

# MINUTES FOR COMMON COUNCIL TUESDAY, DECEMBER 19, 2023

A Common Council was held on **Tuesday, December 19, 2023 at 6:30 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. The meeting was also available remotely via Zoom and was recorded by Hagen Sports Network.

## **Call to Order, Pledge of Allegiance, Roll Call**

The meeting was called to order by Mayor Michael Murray at 6:30 p.m. After the Pledge of Allegiance, roll call was taken. Present: Michael Murray, Richard Yarrington, Shawn Zabinski, John Glynn, Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: Travis Scholze and Nicole Hart. Also present: Kirk Arity, Molly Powell, Becki Weyer, Shane Rolff (remote), Irma Keller, Pam Buchda, and Judge Tom Flock. All motions are unanimously approved unless otherwise noted.

## **ANYONE DESIRING TO APPEAR TO COUNCIL**

No one desired to appear to the council.

## **Mayor**

The Mayor thanked everyone for their help with the special needs Christmas party this past weekend. He gave a special thanks to Jenna Moser for her help with the event. There will be a Tom Wopat concert with proceeds going to the historical society on May 4, 2024 at the recreation building. The Mayor wished everyone happy holidays and thanked the Council and staff for all their hard work over the past year.

## **Senior Executive Team Monthly Report**

The SET submitted a monthly written report and sought questions from the Council.

## **Public Safety November Monthly Report**

Fire: Staffed with thirty-five fire fighters, they are currently taking applications through the end of December for an eligibility list. November 26<sup>th</sup> had a structure fire at Peking restaurant in downtown Tomah, and the fire was ruled as undetermined, but they cannot rule out human error or electrical issues. This was the fifth structure fire this year, so fuel, supply, and personnel budgets are over budget for 2023. Annual pump testing passed.

EMS: Fully staffed. Thank you to the SET and city attorney for their assistance with the union negotiations. Ambulance 269 will be remounted in February. As of today, VA billing is down to \$54,000 owed compared to over \$300,000 owed three years ago.

## **Library**

In October, there were 2,153 eBook checkouts and 4,605 physical checkouts for a total of 6758 total checkouts. In November, the library had 2043 e-book checkouts and 4205 physical checkouts for a total of 6248 checkouts. In January, there will be a bad art contest in the children's department. Dir. Keller covered all the upcoming events in the Children's department and the Adults Department. Full details can be found on the library website at <https://tomahpubliclibrary.org/>.

## **Senior & Disabled Services Monthly Report**

The Senior Center will be closed Christmas Day, the day after Christmas, and New Years Day. There were 1,862 participants in November and 236 volunteer opportunities. Buchda covered some of the wellness programs at the Sr. Center. The medical gear loan closet is available at no cost to anyone who needs it. The annual Arts and Crafts fair raised \$2,107 and Buchda thanked everyone who helped. They are looking to partner with ARDC of the County to form a men's group to be active and share skills. There will be limited time slots available for people who need help getting their taxes done.

## **November Building Permit Report.**

The structure at 319 E Council has been demolished. The property at 110 E Council will be demolished and there will be construction of a 2- or 3-unit residential structure in its place with construction in April of 2024. 307 Superior Ave was purchased and was also demolished. Street privilege and interior construction permits were approved for Peking restaurant for the initial demolition and renovation after the fire. Reconstruction of the library steps will come in at \$194,000. 1715 N Superior has been purchased and there will be a new construction business and showroom. The Ho-Chunk movie theater will be redoing concrete and blacktop in the parking lot, but that is the only information the city has regarding that property.

## **CONSENT AGENDA**

Motion by Zabinski, second by Pater, to approve the following consent agenda:

- A. Secondhand Article Dealer License Application for Creative Tech Team LLC of Tomah.
- B. Approval of Minutes from November 21, 2023

Motion carried.

## **Alliant Energy Easement Approval**

Alliant Energy requested an easement for the installation of the underwater electric line located on City of Tomah property near the waste water treatment facility. Motion by Kiefer, second by Peterson, to approve the easement request by Alliant Energy. Motion carried.

