



AGENDA FOR COMMON COUNCIL

A Common Council meeting will be held on **Tuesday, February 17, 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: Justin Randall
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 January 20, 2026
6. Approval: Application of Class "B" Beer Fermented Malt Beverage License and "Class C" Wine License for Aimee's Hub at 1103 Superior Ave.
7. Approval: Temporary "Class B" Wine and Class "B" Beer License Application by Tomah Baseball Club for the Baseball Night Out on March 7, 2026
8. Approval: Temporary Class "B" Beer and temporary "Class B" Wine beverage license application has been received from the Families First of Monroe County Inc. for their event "Families First Trivia Night" on March 14, 2026
9. Approval: Application for Appointment of Successor Agent for ALDI #52 at 1844 N Superior Ave, Tomah, WI
10. Approval: Annual renewal of Taxicab Licenses for Abby Vans Inc. DBA Tomah Transit
11. Approval: Resolution for the Payment of Monthly Bills
12. Approval: Lake Committee Sales Tax Reimbursement

PUBLIC WORKS AND UTILITIES COMMISSION:

Common Council – February 17, 2026

13. Approval: Resolution for Forgiveness of 2019 Sewer Utility Advance to TID #8

GENERAL:

ADJOURN:

14. Adjourn to closed session pursuant to Wis. Stat. 19.85:

(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session:

-Approval: Developer proposal for purchase of city-owned property for the purpose of a housing development.

-Approval: Land Lease Agreement.

-Approval: Continued consideration regarding the purchase of Property B.

(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.

-Discussion of possible litigation threatened by a citizen.

-Discussion of possible litigation concerning a third-party vendor.

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 JANUARY 20, 2026, COMMON COUNCIL

CALL TO ORDER:

A regular meeting of the Common Council was held at 819 Superior Ave. in the City Council Chambers. The meeting was called to order by Mayor Paul Dwyer at 6:39 p.m. After the Pledge of Allegiance, roll call was taken. Present: Paul Dwyer, Shawn Zabinski, Richard Yarrington, Patrick Devine, Dean Peterson, and Mitchell Koel. Absent: Travis Scholze, John Glynn, and Nellie Pater. Also present: Nick Morales, Nicole Jacobs, Justin Derhammer, Charlie Handy, Brandy Leis, Penny Precour, and Tina Thompson (via Zoom.) The meeting was available via Zoom and was recorded by Hagen Sports Network. All motions are unanimously approved unless otherwise noted.

ANYONE DESIRING TO APPEAR TO COUNCIL:

Several residents appeared before council to speak about fee changes at the Senior and Disabled Services Center. The residents were requesting the council consider changing the age limit for individuals required to pay the fee.

MAYOR:

Employee of the Month

Mayor P. Dwyer announced this month’s Employee of the Month as Deputy Fire Chief Jeremy Likely, stating Likely is very deserving of this award as he puts a lot of time and effort into his job.

Monthly Update

P. Dwyer informed the council that he and staff do have a few issues they are currently working through but as a whole, the city is on good track.

CONSENT AGENDA:

Motion by D. Peterson, second by M. Koel, to approve the following consent agenda: Motion carried.

Approval of Minutes from December 15, 2025

Approval: Watermain Loop - Capital Improvement

Approval: Temporary Class "B" Beer License Application by Tomah Warrens Sportsman’s Alliance for the annual TWSA Ice Fisheree on February 14, 2026

Approval: Temporary “Class B” Wine and Class “B” Beer License Application by North American Squirrel Association for the 9th Annual NASA Fundraising Banquet on March 28, 2026

Approval: Temporary “Class B” Wine and Class “B” Beer License Application by Queen of the Apostles Parish for the Trivia with the Queen Fundraiser on January 23, 2026

Approval: Temporary “Class B” Wine and Class “B” Beer License Application by Tomah Lions Club for Downtown Thursday Nights on July 2, 9, 16, 30 and August 6 and 13, 2026

Approval: Special Event Outdoor Cabaret License for the Greater Tomah Area Chamber of Commerce for the 800 and 900 blocks of Superior Avenue for six “Downtown Thursday Nights” concert events in July and August of 2026

Approval: Resolution for the Payment of Monthly Bills

APPOINTMENTS:

Approval: Appointment of 2026-2027 Election Officials

Motion by S. Zabinski, second by P. Devine, to approve the appointment of the 2026-2027 Election Officials. Motion carried.

ADJOURN:

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

Motion by S. Zabinski, second by P. Devine, to adjourn to closed session under Wis Stat § 19.85(1) as listed on the agenda. Motion carried. Meeting adjourned to closed session at 6:49 p.m.

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

-Approval: City Administrator performance evaluation.

Motion by M. Koel, second by P. Devine, to approve the city administrator’s performance evaluation, including the goals N. Morales set forth for 2026 to include monitoring correct council procedures, helping with professional development across the organization. M. Koel amended his motion, seconded by P. Devine, to include authorizing

Common Council – JANUARY 20, 2026

Attorney Precour to make the amendments and allowing Mayor Dwyer to deliver the evaluation to Morales. Motion carried.

(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:

-Continued consideration regarding the purchase of Property B.

Adjourn Meeting

Motion by D. Peterson, second by M. Koel, to adjourn the meeting at 7:17 p.m. Motion carried.

Respectfully submitted,

Nicole Jacobs, City Clerk

**CITY OF TOMAH
NOTICE OF APPLICATION FOR ALCOHOL LICENSES
FOR THE LICENSE PERIOD OF: 7/1/2025 – 6/30/2026**

The following have applied for a Class “B” Fermented Malt Beverage License in the City of Tomah:

1. Aimee M. Strom DBA Aimee’s Hub at 1103 Superior Ave

The following have applied for a “Class C” Wine License in the City of Tomah:

1. Aimee M. Strom DBA Aimee’s Hub at 1103 Superior Ave

Nicole Jacobs, City Clerk, Tomah, WI

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Application of Class “B” Beer Fermented Malt Beverage License and “Class C” Wine License for Aimee’s Hub at 1103 Superior Ave.

Summary and Background Information:

(Appropriate Documentation Attached)

Aimee M. Strom. DBA Aimee’s Hub, which will be located at 1103 Superior Ave in Tomah, has applied for a Class “B” Beer and a “Class C” Wine License for the license period expiring June 30, 2026.

Fiscal Note:

Total revenue generated to the City of Tomah by the issuance of these licenses will be \$200.

Recommendation:

The license application and background checks have been reviewed and completed. It is requested that the Committee of the Whole recommend the Common Council approve the issuance of the licenses for the license period expiring June 30, 2026.

Respectfully submitted by:

Nicole Jacobs

Committee: Committee of the Whole & Common Council

Meeting Date: February 9 & 17, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Temporary “Class B” Wine and Class “B” Beer License Application by Tomah Baseball Club for the Baseball Night Out on March 7, 2026.

Summary and Background Information:

(Appropriate Documentation Attached)

Tomah Baseball Club has applied for a Temporary “Class B” Wine and Class “B” Beer License to sell wine and fermented malt beverages at its annual event being held at Tomah Recreation Park located on 1625 Butts Ave in Tomah on March 7, 2026.

Fiscal Note:

The revenue generated to the City of Tomah by issuance of this license is \$10.

Recommendation:

It is requested that the Committee of the Whole make a recommendation to Common Council for approval of the Temporary “Class B” Wine and Class “B” Beer License.

Respectfully submitted by:

Nicole E. Jacobs
City Clerk

Committee: Committee of the Whole and Common Council

Meeting Date: February 9 & 17, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

A temporary Class "B" Beer and temporary "Class B" Wine beverage license application has been received from the Families First of Monroe County Inc. for their event "Families First Trivia Night" on March 14, 2026.

Summary and Background Information:

(Appropriate Documentation Attached)

Families First of Monroe County Inc. has applied for a Temporary Class "B" Beer and a temporary "Class B" Wine License to sell fermented malt beverages and wine at their "Families First Trivia Night" event being held at the Recreation Building, 1625 Butts Avenue, Tomah, on March 14, 2026.

Fiscal Note:

The City receives \$10 for each Temporary Beer and Wine Permit. The revenue generated to the City of Tomah by issuance of these licenses is \$10.

Recommendation:

It is requested that the Common Council approve the Temporary Beer and Wine Permit requested by Families First of Monroe County Inc. for their event at Recreation Park on March 14, 2026.

Respectfully submitted by:

Michelle Sorenson

Committee: Committee of the Whole & Common Council

Meeting Date: February 9 and 17, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Application for Appointment of Successor Agent for ALDI #52 at 1844 N Superior Ave, Tomah, WI.

Summary and Background Information:

(Appropriate Documentation Attached)

ALDI #52 in Tomah, has applied for a change of agent for the liquor license period expiring June 30, 2026. Their current agent will be retiring.

Fiscal Note:

Total revenue generated to the City of Tomah by the appointment of a successor agent is \$10.

Recommendation:

The background check has been completed by Tomah Police Department. It is requested that the Committee of the Whole recommend the Common Council approve the appointment of a successor agent for ALDI #52 for the license period expiring June 30, 2026.

Respectfully submitted by:

Nicole Jacobs

Committee: Committee of the Whole & Common Council

Meeting Date: February 9 & 17, 2026

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Annual renewal of Taxicab Licenses for Abby Vans Inc. DBA Tomah Transit

Summary and Background Information:

(Appropriate Documentation Attached)

Abby Vans Inc. DBA Tomah Transit has applied for the following taxicab licenses:

1. 2023 Kia Niro
2. 2020 Dodge Grand Caravan
3. 2023 Ford Transit
4. 2023 Ford Transit
5. 2024 Chrysler Pacifica
6. 2024 Chrysler Pacifica
7. 2023 Chrysler Voyager

This annual licensing period runs from January 1, 2026 to December 31, 2026. The certificate of insurance is on file.

Fiscal Note:

The license fee is \$31.88 for the first cab and \$25.50 for each additional cab. The total for seven cabs is \$184.88.

Recommendation:

The license applications have been completed and reviewed. The taxi cabs have been inspected by the Police Department and certified by an auto mechanic. It is requested that the Committee of the Whole recommend the Common Council approve the renewal of the Taxicab Licenses as requested.

Respectfully submitted by:

Michelle Sorenson

Committee: Committee of the Whole & Common Council

Meeting Date: February 9 & 17, 2026

RESOLUTION NO : _____

RESOLUTION AUTHORIZING
PAYMENT OF MONTHLY BILLS

Be it resolved by the Common Council of the City of Tomah that the Committee of the Whole has reviewed the monthly bills and recommends the City Council approve said bills as follows:

1. Pre-Paid Checks:	2026	\$16,770.69	Check #'s:	148453	148454
2. Payroll:		\$363,942.28	Dir Dep #'s:	9309054	9309323
3. Wire/ACH Transfers:		\$527,147.91			
4. Invoices:		\$16,263.95			
Total:		<u>\$924,124.83</u>			

Mayor

Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

February 9, 2026

CITY OF TOMAH

Payment Approval Report - For Council Approval
Report dates: 1/26/2026-2/5/2026

Page: 1

Feb 05, 2026 07:42AM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
MLJ LAWN MOWING & SNOW REMOVAL LLC							
443	MLJ LAWN MOWING & SNOW R	1205(2026)	SNOW REMOVAL	02/02/2026	01-53432-2900 SIDEWALK MAINT SER	100.00	
Total MLJ LAWN MOWING & SNOW REMOVAL LLC:						100.00	
MONROE CO SOLID WASTE							
461	MONROE CO SOLID WASTE	402	JAN 2026 LANDFILL	01/31/2026	01-53630-5300 SOLID WSTE DISP RE	15,645.84	
Total MONROE CO SOLID WASTE:						15,645.84	
TOMAH WATER UTILITY							
659	TOMAH WATER UTILITY	205000 Jan 20	205000 JAN 2026	02/03/2026	01-53311-2220 HWY/ST MAINT UTIL-W	139.77	
659	TOMAH WATER UTILITY	206700 Jan 20	206700 JAN 2026	02/03/2026	01-51600-2220 GENERAL BLDGS UTIL	229.37	
659	TOMAH WATER UTILITY	226301 Jan 20	226301 JAN 2026	02/03/2026	01-53311-2220 HWY/ST MAINT UTIL-W	75.81	
659	TOMAH WATER UTILITY	254100 Jan 20	254100 JAN 2026	02/03/2026	01-53311-2220 HWY/ST MAINT UTIL-W	22.60	
659	TOMAH WATER UTILITY	290102 Jan 20	290102 JAN 2026	02/03/2026	01-53510-2220 AIRPORT UTIL-W&S	25.28	
659	TOMAH WATER UTILITY	96701 Jan 202	96701 JAN 2026	02/03/2026	01-53311-2220 HWY/ST MAINT UTIL-W	25.28	
Total TOMAH WATER UTILITY:						518.11	
Grand Totals:						16,263.95	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Net Invoice Amount	Date Paid
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Dated: _____

Mayor: _____ Dwyer, Paul

City Council: _____ Glynn, John

Pater, Nellie

Peterson, Dean

Devine, Patrick

Scholze, Travis

Koel. Mitch

Yarrington, Richard

Zabinski, Shawn

CITY OF TOMAH

Check Register - Print Check Register - For Council Approval

Page: 1

Check Issue Dates: 1/12/2026 - 2/5/2026

Feb 05, 2026 07:52AM

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice Sequence	Invoice GL Account	Discount Taken	Invoice Amount	Check Amount
148453										
01/26	01/21/2026	148453	461	MONROE CO SOLID WASTE	356	1	01-53630-5300	.00	15,645.84	15,645.84
Total 148453:								.00		15,645.84
148454										
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	01052026SC	1	12-55500-2220	.00	57.26	57.26
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	010526	1	10-55110-2220	.00	145.83	145.83
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	205000 Dec	1	01-53311-2220	.00	193.07	193.07
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	206700 Dec	1	01-51600-2220	.00	229.37	229.37
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	226301 Dec	1	01-53311-2220	.00	65.15	65.15
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	254100 Dec	1	01-53311-2220	.00	22.60	22.60
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	290102 Dec	1	01-53510-2220	.00	25.28	25.28
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	358100 12.2	1	03-52300-2220	.00	270.73	270.73
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	358100 12.2	2	01-52200-2220	.00	67.68	67.68
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	85401 Dec 2	1	01-53311-2220	.00	22.60	22.60
01/26	01/21/2026	148454	658	TOMAH WATER & SEWER UTILI	96701 Dec 2	1	01-53311-2220	.00	25.28	25.28
Total 148454:								.00		1,124.85
Grand Totals:								.00		16,770.69

M = Manual Check, V = Void Check

Dated: _____

Mayor: _____ Dwyer, Paul

City Council: _____ Glynn, John

_____ Pater, Nellie

_____ Peterson, Dean

_____ Devine, Patrick

_____ Scholze, Travis

_____ Koel, Mitch

_____ Yarrington, Richard

_____ Zabinski, Shawn



STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Sales Tax Reimbursement

Summary and background information: (Appropriate documents attached)

Members of the Lake Committee held a booth at the annual NASA Squirrelnfest event in July of 2025. A member of the committee purchased items for this booth and is being asked for full reimbursement. A reimbursement check of \$588.06 was submitted for the actual cost of the items. This did not include sales tax, as our policy states sales tax paid by an employee will not be reimbursed. The member and chairman of the Lake Committee are seeking Committee of the Whole's recommendation to Common Council to pay out the sales tax in the amount of \$32.34.

