



AGENDA FOR COMMON COUNCIL

A Common Council meeting will be held on **Monday, September 21, 2026 at 6:30 PM**
in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

Join Zoom Meeting:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMK1qNU5vNFlwMzdSZz09>

Meeting ID: 768 946 6740 Password: Tomah2020

Dial by your location +1 312 626 6799 US (Chicago)

CALL TO ORDER:

1. Pledge of Allegiance
2. Roll Call

ANYONE DESIRING TO APPEAR TO COUNCIL: *Those that desire to address the City Council must state their name, address, deliver their comments in accordance with the City of Tomah Rules of Order, and will be limited to three minutes.*

MAYOR:

3. Employee of the Month: Detective Paul Sloan
4. Monthly Update

CONSENT AGENDA: *(Items on the Consent Agenda are routine in nature and require one motion to approve all items listed. Prior to voting on the Consent Agenda, the Mayor or any Council member can request item(s) be removed from the Consent Agenda and addressed on the regular agenda).*

- [5.](#) Approval of Minutes from August 17, 2026
- [6.](#) Approval: Authorization for Parks and Recreation to apply for Nielson Family Foundation grant
- [7.](#) Approval: Authorization to increase the per capita rate for the Tomah Area Ambulance Service by \$1.00 in 2027, taking it from \$20.00 to \$21.00
- [8.](#) Approval: Special Beer & Wine Permits for Tomah Chamber Foundation to be used at the Tomah Kriskindlmarkt
- [9.](#) Approval: Special Event Cabaret License for Tomah Chamber Foundation pending acceptable reports from Zoning, Fire, and Police Department
- [10.](#) Approval: Façade Improvement Grant Program Application 1-2026 in the amount of \$20,000

COMMITTEE OF THE WHOLE:

- [11.](#) Approval: Reclassification and job description revision of Zoning Administrator to Economic Development and Zoning Director
- [12.](#) Approval: Annexation Ordinance for 23961 State Highway 16
- [13.](#) Approval: Annexation Ordinance for Jefferson Street, Parcel # 020-01216-0000

Common Council – September 21, 2026

- [14.](#) Approval: Adoption of Resolution supporting CDI Grant for Brieske Properties
- 15. Discussion and Possible Action on Department Director Reports

PUBLIC WORKS AND UTILITIES COMMISSION:

- [16.](#) Approval: Part-Time Personnel

APPOINTMENTS:

- [17.](#) Approval: Appointment of Melissa Dubois and Christopher S. Amundson as election officials for the 2026-2027 term

GENERAL:

- [18.](#) Approval: Professional services agreement with Ehlers & Associates, Inc. for budget model development and training at a rate of \$250.00 per hour, not to exceed \$10,000, and to authorize the City Administrator to execute the agreement on behalf of the City of Tomah
- [19.](#) Discussion and Action regarding 2027 Shared Ride Taxi Service contract with Abby Vans Inc.
- [20.](#) Discussion: Ordinance Amending Article IX of Chapter 44 of the City of Tomah Municipal Code Creating Division 1 through 3 Regarding Bicycles, Electric Bicycles, E-Motos, Electric Scooters, and Gas-Powered Bicycles

ADJOURN:

- 21. Adjourn to closed session pursuant to Wis. Stat. 19.85:

(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

-Update regarding active litigation cases.

NOTICE: It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Nicole Jacobs, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

MINUTES FOR COMMON COUNCIL MONDAY, AUGUST 17, 2026

Call to Order, Pledge of Allegiance, Roll Call

Mayor Paul Dwyer called the Common Council Meeting to order on Monday, July 20, 2026, at 6:30 p.m. in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. After the Pledge of Allegiance, Interim City Administrator Steve Sarvi took roll call. Present: John Glynn, Paul Dwyer, Richard Yarrington, Nellie Pater, Shawn Zabinski, Daniel Crego, Dean Peterson, and Mitchell Koel. Absent: Travis Scholze. Also present: Steve Sarvi, Charlie Handy, Penny Precour, Joe Protz, Brandy Leis, and Nicole Jacobs (via Zoom.) The meeting was available via Zoom and was recorded by Hagen Sports Network. All motions are unanimously approved unless otherwise notated.

ANYONE DESIRING TO APPEAR TO COUNCIL:

No one appeared before council.

MAYOR:

Employee of the Month

Mayor Dwyer announced that Accounts Payable Kara Griswold was chosen as July 2026 Employee of the Month.

Monthly Update

Mayor Dwyer informed the council that interviews had been conducted for the vacant City Treasurer position and the hiring panel selected two candidates from a pool of four to interview with the council.

CONSENT AGENDA:

Motion by S. Zabinski, second by J. Glynn, to approve the consent agenda. Motion carried. (Yarrington opposed)

Approval of Minutes from July 20, 2026

Approval: Special Event Outdoor Cabaret License for JAC’s Steakhouse at 309 Superior Avenue for a music event on September 26, 2026, from 7 p.m. to 11 p.m.

Approval: Temporary Class "B" Fermented Malt Beverage and Temporary "Class B" Wine License Application by Tomah Rotary Club for Neighborhood Block Party on September 12, 2026

Approval: Adoption of resolution for the Comprehensive Outdoor Recreation Plan (C.O.R.P.)

APPOINTMENTS:

Approval: Appointment of Greg L. Blackdeer as an election official for the 2026-2027 term

Motion by M. Koel, second by N. Pater, to appoint Greg L. Blackdeer as an election official for the 2026-2027 term. Motion carried.

GENERAL:

Approve: Final Re-imbursement of Façade Improvement Grant Program Application 4-2025, Tomah Cash Store

Motion by S. Zabinski, second by J. Glynn to approve the final Reimbursement of Façade Improvement Grant Program Application 4-2025, Tomah Cash Store. Motion carried. (Yarrington opposed.)

ADJOURN:

Adjourn to Closed session Pursuant to Wis Stat § 19.85(1):

Motion M. Koel, second by R. Yarrington, to adjourn to closed session under Wis Stat § 19.85(1) as listed on the agenda. Motion carried. Meeting adjourned to closed session at 6:34 p.m.

(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility

- Interviews, deliberation, and negotiation of employment of City Treasurer
- City Administrator Applicant Review

(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:

- Approval: Drafting and sending out a request for proposal for the residential development of Property F.
- Approval: Drafting and sending out a request for proposal for the development of Property G.
- Discussion and possible action regarding City-owned property located at 1004, 1007, 1009, and 1013 Superior Ave.
- Discussion regarding Tomah Aquatic Center.

Common Council Meeting – August 17, 2026

Adjourn Meeting

Motion by N. Pater, second by J. Glynn to adjourn the meeting at 9:17 p.m. Motion carried.

Respectfully submitted,

Nicole Jacobs, City Clerk

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Authorize Parks and Recreation to apply for a Nielson Family Foundation grant

Summary and Background Information:

Grant applications are due by September 30th each year. Dir. Protz is requesting approval to apply for a replacement door for Recreation Station at a cost of \$4,500. The current door has been in place since 1974.

Recommendation From: Parks and Recreation Commission to Approve

Minutes Attached: Yes ☒ No ☐

Budget Account: Grants and Donations

Fiscal Impact: None to General Budget.

Staff Responsible for implementation: Parks and Recreation Department.

Economic Impact: Improvement to Parks and Recreation Facility.

Zoning/Rezoning Issues: None

Supports Organizational Goals: Yes ☒ No ☐

Questions from Administrator:

Grants Pursued/Opportunity Pursued: Nielson Family Foundation grant.

Recommendation: A motion to approve this item should read, "Recommend authorization for Parks and Recreation Director to apply for the for the Nielson Family Foundation Grant".

Administrator

Date

Joe Protz
Department Director

9-9-2026
Date

Committee: Committee of the Whole

Meeting Date(s): Sept. 14, 2026

MEETING MINUTES - CITY OF TOMAH

The City of Tomah **Parks & Recreation Commission (PRC)** met on Monday, August 31, 2026 at 6:00 PM at City Hall, 819 Superior Ave., Tomah. The meeting notice was posted at City Hall in compliance with the provisions of Section 19.84 Wisconsin Statutes.

Call to order and roll call. Present: Dir. Joe Protz, Oak Moser, DeDe Nelson, JoAnn Cram, Bryan Pierce, Scott Brand, Dean Peterson, Travis Scholze, and Donna Evans. The following members were absent: None.

Also present: Eric Roellig and Admin. Steve Sarvi.

1. Approval of Minutes of July 27, 2026, regular meeting. Motion by O Moser, second by D Evans to accept the regular meeting minutes of the July 27, 2026. Motion approved.

2. Review and Recommend Approval to Apply for Nielson Family Foundation Grant. Grant applications are due by September 30th each year. Dir. Protz is requesting approval to apply for a replacement door for Recreation Station at a cost of \$4,500. The current door has been in place since 1974.

Motion by D Peterson, second by D Nelson to recommend the Common Council authorize Dir. Protz to submit a grant application to the Nielson Family Foundation requesting \$4,500 to purchase and install a new door at Recreation Station. Motion approved.

3. Discussion and Possible Recommendations on the Tomah Aquatic Center and/or Tomah Recreation Center. Potential options were discussed regarding the current Tomah Aquatic Center and the future of the proposed Tomah Recreation Center. Due to the leaks within the pool, the analysis of the pool would benefit from having a geotechnical engineer provide a soils analysis and a ground penetrating radar study at the existing facility. A full study would develop options to consider complete replacement of the pool with a basic rectangular pool and/or a new zero-entry pool, partial replacement by removing and replacing the deep end/lane area of the pool, and decommission of the facility and installation of pickleball courts. The main objectives of the full study were to: 1. Verify the current condition of the facility. 2. Develop concepts for renovations and additions to the facility. 3. Develop costs, timelines, and operational impacts for concepts. 4. Build consensus among the pool committee or city council on the priority of repairs and renovations for the aquatic facility. The cost of the full study is approximately \$30,000. Dir. Protz suggested that the City continue first with a soil analysis and ground penetrating radar study at the existing facility prior to authorizing a full study with all the proposed steps. It is estimated that the cost for this portion of the study would be between \$2,000 and \$5,000.

Motion by T Scholze, second by O Moser to authorize Dir. Protz to submit proposals to hire a geotechnical engineer to provide a soils analysis and ground penetrating radar study at a cost not to exceed \$5,000. Motion passed.

Dir. Protz gave an overview on moving forward with the site plan for the Tomah Rec Center. Is the community more focused on an indoor pool or an indoor Rec Center? Can the community support both? In addition, basketball courts would be built plus an indoor walking track around the gym. A layout of the proposed Tomah Rec Center was presented. Dir. Protz suggested doing a survey to determine what the community would like to see. The construction will be done in multiple phases. Does the Commission like the proposed layout and the flow of the building? From there we can determine the cost for each phase followed by a community survey to determine the support for the project to include funding. The center could be a multi-use facility that would serve a large portion of the population. Operational costs would have to be discussed to determine what would be needed for staffing purposes. It was the consensus to first determine what the potential costs would be for construction. The consensus of the Commission members was good as to the size of the building. Potential costs for each phase should be determined for further discussion in September to see where we're at. A scope of work will be prepared for the Commission to review.

