

The COMMON COUNCIL of the City of Tomah met in REGULAR SESSION June 9, 2020 at 6:14 p.m. with Mayor Mike Murray presiding in the Municipal Building, 819 Superior Avenue, Tomah WI via Go to Meeting at 571-317-3122 – Meeting ID: 344-891-253#.

Following the Pledge of Allegiance, roll call was taken with the following members present: Mike Murray, Travis Scholze (arrived at 6:14 p.m.), Lamont Kiefer, Donna Evans, Dean Peterson (arrived at 6:20 p.m.), Shawn Zabinski, Jeff Cram, Richard Yarrington, and Adam Gigous (arrived at 6:18 p.m.). Absent: None. Quorum present. Also present: City Attorney Penny Precour and City Clerk JoAnn Cram. Gregg Hagen videotaped the meeting.

Motion by Kiefer, second by Cram to adjourn to Closed Session Pursuant to State Statute 19.85(1) (c) and (e) to Confer with Legal Counsel Regarding the WPPA Union Sideletter of Agreement, Personnel Issues, and Negotiation of Purchase of Property. Motion passed without negative vote. Meeting adjourned at 6:14 p.m. Meeting reconvened at 6:32 p.m.

**Anyone Desiring to Appear Before the City Council.** No one desired to appear.

#### **APPOINTMENTS:**

Motion by Scholze, second by Cram to appoint Richard Yarrington to the Ambulance Commission to fulfill the remaining term of Remy Gomez with the term expiring in 2022. Motion passed without negative vote.

Motion by Kiefer, second by Yarrington to appoint Gail Dvorak to the Library Board to fulfill the remaining term of Eileen Fisher with the term expiring in 2021. Motion passed without negative vote.

#### **REPORTS**

**Mayor.** Mayor Murray commended Eileen Fisher for her contributions to the City during her lifetime. Mayor Murray also commended the Police Dept. for the efforts during the recent protest/act of solidarity held on June 2<sup>nd</sup>.

**Distinguished Service Resolution - Alderperson Susan Holme.** Mayor Murray read the Distinguished Service Resolution and a plaque was presented for Susan Holme.

Motion by Yarrington, second by Evans to approve **Resolution No. 2020-06-09-18 Distinguished Service Resolution in Recognition of Alderperson Susan Holme.** Motion passed without negative vote.

**RESOLUTION NO. 2020-06-09-18  
RESOLUTION IN RECOGNITION OF SUSAN HOLME FOR  
SERVICE TO THE CITY OF TOMAH AS ALDERPERSON  
2019-2020**

**WHEREAS,** However effective government may be in serving the needs of its citizens, 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,** Susan Holme has committed herself to faithfully serving the citizens of Tomah from 2019 to 2020 as Alderperson of District Eight, and

**WHEREAS,** Susan has proven herself to be a dedicated and trustworthy member of the City of Tomah. Susan's commitment to her community has been evidenced repeatedly in her term as Alderperson by participating on numerous commissions and committees to benefit and enhance the lives of our Citizens. Alderperson Holme's service on the Committee of the Whole, Historic Preservation Commission, and the Tomah Senior & Disabled Services Board portray a level of enthusiasm and loyalty to bringing forth the very best our community has to offer. Her commitment and willingness to serve gives testament to Alderperson Holme as a dedicated and respected leader and community member. As Alderperson of District Eight, Susan has repeatedly exhibited an unending drive to promote the quality of life for not only the wards she represents but the City of Tomah overall. In Susan's daily involvement with her constituents she exemplified her selflessness and commitment in providing responsive and representative leadership in her role as an Alderperson, and

**WHEREAS,** In appreciation for such dedication and service to our Community upon her retirement as Alderperson of District Eight the following is submitted to record;

**NOW THEREFORE, BE IT RESOLVED,** that, on behalf of The City of Tomah, Alderperson Susan Holme is commended for her outstanding contribution to our community. The Mayor and Common Council of the City of Tomah does hereby express its sincere appreciation and gratitude to Susan, for her dedication and service to the citizens of the City of Tomah and extends its best wishes for her health and happiness in the future.