Fiscal Note:

\$32.34

Recommendation:

Copy of the purchasing, budget, and accounting guidebook is attached.
Reference section 1.3 Employee Reimbursements (pg 6-7)

A handwritten signature in black ink that reads "Brandy Leis".

Director of Public Works & Utilities
Brandy Leis

A handwritten date in black ink that reads "2/4/26".

Date

Order Summary

Order placed May 4, 2025

Order # 112-2196149-4877006

Ship to

Peggy Chapman
20076 FLATIRON AVE
TOMAH, WI 54660-6718
United States

Payment method

Amazon Visa ending in ~~1234~~
Earns 5% back on all items
Rewards Points

[View related transactions](#)

Order Summary

Item(s) Subtotal:	\$210.72
Shipping & Handling:	\$0.00
Total before tax:	\$210.72
Estimated tax to be collected:	\$11.57
Grand Total:	\$222.29



13 Inch Danish Dough Whisk with Dough Scraper, Dutch Bread Whisk with Stainless Steel Dough Hook, Sourdough Whisk for Baking, Bread Whisking Tool

Sold by: Kitchen Thinker

Return window closed on June 6, 2025

\$8.99



Vintage Fish Shower Curtain Rustic Farmhouse Cabin Fishing Lake Fishes Lodge Hunting Camp RV Fabric Bathroom Curtain Set with Hooks

Sold by: HWSMGSR

Return window closed on June 6, 2025

\$12.99



RibbonsNow 1st - 2nd - 3rd Place Award Ribbons - 36 Total Ribbons - 12 Each Place with Card & String

Sold by: Ribbons Now

Return window closed on June 6, 2025

\$13.99

$$12.99 \times 3 = 38.97$$

$$13.99$$

$$52.96$$

$$2.91$$

$$55.87$$



GoodtoU Drawstring Backpack Bulk, 100 Pcs Draw String Bags Cinch Bag Drawstring Gym Bag Sackpack Drawstring Bags for Women Men, 10 Colors

Sold by: Guilan

Return window closed on June 7, 2025

\$59.99



Neutrogena Makeup Remover Wipes, Daily Facial Cleanser Towelettes, Gently Cleanse and Remove Oil & Makeup, Alcohol-Free Makeup Wipes, 2 x 25 ct

Sold by: Amazon.com

Supplied by: Other

Return window closed on June 6, 2025

\$9.97



GoodtoU Drawstring Backpack Bulk, 100 Pcs Draw String Bags Cinch Bag Drawstring Gym Bag Sackpack Drawstring Bags for Women Men, 10 Colors

Sold by: Guilan

Return window closed on June 6, 2025

\$59.99

$$59.99 \times 2 = 119.98$$

$$6.60$$

$$126.58$$



Iconikal Hardcover 1,260 Name Guestbook, Charcoal, 10 x 8 inches Record Guests Names Address Contact Information from Special Occasions

Sold by: Iconikal

Return window closed on June 6, 2025

\$6.99



e.l.f. Monochromatic Multi Stick, Creamy, Lightweight, Versatile, Luxurious, Adds Shimmer, Easy To Use On The Go, Blends Effortlessly, Sparkling Rose, 0.17 Oz

Sold by: Amazon.com

Supplied by: Other

Return window closed on June 6, 2025

\$4.84

Order Summary

Order placed July 1, 2025 Order # 112-2834467-4381836

Ship to

Peggy Chapman
20076 FLATIRON AVE
TOMAH, WI 54660-6718
United States

Payment method

Amazon Visa ending in [REDACTED]
Earns 5% back on all items
[View related transactions](#)

Order Summary

Item(s) Subtotal:	\$234.88
Shipping & Handling:	\$0.00
Total before tax:	\$234.88
Estimated tax to be collected:	\$7.15
Grand Total:	\$242.03



Pepperidge Farm Goldfish Cheddar Crackers, 1.5 oz. Snack Packs, 30 Count

Sold by: Amazon.com

Supplied by: Other

Return window closed on August 4, 2025

\$14.99

44.97



Pepperidge Farm Goldfish Cheddar Crackers, 1.5 oz. Snack Packs, 30 Count

Sold by: Amazon.com

Supplied by: Other

Return window closed on August 4, 2025

\$14.99

14.99



~~Matt Sprouts and the Search for the Chompy Wompers (Volume 3)~~

~~Sold by: Amazon.com~~

~~Supplied by: Other~~

~~Return window closed on August 4, 2025~~

~~\$12.99~~



SWEDISH FISH Mini Soft & Chewy Candy, Bulk Candy, 140 Snack Packs

Sold by: Amazon.com

Supplied by: Other

Return window closed on August 4, 2025

\$19.98

19.98



~~Rodan and Fields Radiant Defense Perfecting Liquid SPF 30 - Shell | 50 mL | 4-in-1 Makeup & Skin Care Beauty Solution | Sunscreen | Face Moisturizer | Light Skincare Foundation | Sunscreen for Face~~

~~Sold by: Epic Global~~

~~Return window closed on August 4, 2025~~

~~\$77.00~~



SWEDISH FISH Mini Soft & Chewy Candy, Bulk Candy, 140 Snack Packs

Sold by: Amazon.com

Supplied by: Other

Return window closed on August 4, 2025

\$19.98

19.98



Pepperidge Farm Goldfish Cheddar Crackers, 1.5 oz. Snack Packs, 30 Count

Sold by: Amazon.com

Supplied by: Other

Return window closed on August 4, 2025

\$14.99

44.97

144.89

Tax

7.95

152.84

Order Summary

Order placed July 7, 2025 Order # 112-8475451-7567422

Ship to

Peggy Chapman
20076 FLATIRON AVE
TOMAH, WI 54660-6718
United States

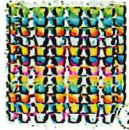
Payment method

Amazon Visa ending in [REDACTED]
Earns 5% back on all Items

[View related transactions](#)

Order Summary

Item(s) Subtotal:	\$94.32
Shipping & Handling:	\$0.00
Total before tax:	\$94.32
Estimated tax to be collected:	\$5.19
Grand Total:	\$99.51



48 Pack Kids Sunglasses Bulk for Party Favors, 16 Colors Neon Sunglasses with UV400 Protection, Gift for Classroom, School Prizes Goodie Bags Stuffers, Kid Birthday, Beach, Summer Pool Party Supplies

Sold by: MAPIXO

Return window closed on August 9, 2025

\$31.44



48 Pack Kids Sunglasses Bulk for Party Favors, 16 Colors Neon Sunglasses with UV400 Protection, Gift for Classroom, School Prizes Goodie Bags Stuffers, Kid Birthday, Beach, Summer Pool Party Supplies

Sold by: MAPIXO

Return window closed on August 9, 2025

\$31.44

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Order Summary

Order placed July 5, 2025 Order # 112-5053652-2903402

Ship to	Payment method	Order Summary
Peggy Chapman 20076 FLATIRON AVE TOMAH, WI 54660-6718 United States	Amazon Visa ending in [REDACTED] Earns 5% back on all items View related transactions	Item(s) Subtotal: \$18.99 Shipping & Handling: \$0.00 Total before tax: \$18.99 Estimated tax to be collected: \$1.04 Grand Total: \$20.03



AGGKKY 24 Pack Kids Sunglasses Bulk Party Favors, Neon Kids Sunglasses Bulk Boys Girls with UV400 Protection for Birthday Party Favors

Sold by: OlikeSports

Return window closed on August 8, 2025

\$18.99

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3. Ensure the necessary funding is available in their budget PRIOR to starting the purchasing process.
4. Obtain a W-9 for all new vendors except if it is a refund/reimbursement.
5. Ensure the City of Tomah does not pay sales tax for any goods or services within the State of Wisconsin.
6. Not reimburse sales tax paid for purchases within the State of Wisconsin.
7. Not lead vendors to believe they will be awarded a contract if information they provide is being used for budget or planning purposes only.
8. Have the Department Head/Supervisor review and approve all invoices and account lines being charged.
9. Negotiate terms and discounts for purchases.
10. Request a Certificate of Insurance from any vendor performing a service on any property owned by the City of Tomah.
11. Obtain proper Material/Safety data sheets where applicable.
12. Follow Federal, City and Wisconsin State Statutes regarding procurement for all projects. (see PURCHASING CATEGORIES)
13. Structure specifications for all requests so as not to limit competition.
14. Return to Finance Department any checks that are returned back to the city due to error, lack of need, undeliverable, etc.
15. Allow Accounts Payable checks to be mailed directly to the vendor, unless they are city employees or the department has a specific written request for needing the check back.

1.3 Employee Reimbursements:

Travel - Every employee reimbursement must be documented, along with attached original itemized receipts, nature of business, program allocation, and funding source (if applicable) before submitting for reimbursement.

Lodging - an itemized receipt from the hotel detailing all charges, the person(s) for whom the lodging was provided, and the specific business purpose.

Meals and Entertainment - If an employee travels for work-related business, then the employee may be eligible for meal reimbursement for each full day of travel when engaged in approved travel. There are some restrictions as to how the allowance relates to breakfast and dinner. Breakfast is only subject to reimbursement if the employee is staying overnight the day before when traveling or leaves before 6:00 a.m. to travel. Dinner will not be covered unless the employee is not expected home before 7:00 pm.

The maximum expense for meals is as follows:

Breakfast	Up to \$10.00 per day
Lunch	Up to \$15.00 per day
Dinner	Up to \$20.00 per day

The City does not reimburse employees for snacks or alcoholic beverages

Mileage - for the use of personal vehicles for City business is paid at the current IRS rate.

Other Expenditures - a receipt from the vendor detailing all goods or services purchased (including the class of service for transportation) and the specific business purpose.

The City of Tomah is exempt from Sales Tax and Room Taxes when traveling within the State of Wisconsin. All employees shall obtain a Sales Tax Exemption Form (S-211) prior to incurring any travel expenses or purchasing any goods that would be subject to Wisconsin Sales Tax. Sales Tax Exemption Forms may be obtained from the Finance Department. The Sales Tax Exemption Form must be presented prior to purchasing to avoid paying sales tax.

Sales Tax paid by an employee will not be reimbursed. (exception for meals within per diem amounts)

1.4 Vendor Relations:

City of Tomah employees participating in purchasing activities shall give all qualified bidders equal consideration and assurance of an unbiased judgment in determining whether the vendor's goods or services meet the specifications put forth by the city in the solicitation process.

City of Tomah employees purchasing from vendors with a direct family or personal relationship shall take caution in doing so and document a competitive purchasing process. Family/personal relationships with vendors should be disclosed in writing to your supervisor to provide disclosure prior to any purchase.

City of Tomah employees are encouraged to buy local if possible.

1.5 City-Wide Contracting

Pre-approved City-wide Standard Contracts

Departments shall purchase standard products or services from contracts negotiated for City-wide use. Examples of such contracts may include office supplies, janitorial supplies, copy paper, copier maintenance, IT, etc.

1.6 Disposal of Supplies and Equipment:

Supplies or Equipment no longer serving a useful purpose shall be disposed by transferring the material to a department which might have a use, by public auction or in such manner considered to be in the best interest of the city.

1.7 Purchasing Categories:

The City of Tomah purchasing activities are divided into categories:

1. Purchases under \$5,000
2. Purchases over \$5,000
3. Public works purchases \$5,000-\$24,999
4. Public works purchases over \$25,000

Values are based on the total cost of an order, not individual items, and should include all incidental costs such as shipping, installation, training, etc. Separating or splitting purchases to remain within a specific category is strictly prohibited.

Details for each of the categories are described below:

STAFF COMMITTEE PREPARATION REPORT

Agenda Item: Sewer Utility Advancement to TID 8 Forgiveness

Summary and Background Information:

Due to severe economic development challenges it became necessary to conduct a thorough evaluation of the tax increment financing strategy currently employed by the City of Tomah. On Thursday 5 December 2024, then-Chairperson of the Senior Executive Team and Director of Public Works and Utilities Kirk Arity briefed incoming Director of Economic Development and Zoning Nick Morales that Tax Increment District 8 (TID 8) was not meeting project plan expectations and it would benefit the City of Tomah to decommission the TID in 2027.

Over the next year it became apparent that the City of Tomah's TIF strategy was severely hampered by the situation within TID 8. First, the City of Tomah created more allowable TID than state regulations permit. State regulations permit 12% of the city's assessed value to be located within a TID, and the City of Tomah has for several years maintained 13% of the city's assessed value within TIDs. Second, not only does this violate state regulations, but it inherently prevents the city from creating any new TIDs focused on new economic development projects that can facilitate business recruitment, retention, and expansion.