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4. Parks and Recreation Program Report. Director Protz reviewed the monthly Program report. Staff are cleaning shelters and rentals, and summer activities. Recreation programs continue to include Adult Co Rec Softball, Co Rec Volleyball, and youth football. Dir. Protz is working on getting estimates on feasibility for the Aquatic Center. Recreation Park continues with multiple events to include the Rotary Block Party and a Reptile Show. The Tomah Ice Center has ice and WI Woodsmen began activity. Staff continues working on grounds cleanup from large summer events.
5. Next meeting will be September 28th at 5:45 PM
6. Motion by D Peterson, second by T Scholze to adjourn. Meeting adjourned at 6:31 p.m. Motion passed.

Respectfully Submitted:

JoAnn Cram, August 31, 2026

**NIELSEN FAMILY FOUNDATION
P.O. BOX 725
TOMAH, WISCONSIN 54660
(608)372-3239**

May 13, 2026

VIA EMAIL

Ms. Nicky Jacobs, City Clerk
Mr. Nick Morales, City Administrator
CITY OF TOMAH
819 Superior Avenue
Tomah, Wisconsin 54660

Re: In the Matter of the Nielsen Family Foundation

Dear Ms. Jacobs and Mr. Morales:

I am writing to follow-up our previous communications with respect to the above-referenced Foundation.

Enclosed for your review, please find the Grant Application Form for your use when applying for distributions from the trust. Grant applications shall be submitted on or before September 30th of each calendar year. Grant applications approved, will be awarded and distributed prior to December 31st of each year.

As you recall from our previous correspondence, Section 5.9 of the trust set forth specific provisions regarding the distribution of funds from the trust as follows:

Section 5.9 Nielsen Family Foundation

(a) Name of Foundation. The name of the Foundation shall be the Nielsen Family Foundation.

(b) Statement of Purpose. It is the settlors' intention that the trust proceeds be used for the benefit of the City of Tomah, primarily for the benefit of the Board of Public Works, Parks and Recreation and the Library. The settlors further direct that the distributions be made for capital improvements to buildings used for the following:

- (1) Capital improvements to buildings, such as new roofs and HVA systems.**
- (2) Construction of new buildings for City of Tomah related operations.**
- (3) Remodel existing buildings.**
- (4) Purchase land for future building sites.**
- (5) Utility construction.**

Ms. Nicky Jacobs, City Clerk
Mr. Nick Morales, City Administrator
May 13, 2026
Page 2

The foregoing are intended as examples of permitted uses and are not intended to be exclusive.

The settlors request, but do not direct that funds be used to purchase real estate near the current Tomah Public Library to be used for the construction of a children's library and to house the Tomah Area Historical Society.

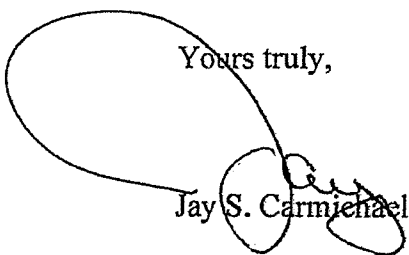
The settlors direct that the trust funds shall not be used for any of the following:

- (1) To pay interest on any City of Tomah obligation.**
- (2) For the purpose of purchasing of equipment, vehicles, computers, machinery, or other tangible personal property or the maintenance thereof.**
- (3) To pay for City of Tomah employees' labor, salaries or employee expenses of City of Tomah employees.**
- (4) Be distributed to any organization not a subsidiary or affiliate of the City of Tomah.**

The settlors request, but do not direct, that a plaque or similar device be posted in the City Hall listing the projects which were made possible by the Foundation funds for the previous five years or more.

The next meeting of the trustees of the Foundation will be at 2:30 p.m. on July 8, 2026, at the offices of Carmichael & Quartemont, S.C., 916 Oak Street, Tomah. If you would like to have a city representative attend the meeting to discuss any questions you may have, please advise the undersigned by email or telephone that you wish to attend and the name of the party attending. If you elect to attend, you will be at the top of the agenda after the meeting is called to order.

Yours truly,



Jay S. Carmichael, Secretary

JSC:tas

Enclosure

cc: Mr. David Nielsen
Dr. Christine Jacobsen
(via email)

THE NIELSEN FAMILY FOUNDATION GRANT APPLICATION FORM

I. THE APPLICANT

- A. Name: City of Tomah
- B. List the following:
 - (i) The name of the person(s) or committee responsible for requesting this grant application;
 - (ii) Title, telephone, fax and email address of the party responsible.

II. THE PROJECT

- A. Describe your proposed project, including the following:
 - (i) The purpose and goals of your project;
 - (ii) The total cost of the project;
 - (iii) How the total project cost was determined;
 - (iv) The source of other funds, if required;
 - (v) What assurances exist that any other funds required will be received;
 - (vi) Describe those served by the project;
 - (vii) The timeline for the project - when the project will begin and when it will be completed;
 - (viii) A description of how the project will be funded in future years, if applicable.

Grant distribution guidelines and requirements are listed on page 3.

STATEMENT FROM APPLICANT

The undersigned, the duly appointed and acting Clerk of the City of Tomah, does hereby certify that the information provided in this grant application is accurate and complete to the best of applicant's ability and knowledge. I further acknowledge that if awarded a grant from the Nielsen Family Foundation, the City of Tomah will provide certification to the Nielsen Family Foundation that the funds have been used for the

purposes for which the grant was awarded. The undersigned will make this certification within the time specified in the grant. I certify that this application has been authorized by the common council of the City of Tomah.

CITY OF TOMAH

By: _____
Name Printed: _____
City Clerk
Date: _____

GRANT DISTRIBUTION REQUIREMENTS AND GUIDELINES

Trust Provisions Regarding Distributions

Statement of Purpose. It is the settlors' intention that the trust proceeds be used for the benefit of the City of Tomah, primarily for the benefit of the Board of Public Works, Parks and Recreation and the Library. The settlors further direct that the distributions be made for capital improvements to buildings used for the following:

- (1) Capital improvements to buildings, such as new roofs and HVA systems.
- (2) Construction of new buildings for City of Tomah related operations.
- (3) Remodel existing buildings.
- (4) Purchase land for future building sites.
- (5) Utility construction.

The foregoing are intended as examples of permitted uses and are not intended to be exclusive.

The settlors request, but do not direct that funds be used to purchase real estate near the current Tomah Public Library to be used for the construction of a children's library and to house the Tomah Area Historical Society.

The settlors direct that the trust funds shall not be used for any of the following:

- (1) To pay interest on any City of Tomah obligation.
- (2) For the purpose of purchasing of equipment, vehicles, computers, machinery, or other tangible personal property or the maintenance thereof.
- (3) To pay for City of Tomah employees' labor, salaries or employee expenses of City of Tomah employees.
- (4) Be distributed to any organization not a subsidiary or affiliate of the City of Tomah.

The settlors request, but do not direct, that a plaque or similar device be posted in the City Hall listing the projects which were made possible by the Foundation funds for the previous five years or more.

Guidelines

Application Procedure: Grant applications shall be submitted on or before September 30th of each calendar year. Grant applications approved will be awarded and distributed prior to December 31st of each year.

Required Documents:

1. Program Budget for each project or use for which you are requesting support.
2. Completed Application for each distribution request.

8/24/2026 10:25 AM

Project Name: DJK-Tomah Glass City of Tomah MP29209-26

Frame Set Name: Frame Set 1

Frame Name: Frame 1

Metal Group: *MPG NEW T14000 CG/SS/OG STOPS UP

D/S: 1 Frame Type: Standard

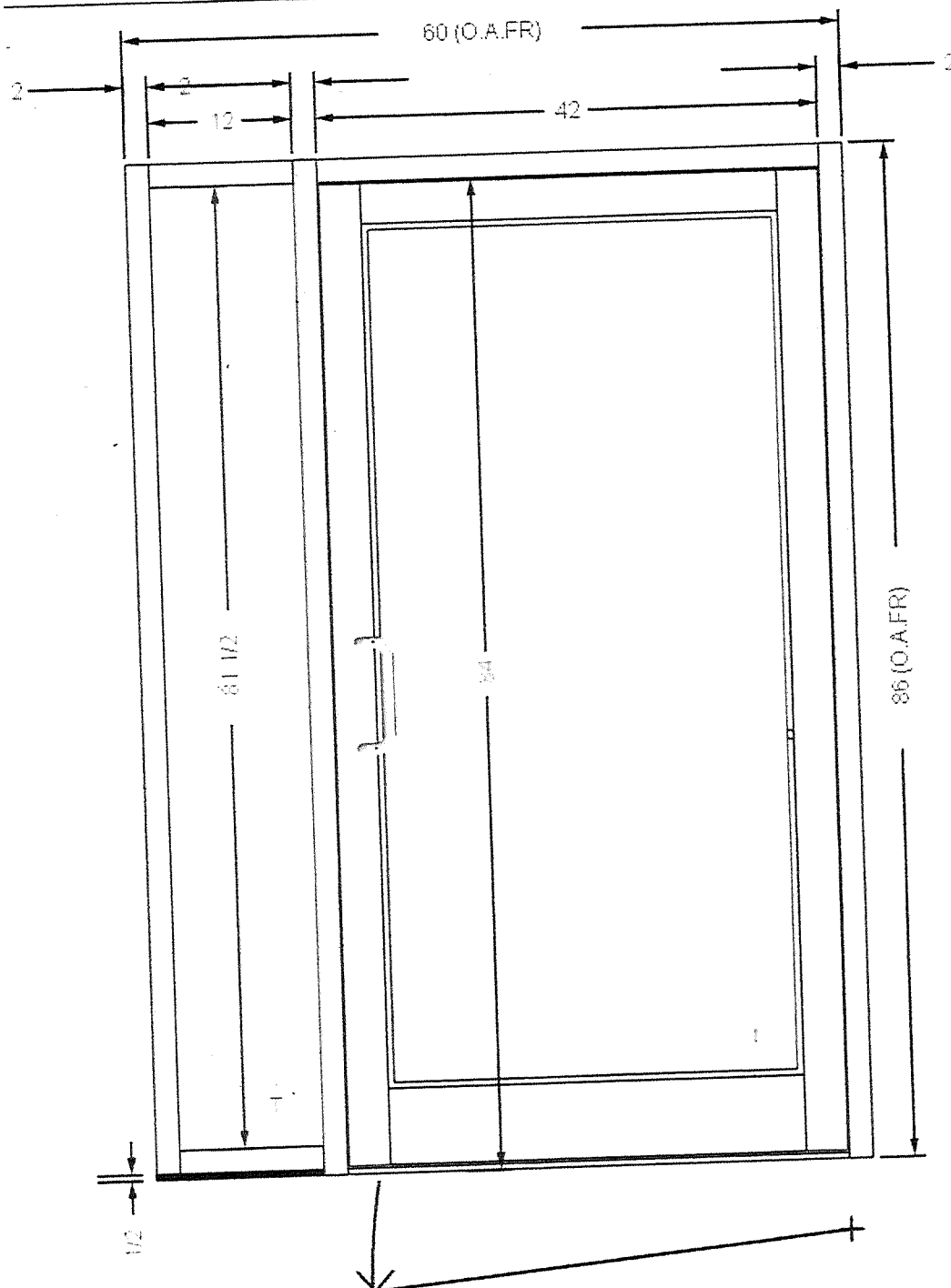
Required: 1 Panels: 2 Rows: 1

Frame Width: 60

Frame Height: 86

Back Member Color: C2 CLEAR : ANODIZED

Face Member Color: C2 CLEAR : ANODIZED



STAFF REPORT

AGENDA:

Request for Review and Recommendation from the Ambulance Commission Regarding Increase in 2027 Per Capita Rate for Tomah Area Ambulance Service

SUMMARY:

2027 Ambulance Service Per Capita Rate Proposal

As we begin preparing the **2027 Ambulance Service budget**, the Ambulance Commission has carefully reviewed the financial needs of the service and the current per capita contribution provided by the municipalities we serve.

