

MEETING MINUTES – CITY OF TOMAH COMMITTEE OF THE WHOLE

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 8th day of April, 2019 at 6:30 p.m. in the Council Chambers at City Hall with Council President Lamont Kiefer presiding.

Council President Kiefer called the meeting to order at 6:30 p.m.

Roll call was taken with the following members present: Mary Ann Komiskey, Richard Yarrington, Jeff Cram, Shawn Zabinski, Travis Scholze, Lamont Kiefer, Wayne Kling, Remy Gomez, and Mike Murray. Absent: None. Quorum present.

Also present: Fire Chief Tim Adler, Ambulance Director Randy Dunford, Parks and Recreation Director Joe Protz, Sr. & Disabled Services Coordinator Pam Buchda, Public Works and Utilities Director Kirk Arity, City Treasurer Julia Mann, and City Clerk JoAnn Cram. Greg Hagen videotaped the meeting.

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Approval of March 11, 2019 Minutes of the Committee of the Whole.

Motion by Yarrington, second by Komiskey to approve the minutes of the March 11, 2019 regular Committee of the Whole meeting. Motion passed without negative vote.

Fire Department Monthly Report. Fire Chief Tim Adler reported that the department responded to a report of a deck on fire on Mill Ave. Four members of the Department participated in the WI State Firefighters conference. Fire inspections have begun for 2019. The department continues to work with the Building Inspection department on the new construction projects in the City. Grants continue to be written for items needed by the department.

Parks and Recreation Monthly Report: Parks Department, Recreation Programs, Aquatic Center, Recreation Park: Parks and Recreation Director Joe Protz advised that the department is getting ready for spring events. The department will have outdoor bathrooms open by May 1st. April 26th is Arbor Day – 4 p.m. at Butts Park. Several trees will be planted and a speaking event will be held at 4 p.m. The 2019 Activity Guide is available and programs are starting. The work is completed at the Aquatic Center. Lifeguard courses will be held the end of April. All buildings are heavily used at Recreation Park. The High School Rodeo will be held May 3-5, 2019.

Public Works & Utilities Monthly Report - Water, Sewer, Public Works, & Lake Updates. Public Works and Utilities Director Kirk Arity advised the following: Street Department: The department has been focusing on removing ash trees throughout the City (approx. 200 to date). The City awarded the bid for concrete work to Wolfe Construction. The new salt shed is scheduled for starting construction on April 15th. The streets to be chip sealed this year are Green Acres Ave., Heeler & Grandview Ave. north of ET and Straw Street and Mark Avenue from the school to Warren St. They will also be re-doing the bridge on Glendale Ave. Gerke is working on the alley project with several crews. The department is wrapping up the work on the restroom construction project. Concrete and fencing are in the final stages. Sewer Department: Flows at the plant are at 1.16 million gallons per day. Operations are normal. The alley project has started back up. Water Department: Well #6 Radium treatment project

has begun. The well is down at this time and the tank is being painted and blasted. The PSC report has been submitted. Linda Niebuhr will retire on April 30 after 38 years of service. Semi-annual fire hydrant flushing will start on April 22 and end on April 26th. Lake Committee: The Department is monitoring the Lake level which has required some overtime. Operations are now normal at the dam. A new program – “Kids Don’t Float Program” is being started to provide life jackets for youth at the Lake which is a result of a grant the City received. The Department is also working on a dock.

Ambulance Department Monthly. A monthly written statistics report was provided. Director Dunford advised that in March there were 207 calls for service and 84 facility transfers. 12 transfer requests were denied due to lack of staffing. Two part-time employees have been hired. Dr. Kline wishes to resign as the Medical Director and his work for the Ambulance Service is greatly appreciated. The Fire Investigators will be meeting this week to do an in-depth inspection of the ambulance that burned to see if they can determine the cause. May 23rd is National Stop the Bleed Day and the Ambulance Service will be hosting a complimentary life-saving class on that day from 6 p.m. to 9 p.m.

Accept Treasurers Cash and Investment Reports.

Motion by Scholze, second by Cram to recommend the Common Council accept the March cash and investment reports as presented. Motion passed without negative vote.

Bartender Licenses. Motion by Yarrington, second by Gomez to recommend the Common Council approve bartender licenses for the period of April 9, 2019 to June 30, 2020 as follows: Farrah Fosbinder, Trinity M. Franklin, Gary W. Middleton, Phillip A. Willhite, and Amy Thelen. Motion passed without negative vote.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights on July 4, 2019, 800 Block of Superior Ave. Motion by Yarrington, second by Scholze to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on July 4, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights on July 11, 2019, 800 Block of Superior Ave. Motion by Zabinski, second by Yarrington to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on July 11, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights on July 18, 2019, 800 Block of Superior Ave. Motion by Komiskey, second by Gomez to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on July 18, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights on Aug. 1, 2019, 800 Block of Superior Ave. Motion by Gomez, second by Scholze to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on August 1, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights on Aug. 8, 2019, 800 Block of Superior Ave. Motion by Zabinski, second by Yarrington to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on August 8, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit for the Tomah Lions for Downtown Thursday Nights for Aug. 15, 2019, 800 Block of Superior Ave. Motion by Komiskey, second by Kling to recommend the Common Council approve the Special Beer Permit for Downtown Thursday Nights on August 15, 2019 in the 800 block of Superior Avenue. Motion passed without negative vote. Cram abstained.

