- E. Special Beer Permit** – Tomah Fire Department for March 24, 2018 at Recreation Park Recreation Building.
- F. Special Beer and Wine Permit** – Tomah Baseball Club "Opening Night" for March 3, 2018 at Recreation Park Rec. Building.
- G. Application for Pawn Broker, Second Hand Article & Second Hand Jewelry License** - Robert Pierce, 320 Superior Avenue.

Requests to Reconsider Operator's License Denials. Chief Nicholson explained the requirements of the State of WI regarding operator license applications. His recommendation to deny the operator's licenses is based solely on State Statutes and City Ordinances. Per City Attorney the Council should use rational analysis when considering appeals.

It is recommended by the Chief of Police that the license requested by Kyle Lowe be denied as the applicant does not meet the qualifications and requirements.

Motion by Kiefer, second by Kling to grant an Operator's (bartender) license to Kyle Lowe based on information provided by his employer with the stipulation there will be a review at the time of renewal. Motion passed with one negative vote (Bohlen). Murray abstained.

It is recommended by the Chief of Police that the license requested by Heather Gray be denied as the applicant does not meet the qualifications and requirements.

Motion by Kiefer, 2nd by Kling to grant an Operator's license to Heather Gray stipulating there be a review at time of renewal. Motion passed with one negative vote (Bohlen).

Application for Pawn Broker, Secondhand Article & Secondhand Jewelry Dealer License Tomah Hock and Pawn – Robert Pierce, 320 Superior Ave.

Motion by Buchda, 2nd by Komiskey to approve the application for a pawn broker, secondhand article and secondhand jewelry dealer license to Robert Pierce, Tomah Hock & Pawn, 320 Superior Ave. Motion passed without negative vote.

Implementation of Stipend Pay Rates for Off-Duty Emergency Calls and Transfer Requests. Ambulance Director Randy Dunford with Ambulance Committee Approval is requesting stipend pay rates be implemented. There will be no financial impact to the City tax levy because TAAS is a self-funding enterprise.

Motion by Buchda, second by Bohlen to recommend the Common Council implement stipend pay rates for off-duty emergency general page and transfer requests for the Ambulance Department. Motion carried without negative vote.

Engineering Review Fee for Commercial Building Projects (new or additions).

Motion by Siekert, second by Scholze to adopt a \$250 engineering review fee for commercial building projects (new or additions) as presented. Motion carried without negative vote.

Lease Agreement between Tomah Chamber of Commerce/Convention and Visitor's Bureau and City of Tomah.

Discussion: John Rusch - No record on file of a 50 year chamber lease. David Schreier-spoke on behalf of the Chamber. Tina Thompson-has a large number of supporters in attendance as well as several written letters of support. Chris Hanson-former Chamber/CVB Director- Recommends that council members obtain correct information regarding laws governing room tax. Eric Dippen-feels that a verbal agreement is not binding, he is concerned that City tax dollars will be used. Eric Prise-the Council minutes of March 2017 show that the motion passed without negative vote to lease to chamber for \$1 per month until 2018 budget passed. John Rusch-DNR gifted the building to the City and was valued at \$250,000. Recommends deeding the building to the Chamber. Mitch Koel-recommends the council honor the lease terms that were discussed and agreed upon during a meeting between city and chamber representatives.

Motion by Kiefer, second Murray by to approve the lease agreement between the Tomah Chamber of Commerce/Convention and Visitor's Bureau and City of Tomah as approved by the Committee of the Whole with the modification of the lease term to be for a period of fifty years, and no sale, unless earlier default, vacation from the leased premises or Lessee's consent. Motion passed with three negative votes (Kling, Bohlen and Komiskey).

Ordinance Rezoning Tomah Associates Property from A-1 Agricultural to B-2 Highway Business (1st Reading).

Motion by Siekert, second by Kiefer to approve the first reading of the ordinance to rezone Tomah Associates Property as described, from A-1 Agricultural to B-2 Highway Business. Motion passed without negative vote.

2018 Budget Amendment – Move the Fire Chief's Salary Adjustment from Reserved for Contingencies to the Fire Department Budget.

