

**MEETING MINUTES – CITY OF TOMAH  
COMMITTEE OF THE WHOLE**

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 13<sup>th</sup> day of January, 2020 at 6:30 p.m. in the Council Chambers at City Hall with Council President Travis Scholze presiding. The meeting was called to order at 6:30 p.m.

Roll call was taken with the following members present: Mike Murray, Richard Yarrington, Jeff Cram, Shawn Zabinski, Travis Scholze, Lamont Kiefer, and Susan Holme. Absent: Donna Evans, and the 1<sup>st</sup> Aldermanic District seat is vacant. Quorum present.

Also present: Fire Chief Tim Adler, Parks and Recreation Director Joe Protz, Police Chief Mark Nicholson, Ex. Director CVB/Chamber Tina Thompson, Treasurer Julia Mann, and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

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**Approval of December 9, 2019 Minutes.**

Motion by Zabinski, second by Kiefer, to approve the minutes of the December 9, 2019 regular Committee of the Whole meeting. Motion passed without negative vote.

**Fire Department Monthly Report.** Fire Chief Tim Adler reported that the department responded to a structure fire and multiple false alarms throughout the month. Fire inspections are complete. Chief Adler has posted a vacancy notice for firefighters and will establish an eligibility list. Chief Adler continues to work on the building project and is touring other stations for pros and cons of the facility.

**Police Department Monthly Report.** A written report was provided. Chief Nicholson advised the department is at full staff. Chief Nicholson congratulated Rhonda Culpitt for 25 years of service. Chief Nicholson provided an overview of department activity. The annual Shop With a Hero event held in December was a huge success. One squad car budgeted in 2020 has been ordered. The price of the vehicle is the same as in 2019. If the changeout squad is serviceable, it will be kept and used for training. A reminder was given on alternate side parking as citations are being issued. Asst. Chief Holum and Chief Nicholson will be attending the Chief's conference in February.

**Parks and Recreation Monthly Report: Parks Department, Recreation Programs, Aquatic Center, and Recreation Park:** Parks and Rec Director Joe Protz provided a written report and advised the department has been busy with maintenance on equipment and buildings. Public Works has been working on removal of the ash trees. It was noted to contact Parks and Recreation for replacement of boulevard trees as some trees will be available in the Spring. Shelter rentals went online January 2<sup>nd</sup> for 2020. Hopefully by the end of January, there will be a design for a handicap accessible playground at Butts Park. The Dept. is waiting for information from the State Historical Society on the Boy Scout project. Winnebago Park Phase I design and engineering services will be presented to the Park Board in January. Recreation Programs continue and they are finalizing Freeze Fest events. The button award ceremony will be held Thursday night at Winnebago Park at 6 p.m. The dept. is working on the pump upgrade/circulation at the Aquatic Center. A minor leak was repaired on the ice center roof at Recreation Park.

**Ambulance Department Monthly.** A monthly written statistics report was provided.

**Public Works & Utilities Director – Water, Sewer, Public Works, and Lake Updates.** **Street Department:** Dir. Arity provided a written report advising staff is busy removing ash trees. Christmas decorations are down and they are looking at purchasing new decorations. The CAT loader was repaired under an extended warranty. **Sewer Department:** The lime stabilization project has begun. **Water Department:** Operations are normal except for a minor water repair on Cameron & McLean. There was also a minor leak on Schaller St. **Lake Committee:** The Committee will meet January 16<sup>th</sup> and they are working on coordination of the boat launch upgrade for this spring/summer.

**Convention & Visitors Bureau/Chamber of Commerce.** Ex. Director Tina Thompson advised they are in the end stages of the 2020 Area Guide. The Annual Banquet will be held February at Murray's on Main and a mid-west based comedian will be performing. They are making plans for Downtown Thursday Night events this summer. Mayoral and School Board Forums will be held prior to the April Election.

**Accept Treasurers Cash and Investment Reports.**

Motion by Kiefer, second by Holme to recommend the Common Council accept the December 2019 cash and investment reports as presented. Motion passed without negative vote.

**Bartender Licenses.** Motion by Murray, second by Yarrington to recommend the Common Council approve bartender licenses for the period of January 14, 2020 to June 30, 2020 as follows: Amber L. Deitz, Heather M. Gray, Steven J. Horner, Payton C. Korner, and Diana L. Prestwich. Motion passed without negative vote.

**Special Beer Permit for Tomah Warrens Sportsmen Alliance Ice Fisheree on February 8, 2020**

Motion by Cram, second by Zabinski to recommend the Common Council approve the Special Beer Permit for the Tomah Warrens Sportsmen Alliance Ice Fisheree on Feb. 8, 2020 at Winnebago Park. Motion passed without negative vote.