Special Beer Permit – MC Support Services LLC for the Budweiser Nationals Tractor Pull, Recreation Park, June 19-June 22, 2019. Motion by Zabinski, second by Scholze to recommend the Common Council approve the Special Beer Permit for MC Support Services LLC for the Budweiser Nationals Tractor Pull, Recreation Park, June 19-22, 2019. Motion passed without negative vote.

Special Beer Permit – MC Support Services LLC for the Monroe County Fair, Recreation Park, July 24-July 28, 2019. Motion by Cram, second by Yarrington to recommend the Common Council approve the Special Beer Permit for MC Support Services LLC for the Monroe County Fair, Recreation Park, July 24-28, 2019. Motion passed without negative vote.

Special Beer Permit – VFW Post 1382 Chicken Q for May 4, 2019 for 1618 Superior Ave. Motion by Gomez, second by Zabinski to recommend the Common Council approve the Special Beer Permit for the VFW Post 1382 for a Chicken Q for May 4, 2019 at 1618 Superior Avenue. Motion passed without negative vote.

Special Beer Permit–VFW Post 1382 Chicken Q for September 7, 2019 for 1618 Superior Ave. Motion by Komiskey, second by Scholze to recommend the Common Council approve the Special Beer Permit for the VFW Post 1382 for a Chicken Q for Sept. 7, 2019 at 1618 Superior Avenue. Motion passed without negative vote.

Special Beer and Wine Permit for Queen of the Apostles, 303 W Monroe Street for Monsignor Gilles 25th Anniversary as Priest Celebration on June 2, 2019. Motion by Cram, second by Komiskey to recommend the Common Council approve the Special Beer and Wine Permit for Queen of the Apostles, 303 W Monroe Street for Monsignor Gilles 25th Anniversary as Priest Celebration on June 20, 2019. Motion passed without negative vote.

2019 Budget Amendment – Increase Acct. #05-57220-8300 Fire Protection Outlay-Equipment by \$1,152.19 from Acct. 05-49300 Grants & Donations Fund Balance for the Purchase of Fire Protection Outlay Equipment. Motion by Komiskey, second by Gomez to recommend the Common Council approve the 2019 Budget Amendment increasing Acct. #05-57220-8300 Fire Protection Outlay – Equipment by \$1,152.19 from Acct. #05-49300 Grants and Donations Fund Balance for the purchase of fire protection equipment. Motion passed without negative vote.

2019 Budget Amendment – Increase Acct. #05-57220-8300 Fire Protection Outlay-Equipment by \$2,444.92 from Acct. 05-48500 Grants & Donations-Donations for the

Purchase of Fire Protection Outlay Equipment. Motion by Scholze, second by Cram to recommend the Common Council approve the 2019 Budget Amendment increasing Acct. #05-57220-8300 Fire Protection Outlay – Equipment by \$2,444.92 from Acct. #05-48500 Grants & Donations – Donations for the purchase of fire protection equipment. Motion passed without negative vote.

Application for Class “B” Fermented Malt Beverage License and Class “C” Wine License for Mandy Bacholl for Mandy’s Café and Deli LLC at 201 Helen Walton Drive, Suite 5, Tomah.

Motion by Gomez, second by Scholze to recommend the Common Council approve the Class “B” Fermented Malt Beverage License and Class “C” Wine License for Mandy Bacholl for Mandy’s Café and Deli LLC at 201 Helen Walton Drive effective April 9, 2019 to June 30, 2019 unless soon 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 issued. Motion passed without negative vote.

Request for Public Assistance with Rehabilitation Project TID #8. Kathleen Cipriani has submitted an application to the Long Range Planning Committee for financial assistance from TID 8. Her request is for monetary assistance to renovate the former Veterans Assistance Foundation building into Doogies Doggie Daycare & Spa Inc. This type of repurposing of an existing structure is one of the primary goals established when TID 8 was opened. In this case, the City sees two benefits, 1. A vacant building is repurposed and utilized for a completely new business in Tomah and, 2. It takes a building that was formerly tax exempt and places it back on a taxable status allowing for revenue gain by the City. The renovation will require Ms. Cipriani to follow the downtown master plan guidelines so that the exterior of the building meets the required established criteria for appearance of the structure. The Long Range Planning Committee has recommended allowing a loan of \$15,000 with an additional \$10,000 to be available as determined needed by the LRPC. The loan percentage for payback would be 4.25% for a period of 5 years.

Motion by Murray, second by Gomez to recommend the Common Council approve the request for public assistance in the amount of \$15,000 with a 5 year payback at 4.25%. Motion passed with one negative vote (Zabinski).

