

MINUTES FOR COMMITTEE OF THE WHOLE MONDAY MAY 15, 2023

CALL TO ORDER – ROLL CALL

The meeting was called to order by Council President John Glynn at 6:30 p.m. Present: Michael Murray, Richard Yarrington, Shawn Zabinski, John Glynn, Nicole Hart (arrived at 6:32), Lamont Kiefer, and Nellie Pater. Absent: Travis Scholze and Dean Peterson. Also present: Becki Weyer, Molly Powell, Joe Protz, Kirk Arity, Shane Rolff (remote), Tim Adler, Pam Buchda, and Eric Pederson. The meeting was available via Zoom and recorded by Hagen Sports Network. All motions are unanimous unless otherwise noted.

Approval of Minutes from April 17, 2023

Motion by Murray, second by Pater, to approve the minutes from April 17, 2023. Motion carried.

City Clerk Monthly Report

Weyer provided a monthly written report. It is likely that Rec Park will be the polling place for every election going forward. The Police Department Conference room, while an optimal location, is too small for the growing number of voters. The Clerk's office has been busy with alcohol and other license renewals which end June 30. Collaboration with the police department will save the city several thousand dollars in background checks.

April 30, 2023 Cash and Investments Schedule

Motion by Glynn, second by Kiefer, to recommend the Council approve the April 30, 2023 Cash and Investments Schedule. Motion carried.

March 31, 2023 Revenues and Expenditures with Comparison to Budget

Powell explained that most of the departments are around 25% expenditures for the year. Overall, the city is looking good according to budget. Wages are on track which is a good indicator of comparison.

May Treasurer's Report

The year-end financial statement audit is in progress. The Annual municipal report has been filed with the DOR and we are anticipating draft financial statements by the end of May. We are anticipating holding a special meeting the week of June 6 to set the bond sale. This would allow us to sell during the second week in July and have our proceeds by the beginning of August. Powell covered the upcoming reporting and debt service payments due this month. The vans purchased with the 2020 award money will be delivered next week. Final assessment bills will go out this week or next week for special assessments. Some residents have come in to pay the assessment, but the bill hasn't gone out yet.

Tomah Parks and Recreation Program Report

Park bathrooms opened on May 1st this year. Thank you to the National Guards and St. Paul's School for their assistance with park cleanups this spring. Our Town of Tomah will have Spring Planting Day and a brat fry on May 24th at 9 a.m. at the Comfort Station. Protz is hopeful that the new Winnebago park bathrooms will be open by Memorial weekend. Protz covered the upcoming recreation programs. The tentative opening for the Aquatic Center is June 12th, pending staffing and pool maintenance issues. He also covered the upcoming events at Rec Park. Bids are due on May 31st to the Public Works department for the ball field complex at Flare Ave. Protz appealed to the public to please pick up after themselves and pets and let the city know if they see items in the parks that need to be addressed.

Public Works And Utilities Director Report

Street: The department is focusing on crack sealing operations over the next three weeks. Chip sealing will begin after June 5th. The fence installation is complete in the rodeo arena. Sidewalk repairs will begin soon. Residents should contact public works with locations for sidewalks in need of repair.

Sewer: Operations are normal. There was a sewer main repair on View Street.

Water: Upgrades to the SCADA system are complete. The semi-annual flushing program started in mid-April and is complete. They are awaiting the final report from the annual DNR inspection.

Lake: Next meeting is this Thursday at 5:00 in the City Council chambers. They will be covering the new informational signs to be installed around the lake area. The Lake Committee received the dam inspection results from 2021. Public works has already taken care of issues that were mentioned during the report.

April 2023 Police Department Monthly Report

Holum provided a written monthly report to the Committee of the Whole.