Dated this 9<sup>th</sup> day of June 2020.

Michael Murray, Mayor

ATTEST:

JoAnn M. Cram, City Clerk

**Distinguished Service Resolution in Recognition of Richard Worthington.** Mayor Murray read the Distinguished Service Resolution and a plaque and gift were presented for Richard Worthington upon his retirement.

Motion by Evans, second by Zabinski to approve **Resolution No. 2020-06-09-19 Distinguished Service Resolution in Recognition of Richard Worthington** who is retiring from the City. Motion passed without negative vote.

**RESOLUTION NO. 2020-06-09-19  
RESOLUTION IN RECOGNITION OF RICHARD A. WORTHINGTON  
FOR SERVICE TO THE CITY OF TOMAH  
1996-2020**

**WHEREAS,** However effective government may be in serving the needs of its citizens, 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**, Richard A. Worthington has committed himself to faithfully serving the citizens of Tomah from 1996 to 2020 as a member of the Public Works Department, and

**WHEREAS**, Richard has proven himself to be a dedicated and trustworthy member of the City of Tomah. Richard's commitment to his community has been evidenced repeatedly in his many years with the Tomah Public Works Department as Sanitation operator, Truck Driver, Equipment Operator and a host of varied and vital service positions within the department that have enhanced the lives of our Citizens. Richard often dedicated hours of his time in cleanup efforts related to snow and rain events that would have affected the capability of the City to function and maintain services to its citizens. Richard repeatedly went beyond and above his assigned duties to make the extra effort that provided for the comfort and protection of our citizens. His dedication and selflessness are a true testimonial to his pride and care for the City of Tomah and this City and its citizens are much the better for his service, and

**WHEREAS**, In appreciation for such dedication and service to our Community upon his retirement from the Public Works Department of the City of Tomah the following is submitted to record;

**NOW THEREFORE, BE IT RESOLVED**, that as Mayor on behalf of The City of Tomah, I commend Richard for his outstanding contribution to our community. The Common Council of the City of Tomah does hereby express its sincere appreciation and thanks to Richard for twenty-four years of dedication and service to the citizens of the City of Tomah and extends its best wishes for his health and happiness in the future.

Dated this 9th day of June, 2020.

Michael Murray, Mayor

ATTEST:

JoAnn M. Cram, City Clerk

**City Clerk.** City Clerk Cram provided updates on the Census, Board of Review, and the August Election.

**Approval of 2019 Audit Report – Presentation by Monica Hauser, Hawkins, Ash CPAs.**

Monica Hauser, Hawkins, Ash CPAs addressed the Council with a summary of the audit. Overall the total assets and deferred outflows increased \$3.6 million and the biggest thing is the advances. Almost a million dollars was added to inner funds (loaning cash between different funds). We went from a net pension asset to a liability which has to do with the actuarial valuation done at the state level. Assets have increased 4.9% which is very comparable. Long term debt increased during the year. A new GASB statement was implemented this year. There were a lot of TIF expenses this year which affects the fund balances. Budgeted to Actual Revenue – overall total revenue was over budget \$257,000 which is good. The biggest piece of revenues is taxes and special assessments. Expenses were \$164,000 below budget which means a very conscientious job of budgeting was done. Compared to actual, we increased about \$235,000 or 2.34%. Public Safety has the largest portion of expenditures with public works second. Overall revenue increased about \$76,000 over 2018. The overall change in net position is positive due to a rate increase. The sewer fund overall revenue decreased about \$24,000. No sewer rate increase in 2019. Mass Transit had a positive increase in fund balance, however, that fund has a deficit. A clean unmodified opinion was issued. The Independent Auditors Report did not identify any major issues during the audit. A Management Advisory Comment deals with recording of projects and how the projects get paid for. This relates to some TIF expenses that were amended in how they were recorded.

Motion by Kiefer, second by Gigous to approve the 2019 Audit report as presented. Motion passed without negative vote.