After that review, the Commission is recommending that the **2027 per capita rate be increased from \$20.00 to \$21.00 per resident.**

This is not a request being made lightly. It is a necessary step to ensure that our Ambulance Service remains financially responsible and capable of providing the level of emergency medical care our communities have come to expect.

The Current Rate Has Remained Unchanged Since 2023

The last per capita increase occurred in 2023, when the rate increased from **\$17.50 to \$20.00**. The rate has remained at \$20.00 for the past several years despite significant increases in the cost of doing business.

During that same period, virtually every major expense associated with operating an EMS system has increased, including:

- **Employee wages and benefits**
- **Ambulance purchase and replacement costs**
- **Fuel and vehicle maintenance**
- **Medical supplies and equipment**
- **Insurance**
- **Utilities**
- **Training and continuing education**
- **Technology and communications**
- **General operating expenses**

The reality is simple: **the cost of providing emergency medical services continues to increase, while our per capita contribution has remained unchanged.**

This Is a Small Increase with a Significant Purpose

The proposed increase is only **\$1.00 per resident.**

For a municipality with 1,000 residents, that represents an additional **\$1,000 per year.**

For a municipality with 2,500 residents, it represents **\$2,500 per year.**

For a municipality with 5,000 residents, it represents **\$5,000 per year.**

When viewed against the cost of maintaining ambulances, staffing emergency medical personnel, purchasing medical equipment and keeping the service available **24 hours a day, 365 days a year**, the proposed increase is a very modest investment in an essential public safety service.

The Per Capita Contribution Does Not Fund the Entire EMS System

It is also important to understand that the municipal per capita contribution represents **less than 5% of the Ambulance Service's overall operating budget.**

The Ambulance Service carries the responsibility of maintaining the personnel, equipment, facilities and infrastructure necessary to respond when someone in our community calls 911.

The \$21.00 per capita contribution is therefore not intended to cover the entire cost of EMS. Rather, it is one component of a larger financial structure that allows the service to remain available and financially sustainable.

We Need to Stop Waiting for Large Increases

The Commission believes there is a better approach moving forward.

Rather than allowing the per capita rate to remain unchanged for several years and then having to request a significant increase, **we should make smaller, predictable adjustments on a regular basis.**

A modest increase each year is easier for municipalities to anticipate and incorporate into their budgets. It also allows the Ambulance Service to keep pace with increasing operating costs instead of continually falling behind.

This is the approach we believe is most responsible to both the Ambulance Service and the municipalities that support it.

\$21.00 Is Still a Very Reasonable Rate

Even with the proposed increase, a **\$21.00 per capita rate remains well below the state average.**

We are not proposing an excessive increase. We are not attempting to place an unreasonable financial burden on our municipalities.

We are asking for **one additional dollar per resident** so that we can continue responsibly planning for the future of our EMS system.

This Is About Maintaining the Service Our Communities Depend On

When someone calls 911, they don't call because it is convenient. They call because they are having an emergency.

They expect an ambulance to be available.

They expect trained personnel to respond.

They expect that ambulance to be properly equipped, maintained and ready to go.

And most importantly, **they expect us to be prepared before the emergency happens.**

That preparation has a cost.

The Commission's responsibility is to make sure we address those costs **before they become a financial crisis**, rather than waiting until the situation requires a much larger adjustment.

Commission Recommendation

For these reasons, the Ambulance Commission is recommending that the municipal per capita contribution for **2027 be increased from \$20.00 to \$21.00 per resident.**

This is a **modest, responsible and necessary adjustment** that will help the Ambulance Service manage increasing operating costs, maintain financial stability and continue providing dependable emergency medical services to the communities we serve.

We believe it is better to make a small investment today than to be forced to make a much larger adjustment tomorrow.

Our communities deserve an EMS system that is not only capable of responding to today's emergencies, but is financially strong enough to be there for the emergencies of tomorrow.

Currently the income from per capita exists as such...

City of Tomah 9696 (population) X \$20.00 = \$193,920.00 annually

Outlying service area 10,063 (population) X \$20.00 = \$201,260.00 annually

Total for FY26 is \$395,180.00

Recommendation:

It is requested that the Ambulance Commission make a recommendation to the Committee of the Whole/Common Council at the September meetings regarding authorization to increase the per capita rate for the Tomah Area Ambulance Service by \$1.00 in 2027, taking it from \$20.00 to \$21.00.



AREA AMBULANCE SERVICE

Fire Chief Tim Adler
Public Safety Director

Adam Robarge, CCTP
Deputy EMS Chief

Ambulance Commission Meeting Minutes: August 27, 2026

Date/Location of Meeting: August 27, 2026, Public Safety Building

Members in Attendance: Kerwin Greeno, Richard Yarrington, Brede Sorenson, Rick Murray, Jeff Cram, and Joyce Stenklyft

Members Absent: Sandra Vierck

Others Present: Public Safety Director Tim Adler, Deputy EMS Chief Adam Robarge, and Public Safety Administrative Assistant Christi Anderson

Meeting called to order at 5:02 PM

- **Approve Minutes:** Motion made by Kerwin Greeno, second by Rick Murray to approve the **June 23, 2026**, meeting minutes. Motion carried.
- **Persons Desiring to be Heard:** None.
- **Discussion and approval of the 2027 Per-capitia rate.**
 - Discussion was had with the Commission Members.
 - The per-capitia is less than 5% of our budget.
 - A recommendation was made to have smaller increases each year.
 - Discussion was had that it could be increased by the CPI each year rounded to \$.50 or \$1.00.
 - Motion made by Jeff Cram, second by Rick Murray to increase the 2027 Per-Capita Rate by \$1.00 to \$21.00. Motion carried by vote 5 to 1.
- **Director's Report:**
 - Staffing
 - We are fully staffed.
 - Hired two full-time employees with over 56 years combined experience.
 - In the process of hiring three lieutenants.
 - Using full-time overtime to help with part-time coverage.
 - Building Update
 - Building update was given.
 - There are no outstanding issues needing to be resolved besides a leaking faucet here and there.



- Vehicle Update
 - Unit 266 is back.
 - Unit 266 has been inspected by the state and licensed.
 - Next phase for Unit 266 is to drive it for some time and then get it in for an alignment.
 - Unit 265 would be next for remount if that is the option we go with.
 - Normal basic wear and tear, and regular maintenance.
 - Monthly statistics and invoices presented for July 2026.
 - **See Attached Director's Report.**
 - No significant bills for the month of July and no questions were asked.
 - Motion made by Brede Sorenson, second by Joyce Stenklyft to approve the Director's Report. Motion carried.
- **Adjournment:**
Motion made by Rick Murray, second by Brede Sorenson to adjourn the meeting.

Meeting adjourned at 6:02 PM

Minutes Taken By: Public Safety Administrative Assistant Christi Anderson
Minutes Typed By: Public Safety Administrative Assistant Christi Anderson
Respectfully Submitted
Public Safety Director Tim Adler

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

A special temporary Beer & Wine License Application has been filed by the Tomah Chamber Foundation to sell beer and wine during the “Tomah Kriskindlmarkt” event being held on November 27th and 28th, December 4th and 5th, 11th and 12th, and December 18th and 19th, 2026.

Summary and Background Information:

(Appropriate Documentation Attached)

Tomah Chamber Foundation has made application for a combination, temporary Class “B” Fermented Malt Beverage and temporary “Class B” Wine License so they can sell fermented malt beverages and wine during the “Tomah Kriskindlmarkt” being held on the 1000 and 1100 Blocks of Superior Avenue, Tomah, WI 54660, on November 27th and 28th, December 4th and 5th, 11th and 12th, and December 18th and 19th, 2026.

Fiscal Note:

The revenue generated to the City of Tomah by issuance of this license is \$38.25.

Recommendation:

It is requested that the Committee of the Whole review the application and make a recommendation for the Common Council to approve the Special Beer & Wine Permit for Tomah Chamber Foundation to be used at the “Tomah Kriskindlmarkt”, being held on November 27th and 28th, December 4th and 5th, 11th and 12th, and December 18th and 19th, 2026, on the 1000 and 1100 Blocks of Superior Avenue in Tomah.

Respectfully submitted by:

Nicole Jacobs

Committee: Committee of the Whole & Common Council

Meeting Dates: September 14 & 21, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Special Event Outdoor Cabaret License for the Tomah Chamber Foundation held at 1013 and 1110 Blocks of Superior Avenue for “Tomah Kriskindlmarkt” on November 27th, and 28th, December 4th, 5th, 11th, 12th, 18th and 19th, 2026. On November 27th the activities will run from noon to 8p.m. and then the remaining Fridays will run from 4p.m. to 8p.m. Saturdays will run from 10a.m. to 8p.m.

Summary and Background Information:

(Appropriate Documentation Attached)

Tomah Chamber Foundation is currently seeking a Special Event Outdoor Cabaret License. They are applying for a Special Event Outdoor Cabaret License at 1013 and 1110 Superior Avenue for November 27 and 28, and December 4, 5, 11, 12, 18 and 19, 2026.

They are seeking the city council's approval pending acceptable reports from the City of Tomah's Zoning department, Fire department and Police department.

Fiscal Note:

The revenue generated to the City of Tomah by issuance of this license is \$280.52.

Recommendation:

It is requested that the Committee of the Whole review the application and make a recommendation to the Common Council to approve the Special Event Cabaret License for the Tomah Chamber Foundation for their events held on November 27, and 28, and December 4, 5, 11, 12, 18 and 19, 2026, at 1013 and 1110 Superior Avenue in Tomah.

Respectfully submitted by:

Nicole E. Jacobs

Committee: Committee of the Whole & Common Council

Meeting Date: September 14 & 21, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Approval of Façade Improvement Grant Program Application 1-2026, Brieske and Brieske LLC

Summary and Background Information:

Application 1-2026 has applied for the 2026 grant program. The project proposes to infill an existing vacant façade in downtown Tomah. It includes The addition of three new housing units will contribute to the need for additional housing options within the community, while the indoor/outdoor market will introduce a new destination and activity center to the downtown district. The amount requested is \$20,000, or 2.67% of the total project cost. The estimated total cost of the project is \$750,000

Recommendation From: Zoning Administrator

Minutes Attached: Yes ☐ No ☒

Budget Account: TID 8 Fund

Fiscal Impact: Reduction in FY2026 TID 8 Fund by \$20,000.

Staff Responsible for implementation: City Administrator.

Economic Impact: This grant program seeks to support operation Phoenix (downtown revitalization), as well as to attract and retain business which is one of the four economic development strategic priorities in the Tomah Comprehensive Plan 2045.

