

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION, March 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, and Pam Buchda present. Absent: Luke Bohlen. Quorum present. Also in attendance: City Admin. Roger Gorius, City Atty. Penny Precour, and City Clerk JoAnn Cram. Greg Hagen videotaped the meeting.

**Anyone Desiring to Appear Before the City Council.** Alderperson Pam Buchda addressed the Council regarding the Stop, Drop and Donate campaign that is going on for the recent fire victims that lost all their possessions. Alderperson Buchda also advised there is an Easter Egg Hunt at the Tomah Nursing and Rehabilitation Center.

Deb Moore, Spring Street in Sparta addressed the Council regarding the placement of the Rolling Hills Nursing Home. Ms. Moore is asking that the Council delay the decision regarding the funding for the Rolling Hills Nursing Home future location. Ms. Moore advised that a petition has been circulated regarding this issue. Mary Von Ruden, Monroe County Supervisor and City of Sparta Council Members and Member of the Rolling Hills Committee. Ms. Von Ruden wishes that business would have been done between administrators and not county board members. Pete Peterson of the Monroe County Board and a member of the Rolling Hills Committee. A petition was circulated. A special meeting was called by the Rolling Hills Committee. Due diligence was asked and extra money will be spent to complete this. The true cost of the building will also be addressed on March 28<sup>th</sup> when the advisory committee meets. Everything that the petition asked for is being done. Sparta has been reactive – Tomah has been proactive. Mary Bushing, 15000 CTY HWY B, Sparta advised the families and the residents should be considered. What is the best service for the families and residents?

**Mayor.** Mayor Pater advised she believes Tomah will be an excellent location for the Rolling Hills facility. Tomah has all the facilities that can make the residents very comfortable in our City. Mayor Pater has been attending the meetings in Sparta to represent the City of Tomah.

**City Administrator & Long Range Plan Committee Report.** City Administrator Gorius provided a report regarding current and ongoing activities. Administrator Gorius provided an update on the Chamber of Commerce Discover Wisconsin Episode, Wage Comparison Survey, and the Chamber Awards Banquet. Administrator Gorius received information regarding Paxton boxes in the community that are filled with non-perishable food items, toiletries and other items like this for citizens that are in need. If the City can start a program similar to this, it would benefit citizens. Information will be given to the Council members.

**City Clerk. Election.** The Spring Election is being held on April 3 in the Fire station behind City Hall. Offices on the ballot include Justice of the Supreme Court, Court of Appeals Judge, Circuit Court Judge, County Board Supervisors, Mayor, Aldermanic Seats for Districts 2,4,6, & 8, Tomah School Board Members and State Referendum. **Reorganizational Council Meeting.** The Reorganizational Council meeting is scheduled For April 17<sup>th</sup>.

**Election Tally for the February 20, 2018 Spring Primary Election.** Total votes cast were 811 or 21% of the eligible registered voters which compares to 336 voters or 7% in 2017. The 21% voter turnout compares to 529 voters or 12% in 2016.

Motion by Kling, second by Kiefer to accept the Election Tally Report as submitted for the February 20, 2018 Spring Primary Election. Motion passed without negative vote.

**Library Monthly Report.** No report.

**Convention & Visitors Bureau/Chamber of Commerce.** No report.

**Milwaukee Street Block Party Request for Street Closure by the Chamber of Commerce.** It is requested to close Milwaukee Street from Kilbourn Ave. to McLean Ave. for a “block party.” The goal would be to work with local groups and have 2 bands playing from either end of the block. The proposed date for the event is August 11, 2018 from 1 p.m. until 11 p.m.

Motion by Buchda, second by Scholze to approve the request for a block party and street closure on the east and west sides of Milwaukee Street for an event hosted by the Chamber of Commerce. Motion passed without negative vote.

**Tomah Public Housing & Community Development Block Grant Monthly Report.** Director Muehlenkamp provided a written report.

**Senior & Disabled Services Report.** No report.

**Planning/Building Inspection Report.** No report.

**Consent Agenda Items.**

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

- A. Minutes** of the February 13, 2018 regular Council Meeting as presented.
- B. Treasurers Cash and Investment Reports for February.**
- C. Bartender Licenses** for Emily J. Courtney, Brooke A. Delaney, and Jeremy E. Haskell.
- D. Approval of Renewal of Airport Leases Commencing January 1, 2018** as presented.

**Bartender License – Ashley A Anderson.**

Motion by Buchda, second by Komiskey to deny the bartender license for Ashley A. Anderson due to the consistent pattern and history of offenses that directly relate to the license. Motion passed with one negative vote (Kiefer).

