



AGENDA FOR COMMON COUNCIL

A Common Council meeting will be held on **Monday, May 18, 2026 at 6:30 PM**
in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

Join Zoom Meeting:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFJwMzdSZz09>

Meeting ID: 768 946 6740 Password: Tomah2020

Dial by your location +1 312 626 6799 US (Chicago)

CALL TO ORDER:

1. Pledge of Allegiance
2. Roll Call

ANYONE DESIRING TO APPEAR TO COUNCIL: *Those that desire to address the City Council must state their name, address, deliver their comments in accordance with the City of Tomah Rules of Order, and will be limited to three minutes.*

MAYOR:

3. Employee of the Month: Mike Preuss, Code Enforcement Officer, Zoning Department
4. Monthly Update

CONSENT AGENDA: *(Items on the Consent Agenda are routine in nature and require one motion to approve all items listed. Prior to voting on the Consent Agenda, the Mayor or any Council member can request item(s) be removed from the Consent Agenda and addressed on the regular agenda).*

5. Approval of Minutes from April 20, 2026
6. Approval: Resolution for the payment of monthly bills.
7. Approval: Application of Class "B" Beer Fermented Malt Beverage License and "Class B" Liquor License for ZM Peking Chinese Restaurant LLC.

ADJOURN:

8. Adjourn to closed session pursuant to Wis. Stat. 19.85:

(1)(b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held:

Common Council – May 18, 2026

-Discussion: Update regarding Administrative Investigation 1-2026.

(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:

-Approval: Council Resolution for the purchase of real estate property; require closed session due to demonstrated competitive negotiation conditions in the market.

-Approval: Negotiating the sale of and/or exchange of real property for Property E.

-Approval: Lease agreement for 1004 Superior Avenue.

-Approval: Lease agreement for Monroe County Aging and Disabled Resources meal program space.

(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

-Discussion: Update regarding litigation case 1-2026.

-Discussion: Update regarding litigation case 2-2026.

NOTICE: It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Nicole Jacobs, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

**MINUTES FOR COMMON COUNCIL AND REORGANIZATIONAL MEETING
MONDAY, APRIL 20, 2026**

Call to Order, Pledge of Allegiance, Roll Call

Mayor Paul Dwyer called the Common Council and Reorganizational Meeting to order on Tuesday, April 16, 2026 at 6:30 p.m. in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI. After the Pledge of Allegiance, Clerk Jacobs took roll call. Present: John Glynn, Shawn Zabinski, Daniel Crego, Paul Dwyer, Richard Yarrington, Mitchell Koel, Travis Scholze, and Dean Peterson. Absent: Nellie Pater. Also present: Nick Morales, Nicole Jacobs, Justin Derhammer, Irma Keller, Pam Buchda, Joe Protz, Eric Pedersen, Tim Adler, Penny Precour, Brandy Leis, and Charlie Handy. The meeting was available via Zoom and was recorded by Hagen Sports Network. All motions are unanimously approved unless otherwise notated.

ANYONE DESIRING TO APPEAR TO COUNCIL:

A resident, Eric Devine, appeared before the council to talk about enforcement of municipal code violations regarding signage. He addressed the council stating that when city staff and officials are complacent, it suggests that the law is optional for some and enforced for others. He encouraged the council to govern by law and not selective compliance.

MAYOR:

Employee of the Month

Mayor Dwyer announced Marvin Poff as February’s Employee of the Month. The mayor stated that Poff, who works for Public Works, is a joy to work with and has a direct impact on colleagues. Poff truly enjoys helping others and has an eagerness to find a solution. You can count on him to get the job done. Poff is a great asset to the team, and everyone enjoys working with him. The mayor also announced Dr. Jon Berry as March’s Employee of the Month. Berry works as a Senior services aid. The mayor said that Berry goes above and beyond to get things done. Berry is kind and caring, which is reflected daily in his customer service skills. His supervisor has received feedback from clients and customers of Berry’s willingness to serve. He is full of energy, volunteers for several groups offered at the senior center, which makes him an asset to the department and the City of Tomah.