Approval of Hours Change for City Hall

Senior staff has recommended a change in hours for city hall from 8-430 Monday-Friday to 7:30-4:30 Monday through Thursday, allowing for directors to schedule employees for four 10-hour days. Motion by Pater, second by Murray, to recommend the Council approve the recommended hours change for City Hall. There was a lengthy discussion regarding the merits of the proposed change, including adding employee benefits that are at no cost to the city vs. the availability of walk-in hours and service to the public. The flexibility of offering the benefit of an additional day off, eliminating scheduling conflicts, and reducing costs on overtime are some of the core reasons for the suggested schedule. Kiefer stated this item should require more thought and care than one meeting and suggested bringing the item back in a future meeting. Glynn asked for a vote. Motion failed with four negative votes. (Pater, Yarrington, Zabinski, and Kiefer voted no, Murray, Hart, and Glynn voted yes)

Approval of Building Rental Contract - 1000 Superior Ave

Motion by Kiefer, second by Murray, to recommend the Council approve the rental contract between the City of Tomah and Jensen Tax & Accounting for the premises located at 1000 Superior Ave., pending correction of minor spelling and grammatical issues. Motion carried.

Amendment of Ordinance Section 52-10 (4) Regarding Open Decks First Reading, Second Reading, Adoption

Our current ordinance requires decks to meet the same setback requirements as the principal structure. For our existing older established neighborhoods this makes building a deck challenging as many of the homes do not meet the setback requirements due to the smaller lot sizes. This change will allow older homes that would not otherwise be able to add a deck to do so. Rolff provided a diagram to Council members during the meeting to outline the proposed changes to the ordinance. Motion by Kiefer, second by Zabinski, to recommend the Council adopt the amendment of Ordinance Section 52-10 Regarding Open Decks. Motion carried.

Ordinance Creating Article VII of Chapter 12 of the City of Tomah Municipal Code, Mobile Food Establishments, First reading, second reading, and adoption.

The proposed ordinance would require that food trucks provide copies of state issued certifications and would require an inspection by the fire department prior to the license being issued. Due to the nature of the license and complexity of the approval process, the license cost would be an increase compared to the currently issued transient merchant licenses which is only \$30.00 per year. There was a short discussion on potential limitation on the number of licenses issued and if the fees for the new license are appropriate. Motion by Yarrington, second Zabinski, to recommend the Council adopt the Ordinance Creating Article VII of Chapter 12 of the City of Tomah Municipal Code regarding mobile food establishments. Motion carried.

Resolution Authorizing Payment of Monthly Bills

Motion by Murray, second by Zabinski, to recommend the Council approve the Resolution Authorizing Payment of Monthly Bills in the amount of \$6,956,275.20. Motion carried.

Temporary “Class B” license application by Tomah Area Community Theatre (ACT) to sell wine at its Brick Sip Haus Pre-Show Wine Tasting Event on May 19, 2023

Motion by Kiefer, second by Pater, to recommend the Council approve the temporary “Class B” License for Tomah Area Community Theatre for their wine tasting event on May 19, 2023. Motion carried.

Temporary Class “B” and Temporary “Class B” License application by Tomah Lions Club to sell fermented malt beverages and wine at North American Squirrel Association’s (n.a.s.a.) Squirrelfest on July 8, 2023

Motion by Zabinski, second by Pater, to recommend the Council approve the temporary class “B” and temporary “Class B” license application by the Tomah Lions Club to sell fermented malt beverages and wine at the n.a.s.a Squirrelfest event on July 8, 2023. Motion carried.

Request from Kelsey’s Class Act Bar and Smoke’s Elbow Room for special amendments to the premises description of their Class “B” Fermented Malt Beverage Licenses and “Class B” Liquor Licenses for Special Events on June 10, 2023, and August 12, 2023

Motion by Yarrington, second by Zabinski, to recommend the Council approve the request from Kelsey’s Class Act Bar and Smoke’s Elbow Room for special amendment to the premise description of the “Class B” and Class “B” liquor licenses for their special events on June 10, 2023 and August 12, 2023. Motion carried.

