

**MEETING MINUTES – CITY OF TOMAH  
COMMITTEE OF THE WHOLE**

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 17th day of May, 2021 in the Council Chambers at City Hall with Council Vice President Adam Gigous presiding. The meeting was called to order at 6:30 p.m. The General Public was able to access the meeting as follows:

<https://zoom.us/j/7689466740?pwd=dEdLR2hXK0ZYMk1qNU5vNFllwMzdSZz09>

**Meeting ID: 768 946 6740      Password: Tomah2020**  
**Dial by your location    +1 312 626 6799 US (Chicago)**  
**Meeting ID: 768 946 6740      Password: 546782713**

Roll call was taken with the following members present: Adam Gigous, Richard Yarrington, Shawn Zabinski, John Glynn, Mike Murray, Mitchell Koel (6:31 p.m.), Lamont Kiefer, Nellie Pater, and Dean Peterson. Absent: none. Quorum present. The meeting was called to order by Evans at 6:30 p.m.

Also present: Police Chief Scott Holum, City Administrator Brad Hanson, Dir. Of Parks and Rec Joe Protz, Public works Director Kirk Arity, Public Safety Director/Fire Chief Tim Adler, City Treasurer Molly Powell and City Clerk Becki Weyer. Shane Rolf appeared via Zoom. Gregg Hagen videotaped the meeting.

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**Approval of Minutes from April 19, 2021**

Motion by Zabinski, second by Peterson, to approve the Minutes from April 19, 2021. Motion carried.

**REPORTS:**

**Treasurer**

Powell presented the April Cash and Investments report. The 2020 Financial audit is now complete. The auditors have filed the Municipal Financial Report for 2020 with the Department of Revenue.

Motion by Yarrington, second by Pater, to recommend the Council approve the April Cash and Investment report. Motion carried.

**Parks & Recreation**

Dir. Protz provided a written report. Parks projects have been busy. The park bathrooms are now open. Thanks to NASA for the beginning of the installation of the Inclusion Park at Butts Park. Roof restoration is completed at Buckley Park. Recreation summer signup began on May 10<sup>th</sup>. The schedule for the Aquatic Center is complete and available online.

**Public Works & Utilities**

Dir. Arity provided a written report.

Street: Good weather for crack sealing operations. Currently patch fixing asphalt. The street department did a lot of work for the NASA playground project. Getting through the transition with the garbage route changes. Doing some storm sewer repairs and cleaning. West Monroe street project will begin and will be done before the Downtown Thursday nights. East and West Saratoga will also be worked on. There are funds available for sidewalk repair. Any suggestions for sidewalk repair sent to the Public Works Dept. for review.

Sewer: Sludge has been delivered to the farmers for fertilizer. The new Vac truck was received. One sewer repair on West Veterans that was a 2-day emergency repair, and one repair on Arthur and Superior.

Water: Just starting to wrap up the directional flushing. It took about 4 weeks longer than normal, but should result in better water quality. Next Lake Committee meeting is Thursday at 5:00 p.m. in the Council Chambers and via Zoom. City Hal's new HVAC system should be online by the first week in June.

Lake Committee: Is working on a project on the trail area located on Jones Court called "Help us Plan our Path." It is a landscaping project for trees, shrubs, and wildflower patches. A booklet with instructions is available at City Hall and on the City of Tomah Website. They are looking for design layouts and a name for the area.

### **Police Department**

Police Chief Holum provided a written report. There is one full time position open and the Police Department is taking applications through the 21<sup>st</sup> of May. Justice Blackhawk will start in the academy on June 7<sup>th</sup> and will start as a police officer in February of 2022. They will be promoting an Assistant Police Chief and Lieutenant. The Department is working with the community on area events like Downtown Thursday Nights, Tractor Pull, and the Fire Department's 150<sup>th</sup> anniversary event. The Police Department is working towards the purchase of a therapy dog in September. Hours for ATV's in Tomah is 6 a.m. to 10:00 p.m.

### **GENERAL**

#### **2021 - 2022 Property and Equipment insurance proposals**

Administrator Hanson presented quotes from both MPIC and TRICOR insurance. Administrator Hanson introduced the visitors for both TRICOR and MPIC. Brian Christ from MPIC appeared to promote MPIC Insurance and answer any questions from the Committee regarding the property and equipment insurance coverage for the City. Terry Christen from TRICOR appeared to do the same for TRICOR insurance.

Motion by Glynn, second by Pater, to recommend the Council renew the contract with TRICOR for the City's property and equipment insurance. Yarrington, Zabinski, Kiefer, Peterson voted no. Motion carried with 4 negative votes.

#### **Special Beer Permit Application for Tomah Lions Club, Inc. for their event Kindness Classic on June 19, 2021**

Motion by Yarrington, second by Kiefer, to recommend the Council approve the Special Beer Permit application for Tomah Lions club for their event Kindness Classic on June 19, 2021. Motion carried. (Gigous abstained).