**Library Monthly Report.** Library Director Keller advised that 1,770 items were checked out using e-books. They are able to issue temporary cards over the phone currently. Six people can come into the Library at this time to utilize the computers by appointments. There is also wireless internet available outside at the Library. The summer reading program is also available online.

**Tomah Public Housing & Community Development Block Grant Monthly Report.** Director Rachel Muehlenkamp provided a written monthly report.

**Senior & Disabled Services Report.** Senior & Disabled Services Coordinator Pam Buchda provided a monthly written report. The Senior Center remains closed with the exception of the Loan Closet and meal distribution through Monroe County. The Senior Center will be opening on June 15<sup>th</sup>. Visitors should wear masks while at the Sr. Center and gloves should be worn when playing cards. People who play Bingo have their own chips and the cards will be wiped down before and after. Physical distancing will be done by chair placement. No food or snacks will be provided and participants should bring their own beverages. The meal site will not be opening at this time. Sunday Funday, a special event for Special Needs is back in June. They will have a program on the 25<sup>th</sup> conducted by Officer Hanrahan. The June newsletter is available.

**Planning/Building Inspection Monthly Report.** Shane Rolff provided a written report. In July, a year to date comparison will be provided comparing numbers to 2019.

**Chamber/Convention & Visitor's Bureau Monthly Report.** Ex. Director Thompson advised that the CVB met earlier today. Hotels are starting to pick up their stays. They are moving forward with the 4<sup>th</sup> of July parade, however, the parade will not be down Superior Avenue but is a 10 mile route and will hit all assisted living facilities. There are no walking entries allowed this year. They are moving forward with their Lunch and Learn series using Zoom until such time as larger gatherings can be done. Towards the end of July, a few things will be opening up somewhat, i.e. annual golf outing. Downtown Thursday Nights have been pushed back to August and Sept. and a determination will be made at a later date on whether to continue. Sanitation stations, extending the area – concern was voiced on finding a happy medium with being able to proceed with events while setting an example within our community. There is additional time for further consideration.

**Consent Agenda Items.**

Motion by Gigous, second by Kiefer to approve the following Consent Agenda items.  
Motion passed without negative vote.

- A. Minutes of May 12, 2020 Council Meeting
- B. Minutes of May 18, 2020 Special Council Meeting
- C. Renewal of 2020-2022 Bartender Licenses
- D. Renewal of "Class A" Liquor & Class "A" Fermented Malt Beverage Licenses
- E. Renewal of Class "A" Fermented Malt Beverage Licenses
- F. Renewal of "Class A" Liquor Beverage Licenses
- G. Renewal of "Class B" Liquor & Class "B" Fermented Malt Beverage Licenses
- H. Renewal of Class "B" Fermented Malt Beverage Licenses
- I. Renewal of "Class C" Wine Beverage Licenses
- J. Renewal of Indoor and Indoor/Outdoor Cabaret Licenses
- K. Budget Amendment for the Fire Department for the Purchase of Equipment from a Donation.
- L. Budget Amendment to Fund Repairs to the Northside Fire Station Siren.
- M. Budget Amendment for the Senior and Disabled Center to build a Utility Shed.
- N. Treasurer's Cash & Investment Report May 2020

Summary of alcohol related licenses: The following applies for all liquor related licenses listed for the period of July 1, 2020 to June 30, 2021 unless sooner revoked and contingent on any or all unpaid tax obligations, assessments, or other fees owed to the City are paid and must be compliant with building, plumbing, electrical, zoning, health or fire codes at the time the license is to be renewed.