Third, due to the sewer maintenance project within TID 8 that occurred in 2018 and 2019, TID 8 was forced to receive an advance of funds from the sewer utility. When the global COVID-19 pandemic began, payments to the sewer utility from TID 8 were suspended. They have remained suspended and unaccounted for in each year's budget for Fiscal Years 2021, 2022, 2023, 2024, and 2025. The FY 2026 budget does account for TID 8 payment to the sewer utility. However, due to the poor project plan performance of TID 8, it remains unable to make these payments and cover other legal and necessary expenditures. The result is that the city's other TIDs conduct transfer payments to TID 8, which is legal, to balance the TID 8 Fund. This results in less funds in those TIDs and prevents the city from conducting economic development projects in any of its TIDs.

Fourth, due to the city maintaining 13% of its assessed value in TIDs, the city's budget challenges are exacerbated to a catastrophic level. Wisconsin state law affords municipalities the ability to budget expenditures within the TID fund that directly and indirectly relate to the project plan. For example, the city may charge the direct expense of upgrading the sewer line in TID 8 to include cost of materials and the wages of the city employees conducting the work. The city may also charge the indirect expense of partial wage payments of the City Administrator and Zoning Administrator to the TID 8 Fund since they are the assigned staff that manage the TID 8 project plan. However, state law is clear that general government and public safety expenditures may not be charged to a TID. This means that all of the property tax revenue the city would normally receive from the 13% of the assessed value of the TIDs may not be used to

fund other city employee wages such as the Clerk's Department, police officers, firefighters, etc.

Included in the agenda packet with this staff report are professional assessments from the city's statutory City Engineer, our municipal financial advisor Ehlers, and a resolution written by the City Attorney that all outline the history of this advancement and the impacts of forgiving the advancement or not. My professional assessment is that the advantages of forgiving the advancement are that it makes it possible for the city to decommission TID 8 by 2027, or reasonably thereafter, and possibly establish a new and smaller TID focused on a specific economic development project, releases the burden on the other TIDs to help finance TID 8 thereby enabling economic development projects to occur in those TIDs, and sets conditions for the City of Tomah to seize the initiative and regain control of its financial destiny. Disadvantages include the likely need to increase sewer rates sooner and higher than would otherwise be necessary if the advancement were not forgiven.

As the City Administrator I also serve as the city's economic developer. As such, I am constantly in lengthy meetings and discussions with housing developers, commercial real estate developers, industrial corporations, and small business owners. Every single businessperson that is considering opening a location in Tomah has the exact same first question: "What TIF assistance is available?" Due to challenges that were both unforeseen and predictable, the City of Tomah has found itself in a position where we have little, if any, TIF assistance to offer. This is due in no small part to the sewer utility advance. Forgiving the advance would afford our city the ability to maneuver within the economic development space.

Minutes Attached:

Yes ☐

No ☒

Budget Account: Not applicable.

Fiscal Impact: Not applicable.

Staff Responsible for implementation: Director of Public Works and Utilities

Economic Impact: See staff report comments, letter from Town and Country Engineering, and letter from Ehlers Financial Advisors

Zoning/Rezoning Issues: None.

Supports Organizational Goals:

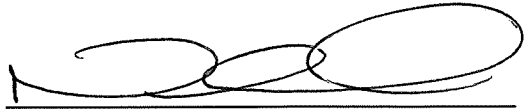
Yes ☒

No ☐

Questions from City Administrator: None.

Grants Pursued/Opportunity Pursued: Not applicable.

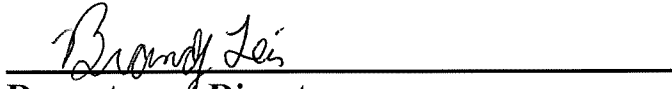
Recommendation: A motion to approve this item should read, "Motion to endorse and recommend to the Common Council the included resolution approving forgiveness of 2019 Sewer Utility Advance to TID #8.."



City Administrator

20260123

Date



Department Director

1/23/26

Date

Committee: Public Works and Utilities Commission
Meeting Date(s): 28 January 2026

RESOLUTION NO. _____

RESOLUTION APPROVING FORGIVENESS OF 2019 SEWER UTILITY
ADVANCE TO TID #8

WHEREAS, in the 2018 and 2019 construction seasons, infrastructure improvements were completed in the two alleys east and west of Superior Avenue, between Council Street and Washington Street in the City of Tomah, Monroe County, Wisconsin; and

WHEREAS, the project was initially conceived to address some significant failures in the existing sanitary sewers located underneath the alleys. The associated repairs were fairly costly due to the very tight physical constraints and relatively large flows in the sewers themselves. Replacing the sanitary sewers would allow the City to take advantage of other historical efforts to upsize sewers in adjacent streets and pre-empt future potential failures and the impacts to the properties along the alleys, many of which were commercial in nature;

WHEREAS, the contract was awarded to Gerke Excavating, Inc., (Contractor) in late April 2018 for just under \$2.8 million and work commenced that season. The project ran into some difficulties due to the tight physical constraints of the corridor and issues with the originally proposed construction technique of pipe bursting. After several weeks, the City and Contractor agreed to modify the approach to use more traditional open-cut construction methods, which reduced the overall construction cost but required an additional season of work. The project was substantially completed in 2019, with final payment made in 2020; and

WHEREAS, the project was initially intended to be funded using Tax Increment Financing (TIF). However, because Tax Increment District (TID) No. 8 was not generating sufficient revenue at the time, the City's Sewer Utility advanced funds to TID #8 using available cash in the amount of \$2,499,506.00. The General Fund and Water Services Fund also provided funds for the project; and

WHEREAS, it was anticipated that development within the district would occur in a timely manner and generate sufficient increment revenue to repay the advances, including what was due to the Sewer Utility; and

WHEREAS, the Common Council formally approved the transfer of TID#9 and TID#10 funds, as donor TIDs, to repay the advances to TID#8 via Resolution 2021-02-09-02. Provided, however, said Resolution was reversed and cancelled via Resolution 2021-12-21-54.

WHEREAS, the Common Council formally approved the advances to TID #8 via Resolution 2021-10-19-42 as well as the transfer of funds as interest charges and principal payments, if possible, via Resolution 2021-10-19-43; and

WHEREAS, while the advances from the General and Water Services Funds were fully repaid, between 2019 and 2024, TID#8 only made two installment payments on the Sewer Utility advance, specifically, \$360,717.00 in 2021 and \$305,000.00 in 2022; and

WHEREAS, the current balance of the Sewer Utility advance (as of December 31, 2025) equaled \$1,953,491.00; and

WHEREAS, during the 2025 review process of the City's completed projects and evaluation of cash flow with the City Engineer, Town and Country Engineering, Inc., and Ehlers, the City's finance advisor, it was determined that TID #8 will likely not generate sufficient revenue to repay the advance. As of year-end 2024, TID #8 maintains a cumulative deficit of \$2,126,090; and

WHEREAS, the advance was categorized as a non-current asset entitled "Advance to Other Funds" on the Sewer Utility's financial statements and therefore does not constitute a formal debt instrument that would count against the City's General Obligation Borrowing Capacity, nor does it contain a promise to repay; and

WHEREAS, since the advance is categorized as a non-current asset within the Sewer Utility, the current balance of the advance is not reflected in the utility's cash balance. As of year-end 2024, the Sewer Utility had cash on hand in the amount of \$2,887,396.00; and

WHEREAS, the City's finance advisor has concluded that forgiving the advance from the Sewer Utility to TID #8 would not have an adverse financial impact on the Sewer Utility, and may help TID #8 close in a timely manner; and

WHEREAS, the City's engineer is comfortable with the proposed forgiveness of the remaining balance of the advance given that the project primarily benefited the Sewer Utility and the current sewer fund balances appear sufficient. However, the City's engineer noted that such forgiveness would likely require the next sewer rate adjustment to occur sooner, and/or be larger, than would otherwise be necessary; and

WHEREAS, there are no Wisconsin statutes that regulate intergovernmental advances. As such, nothing is prohibiting the forgiveness of the Sewer Utility advancement as described herein; and

WHEREAS, the Public Works and Utilities Commission has reviewed this matter, is in agreement with, and recommends, that the current balance of the Sewer Utility advance in the amount of \$1,953,491.00 be forgiven.

NOW, THEREFORE, BE IT RESOLVED, that the City of Tomah Common Council hereby approves the forgiveness of the 2019 Sewer Utility advance as set forth herein.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin, this _____ day of _____, 2026.

Paul J. Dwyer, Mayor

ATTEST:

Nicole Jacobs, City Clerk

To: Public Works & Utilities Commission

From: Justin Derhammer / City Treasurer

Date: 01.16.2026

Re: Forgiveness of Sewer Debt Due to Insufficient Financial Sustainability in TID 8

Background

Tax Increment District (TID) No. 8 continues to operate with a substantial negative fund balance despite recent growth in tax increment revenues. According to the annual reports:

- **2023 ending fund balance:** \$(2,313,652)
- **2024 ending fund balance:** \$(2,136,459)

While the fund balance improved by approximately **\$177,193 in 2024**, the district remains significantly underwater. TID 8 is scheduled to terminate on **May 12, 2042**, limiting the timeframe available to fully recover costs.

The district incurred sewer-related debt to support infrastructure improvements intended to stimulate development and increase equalized value within the TID.

Financial Sustainability Analysis

Recent revenue growth has been driven primarily by increases in tax increment:

- **2023 tax increment:** \$546,577
- **2024 tax increment:** \$719,365

Despite this improvement, the majority of annual revenue is absorbed by fixed obligations, particularly debt service:

- **2023 debt service:** \$444,813
- **2024 debt service:** \$444,474

Debt service alone consumes over **60% of annual tax increment revenue**, leaving limited capacity to meaningfully reduce the negative fund balance or absorb additional costs. Even with higher tax increment collections, the district continues to rely on incremental gains simply to meet existing obligations rather than build long-term sustainability.

Continued repayment of sewer debt further constrains the district's financial flexibility and increases the risk that TID 8 will be unable to fully recover its costs prior to termination.

Recommendation

Given the district's persistent negative balance, heavy reliance on tax increment revenue for debt service, and limited remaining life, it is recommended that the remaining sewer debt associated with TID 8 be forgiven. Forgiveness of this debt would:

- Reduce annual expenditure pressure on a district with a **\$(2.1 million)** negative balance
- Improve the likelihood of achieving financial stability prior to the **2042 termination date**
- Allow future tax increment revenues to be applied more directly toward remaining obligations
- Reduce long-term financial risk to the municipality

Conclusion

While TID 8 has shown recent improvement, the district lacks sufficient financial sustainability to reasonably support continued repayment of sewer debt. Forgiveness of this obligation represents a fiscally responsible action that aligns with the district's current financial reality and supports its long-term closure strategy.

Approval of sewer debt forgiveness for TID 8 is respectfully requested.



January 8, 2026

Mr. Nick Morales, City Administrator
City of Tomah
819 Superior Avenue
Tomah, WI 54660

Subject: Superior Avenue Alleys project scope and funding

Dear Nick:

This letter provides background and context on the scope and funding of infrastructure improvements completed in the two alleys east and west of Superior Avenue, between Council Street and Washington Street. The work occurred during the 2018 and 2019 construction seasons.

The project was initially conceived to address some significant failures in the existing sanitary sewers located underneath the alleys. The associated repairs were fairly costly due to the very tight physical constraints and relatively large flows in the sewers themselves. Replacing the sanitary sewers would allow the City to take advantage of other historical efforts to upsize sewers in adjacent streets and pre-empt future potential failures and the impacts to the properties along the alleys, many of which are commercial in nature.

Contract award was made to Gerke Excavating, Inc. in late April 2018 for just under \$2.8 million, and work commenced that season. The project ran into some difficulties due to the aforementioned tight physical constraints of the corridor and issues with the originally proposed construction technique of pipe bursting. After several weeks, the City and Contractor agreed to modify the approach to use more traditional open-cut construction methods, which reduced overall construction cost but required an additional season of work. The project was substantially completed in 2019, with final payment being made in 2020.

We understand the project was initially intended to be funded using Tax Increment Financing (TIF). Because Tax Increment District (TID) No. 8 was not generating sufficient revenue at the time, the City's sewer utility advanced funds to TID #8 using available cash. Under this arrangement, TID No. 8 was expected to reimburse the sewer utility over time as incremental tax revenues became available.

As part of our role as City Engineer, we periodically review completed projects and monitor cash flow to evaluate future rate needs. During this review process in 2025, we noted that although TID

Mr. Nick Morales
Superior Avenue Alleys project scope and funding
January 8, 2026
Page 2

No. 8 was originally expected to return approximately \$1.95 million to the sewer utility in 2026, it may not have sufficient funds to do so.

We understand the City is considering having the sewer utility forgive the remaining balance of the fund advance, given that the project primarily benefited the sewer utility and current sewer fund balances appear sufficient. We are comfortable with this approach. However, Council should note that forgiving this balance would likely require the next sewer rate adjustment to occur sooner, and/or be larger, than would otherwise be necessary.

If you have any questions, please do not hesitate to contact me.

Respectfully,
TOWN & COUNTRY ENGINEERING, INC.



Brian R. Berquist, P.E.
President

BRB:sai

cc: Mr. Brandy Leis, Director of Public Works (*via email*)
Ms. Penny Precour, City Attorney (*via email*)



MEMORANDUM

TO: Nicholas Morales – City Administrator
Justin Derhammer – City Treasurer
FROM: Kayla Thorpe - Ehlers
DATE: January 9, 2026
SUBJECT: Forgiveness of 2019 Sewer Utility Advance to TID #8

In 2019 the City of Tomah Sewer Utility advanced funds to Tax Increment District No. 8 in the amount of \$2,499,506 to pay for utility project costs within the district boundaries. At the time, it was anticipated that development within the district would occur in a timely manner and generate sufficient increment revenue to repay the advance to the Sewer Utility. Unfortunately, that did not occur. It is anticipated that TID #8 will not generate sufficient revenue to repay the advance. As of year end 2024, TID #8 maintains a cumulative deficit of \$2,126,090.