Approve definition of “full time” employee from 40 hours per week to 32 hours per week or more

The city handbook currently requires all “full time” employees be scheduled for 40 hours per week to be eligible for full time benefits. City management staff is requesting the Committee of the Whole and Council approves reducing the “full time” status to 32 hours or more. Motion by Kiefer, second by Zabinski, to recommend the Council postpone this item until the June meeting. The Committee asked what the financial implications of added insurance costs would be to changing this definition. Powell clarified this is not to allow additional employees to be eligible for full time benefits but prevent full time employees from losing their insurance if they drop below 40 hours per week. After discussion the vote was taken. Motion carried with two negative votes. (Glynn and Murray)

Annual renewal of “Class A” Liquor & Class “A” Fermented Malt Beverage Licenses, “Class B” Liquor & Class “B” Fermented Malt Beverage Licenses, and “Class C” Wine Beverage Licenses

Motion by Kiefer, second by Zabinski, to recommend the Council approve the following annual liquor license renewals:

"Class A" Liquor and Class "A" Fermented Malt Beverage Licenses

1. Aldi Inc. (Store #52) at 1844 N. Superior Ave
2. Casey’s Marketing Company DBA Casey’s General Store #1933 at 313 N Superior Ave
3. Simran Corporation DBA Hwy 12 & 16 BP at 1030 E Clifton St
4. Wittig Inc. DBA Hwy 21 BP at 311 Wittig Rd
5. 907 McCoy Inc. DBA Hwy 21 Shell at 907 E McCoy Blvd
6. Kwik Trip, Inc. (Store #484) at 124 W McCoy Blvd
7. Kwik Trip, Inc. (Store #718) at 1504 Superior Avenue
8. Kwik Trip, Inc. (Store #796) at 310 E McCoy Blvd
9. Tomah Quick Stop & Spirit Shop LLC at 201 W. Veterans St.
10. Tomah DBA Tomah Mini Mart at 215 W. Clifton St.
11. Wal-Mart Stores East, LP DBA Walmart #965 at 222 W McCoy Blvd

"Class B" Liquor and Class "B" Fermented Malt Beverage Licenses

1. M&M Vending Amusements, LLC DBA The Bank Bar at 1015 Superior Ave
2. Cancun Bay LTD at 1422 Superior Ave
3. Swami Hospitality Inc. DBA Clarion Pointe at 2005 N Superior Ave
4. James Frandsen DBA Franny’s at 1115 Superior Ave
5. JVM Investments LLC DBA Murray’s on Main at 810 Superior Ave
6. C & H Foodservice Inc. DBA Perkins Family Restaurant / Mr. P’s at 1015 E McCoy Blvd
7. Kenneth Pierce DBA Smoke’s Elbow Room Bar at 114 W Benton St
8. Brick Sip Haus, LLC DBA Brick Sip Haus at 800 Superior Ave
9. The Crow Bar, LLC. The Crow Bar at 1206 Superior Ave

Class “B” Fermented Malt Beverage License

1. Z&D LLC. DBA China Buffet at 115 W McCoy Blvd
2. Stump Hospitality LLC DBA Hampton Inn at 219 Buan St
3. Hat Trick Hospitality LLC DBA Holiday Inn Express & Suites at 215 Buan St
4. Tomah Knights of Columbus Corporation at 202 E Juneau St
5. ZM Peking Chinese Restaurant LLC DBA Peking Chinese Restaurant at 1013 Superior Ave
6. Northfield Restaurant Corporation DBA Pizza Hut at 1821 N Superior Ave
7. Paula Caucutt DBA Natural Connection at 1012 Superior Ave

“Class C” Wine License in the City of Tomah:

1. Zheng's 1688 Inc. DBA China Buffet at 115 W McCoy Blvd
2. Paula Caucutt DBA Natural Connection at 1012 Superior Ave
3. ZM Peking Chinese Restaurant LLC DBA Peking Chinese Restaurant at 1013 Superior Ave
4. The Baker's Table at 233 N Superior Ave

Motion carried with two abstains (Murray and Hart)

ADJOURN

Motion by Kiefer, second by Zabinski, to adjourn. Motion carried. Meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Rebecca Weyer, City Clerk

To be approved June 20, 2023