Bartender license renewals for 2020-2022 as follows: Ethan Abben, Tiffani Addison, Jason Allen, Shirley Aller, Logan Arnold, Harold Benoit, Jr., Barbara Betthausen, Jacob Blashaki, Rebecca Bogle, Jordan Books, Remi Borchardt, Taylor Bos, Margaret Bradley, Catherine Brown, Ramona Brown, Victoria Brush, Cassey Bungert, Heather Burkhalter, Patricia Burton, Sepriano Cantu, Jade Cobb, Trenda Conant, David Dechant, Alexandria Derhammer, Justin Derhammer, Cheryl Dietzman, Gina Doyle, Neil Driskill, Jennifer Dunn, Corinna Evans, Gregory Evans, Chelsea Finnigan, Jheri Fushianes, Jennifer Garvey, Julie Gebhardt, Tiffany Gilmer, David Goldbeck, Lori Goldbeck, Juan Gonzalez-Loza, Seth Greeno, Margaret Griffin, Rebecca Guldenaar, Mary Haas, April Handy, Cynthia Hansen, Jacob Hansen, Sarah Haralson, Stephanie Harp, Nancy Hawver, Tosha Hemmersbach, Damian Hernandez, Tarayn Hernandez, Laura Holloway, Amber Holt, Scott Hurd, Jean Jefferies, Diana Jenkins, Justina Johnson, Sumer Jorgensen, Eve Julson, Pamela Kalland, Christopher Keller-Kolf, Stephanie Kelly, Russell Kershaw, Darrius Kingsberry, Kaylie Konsitzke, Jodi Kuecker, Laurie Landowski, Daniel Libke, Zachary Loew, Linda Lynch, Patrick Madden, Thomas Mashak, Haley Maus, Deanna McDonald, Sandra McDonald, Raquel McKichan, Leah Micheli, Benjamin Miller, Bobby Miller, Christine Morrow, Barbara Munding, Ricky Murray, Christopher Myers, Janice Nicholson, Tonya Noggle, Joseph Oswald, Harshal Patel, Jasmina Patel, Natalie Payne, Mackenzi Pearson, Ellena Peterson, Ashley Peth, Rebecca Peth, Lynda Petska, Richard Pfaff, Veronica Pfeifer, Kristi Pierce, Brenda Prescott-Kingfisher, Diana Prestwich, James Prestwood, Kristy Prielipp, Carrie Rasch, Kendall Rawls, Tracy Reynolds, Connie Rhea, Danielle Rhea, Amy Ritter, Caitlin Rodriguez, Tia Roscovius, Laura Ruland, Marina Salamonski, Danita Schmitz, Devyn Schreier, Lisa Schroeder, Amanda Schumann, Shelby Scott, Robert Shutter, James Siber, Cody Simon, Kaya Sisbarro, Abby Skowronski, Melissa Smothers, Tyler Stertman, Lisa Sullivan, Dari Taylor, Brock Thomas, Sheri Tralmer, Lydia Vandermeulen, Lisa Vender, Megan Vonhaden, Amanda Voss, Wanda Watkins, Boyce Wilcox, Heather Wilcox, Michelle Willems, Phillip Willhite, Rebecca Williams and Mollie Wisdorf.

**Renewal of "Class A" Liquor & Class "A" Fermented Malt Beverage Licenses.**

- 1. Hwy 21 BP (Wittig Inc.)– Rupesh Patel, Agent at 311 Wittig Rd
- 2. Hwy 21 Shell.– Rupesh Patel, Agent at 907 E. McCoy Blvd.
- 3. Kwik Trip, Inc. – Britney Hall, Agent – Kwik Trip #484 at 124 W. McCoy Blvd.
- 4. Kwik Trip, Inc. – Jamie Prestwood, Agent – Kwik Trip #796 at 310 E. McCoy Blvd.
- 5. Kwik Trip, Inc. – Danita A. Schmitz, Agent, Kwik Trip #718 at 1504 Superior Ave.
- 6. Molter's Fresh Market (Molter Family Markets, LLC), Mark Molter, Agent at 701 E Clifton St.
- 7. Tomah Quick Stop & Spirit Shop, LLC – Casey B. Purdy, Agent at 201 W. Veterans Street
- 8. Wal-Mart Stores East, LP – David R. Schoeberl, Agent – Wal-Mart Supercenter #965, 222 W. McCoy Blvd.

