

# MINUTES FOR COMMON COUNCIL TUESDAY, MARCH 19, 2024

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

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

## ANYONE DESIRING TO APPEAR TO COUNCIL

No one desired to appear before the council.

## **In Memory and Recognition of Service to the City of Tomah for Rachel Muehlenkamp**

Mayor Murray gave sincere condolences to the family of Rachel Muehlenkamp. In memory, Mayor Murray reread resolution NO. 2022-09-20-27.

## **Resolution in Recognition of Lamont Kiefer in Service to the City of Tomah as Alderperson 2016-2024**

Motion by Yarrington, second by Zabinski, to approve the Resolution in Recognition of Lamont Kiefer for his services to the City of Tomah. Motion carried.



### **RESOLUTION IN RECOGNITION OF LAMONT KIEFER IN SERVICE TO THE CITY OF TOMAH AS ALDERPERSON 2016-2024**

**Whereas** the soul of our city and its vitality as a place to live and work depend on the relationship of families, friends, neighbors, and co-workers;

**Whereas** Lamont Kiefer has committed himself to faithfully serving the citizens of Tomah from 2016 to 2024 as Alderperson of District Six;

**Whereas** Lamont has proven himself to be a resolute and trustworthy member of the City of Tomah, Lamont's commitment to his community has been evidenced repeatedly in his term as Alderperson by participating in many commissions and committees to benefit and enhance the lives of our citizens. Alderperson Kiefer's service on the Committee of the Whole, Lake Committee, Tomah Public Housing Authority, Parks and Recreation Commission, Public Works and Utilities Commission, Ethics Board, and Board of Review portrays a level of enthusiasm and loyalty to bring forth the best our community has to offer. His commitment and willingness to serve gives testament to Alderperson Kiefer as a dedicated and respected leader and community member. As Alderperson of District Six, Lamont has exhibited an unending drive to promote the quality of life for not only the wards he represents but the City of Tomah overall. In Lamont's daily involvement with his constituents, he exemplifies his selflessness and commitment to providing responsive and representative leadership in his role as an Alderperson; and

**Whereas** in appreciation for such dedication and service to our Community upon his retirement as Alderperson of District Six, the following is submitted to record;

**Now therefore, be it resolved**, that, on behalf of The City of Tomah, Alderperson Lamont Kiefer is commended for his outstanding contribution to our community. The Mayor and Common Council of the City of Tomah do hereby express their sincere appreciation and gratitude to Lamont for eight years of dedication and service to the citizens of the City of Tomah and extend their best wishes for his health and happiness in the future.

By: \_\_\_\_\_  
Michael Murray, Mayor

Attest: \_\_\_\_\_  
Rebecca Weyer, City Clerk

## **SET Report March 2024**

The Senior Executive Team provided a monthly report for the Council. Kirk Arity appeared before the Council to answer any questions. SET continues to work with various groups on housing initiatives in the city, and meeting with large employers to establish relationships in the community. The Council asked questions about the upcoming ET project slotted to start next week, and the meeting SET attended regarding Tomah Health's daycare initiative.

## **Public Safety February Monthly Report and 2023 Fire and EMS Annual Report**

Chief Adler presented a monthly and annual report to the Council.

Fire: Currently staffed at 38 members after onboarding six new firefighters. The 1102 Superior Ave structure fire remains under investigation. If the Tomah Fire Department cannot determine a cause, the insurance company will step in to assist the investigation. The insurance company is requesting a "dig out" to further the investigation.

EMS: Mara Goede has been hired for the open full-time position. There was a security breach with one of the software vendors that the city uses. This has been remedied, but the service will not be able to process invoices and collect income for four to six weeks.

Chief Adler gave a summary of his written annual Fire and EMS reports.

## **Common Council – March 19, 2024**

### **Library**

There were 2094 digital and 4494 physical checkouts in the month of February. Director Keller provided an update on the upcoming events at the library. National Library Week is coming up on April 17 – 13, 2024.

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

Director Buchda provided a monthly written report and provided a summary for the Council. She also updated the Council on the upcoming events at the Senior Center. Volunteer appreciation day will be Thursday, April 18<sup>th</sup> to celebrate the volunteers at the Senior Center.

### **Family Promise program at senior center - "3 month" equivalent review & approval to continue as recommended unanimously by the Senior & Disabled Services Board**

Previously, the Council approved the temporary agreement between the Senior Center and Family promise for the use of the Senior Center when needed for unhoused families in need. The Council agreed to review after an equivalent of three month's usage of the Senior Center. Motion by Zabinski, second by Yarrington, to approve the agreement between the Senior and Disabled Services Center and the City of Tomah for use of the facility when needed for unhoused families. Motion carried.

### **February Building & Code Enforcement Reports**

Building Inspector Rolff provided monthly written reports for building permits and code enforcement and appeared via Zoom to answer any questions from the Council.

### **Special Wine Permit for Area Community Theatre, Inc., "Death by Chocolate" show on April 25, 26, 27, 28, May 10, 11, and 12, 2024**

This item was removed from the consent agenda due to recent date changes to the "Death by Chocolate" show.

Motion by Zabinski, second by Yarrington, to approve the permit with the change to the dates for the Special Beer and Wine license for The Area Community Theater to April 19, 20 21 and May 9, 10, 11, and 12, 2024.

