

Common Council Minutes May 17, 2022

CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

A regular meeting of the Common Council was called to order by Mayor Michael Murray at 6:00 p.m. After the Pledge of Allegiance, roll call was taken. Present: Michael Murray, Richard Yarrington, Shawn Zabinski, John Glynn Mitchell Koel (arrived at 6:08p.m), Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: Adam Gigous. Others present: Kirk Arity (remote), Molly Powell (remote), Becki Weyer, Irma Keller, Tim Adler, Tina Thompson, Joe Protz, and Pam Buchda. Gregg Hagen videotaped the meeting. The meeting was available to the public via Zoom. All motions are unanimous unless otherwise noted.

AGENDA:

Adjourn to closed session for review of Senior Executive team, pursuant to Wisconsin 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 or exercises responsibility

Motion by Peterson, second by Zabinski, to adjourn to closed session. Motion carried. Adjourned to closed session at 6:01 p.m.

Meeting resumed to open session at 6:25 p.m.

Request to Appear by Chad Madson for consideration of renewal of Neil Driskill's beverage operator's license

Motion by Peterson, second by Koel, to approve the beverage operator renewal for Neil Driskill for the period of 2022-2024. Discussion ensued regarding the necessity of the license if Driskill is working with another licensed bartender and if the bartender license should be allowed because of the alcohol related crime. Motion carried with two negative votes. (Kiefer and Zabinski)

Check Presentation from the Historic Preservation Committee to the Parks and Rec. Department

Shawn Zabinski presented a check in the amount of \$19,024.18 to the Parks and Rec. Department as a donation from the Historic Preservation Committee.

REPORTS

Mayor

Mayor Murray thanked director Protz for his efforts at the Arbor Day event at Winnebago park.

Senior Executive Team

Chairperson of the SET team, Kirk Arity, submitted a monthly written SET Report. Arity covered the highlights with the Council, including a review of the current RFP for assessor, and the introduction of Vandewalle and Associates to the Long-Range Planning Committee.

Public Safety

Fire: Currently fully staffed, and there were 27 calls in the month of April. There has been an increase in motor vehicle accidents. Adler is creating an eligibility list for fire fighters due to pending retirements. Gerke Excavating has been working at the new Emergency Services building. Adler continues to have weekly update meetings with the architects, and they are looking for additional value engineering during the process. Thanks to the Public Works department for their assistance at the site. The first round of fire inspections is in progress. He is working on grants for both Fire and EMS.

Ambulance: Currently fully staffed. Business as usual. Service has been very busy, there were 270 calls in April. Supplies are difficult to obtain due to supply chain issues. There have been some vehicle maintenance issues they are working through. The new quick response vehicle is in service. Thanks to Deputy Fire Chief Likely for his assistance in wiring the vehicle. Adler participated in an event workshop and is working on a large gathering emergency management plan.

Library

In April there were 1827 eBook checkouts and 4153 physical checkouts for a total of 5980 checkouts. Keller covered the upcoming events and programs at the library and encouraged health care providers, teachers, and other leaders to schedule group visits at the library. Keller listed the new books at the library.

Senior & Disabled Services 7:08

Buchda provided a written Senior & Disabled Services Department Monthly Report and covered the highlights with the Council. She covered the upcoming entertainment at the Sr. Center. Buchda appreciated the employees of the city for their services to the public. Buchda is looking for those interested in attending Move More, a class to get people sitting less and standing and moving more. In April 1,340 patrons visited the Center. There were 138 volunteer participations. Unfortunately, the contract that was approved for the summer rental of building at 1004 Superior fell through and it is now is available for rent immediately.

Planning & Building Inspection

Rolff submitted a written April Building Permit Report.

Chamber/Convention & Visitors Bureau

Had a very successful headshot event with Pichette Photography. Thompson has been busy with the career and job fair at the Tomah High School. There are 60 businesses registered. Thompson attended a downtown development conference last week focusing on public art. The mural is approved, just waiting on the artist for availability. The fire

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alarm system at the Chamber and Visitor’s Center may have a fault in the grounding, a service provider will be doing a walk-through to find the problem and repair it.