**Renewal of Class "A" Fermented Malt Beverage Licenses**

- 1. Casey's General Store, #1933 (Casey's Marketing Comp.), Heidi Marcyes, Agent at 313 N. Superior Ave.
- 2. Tomah Mini Mart, (Gador, Inc.) Donovan Riedesel, Agent at 215 W. Clifton Street

**Renewal of "Class A" Liquor Beverage Licenses.**

- 1. Vino Anjo, LLC; Joline Powell, Agent at 800 Superior Ave.

**Renewal of "Class B" Liquor & Class "B" Fermented Malt Beverage Licenses**

- 1. The Bank Bar – Jay Larsen at 1015 Superior Avenue

2. Cancun Bay Ltd. – Cancun Mexican Restaurant, Juan Gonzalez-Loza, Agent at 1422 Superior Ave. (Reserve License)
3. Cran-Beary Pub - T & J Hospitality, LLC - Tyson Koput, Agent at 319 Wittig Road
4. Crow Bar LLC – The Crow Bar, Troy Gilson, Agent at 1206 Superior Avenue
5. Swami Hospitality - Econo Lodge, D. Patel, Agent at 2005 N. Superior Avenue
6. Il Zones, LLC, (Strike Zone & Pizones) - Bruce Gilson, Agent at 208-210 Superior Avenue
7. Smoke's Elbow Room Bar – Kenneth Pierce, Owner at 114 W. Benton Street

**Renewal of Class “B” Fermented Malt Beverage Licenses.**

1. Area Community Theatre-Robert Shutter, Agent at 907 Kilbourn Avenue
2. China Buffet, Eastern Chinese Restaurant, Nan Zheng, Agent at 115 W. McCoy Blvd.
3. Hampton Inn (Stump Hospitality LLC) Ruth Stump, Agent, at 219 Buan Street
4. Knights of Columbus Corp. – Dave Dechant, Agent – Knights of Columbus Hall, 202 E. Juneau Street
5. Peking Chinese Restaurant, LLC – Jiaona M. Ng, Agent at 1013 Superior Avenue
6. Northfield Restaurant Corp. – Pizza Hut, James Gerlach, Agent at 1821 N. Superior Ave
7. Tomah American Legion Post 201 Baseball, Inc. Todd Steffel, Agent at 400 N. Glendale Avenue (June 12, 2020 through October 31, 2020)
8. Mandy's Café & Deli, LLC, Mandy Bacholl, Agent at 201 Helen Walton Drive, Suite 5

**Renewal of “Class C” Wine Beverage Licenses**

1. China Buffet, Eastern Chinese Restaurant – Nan Zheng, Agent at 1012 Superior Avenue
2. Mandy's Café & Deli, LLC, Mandy Bacholl, Agent at 201 Helen Walton Drive, Suite 5
3. Natural Connection – Paula Caucutt, owner at 1012 Superior Ave.
4. Peking Chinese Restaurant LLC – Jiaona M. Ng, Agent at 1013 Superior Avenue

**Renewal of Indoor Cabaret Licenses.**

1. American Legion Post 201 – Todd Steffel, Agent 800 Wisconsin Avenue
2. The Carlton – Samantha Davis, 319 Superior Avenue
3. The Chillzone (Corey Williams) at 1119 Superior Avenue
4. Cran-Beary Pub & Wetlands Catering (T&J Hospitality LLC) – Tyson Koput, 319 Wittig Road
5. Dimensions II – Patrick Murphy, 1110 Superior Avenue
6. Franny's – James Frandsen, 1115 Superior Avenue
7. Kelsey's – Dave Berndt, 201 Superior Avenue
8. Knights of Columbus Corp.– Dave Dechant, 202 E. Juneau Street
9. Smoke's Elbow Room – Kenneth Pierce, 114 W. Benton Street
10. Vino Anjo, LLC at 800 Superior Avenue