**Resolution Declaring Official Intent to Reimburse Expenditures From Proceeds of Borrowing**

As the city uses bonding to fund many capital projects, and the timing of the bonding does not always line up with the expenditure for those projects, staff recommends passing the resolution to allow the city to use proceeds of our borrowing to reimburse spending that occurs on the approved projects between this date and the date the city receives the bonds. Motion by Kiefer, second by Yarrington, to approve the Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds of Borrowing. Motion carried.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION DECLARING OFFICIAL INTENT  
TO REIMBURSE EXPENDITURES  
FROM PROCEEDS OF BORROWING**

WHEREAS, the City of Tomah, Monroe County, Wisconsin (the "Issuer") plans to finance 2024 capital improvement projects, including those listed in Exhibit A attached hereto (collectively, the "Project");

WHEREAS, the Issuer expects to finance the Project on a long-term basis by issuing tax-exempt bonds or notes (collectively, the "Bonds");

WHEREAS, because the Bonds will not be issued prior to commencement of the Project, the Issuer must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the Common Council (the "Governing Body") of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer that:

Section 1. Expenditure of Funds. The Issuer shall make expenditures as needed from its funds on hand to pay the cost of the Project until proceeds of the Bonds become available.

Section 2. Declaration of Official Intent. The Issuer hereby officially declares its intent under Treas. Reg. Section I.150-2 to reimburse said expenditures with proceeds of the Bonds, in an amount not expected to exceed \$5,113,500.

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 Issuer pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the Issuer's Clerk 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.

Adopted and recorded \_\_\_\_\_, 2023

Approved -----' , 2023

\_\_\_\_\_  
Michael Murray  
Mayor

ATTEST:

(SEAL)

\_\_\_\_\_  
Rebecca Weyer  
City Clerk

**Resolution Increasing Agency Fare for City of Tomah's Shared Ride Service**

The City of Tomah has negotiated agency fares with certain programs within the City. This agency's fare was set at \$6.00 per ride. As our expenses continue to increase for the service, and as we would like to continue to provide mass transit services to the residents of the City of Tomah, staff propose to increase the agency fare to \$10.00/ride. This fare is consistent with agency fares in surrounding areas. Motion by Zabinski, second by Glynn, to approve the increase of the agency fee for mass transit services to \$10.00 per ride. Motion carried.

**Resolution Authorizing Payment of Monthly Bills**

Motion by Zabinski, second by Kiefer, to approve the resolution authorizing payment of monthly bill in the amount of \$1,143,942.92. Motion carried.

RESOLUTION NO : \_\_\_\_\_

RESOLUTION 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:	2023	\$406,957.31	Check #'s:	143806	143832
				143850	143889
2. Payroll:		\$284,691.40	Dir Dep #'s:	9300922	9301157
3. Wire/ACH Transfers:		\$391,993.05			
4. Invoices:		\$60,301.16			
Total:		<u>\$1,143,942.92</u>			

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

December 18, 2023

### CP WI Development, LLC Lease

Motion by Yarrington, second by Zabinski, to approve the lease agreement between the City of Tomah and CP WI Development, LLC for parcel #286-02674-0000 for a solar field. Motion carried.

### Approval of ARPA funds for Judicial Software

The Mayor passed around a sample of a query from 2019 based on the amount of people who still owe money to the City of Tomah for unpaid fines. He opined to the Council that this could potentially be an ongoing expense for the city of Tomah and is simple data entry that could be managed by the city without the added expense. Judge Flock appeared to answer questions from the Council about why the expense is necessary. He also let the Council know that the query is not all inclusive and could result in monies owed to the city that will not be imported with the query. Janice Nicholson was called on the phone to answer questions from the Council regarding how the system works. Motion by Pater, second by Yarrington to authorize the Mayor and SET, Judge, City Attorney, and Clerk of Courts to approve the renewal of the software system if necessary. Motion carried.

### Appointment of 2024-2025 Election Officials

Motion by Yarrington, second by Pater, to approve the appointment of the 2024-2025 election officials as presented. Motion carried.

### Adjourn to Closed Session

Motion by Zabinski, second by Pater, to adjourn to closed session Pursuant to Wis Stat § 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Motion carried.

The meeting adjourned to closed session at 7:54 p.m.

The meeting opened to the public at 8:21 p.m.

**Ratification of the 2024-2025 Collective Bargaining Agreement between the City of Tomah and the Local 127, AFL-CIO-CLC** Motion by Yarrington, second by Kiefer, to approve the ratification of the 2024-2025 collective bargaining agreement between the City of Tomah and the Local 127 AFL-CIO-CLC pending approval of the agreement by the union representatives. Motion carried.

### Adjourn:

Motion by Peterson, second by Zabinski, to adjourn. The meeting adjourned at 8:36 p.m.

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Mayor Michael Murray

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Rebecca Weyer, City Clerk