**Minutes FOR** **Common Council MAY 20, 2025**

**Call to Order, Pledge of Allegiance, Roll Call and Quorum Check**

A regular meeting of the Common Council was held at 819 Superior Ave. in the City Council Chambers. The meeting was called to order by Mayor Paul Dwyer at 6:30 p.m. After the Pledge of Allegiance, roll call was taken. Present: P. Dwyer, Travis Scholze, Richard Yarrington, Shawn Zabinski, John Glynn (via Zoom), Mitchell Koel, Patrick Devine, Nellie Pater, and Dean Peterson. Also present: Penny Precour, Nick Morales, Nicole Jacobs, Justin Derhammer, Eric Pedersen, Tim Adler, Pam Buchda, Irma Keller, Brian Berquist, and Nikolas Dorava. The meeting was available via Zoom and was recorded by Hagen Sports Network. All motions are unanimously approved unless otherwise noted.

**Anyone Desiring to Appear Before the Council**

No one desired to appear before the council.

**Mayor’s Report**

Mayor Dwyer had none.

**Employee of the Month**

N. Morales addressed the council, informing them that Police Chief Eric Pedersen nominated city employee, Scott Donovan from Public Works as May Employee of the Month. The nomination was unanimously approved by the department heads. Morales said Mr. Donovan is an invaluable member of the staff and is always willing to take on tasks and projects with such a great attitude. Morales thanked Mr. Donovan for everything he has done on behalf of the city.

**Acceptance of Reports: Senior Executive Team, Economic Development and Zoning, Public Safety, Parks and Recreation, Senior & Disabled Services, Library**

Motion by S. Zabinski, second by N. Pater, to accept the following reports:

1. Senior Executive Team Monthly Report
2. Economic Development and Zoning Monthly Report
3. Public Safety Monthly Report
4. Senior & Disabled Services Monthly Report
5. Library Monthly Report

T. Scholze asked additional questions regarding which positions throughout the city were currently open, which N. Morales clarified were Director of Public Works and Utilities, Payroll Clerk, and PT Deputy Clerk position. T. Scholze also pointed out a typo on the submitted inspection report. Motion carried.

**Consent Agenda**

Motion by T. Scholze, second by M. Koel, to remove the item regarding the Special Event Outdoor Cabaret License for JAC’s Steakhouse from the consent agenda. Motion carried.

Motion by T. Scholze, second by S. Zabinski, to approve the following consent agenda as amended: Motion carried.

A. Approval of Minutes from April 15, 2025

B. A temporary amendment to The Bank Bar’s “Class B” Liquor and Class “B” Beer Licenses

C. Special Beer and Wine License Application by Tomah Youth Hockey Club for Tomah Youth Hockey “Ice Maker” Concert Fundraiser on June 14, 2025

D. Approval: Monthly Bills

E. Approval of Reimbursement for Façade Improvement Grant Program 2-2024

F. Approval: Employee Handbook Revisions

**Special Event Outdoor Cabaret License for JAC’s Steakhouse at 309 Superior Avenue for its 13 summer music events throughout May, June, July, August, and September of 2025.**

Motion by T. Scholze, second by S. Zabinski to approve the Special Event Outdoor Cabaret License for JAC’s Steakhouse at 309 Superior Avenue for its 13 summer music events throughout May, June, July, August, and September of 2025. The Committee of the Whole recommended the Common Council approve the cabaret licenses with an amended end time of 10 p.m. and an end time of 12 a.m. for the 2-year anniversary party. T. Scholze amended his motion to include the amended end times, second by R. Yarrington. Motion carried.

**General:**

**Acceptance of Final Voting Tally Spring Election 2025**

Motion by S. Zabinski, second by D. Peterson, to accept the final voting tally for the 2025 Spring Election. Motion carried.

**Approval: Tomah Area School District Petition For Annexation**

Motion by S. Zabinski, second by N. Pater, to deny approval of the Tomah Area School District’s Petition for annexation. R. Yarrington mentioned that the school district had asked the council to table the decision regarding the annexation until the June council meeting. N. Pater mentioned that the school board had voted to rescind its offer to purchase the property it had originally been seeking annexation from the city for. N. Morales had not received notice from the school district to rescind its request for annexation. Motion failed with only two positive votes (Pater, Zabinski.)

Motion by T. Scholze, second by M. Koel to table approval of the Tomah Area School District’s Petition for annexation until the June 2025 council meeting. Motion carried.

**Discussion: Gerke Excavating Right of First Refusal Proposal**

Motion by M. Koel, second by N. Pater to table discussion of Gerke Excavating Right of First Refusal Proposal for closed session later in the meeting. Motion carried.

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

Motion by Scholze, second by Yarrington, to adjourn to closed session under Wis Stat § 19.85(1) as listed on the agenda.Motion carried. Meeting adjourned to closed session at 6:47 p.m.

**Considering employment, promotion, compensation or performance evaluation data of any public employee to discuss staffing and compensation for: City Administrator, Director of Public Works and Utilities, City Clerk, Assistant Chief of Police, Police Lieutenant, and Human Resources Generalist.**

**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 for: purchase of land and renewal of five lease agreements.**

**Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for: employment and performance evaluation of public employee.**

**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.**

Motion by J. Glynn, second by N. Pater, to reconvene to Open Session at 9:43 p.m. Motion carried

**Approval: Reinstatement of City Administrator Position Adjourn Meeting**

Motion by D. Peterson, second by N. Pater, to approve reinstatement of City Administrator Position. T. Scholze addressed the council members expressing his concern regarding whether or not the Ad Hoc Committee had done its due diligence in making a recommendation to council regarding the reinstatement of the city administrator position. T. Scholze was of the opinion that the Ad Hoc Committee was biased in its decision not to consider a city manager instead. Motion carried with one negative vote (Scholze.)

**Adjourn Meeting**

Motion by D. Peterson, second by N. Pater, to adjourn the meeting at 9:59 p.m. Motion carried.

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Mayor Paul Dwyer

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Attest: Nicole Jacobs, City Clerk