Zoning/Rezoning Issues: None

Supports Organizational Goals:

Yes ☒ No ☐

Questions from Administrator: none

Grants Pursued/Opportunity Pursued: WEDC CDI Grant for \$250,000

Recommendation: Approve

A motion to approve this item should read, "Motion to Approve Façade Improvement Grant Program Application 1-2026 in the amount of \$20,000.

Charles Handy
Zoning Administrator

9-1-2026
Date

Committee: Common Council

Meeting Date(s): Sept. 21, 2026

Project Title: The Archipelago Market (Tomah, WI)

Project Title: The Archipelago Market: A High-Density Mixed-Use Campus

Project Type: Urban Infill / Workforce Housing / Business Incubation

Total Project Cost: \$750,000

1. Executive Summary

The Archipelago Market is a transformative urban infill project that reimagines a vacant downtown lot as a high-density "Merchant Village." Unlike traditional monolithic mixed-use blocks, this project utilizes a **campus-style layout** of four primary structure types — an Anchor Building, an **Educational Pavilion**, and a Maker Studio and 2 rows of **Micro-Retail "Chalets."**

This design activates a dormant street frontage with permeable pedestrian access, introduces critical **workforce housing (5 bedrooms across 3 units)**, and converts a blighted rear alley into a vibrant "Community Classroom." By leveraging cost-efficient architecture and strategic density, the project delivers a high-impact economic engine that supports up to **20 distinct entities** (residents + businesses) on a single parcel.

2. Housing Impact: "Family-Capable Density"

(Strategic Alignment: Workforce Housing & Talent Attraction)

Addressing the acute shortage of diverse downtown housing, The Archipelago Market moves beyond the standard "Studio Efficiency" model to offer **Family-Capable Density**. The second-floor residential component maximizes the site's capacity through a specific unit mix designed for retention and affordability:

Impact: This configuration creates a total capacity of **5–8 new residents** on a single infill lot, utilizing a "Zero-Corridor" layout that eliminates wasted common area to maximize livable square footage.

- **Two (2) Two-Bedroom Units:** These corner units are designed specifically for **affordability via co-living**. By accommodating roommates or small families, we lower the per-person rent burden for service industry workers and young professionals, a critical demographic for downtown vitality.
- **One (1) Live/Work Flex Unit:** The central unit serves as a "Solopreneur Suite," supporting the growing "Work From Home" economy with a residential layout that doubles as a creative office.

3. The "Community Classroom": Social Infrastructure

(Strategic Alignment: Placemaking & Community Vitality)

At the heart of the development lies the **Pavilion (Zone B)**, a 1,250 sq. ft. open-air structure designed as **Social Infrastructure**. Unlike static event halls, this flexible venue is programmed to serve as an active educational zone for the district:

- **Skill-Share Workshops:** The Pavilion creates a dedicated venue for "Maker Classes" (e.g., carpentry basics, urban gardening) led by local artisans.

- **Health & Wellness:** The 25' x 50' clear-span floor plan is engineered to host free community fitness activities (Yoga, Tai Chi, Senior Movement) protected from the elements but open to the fresh air.
- **Civic Stage:** The space serves as a "Plug-and-Play" stage for local nonprofits and youth groups, removing the barrier of high rental fees for community programming.

4. Economic Ecosystem: "The Retail Ladder"

(Strategic Alignment: Job Creation & Business Incubation)

The project creates a "**Four-Tier Business Ecosystem**" designed to incubate local entrepreneurs at every stage of growth. This "Retail Ladder" removes high barriers to entry:

-
1. **Tier 1: The "Pop-Up" (The Pavilion):** When not used for classes, the Pavilion hosts weekend markets, allowing day-vendors to test concepts with zero overhead.
 2. **Tier 2: The "Step-Up" (The Perimeter Stalls):** Lining the courtyard property lines are (6) **10' x 12' Micro-Retail Stalls**. These 120 sq. ft. "Chalets" provide lockable, semi-permanent storefronts for seasonal vendors (ice cream, vintage retail, florists) who need a physical presence but cannot afford traditional storefront rent.
 3. **Tier 3: The "Maker" (The Studio):** The rear **Maker Studio (55' x 20')** provides affordable "Cold Shell" industrial space for light manufacturing, keeping production jobs visible in the downtown.
 4. **Tier 4: The "Graduate" (The Anchor):** Two 800+ sq. ft. storefronts (Zone A) offer graduated "Warm Shell" commercial space for successful businesses ready to sign long-term leases.

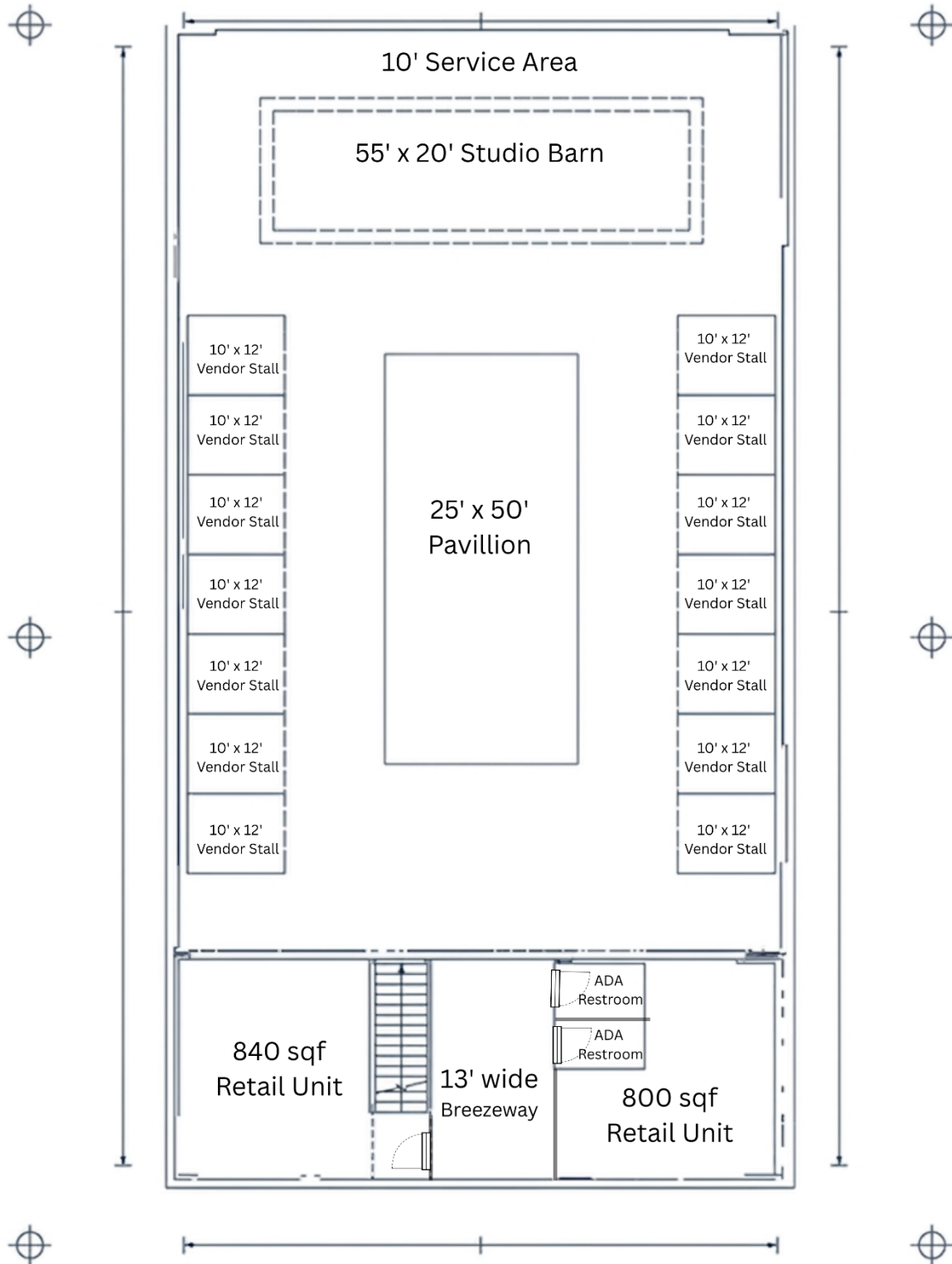
5. Placemaking & Design: "The Outdoor Room"

(Strategic Alignment: Blight Elimination)

The project turns the traditional building model "inside out" to solve the challenge of a deep, narrow lot.

-
- **The Breezeway Activation:** A 13-foot central "Tunnel" cuts through the Anchor Building, drawing pedestrians from the sidewalk into the hidden rear district. The walls transition from solid steel and brick to floor-to-ceiling glass, creating a "Lantern Effect."
 - **The Walled Garden:** By placing the **10' x 12' Micro-Stalls** along the side property lines, the design masks the neighboring alley/fences and focuses views inward. This creates a contained "Outdoor Room" and an internal shopping street that feels safe and enclosed.









STREET SIDE



STREET SIDE

I. Zone A: The Anchor Building (Headhouse)

Allocation: \$495,000 (66% of Total)

The "Triple 25" Structure (75' x 30').

Line Item	Cost Est.	Specific Scope
Foundation (Slab-on-Grade)	\$48,000	Frost footings, thickened edge, plumbing rough-in for 2 Retail + 1 Breezeway.
Framing Package	\$88,000	"Triple 25" Grid. Mono-slope trusses. 20' Tall Rear Wall (lumber premium).
Ext. Enclosure	\$62,000	Black Metal Siding (Vertical). Storefront glass for Retail entries. Vinyl windows for Apts.
Roofing & Gutters	\$38,000	Standing Seam Metal + 6" Commercial Box Gutters (Black).
MEP Systems	\$98,000	Wet Sprinklers (NFPA 13R) . 400A Electric Service. 5 Mini-Split Heads.
Insulation & Drywall	\$58,000	Spray foam rim joists. 5/8" Type X separation between Retail/Residential.
Interior Finishes (Apts)	\$85,000	3 Kitchens (IKEA/Klearvue). LVP Flooring throughout. Fiberglass Tub/Showers.
Interior Finishes (Retail)	\$18,000	"Warm Shell" only (White paint, sealed concrete floors, ADA restroom fixtures).
SUBTOTAL	\$495,000	<i>\$165 per sq. ft.</i>

II. Zone B, C, D: The Campus Structures

Allocation: \$132,000 (17% of Total)

The Revenue Generators.

Building	Cost Est.	Specific Scope
Zone B: The Pavilion	\$35,000	25'x50' Open Air. Steel posts, wood trusses, metal roof. No Walls . Concrete Pad.
Zone C: Micro-Stalls (14)	\$32,200	14 Units @ ~\$2,300. Includes 1-Hr Fire Wall (Type X + Steel Backs). Wood framing.
Zone D: The Studio Barn	\$60,000	55'x20' Shell. Includes New Partition Wall (Chain link/Stud) & 14 Wire Storage Cages .
Furniture/Fixtures	\$4,800	Vinyl Curtains for Pavilion. (2) Refurbished Vending Machines.
SUBTOTAL	\$132,000	<i>Includes the "Pivot" to Storage/Photo Studio.</i>

III. Infrastructure & Site Work (The "Code" Layer)

Allocation: \$68,000 (9% of Total)

Where the "Hidden Costs" (Fire/Water/ADA) live.