CONSENT AGENDA

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

- A. April 30, 2022 Cash and Investments Report
- B. Renewal of “Class B” Liquor and Class “B” Fermented Malt Beverage Licenses, Class “B” Fermented Malt Beverage License, “Class C” Wine Beverage License
- C. Special Beer Permit Application for the Monroe County Tavern League January 13-15, 2023.
- D. Special Beer and Wine Permit Application for the North American Squirrel Association July 9, 2022
- E. Approval of Minutes from April 19, 2022
- F. Approval of Minutes from April 25, 2022

Motion carried.

Committee of the Whole

Tomah Police Department request for a recruiting and retaining bonus structure

Motion by Pater, second by Zabinski, to approve the recruiting and retaining bonus as presented for sworn officers other than the Police Chief. Motion carried.

Purchase of ladder truck

Motion by Yarrington, second by Zabinski, to authorize Chief Adler to proceed with the potential purchase of the ladder truck from the Village of Howard in the amount of \$175,000. Motion carried.

Resolution Authorizing Payment of Monthly Bills

Motion by Kiefer, second by Pater, to approve the resolution authorizing the payment of monthly bills in the amount of \$1,429,408.71. Motion carried.

RESOLUTION NO : __2022-05-17-15__

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	\$199,259.96	Check #'s:	140194	140300
2. Payroll:		\$270,721.27	Dir Dep #'s:	9295605-	9295883
3. Wire/ACH Transfers:		\$875,774.29			
4. Invoices:		\$83,653.19		140314-140364	
Total:		<u>\$1,429,408.71</u>			

Mayor

Clerk

Requested by: Finance Department

Submitted by: Committee of the Whole

May 10, 2022

Ordinance amendment allowing the issuance of "Stop Work" orders from the City of Tomah Building/Fire Inspectors 1st reading, 2nd reading, adoption

Motion by Koel, second by Zabinski, to waive the first verbatim reading of the ordinance amendment allowing the issuance of "stop work" orders from the City of Tomah Building/Fire Inspectors. Motion carried.

Motion by Zabinski, second by Glynn, to waive the second verbatim reading of the ordinance amendment allowing the issuance of “stop work” orders from the City of Tomah Building/Fire Inspectors. Motion carried.

Motion by Kiefer, second by Peterson, to adopt the ordinance amendment allowing the issuance of “stop work” orders from the City of Tomah Building/Fire Inspectors. Motion carried.

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ORDINANCE NO. 2022-05-11-D

Ordinance Amending Sections, 10-41 and 10-42 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 10-41. – Enforcement and penalties are hereby amended to read as follows:

- (a) Whenever any building work is being done contrary to the provisions of this article, or in an unsafe or dangerous manner, the Building Inspector and/or Fire Inspector may order the work stopped by posting on the job site a placard to that effect and such work shall not be recommenced until authorized.
- (b) Whenever any building is being used or occupied contrary to the provisions of this article, the Building Inspector and/or Fire Inspector shall order such use or occupancy discontinued and the building or portion thereof vacated, by notice served on any person using or causing such use, and such person shall comply with the notice.

SECTION TWO; Section 10-42. – 10-68 Reserved

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: 05/17/2022

PASSED: 05/17/2022

PUBLISHED: 05/26/2022

Public Works Commission

Resolution for the Approval of roadway function classification change

A motion was made in the April 2022 Council meeting to approve the roadway classification change. This Resolution adopts that change. Motion by Kiefer, second by Koel, to approve the resolution approving the roadway function classification change. Motion carried.

RESOLUTION NO. 2022-05-17-16

A RESOLUTION AUTHORIZING A CHANGE TO THE CITY OF TOMAH ROADWAY FUNCTIONAL CLASSIFICATION

WHEREAS, the Wisconsin Department of Transportation conducts periodic reviews and updates to the functional classification system of roadways across the state of Wisconsin; and

WHEREAS, the Federal Highway Administration has issued guidance related to the development of functional classification of roadways; and

WHEREAS, the Wisconsin Department of Transportation has submitted recommended changes to the functional classification system of roadways in the City of Tomah; and

WHEREAS, the changes proposed to the functional classification system of streets in the City of Tomah are shown in the change list, as shown in Exhibit 1 to this Resolution; and

WHEREAS, after review by the City Engineer and staff, the proposed classification changes have been found to be justified.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Tomah, Monroe County, Wisconsin that the City informs the Wisconsin Department of Transportation that the roadway functional classification changes as outlined in the change list, as shown in Exhibit 1 to this Resolution are approved and that the above actions were taken by the Common Council of the City of Tomah.