**Renewal of Indoor/Outdoor Cabaret Licenses.**

1. The Bank – Jay Larsen., 1015 Superior Avenue
2. The Break Room – Chad Madson, 1123 Superior Ave.
3. Murray's on Main, (JVM Investments, LLC) at 810 Superior Avenue

**TIF Assistance Request - 1101 Superior Avenue.** Steve Tremlett of MSA Professional Services attended the Committee of the Whole meeting and gave a summary of the project. The applicant is requesting \$50,000 in a cash grant. The 2017 Manual/policy includes a clause “But For Criteria” which requires that the project would not be able to proceed without the funding assistance.” This project is almost complete. Mayor Murray had a conversation today with the applicant and reiterated that we can only operate in a manner in which things are presented.

Motion by Cram, second by Kiefer to deny the request and application as it does not meet the criteria with the ability to reapply if the applicant wants to come back with a façade improvement to see if there are some improvements to be made on the outside of the building. Motion passed without negative vote.

**Tax Increment Financing Development Incentives Program Policy Manual Revision.**

Stephen Tremlett of MSA went over the draft Tax Increment Financing Development Incentives Program Policy Manual at the Committee of the Whole. The Incentive Program would be opened up to all TIDs except for the façade improvement projects which would only apply to TID 8. The prior Rehabilitation Project language becomes strictly façade improvements and would be solely on exterior work. In the end, it's about having a balance in the TIF and having significant asset increases or improving the exterior to move forward as part of the Downtown Plan. The intent is to support the difference in obtaining a higher level of materials used in rehab projects. The following changes were approved at the Committee of the Whole meeting:

1. Eliminate the grant program out of the façade improvement portion of the 2020 update;
2. Accept the new version in Section 5 under Methods of Financing & Project Completion Assurances – New as follows – “except requests combining financing types is capped at 20% of eligible project costs” regarding Pay-Go, Cash Grant at Occupancy, Cash Grant at Project Start, Low Interest Loan, and Cash Grant at Project Start as presented;
3. The Long Range Planning Committee will be responsible for looking at the evaluation criteria as described before it comes to the Council;
4. Change the criteria in Section 6 to allow for non-residential building tenants to request funding with property owners written permission and inclusion in the development agreement (no interior work allowed – only façade and only for loans with reassurances built into the development agreement);
5. In rare cases where the work must be expedited, funding will only be approved for work that has not begun;
6. Approve the payback periods per the 2020 update as written;
7. May require applicant to submit copies of contracts with design professionals and construction contractors prior to receiving financial assistance with all improvements done by a licensed contractor;
8. Change amount to 50% of project costs up to \$25,000 maximum.
9. Remove the criteria of tax increment and we would allow for tax exempt properties to request funds for façade improvement only;
10. Remove the absence of conflict of interest criteria;
11. The LRPC should review design as well as the financial request prior to the Council; and
12. Approval of the professional service retainer and professional service fees as presented in the 2020 Update.

Motion by Cram, second by Kiefer to approve the policy amendment changes as approved at the June 8, 2020 Committee of the Whole meeting. Motion passed without negative vote.

**Request for Online Ordering and Curbside Pickup of Alcohol Beverages.** A request has been received for the ability to deliver alcoholic beverages to customers who have placed online orders for curbside pickup. Our current ordinance does not allow for curbside pickup. Nothing would be paid for until the time of pickup. Discussion was held regarding the time allowed. Sparta allows 7 a.m. to 9 p.m. and La Crosse allows 9 a.m. to 6 p.m. Chief Nicholson requested that it remain the same as state statute. It was requested that the time frame be established to include the ability to sell from 8 a.m. to 8 p.m.

Motion by Zabinski, second by Cram to authorize the clerk to draft an ordinance similar to the Sparta City ordinance to act on at the July meeting including that the licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order. Motion and second amended to include: The Monroe County Safety Coalition should have an opportunity to vet the ordinance as well to include a timeframe of 8 a.m. to 8 p.m. Motion passed without negative vote.

**Compliance Maintenance Resolution for Sewer Department.** Motion by Zabinski, second by Evans to approve the **Resolution No. 2020-06-09-20** Compliance Maintenance Resolution as presented. Motion passed without negative vote.