Line Item	Cost Est.	Specific Scope
Stormwater Management	\$18,000	Underground PVC Grid . Hard-piping all downspouts to city storm/dry well. (Prevents ice).
Utility Connections	\$18,000	Water Tap, Sewer Lateral. 1 Commercial Meter (Retail/Hose bibs) + 1 Res Meter .

Hardscape (ADA)	\$22,000	5' Concrete Sidewalks connecting Street \(\rightarrow\) Breezeway \(\rightarrow\) Pavilion \(\rightarrow\) Stalls.
Softscape	\$6,000	Final grading. Decomposed Granite (DG) for seating areas. 3 Shade Trees.
Electrical Dist.	\$4,000	Trenching power to Studio Barn and Pavilion (Lights/Outlets only).

IV. Soft Costs & Reserves

Allocation: \$55,000 (8% of Total)

Line Item	Cost Est.	Notes
Architecture/Engineering	\$12,000	Draftsman fees. Structural stamp for trusses. Civil Survey.
Permits & Impact Fees	\$18,000	Building Permits, Sewer Access Charge (SAC), Zoning review.
Emergency Fund	\$25,000	

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Reclassification and Job Description Revision: Zoning Administrator to Economic Development and Zoning Director

Summary and Background Information:

The City Administrator recommends that the Committee of the Whole reclassify the Zoning Administrator position, currently held by Charlie Handy, to Economic Development and Zoning Director and approve the revised job description attached to this report. The incumbent is already performing the duties of the higher classification. The annual cost of the change is \$1,789.93. No new position is created and no additional full time equivalent is added.

The Common Council approved a job description for the Economic Development and Zoning Director position on July 16, 2024. The revised job description consolidates the City's zoning and land use responsibilities with its economic development responsibilities in a single position. The position continues to perform all required zoning, land use, and Code Enforcement Officer supervision duties. The Zoning Administrator job description and classification remain in place and available to the City if a future need arises. The City does not propose to fill that position.

Reasons for the Change

The proposed reclassification is recommended for the following reasons:

1. Alignment with Current City Functions

The City's economic development and zoning activities are closely connected in development review, land use, business expansion, redevelopment, tax increment financing, and development incentives. The incumbent is already leading work well beyond the scope of the Zoning Administrator classification, including the downtown plan, the Tour of Tomah development sites project, land annexation, and the housing project requests for proposals. None of these are Zoning Administrator level projects. The revised job description reflects work the City is already receiving.

2. External Point of Contact for Developers

Developers, site selectors, and brokers from outside Tomah look for a director level counterpart when they evaluate a community. A zoning official title signals permitting and compliance. A director title signals authority to discuss sites, incentives, and timelines. As the City moves into the September developer tour and continued downtown development work, the title the City puts in front of outside investment affects who returns the call.

3. Improved Accountability

A director level position provides one clearly identified individual responsible for coordinating economic development and zoning activities and serving as the primary point of contact for businesses, developers, property owners, and other stakeholders.

4. Economic Development Priorities

The City has identified housing, downtown revitalization, commercial expansion, industrial expansion, and workforce development as economic development priorities. These priorities require sustained effort from this position working alongside the City Administrator.

5. Recruitment and Retention

An accurate classification structure supports the City when recruitment for this position becomes necessary. A vacancy advertised as Zoning Administrator will not draw candidates with the economic development experience the City now requires of the role, and the compensation attached to the lower classification will not hold the experience the City has built in it.

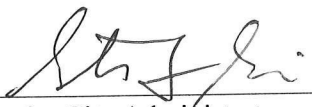
Fiscal Impact:

	Current	Proposed
Classification	Zoning Administrator	Economic Development and Zoning Director
Grade	M	O
Wage	<u>\$40.13/hour</u>	<u>\$41.00/hour</u>
Annual Salary	<u>\$83,480.58</u>	<u>\$85,270.51</u>

The reclassification changes the position's compensation from \$40.13 per hour to \$41.00 per hour. The annual increase is \$1,789.93. The increased cost will be found within the current Economic Development and Zoning Budget. No new position is created and no additional full time equivalent is added.

Recommendation:

Motion to approve the reclassification of the Zoning Administrator position, currently held by Charlie Handy, to Economic Development and Zoning Director and to approve the revised job description as presented, effective _____ 2026.



Interim City Administrator

9/9/26

Date

Committee: Committee of the Whole and/or Common Council

Meeting Date(s): XXXXX 2026

CITY OF TOMAH JOB DESCRIPTION

POSITION: Economic Development and Zoning Director

GRADE: P

DEPARTMENT: Administration

SUPERVISOR: City Administrator

CLASSIFICATION: Salaried, Non-Represented

Prepared: June 19, 2024

Council Approved: July 16, 2024

Revised: September 2026

Revision Approved: _____ 2026

GENERAL DESCRIPTION OF DUTIES:

Under the direction of the City Administrator, Mayor and Council, this position is responsible for coordinating planning efforts and enforcement of municipal codes relative to land use and zoning. This position also oversees and evaluates community development to ensure that it occurs in a manner consistent with the City's Plan and provides recommendations and assistance in long-range planning of the City. The Economic Development and Zoning Director is also responsible for supervision and evaluation of the Code Enforcement Officer.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

1. Conducts technical reviews, site inspections and makes staff reports to the Planning Commission and Board of Appeals on specific project proposals such as, but not limited to, special use permit applications, conditional use permit applications, zoning amendments, variances and appeals.
2. Interprets and enforces all conditions of a development approval, zoning, and subdivision codes.
3. Establishes, develops, and maintains effective working relationships with departmental staff, the City Attorney, municipal employees, local business owners, and the general public.
4. Conducts special research and/or analyzes economic development program activities.
5. Coordinates and manages community growth projects with project developers.
6. Serves as the City's primary point of contact for developers, site selectors, brokers, and businesses evaluating investment in Tomah.
7. Leads downtown redevelopment and community development initiatives identified as City priorities, including housing, commercial expansion, industrial expansion, and workforce development.
8. Prepares and administers requests for proposals, development agreements, annexation requests, and applications for state and federal economic development funding.
9. Responsible for preparing agendas, agenda item recaps with supporting documentation, meeting minutes, and Staff/Department reports for City Planning Commission, Long Range Planning Commission, and Historical Preservation Commission.
10. Inspects all structures, lands, and waters as often as necessary to assure compliance with the zoning ordinances.
11. Oversees investigations of complaints on alleged nuisances or violations of minimum housing, zoning, overgrown lots, abandoned cars, and other code violations; interviews residents and neighbors, takes photos of property or nuisance conditions, makes sample drawings of property and other information to give full assessment of complaint.
12. Interprets applicable ordinances for compliance.
13. Participates in the annual budget process.
14. Develops and maintains an effective system of records, reports, and other activities as required by the State of Wisconsin and the Department.
15. Supervises and reviews tasks of the Code Enforcement Officer.
16. Presents monthly reports to the Mayor and Council at City Council meetings.
17. Attends the Planning Commission, Historical Preservation Commission, and Long-Range Planning meetings monthly.

18. The City of Tomah has adopted rules and regulations established for the safety of its employees in the performance of their jobs. It shall be the direct responsibility of the department heads and the first line supervisors to be sure all employees of the City of Tomah comply with the safety rules and regulations. Department heads and first line supervisors shall establish procedures to ensure enforcement of said rules and regulations.
19. Provides research and input into the development of ordinances, policies and procedures for the City and the department; advises the City Administrator and Council on related issues.
20. Performs required duties as assigned.

EDUCATION AND EXPERIENCE REQUIRED:

1. Thorough understanding of economic development principles and practices.
2. Thorough understanding of program research, development, and implementation techniques.
3. Bachelor's degree or commensurate experience in urban planning, public administration, or related field.
4. Management experience required, with upper-level management experience preferred.
5. Strong leadership skills, consensus and team building skills, excellent oral and written communication skills, and good interpersonal and managerial skills.
6. The ability to prepare and maintain necessary records and reports related to City development.
7. Working understanding of blueprints, ordinances, statistics, technical sketches, and graphics.
8. Thorough understanding of agencies and programs related to federal economic and urban development.
9. The ability to work with city officials and the general public in a professional manner.
10. Possession of a valid Wisconsin motor vehicle operator's license.

PHYSICAL REQUIREMENTS:

1. Occasionally work outdoors with exposure to weather and elements.
2. Lift and carry objects of different shapes and weights occasionally.
3. Occasionally bend and twist.
4. 30% of the workday is spent sitting.
5. 30% of the workday is spent standing.
6. 30% of the workday is spent walking.
7. 10% of the workday is spent driving.
8. All percentages above may vary depending upon the duties performed that day.

PHILOSOPHY AND GOALS:

Each employee must be committed to the goals of the department/city and communicate to the public the highest level of service, fair treatment, and ethical behavior. Employees shall actively employ diligent care of department/city equipment and resources. Employees must further a personal commitment to physically and mentally maintain the highest level of professional appearance and actions reflecting skill and enthusiasm in all assignments and duties. Employees must provide the public with trust in the department by always being honest, fair, diligent, and courteous.

Employee Signature

Date

Employer Signature

Date

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Public Hearing to consider recommending approval of Annexation Ordinance for 23961 State Highway 16, Brett and Amy Anderson.

Summary and Background Information:

A unanimous consent annexation per wis.stats 66.021 (12) has been submitted for the Above listed property. The City has completed all submittal materials. The Department of Administration has officially found this petition to be in the public interest. We have not received any objections. The applicant is seeking access to City Sewer.

Recommendation From: Staff to Approve

Minutes Attached: Yes ☐ No ☒

Budget Account:

Fiscal Impact: future taxes and utility fees should cover any costs of services provided by the City of tomah

Zoning/Rezoning Issues: The annexation ordinance takes care of the rezoning. This staff report asks for a zoning district recommendation from the Plan Commission.

Staff Responsible for implementation: Interim Administrator, Zoning Administrator, Clerk, Public Works Director

Economic Impact: minimal

Supports Organizational Goals: Yes ☒ No ☐

Questions from Administrator:

Grants Pursued/Opportunity Pursued:

Recommendation: A motion to approve this item should read, "Recommend Approval by the City Council of this annexation ordinance.

Charlie Handy
Zoning Administrator

08-20-2026
Date

Committee: Planning Commission

Meeting Date(s): 03 Sept., 2026

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY FROM THE TOWN OF TOMAH TO THE CITY OF TOMAH, MONROE COUNTY, WISCONSIN

WHEREAS, Brett A. Anderson and Amy Anderson, owners of the property described herein, have filed a Petition for Direct Annexation by Unanimous Approval pursuant to Section 66.0217, Wisconsin Statutes; and

WHEREAS, the petition was signed by all owners of the territory proposed for annexation and by all electors residing therein, consisting of two (2) electors; and

WHEREAS, the property is contiguous to the corporate limits of the City of Tomah and is located within the Town of Tomah, Monroe County, Wisconsin; and

WHEREAS, the Common Council has reviewed the petition and finds that the requirements of Section 66.0217, Wisconsin Statutes, have been satisfied.