Dated this 19th day of April, 2022.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

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Ordinance Amending Section 38-35 of the City of Tomah Municipal Code 1st Reading, 2nd Reading, Adoption

Motion by Zabinski, second by Kiefer, to waive the first verbatim reading of the ordinance amending section 38-35 of the City of Tomah municipal code. Motion carried.

Motion by Glynn, second by Zabinski, to waive the second verbatim reading of the ordinance amending section 38-35 of the City of Tomah municipal code. Motion carried.

Motion by Zabinski, second by Kiefer, to adopt the ordinance amending section 38-35 of the City of Tomah municipal code. Motion carried.

ORDINANCE NO. 2022-05-12-D

Ordinance Amending Chapter 38, 38-35 of the City of Tomah Municipal Code Regarding Street Reconstruction

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

SECTION ONE: Section 38-35. – Street Reconstruction are hereby amended to read as follows:

All properties adjacent to street reconstruction where a city street section is being completed and when fronting upon parcels within the City limits and/or create a continuation of sidewalk to be determined by the Public Works Commission, shall have sidewalk installed where none exists and sidewalk repaired or replaced when the existing sidewalk is deemed unsafe, defective or insufficient. The cost for newly constructed sidewalks and/or repair shall be paid pursuant to sections 38-33 and 38-122 of this Code.

(Ord. No. 2010-05-03D, § 2, 5-11-2010)

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

READ:
05/17/2022

PASSED:
05/17/2022

PUBLISHED:
05/26/2022

Planning Commission

Zoning ordinance amendment allowing for Plan Commission review of Commercial/Industrial site plans;1st reading, 2nd Reading, adoption

Motion by Zabinski, second by Yarrington, to waive the first verbatim reading of the zoning ordinance amendment allowing for the Planning Commission review of Commercial/Industrial site plans. Motion carried.

Motion by Zabinski, second by Glynn, to waive the second verbatim reading of the zoning ordinance amendment allowing for the Planning Commission review of Commercial/Industrial site plans. Motion carried.

Motion by Kiefer, second by Peterson, to adopt the zoning ordinance amendment allowing for the Planning Commission review of Commercial/Industrial site plans. Motion carried.

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ORDINANCE NO: 2022-05-13-D

Ordinance Amending Section 52-8 (8) 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) of 52-8 Zoning/building permit is hereby amended to read as follows:

(8) (a) Residential One- and Two-Family Dwellings. The permit shall be granted or denied in writing by the building inspector within ten days. The permit shall expire within six months, unless substantial work has commenced as determined by the building inspector. Any permit issued in conflict with the provisions of this chapter shall be null and void.

(b) Commercial and Industrial New Construction. The permit shall be reviewed by the Plan Commission and granted or denied in writing within ten days of the review. The permit shall expire within six months, unless substantial work has commenced as determined by the building inspector. Any permit issued in conflict with the provisions of this chapter shall be null and void.

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: 05/17/2022

PASSED: 05/17/2022

Zoning ordinance amendment allowing for Butcher Shops as a permitted use in the B-Business District; 1st reading, 2nd Reading, adoption

Motion by Zabinski, second by Kiefer, to waive the first verbatim reading of the Zoning ordinance amendment allowing for Butcher Shops as a permitted use in the B-Business District. Motion carried.

Motion by Zabinski, second by Glynn, to waive the second verbatim reading of the Zoning ordinance amendment allowing for Butcher Shops as a permitted use in the B-Business District. Motion carried.

Motion by Kiefer, second by Zabinski, to adopt the Zoning ordinance amendment allowing for Butcher Shops as a permitted use in the B-Business District. Motion carried.

