

Common Council Meeting Minutes 10/18/2022

CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

The meeting was called to order by Council Vice President John Glynn at 6:30 p.m. After the Pledge of Allegiance, roll call was taken. Present: Richard Yarrington, Shawn Zabinski, John Glynn, Mitchell Koel, Lamont Kiefer, Nellie Pater, Dean Peterson, and Shawn Zabinski. Absent: Michael Murray and Adam Gigous. Also present: Kirk Arity, Molly Powell, Becki Weyer, Shane Rolff, Tim Adler, Irma Keller, Pam Buchda, and Tina Thompson. All motions are unanimous unless otherwise noted.

Public Hearing and First Reading of Ordinance of 2022 City of Tomah Proposed Comprehensive Plan Future Land Use Map Amendments

John Glenn called the public hearing was called to order at 6:32 p.m. to discuss the proposed ordinance and land use map amendments of the City of Tomah Comprehensive Plan. Shane Rolff explained that the land use amendments are primarily to allow for the construction of the sports complex on Flare Ave.

Glenn asked for any members of the public who wished to speak on the topic. There were no members of the public who wished to speak.

Glen asked a second and third time if there were any members of the public who wished to speak. No members wished to speak.

The public hearing closed at 6:32 p.m.

Motion by Koel, second by Yarrington, to waive the first verbatim reading of the Ordinance of 2022 city of Tomah proposed comprehensive plan future land use map amendments. Motion carried.

Donald and Gwen Nelson from 2010 Grumann Drive appeared to the Council concerned about a letter he received regarding a structure on his property that is encroaching on city property. It is a building/barn for a garden that was put up in 2004. He asked the Council if it can be grandfathered in until such time the city desires to put development there. The letter he received gives a one-year grace period. A building permit was received for the original construction of this building. Arity was asked for information. This was found during an inspection on another property. The Nelson's were asked to contact city personnel for further action on this issue.

Anyone Requesting to Appear to Council

Request by Henrietta Schaller for consideration of renewing her beverage operator's license

Schaller appeared to the Council to appeal the denial of her bartender license renewal. A lengthy discussion ensued on the reasons behind the denial. Motion by Zabinski, second by Pater to deny the bartender license for Henrietta Schaller. Motion carried with two negative votes (Peterson, Yarrington)

Request by Judge Flock to inform the Council about citation debt write-off and State Debt Collection

Informational only. Judge Flock appeared to inform the council that for guilty or no contest charges people have months to pay the fine off. They currently allow people to do a payment plan of \$100 per month and always will advise that the case will be sent to state if payments aren't made. Before can put someone in jail, they must conduct a good cause hearing. After a certain amount of time, the state cannot collect, and the city will never receive payment. The state is asking for a set amount of time that after 7 years, the fines will be considered a debt write-off. Judge was just informing the Council of his intent to drop write offs after the 7-year mark.

Mayor

The mayor was not present.

Senior Executive Team

Arity gave the council an update on items referred to the SET last month. Arity asked for additional items the SET can bring back to the next Council meeting. The Long-Range Planning Committee will be reviewing the housing assessment at their next meeting. There should be a recommendation from the LRPC to the Committee of the Whole and Council coming over the next few months. The Mass Transit information will be brought at another meeting. The Council asked to see a copy of the housing assessment when complete.

Public Safety

Adler provided a monthly written report.

Fire: The Police and Fire Commission held interviews, and Adler has created an eligibility list. They have three potential fire fighters available to hire over the next 12 months. The work on the UTV is almost complete. Adler gave an update on the Emergency Services building construction.

Ambulance: Jenna Quackebush and 3 part time employees have been hired, so they are fully staffed. There is one pending resignation. The service received a flex grant from the state and Adler sent a plan for use of the funds which Adler will bring to the Ambulance Commission and the Council. It is time to revalidate Medicare, but the system has been shut down since Covid-19. Adler has been in contact to ensure that they are working on the process. The service has been extremely busy.

Library

The library had 1785 eBook, and 3960 physical checkouts. Not much new in children's department. Keller covered the children's story times, the new books at the library, and the upcoming events at the library. Thank you to Yvonne Wolford who left a \$10,000 donation to the library which will be used to revamp the aging large print collection.

Senior & Disabled Services

Common Council – October 18, 2022

Director Buchda provided written Senior & Disabled services department monthly report. Buchda thanked the estate of Vaughn Wolford for the \$10,000 to the Senior Center as well. The Community Halloween party will start at 4:30 p.m. on October 31st. The Senior Center will be closed at 1pm on Halloween. The annual Arts and Craft fair will be held in the November, which is the Senior Center's largest fundraiser.

Planning & Building Inspection

Rolff provided the written September building permit report and afforded the Council the opportunity to ask questions. The September code enforcement report and October reports will be included on the November report. The former Red Gables structures have been demolished and the new hotel will be open this week. The elevator should be completed soon.

Chamber/Convention & Visitors Bureau

Hotel stays have been consistent with normal years. They hired an event photographer for Cranfest, who took many great pictures. The Night Market event was cancelled due to lack of participation.