Request to Rent Upper Floors of the Tomah Senior & Disabled Services Center. The Tomah Youth Wrestling Club is requesting to rent the upstairs portion of the Tomah Senior Center for the youth wrestling program. All wrestlers would be required to have their own USA wrestling insurance card before they would be allowed to wrestle to protect the City and coaches in case of an injury. The wrestling club would also pay for any damages to the building. The kids will be under the direct supervision of coaches all of which will be over the age of 18. The wrestling club would need a couple of keys for coaches due to the fact that the program hours will not coincide with the Senior Center hours. They are asking for a month to month lease at a rate of \$400 per month.

Motion by Murray, second by Cram to recommend the Common Council approve the request to rent the upper floor of the Tomah Senior & Disabled Services Center at \$400 on a month to month lease and request the City Attorney draft the necessary lease agreement as stipulated. Motion passed without negative vote.

Resolution Authorizing the Borrowing of a \$1,914,000 General Obligation Promissory Note for the TID 8 Street Light Project and the TID 10 Goose and Gopher Projects. This note is to complete the street lighting project in the downtown area and to re-construct Goose and Gopher Streets in front of the new Gundersen Clinic and Tomah Memorial Hospital. The interest rate offered by the Farmers & Merchants Bank is 4.69% for 10 years.

Motion by Cram, second by Zabinski to recommend the Common Council approve the Resolution Authorizing the Borrowing of \$1,914,000 General Obligation Promissory Note for the TID 8 Street Light Project and the TID 10 Goose and Gopher Ave. projects. Motion passed without negative vote.

Existing Employer Update Resolution for Wisconsin Public Employers' Group Health Insurance Program. The Dept. of Employee Trust Funds has requested that the attached Resolution be approved as they have created one reference source for the Wisconsin Public Employee Group Health Insurance Plan. The original resolution stated that the Council agreed to abide by the terms of the program set forth in the contract between the Group Insurance Board and the participating health insurance providers. With the movement of those contract provisions to the new employer manual, that resolution is no longer accurate, requiring the need to approve the attached resolution.

Motion by Yarrington, second by Scholze to recommend the Common Council approve the Resolution for Wisconsin Public Employer's Group Health Insurance Program. Motion passed without negative vote.

Ordinance Creating Sections 6-1 to 6-13 in Chapter 6 Amusements and Entertainment of the Municipal Code. In the current ordinance there is only an indoor cabaret license which does not allow for any live entertainment outside of any facility. There have been requests for outdoor entertainment from two licensed establishments. The proposed language would be in Chapter 6 and deals with all live entertainment whether in an alcohol licensed establishment or not. The Outdoor Cabaret definition refers to an outdoor area to which the general public is admitted and where dancing or live entertainment is permitted or furnished to patrons by the management with or without special charge and where liquid refreshment or foods are sold. The Special Event Outdoor Cabaret is also new and allows for an outdoor cabaret, however, the license period cannot exceed one day and may exceed noise levels established in the City Code provided the sounds emanating from the outdoor cabaret are reasonable under the circumstances, subject to Common Council approval. All property owners within 1,000 feet of the proposed licensed premises for a Special Event Outdoor Cabaret License shall receive notice of the application. A license shall only be granted following approval by a 2/3 vote of the Common Council.

Motion by Gomez, second by Cram to recommend the Common Council approve the Ordinance Creating Sections 6-1 to 6-13 Regarding Amusements and Entertainment – Cabarets as presented. Motion passed without negative vote. (Murray abstained)

Ordinance Amending Sections 4-1, 4-133, 4-134, 4-135, 4-136 and 4-137 Regarding Cabaret Licenses in the City of Tomah Municipal Code. These ordinance amendments are a result of the changes in the cabaret license language which was previously addressed in Chapter 6.

Motion by Scholze, second by Cram to recommend the Common Council approve the Ordinance Amending Sections 4-1, 4-133, 4-134, 4-135, 4-136 and 4-137 Regarding Cabaret Licenses in the City of Tomah. Motion passed without negative vote (Murray abstained).

License Application – Secondhand Article Dealer for ecoATM LLC. ecoATM LLC has applied for the license for a cell phone recycling kiosk to be located at Wal-Mart at 220 W McCoy Blvd. for the licensing period ending Dec. 31, 2019.

Motion by Murray, second by Cram to recommend the Common Council approve the Secondhand Article Dealer License for ecoATM LLC as requested with the licensing period ending Dec. 31, 2019. Motion passed without negative vote.

Annual Fire Department Fund Audit. The City Treasurer is required to audit the Fire Dept. Funds annually. This has been done for 2018 records and the books have been found in good order. The cash balance is \$122,282.15.

Motion by Murray, second by Yarrington to recommend the Common Council approve the Fire Department Annual Audit Report as presented for 2018. Motion passed without negative vote.

Resolution Authorizing Payment of Monthly Bills.

Motion by Cram, second by Yarrington to recommend the Common Council approve the monthly bills in the amount of \$807,757.98 as presented. Motion carried without negative vote.

Monthly Financial Report –March 2019.

Motion by Zabinski, second by Kling to recommend the City Council approve the March 2019 Financial report. Motion passed without negative vote.

Adjourn.

Motion by Zabinski, second by Komiskey to adjourn. Motion passed without negative vote. Meeting adjourned at 7:32 p.m.

Respectfully submitted,

JoAnn Cram, City Clerk