ORDINANCE NO: 2022-05-14-D

Ordinance Amending Sections 52-14 and 52-35(3) 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 52-14 Definitions is hereby amended to add the following:

Butcher Shop means a retail store supplying meat and poultry products where meat processing is limited to making cuts of meat from pre-processed carcasses.

SECTION TWO: Section (3) of 52-35 Business districts is hereby amended to read as follows:

(3) *Permitted uses.* The following uses are permitted in the B district: appliance dealers; art and school supply stores; automotive parts sales stores; automobile sales lots and show room lots, providing all vehicles will be in operative condition; antique shops; appliance stores; bakeries (retail); barbershops and beauty parlors; banks and other financial institutions; butcher shops; candy and ice cream stores; caterers; clothing and dry goods stores; clinics; clubs; cocktail lounges; drugstores and pharmacies; department stores; electrical supply stores (retail); food stores and supermarkets; foot lockers (retail); florist shops; fraternal organizations; furniture stores; funeral homes; hotels; inns; insurance agencies; jewelry stores; lumber yards; liquor stores; medical facilities and clinics; mini storage facilities; music stores; markets (fruit and vegetable); newsstands; opticians and optical supply stores; offices; paint and wallpaper stores; shoe stores; taverns; tourist information and hospitality centers; upholsterers; variety stores; veterinary clinics (small animal); and other uses similar to or customarily incidental to any of the above uses.

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: 05/17/2022

PASSED: 05/17/2022

PUBLISHED: 05/26/2022]

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Ambulance Commission

Resolution authorizing change to 2022 City of Tomah position count

The Ambulance Commission has approved the addition of a full time bookkeeper for the Tomah Area Ambulance service. The position would be funded with Ambulance funds. There was discussion on where there is a need for the additional position. Motion by Yarrington, second by Zabinski, to approve the Resolution Authorizing a Change to the 2022 City of Tomah position count with the addition of one full time bookkeeper for the Tomah Area Ambulance Department. Motion carried. Motion by Zabinski, second by Yarrington, to approve the presented job description and changing the grade to grade G. Motion carried.

RESOLUTION NO. 2022-05-17-17

A RESOLUTION AUTHORIZING A CHANGE IN THE 2022 CITY OF TOMAH POSITION COUNT BY THE CREATION OF ONE FULL TIME BOOKEPER POSITION FOR THE TOMAH AREA AMBULANCE SERVICE

WHEREAS, the Common Council of the City of Tomah, in recognition of the need for additional assistance in the Ambulance Department due to the continued increase in call volume, and lack of back up assistance, hereby authorizes a change in the 2022 City of Tomah Position Count with the hiring of one full time Bookkeeper. This employee is to be responsible for all duties and responsibilities as written in Ambulance Bookkeeper position description and will be supervised by the Public Safety Director/Fire Chief, and

WHEREAS, the Ambulance bookkeeper will be an hourly non-exempt non-represented position, and

WHEREAS, the Ambulance Bookkeeper is eligible for all benefits as designated in the City of Tomah Personnel Manual, and the salary is initially established at Grade G, and

NOW, THEREFORE BE IT RESOLVED, that the City of Tomah Common Council does hereby authorize a change in the 2022 City of Tomah Position Count by the Creation of one full-time Bookkeeper as described above.

Passed by the City Council on the 17th day of May, 2022.

Michael Murray, Mayor

ATTEST:

Rebecca Weyer, City Clerk

APPOINTMENTS:

Appointment of Sandra Vierck to the Ambulance Commission to fulfill the the term of Wayne Kling ending April 2023

Motion by Zabinski, second by Pater, to accept the Mayor's appointment of Sandra Vierck to the Ambulance Commission to fulfill the term of Wayne Kling ending April 2023. Motion carried.

Appointment of Rick Murray to the Board of Appeals to Fulfill the Remaining term of Wayne Kling ending April 2023

Motion by Pater, second by Glynn. Motion carried.

ADJOURN

Motion by Kiefer, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 7:34 p.m.

Mayor Michael Murray

Attest: Rebecca Weyer, City Clerk