**Minutes FOR** **Common Council June 17, 2025**

**Call to Order, Pledge of Allegiance, Roll Call**

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, Richard Yarrington, Shawn Zabinski, John Glynn, Dean Peterson, Patrick Devine, Nellie Pater, and Travis Scholze, and Mitchell Koel (6:32 p.m.) Absent: None. Also present: Penny Precour, Nick Morales, Nicole Jacobs, Justin Derhammer, Joe Protz, Pam Buchda, Tim Adler, Irma Keller, Dave Deprey, and Brian Berquist. 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 commented that the city has gotten a lot of things accomplished this month.

**Employee of the Month**

N. Morales addressed the council, informing them that Library Director Irma Keller nominated city employee, Dave Deprey, as May Employee of the Month. Mr. Deprey is the children’s librarian at Tomah Public Library. N. Morales addressed Mr. Deprey stating the city appreciates everything he’s done for the city, and he is appreciated.

**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 J. Glynn, to accept the following reports:

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

R. Yarrington asked additional questions of Chief Adler regarding staffing. R. Yarrington asked J. Protz if the Flare Ave ballparks would be playable for this summer. J. Protz said he is currently dealing with a subcontractor for turf replacement as it wasn’t up to standards. Motion carried.

**Consent Agenda**

Motion by R. Yarrington, second by T. Scholze to remove Employee Handbook Revisions (General Provisions) and Approval: Ambulance Service Rate Increase from the consent agenda to be put on the regular agenda. Motion carried

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

1. Approval of Minutes from May 20, 2025
2. Approval of Minutes from May 29, 2025
3. Approval: Annual renewal of “Class A” Liquor, Class “A” Fermented Malt Beverage, “Class B” Liquor, Class “B” Fermented Malt Beverage, and “Class C” Wine Licenses.
4. Approval: Temporary Class “B” Fermented Malt Beverage and Temporary “Class B” Wine License Application by the Tomah Lions Club Common Council – June 17, 2025
5. Approval of Resolution for Payment of Monthly Bills
6. Approval: Special Event Outdoor Cabaret License for Scott Wilcox at Gillett Park in downtown Tomah for Music in the Park throughout June, July, and August of 2025
7. Employee Handbook Revisions (General Provisions)
8. Approval: Ambulance Service Rate Increase

Motion by T. Scholze, second by S. Zabinski to approve Employee Handbook Revisions (General Provisions) as presented by staff. Verbiage in the handbook includes SET, which should be replaced by City Administrator. Motion carried.

Motion by T. Scholze, second by J. Glynn to approve the ambulance service rate increase. R. Yarrington asked Chief Adler if the increased rates include an equalized portion to surrounding communities dictated by Medicare and Medicaid. Motion carried.

**Public Works and Utilities Commission**

**Approval of Compliance Maintenance Report**

Motion by R. Yarrington, second by T. Scholze, to approve the compliance maintenance resolution and the Compliance Maintenance Annual Report. Motion carried.

**Approval: Ordinance Authorizing Sidewalk Cafes Downtown**

Motion by J. Glynn, second by S. Zabinski, to waive the first verbatim reading of the ordinance authorizing sidewalk cafes downtown. Motion carried

Motion by J. Glynn, second by S. Zabinski, to waive the second verbatim reading of the ordinance authorizing sidewalk cafes downtown. Motion carried

Motion by J. Glynn, second by N. Pater, to approve the draft ordinance amendment to Chapter 38 of the municipal code and to authorize the implementation of a sidewalk café permit system for downtown businesses, with the Director of Economic Development and Zoning responsible for creating the application for said permit. A $500 permit fee was recommended. R. Yarrington questioned how much of the sidewalk can be obstructed, to which N. Morales explained the allowable distance would be four feet. T. Scholze questioned whether the ordinance had gone to the citizen ordinance committee for review. P. Precour said that the thought process was to get it before the council in a timely manner to allow business to begin applying for permits this summer. Motion carried

**Appointments:**

**Approval: Ethics Board Appointment**

Motion by R. Yarrington, second by T. Scholze, to approve the mayoral appointment of Nicole Jacobs to the Ethics Board as its city employee member to fulfill the remaining term of Becki Weyer. Motion carried

**Approval: Library Board Appointment**

Motion by T. Scholze, second by S. Zabinski, to approve the mayoral appointment of Nicole Jacobs to the Library Board as its Ex Officio member to fulfill the remaining term of Becki Weyer. Motion carried