NOW, THEREFORE, the Common Council of the City of Tomah, Monroe County, Wisconsin, does ordain as follows:

Section 1. Annexation

Pursuant to Section 66.0217, Wisconsin Statutes, the following described territory is hereby annexed from the Town of Tomah to the City of Tomah:

Owners:

Brett A. Anderson and Amy Anderson

Property Address:

23961 State Highway 16
Tomah, Wisconsin 54660

Tax Parcel No.:

042-00073-0000

Area Annexed:

Approximately **1.363 acres (59,381 square feet)**

Legal Description

Being a part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 9, Township 17 North, Range 1 West, Town of Tomah, Monroe County, Wisconsin, more particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of Section 9, Township 17 North, Range 1 West; thence North $88^{\circ}54'13''$ East along the North line of the Southwest $\frac{1}{4}$ of said Section 9, 4.81 feet to the intersection of said North line and the centerline of State Highway 16 and the Point of Beginning; thence continuing North $88^{\circ}54'13''$ East along said North line, 335.32 feet; thence South $15^{\circ}27'20''$ East, 198.00 feet; thence South $88^{\circ}54'13''$ West, 286.03 feet to a point on the West line of the Southwest $\frac{1}{4}$ of said Section 9; thence North $00^{\circ}24'02''$ West along said West line, 172.94 feet to the intersection of said West line and the centerline of State Highway 16; thence North $15^{\circ}27'20''$ West along said centerline, 17.60 feet to the Point of Beginning.

Containing **59,381 square feet (1.363 acres), more or less.**

Section 2. Ward Assignment

The annexed territory shall be assigned to aldermanic district 8, and voting ward 13 as determined by the City Clerk until changed by law.

Section 3. Zoning

Upon the effective date of this ordinance, the property shall be temporarily classified under the City's zoning regulations as R-1 Single-family residential district until such time as the Common Council adopts permanent zoning following recommendation of the Plan Commission.

Section 4. Filing

The City Clerk shall file certified copies of this ordinance together with the required annexation map with the Wisconsin Department of Administration, Monroe County Register of Deeds, Town of Tomah, and all other agencies required by Section 66.0217, Wisconsin Statutes.

Section 5. Severability

If any section or provision of this ordinance is adjudged unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

Section 6. Effective Date

This ordinance shall take effect upon passage and publication according to law and upon completion of all filing requirements prescribed by Wisconsin Statutes.

Passed and adopted by the Common Council of the City of Tomah this ____ day of _____, 2026.

CITY OF TOMAH

By: _____
Paul Dwyer, Mayor

ATTEST:

Nicole Jacobs, City Clerk

draft ordinance.

PASSED AND ADOPTED this ____ day of _____, 2026.

CITY OF TOMAH

Mayor

ATTEST:

City Clerk

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Public Hearing to consider recommending approval of Annexation Ordinance for Jefferson Street , Owner: City of Tomah parcel # 020-01216-0000.

Summary and Background Information:

An Annexation Ordinance of Territory Owned by a City or Village ([s. 66.0223 Wis. Stats.](#)) has been submitted for the Above listed property. The City has completed all submittal materials. The Department of Administration has officially found this petition to be in the public interest. We have not received any objections. This is considered property F in another agenda item.

Recommendation From: Staff to Approve

Minutes Attached: Yes ☐ No ☒

Budget Account:

Fiscal Impact: future taxes and utility fees should cover any costs of services provided by the City of tomah

Zoning/Rezoning Issues: The annexation ordinance takes care of the rezoning. This staff report asks for a zoning district recommendation from the Plan Commission. Staff recommends R-3 Multi-family residential district.

Staff Responsible for implementation: Interim Administrator, Zoning Administrator, Clerk, Public Works Director

Economic Impact: minimal

Supports Organizational Goals: Yes ☒ No ☐

Questions from Administrator:

Grants Pursued/Opportunity Pursued:

Recommendation: A motion to approve this item should read, "Recommend Approval by the City Council of this annexation ordinance.

_____**Charlie Handy**_____
Zoning Administrator

_____**08-20-2026**_____
Date

Committee: Planning Commission

Meeting Date(s): 03 Sept., 2026

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY FROM THE TOWN OF LA GRANGE TO THE CITY OF TOMAH, MONROE COUNTY, WISCONSIN

WHEREAS, proceedings have been inaugurated for the annexation of certain territory to the City of Tomah pursuant to, and in accordance with ordinances of said City and statutes of the State of Wisconsin; and

WHEREAS, the certain territory subject to annexation is located within the Town of La Grange, Monroe County, Wisconsin, is owned by the City of Tomah, and is contiguous to the corporate limits of the City of Tomah; and

WHEREAS, the Common Council finds that the requirements of Section 66.0223, Wisconsin Statutes, have been satisfied.

NOW, THEREFORE, the Common Council of the City of Tomah, Monroe County, Wisconsin, does ordain as follows:

Section 1. Annexation: Pursuant to Section 66.0223, Wisconsin Statutes, the following described territory is hereby annexed from the Town of La Grange to the City of Tomah:

Owners: City of Tomah, a municipal corporation

Property Address: Jefferson Street, Tomah, Wisconsin 54660

Tax Parcel No.: A portion of parcel number 020-01216-0000

Area Annexed: Approximately 4.04 (176,116 square feet)

Legal Description: Lot 1 of Certified Survey Map recorded August 26, 2026 in Volume 32 of Certified Survey Maps, page 181 as Document No. 736454, being a part of the SE¼ of the NE¼ of Section 32, Township 18 North, Range 1 West, Town of LaGrange, Monroe County, Wisconsin.

Section 2. Ward Assignment The annexed territory shall be assigned to Aldermanic District 4, and Voting Ward 17 as determined by the City Clerk until changed by law.

Section 3. Zoning Upon the effective date of this ordinance, the property shall be temporarily classified under the City's zoning regulations as R-3 multi-family residential district until such time as the Common Council adopts permanent zoning following recommendation of the Plan Commission.

Section 4. Filing The City Clerk shall take all required actions under sec. 66.0223, Wisconsin Statutes in filing copies of this Ordinance and boundary map of the annexed territory, as well as filing the necessary report with the county clerk or board of election commissioners.

Section 5. Severability If any section or provision of this ordinance is adjudged unconstitutional or invalid, the remaining provisions shall remain in full force and effect.

Section 6. Effective Date This ordinance shall take effect upon passage and publication according to law and upon completion of all filing requirements prescribed by Wisconsin Statutes.

Paul Dwyer, Mayor

ATTEST:

Nicole Jacobs, City Clerk

READ:

PASSED:

PUBLISHED:

WHEREAS, Joel Brieske, a Downtown Tomah business owner and developer is proposing to develop The Archipelago Market at 1002- 1006 Superior Ave. in Tomah. This proposed development is an indoor and outdoor multi-tenant market, along with some residential rental units; and

WHEREAS, the developer is interested in applying for a WEDC Community Development Investment grant of up to \$250,000 for a portion of the cost of implementing the The Archipelago Market (Tomah, WI); and

WHEREAS, the Wisconsin Economic Development Corporation (WEDC) has grant funding available for Community Development Investment (CDI) projects; and

WHEREAS, the WEDC requires that the applicant's municipality adopts a resolution showing its support for the project implementation and for Joel Brieske to apply for said grant; and

WHEREAS, the WEDC asks about financial incentives that may be available to the applicant for the collective funding stack for the above discussed application. The City has authorized general development incentives in the project plan for TIF 8; and

WHEREAS, the CDI grant is allocated for this project as a 1:1 matching grant; and

WHEREAS, the City's adopted Comprehensive Plan, has laid out numerous goals and this development project is consistent with the following goals:

- *The City promotes its Downtown as a compact, pedestrian-oriented business district that supports retail, office, housing, and recreational uses.*
- *The City will work to develop a cohesive and attractive "feel" to the Downtown through unique streetscaping, signage, lighting, branding, outdoor art, and other public infrastructure improvements.*
- *Tomah's neighborhoods will offer safe, attractive, and diverse housing options.*
- *Retain, expand, create, and attract businesses that strengthen and diversify the local economy, grow the tax base, and enhance employee wages and benefits.*
- *Ensure high quality site and building designs within the community to uphold property values, attract new development, and reinforce the character of the city.*

NOW THEREFORE, BE IT RESOLVED, that the Tomah City Council Does Hereby support Joel Brieske's application for a WEDC CDI grant ; and

BE IT FURTHER RESOLVED, that the Tomah City Council Does Hereby Authorize City staff to begin discussions with Joel Brieske on a TIF agreement for potential incentives for said Archipelago Market project within the TIF project plan and budget constraints as presented.

Adopted this __th day of ____, 2026

Signed: Mayor Paul Dwyer

I hereby certify that the foregoing resolution was duly adopted by the City of Tomah at a legal meeting on this __th day of ____, 2026.

Attest: Nicole Jacobs, City Clerk

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Approval of resolution supporting CDI Grant for Brieske Properties

Summary and Background Information:

Joel Brieske, a Downtown Tomah business owner and developer is proposing to develop The Achipelago Market at 1002- 1006 Superior Ave. in Tomah. This proposed development is an indoor and outdoor multi-tenant market, along with some residential rental units. The WEDC requires that the applicant's municipality adopts a resolution showing its support for the project implementation and for Joel Brieske to apply for said grant

Recommendation From: City Administrator to Approve

Minutes Attached: Yes ☐ No ☒

Budget Account: N/A

Fiscal Impact: None

Staff Responsible for implementation: Zoning Dept. Staff.

Economic Impact: This would increase vibrancy/ vitality in downtown, add smaller affordable spaces for retailers to have a soft opening into the tomah Market, and create some additional event space for the downtown.

Zoning/Rezoning Issues: None

Supports Organizational Goals: Yes ☒ No ☐

Questions from Administrator:

Grants Pursued/Opportunity Pursued: WEDC CDI.

Recommendation: A motion to approve this item should read, "Recommend Adoption of resolution number __ - __ 2026 by the City Council

_____**Steven Sarvi**_____
Administrator

_____**9-01-2026**_____
Date

Committee: Committee of the Whole **Meeting Date(s):** 14 Sept., 2026



STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Approval: Part-Time Personnel: Operational Support

Summary and background information: (Appropriate documents attached)

The part-time employee will absorb time-consuming daily responsibilities including; general customer inquiries, answering phone calls, waiting on customers at the window, inputting data and updating logs. This will also allow for cross training between employees and alleviate a closed window during lunch hours, vacation/sick days etc.

Fiscal Note:

15-20 hrs. per week paid by Utility Enterprise

Recommendation:

I recommend the approval of a part-time employee.

A handwritten signature in black ink that reads "Brandy Leis". The signature is written in a cursive, flowing style.

Director of Public Works & Utilities
Brandy Leis

A handwritten date in black ink that reads "8/18/26". The date is written in a cursive, flowing style.

Date

MINUTES FOR PUBLIC WORKS COMMISSION

A Public Works Commission was held on **Wednesday, August 26, 2026 at 5:30 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.

Meeting was called to order at 5:30 PM by Paul Dwyer

Call to Order - Roll Call

Quorum Present (YES)

John Glynn (P), Dean Peterson (P), Travis Scholze (P), Brian Rice (P), Kerwin Greeno (A), Mayor Paul Dwyer (P), Mitch Koel (P)

Also Present, Director Brandy Leis, Joe Kube, Chad Richmond, and Nik Dorava Brian Berquist from Town & Country.