CONSENT AGENDA:

Motion by Koel, second by Zabinski, to approve the following consent report:

- A. September 30, 2022 Cash and Investments Report
- B. Application of "Class A" Liquor & Class "A" Fermented Malt Beverage License for Tomah Mini Mart
- C. Approval of Minutes from September 20, 2022

Motion carried.

Resolution for Payment of Monthly Bills

Motion by Kiefer, second by Koel, to approve the Resolution for the Payment of Monthly bills in the amount of \$2,327,831.89. Motion carried.

RESOLUTION NO : 2022-10-18-30

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:	2022	\$383,811.77	Check #'s:	141069	141088
				141118	141241
2. Payroll:		\$254,176.00	Dir Dep #'s:	9297110	9297328
3. Wire/ACH Transfers:		\$610,486.26			
4. Invoices:		\$1,079,357.86		141276-141298	
Total:		<u>\$2,327,831.89</u>			

Mayor

Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

October 11, 2022

Approval of Fire Department purchase of pagers

Motion by Zabinski, second by Yarrington, to approve the purchase of pagers from the contingency fund for the Fire Department in the amount of \$4,065.57. Motion carried.

Approval to 2023 Cost of Living Increase for Non-Union City Staff

Motion by Kiefer, second by Yarrington, to approve the 2023 cost of living increase in the amount of 3% for non-union city staff. Motion carried.

Approval of Preliminary 2023 Budget

Motion by Zabinski, second by Pater, to approve the preliminary 2023 budget as presented. Motion carried.

Amendment of Ordinance Section 18-129 (Substitute Buildings) Second Reading and Adoption

Motion by Kiefer, second by Zabinski, to waive the first verbatim reading of the Amendment of Ordinance Section 18-129 regarding substitute buildings. Motion carried.

Motion by Kiefer, second by Pater, to adopt the ordinance amending Ordinance Section 18-129 regarding substitute buildings. Motion carried.

Common Council – October 18, 2022

ORDINANCE NO. _____
Ordinance Amending Sections 18-129 (b) and (d) of the City of Tomah
Municipal Code

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

SECTION ONE: Sections 18-129 (b) and (d) are hereby amended to read as follows:

(b) *Application; fee; issuance; term.* Upon receipt of the appropriate application as provided by the city, plus a nonrefundable fee per unit in the amount established by the City Council, the Plan Commission may issue a permit as required in this section. Each permit is valid from January 1, or the date of issuance, until the following December 31.

(d) *Safety and aesthetic requirements.* No permit shall be issued under this section unless the unit meets the safety and aesthetic requirements as determined by the Plan Commission. Vertical stacking of shipping containers or similar conveyances shall not be permitted. Such shipping containers or similar conveyances shall be kept in good repair and condition so as not to constitute a nuisance or unsightly condition.

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, City Clerk

READ:
PASSED:
PUBLISHED:

Amendment of Ordinance Section 8-1, & 8-61 (Housing of Farm & Exotic Animals) Second Reading and Adoption

Motion by Zabinski, second by Pater, to waive the second verbatim reading of the ordinance amending Ordinance Section 8-1 & 8-61 regarding the housing of farm and exotic animals. Motion carried.

Motion by Kiefer, second by Zabinski, to adopt the ordinance amending Ordinance Section 8-1 & 8-61 regarding the housing of farm and exotic animals. Motion carried.

ORDINANCE NO. _____
Ordinance Amending Sections 8-1 and 8-61 (a) 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 8-1 is hereby amended to add the following in the respective and appropriate alphabetical ordered definitions:

Livestock means bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites, and farm raised fish.

SECTION TWO: Section 8-61 (a) regarding the housing of farm and exotic animals is hereby amended to read as follows:

(a) *Prohibited.* No farm or exotic animals shall be housed, quartered, stabled, pastured, kept, or in any manner maintained within the city limits except temporarily during special events or as otherwise specifically approved by the City Council. The raising of livestock is permitted in the A-1 Agricultural District.

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

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

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

READ:
PASSED:
PUBLISHED:

Downtown Design Standard Zoning Ordinance Amendments, 2nd Reading and Adoption

Motion by Pater, second by Zabinski to waive the second verbatim reading of the ordinance amending the downtown design standard zoning ordinance. Motion carried.

Motion by Kiefer, second by Zabinski, to adopt the ordinance amending the downtown design standard zoning ordinance. Motion carried.

Appointment of DeDe Nelson to the Parks and Recreation Board to fulfill the remaining term of Bruce Peth ending April 2023

Motion by Koel, second by Pater, to appoint DeDe Nelson to the Parks and Recreation Board to fulfill the remaining term of Bruce Peth ending April 2023. Motion carried.

Scheduling of Public Hearing

Common Council – October 18, 2022

Motion by Koel, second by Zabinski to schedule the public hearing to adopt the city’s 2023 budget and establish the city levy on 6:30 p.m. on November 15th at the normally scheduled council meeting.

Scheduling of The Lake Protection and Rehabilitation District annual meeting to establish the Lake Levy.

Motion by Yarrington, second by Zabinski to schedule the annual meeting of the Lake Protection and Rehabilitation District at 6:15 p.m. on November 15, 2022 before the normally scheduled council meeting and Public Hearing.

ADJOURN

Motion by Kiefer, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 7:49 p.m.

John Glynn, Council Vice-President

Attest: Rebecca Weyer, City Clerk