Monthly Update

Mayor Dwyer welcomed a new council member, Daniel Crego, stating he hopes Crego finds his new position interesting and fulfilling. No action taken.

Motion by T. Scholze, second by D. Peterson to approve sending Chapter 52 Article V of the municipal code of ordinances back to the Ordinance Committee for review. Scholze suggested sending the ordinance regarding signs back to the committee to review it. Administrator Morales provided additional context stating that in the past, it has been discussed by the Long Range Planning Committee and the Planning Commission to amend the sign ordinance to be less restrictive. This discussion is coming about because of the meeting’s open comment period and a citizen’s concern that there has not been proper enforcement of the existing ordinance. Morales said he felt that is solid justification for sending the review back to the ordinance committee to determine if anything should be amended. Scholze suggested that if the city has a code that is difficult to enforce, then maybe we should review it and look at how to enforce it. Motion carried. (M. Koel opposed.)

REORGANIZATIONAL MEETING MAYORAL APPOINTMENTS:

Elect President of the Council

R. Yarrington nominated J. Glynn. There were no other nominations. Motion by D. Peterson, second by M. Koel, to close nominations. Motion carried. John Glynn was duly elected President of the Common Council.

Elect Vice-President of the Council

S. Zabinski nominated T. Scholze; R. Yarrington nominated M. Koel. Motion by D. Peterson, second by R. Yarrington to close nominations. Motion carried. There were three votes for M. Koel and four votes for T. Scholze. Travis Scholze was duly elected Vice-President of the Common Council.

Appointment of City Attorney

Motion by T. Scholze, second by D. Peterson, to appoint Penny Precour as the City Attorney with a term expiring in 2027. Motion carried.

Designate Official Newspaper

Motion by R. Yarrington, second by S. Zabinski, to appoint the Monroe County Herald as the official City Newspaper with a term expiring in 2027. Motion carried.

Weed Commissioner

Motion by S. Zabinski, second by J. Glynn, to appoint Brandy Leis as the Weed Commissioner with a term expiring in 2027. Motion carried.

Official City Council and Committee of the Whole Broadcaster

Motion by D. Peterson, second by R. Yarrington, to appoint Hagen Sports Network as the official city Broadcaster with a term expiring in 2027. Motion carried.

Ambulance Commission

Common Council and Reorganizational Meeting – April 20, 2026

Motion by M. Koel, second by S. Zabinski, to appoint Kerwin Greeno as a citizen member with a term expiring in 2029, Brede Sorenson as a non-citizen member with a term expiring in 2029, and Sandra Vierck as a citizen member with a term expiring in 2029 to the Ambulance Commission. Motion carried.

Board of Appeals

Motion by D. Peterson, second by S. Zabinski, to appoint Eric Devine as a citizen member with a term expiring in 2029, Rick Murray as 1st alternate with a term expiring in 2029, and Brian Rice as a certified builder with a term expiring in 2029 to the Board of Appeals. T. Scholze stated that he did not recall ever seeing a first alternate appointed. Administrator Morales explained that the ordinance provides for both a first and second alternate to ensure a quorum if other board members can't attend a meeting as the board only meets as needed. Motion carried.

Board of Review

Motion by D. Peterson, second by T. Scholze, to appoint Daniel Crego as an alderperson member with a term expiring 2027, Shawn Zabinski as an alderperson member with a term expiring in 2027, and Mitch Koel as an alderperson member with a term expiring in 2027 to the Board of Review. Motion carried.

Convention & Visitor’s Bureau Board Steering Committee

Motion by D. Peterson, second by S. Zabinski, to appoint Randy Murdock as the Chamber of Commerce Board of Directors member with a term expiring in 2027, Travis Scholze as an alderperson member with a term expiring in 2027, Nicholas Morales as a city management member with a term expiring in 2027, and Chris Schreier as the Monroe County Ag Society member with a term expiring in 2029 to the Convention & Visitor’s Bureau Board Steering Committee. Motion carried.