Between 2019 and 2024 TID #8 only made two installment payments on the advance, in 2021 and 2022. Since 2022, no repayments have been made.

In review of the Sewer Utilities financial statements, the advance is categorized as a non-current asset and is entitled “Advance to Other Funds”. This implies that the advance does not constitute a formal debt instrument that would count against the City’s General Obligation Borrowing Capacity and does not contain a promise to repay. The current balance of the advance (as of 12/31/2024) is \$1,953,491.

In this case, the advance is categorized as a non-current asset within the Sewer Utility and the portion of the advance to be repaid is not reflected in the utilities cash balance. As of year end 2024, the Sewer Utility had cash on hand of \$2,887,396.

From the information provided to Ehlers by the City, we conclude that forgiving the advance from the Sewer Utility to TID #8 would not have an adverse financial impact on the Sewer Utility, and may help TID #8 close in a timely manner.



STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Discussion: Forgiveness of advance provided by the wastewater utility.

Summary and background information:

(Appropriate documents attached)

An oral update will be presented.

In 2019, the council approved the major project to improve the utilities and alley conditions within the boundaries of TID 8. The wastewater utility had funds available to be able to carry the full amount of the project financially, which saved the City costs with bonding, higher interest rates at the time, and provided TID 8 with flexibility on a repayment plan. On February 9, 2021, the Council passed Resolution 2021-02-09-02 designating certain funds to be paid as interest payments of outstanding debts advanced by the General Fund (GF), water services and wastewater services. During the 2020 audit, auditors discovered the following concerns with these interest payments. The City never passed a resolution authorizing the advance from any fund to any of the TIDS, specifically to TID 8 prior to interest being paid; after the resolution was passed, previous responsible staff did not ensure the payment was made; and due to the GF financial concerns, that the City discovered in 2021, the interest payment burden would just add to the issue. City of Tomah Common Council cancelled the financial obligations established by resolutions 2021-02-09-02. It is unclear at this time, what the remaining balance is of this outstanding advance.

Due to the extensive amount of research needed to gather additional information, staff will conduct meetings with the City Attorney, Financial Advisors to included Ehlers, and Town & Country Engineers, and a representative from the State of Wisconsin to gather all information to include; date and amount of original advance, total amount of principal and interest payments made towards the advance, and the current balance. Staff will continue to work towards gathering this information to be brought forth at the January meeting.

Fiscal Note:

Recommendation:

No action at this time.

A handwritten signature in black ink that reads "Brandy Leis".

Director of Public Works & Utilities
Brandy Leis

A handwritten date "12/15/25" in black ink, written over a horizontal line.

Date

RESOLUTION 2021-10-19-43

APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICTS (TIFS OR TIDS) INTEREST CHARGES AND PRINCIPLE PAYMENTS IF POSSIBLE TO THE CITY OF TOMAH'S WATER AND WASTEWATER (SEWER) FUNDS, AND THE GENERAL FUND TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, according to the Board of Commissioners of Public Lands on September 23, 2021 the interest rate for new loans was at "3.00%" for loans with a repayment of 6 – 10 years, which is a change in the year amount from the 2019 repayment due to the knowledge of the term being between that period as of this date; and

WHEREAS, TID 8's current debt to the Wastewater (Sewer) Utility has been calculated as a fluid repayment schedule to take seven (7) years from 2021 – 2027; and

WHEREAS, the priorities of all TIDs are to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability, (3) to pay for or assist the General Fund (GF) with roads that service the TID; and

WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) complete projects within the TID to ensure its economic survivability, (3) pay the interest for any City funded loans, and (4) repay any internal City loans principal with a priority to the City owned utilities with the General Fund being repaid last; and

WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the transfer of funds as described herein as interest payments from TID 8 December 31, 2020 ending balance at an interest rate of 2.5% and directs City staff to use these funds for the following interest expense within the 2021 fiscal year:

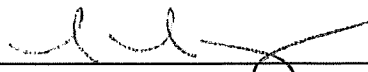
- Water Services Fund principal loan of \$70,822 @ 2.5% interest: \$ 1,770.55
- Wastewater Fund principal loan of \$2,499,506 @ 2.5% interest: \$ 62,487.65

NOW THEREFORE, BE IT further RESOLVED in the event any TID is unable to make these payments, then the interest payments shall be added to the principal of each internal outstanding loan.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.

ATTEST:


REBECCA WEYER, CITY CLERK


MICHAEL MURRAY, MAYOR

RESOLUTION 2021-02-09-02

APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICT (TIF OR TID) 9 AND 10, DONOR TIDS, TO TID 8, THE DONEE TID AND THEN TO THE CITY OF TOMAH'S GENERAL FUND, WATER, AND WASTEWATER (SEWER) FUNDS TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, there is no exception to TID 8 regarding this requirement; and

WHEREAS, according to the Board of Commissioners of Public Lands on February 1, 2021 the interest rate for new loans was at "4.00%" for loans with a repayment of 11 – 20 years; and

WHEREAS, the priorities of TID 8, or any other TID is to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability; and

WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) pay the interest for any City funded loans, (3) complete projects within the TID to ensure its economic survivability, and (4) repay any internal City loans principal with a priority to the General Fund, then any other funds with the lowest amount first; and

WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the transfer of funds as described herein as interest payments from TID 8 December 31, 2019 ending balance at an interest rate of 3.5% and directs City staff and Auditor to use these funds for in the following manner within the 2020 fiscal year:

- General Fund principal loan of \$45,145.00 @ 3.5% interest: \$ 1,580.08
- Water Services Fund principal loan of \$70,822 @ 3.5% interest: \$ 2,478.77
- Wastewater Fund principal loan of \$2,499,506 @ 3.5% interest: \$ 87,482.71

NOW THEREFORE, BE IT further RESOLVED in the event TID 8 is unable to make these payments, then the interest payments shall be added to the principal of each internal outstanding loan.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 9th day of February, 2021.

ATTEST:


REBECCA WEYER, CITY CLERK


MIKE MURRAY, MAYOR

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION February 09, 2021 at 6:00 p.m. with Council President Donna Evans presiding in the Municipal Building, 819 Superior Avenue, Tomah WI. Due to COVID-19 concerns, the General Public was able to access the meeting as follows:

Zoom Meeting at: <https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFJwMzdSZz09>

Meeting ID: 768 946 6740 Password: Tomah2020

or

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

Meeting ID: 768 946 6740 Password: 546782713

Following the Pledge of Allegiance, roll call was taken with the following members present: Evans, Dean Peterson, Lamont Kiefer, Travis Scholze, Jeff Cram, Richard Yarrington, Adam Gigous, and Shawn Zabinski (remote). Absent: Mike Murray. Quorum present. Also present: City Administrator Bradley Hanson, City Clerk Becki Weyer, Treasurer Julia Mann, Senior & Disabled Services Coordinator Pam Buchda, Building Inspector Shane Rolf (remote), Public Works Director Kirk Arity, City Atty. Penny Precour, Public Safety Director/Fire Chief Tim Adler, and Convention & Visitor's Bureau (CVB) Director Tina Thompson.

Adjourn to Closed Session:

Motion by Peterson by, second by Gigous, to adjourn into Closed Session pursuant to Wisconsin State Statute 19.85 (1) (e) deliberating or negotiating the purchasing of public properties regarding the possible relocation of the City's Fire Department from one of many possible sites located along Superior Avenue, and 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 regarding: (i.) City acquired and daily used equipment and (ii.) possible litigation from an individual member of the City's leadership team. Motion carried.

Anyone Desiring to Appear Before the City Council:

Dr. Hanson from the Tomah Area School District appeared via Zoom to introduce himself and give a quick update on the School District.

Deb Reid appeared via zoom to let the council know about an All-terrain Vehicle/Utility Task Vehicle (ATV/UTV) Rotary Rally for the Guinness Book of World Records on September 17 and 18, 2021 at Recreation Park. The goal is to set a new world record for the most ATV's in a parade. Reid asked for questions or concerns from the council. This will help to increase tourism to Tomah.

Consent Agenda:

Motion by Yarrington second by Gigous to approve the following Consent Agenda Items:

- December 2020 Cash & Investment Report
- Minutes from January 12, 2021
- Special Event Outdoor Cabaret License Applications from Greater Tomah Area Chamber of Commerce
- Special Beer & Wine Permit Application for Tomah Baseball Club Inc.
- Fire Dept Funds Annual Audit 2020

Motion carried.

Reports:

Mayor: Mayor was not in attendance. Evans gave caution to the community to stay warm and safe and to take care of elderly neighbors in this cold weather. The snow piles are higher near driveways, use caution around and watch for children.

City Clerk: Spring Primary will be held February 16th in the Council Chambers, Matthew Baumgartner started as the part time Deputy City Clerk on February 8th, provided details with the End of the Year Reporting, and working with staff on updating the Tomah City Employee Handbook and a new employment application.

City Administrator: Hanson provided a written report. Hanson reiterated that his goal for the City is bettering the City by revenue generation, saving money, and unifying the City.

Treasurer: The Consent Agenda approved the December 2020 Cash & Investment Report.

Library Director Keller was unable to attend.

Tomah Public Housing & Community Development Block Grant: Muehlenkamp provided a monthly written report. There is a property available at 217 Sumner Avenue. Sealed bids are being accepted through February 26, 2021. Those interested in purchasing should contact Director Muehlenkamp for more information.

Senior & Disabled Services: Coordinator Buchda provided a written monthly report. Information about the 2021 AARP tax preparation is available at the Sr. Center for those who would like to know more. Coordinator Buchda outlined the

Chamber/Convention & Visitors Bureau: The Chamber has received notification that the street closures for Downtown Thursday Nights (DTN) have been approved, the 2021 Area Guide is progressing, their new website is up and running, a local ATV club is creating a map guide and has space available for advertisements for 25 dollars each, assisting the Fire Department with their 150th anniversary event, and the tractor pull is still projected to occur this year.

Committee of the Whole:

"Class A" Liquor License Application for Tomah Mini Mart LLC: Motion by Kiefer, second by Scholze, to approve the Class A Liquor License application for Tomah Mini Mart LLC. Motion carried.

Secondhand Article Dealer License Application for Steel Neal's Welding & Creations:

Motion by Scholze, second by Kiefer to approve the Secondhand Article Dealer License Application for Steel Neal's Welding & Creations. Motion carried.

Taxicab Driver's License Appeal for Christopher Matthew: After a lengthy discussion between the council, Atty. Precour, and Christopher Matthew, Atty. Precour advised Council to postpone action until she can complete her legal research. Motion by Scholze, second by Zabinski to postpone the decision to approve the Taxi license until the next Council meeting. Motion carried.

Conditional Use Permit for Mark Tralmer: Motion by Kiefer, second by Peterson, to approve the Conditional Use Permit for Mark Tralmer to install a wall sign projecting over the public sidewalk at 1101 Superior Ave. Motion carried.

Presentation on Transportation Utility with Ruekert & Mielke & study proposal: Ruekert & Mielke Bridget Margot presented on the implementation of a Transportation Utility for the City.

Motion by Kiefer, second by Yarrington to table this issue until more information is received from Public Works. Motion carried without negative vote.

Complete Hotel Comprehensive Study for Economic Development purposes:

Motion by Kiefer, second by Peterson, to postpone the hotel study until March the 16th Meeting. Motion carried.

Resolution: Tax Incremental Financing District City Internal Loan Interest Payments:

Motion by Yarrington, second by Kiefer to approve the Resolution: Tax Incremental Financing District City Internal Loan Interest Payments. Motion carried without negative vote.

RESOLUTION _____ 2021-02-09-02

APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICT (TIF OR TID) 9 AND 10, DONOR TIDS, TO TID 8, THE DONEE TID AND THEN TO THE CITY OF TOMAH'S GENERAL FUND, WATER, AND WASTEWATER (SEWER) FUNDS TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, there is no exception to TID 8 regarding this requirement; and

WHEREAS, according to the Board of Commissioners of Public Lands on February 1, 2021 the interest rate for new loans was at "4.00%" for loans with a repayment of 11 – 20 years; and

WHEREAS, the priorities of TID 8, or any other TID is to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability; and

WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) pay the interest for any City funded loans, (3) complete projects within the TID to ensure its economic survivability, and (4) repay any internal City loans principal with a priority to the General Fund, then any other funds with the lowest amount first; and

WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the transfer of funds as described herein as interest payments from TID 8 December 31, 2019 ending balance at an interest rate of 3.5% and directs City staff and Auditor to use these funds for in the following manner within the 2020 fiscal year:

- General Fund principal loan of \$45,145.00 @ 3.5% interest: \$ 1,580.08
- Water Services Fund principal loan of \$70,822 @ 3.5% interest: \$ 2,478.77
- Wastewater Fund principal loan of \$2,499,506 @ 3.5% interest: \$ 87,482.71

NOW THEREFORE, BE IT further RESOLVED in the event TID 8 is unable to make these payments, then the interest payments shall be added to the principal of each internal outstanding loan.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 9th day of February, 2021.