### **CONSENT AGENDA**

Motion by Kiefer, second by Glynn, to approve the following consent agenda:

- A. Approval of Minutes from February 20, 2024
- C. Special Beer and Wine License Application by the Tomah Lions Club for Downtown Thursday Nights in July and August of 2024
- D. 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 2024
- E. Original application of Class "B" Fermented Malt Beverage License and "Class C" Wine License
- F. Approval of Temporary Class "B" license application by North American Squirrel Association (n.a.s.a.) to sell fermented malt beverages and wine at the Tom Wopat concert at Recreation Park on May 4, 2024

Motion carried.

### **February 29, 2024 Cash and Investments Schedule**

Motion by Kiefer, second by Peterson, to approve the February 29, 2024 Cash and Investments Schedule. Motion carried.

### **Resolution Authorizing Payment of Monthly Bills**

Motion by Zabinski, second by Kiefer, to approve the resolution authorizing payment of monthly bills in the amount of \$5,260,435.28. Motion carried.

# Common Council – March 19, 2024

## 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:	2024	\$4,023,759.85	Check #'s:	144342	144371
				144396	144500
2. Payroll:		\$288,401.85	Dir Dep #'s:	9301862	9302118
3. Wire/ACH Transfers:		\$935,755.67			
4. Invoices:		\$12,517.91			
Total:		<u>\$5,260,435.28</u>			

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

March 18, 2024

### **Request for approval of lease agreement between the City of Tomah and the Tomah Public Housing authority at 107 E. Milwaukee St., and update of lease agreement for Anthony L. Damico at 109 E. Milwaukee St.**

Motion by Zabinski, second by Yarrington, to approve the lease agreement between the City of Tomah and Tomah Public Housing authority at 107 E. Milwaukee St and Anthony L. Damico at 109 E. Milwaukee St. Motion carried.

### **Ordinance Amending Section 44-181 (1) Operation of ATVs and UTVs in the City of Tomah First Reading, Second Reading, Adoption**

Motion by Kiefer, second by Peterson, to waive the first verbatim reading of the Ordinance amending Section 44-181(1). Alderperson Pater voiced her concerns about removing the time restrictions for UTVs and ATVs and citizens who do not support the change to the ordinance. Motion carried with two negative votes. (Pater and Zabinski)

Motion by Kiefer, second by Peterson, to waive the first second verbatim reading of the Ordinance amending Section 44-181(1). Motion carried with two negative votes (Pater and Zabinski)

Motion by Kiefer, second by Peterson, to adopt the Ordinance amending Section 44-181(1). Motion carried. Motion carried with two negative votes (Pater and Zabinski)

**ORDINANCE NO.** \_\_\_\_\_

### **Ordinance Amending Section 44-181 (1) Operation of ATVs and UTVs of the City of Tomah Municipal Code**

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

**SECTION ONE:** Section (1) of 44-181 Operation of ATVS and UTVs is hereby amended to read as follows:

(1) ATVs and UTVs may only be operated on approved ATV/UTV routes. Provided, however, this section shall not apply to maintenance or emergency vehicles that are city or county owned.

**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:

\_\_\_\_\_  
Rebecca Weyer, Clerk

READ:

PASSED:

PUBLISHED:

## **Common Council – March 19, 2024**

### **Plan Commission recommendation to amend ordinance section 52-209(b)(3)-1st reading**

Motion by Yarrington, second by Peterson, to waive the first verbatim reading of the ordinance amending ordinance section 52-209(b)(3) regarding restrictions on fence heights in the street side yard of reverse corner lots. Motion carried.

### **Plan Commission recommendation to amend ordinance section 52-74 & 52-82(7)(e) & (h)--1st reading**

Motion by Kiefer, second by Peterson, to waive the first verbatim reading of the ordinance to amend ordinance sections 52-74 & 52-82(7)(e) & (h) regarding transferring or Conditional Use permits and replacing the City Council with the Plan Commission as the body to make final approval on Conditional Use Permits for Agricultural and Industrial uses. Motion carried.

### **Plan Commission recommendation to amend ordinance section 52-231--1st reading**

Motion by Kiefer, second by Peterson, to waive the first verbatim reading of the ordinance amending ordinance 52-231 regarding allowing the Zoning Administrator to approve temporary structures that exceed the Airport Height Limitation ordinance. Motion carried.

### **Plan Commission recommendation to amend ordinance section 52-40-Schedule of Regulations--1st reading**

Motion by Kiefer, second by Peterson, to waive the first verbatim reading of the ordinance amending section 52-40 Schedule of Regulations to correctly reflect the footnotes in the Schedule of Regulations table. Motion carried.

### **Appointment of 2024-2025 Election Officials**

Motion by Yarrington, second by Zabinski, to approve the recommendation to appoint the Election Inspectors for the City of Tomah for the 2024/2025 term as follows: Rebecca A. Moseley, Barbara A. Hendricks, Dorothy I. Gerke, Rose M. Vanderbloemen, Joan C. Pasewald, Christi L. Anderson, and Pamela Buchda. Motion carried.

### **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 and § 19.85(1) (c) for Council performance review of the Senior Executive Team**

Motion by Zabinski, second by Peterson, to adjourn to closed session pursuant to the above statutes. Motion carried.

The meeting was adjourned to closed session at 7:40 p.m.

The meeting resumed open session at 8:55 p.m.

### **Ratification of Agreement Between the City of Tomah & International Association of Fire Fighters Local #127, AFL,-CIO-CLC (if needed)**

Motion by Peterson, second by Yarrington, to approve the ratification of the agreement between the City of Tomah and the Local #127, AFL,-CIO-CLC pending approval by the union. Motion carried.

### **Adjourn**

Motion by Kiefer, second by Glynn, to adjourn. The meeting adjourned at 8:59 p.m.

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Michael Murray, Mayor

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Attest: Rebecca Weyer, City Clerk