#### **Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. (1st & 2nd Reading & Adoption)**

Motion by Murray, second by Peterson, to recommend the Council adopt the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-01622-4200 from Commercial to High Density Residential. Motion carried.

#### **Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. (1st & 2nd Reading & Adoption)**

**Residential. (1st & 2nd Reading & Adoption)** Motion by Yarrington, second by Koel, to recommend the Council adopt the Ordinance to amend the Comprehensive Plan of the City of Tomah related to Future Land Use Map. Amend Parcel # 286-02651-3600 from Commercial to High Density Residential. Motion carried.

**Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District (1st & 2nd Reading & Adoption)**

Motion by Kiefer, second by Peterson, to recommend the Council adopt the Ordinance Rezoning Parcel #286-01622-4200 from B-Business District to R5-Mobile Home District. Motion carried.

**Ordinance to rezone property parcel #286-02651-3600 from B2- Highway Business District to R5-Mobile Home District**

Motion by Koel, second by Pater, to recommend the Council adopt the Ordinance to rezone property parcel #286-02651-3600 from B2- Highway Business District to R5-Mobile Home District. Motion carried.

**NASA Lease Agreement**

The Public Works and Utilities Commission (PW&U) has endorsed entering into an agreement for NASA to utilize the land adjacent to the Waste Water Treatment Facility (WWTF) for the physically challenged and elderly to enjoy varying recreational activities. The PW&U is recommending the leasing of the property adjacent to the WWTF. ??? from NASA appeared to answer any questions from the Committee of the Whole.

Motion by Murray, second by Koel, to recommend the Council approve the lease agreement between The North American Squirrel Association and the City of Tomah. Motion carried.

**Renewal of Alcohol Beverage Licenses for the Period of 7/1/2021 through 6/30/2022  
"Class A" Liquor and Class "A" Fermented Malt Beverage Licenses:**

1. Aldi Inc. (Store #52) at 1844 N. Superior Ave
2. Casey's Marketing Company DBA Casey's General Store #1933
3. Simran Corporation DBA Hwy 12 & 16 BP Citgo at 1030 E Clifton St
4. Wittig Inc. DBA Hwy 21 BP at 311 Wittig Rd
5. 907 McCoy Inc. DBA Hwy 21 Shell Mobil at 907 E McCoy Blvd
6. Kwik Trip, Inc. (Store #484) at 124 W McCoy Blvd
7. Kwik Trip, Inc. (Store #718) at 1504 Superior Avenue
8. Kwik Trip, Inc. (Store #796) at 310 E McCoy Blvd
9. Molter Family Markets LLC DBA Molter's Fresh Market at 701 E. Clifton St
10. Tomah Quick Stop & Spirit Shop LLC at 201 W. Veterans St.
11. Wal-Mart Stores East, LP DBA Walmart #965 at 222 W McCoy Blvd

Motion by Peterson, second by Pater, to recommend the Council approve the renewal of the Class A Liquor and Class A Fermented Malt Beverage Licenses as listed. Motion carried.

**Renewal of Class B Liquor and Class B Fermented Malt Beverage Licenses in the City of Tomah:**

1. M&M Vending Amusements, LLC DBA The Bank Bar at 1015 Superior Ave
2. Tomchadah Inc. DBA The Break Room Sports Bar & Grill at 1121/1123 Superior Ave
3. Cancun Bay LTD 1422 Superior Ave (RESERVE LICENSE)

4. Carlton LLC at 309 Superior Ave
5. T & J Hospitality LLC DBA Cran-Bearly Pub at 319 Wittig Rd
6. The Crow Bar LLC at 1206 Superior Ave
7. Don Cinco De Mayo Cantina Inc. 918 E McCoy Blvd
8. Swami Hospitality Inc. DBA Econolodge at 2005 N Superior Ave
9. James Frandsen DBA Franny's at 1115 Superior Ave
10. II Zones, LLC DBA Strike Zone & Pizones 208 & 210 Superior Ave
11. Kelsey's LLC at 201 Superior Ave
12. JVM Investments LLC DBA Murray's on Main at 810 Superior Ave
13. C & H Foodservice Inc. DBA Perkins Family Restaurant / Mr. P's at 1015 E McCoy Blvd
14. Kenneth Pierce DBA Smoke's Elbow Room Bar at 114 W Benton St
15. T & J Hospitality LLC DBA Taphouse Twenty 201 Helen Walton Dr., Ste. 1
16. Vacant RESERVE License

Motion by Peterson, second by Pater, to recommend the Council approve the renewal of Class B Liquor and Class B Fermented Malt Beverage Licenses in the City of Tomah as listed. Motion carried. (Murray abstained)

**Renewal of Class B Fermented Malt Beverage Licenses in the City of Tomah:**

1. Area Community Theatre Inc. at 907 Kilbourn Ave
2. Zheng's 1688 Inc. DBA China Buffet at 115 W McCoy Blvd
3. Stump Hospitality LLC DBA Hampton Inn at 219 Buan St
4. Knights of Columbus of Tomah Wisconsin Inc. at 202 E Juneau St
5. Mandy's Cafe and Deli LLC at 201 Helen Walton Dr., Ste. 5
6. ZM Peking Chinese Restaurant LLC DBA Peking Chinese Restaurant at 1013 Superior Ave
7. Northfield Restaurant Corporation DBA Pizza Hut at 1821 N Superior Ave
8. Tomah American Legion Post 201 Baseball Inc. 400 N. Glendale Ave (6 MONTH LICENSE)

Motion by Peterson, second by Yarrington, to recommend the Council approve the renewal of Class B Fermented Malt Beverage Licenses in the City of Tomah as listed. Motion carried.