Resolution No. 2020-06-09-20

COMPLIANCE MAINTENANCE RESOLUTION

RESOLVED that the City of Tomah informs the Department of Natural Resources that the following actions were taken by the City Council:

Review of the 2019 Compliance Maintenance Annual Report, which is attached to this Resolution.

Monitor the operation of the wastewater treatment facility to maintain permit compliance.

Implement and complete a Capacity, Management, Operation and Management (CMOM) program once the DNR drafts a final ruling. Passed by a unanimous (8-0) vote of the Tomah City Council on June 9, 2020

Mike Murray, Mayor

ATTEST: JoAnn Cram, City Clerk

**Tomah Aquatic Center Opening: Schedule and Procedures.** Dir. Protz had reviewed proposed wellness initiatives and health safety guidelines that would permit use of the Aquatic Center, along with the proposed schedule designed to accommodate social distancing recommendations as much as possible. A lengthy discussion was held at the Committee of the Whole meeting on Monday, June 8<sup>th</sup>.

Motion by Yarrington, second by Evans to authorize the opening of the Tomah Aquatic Center on June 11 as recommended by the Parks & Recreation Commission & Committee of the Whole. Motion passed with three negative votes (Cram, Zabinski and Gigous).

**Ordinance Rezoning 806 McLean Avenue from B Business District to R2-One & Two Family Residential.** The rezone would bring the property into compliance with the zoning ordinances and is consistent with the Future Land Use Map. Switch the motions

Motion by Evans, second by Gigous to waive the first verbatim reading of the Ordinance Rezoning 806 McLean Avenue from B-Business District to R2-One and Two Family Residential District. Motion passed without negative vote.

Motion by Evans, second by Gigous to waive the second verbatim reading of the Ordinance Rezoning 806 McLean Avenue from B-Business District to R2-One and Two Family Residential District. Motion passed without negative vote.

Motion by Evans, second by Gigous to adopt **Ordinance No. 2020-06-05-D** Rezoning 806 McLean Avenue from B-Business District to R2-One and Two Family Residential District. Motion passed without negative vote.

**Ordinance No. 2020-06-05-D**  
**ORDINANCE RE-ZONING PROPERTY**  
806 McLean Ave

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

**SECTION ONE:** After Petition, Notice and Public Hearing in accordance with the Wisconsin Statutes and City of Tomah Ordinance, the Common Council of the City of Tomah hereby re-zones the following described real estate from B-Business District to R2 One and Two Family Residential District.

S 1/2 OF LOT 2 & THE N 5' OF LOT 3, BLK 46 OF ORIGINAL PLAT

**SECTION TWO:** All Ordinances or part thereof in conflict with the foregoing are hereby repealed.

**SECTION THREE:** This Ordinance shall take effect upon passage and publication.

Michael Murray, Mayor

ATTEST: JoAnn M. Cram, City Clerk

READ: 06/09/2020

PASSED: 06/09/2020

PUBLISHED: 06/18/2020

**Ordinance Rezoning 307 W Warren Street from B Business District to I-Institutional District.** A request has been received to rezone the Peace Lutheran Church parcel at 307 W Warren Street from B-Business to I-Institutional District.

Motion by Yarrington, second by Kiefer to waive the first verbatim reading of the Ordinance Rezoning the Peace Lutheran Church property at 307 W Warren Street from B Business to I-Institutional District. Motion passed without negative vote.

Motion by Yarrington, second by Kiefer to waive the second verbatim reading of the Ordinance Rezoning the Peace Lutheran Church property at 307 W Warren Street from B Business to I-Institutional District. Motion passed without negative vote.

Motion by Yarrington, second by Kiefer to adopt **Ordinance No. 2020-06-06-D** Rezoning the Peace Lutheran Church property at 307 W Warren Street from B Business to I-Institutional District. Motion passed without negative vote.