MIKE MURRAY, MAYOR

ATTEST: REBECCA WEYER, CITY CLERK

RESOLUTION 2021-02-09-03

APPROVING THE OPPORTUNITY FOR CITY EMPLOYEES TO RELINQUISH EARNED VACATION TIME UP TO ONE WORK WEEK OF 40 HOURS OR EQUIVALENT TO HALF A PAYROLL PERIOD FOR THEIR CURRENT COMPENSATION RATE FOR ALL EMPLOYEES DUE TO COVID-19 RESTRICTIONS AND INABILITY TO USE ALL OF THEIR TIME AS REQUIRED BY CURRENT POLICY

WHEREAS, 2020 was a unique and trying year with the outbreak of COVID-19; and

WHEREAS, many employees were unable to take their required amount of vacation due to the nature of public employees' and their designated "essential workers" to ensure the City continued to function; and

WHEREAS, some of those employees are at their capacity and due to scheduling conflicts may not be able to take the required time off prior to their current vacation time; and

WHEREAS, it is in the best interest to provide a one-time opportunity to relieve them of the stress with the possibility losing their earned vacation due to circumstances beyond their control, which also came at the City's benefit to ensure the City was able to provide the services needed by the City's residents as many were now at home for school and work; and

WHEREAS, when personal time off benefits are used by one employee, some departments have to ensure adequate coverage, thereby nearly 80% of those covering staff members are being compensated at overtime rates;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the one-time benefit for all permanent full-time employees for up to 40-hours of vacation time at their regular rate of compensation, which must be completed no later than April 1, 2020.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 9th day of February, 2021.

MIKE MURRAY, MAYOR

ATTEST: REBECCA WEYER, CITY CLERK

Resolution to assign Crossing Guard duties to the Tomah Area School District:

Motion by Scholze, second by Yarrington, to refer this issue to the Joint City/School Planning Committee. Motion carried.

Resolution Amending the City of Tomah Flexible Benefits Plan: Motion by Gigous, second by Peterson, to approve the Resolution Amending the City of Tomah Flexible Benefits Plan. Motion carried.

Resolution No: 2021-02-09-04

FLEXIBLE BENEFITS PLAN CONSOLIDATED APPROPRIATIONS ACT (CAA) AMENDMENT

ARTICLE I PREAMBLE

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to The City of Tomah Flexible Benefits Plan (the "Plan"). The sponsor intends this Amendment as good faith compliance with the requirements of these provisions. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to "Section" in this Amendment refers only to sections within this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section, or other numbering designations.

ARTICLE II ELECTIONS

- 2.1 **Effective Date.** The provisions of this Amendment, unless otherwise indicated are effective as of January 1st, 2021 (the "Effective date").
- 2.2 **H.R. 133 Consolidated Appropriations Act Amendment(s).** The Employer hereby amends the Plan as follows:

Carry Forward Rule for Dependents who Aged Out During Pandemic

On December 27, 2020, H.R. 133 Consolidated Appropriations Act was signed into law, impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19).

Effective as of the effective date, the Employer amends their plan to allow for reimbursement out of Dependent Care Flexible Spending Arrangements for dependents up to a maximum age of 13 (increased from 12) for any dependent who attained age 13 during the last plan year where the participant enrolled during regular open enrollment in a Daycare Flexible Spending Arrangement by January 31, 2020. And for any remaining funds carried forward into the subsequent plan year.

- 1) In general-In the case of any eligible employee, section 21(b)(1)(A) of the Internal Revenue Code of 1986 shall be applied by substituting "age 14" for "age 13" for purposes of determining the dependent care assistance which may be paid or reimbursed with respect to such employee under the dependent

- (2) Application of subsequent plan year limited to unused balance from preceding plan year. Paragraph (1)(B) shall only apply to so much of the amounts paid for dependent care assistance with respect to the dependents referred to in paragraph (3)(B) as does not exceed the unused balance described in paragraph (3)(B)(ii).
- (3) Eligible Employee. For purposes of this section, the term "eligible employee" means any employee who—
- (A) is enrolled in a dependent care flexible spending arrangement for the last plan year with respect to which the end of the regular enrollment period for such plan year was on or before January 31, 2020, and
- (B) has one or more dependents (as defined in section 152(a)(1) of the Internal Revenue Code of 1986) who attain the age of 13—
- (i) during such plan year, or
- (ii) in the case of an employee who (after the application of this section) has an unused balance in the employee's account under such arrangement for such plan year (determined as of the close of the last day on which, under the terms of the plan, claims for reimbursement may be made with respect to such plan year), the subsequent plan year.

Carryover of Unused Funds in Health and Dependent Care Flexible Spending Arrangements for 2020 and 2021 Plan Years.

On December 27, 2020, H.R. 133 Consolidated Appropriations Act was signed into law, impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19).

Effective as of the effective date, the Employer amends their plan to allow the carryover of unused funds from plan year 2020 to plan year 2021 and unused funds from plan year 2021 to plan year 2022.

For plan years ending in 2020 and 2021, a plan that includes a health flexible spending arrangement or dependent care flexible spending arrangement shall not fail to be treated as a cafeteria plan under the Internal Revenue Code of 1986 merely because such plan or arrangement permits participants to carryover (similar to the rules applicable to health flexible spending arrangements) any unused benefits or contributions remaining in any such flexible spending arrangement from such plan years to the plan year ending in 2021 and 2022.

These changes permit participants to carryover any unused benefits or contributions remaining in their 2020 and 2021 flexible spending arrangement from such plan year to the subsequent plan year.

The carryover guidance is an extension of coverage that is not HSA compatible, consequently any employee with unused amounts remaining at the end of a plan year or grace period ending in 2020 or 2021 will not be eligible to contribute to an HSA during the extend period (unless the FSA is a limited FSA).

Section 125 Change in Status under the Health or Dependent Care FSA

Effective as of the effective date, the Employer amends their plan to allow for the below change in status flexibility. This is a temporary change effective only for the plan year ending in 2021.

On December 27, 2020, H.R. 133 Consolidated Appropriations Act was signed into law, impacting section 125 cafeteria plans. This guidance is designed to provide temporary flexibility for employers and employees and assist with the National response to the 2019 Novel Coronavirus outbreak (COVID-19). These changes permit, under certain circumstances, prospective changes to health and dependent care FSA elections as follows:

- a) employees may revoke a health FSA election, make a new election, or decrease or increase an existing election on a prospective basis; and
- b) employees may revoke a dependent care FSA election, make a new election, or decrease or increase an existing election on a prospective basis.

Employers are not required to allow unlimited election changes but may determine the extent to which such changes are permitted and applied. Any change allowed shall not permit a revocation or decrease in election below the amount already disbursed.

This amendment has been executed this ____9th____ day of ____February____, 2021____.

Name of Employer: City of Tomah

By: City of Tomah

Senior & Disabled Services Center Contract Agreement with Monroe County

Motion by Yarrington, second by Cram, to approve the Senior & Disabled Services Center Contract Agreement with Monroe County. Motion carried.

Bid Approval for Automated Garbage Totes:

Motion by Gigous, second by Scholze to approve the purchase of 3,000 totes in the amount of \$154,125.00 to complete the rollout of the two-tote automated garbage and recycling system for the City. Motion carried.

Request for Approval to purchase materials to repair Buckley Park Scout Cabin:

Motion by Kiefer, second by Yarrington to approve the request to purchase materials to repair the Buckley Park Scout Cabin. Motion carried.

Approval of Replacement of Air Handling Unit

Motion by Gigous, second by Zabinski, to approve the purchase of an air handling unit replacement in the amount of \$172,020.25. Motion carried.

Resolution Authorizing Payment of Monthly Bills:

Motion by Kiefer, second by Scholze, to approve the Resolution Authorizing the Payment of Monthly Bills for January in the amount of \$3,867,382.58. Motion carried without negative vote.

RESOLUTION NO. 2021-02-09-05

RESOLUTION AUTHORIZING PAYMENT OF MONTHLY BILLS

BE IT RESOLVED by the Common Council of the City of Tomah that the Committee of the Whole has reviewed the monthly bills and recommends the City Council approve said bills as follows:

1. Pre-Paid Checks 2021	\$ 3,328,888.14	Check #'s 129179-129223	129236-129370
Pre-Paid Checks 2020	\$ 227,011.86		
2. Payroll	\$ 263,165.06	Direct Deposit #'s 62187-62459	
3. Wire Transfers	\$ 28,267.57		
4. Invoices	\$ 20,049.95	Check #'s	129425-129457

Total: \$ 3,867,382.58

Dated this 9th day of February, 2021

Michael Murray, Mayor

ATTEST: _____
Rebecca Weyer, City Clerk

Ehlers information and Presentation on Debt Refinancing

Ehler's, Inc. Public Finance Advisors' Dave Ferris appeared via Zoom to present information on Debt Refinancing in the City. Ferris will return additional numbers to Dir. Arity after he receives additional information. City Admin. Hanson requested the council approve Ehlers to continue with the refinancing of City debt and close the sale on Tuesday February 23rd 2021 at a 6:30 pm. special meeting.

Motion by Scholze, second by Kiefer to postpone the approval and finalization of Debt refinancing until Tuesday, February 23, 2021 at 6:30 p.m.

Adjourn to Closed Session:

No need to adjourn for further closed session items.

Action on Closed Session:

No action needed on closed session items.

Motion by Kiefer, second by Gigous, to adjourn. Motion carried. Meeting adjourned at 8:26 p.m.

Respectfully,

Rebecca Weyer
City Clerk, February 11, 2021



819 Superior Ave
Tomah, WI 54660
608.374.7400

"The Gateway to Cranberry Country"
City Clerk Becki Weyer
City Treasurer Molly Powell

Mayor Mike Murray
City Administrator
Bradley J. Hanson

Item 9.

Item 13.

October 12, 2021

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Resolution to Approve Tax Incremental Financing District (TIDs) Interest Payments to Advancing (Loaning) Department.

Summary and Background Information:

In 2019, then Council approved the major project to improve the utilities and alley conditions within the boundaries of TID 8. This will provide the payment for the 2020 Budget Year, previously this year, the Common Council approved the 2019 interest payment.

Fiscal Note:

Expenses for interest in 2020 is \$64,258.20.

Recommendation:

Approve the interest for 2020 payment for the advancement (loan) provided by the Wastewater (Sewer) Utility.

Decision Urgency:

This decision may be delayed if deemed appropriate by the Council, however, the City's retained auditor, CLA, is waiting for this resolution.

Bradley J. Hanson

City Administrator

October 12, 2021

Date

Page 1 of 1

Alderpersons: District 1 Adam Gigous – District 2 Richard Yarrington – District 3 John Glynn – District 4 Shawn Zabinski – District 5 Mitch Koel – District 6 Lamont Kiefer – District 7 Nellie Pater – District 8 Dean Peterson

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RESOLUTION 2021-10-19-43

APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICTS (TIFS OR TIDS) INTEREST CHARGES AND PRINCIPLE PAYMENTS IF POSSIBLE TO THE CITY OF TOMAH'S WATER AND WASTEWATER (SEWER) FUNDS, AND THE GENERAL FUND TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, according to the Board of Commissioners of Public Lands on September 23, 2021 the interest rate for new loans was at "3.00%" for loans with a repayment of 6 – 10 years, which is a change in the year amount from the 2019 repayment due to the knowledge of the term being between that period as of this date; and

WHEREAS, TID 8's current debt to the Wastewater (Sewer) Utility has been calculated as a fluid repayment schedule to take seven (7) years from 2021 – 2027; and

WHEREAS, the priorities of all TIDs are to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability, (3) to pay for or assist the General Fund (GF) with roads that service the TID; and

WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) complete projects within the TID to ensure its economic survivability, (3) pay the interest for any City funded loans, and (4) repay any internal City loans principal with a priority to the City owned utilities with the General Fund being repaid last; and

WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Council agrees and approves the transfer of funds as described herein as interest payments from TID 8 December 31, 2020 ending balance at an interest rate of 2.5% and directs City staff to use these funds for the following interest expense within the 2021 fiscal year:

- Water Services Fund principal loan of \$70,822 @ 2.5% interest: \$ 1,770.55
- Wastewater Fund principal loan of \$2,499,506 @ 2.5% interest: \$ 62,487.65

NOW THEREFORE, BE IT further RESOLVED in the event any TID is unable to make these payments, then the interest payments shall be added to the principal of each internal outstanding loan.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.

ATTEST:

MICHAEL MURRAY, MAYOR

REBECCA WEYER, CITY CLERK



819 Superior Ave
Tomah, WI 54660
608.374.7400

"The Gateway to Cranberry Country"
City Clerk Becki Weyer
City Treasurer Molly Powell

Mayor Mike Murray
City Administrator
Bradley J. Hanson

Item 6.

Item 13.

October 12, 2021

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Resolution Approving the Wastewater's Advance to Tax Incremental Financing District (TID) 8 for the 2019 Alley Repair Work.

Summary and Background Information:

In 2019, then Council approved the major project to improve the utilities and alley conditions within the boundaries of TID 8. However, no official document has been located, and therefore, we need Council to approve this action, so that it can be officially recorded by the attached resolution and be used as a supporting document if TID 8 is ever audited by the State.

Fiscal Note:

Expenses occurred within the 2019 TID 8 and were already approved within that year, which resulted in the total expenses of \$2,155,905.00.

Recommendation:

Approve the advance provided by the Wastewater (Sewer) Utility.

Decision Urgency:

This decision may be delayed if deemed appropriate by the Council, however, the City's retained auditor, CLA, is waiting for this resolution.

Bradley J. Hanson

City Administrator

October 12, 2021

Date

Page 1 of 1

Alderspersons: District 1 Adam Gigous – District 2 Richard Yarrington – District 3 John Glynn – District 4 Shawn Zabinski – District 5 Mitch Koel – District 6 Lamont Kiefer – District 7 Nellie Pater – District 8 Dean Peterson

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RESOLUTION _____

APPROVING THE 2019 ADVANCE FROM THE WASTEWATER (SEWER) UTILITY TO
THE TAX INCREMENTAL FINANCING DISTRICT (TID) 8 FOR THE REPAIR OF THE
UTILITIES AND SURFACE MATERIAL TO THE ALLEY WAYS WITHIN TID 8

WHEREAS, it was necessary for the City of Tomah to repair the alley ways and the utilities underneath them to ensure the economic viability of TID 8; and

WHEREAS, the Wastewater (Sewer) Utility had funds available to be able to carry the full amount of the project financially, which saved the City costs with bonding, higher interest rates at the time, and provided TID 8 with flexibility on a repayment plan; and

WHEREAS, all of the utilities and alley surface repairs were within TID 8's approved boundaries as of the time of design, bidding procedures, and construction;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council agrees and approves the carrying of implementation costs by the City's Wastewater (Sewer) Utility's advancement and for the Water Services and Wastewater (Sewer) Utilities reconstruction, along with the reconstruction of the alleys within TID 8 completed in 2019.