Approve Minutes

Motion by Peterson, seconded by Rice to approve July minutes as presented. All ayes. Motion carried.

Discussion Items

1. Airport Update
Steve Austin was unavailable to attend but suggested tar stripping be done soon. Director Leis and Interim City Administrator Steve Saarvi started looking into this. An airport CIP plan currently exists. Working with DOT to extend the plan and to add on a threshold and reopening the grass runway to the CIP.
2. Approval: Shared maintenance of W Veterans
Motion by Peterson and seconded by Glynn to approve the shared maintenance with a \$75 gas card for this year, and \$150 gas card every year, paid at the end of the year. Motion carried (Koel opposed)
3. Approval: Street Privilege Permit
Motion by Koel and seconded by Peterson to approve the street privilege permit. Motion carried. All ayes.
4. Discussion & Potential Action: Stop Sign at Woodard and Brownell
Motion by Koel and seconded by Scholze to keep the yield sign. Motion carried. All ayes.
5. Discussion & Potential Action: Slow Down/Autistic Child Sign
Motion by Koel and seconded by Glynn to approve an autistic child sign be placed on Monowau St. Motion carried. All ayes.
6. Discussion: Storm Water Service Charge
Town & County provided some feedback on what other municipalities have done and what are options are. Town & County can provide a feasibility study if the City chooses. This item will be tabled to next month with more information coming from Town & Country.
7. Approval: Part-Time Personnel
Motion by Glynn and seconded by Rice to approve recommendation be sent to Council for approval of part-time personnel in the Utilities office. Motion carried. All ayes.
8. Approval: Sump Pump Reimbursement
Motion by Peterson and seconded by Glynn to approve the sump pump reimbursement. Motion carried. All ayes.

Public Works Commission – August 26, 2026

Page 2

9. Discussion and Potential Action: Stop Sign at Vandervort St.
Motion by Koel and seconded by Peterson to approve a stop sign at Vandervort St. Motion carried. All ayes.
10. Discussion and Potential Action: Lease Agreement Template
Agenda item will be tabled until next month
11. Discussion and Potential Action: Hollister Phase #2
Nik from Town and Country presented Hollister Phase #2 and the potential grant the City could be receiving for this project. To receive this grant the project would then need to be pushed back to 2028-2029. This agenda item will be tabled to next month.
12. Discussion and Potential Action: Railroad Crossing – Sidewalk
Nik from Town and Country briefed the commission on their meeting with Monroe County and the Railroad at the Noth Ave crossing. The Railroad is considering doing work to the crossing and could provide a potential cost share with a joint project that could extend pedestrian crossing. Discussions and collaboration with the Railroad will continue and updates will be given. This agenda item will be tabled to next meeting.
13. Discussion and Potential Action: Widen Sewer Easement on Gopher Ave.
Nik from Town and Country presented the Commission with the easement on Gopher Dr. Abandoning the sewer easement on the west while also widening the easement.
Motion by Scholze and seconded by Glynn to approve the abandonment of the sewer easement and also the widening of the easement. Motion carried. All ayes.
14. Pay Request Hollister Project #5
Motion by Peterson and seconded by Rice to approve the Hollister Pay Request #5.
Motion carried. All ayes.
15. Pay Request – Lime Silo
Motion by Scholze and seconded by Peterson to approve the Lime Silo request. Motion carried. All ayes.
16. Project Updates
Nik from Town and Country presented project updates including DOT planning projects.
 - Hollister Phase #1: Nearing completion
 - Townline Lift Station Abandonment: scheduled to begin this fall
 - Watermain Loop: Scheduled to start on October 1st
 - Glendale Project: Scheduled for implementation in 2028
 - Planning & Coordination: Active planning is underway for Hollister Phase 2 as well as joint coordination items involving County Hwy ET and the railroad.
17. Payments of Monthly Water & Sewer Bills

Sewer – Motion by Peterson and seconded by Glynn to approve sewer bills as presented. All ayes. Motion carried.

Water – Motion by Peterson and seconded by Rice to approve water bills as presented. All ayes. Motion carried.

18. Departmental Reports

Sewer – During the past month, plant flows averaged 1.4 MGD while operations neared completion on the annual jetting and flushing maintenance program. System infrastructure repairs progressed significantly, including core and pour work on local manholes conducted by Gerke Excavating, alongside routine maintenance and repairs on the influent pump and primary flow meter. Additionally, representatives from the Department of Natural Resources (DNR) conducted an on-site evaluation of operational processes to support the upcoming Spring permit review.

Water – During August, average daily pumpage was 973,000 gallons per day, reflecting a shift in demand as the Department of Veterans Affairs (VA) facility resumed utilizing its private well system. System maintenance and reliability efforts progressed on schedule, including completed servicing on all standby generators, ongoing main valve exercising, and accuracy testing on large meters. Staff also allocated significant operational resources to high-volume utility locates driven by active fiber optic contractor work. Routine monitoring confirms water quality remains safe and stable, with nitrate levels holding steady at an average of 7 to 8 mg/L.

Public Works – Active municipal projects and seasonal maintenance progressed smoothly over the past week, highlighted by the successful completion of sidewalk installation on the Hollister project. Mathy Construction relocated their asphalt plant last week, and final paving across pending projects will resume as soon as the plant becomes fully operational. System calibrations were performed at the dam to resolve recent lake level reporting discrepancies, restoring accurate water monitoring. Meanwhile, routine citywide mowing operations remain ongoing.

Director's Report – We are continuing our collaboration with both the Lake Committee and the Lake Association to evaluate and execute the installation of a new aerator in the retention pond adjacent to the covered bridge. Additionally, our ongoing partnership with the Chamber of Commerce remains active as we support their market initiatives. On the development front, the demolition of the residential property on Clark Street has been completed.

Next Meeting will be held on September 23rd, 2026 @ 5:30PM

Adjourn

Motion by Peterson and seconded by Koel to adjourn the meeting at 7:12 PM. All ayes. Motion carried.

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Appointment of 2026-2027 Election Officials

Summary and Background Information:

(Appropriate Documentation Attached)

Per State Statute 7.30(4)(a), election officials must be nominated to the governing body by the Mayor. Terms commence on even numbered years and end on December 31 of odd-numbered years.

Fiscal Note:

N/A

Recommendation:

It is recommended that the Common Council appoint Melissa Dubois and Christopher S. Amundson as election officials for the 2026-2027 term.

Respectfully submitted by:

Nicole E. Jacobs

Committee: Common Council

Meeting Date: September 21, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Professional Services Agreement with Ehlers & Associates, Inc. for Budget Model Development and Training, Not to Exceed \$10,000

Summary and Background Information:

The City Administrator recommends that the Common Council approve a professional services agreement with Ehlers & Associates, Inc. for budget model development and training at a rate of \$250.00 per hour, not to exceed \$10,000, and authorize the City Administrator to execute the agreement. The City is already building the 2027 budget in the model this scope of services describes. The agreement puts a signed scope, a fixed rate, and a spending ceiling around assistance the City is already receiving.

Ehlers returned the City's budget workbook on September 8, 2026 with a levy limit worksheet integrated into it and a debt service schedule as of January 1, 2027. The 2027 budget is being built on that workbook. The 2027 budget calendar assigns the October reconciliation of department requests to the levy limit to the City Administrator working with the Treasurer's office and Ehlers. The City is using the Ehlers model without an executed agreement covering it.

Former City Administrator Nick Morales and former City Treasurer Justin Derhammer negotiated this scope of services with Ehlers in the spring of 2026. It was never executed. The scope covers development of an Excel budget model for all City funds requested by the City, integration of a levy limit calculation into that model, a summary that produces the figures used for the statutory public notice, and training for staff on calculating the allowable levy, addressing levy needs, and preparing and communicating the budget process internally. Work is performed remotely. The City is responsible for providing timely documentation and certain budget calculations.

Reasons for the Recommendation

The agreement is recommended for the following reasons:

1. **The City is already using the model.** The work the scope of services describes is underway. Continuing it without an executed agreement leaves the City receiving professional services from its municipal advisor with no written scope, no agreed rate, and no ceiling. Approving the agreement corrects that. It does not change how the budget work is being done.
2. **Finance staffing is in transition.** The City Treasurer position was vacant through the first half of the 2027 budget cycle. Mandy Wagner begins as City Treasurer on September 22, 2026. Access to the City's municipal advisor during that transition protects the budget schedule if a levy limit or debt service question arises that the City cannot resolve internally in time.
3. **The City pays only for what it requests.** Ehlers invoices monthly for work completed in the prior month at \$250.00 per hour, and the agreement stops at \$10,000. The City Administrator does not anticipate requesting assistance to the full extent of the scope of services. The value of the agreement is that the resource is in place and priced before the City needs it, rather than negotiated under deadline pressure in the middle of the budget cycle.

Fiscal Impact:

The agreement is capped at \$10,000 at a rate of \$250.00 per hour, invoiced monthly for work completed in the prior month. Funds for this agreement exist in the Zoning and Economic Development budget under Professional Services. Any charges incurred after January 1, 2027 will be carried in the

2027 budget. Any service the City directs that is not covered by this scope would be billed at not less than \$125.00 and not more than \$350.00 per hour and would require separate direction from the City.

Attachment:

Ehlers & Associates, Inc., Appendix B, Scope of Service, Budget Model Development and Training.

Recommendation:

Motion to approve the professional services agreement with Ehlers & Associates, Inc. for budget model development and training at a rate of \$250.00 per hour, not to exceed \$10,000, and to authorize the City Administrator to execute the agreement on behalf of the City of Tomah.



Stephen T. Sarvi, City Administrator



Date

Committee: Common Council

Meeting Date(s): September 21, 2026

Appendix B

Scope of Service

Client has requested that Ehlers & Associates assist Client with Budget Model Development and Training ("Project"). Ehlers & Associates proposes and agrees to provide the following scope of services:

Budget Assistance & Training

Ehlers & Associates will assist staff in the development of an Excel budget model for all client requested funds and integrate a levy limit calculation into the model. The funds will accumulate into a summary that can be used for the public notice. Ehlers will also train staff on how to calculate the allowable levy, addressing levy needs, and how to internally prepare and communicate the budget process and expectations.

Scope of Service Limitations

Notwithstanding the Scope of Services listed above, Ehlers' engagement related to Project is expressly limited as follows;

1. The Village will need to provide timely documentation to update budget worksheets and provide certain budget calculations.
2. Work will be completed remotely. The Village may provide remote access to accounting records.

Compensation

In return for the services set forth in the "Scope of Service," Client agrees to compensate Ehlers & Associates at a rate of \$250.00 per hour, not to exceed \$10,000.

For any service directed by Client and not covered by this, or another applicable Appendix, Ehlers & Associates will bill Client at an hourly rate that is dependent upon the task/staff required to meet Client request at no less than \$125.00/hour and not to exceed \$350.00/hour.

Payment for Services

Ehlers & Associates will invoice Client each month for the work completed in the prior month. Our fees include our normal travel, printing, computer services, and mail/delivery charges. The invoice is due and payable upon receipt by the Client.