**Development Agreement between City of Tomah and the Toro Company.** City of Tomah officials, MSA, City Attorney Precour, and representatives of the Toro Company have been working with the legal team at Toro Corporate Offices to craft a development agreement in regards to an upcoming expansion of the current Toro manufacturing plant. Toro is proposing a \$30 million dollar expansion on its existing manufacturing plant. TID 9 would be utilized to provide an incentive package which would be reimbursable to the City.

Motion by Buchda, second by Murray to approve the Development Agreement between the City of Tomah and The Toro Company as presented. Motion passed with one negative vote (Komiskey).

**Authorization for Funding of \$250,000 for Rolling Hills Nursing Home.**

The Common Council has previously agreed in closed session to provide financial assistance in purchasing the property for the proposed move of the Rolling Hills County Nursing Home and Care Facility.

Motion by Kiefer, second by Scholze to approve the expenditure of \$250,000 to offset the purchase of property on the Tomah Memorial Hospital site for use in construction of a county run nursing home and care facility with the stipulation that such money will not be provided until TID 10 is approved. Motion passed without negative vote (Buchda abstained).

**Professional Services Agreement with MSA for Downtown Marketing Services TID 8.** At the February LRPC meeting, Andrew Bremer of MSA presented several marketing strategies to effectively promote the Downtown Tax Incremental Financing District. The LRPC reviewed the strategies and recommend the Council authorize a Professional Services Agreement to market TID 8 in Tomah. Per the agreement, MSA will review and update the TIF Development incentives policy manuals and applications; Develop a marketing brochure; Create a Story Map which is a type of website that will be used to highlight the Downtown Master Plan; and facilitate a downtown public information meeting to discuss and describe the processes for requesting assistance for rehabilitation of buildings and explain how properties within the TID can obtain tax increment financing assistance. The cost for the service is \$9,000.

Motion by Kiefer, second by Murray to approve the Professional Services Agreement between the City of Tomah and MSA for marketing services for TID #8 as presented at a cost of \$9,000. Motion passed with one negative vote (Komiskey).

**Request From Veterans Assistance Foundation (VAF) for TID 8 Assistance.** The VAF has requested a loan for \$100,000 to complete the apartment renovations at their new facility located at the former Hardware Hank location. Due to extensive renovation of a code-required stairwell, the Foundation does not have enough funding to complete the project. It is proposed that a builder's agreement be established with terms of the loan and repayment requirements described within. The \$100,000 would be secured by the City later this year when other borrowing is done.

Motion by Komiskey, second by Siekert to approve the request from the Veterans Assistance Foundation which would be to provide a loan of \$100,000 with the terms and repayment established as part of the builder's agreement. Motion passed without negative vote.

**Request for Additional Temporary Part-Time Public Works Sanitation Laborer.** The City has committed to several major projects over the summer months. The additional temporary Part-Time Public Works Sanitation Laborer would allow the department to maintain crack sealing duties and other services throughout the City. Funding would be offset by the budget for the public restroom project due to a large amount of that work being done by City employees.

Motion by Komiskey, second by Kiefer to authorize the additional temporary part time Public Works Sanitation Laborer not to exceed 600 hours at a rate of pay of \$13 per hour for a total not to exceed \$7,800. Motion passed without negative vote.

**Ordinance Amending Section 12-69 Regarding Farmers Market Hours of Operation.** It is requested that the following changes be made to the ordinance to include the following: Change Wednesday hours from noon to 6 p.m. to 11 a.m. to 6 p.m. to include the set-up time during which goods may be sold; Change the Saturday market time from 7 a.m. to 1 p.m. to 6 a.m. to 1 p.m. to include setup time during which goods may be sold. The Market would also be allowed to operate on Wednesdays when Music in the Park events are held until 8:30 p.m. Further discussion was held regarding the internal policy regarding notice of resale products and what the best way would be to display that information for the public.

Motion by Scholze, second by Komiskey to waive the first verbatim reading of the Ordinance Amending Section 12-69 regarding Farmers Market Hours of Operation as presented. Motion passed without negative vote.

**Wage Adjustment for Non-Represented Sworn Employees of Police Department.** The sworn TPPA Union personnel received an increase effective January 1, 2018 with the 2017/2018 Union Contract. It is requested that the Non-Represented sworn employees of the P.D. receive the 2% wage increase that is proposed for all non-represented employees effective January 1, 2018 through February 24, 2018. Effective February 25, 2018, the average wage that was presented through the wage comparison study presented by Chief Nicholson would become effective and will remain as proposed at the February Council meeting.