NOW THEREFORE, BE IT further RESOLVED TID 8 shall here forth pay interest to the implementation, advancement, and carrying of TID 8's debt for the alley reconstruction to the Wastewater (Sewer) Utility annually after the annual audit has been completed beginning with the 2020 Annual Budget year.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.

ATTEST:

MIKE MURRAY, MAYOR

BECKI WEYER, CITY CLERK

COMMON COUNCIL MEETING 10/19/2021

A meeting of the Common Council was held on October 19, 2021. Meeting participants were able to access the meeting remotely at the following link:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFlwMzdSZz09>

Call to Order Pledge of Allegiance –Roll Call

The meeting was called to order at 6:00 p.m. by Mayor Michael Murray. Following the Pledge of Allegiance, roll call was taken. Present: Michael Murray, Adam Gigous, Richard Yarrington, Shawn Zabinski, John Glynn, Mitchell Koel (arrived at 6:03 p.m.), Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: none. Also present was: Public Safety Director Tim Adler, Police Chief Scott Holum, Chamber/Convention & Visitors Bureau Director Tina Thompson, Sr. Center Coordinator Pam Buchda, Treasurer Molly Powell, Dir. Of Public Works Kirk Arity, Building Inspector Shane Rolff, and City Administrator Brad Hanson. Greg Hagen videotaped the meeting.

Adjourn to Closed Session Pursuant to State Statute 19.85(1) (c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction and (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion by Zabinski, second by Gigous, to adjourn to closed session for the reasons above. Motion carried. Meeting adjourned to closed session at 6:01 p.m.

Meeting resumed to open session at 7:08 p.m. after a short recess.

Action on Closed Session

Motion by Gigous, second by Yarrington, to approve the pay increase for Police Chief Administrative Assistant Rhonda Culpitt from Range H Step 15 to Range I Step 7. Motion carried.

Desiring to appear before the Council

Katie Sparks from United Way appeared to give information to the Council on United Way the work it does in Monroe County. Sparks appealed to the Council to ask if United Way could come into the City and run an employee campaign. Council informed Sparks no action could be taken during this meeting and instructed the city Administrator to look further into the request from United Way.

Reports

Mayor

Alternate side parking will be beginning November 1st; Halloween items will be addressed in Director reports; Please be mindful of children during the Halloween holiday. The holiday train will not be arriving in Tomah again this year due to Covid-19.

City Administrator

Hanson provided a monthly written report and provided a summary for the Council. Hanson also recommended dates to the Council members for team building activities and training on Government 101.

Police Department

Chief Holum covered current staffing with the council. Mike Preuss has retired after 25 years of service. The PD has been awarded a \$1,500 Andres grant. Chief Holum applied for a grant to help purchase a ductless fume hood to safely test for drugs, and was awarded \$8,203. Alternate side parking starts November 1st and runs through April 1st. The first several weeks, infractions will get warnings, but the PD will issue citations when snow is in the forecast. The community can check Facebook for additional information. Trick or treating is from 4pm to 6pm this year. Officers will be out and visible.

Public Safety

Public Safety Director Tim Adler provided a written monthly report for both the Fire and EMS departments.

Fire: There are 37 members on the roster, and the department has been participating in Fire Prevention month in small groups and tours. There was a crack in the 2018 Fire Engine windshield, they are working with the insurance company on the replacement. The Fire Department received a matching grant from the DNR Forrest Protection grant program to be used towards the UTV/ATV purchase for the Fire/EMS departments. The department was thankful to have received a donation from the Duane Prise family.

EMS: Staffing: There are three full time shifts, two of the shifts area staffed with 5 full time employees, one shift has 4, and there are in the hiring process for the last full time slot. There are 5 part time personnel

Council Meeting 10/19/2021

Tomah EMS was approved by DHS for Critical Care Licensing on September 17th and will be upgrading to critical care on November 1st. At that time, they can start completing critical care transports from the hospital. Adler summarized the incidents from his monthly report.

Public Works & Utilities

Dir. Arity provided a monthly written report.

Street: Wrapped up paving projects around town. The LeafVac has begun working some areas in town. They are also working on the bull pen staging area. Will be trimming trees in the boulevards and cleanup on the Cooper property. Still anticipate King Ave to get asphalted yet this year.

Sewer: Operations are normal

Water: They are in the middle of semi-annual flushing. The department is doing extended directional flushing to increase the water quality in the city. They are making some improvements in the water quality and will continue it for years to come.

Lake: The Lake Committee had a meeting on October 13th, and they are in the process of vetting a number of items to control the invasive plant species in the Lake. They have identified a number of options: chemicals, SolarBee, harvesting, dredging, or no action. The Lake Committee will come back with a recommendation for long term solutions.

City Clerk

Weyer provided a monthly written report and covered the highlights with the Council, including redistricting information, introduction to Badger Books, and open enrollment information for City employees.

Treasurer

Powell included the August financials for review. The Treasurer's office has been busy with the budget, meeting with different departments and adjusting as necessary. The department has been working to update the miViewPoint to a server based program. The program has received good reviews from department directors who appreciate the transparency of the real-time budget information. Powell has met with several local hotels as there are changes to the Transient Room Tax reporting. This may have some effect on recovering tax due to the city from third party companies.

Library

Dir. Keller was unable to attend.

Tomah Public Housing & Community Development Block Grant

No report was submitted.

Senior and Disabled Services

Buchda provided a written report and outlined the upcoming month's recreational activities. The Halloween party is on October 31st, from 2pm-4pm at the Fairgrounds and is free to anyone in the City. The City's trick or treat times are from 4pm - 6pm.. Volunteers are needed to assist with the party. Friday November 19th the Sr. Center will be closed due to the Arts and Crafts fair at the Fairgrounds. Thanksgiving Thursday and the Friday following, the Sr. Center will also be closed. Buchda will be assisting with energy assistance applications. She covered the programs that were done at the Sr. Center over the last month. There is a one-bedroom apartment available to rent behind the Sr. Center and business space is available to rent at 1004 Superior Avenue.

Planning and Building Inspection

Rolf provided a written monthly report. The new code enforcement officer is Casey Skowronski, and she started on October 6th. She has been training in Public works and will be starting to train in Code Enforcement in November.

Chamber/Convention & Visitors Bureau

The Outdoor Night Market event is this Thursday, October 21st from 430pm-730pm at Rec Park in the open pavilion. Volunteers are needed. The 2022 area guide design phase has begun. In a typical year, they distribute 35,000 copies. The Chamber/CVB is also working on new maps to distribute. Security cameras at the Chamber have been repaired. The holiday parade theme coming up is "Snow Place Like Home." The Chamber/CVB is working on Manufacturing Month where they work with area manufactures to do work force panels at area schools. They are still looking for additional staffing.

Council Meeting 10/19/2021

- C. September 30, 2021 Cash and Investments Report
 - D. Application for Class "B" Fermented Malt Beverage License for BAD Property Group DBA "The Lot", Anthony Damiano-Agent, for the period 10/19/2021 through 6/30/2022
 - E. Application for Outdoor Cabaret License for BAD Property Group DBA "The Lot" at 1110/1112 Superior Avenue
- Motion carried.

Resolution Approving the Wastewater's Advance to Tax Incremental Financing District (TID) 8 for the 2019 Alley Repair Work

Motion by Yarrington, second by Gigous, to approve the Resolution Approving the Wastewater's Advance to Tax Incremental Financing District (TID) 8 for the 2019 Alley Repair Work. Motion carried.

RESOLUTION NO: 2021-10-19-42

APPROVING THE 2019 ADVANCE FROM THE WASTEWATER (SEWER) UTILITY TO THE TAX INCREMENTAL FINANCING DISTRICT (TID) 8 FOR THE REPAIR OF THE UTILITIES AND SURFACE MATERIAL TO THE ALLEY WAYS WITHIN TID 8

WHEREAS, it was necessary for the City of Tomah to repair the alley ways and the utilities underneath them to ensure the economic viability of TID 8; and
 WHEREAS, the Wastewater (Sewer) Utility had funds available to be able to carry the full amount of the project financially, which saved the City costs with bonding, higher interest rates at the time, and provided TID 8 with flexibility on a repayment plan; and
 WHEREAS, all of the utilities and alley surface repairs were within TID 8's approved boundaries as of the time of design, bidding procedures, and construction;
 NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council agrees and approves the carrying of implementation costs by the City's Wastewater (Sewer) Utility's advancement and for the Water Services and Wastewater (Sewer) Utilities reconstruction, along with the reconstruction of the alleys within TID 8 completed in 2019.
 NOW THEREFORE, BE IT further RESOLVED TID 8 shall here forth pay interest to the implementation, advancement, and carrying of TID 8's debt for the alley reconstruction to the Wastewater (Sewer) Utility annually after the annual audit has been completed beginning with the 2020 Annual Budget year.
 PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.
 ATTEST: MICHAEL MURRAY, MAYOR
 REBECCA WEYER, CITY CLERK

2021 Budget Amendment for the Tax Incremental Financing Districts (TIDs) Plan Amendments, Hotel Market Feasibility Study, and the Cooper Property Acquisition

Motion by Gigous, second by Yarrington, to approve the budget amendments allocating the movement of funds from the fund balance account 01-49300 to: 14-56700-2100 in the amount of \$10,400; 17-56700-2100 in the amount of \$4295.00; account 18-56700-2100 in the amount of \$7,903.00; account 20-56700-2100 in the amount of \$14,000; and account 17-57331-8200 in the amount of \$60,000 for reasons relating to TID amendments and purchase of buildings/land. Motion carried.

Request for approval of expenditure of ARP funds for a new City of Tomah Website

Clerk Weyer presented the ARP funds expenditure request for the new City of Tomah website. Motion by Zabinski, second by Koel, to approve the expenditure ARP funds of up to \$20,000 for a new City of Tomah website, and to authorize the City Clerk to select a vendor that best meets the needs of the City. Motion carried.

Resolution to Approve Tax Incremental Financing District (TIDs) Interest Payments to Advancing (Loaning) Department

Motion by Kiefer, second by Zabinski, to approve the resolution approving TID interest payments to Advancing (Loaning) Department. Motion carried.

RESOLUTION NO: 2021-10-19-43

RESOLUTION APPROVING THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICTS (TIFs OR TIDS) INTEREST CHARGES AND PRINCIPLE PAYMENTS IF POSSIBLE TO THE CITY OF TOMAH'S WATER AND WASTEWATER (SEWER) FUNDS, AND THE GENERAL FUND TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and
 WHEREAS, according to the Board of Commissioners of Public Lands on September 23, 2021 the interest rate for new loans was at "3.00%" for loans with a repayment of 6 – 10 years, which is a change in the year amount from the 2019 repayment due to the knowledge of the term being between that period as of this date; and
 WHEREAS, TID 8's current debt to the Wastewater (Sewer) Utility has been calculated as a fluid repayment schedule to take seven (7) years from 2021 – 2027; and
 WHEREAS, the priorities of all TIDs are to (1) repay the principal and interest of any debt and (2) complete projects within the TID to ensure its economic survivability, (3) to pay for or assist the General Fund (GF) with roads that service the TID; and
 WHEREAS, the City of Tomah provides these guidelines for TID repayments from any current or future created TIDs (1) repay the principal and interest of any non-city funded loans, (2) complete projects within the TID to ensure its economic survivability, (3) pay the interest for any City funded loans, and (4) repay any internal City loans principal with a priority to the City owned utilities with the General Fund being repaid last; and
 WHEREAS, the aforementioned interest payments shall be calculated on the December 31 balances of the

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin this 19th day of October, 2021.
ATTEST: MICHAEL MURRAY, MAYOR
REBECCA WEYER, CITY CLERK

American Rescue Plan Act Project Item: Public Safety ATV/UTV

Public Safety Dir. Tim Adler appeared to the Council to request the use of ARP funds in the amount of \$30,000 to be used in conjunction with pending grants for the purchase of a new ATV/UTV for the Fire Department/ Tomah EMS department. Motion by Koel, second by Glynn, to approve the use of ARP funds in the amount of \$30,000 towards the purchase of a new ATV/UTV for the Fire Department/Tomah EMS department and give Public Safety Director Adler the discretion to select and purchase. Motion carried.

Grant writer for Emergency Services Building, Ambulance Staffing, Community Development, Housing, and Other Infrastructure needs from the American Recovery Plan Act (ARPA) funding and other opportunities

City Administrator Hanson requested the Committee of the Whole and Council approve the procurement of a grant writer to assist in applying for funds from the myriad of grants currently available. Motion by Yarrington, second by Koel to authorize up to \$50,000 of savings to acquire a grant writer to assist in finding and procuring grants. Motion carried.

Ordinance Amending Aldermanic Districts First Reading, Second Reading, Adoption

City Clerk Weyer presented the updated Aldermanic district map and amended ordinance adopting the new redistricted aldermanic districts.

Motion by Zabinski, second by Koel, to waive the first verbatim reading of the ordinance amending the Aldermanic Districts. Motion carried.

Motion by Zabinski, second by Peterson, to waive the second verbatim reading of the ordinance amending the Aldermanic Districts. Motion carried.

Motion by Kiefer, second by Zabinski, to adopt the Ordinance Amending Aldermanic Districts. Motion carried.

ORDINANCE NO. 2021-10-10-D

Ordinance Amending Chapter 2 Article 1, Sec. 2.2 Aldermanic Districts and Wards

The boundaries of the eight aldermanic districts of the city together with the 16 aldermanic wards are hereby established in accordance with the legal description together with the map showing the boundaries, a copy of which is available for inspection in the office of the city clerk, and which are specifically incorporated herein by reference.