**Special Beer & Wine Permit for Tomah Rotary Club, 10<sup>th</sup> Annual Freeze Fest on February 1, 2020.** Motion by Kiefer, second by Zabinski to recommend the Common Council approve the Special Beer & Wine Permit for the Tomah Rotary Club for the 10<sup>th</sup> Annual Freeze Fest on Feb. 1, 2020 at Recreation Park, Recreation Building. Motion passed without negative vote.

**2019 Amendment for Leave Time Payouts.** Motion by Murray, second by Cram to recommend the Common Council approve the 2019 Budget Amendment transferring \$14,846.97 from Acct. 01-51980-2270 Reserved for Contingency to the following accounts: \$3,129.60 (amendment to reduce by 70%) to Acct. 04-56600-1100 CDBG Salaries Managerial; \$2,747.20 to Acct. 01-51420-1100 Clerk Salaries Managerial; \$1,510.18 to Acct. 01-51520-1120 Treasurer Salaries Support; \$2,819.52 to Acct. 01-521100 Law Enf. Salaries Managerial; \$2,995.26 to Acct. 01-52100-1130 Law Enf. Salaries Operations; and Acct. 01-53311-1130 Street Dept. Salaries Operations. Motion passed without negative vote.

**Senior & Disabled Services Center Contract Agreement with Monroe County.** Monroe County Senior Services program uses the Kupper Ratsch Sr. Center to provide meals to our seniors at the center through the Elderly Nutrition Program. The agreement needs to be renewed for 2020.

Motion by Yarrington, second by Murray to recommend the Common Council approve the Senior & Disabled Services Center Contract Agreement with Monroe County. Motion passed without negative vote.

**Downtown Thursday Night Special Event Cabaret Licenses for Tomah Chamber of Commerce.**

Applications for Special Event Outdoor Cabaret Licenses were received from the Chamber for 800 and 900 Blocks of Superior Avenue for six Downtown Thursday Night concert events in July and August of 2020. They are: July 2, 9, 16, and 23, 2020 and August 6 and 13, 2020.

Motion by Murray, second by Yarrington to recommend the Common Council approve the Thursday Night Special Event Cabaret Licenses for the Tomah Chamber of Commerce for the 800 and 900 Blocks of Superior Avenue for July 2, 9, 16, and 23, 2020 and August 6 and 13, 2020 as requested. Motion passed with one negative vote (Kiefer). Cram abstained.

**Downtown Thursday Night Special Beer Permits for Lions Club.** Applications for Special Beer Permits were received from the Tomah Lions for two locations as designated on the attached map in the 800 and 900 Blocks of Superior Avenue for six Downtown Thursday Night concert events in July and August of 2020. They are: July 2, 9, 16, and 23, 2020 and August 6 and 13, 2020.

Motion by Murray, second by Holme to recommend the Common Council approve the Special Beer Permits for the Lions Club for Downtown Thursday Night events on July 2, 9, 16, and 23, 2020 and August 6 and 13, 2020 as designated on the map. Motion passed with one negative vote (Kiefer). Cram abstained.

**Secondhand Article Dealer License Application for ecoATM, LLC.** Motion by Murray, second by Cram to recommend the Common Council approve the Secondhand Article Dealer License for the premise at 222 McCoy Blvd, Tomah (inside Wal-Mart 0695) for the licensing period January 1, 2020 – December 31, 2020. Motion passed without negative vote.

**Secondhand Article Dealer License Application for Kristi's Place.** Motion by Yarrington, second by Zabinski to recommend the Common Council approve the Secondhand Article Dealer License for the premise dba Kristi's Place at 322 Superior Ave. for the licensing period of January 1 to December 31, 2020. Motion passed without negative vote.

**Resolution Adopting the Monroe County Multi-Hazards Mitigation Plan 2019-2023.** The Monroe County Multi-Hazards Mitigation Plan 2019-2023 has been approved by WI Emergency Management and FEMA pending adoption by the local municipalities.

Motion by Murray, second by Yarrington to recommend the Common Council approve the Resolution Adopting the Monroe County Multi-Hazards Mitigation Plan 2019-2023 as presented. Motion passed without negative vote.

**Resolution Denying Claim of Nissen, Inc DBA Tomah Dairy Queen.** The insurance company has investigated the claim and can find no liability as the City had no prior notice of the water lateral leak.

Motion by Murray, second by Zabinski to recommend the Common Council approve the Resolution Denying the Claim of Nissen, Inc., DBA Tomah Dairy Queen regarding the claim sent to the City dated December 27, 2019 and authorize the City Clerk to send notification of the same to Nissen, Inc. Motion passed without negative vote.