**Approval: Historic Preservation Commission Appointment**

Motion by S. Zabinski, second by N. Pater, to approve the mayoral appointment of Leah Clipner to a citizen reserved position on the Historic Preservation Commission, with term limits in accordance with municipal ordinance and state law. Motion carried

**Approval: Tomah Public Housing Authority Commission Appointments**

Motion by N. Pater, second by S. Zabinski, to approve the mayoral appointments of Rebecca Giroux and Michele Wedemeier to citizen reserved positions on the Tomah Public Housing Authority Commission, with term limits in accordance with municipal ordinance and state law. R. Yarrington told the council he had not resigned his position as commissioner, and he felt the appointment was out of order. N. Morales explained that R. Yarrington would still be on the commission, however, he would be moving to N. Pater’s alderperson’s seat on the commission and vacating the citizen member seat. N. Pater would be voluntarily resigning her seat on the commission. P. Precour asked that council table the approval of Michele Wedemeier’s appointment to allow time to address R. Yarrington’s concerns and amend the motion to approve only the appointment of Rebecaa Giroux. The motion was amended by N. Pater, second by S. Zabinski to table the appointment of Michele Wedemeier until next month and approve the appointment of Rebecca Giroux. Motion carried.

**General:**

**Approval: Final reimbursement of Façade Improvement Grant Program Application 1-2024 (JAC’s Steakhouse)**

Motion by T. Scholze, second by P. Devine, to approve the final reimbursement for Façade Improvement Grant Program application 1-2024 in the amount of $6,823.40. Motion carried.

**Approval: Façade Improvement Grant Program Application 2-2025 (The Bank Bar)**

Motion by M. Koel, second by T. Scholze, to approve the final reimbursement for Façade Improvement Grant Program application 2-2025 in the amount of $10,000 or 75% of the project cost, whichever is less contingent upon receiving financial document and color scheme clarification. N. Morales said the owner provided the financial letter and indicated he’d be using two shades of gray for paint, which are approved shades. Motion carried with one negative vote (Yarrington.)

**Approval: Façade Improvement Grant Program Application 4-2025 (Tomah Cash Mercantile)**

Motion by M. Koel, second by T. Scholze, to approve the final reimbursement for Façade Improvement Grant Program application 4-2025 in the amount of $10,000 or 75% of the project cost, whichever is less contingent upon submission of letter from financial institution and project illustration. Motion carried with one negative vote (Yarrington.)

**Approval: Amendment to Job Description for City Clerk**

Motion by J. Glynn, second by R. Yarrington, to approve the amended job description for City Clerk as presented by staff, to be effective July 1, 2025. Motion carried.

**Approval: Amendment to Job Description for City Treasurer**

Motion by N. Pater, second by J. Glynn, to approve the amended job description for City Treasurer as presented by staff, to be effective July 1, 2025. Motion carried.

**Approval: Amendment to Job Description of Director of Public Works and Utilities**

Motion by R. Yarrington, second by N. Pater to approve the amended job description for Director of Public Works and Utilities as presented by staff, to be effective July 1, 2025. Motion carried.

**Approval: Budget Amendment to Transfer $500 from Elections Operation to Administrator Operation for 3 July Employee BBQ**

Motion by M. Koel, second by J. Glynn, to approve the transfer of $500 from account 01-51440-3400 to account 01-51415-3400 for the purposes of funding an employee barbecue on July 3, 2025, to celebrate our Nations’ independence and demonstrate the City’s appreciation for its employees. Motion carried.

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

Motion by S. Zabinski, second by N. Pater, to adjourn to closed session under Wis Stat § 19.85(1) as listed on the agenda.Motion carried. Meeting adjourned to closed session at 7:14 p.m.

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

**Considering employment, promotion, compensation or performance evaluation data of any public employee to discuss staffing and compensation for:**

Approval: Contract for City Administrator

Approval: Internal promotion to Interim Director of Public Works and Utilities

**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:**

Approval: negotiating terms for purchase of land

Approval: Amendment to rental contract

**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.**

Approval: Council Directive regarding possible litigation

**Adjourn Meeting**

Motion by D. Peterson, second by S. Zabinski, to adjourn at 8:07 p.m. Motion carried.

Respectfully submitted,

Nicole Jacobs, City Clerk