**Ordinance No. 2020-06-06-D**  
**ORDINANCE RE-ZONING PROPERTY**  
**Peace Lutheran Church 307 W Warren Street**

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

**SECTION ONE:** After Petition, Notice and Public Hearing in accordance with the Wisconsin Statutes and City of Tomah Ordinance, the Common Council of the City of Tomah hereby re-zones the following described real estate from B-Business to I-Institutional District.

LOT 1 OF 11CSM248 - #465332, BEING PRT OF NE1/4 OF SW1/4;

**SECTION TWO:** All Ordinances or part thereof in conflict with the foregoing are hereby repealed.

**SECTION THREE:** This Ordinance shall take effect upon passage and publication.

Michael Murray, Mayor

ATTEST: JoAnn M. Cram, City Clerk

READ: 06/09/2020

PASSED:

06/09/2020

PUBLISHED:

06/18/2020

**Clarification on Management Directed Leave/Emergency Leave Related to COVID-19.** Clarification is requested as to the status of the Temporary/Emergency Policy and the intent of those provisions going forward. If the qualifying reasons aren't met, but the department head feels the employee should not report to work for COVID related circumstances, how does the council wish to proceed? It was felt that a note from a physician would be appropriate so there is a paper trail if we are going to approve additional leave. Discussion was Committee of the Whole was to add the stipulation for COVID 19 testing, must be someone living in your home and will allow some form of leave at the department head discretion.

Motion by Evans, second by Yarrington to continue to follow the management directed leave policy as previously established and require a letter from a physician with prior approval of the leave by Mayor Murray and if no proof is provided, sick leave would be utilized (time frame is until further rescinded). Motion passed without negative vote.

**Discussion of Authorizing the City Clerk to Issue Bartender (Operator's) Licenses.** Recent legislation was passed that authorizes City Clerks to issue bartender licenses without Council action. This would require an ordinance amendment.

Motion by Peterson, second by Scholze to authorize the City Clerk to draft an amendment to the ordinance giving the City Clerk authority to approve bartender licenses and renewals without Council action. Motion passed without negative vote.

**Clarification Regarding Vacation Accrual Over Maximum Allowed Due to COVID-19 and Sick Leave Access to Unearned 2020 Balances.** As part of the Amended Coronavirus Temporary Emergency Policy, the Council authorized vacation accruals to exceed the maximum amount allowed but would need to be used prior to December 31<sup>st</sup>. The Council authorized June 1<sup>st</sup> as the end of the accrual allowed over the maximum allowed. It was determined that we are well into this pay period and employees would need to take leave prior to the end of this week in order to not lose the accumulated time. It was requested that the cutoff end June 13<sup>th</sup>. The bank of accrued time that exceeds the maximum will be manually tracked. Employees can use the time that is accrued each pay period first so that they can continue to earn and not lose time. Employees can indicate which bank of leave they wish to use when they have time off.

Motion by Peterson, second by Yarrington to officially stop allowing accruing vacation over the maximum as of the payroll ending June 13<sup>th</sup>. Motion passed without negative vote.

**Resolution Authorizing Payment of Monthly Bills.**

Motion by Peterson, second by Kiefer to approve **Resolution No. 2020-06-09-21** the monthly bills in the amount of \$541,910.94 as presented. Motion carried without negative vote.

**RESOLUTION NO. 2020-06-09-21 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	\$ 185,016.98	Check #'s	127472-127571 & 127598-127720
2. Payroll	\$ 223,685.13	Direct Deposit #'s	9292122-9292335
3. Wire Transfers	\$ 107,476.30		
4. Invoices	\$ 25,732.53	Check #'s	127728-127766
	\$ 541,910.94		

Mike Murray, Mayor

ATTEST: JoAnn Cram, City Clerk

Motion by Kiefer, second by Gigous to adjourn. Motion passed with one negative vote.  
Meeting adjourned at 7:32 p.m.

Approved:

ATTEST:

Michael Murray, Mayor

JoAnn M Cram, City Clerk

Minutes to be approved on July 14, 2020