**Ordinance Repealing Sections 44-177 to 44-181, Recreating Sections 44-177 to 44-181, and Creating Sections 44-182 and 44-183 Regarding All Terrain and Utility Terrain Vehicles.** As instructed at the December Council meeting, Chief Nicholson and the City Administrator were directed to present an ordinance proposal for ATV/UTV regulation in the City limits of Tomah. Chief Nicholson has reviewed similar ordinances from communities with like populations and has prepared an ordinance that he feels meets the needs of the City and the Departments that will need to interact with these vehicles and their operators. This ordinance follows WI Statute on ATV/UTV use and is the recommendation of both Chief Nicholson and City Admin. Gorius. Costs to the City will be minimal as all signage is to be provided by Road Runners ATV UTV Club, Monroe County at no cost to the City. It is further recommended that Road Runners ATV/UTV Club of Monroe County be named as the responsible party for provision of signage, at no cost to the City, for placement by City Staff as needed and that Mike Pierce, Club President, or his designee, be assigned as liaison between the Club and the City Council. The overall ordinance basically adopts State Statute except that Section 44-181 adds additional stipulations. The proposed ordinance requires a driver's license, routes would be open from 6 am to 10 p.m., open container of alcoholic beverages are not allowed while operating, and proof of insurance would be required. Rules would be posted at various city entrance routes. Chief Nicholson reviewed each additional requirement in the proposed ordinance.

Motion by Cram, second by Murray to recommend the Common Council approve the Ordinance Repealing Sections 44-177 to 44-181, Recreating Sections 44-177 to 44-181, and creating sections 44-182 and 44-183 regarding All Terrain and Utility Terrain Vehicles as presented and Road Runners ATV TV Club of Monroe County be named as the responsible party for provision of signage at no cost to the City, for placement by City Staff as needed and Mike Pierce Club President (or his designee) is assigned as liaison between the Club and the City Council. Motion passed without negative vote.

**Ordinance Amending Chapter 6, Sections 6-1, 6-8, and 6-9(d) Regarding Amusements and Entertainment.** The Council authorized a change in the written notice requirements in the current

ordinance from 1,000 feet to 200 feet and authorized public notices for recurring events. The attached ordinance reflects those changes.

Motion by Murray, second by Cram to recommend the Common Council waive the first verbatim reading of the Ordinance Amending Chapter 6, Sections 6-1, 6-8, and 6-9(d) Regarding Amusements and Entertainment. Motion passed without negative vote.

**2020-2021 Lease Agreement with the City of Tomah and Phillips Pharmacy.** A 1% rent increase is proposed.

Motion by Kiefer, second by Holme to recommend the Common Council approve the 2020-2021 Lease Agreement with the City of Tomah and Phillips Pharmacy to include a 1% rent increase. Motion passed without negative vote.

**Lease Agreement with the City of Tomah and Lester Stutzman to Lease Hangar No. 6.** Lester Stutzman of Tomah is requesting to lease airport hangar #6 at Bloyer Field effective January 1, 2020. The City Attorney drafted a lease agreement with the lease to begin on or about December 15, 2019.

Motion by Zabinski, second by Yarrington to recommend the Common Council approve the Lease Agreement for Hangar No. 6 between the City of Tomah and Lester Stutzman effective on or about Dec. 15, 2019. Motion passed without negative vote.

**Amendment to 2020 Non Represented Wage Scale Adding Part Time Library Aide, Part Time Custodial Services Worker (Police Dept.), and Part Time Sr. & Disabled Services Aide.** Job Description Questionnaires (JDQs) were not compiled for P.T. Library Aide, P.T. Police Dept. Custodial Services Worker, and P.T. Sr. & Disabled Services Aide. The Library Aide and the P.D. Custodial Services Worker were on the AFSCME Union wage scale prior to January 1, 2020 and need to be placed into the scale. The Sr. & Disabled Services Aide was not in the Union but would be the only permanent part time position not on the scale if it isn't added. It is requested that the Library Aide be placed in Range C, the Custodial Services Worker in Range D, and the Sr. & Disabled Services Aide in Range B.

Motion by Murray, second by Cram to recommend the Common Council approve the Amendment to the 2020 Non-Represented Wage Scale adding the P.T. Library Aide, P.T. Custodial Services Worker in the police department, and the P.T. Sr. & Disabled Services Aide to the Wage Scale as described above. Motion passed without negative vote.

**Authorization to Sign Medical Director Agreement with Mayo Health Systems.** The Medical Director Agreement needs to be signed for Director of the Ambulance Service. This is required.

Motion by Murray, second by Yarrington to recommend the Common Council approve the Medical Director Agreement as presented and authorize Director Dunford and City Administrator Gorius to sign the document. Motion passed without negative vote.

**Resolution Authorizing Payment of Monthly Bills**

Motion by Zabinski, second by Holme to recommend the Common Council approve the monthly bills in the amount of \$704,389.61 as presented. Motion carried without negative vote.

**Adjourn.**

Motion by Kiefer, second by Cram to adjourn. Motion passed without negative vote. Meeting adjourned at 7:54 p.m.

Respectfully submitted,

JoAnn Cram, City Clerk