Emergency Management Committee

Motion by M. Koel, second by R. Yarrington, to appoint Tim Adler as the Director of Public Safety member with a term expiring in 2027, Brandy Leis as the Director of Public Works and Utilities member with term expiring in 2027, Paul Dwyer as the Mayor member with a term expiring in 2028, Jason Herman as the Tomah VA Hospital member with a term expiring in 2027, Eric Pedersen as the Chief of Police member with term expiring in 2027, Joe Janusheske as the TASD member with a term expiring in 2027, Shayla Furlano as the Tomah Health member with a term expiring in 2027, Penny Precour as the City Attorney member with a term expiring in 2027, and Jared Tessman as the Monroe County Emergency Management Coordinator member with a term expiring in 2027 to the Emergency Management Committee. Motion carried.

Ethics Board

Motion by S. Zabinski, second by J. Glynn, to appoint Paul Dwyer as the Mayor member with a term expiring in 2028 to the Ethics Board. Motion carried.

Historic Preservation Committee

Motion by D. Peterson, second by J. Glynn, to appoint Daniel Crego as an alderperson member with a term expiring in 2028, and Teresa Devine as a citizen member with a term expiring in 2029 to the Historic Preservation Committee. Motion carried.

Tomah Housing Authority

Motion by S. Zabinski, second by R. Yarrington, to appoint Brian Forsythe with a term expiring in 2031 to the Tomah Housing Authority. Motion carried.

Joint City School Committee Representatives

Motion by D. Peterson, second by S. Zabinski, to appoint Michelle Clark, Spencer Stephens, and Michael Gnewikow as TASD members with terms expiring in 2027, Michael Hanson as a TASD member with a term expiring in July 2026, Frank Redmon as a TASD member with a term beginning in July 2026 and expiring in 2027, Nicholas Morales as the City Administrator member with a term expiring in 2027, Eric Pedersen as the Chief of Police member with a term expiring in 2027, Nellie Pater, and Mitch Koel as alderperson members with terms expiring in 2027 to the Joint City-School Committee. Motion carried.

Lake Committee

Motion by D. Peterson, second by M. Koel, to appoint Travis Scholze as a Lake District resident member, appointed as Chairperson by Mayor with a term expiring in 2029, Richard Yarrington as an alderperson member with a term expiring in 2027, Duane Chapman as the drainage resident member with a term expiring in 2029, Crystal Raiten as the Lake District resident member with a term expiring in 2029, Don Killgo as the Lake District resident member with a term expiring in 2029 to the Lake Committee. R. Yarrington questioned whether the Lake Committee elects its own chair. Morales explained that the ordinance does not state the committee appoints its own chair, which grants the mayor authority to appoint a chairperson. Motion carried.

Library Board

Motion by D. Peterson, second by S. Zabinski, to appoint Jesse Erickson as a citizen member with a term expiring in 2029, Candace Ziems as a citizen member with a term expiring in 2029, Adam Balz as a TASD member with a term expiring in 2029 to the Library Board. Motion carried.

Long Range Planning Committee

Common Council and Reorganizational Meeting – April 20, 2026

Motion by D. Peterson, second by J. Glynn, to appoint Paul Dwyer as the Mayor member with a term expiring in 2028, Shawn Zabinski as an alderperson member with a term expiring in 2028 to the Long-Range Planning Committee. Motion carried.

Parks and Recreation Commission

Motion by M. Koel, second by S. Zabinski, to appoint Dean Peterson as an alderperson member with a term expiring in 2027, Travis Scholze as an alderperson member with a term expiring in 2027, Dede Nelson as a citizen member with a term expiring in 2029, Scott Brand as a mayoral appointment member with a term expiring in 2029 to the Parks and Recreation Commission. Motion carried.

Planning Commission

Motion by D. Peterson, second by S. Zabinski, to appoint John Glynn as an alderperson member with a term expiring in 2027, Mitch Koel as an alderperson member with a term expiring in 2027, Paul Dwyer as the Mayor member with a term expiring in 2028, Bryan Meyer as a citizen member with a term expiring in 2029, Tina Thompson as a citizen member with a term expiring in 2029 to the Planning Commission. Motion carried.

Police and Fire Commission

Motion by M. Koel, second by R. Yarrington, to appoint Darren Price as a citizen member with a term expiring in 2031 to the Police and Fire Commission. Motion carried.