Michael Murray, Mayor

Attest: Rebecca Weyer, City Clerk

Read: 10/21/2021

Passed: 10/21/2021

Published: 10/28/2021

Legal Description of City of Tomah Aldermanic Districts

Aldermanic District 1

Ward 1 and Ward 2 of the City of Tomah in Monroe County Supervisory District 11

Aldermanic District 2

Ward 3 and Ward 4 of the City of Tomah in Monroe County Supervisory District 11

Aldermanic District 3

Ward 7 of the City of Tomah in Monroe County Supervisory District 11 and Ward 8 of the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 4

Ward 5 and Ward 6 of the City of Tomah in Monroe County Supervisory District 12

Aldermanic District 5

Ward 15 and Ward 16 in the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 6

Ward 9 and Ward 10 of the City of Tomah in Monroe County Supervisory District 12

Aldermanic District 7

Ward 11 of the City of Tomah in Monroe County Supervisory District 12 and Ward 12 of the City of Tomah in Monroe County Supervisory District 13

Aldermanic District 8

Ward 13 of the City of Tomah in Monroe County Supervisory District 9 and Ward 14 of the City of Tomah in Monroe County Supervisory District 13

Resolution for Adoption of Uniform Payroll Step Increase Date of January 1st

This item was postponed by the Committee of the Whole until the November Committee of the Whole and Council meetings.

Resolution for Payment of Monthly Bills

Motion by Zabinski, second by Pater, to recommend the Council approve the Resolution for the Payment of Monthly Bills. Motion carried.

RESOLUTION NO : 2021-10-19-44RESOLUTION AUTHORIZING
PAYMENT OF MONTHLY BILLS

Be it resolved by the Common Council of the City of Tomah that the Committee of the Whole has reviewed the monthly bills and recommends the City Council approve said bills as follows:

1. Pre-Paid Checks:	2021	\$851,878.06	Check #'s:	130831-	131018
2. Payroll:		\$249,206.53	Dir Dep #'s:	9293839-9294077	
3. Wire/ACH Transfers:		\$115,045.27			
4. Invoices:		\$92,580.02		131019	131064
Total:		<u>\$1,308,709.88</u>			

Mayor_____
Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

October 19, 2021

Lake District Purchase Approval

It was requested that the Committee of the Whole and Council approve the purchase of four additional rollers at a cost of \$2,640 each for the repairs to the roller gate at the dam. Motion by Koel, second by Yarrington, to approve the purchase of four additional rollers for the repairs at the dam. Motion carried.

Approval for Lake Tomah CLP Survey/Mapping

The Lake Committee recommended approval of the study from Golden Sands Resource Conservation and Development Council Inc. for the study of algae and weed control measures for Lake Tomah. Motion by Zabinski, second by Pater, to approve the procurement of Golden Sands Resource Conservation and Development Council to conduct a study on Lake Tomah for algae and weed control. Motion carried.

Ordinance Amending Ordinance 2021-09-08-D For annexing land from the town of LaGrange to the City of Tomah 1st reading, 2nd reading, Adoption

Motion by Zabinski, second by Pater, to waive the first verbatim reading of the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

Motion by Kiefer, second by Zabinski, to waive the second verbatim reading of the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

Motion by Yarrington, second by Zabinski, to adopt the Ordinance Amending Ordinance 2021-09-08-D for annexing land from the town of LaGrange to the City of Tomah. Motion carried.

STATE OF WISCONSIN

CITY OF TOMAH

MONROE COUNTY

ORDINANCE NO. 2021-10-09-D
AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 2021-09-08-D ANNEXING LAND
FROM THE TOWN OF LAGRANGE TO THE CITY OF TOMAH
(Thomas Pater)

Council Meeting 10/19/2021

Item 13.

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

SECTION ONE: Section 4 of Ordinance No. 2021-09-08-D is hereby amended to read as follows:

SECTION 4: Payment to Town as required by Statute.

The City agrees to pay annually to the Town of LaGrange, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the 2021 tax roll under §70.65, Stats., pursuant to §66.0217(14)(a)1., Stats.

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

SECTION THREE: This ordinance shall take effect upon enactment pursuant to §66.0217(8)(c), Stats., on October 19, 2021.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, Clerk

Adjourn

Motion by Zabinski, second by Gigous, to adjourn to closed session pursuant to State Statute 19.85(1) (c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction. Open session meeting adjourned at 8:14 p.m.

Michael Murray, Mayor

Attest: Rebecca Weyer, City Clerk

RESOLUTION 2021-12-21-54

REVERSING AND CANCELING RESOLUTION 2021-02-09-02, WHICH APPROVED THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICT (TIF OR TID) 9 AND 10, DONOR TIDS, TO TID 8, THE DONEE TID AND THEN TO THE CITY OF TOMAH'S GENERAL FUND, WATER, AND WASTEWATER (SEWER) FUNDS TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8 FOR 2019 INTEREST PAYABLE IN 2020

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, on February 9, 2021 then Council passed Resolution 2021-02-09-02 designating certain funds to be paid as interest payments for outstanding debts advanced by the General Fund (GF), Water Services, and Wastewater (Sewer) Services; and

WHEREAS, during the 2020 Audit by the City's new auditing firm, Clifton Larson Allen, they discovered the following concerns with this interest payment:

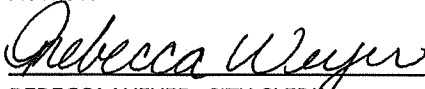
1. The City never passed a resolution authorizing the advance from any fund to any of the TIDs, specifically to TID 8 prior to interest being paid;
2. After the resolution was passed, previous responsible staff did not ensure the payment was made;
3. Due to the GF financial concerns that the City discovered in 2021, the interest payment burden would just add to the issue; and


WHEREAS, the Common Council has formally approved the advances to TID 8, which therefore interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from, beginning with the 2020 interest earned and collected in 2021 and all future years;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council hereby cancels the financial obligations established by Resolution 2021-02-09-02.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 21st day of December, 2021.

ATTEST:


REBECCA WEYER, CITY CLERK


MIKE MURRAY, MAYOR

A Common Council meeting was held on **Tuesday, December 21, 2021 at 6:30 p.m.** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. All motions were unanimous unless otherwise noted. Members of the public were able to attend the meeting remotely at the following link:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFJwMzdSZz09>

AGENDA:

Call To Order – Pledge of Allegiance – Roll Call

Mayor Mike Murray called the meeting to order at 6:31 p.m. After the Pledge of Allegiance, Clerk Weyer took roll call. Present: Michael Murray, Adam Gigous, Richard Yarrington, John Glynn, Shawn Zabinski, Mitchell Koel (remote), Lamont Kiefer, Nellie Pater, and Dean Peterson (remote). Absent: none. Others present: Public Safety Director Tim Adler, CDBG & Housing Director Rachel Muehlenkamp, Senior & Disabled Center Coordinator Pam Buchda, Librarian Irma Keller, Chamber Director Tina Thompson, Treasurer Molly Powell, and City Clerk Becki Weyer.

Anyone Desiring to Appear Before the City Council

No one desired to appear before the Council.

Emergency Service Building project Steel Bid Package recommendation from Keller Inc. and payment of invoice for Steel and Architectural and Engineering Services complete to date.

Motion by Gigous, second by Yarrington, to approve the Emergency Service Building project steel bid package recommendation from Keller Inc. for Olympic Builders, and to approve payment of invoice for steel and architectural and engineering services in the amount of \$150,000 for services complete to date. Motion carried.

Reports

Mayor

Mayor Murray thanked the City's departments for keeping the city running during this transitional time. He wished everyone a happy holiday and new year.

Interim City Administrator

Kirk Arity provided an interim City Administrator written report. Arity appreciated the Council for their trust and reiterated that it is a group effort that helps keep the city running. Economic development, city is open for business, reassure the public that all elements are still in place and functioning as normal.

Public Safety

Chief Adler provided a monthly written report for the Tomah Fire Department and Tomah Area Ambulance Service Fire: There were some incidents of gas lines down and tree lines down due to the storm last week. There was great reaction from utility companies to get things under control. The focus has been on the new Emergency Services building in order to meet the timeline for the bid process. Adler asked the Council to begin thinking of what will become of the current Northside fire station. The concern is that the City's emergency sound system is connected to the old building. It may be prudent to add a new emergency sound system to the new building as the old building may be sold. Adler has an estimate of \$22,000, which will include removal of the old system. This will not be part of the bid package for the new building.

EMS: It was a busy month; 251 runs, and they continue to work on getting the transfers out and business as usual. They did send in for the purchase of the 2022 ambulance. Then there will be 5 units and they can focus on the older 2 units' maintenance and/or replacement. Medicare has begun a tracking process where they will be requiring all ground ambulance services to complete a 64-page survey. Staff has been training on how to complete this requirement for Medicare.

City Clerk

Weyer provided a monthly written report and covered the highlights with the Council. Reminder to all potential spring election candidates that nomination paperwork and signatures is due back to the Clerk's office no later than 5 p.m. on January 4, 2022.

Treasurer

Powell thanked all the City's departments for their assistance in getting the tax bills out timely to residents. There was an issue where some of the tax bills were doubled, folks who received double bills only need to pay one bill. The Treasurer's office has been busy with end of the year reports and other required filings. Powell now has responsibility for the Tomah Transit and has been working through the required paperwork with the state for this service.

Library

Director Keller provided the Council with staff book picks. There is now a Wisconsin section at the library. There were 1,819 eBooks checked out in November and 4,111 guests visited the library. On January 6 story time with Mr. Dave will resume at the library; masks will be required. Starting January 15, Hot Reads for Cold Nights will begin.

Tomah Public Housing & Community Development Block Grant

Senior & Disabled Services

Pam Buchda provided the Council with the Sr. Center participation over the last month. The Sr. Center will be closed on 12/23, 12/24 and 12/31. The annual Christmas party sponsored by the Rotary on December 10th was a success. Line dancing has been cancelled for December but will resume in January. Buchda gave an update on PALS training she is completing and asked if anyone was interested to contact her at the Sr. Center. The next Sunday Funday will be on January 9th from 11:30 a.m.-3:30 p.m. and will be a Packer tailgate party for special needs participants and their families. There were 122 volunteer spaces that were filled in November. 1004 Superior Ave is still for rent, contact her for a tour and/or more details. The Arts and Crafts fair was a success.

Planning & Building Inspection

Rolf provided a monthly report and appeared to answer questions from the Council. The new Code Enforcement officer will begin training after the start of the new year on the Code Enforcement portion of her position.

Chamber/Convention & Visitors Bureau

New community maps and content has been submitted and should be available mid to late February. December 31st is the deadline for submissions for the area guide. Thompson brought forth a safety concern to the council regarding parking lot safety at the Chamber.

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).*

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

- A. Approval of Minutes from November 30, 2021
- B. November 30, 2021 Cash and Investments Report
- C. Secondhand Article and Jewelry Dealers
- D. Renewal Taxicab License for Running, Inc. DBA Tomah Transit
- E. Renewal of Airport Leases

Motion carried.

APPOINTMENTS:

Appointment of 2022-2023 Election Officials

Motion by Gigous, second by Yarrington, to approve the appointment of the 2022-2023 Election Officials as presented. Motion carried.

Regular Election Officials

Jody Allen, Berta Downs, Janice Nicholson, Renee Fletcher, Myra Anderson, Shirley Galstad-Roh, Elmer Pasch Jr., Kathleen Wagner, Christi Anderson, Kitty Gnewikow, Deb Reid, Barbara Enos, Adam Balz, Cynthia Hansen, Sheila Robertson, Debra Hancock, Karen Betthausen, Barbara Hendricks, Bonnie Roscovius, Denise Brabham, Bradley Hillestad, Jane Schave, Joseph Buth, Linda Ingenthron, Lavonne Smith, Carol Chinnock, Dennis Koranda, Mary Smith, Lori Ann Costello, Janet Koranda, Dawn Spence, JoAnn Cram, Sonja Ley, and Rose Vanderbloemen

Chief Inspector Election Officials

Adam Balz, Kitty Gnewikow, Denise Brabham, Cynthia Hansen, JoAnn Cram, Darlene Nelson, Maureen Decorah, and Sheila Robertson

Special Voting Deputies

Adam Balz, Marla Leverich, Debra Hancock, JoAnn Cram, Odile Nelson, Shirley Galstad-Roh, Sheila Robertson, Kitty Gnewikow, Bonnie Roscovius, Cynthia Hansen, Dawn Spence, Barbara Hendricks, and Renee Fletcher

Special Registration Deputies

Rebecca Weyer, Candice Maas, Matthew Baumgartner, Molly Powell, Nicole Jacobs, and Barbara Hendricks

Committee of the Whole

Resolution reversing and canceling Resolution 2021-02-09-02, which approved the transfer of Tax Incremental Financing District (TIF or TID) 9 and 10, Donor TIDS, to TID 8, the Donee TID and then to the City of Tomah's General Fund (GF), Water, and Wastewater (Sewer) Funds to assist with the repayment of the City's Internal Loans to TID 8 for 2019 interest payable in 2020

Motion by Pater, second by Zabinski, to approve the Resolution reversing and cancelling Resolution 2021-02-09-02. Motion carried.