Motion by Bohlen, second by Murray to approve the 2018 budget amendment moving \$25,553 to Account 01-52200-1100 Fire Protection Salaries Managerial, \$371 to Account 01-52200-1120 Fire Protection Salaries Social Security and \$3,807 to Fire Protections Wisconsin Retirement from Account 01-51980-2280 Reserved for Contingencies in the amount of \$29,730, effective 1/1/2018. Motion passed without negative vote.

2017 Budget Amendment – Carry Forward \$15,000 in Acct. #01-51415-2100 for Salary Study.

Motion by Kling, second by Kiefer to approve the 2017 budget amendment to carry forward \$15,000 in Account #01-51415-2100 City Administrator Professional Services for a salary study. Motion passed without negative vote.

2017 Budget Amendment–Unanticipated Revenue-Transfer \$5,337.29 from Acct. #05-48500 to Acct. #05-55200-3400 for Equipment for Butts Park Picnic Shelter.

Motion by Kling, second by Scholze to approve the 2017 budget amendment transferring \$5,337.29 (donation from North American Squirrel Association) from Account #05-48500-Donations Other Parks to Account #05-55200-3400 Other Park Supplies for equipment for the Butts Park Picnic Shelter Motion passed without negative vote.

Annual Fire Department Fund Audit. The City Treasurer has audited the Fire Department funds. The books have been found in good order and the 12/31/2017 cash balance in the Fire Department Fund is \$102,074.04.

Motion by Komiskey, second by Kiefer to approve the 2017 Annual Fire Department Fund Audit report as presented. Motion passed without negative vote.

Resolution Authorizing Payment of Monthly Bills.

Motion by Komiskey, second by Scholze to approve the monthly bills in the amount of \$4,222,139.12 as presented. Motion passed without negative vote.

Adjourn to Closed Session Pursuant to State Statutes 19.85(1) (c) and (e) to Confer with Legal Counsel Regarding Union Negotiations, Personnel Issues and the Investing of Public Funds. Motion by Kiefer, second by Murray to adjourn to closed session pursuant to State Statutes 19.85(1) (c) and (e) to confer with legal counsel regarding union negotiations, personnel Issues and the investing of public funds. Motion passed without negative vote. Meeting adjourned to closed session at 9:35 p.m.

Meeting reconvened at 9:45 p.m.

Motion by Scholze, second by Buchda to approve the Development Agreement between the City of Tomah and 3rd Gen, LLC contingent on 3rd Gen providing items A, B and C as listed on contact. Motion passed with three negative votes (Bohlen, Komiskey and Kling). Murray abstained.

Adjourn to Closed Session Pursuant to State Statutes 19.85(1) (c) and (e) to Confer with Legal Counsel Regarding Union Negotiations, Personnel Issues and the Investing of Public Funds. Motion by Kiefer, second by Murray to adjourn to closed session pursuant to State Statutes 19.85(1) (c) and (e) to confer with legal counsel regarding union negotiations, personnel Issues and the investing of public funds. Motion passed without negative vote. Meeting adjourned to closed session at 9:50 p.m.

Reconvened to open session at 10:55 p.m.

Motion by Kiefer, second by Siekert to approve the AFSCME wage increase of 1.86% CPI and merit base increase of .14% for a total wage increase of 2% retroactive to January 1, 2018, direct the City Attorney to draft the contract, and authorize the City Administrator and City Attorney to sign the one year contract. Motion passed without negative vote.

Motion by Murray, second by Kiefer to accept the tentative agreements regarding modifications to the 2017-2018 collective bargaining agreement between TPPA and City of Tomah as presented effective 2/25/2018. Motion passed without negative vote.

Motion by Murray, second by Scholze to approve proposed wage increase to the average wages as presented (including step change) in the wage comparison study effective 2/25/2018 for non-represented sworn personnel in the Police Department. Motion passed without negative vote.

Motion by Murray, second by Siekert to adjourn. Motion passed without negative vote. Meeting adjourned at 11:02 p.m.

Approved: Nellie Pater, Mayor

Attest: Diane M. Webster, Deputy City Clerk

Minutes to be approved March 13, 2018