Public Works and Utilities Commission

Motion by S. Zabinski, second by R. Yarrington, to appoint Travis Scholze, John Glynn, Dean Peterson, and Mitch Koel as alderperson members with terms expiring in 2027, Brian Rice as a citizen member with a term expiring in 2028, Paul Dwyer as the Mayor member with a term expiring in 2028 to the Public Works and Utilities Commission. Motion carried.

Senior and Disabled Services Board

Motion by D. Peterson, second by T. Scholze, to appoint Paul Dwyer as the Mayor member with a term expiring in 2028, Jenna Moser as a citizen member with a term expiring in 2028, Lauri Shumway as a citizen member with a term expiring in 2028, Shawn Zabinski as an alderperson member with a term expiring in 2028 to the Senior and Disabled Services Board. T. Scholze wanted to publicly thank all of the citizen members that are serving on all the city committees. Motion carried.

CONSENT AGENDA:

Motion by T. Scholze, second by S. Zabinski, to approve the following consent agenda with removal of item 28. During further discussion, M. Koel stated the Monroe County Herald printed an incorrect amount as it pertains to lease agreements the city made with Toro. R. Yarrington pointed out an error in the minutes from March 17, 2026 regarding the new boat dock length previously approved by council. Motion by R. Yarrington, second by T. Scholze to remove the approval of the minutes from March 17, 2026 from the consent agenda. Motion carried. Yarrington said the minutes should read that he made a comment the reason for the change was an increase in the size of boats extending beyond the current dock ordinance limit. Motion by M. Koel, second by T. Scholze, to approve the minutes from March 17, 2026 with the suggested amendments to the minutes. Motion carried.

Approval of Minutes from March 17, 2026

Approval: Temporary Class “B” Fermented Malt Beverage and Temporary “Class B” Wine License Application by Monroe County Support Services for the Budweiser Dairyland Super National Truck & Tractor Pull being held June 24 -27, 2026

Approval: Temporary Class “B” Fermented Malt Beverage and Temporary “Class B” Wine License Application by Monroe County Support Services for the Monroe County Fair being held July 22 -26, 2026

Approval: Monroe County Support Services (MCSS) extending hours of operation at the Monroe County Fair Beer Garden on Friday, July 24 and Saturday, July 25, 2026 at Recreation Park

Approval: Temporary Class “B” Beer License Application by Tomah Lions Club for the “Tomah Area Historical Society 2026 Car Show and Concert” to be held on May 2nd, 2026

Approval: Special Event Outdoor Cabaret License for American Music Programs in Gillett Park for seven “Americana Music in the Park” concert events in June, July, and August of 2026

Approval: Recommendation concerning the resolution for the payment of monthly bills.

COMMITTEE OF THE WHOLE:

A request to appear has been made by Isabella Ellen Dixon for reconsideration of granting her a beverage operator’s license

Motion by M. Koel, second by D. Crego to approve a beverage operator’s license for Isabella Ellen Dixon. Isabella Dixon appeared before the council to discuss her recently denied bartender license. Dixon explained that she applied for the license, which was denied because of a question on the application she misunderstood. T. Scholze asked Chief

Common Council and Reorganizational Meeting – April 20, 2026

Pedersen if, after reviewing the application, there was anything outside the error was of any concern. Pedersen believed her statement to be accurate and that it was an honest mistake. Motion carried.

LIBRARY BOARD:

Approval: Addition of 20 hour per week maximum seasonal library page to Tomah Public Library's organizational chart and positions count, funded by Library Trust.

Motion by R. Yarrington, second by S. Zabinski, to approve an addition of a 20-hour per week maximum seasonal library page to Tomah Public Library's organizational chart and positions count, funded by Library Trust. Motion carried.

PARKS AND RECREATION COMMISSION:

Approval of final execution / negotiation of easement to the City of Tomah with two landowners for the purpose of constructing a multi-use trail. Trail was authorized in Resolution No. 2025-04-15-06

Motion by T. Scholze, second by S. Zabinski, to approve the final execution / negotiation of easement to the City of Tomah with two landowners for the purpose of constructing a multi-use trail. Trail was authorized in Resolution No. 2025-04-15-06. Motion carried. (Yarrington opposed.)