RESOLUTION 2021-12-21-54

REVERSING AND CANCELING RESOLUTION 2021-02-09-02, WHICH APPROVED THE TRANSFER OF TAX INCREMENTAL FINANCING DISTRICT (TIF OR TID) 9 AND 10, DONOR TIDS, TO TID 8, THE DONEE TID AND THEN TO THE CITY OF TOMAH'S GENERAL FUND, WATER, AND WASTEWATER (SEWER) FUNDS TO ASSIST WITH THE REPAYMENT OF THE CITY'S INTERNAL LOANS TO TID 8 FOR 2019 INTEREST PAYABLE IN 2020

WHEREAS, TIDs are created with the understanding that any and all outstanding debt will have a payment and interest charge established with the debt; and

WHEREAS, on February 9, 2021 then Council passed Resolution 2021-02-09-02 designating certain funds to be paid as interest payments for outstanding debts advanced by the General Fund (GF), Water Services, and Wastewater (Sewer) Services; and

WHEREAS, during the 2020 Audit by the City's new auditing firm, Clifton Larson Allen, they discovered the following concerns with this interest payment:

1. The City never passed a resolution authorizing the advance from any fund to any of the TIDs, specifically to TID 8 prior to interest being paid;
2. After the resolution was passed, previous responsible staff did not ensure the payment was made;
3. Due to the GF financial concerns that the City discovered in 2021, the interest payment burden would just add to the issue; and

WHEREAS, the Common Council has formally approved the advances to TID 8, which therefore interest payments shall be calculated on the December 31 balances of the previous year as determined by the City's appointed Auditor for apportionment in the City's appropriate funds where the internal loans originated from, beginning with the 2020 interest earned and collected in 2021 and all future years;

NOW THEREFORE, BE IT RESOLVED that the City of Tomah Common Council hereby cancels the financial obligations established by Resolution 2021-02-09-02.

PASSED AND APPROVED by the City of Tomah Council, Monroe County, Wisconsin this 21st day of December, 2021.

ATTEST:

MIKE MURRAY, MAYOR

REBECCA WEYER, CITY CLERK

Ordinance amendment 52-40 1st Reading, Second Reading, Adoption

This ordinance change would approve structures exceeding three floors with the approval of the City of Tomah Fire Department.

Motion by Gigous, second by Yarrington, to waive the first verbatim reading of the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations.

Motion by Gigous, second by Zabinski, to waive the second verbatim reading of the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations. Motion carried.

Motion by Gigous, second by Zabinski, to adopt the Ordinance amending ordinance 52-40(k) of the City of Tomah Municipal Code regarding definitions, residential districts and schedule of regulations. Motion carried.

ORDINANCE NO. 2021-12-11-D

Ordinance Amending Chapter 52, Sections 52-40 (k) of the City of Tomah
Municipal Code Regarding Definitions, Residential Districts and Schedule of Regulations

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

SECTION ONE: Section 52-40 (k). -- Schedule of regulations are hereby amended to read as follows:

Following is the schedule of the regulations as they apply to each zoning district:

SCHEDULE OF REGULATIONS

Minimum Yard Requirements (Ft.)												
Zone	Lot Requirements		Principal Buildings			Accessory Buildings		Maximum Building Height		% Max. Lot Coverage	Min. Lot Area Per Dwelling	Use
	Area In Sq. Ft.	Frontage In Ft.	Front	Each Side	Rear	Each Side	Rear	Stories	Feet			
B-2 Business	20,000	100	50	25	30	10	10	4	55	50	—	Highway business

(k) All structures exceeding 3 floor levels or a height above grade of 45' shall require approval from the City of Tomah Fire Department.

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

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

Michael Murray, Mayor

ATTEST:

Surveillance camera system quotes/recommendation for City Hall and the Police Department using ARPA funds

Motion by Zabinski, second by Glynn, to approve the expenditure of ARPA funds in the amount of \$33,200.72 for the purchase of surveillance cameras for the City of Tomah Municipal center and Tomah Police Department, and the approval of using 5-Star Telecom as the selected vendor. Motion carried.

Resolution Accepting Donation of Land from Barbara Goetzka F/K/A Barbara J. Murdock

Motion by Gigous, second by Pater, to approve the Resolution Accepting Donation of Land from Barbara Goetzka F/K/A Barbara J. Murdock. Motion carried.

RESOLUTION NO. 2021-12-21-55**RESOLUTION ACCEPTING DONATION OF LAND**

WHEREAS, a Petition to Dedicate Land was filed by Barbara J. Goetzka, f/k/a Barbara J. Murdock; and

WHEREAS, said land as set forth in Tax Parcel No. 286-02703-9998 land is .56 acres and legally described as follows:

Those lands described in Document No. 353354 recorded in the Office of the Register of Deeds, Monroe County, Wisconsin located in the Southwest Quarter of the Northeast Quarter, Section 33, Township 18 North, Range 1 West, EXCLUDING lands described on the following documents recorded in the Office of the Register of Deeds, Monroe County, Wisconsin:

1. All platted lands of Deer Creek Estates as set forth in Document No. 383683;
2. All lands described in Vol. 6 of CSM, page 17;
3. Lot 1 of Vol. 18 of CSM, page 172 as set forth in Document No. 550396;
4. All lands described in Vol. 7 of CSM, page 34 as set forth in Document No. 389844;
5. All lands described in Vol. 10 of CSM, page 100 as set forth in Document No. 443186;
6. All lands described in Vol. 10 of CSM, page 108 as set forth in Document No. 442904;
7. All lands described in Vol. 24 of CSM, page 138;
8. All lands described in Vol. 6 of CSM as set forth in Document No. 373448;
9. All lands described in Vol. 6 of CSM, page 001 as set forth in Document No. 372587;
10. All lands described in Vol. 6 of CSM as set forth in Document No. 373448; and
11. All lands lying south of the Plat of Deer Creek Estates and East of Lot 1 and 2 of Vol. 10 of CSM, page 108 as set forth in Document No. 442904.

WHEREAS, the land to be donated is currently a portion of an existing road/right of way and generates limited property tax revenue, and

WHEREAS, there is a need for a resolution to be filed with the Monroe County Register of Deeds to formally accept said land deeded to the City of Tomah for right of way/road purposes;

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Tomah hereby accepts the parcel of land legally described above as and for right of way/road purposes.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

Tourism Entity Agreement between the City of Tomah and the Tomah Chamber and Visitors Center

Attorney Precour handed out copies of a proposed agreement between the City of Tomah and the Tomah Chamber and Visitor's Center. The agreement includes that all business would be done under one EIN number. The CVB was unable to apply for grants due to an unusable EIN number this past year. Attorney Precour has drafted the agreement based on the present ordinance in the City of Tomah. The City is able to terminate the agreement if bylaws are not followed. The Chamber/CVB must continue their current process of financial reporting. Thompson will take the contract to additional counsel for review.

Motion by Glynn, second by Gigous, to authorize Attorney Precour to finalize the contract and present to the Mayor for final approval. Motion carried.

Resolution Authorizing Payment of Monthly Bills

Motion by Zabinski, second by Yarrington, to approve the resolution authorizing the payment of monthly bills in the amount of \$858,694.77. Motion carried.

RESOLUTION NO : 2021-12-21-56

RESOLUTION AUTHORIZING
PAYMENT OF MONTHLY BILLS

Be it resolved by the Common Council of the City of Tomah that the Committee of the Whole has reviewed the monthly bills and recommends the City Council approve said bills as follows:

1. Pre-Paid Checks:	2021	\$735,506.95	Check #'s:	131185	131388
2. Payroll:		\$258,253.64	Dir Dep #'s:	9294312-9294551	
3. Wire/ACH Transfers:		\$774,790.43			
4. Invoices:		\$70,748.69		131113-131508	
Total:		<u>\$1,839,299.71</u>			

Mayor_____
Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

December 21, 2021

Tomah Area Ambulance Service contribution for City of Tomah Pay Roll Clerk towards Wage and Benefit Package

Motion by Yarrington, second by Zabinski, to postpone this issue until the January meeting until a study can be completed to see how much time the payroll spends on Ambulance service duties. Motion failed with 6 negative votes. (Gigous, Glynn, Kiefer, Pater, Koel, and Peterson.)

Motion by Kiefer, second by Pater, to approve the Ambulance and Fire Commission's recommendation that the Tomah Area Ambulance Service shall be responsible for payment of 20% of the payroll clerk's wages and benefits, and that it shall be reviewed annually. Motion carried with one negative vote. (Yarrington)

Public Safety Director / Fire Chief / EMD Updated City of Tomah Emergency Operation Plan

Motion by Kiefer, second by Glynn, to approve the updated City of Tomah Emergency Operation Plan as presented. Motion carried.

Tomah Area Ambulance Service Stipend Pay for Salary Employees

Motion by Gigous, second by Glynn, to approve payment of stipend pay for salaried employees in the Tomah Area Ambulance Service who take transfer calls over and above normal working hours, with the understanding that stipend pay for salaried employees shall be reported on the monthly Ambulance Service report to the Council. Motion carried.

Vacation Time Adjustment for City Clerk

Motion by Kiefer, second by Gigous, to approve an additional week of vacation to city clerk Weyer due to the removal of comp time. Motion carried.

Personnel Manual Updates - Salary Policy and Evaluation Policy and Discussion on SOP Based Format

No action needed, this item was presented at the Committee of the Whole for discussion and presentation only.

Discussion on Elimination of the City Administrator Position

Powell presented to the Council the proposed financial savings if the City Administrator position is eliminated. The proposed total savings is around overall savings to the city in the amount of approximately \$93,000 fund after adjustments are made for salary increases and budget changes. The Mayor handed out the job description and there was discussion on how these duties would be divided. Attorney Precour brought up the existing ordinance regarding the City Administrator position and how it would need to be repealed or modified if this Senior Executive Team is put into place. Mayor Murray brought up the issue of compensation as the team is currently taking on additional work. Murry requested the Council consider retroactive compensation if and when the formation of the Senior Executive Team takes place.

The Council unanimously agreed to have the City Attorney work with the proposed Senior Executive Team and bring forth a proposed ordinance change to the January meeting to then be reviewed by the Council.

ADJOURN

Motion by Yarrington, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 8:22 p.m.

RESOLUTION NO. _____

RESOLUTION APPROVING FORGIVENESS OF 2019 SEWER UTILITY
ADVANCE TO TID #8

WHEREAS, in the 2018 and 2019 construction seasons, infrastructure improvements were completed in the two alleys east and west of Superior Avenue, between Council Street and Washington Street in the City of Tomah, Monroe County, Wisconsin; and

WHEREAS, the project was initially conceived to address some significant failures in the existing sanitary sewers located underneath the alleys. The associated repairs were fairly costly due to the very tight physical constraints and relatively large flows in the sewers themselves. Replacing the sanitary sewers would allow the City to take advantage of other historical efforts to upsize sewers in adjacent streets and pre-empt future potential failures and the impacts to the properties along the alleys, many of which were commercial in nature;

WHEREAS, the contract was awarded to Gerke Excavating, Inc., (Contractor) in late April 2018 for just under \$2.8 million and work commenced that season. The project ran into some difficulties due to the tight physical constraints of the corridor and issues with the originally proposed construction technique of pipe bursting. After several weeks, the City and Contractor agreed to modify the approach to use more traditional open-cut construction methods, which reduced the overall construction cost but required an additional season of work. The project was substantially completed in 2019, with final payment made in 2020; and

WHEREAS, the project was initially intended to be funded using Tax Increment Financing (TIF). However, because Tax Increment District (TID) No. 8 was not generating sufficient revenue at the time, the City's Sewer Utility advanced funds to TID #8 using available cash in the amount of \$2,499,506.00. The General Fund and Water Services Fund also provided funds for the project; and

WHEREAS, it was anticipated that development within the district would occur in a timely manner and generate sufficient increment revenue to repay the advances, including what was due to the Sewer Utility; and

WHEREAS, the Common Council formally approved the transfer of TID#9 and TID#10 funds, as donor TIDs, to repay the advances to TID#8 via Resolution 2021-02-09-02. Provided, however, said Resolution was reversed and cancelled via Resolution 2021-12-21-54.

WHEREAS, the Common Council formally approved the advances to TID #8 via Resolution 2021-10-19-42 as well as the transfer of funds as interest charges and principal payments, if possible, via Resolution 2021-10-19-43; and

WHEREAS, while the advances from the General and Water Services Funds were fully repaid, between 2019 and 2024, TID#8 only made two installment payments on the Sewer Utility advance, specifically, \$360,717.00 in 2021 and \$305,000.00 in 2022; and

WHEREAS, the current balance of the Sewer Utility advance (as of December 31, 2025) equaled \$1,953,491.00; and

WHEREAS, during the 2025 review process of the City's completed projects and evaluation of cash flow with the City Engineer, Town and Country Engineering, Inc., and Ehlers, the City's finance advisor, it was determined that TID #8 will likely not generate sufficient revenue to repay the advance. As of year-end 2024, TID #8 maintains a cumulative deficit of \$2,126,090; and

WHEREAS, the advance was categorized as a non-current asset entitled "Advance to Other Funds" on the Sewer Utility's financial statements and therefore does not constitute a formal debt instrument that would count against the City's General Obligation Borrowing Capacity, nor does it contain a promise to repay; and

WHEREAS, since the advance is categorized as a non-current asset within the Sewer Utility, the current balance of the advance is not reflected in the utility's cash balance. As of year-end 2024, the Sewer Utility had cash on hand in the amount of \$2,887,396.00; and

WHEREAS, the City's finance advisor has concluded that forgiving the advance from the Sewer Utility to TID #8 would not have an adverse financial impact on the Sewer Utility, and may help TID #8 close in a timely manner; and

WHEREAS, the City's engineer is comfortable with the proposed forgiveness of the remaining balance of the advance given that the project primarily benefited the Sewer Utility and the current sewer fund balances appear sufficient. However, the City's engineer noted that such forgiveness would likely require the next sewer rate adjustment to occur sooner, and/or be larger, than would otherwise be necessary; and

WHEREAS, there are no Wisconsin statutes that regulate intergovernmental advances. As such, nothing is prohibiting the forgiveness of the Sewer Utility advancement as described herein; and

WHEREAS, the Public Works and Utilities Commission has reviewed this matter, is in agreement with, and recommends, that the current balance of the Sewer Utility advance in the amount of \$1,953,491.00 be forgiven.

NOW, THEREFORE, BE IT RESOLVED, that the City of Tomah Common Council hereby approves the forgiveness of the 2019 Sewer Utility advance as set forth herein.

PASSED AND APPROVED by the City of Tomah Common Council, Monroe County, Wisconsin, this _____ day of _____, 2026.

Paul J. Dwyer, Mayor

ATTEST:

Nicole Jacobs, City Clerk