Motion by Scholze, second by Kiefer to authorize a 2% wage increase for non-represented sworn police personnel effective January 1, 2018 to Feb. 24, 2018 and effective February 25, 2018, the "average wage" will take effect as presented in February. Motion passed without negative vote.

**2018 Wage Increase for Non-Represented Employees.** It is requested that the total award for increase in wage for all non-represented non-sworn employees would be 2% across the board effective January 1, 2018.

Motion by Siekert, second by Scholze to approve an overall increase of 2% in wage across the board for all non-represented non-sworn employees retroactive to January 1, 2018. Motion passed without negative vote.

**Resolution Authorizing Payment of Monthly Bills.** Motion by Siekert, second by Kiefer to approve **Resolution No. 2018-03-13-06** Authorizing Payment of the Monthly Bills in the amount of \$4,222,139.12 as presented. Motion passed without negative vote.

**RESOLUTION NO. 2018-03-13-06**  
**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	\$3,703,494.49	Check #'s 121652-121713, 121790-121873
2.	Payroll	\$ 323,653.98	Direct Deposit #'s 52808-53067
3.	Wire Transfers	\$ 23,719.28	
4.	Invoices	<u>\$ 142,295.28</u>	Check #'s 121920-121981
		\$ 4,193,163.03	

Nellie Pater, Mayor

ATTEST: JoAnn M. Cram, City Clerk

**Ordinance Rezoning Tomah Associates Property From A-1 Agricultural to B-2 Highway Business.** Motion by Siekert, second by Kiefer to waive the second verbatim reading of the ordinance rezoning Tomah Associates Property from A-1 Agricultural to B-2 Highway Business. Motion passed without negative vote.

Motion by Siekert, second by Kling to adopt **Ordinance No. 2018-03-02-D** Rezoning Tomah Associates Property from A-1 Agricultural to B-2 Highway Business. Motion passed without negative vote.

**Ordinance No. 2018-03-02-D**  
**ORDINANCE RE-ZONING PROPERTY**  
**Tomah Associates 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 *B-2 Highway Business* Zoning District:

A parcel of land located in the NE1/4-NW1/4. and NW1/4-NW1/4, Section 16, T17N-R1 W, Monroe County, Wisconsin described as follows: Beginning at the Northwest corner of said Section 16; thence N88°44'08"E along the north line of said NW1/4, a distance of 1453.62 feet; thence S0°22'05"E, a distance of 50.08 feet to the south line of Gopher Ave.; thence N88°44'08"E along said south line, a distance of 448.23 feet; thence Northeasterly along a curve concave to the northwest, having a radius of 622.96 feet (the Long Chord of which bears N77°10'11"E, 249.80 feet) a distance of 251.50 feet to the north line of said NE1/4.-NW1/4; thence N88°44'08"E along said north line, a distance of 100.49 feet to the west right-of-way line of interstate Highway "90h; thence Southwesterly along said west line, the chord of which bears S31°33'23"W, a distance of 237.47 feet; thence Southwesterly along said west line, the chord of which bears S30°57'38"W, a distance of 183.52 feet; thence Southwesterly along said west line, along a curve concave to the Northwest, having a radius of 1119.40 feet (the Long Chord of which bears S49°53'29"W, 197.36 feet) a distance of 197.62 feet; thence S54°56'56"W along said west line, a distance of 323.85 feet; thence Southwesterly along said right-of-way line, along a curve concave to the Northwest, having a radius of 4473.66 feet (the Long Chord of which bears S66°2'51"W, 1750.26 feet) a distance of 1761.62 feet to the southeast corner of Braund's Sub.; thence N0°16'29"W along the east line of said Subdivision and the east line of Assessor's Plat No. 1, a distance of 1322.23 feet to the Point of Beginning. Containing 44.009 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.

READ:               Nellie Pater, Mayor                               ATTEST:               JoAnn M. Cram, City Clerk  
                          02/13/2018 & 03/13/2018               PASSED:    03/13/2018                               PUBLISHED:    03/23/2018

**Review & Approval of Proposed Contractors for The City of Tomah & Tomah Area School District Youth Training & Community Development Building Project at 436 Arthur St. to Construct a Three (3) one (1) Bedroom Units Apartment Building.**

Motion by Kiefer, second by Murray to approve the bids for electrical (\$18,850), drywall and painting (\$15,620) to Lydon Drywall and Electric as presented. Motion passed without negative vote.

Motion by Kiefer, second by Kling to adjourn. Motion passed without negative vote. Meeting adjourned at 7:10 p.m.

Approved:

Nellie Pater, Mayor

Attest:

JoAnn M. Cram, City Clerk  
Minutes to be approved April 10, 2018