PUBLIC WORKS AND UTILITIES COMMISSION:

Discussion and Potential Action: Airport Hanger Fee Increase

Motion by D. Peterson, second by R. Yarrington, to approve the airport hangar fee increase. T. Scholze asked Administrator Morales if this increase falls in line with the increases in other fees. Public Works and Utilities Commission did an analysis, and this increase is comparable to other systems. J. Glynn wanted to thank staff for their work on this item. He felt it is a good plan to make the airport pay for itself without discouraging people from being here. Motion carried.

GENERAL:

Approval: Recommendation concerning tabled vote on the meeting minutes from February 17, 2026

Motion by R. Yarrington, second by T. Scholze to approve the meeting minutes from February 17, 2026. Motion carried.

Approval: Date and time for local government 101 and parliamentary procedure training for City Council and chairpersons of governmental bodies, staff recommendation of 3-5pm on Thursday 7 May 2026.

Motion by T. Scholze, second by D. Peterson, to approve the date and time for local government 101 and parliamentary procedure training for City Council and chairpersons of governmental bodies, staff recommendation of 3-5 p.m. on Thursday 7 May 2026. S. Zabinski asked Administrator Morales if their work schedule does not allow them to attend, will the training be made available at an alternative date and time. Morales said we could schedule an alternate date, he added he didn't have a date to propose at that time. A majority of the council members were going to be unable to attend. The lunch hour worked best for a majority of council members. Motion by T. Scholze, second by J. Glynn to amend the date and time for local government 101 and parliamentary procedure training for City Council and chairpersons of governmental bodies to 12 p.m. on Thursday 7 May 2026 with secondary option to be scheduled. Motion carried. (Yarrington opposed.)

Approval: Fiscal Year 2026 Downtown Facade Improvement Grant Program

Motion by T. Scholze, second by S. Zabinski, to approve Fiscal Year 2026 Downtown Facade Improvement Grant Program. T. Scholze asked Administrator Morales how much funding is left. Morales explained that \$20,000 will come from the TID 8 fund, which was approved in the Fiscal Year 2026 budget. Motion carried. (Yarrington opposed.)

ADJOURN:

Adjourn to Closed session Pursuant to Wis Stat § 19.85(1):

Motion by D. Peterson, second by M. Koel, to adjourn to closed session under Wis Stat § 19.85(1) as listed on the agenda. Motion carried. Meeting adjourned to closed session at 7:30 p.m.

(1)(b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held:

-Discussion: Update regarding Administrative Investigation 1-2026.

No action taken.

Common Council and Reorganizational Meeting – April 20, 2026

-Approval: Recommendation concerning the possible discipline of a city employee that meets specific conditions that would require Common Council approval.

Motion by R. Yarrington, second by D. Crego to authorize city administrator to use discretion to determine disciplinary action and job performance improvement plan including probation, suspension, up to and including termination. Motion carried. (Scholze opposed.)

(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:

-Approval: Recommendation regarding negotiating the sale of Property D and the developer agreement for a housing project on Property D.

Motion by J. Glynn, second by M. Koel to approve giving city attorney and city administrator the authority to negotiate terms within the parameters previously presented. Motion carried.

-Discussion: Consideration of negotiating the sale of an/or exchange of real property for Property E.

No action taken.

-Approval: Recommendation regarding the contract for City Attorney services.

Motion by M. Koel, second by J. Glynn to approve the contract for City Attorney services. Motion carried. (Peterson abstained.)

-Approval: Sub-lease terms regarding Property B.

Motion by J. Glynn, second by T. Scholze, to approve the sub-lease terms regarding Property B. Motion carried. (Yarrington opposed.)

(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

-Discussion: Update regarding litigation case 1-2026.

No action taken.

-Discussion: Update regarding litigation case 2-2026.

No action taken.

-Discussion: Initial notification of possible litigation case 3-2026.

No action taken.

Adjourn Meeting

Motion by D. Peterson, second by T. Scholze to adjourn the meeting at 9 p.m. Motion carried.

Respectfully submitted,

Nicole Jacobs, City Clerk