**Renewal of Class C Wine License in the City of Tomah:**

1. Zheng's 1688 Inc. DBA China Buffet at 115 W McCoy Blvd
2. Mandy's Cafe and Deli LLC at 201 Helen Walton Dr, Ste 5
3. Paula Caucutt DBA Natural Connection at 1012 Superior Ave
4. ZM Peking Chinese Restaurant LLC DBA Peking Chinese Restaurant at 1013 Superior Ave

Motion by Peterson, second by Pater, to recommend the Council approve the renewal of Class C Wine Licenses in the City of Tomah as listed. Motion carried.

**Amendment to 28-81 correcting previous typo within the ordinance and add language allowing for bow hunting on parcel 286-02674-000 which is owned by the City. (Second Reading and Adoption)**

Motion by Yarrington, second by Peterson, to recommend the Council approve the second reading and adoption of the Amendment to 28-81 Ordinance regarding bow hunting. Motion carried with two negative votes. (Zabinski and Pater)

### **3RT/Lynxx Information Technology Agreement Reviewed**

Hanson explained the cost difference in the invoice from 3RT compared to the quote that was originally given by 3RT was due to the City adding additional locations and increased network devices and access points.

Motion by Murray, second by Yarrington, to approve the additional spending on the 72-month contract with 3RT. Motion carried.

### **City Debt Structure & Repayment**

Informational only – Hanson presented the Committee of the Whole with a consolidated worksheet showing all of the City's debt and payments due in an easy to read format.

### **Core Distinction Group Comprehensive Hotel Study**

Informational only – Hanson presented the Committee with an update on the Comprehensive Hotel Study and advised the completed study was received over the weekend and available for viewing.

### **New Fire Department Development Update**

Chief Adler gave an update on the scheduling of the testing of the land on N Superior and updated the Committee on the progress of the CDBG loan application. He suggested beginning engineering and architectural needs as soon as the studies are completed, and the City has closed on the property for the new Public Safety Building.

### **Resolution Authorizing Payment of Monthly Bills**

Motion by Murray, second by Peterson, to recommend the Council approve the Resolution Authorizing the Payment of Monthly Bills in the amount of \$1,863,144.36. Motion carried.

### **Bid Proposal Approval for Roller Gate on Dam**

Dir. Arity presented two bid proposals for the repair of the roller gate at the dam, and recommended the bid from Sabel Mechanical LLC in the amount of \$23,230.00.

Motion by Murray, second by Glynn, to recommend the Council approve the bid for Sabel Mechanical LLC in the amount of \$23,230.00 for the repair of the roller gate at the dam. Motion carried.

### **Resolution Designating Public Deposit Public Depository and Authorizing Withdrawal of County, City, Village, Town or School District Moneys**

Treasurer Powell presented this resolution required by CCF Bank for the authorization of Molly Powell as the City's Treasurer.

Motion by Kiefer, second by Peterson, to recommend the Council approve the Resolution Designating Public Deposit Public Depository and Authorizing Withdrawal of County, City, Village, Town or School District Moneys. Motion carried.

### **2021 Budget Amendment Park Improvement Cell Tower Account and Donation for Multi-Use Trail at Winnebago Park Point**

The Parks and Recreation Committee has recommended to the City Council a budget amendment to accept an anonymous \$25,000 donation for the Winnebago Park Point Trail and to allocate \$17,000 from the Cell Tower Account to complete the project.

Motion by Murray, second by Kiefer, to approve a budget amendment accepting \$25,000 donation into account 05-48500 and transferring to account 08-5720-810 and \$17,000 from the fund balance of the cell tower to Park Outlay to account 08-5720-810 for use in the Winnebago Park point Trail project. Motion carried.

**Mathy Construction Conditional Use Permit to operate a portable hot mix asphalt plant**

Mathy Construction has requested a 5 year or longer conditional use permit to operate a portable hot mix asphalt plant at 600 Industrial Ave, and has requested waiving the annual reporting to the City as they are already required to report annually to the WI DNR. The Planning Commission has recommended approval of this conditional use permit.

Motion by Murray, second by Pater, to approve the five-year Conditional Use Permit for Mathy Construction to operate a portable hot mix asphalt plant. Motion carried.

**Adjourn**

Motion by Koel, second by Pater, to adjourn. Motion carried. Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Rebecca Weyer, City Clerk