The above Proposal is hereby accepted

by the City of Tomah, Wisconsin,



by its authorized officer this _____ day of _____, 2026.

Signed Title: _____

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Shared Ride Taxi Service: Decision on the 2027 Contract with Abby Vans Inc.

Summary and Background Information:

The Common Council must decide whether to modify, continue, or end the shared ride taxi contract with Abby Vans Inc. for 2027. Written notice of non-renewal must reach Abby Vans by October 2, 2026, ninety days before the contract expires on December 31, 2026. If no notice is sent, the 2027 option takes effect and the service continues under the current contract language.

The Committee of the Whole held a public hearing on this contract on September 14, 2026. The Council heard from residents who use the service and from the provider. Service, hours, and fares continue unchanged through December 31, 2026 under every option before the Council.

Cost of the Service

The 2026 contract pays \$50.08 per hour of service for up to 23,400 hours, a maximum of \$1,171,872. Federal transit funds cover \$221,258 of that amount. State operating assistance and fare revenue reduce the local figure further. The 2026 city budget sets the City's share of this service at \$245,000. The contract pays for 24-hour coverage, and transit staff reports that demand is concentrated in a much shorter daily window.

Options Before the Council

1. **Modify the contract for 2027.** Extend the contract with changed service hours or other revised terms. The 2027 option as written carries the current language, so any change requires a written amendment agreed to by Abby Vans. Aligning paid service hours with the window in which demand actually occurs is the change staff has identified. Staff would negotiate the amendment and return it to the Council for approval. Amended hours would require a public hearing to notify of the modifications.
2. **Continue the 2027 extension with the current language.** No notice is sent and no further action is required. The 2027 option takes effect on its existing terms, hours, and rate, and the service continues through 2027 as it operates today.
3. **Do not renew or extend for 2027.** Written notice must reach Abby Vans by October 2, 2026. Service continues unchanged through December 31, 2026, and the contract ends on that date. The City would then address vehicle disposition and any successor transportation arrangement separately.

If the Council Does Not Renew

WisDOT answered the City's vehicle question on August 18, 2026. Vehicles at or past the 100,000 mile useful life threshold may be sold at public auction, and a sale under \$10,000 returns nothing to WisDOT or the Federal Transit Administration. Vehicles below the threshold are recommended for transfer to another public or specialized transit provider, with the receiving party paying the City the local share of market value. A vehicle kept for non-transit use requires repaying the Federal Transit Administration eighty percent of assessed value. WisDOT did not identify a path to place these vehicles with a private for-profit operator. City vehicle mileage in the state system is being brought current so that WisDOT can sort the fleet. Staff is separately reviewing Chapter 50, the vehicle for hire ordinance, so that taxi and rideshare companies can be licensed under current state law.

Fiscal Impact:

The City's budgeted share of this service in 2026 is \$245,000. Options 1 and 2 carry a city share into the 2027 budget, which is being built now: option 2 at the current terms and hours, option 1 at an amount set by the modified terms. Option 3 removes the contract from the 2027 budget along with the federal and state assistance that offsets it, and leaves vehicle disposition and any successor arrangement to be addressed separately.

Recommendation:

The Council may act by one of the following motions:

Motion to direct staff to negotiate a modified 2027 contract with Abby Vans Inc. and to return the amended agreement to the Common Council for approval, and schedule the necessary public notice and hearing.

Motion to continue the 2027 contract extension with Abby Vans Inc. under the current contract language.

Motion to direct the City Administrator to provide written notice to Abby Vans Inc. that the City will not renew or extend the contract for 2027, the notice to be delivered no later than October 2, 2026.

Stephen T. Sarvi, City Administrator

Date

Committee: Common Council

Meeting Date(s): September 21, 2026

ORDINANCE NO. _____

ORDINANCE AMENDING ARTICLE IX OF CHAPTER 44 OF THE CITY OF TOMAH MUNICIPAL CODE CREATING DIVISION 1 THROUGH 3 REGARDING BICYCLES, ELECTRIC BICYCLES, E- MOTOS, ELECTRIC SCOOTERS AND GAS-POWERED BICYCLES.

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

SECTION ONE: Article IX of Chapter 44 of the City of Tomah Code of Ordinances is hereby amended as follows:

ARTICLE IX. – BICYCLES, ELECTRIC BICYCLES, E-MOTOS, ELECTRIC SCOOTERS, AND GAS-POWERED BICYCLES.

Division 1- BICYCLES

Sec. 44-201. - Definitions.

The term "bicycle" as used in this article shall be defined by the provisions of Wis. Stats. § 340.01(5), which is hereby adopted by reference and made a part of this article.

Sec. 44-202. - Penalties.

Any person convicted of violating any provision of this section shall be subject to a forfeiture of \$20.00 plus costs for the first offense within a year. For a second and subsequent offense within a one-year period, the penalty shall be \$40.00 plus costs.

Sec. 44-203. - Registration.

No person shall operate a bicycle upon any street or public way within the city, unless the bicycle shall first have been registered and properly licensed. Any bicycle purchased, sold or transferred shall be registered by the new owner within ten days of the date of the change in ownership. Bicycle registrations shall be issued by the police department.

Sec. 44-204. - Registration form; fee.

The registration form shall include a complete description of the bicycle, including make, color, serial number and name and address of the registrant. The registration fee to be paid for each bicycle registration shall be set by resolution of the council and may be changed from time to time by resolution.

Sec. 44-205. - Issuance of registration sticker; display.

Immediately upon the registration of a bicycle, the police department shall issue to the owner a sticker serially numbered to correspond with the registration of such bicycle. Such sticker shall be affixed towards the rear of the bicycle in an easily conspicuous area and shall remain so fixed to the bicycle. In case of theft, loss, mutilation or defacing of such sticker, a new sticker shall be issued by the department for a fee established by the council.

Sec. 44-206. - Duty to report; cancellation of registration.

Within ten days after any bicycle registered hereunder shall have changed ownership or be dismantled and taken out of use, the person in whose name the bicycle has been registered shall report such information to the police department. In case of change of ownership, the registration shall thereupon be canceled.

Sec. 44-207. - Rules and regulations.

- a) Every person propelling or riding a bicycle upon a public roadway shall be subject to the provision of all provisions of this Code and state laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application.
- (b) No person shall operate a bicycle on the sidewalks of Superior Ave. from Council St. to Washington St.
- (c) Every bicycle when operated on a roadway shall be kept as close to the right-hand curb as possible, except when making a left-hand turn.
- (d) Every person when operating a bicycle upon a roadway shall ride such bicycle in single file.
- (e) No person riding upon a bicycle shall cling to or attach himself to any other moving vehicle upon a street or highway.
- (f) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Infant seats are permitted if bolted securely to the frame at the top mount and to the axle and frame at the rear bottom mount and if provided with hand holds, foot rests, foot guards and safety belt. The use of a backpack for carrying an infant is permitted. Persons are not permitted to be located on a bicycle in front of the operator of the bicycle.
- (g) No person operating a bicycle shall carry any package, bundle or article which prevents the safe operation of the bicycle with at least one hand on the handlebars at all times.
- (h) No rider of a bicycle shall remove both hands from the handlebars or both feet from the pedals or practice any acrobatic or fancy riding on any street.
- (i) No rider of a bicycle shall wear headphones or earbuds that cover both ears.

Sec. 44-208. - Required equipment.

- (a) *Lights required.* Every bicycle operated upon the city streets and public highways between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached or affixed on the front of such vehicle, exhibiting a white light visible from a distance of at least 500 feet to the front

end, with a lamp on the rear exhibiting a red light visible from a distance of 500 feet to the rear, except that a red reflector approved by the state may be used in lieu of a rear light.

(b) *Brakes required.* Every bicycle when operated upon a highway shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.

Sec. 44-209. - Parental responsibility.

No parent or guardian of any child shall authorize or permit such child to violate any of the provisions of this section.

DIVISION 2- Electronic Bicycles, E-motos and Electric Scooters.

Sec. 44-210. Definitions.

1). The term “electric bicycle” as used in this article shall be defined as a bicycle that is equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications:

a). Class 1 Electric Bicycle. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

b). Class 2 Electric Bicycle. An electric bicycle that may be powered solely by the motor and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

c). Class 3 Electric Bicycle. An electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

2). The term “e-moto” shall be defined as any device with an electric motor over 750 watts, capable of reaching the speed of more than 28 miles per hour without pedal assistance, with characteristics outside of the above definitions of Class 1, 2 and 3 of electric bicycles, or that does not meet the Wisconsin statutory definitions of a motorcycle, moped or motor bicycle.

3). The term “electronic scooter” shall have the meaning as set forth in sec. 340.01(15ps), Stats.

Sec. 44-211. Permitted Users of Class 3 Electric Bicycles and E-motos.

No person under age 16 may operate a Class 3 electric bicycle or e-moto within the City of Tomah.

Sec. 44-212. Rules of the Road.

All applicable provisions of Chaps. 346 and 347 of the Wis. Stats., and City ordinances, specifically including but not limited to the same regulations for bicycles in sections 44-207 and 44-208, shall govern the operation of electric bicycles, e-motos and electric scooters. A violation of Chaps. 346 or 347 shall be cited under those respective statutory sections.

Sec. 44-213. Regulation of Use of Electric Bicycles and Electric Scooters on Sidewalks and City Recreational Trails.

a) Operation of electronic bicycles, e-motos or electric scooters with use of motor on all city sidewalks is prohibited.

b) Operation of e-motos on all city recreational trails is prohibited.

c) Operation of electronic bicycles or electronic scooters with use of motor on city recreational trails is prohibited except by special city permits approved by the City Council. Such special permits are to be granted only for sponsored events and/or closely regulated activities where additional and acceptable assurances may be provided for the safety of riders and public through close monitoring and/or supervision.

d) Electric bicycles or electric scooters operated without the motor and using only human power may be used on city recreational trails and sidewalks under the same regulations for bicycles as set forth in Division 1.

Sec. 44-214. - Penalties.

Any person convicted of violating any provision of this section shall be subject to a forfeiture of \$50.00 plus costs for the first offense within a year. For a second and subsequent offense within a one-year period, the penalty shall be \$100.00 plus costs. This penalty section shall not apply to a violation of Chaps. 346 or 347.

Sec. 44-215. - Parental Responsibility.

No parent or guardian of any child shall authorize or permit such child to violate any of the provisions of this section.

DIVISION 3- Gas-Powered Bicycles.

Sec. 44-216. Definition

The term “gas-powered bicycle” as used in this article shall be defined as a bicycle modified with the installation of a gas-powered motor that was not originally an integral part of the bicycle.

Sec. 44-217. Prohibition of Gas-Powered Bicycles.

Operation of gas-powered bicycles is prohibited in the City of Tomah.

Sec. 44-218. - Penalties.

Any person convicted of violating any provision of this section shall be subject to a forfeiture of \$50.00 plus costs for the first offense within a year. For a second and subsequent offense within a one-year period, the penalty shall be \$100.00 plus costs.

Sec. 44-219. - Parental Responsibility.

No parent or guardian of any child shall authorize or permit such child to violate any of the provisions of this section.

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

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

Paul Dwyer, Mayor

ATTEST:

Nicole Jacobs, City Clerk

READ:

PASSED:

PUBLISHED: