

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

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 11th day of February, 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: Lamont Kiefer, Wayne Kling, Shawn Zabinski, Richard Yarrington, Mary Ann Komiskey, Jeff Cram, Remy Gomez, Travis Scholze and Mike Murray. Absent: None. Quorum present.

Also present: Fire Chief Tim Adler, Parks & Rec Director Joe Protz, Ambulance Director Randy Dunford, City Treasurer Julia Mann, and City Clerk JoAnn Cram. Greg Hagen videotaped the meeting.

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Approval of January 7, 2019 Minutes of the Committee of the Whole.

Motion by Komiskey, second by Kling to approve the minutes of the January 7, 2019 regular Committee of the Whole meeting. Motion passed without negative vote.

Fire Department Monthly Report and Annual Report. The Fire Dept. responded to two minor structure fires. Four firefighters completed the DNR Wildland Course. Annual Report: The Fire Dept. responded to 253 calls in 2018 compared to 271 in 2017. There were four structure fires; one of which suffered significant damage. The apartment fire at 1315 Butts Ave. was a total loss. Details of other calls were provided. No injuries or deaths were reported in these fires. Fire inspection hours were 701.5. Four part time inspectors along with the Chief conduct these inspections. The hours continue to increase due to training and new inspectors learning the job along with the amount of inspections required by the State of Wisconsin. Nearly 1200 inspections were performed in 2018 which doesn't include follow-up inspections after violations have been identified. Fire safety education totaled 161 hours. At the current time there are 35 firefighters on staff with 2 Rescue Technicians. Fire Chief Adler also provided a yearly review of vehicles in the department fleet.

Police Department Report. A written report was provided and reviewed.

Parks & Recreation Monthly Report: Parks Department, Recreation Programs, Aquatic Center, Recreation Park. Parks and Recreation Dir. Joe Protz advised the department continues to work on equipment and building maintenance issues as well as snow removal. Various Recreation programs are underway and Freeze Fest was held the first weekend in February. An update was provided on events at Recreation Park. Vandalism/damage was found to several trees at Winnebago Park. The Activity Guide is available on the website and at City Hall. Spring gymnastics signup will be available by the end of the week. Sunday, Feb. 24th the Special Olympics will hold their Special Olympics Day with basketball games and a special appearance by the Rim Rockers. The electrical filter upgrades and final repairs on the filters will occur in late March at the Aquatic Center.

Public Works & Utilities Monthly Report - Water, Sewer, Public Works, & Lake Updates. Public Works and Utilities Director Kirk Arity provided a written report: Street Department: The recycling truck is back in service. The department is busy hauling snow and cutting ash trees. Sewer Department: Flows are 1.26 million gallons per day. It is the department's intent to pursue another adaptive management agreement with a farm just south of our current location. Water Department: Well #6 modifications will start shortly. Frost is about 3.5' deep. Lake Committee: Council President Kiefer provided an update on the lake: The City is assisting with building of fish cribs for placement in Lake Tomah to help Lake Habitat. An ice fishery was held at the Lake last weekend and statistics

on the winning fish categories were provided. The City of Tomah Lake website has been updated. Four trees were cut down which were drug out onto the lake and will be attached in the spring. Twenty middle school students will assist at the Juneau Street dock area helping assemble fish cribs which will be placed on top of the ice. This will be a 3-5 year project with an anticipated 50-60 fish cribs placed along the shore line.

Ambulance Department Monthly Report. A monthly written statistics report was provided. Director Dunford advised that there were 193 calls for service. The department had 3 mutual aid requests. The department is looking at hiring 1 EMT and 2 paramedics for part time employment. The bookkeeping position interviews were conducted and the position was offered and accepted. The department is also in the process of reviewing medical protocols. After the staff reviews and makes suggestions, it will be forwarded to the medical director and then it will be forwarded to the State. Director Dunford provided a report on the recent ambulance fire which was a total loss.

Accept Treasurers Cash and Investment Reports for January and December Investment Report. Motion by Murray, second by Yarrington to recommend the Common Council accept the December investment report and the January investment and cash reports as presented. Motion passed without negative vote.

Bartender Licenses. Motion by Yarrington, second by Kling to recommend the Common Council approve bartender licenses for the period of February 12, 2019 to June 30, 2020 as follows: Ellena Adler, Victoria Braun, Amy Bryant, Brian Cram, Kimberly Greeno, Michaela Hughes, and Nicole Sweeney. Motion passed without negative vote.

Special Beer and Wine Permit – Tomah Baseball Club “Opening Night” for March 2, 2019 at the Recreation Park Recreation Building

Motion by Scholze, second by Cram to recommend the Common Council approve the Special Beer and Wine Permit for the Tomah Baseball Club “Opening Night” for March 2nd, 2019 at the Recreation Park Recreation Building. Motion passed without negative vote.

Special Wine Permit – Area Community Theatre for March 28-31 and April 4-7, 2019 at 907 Kilbourn Avenue for a Dinner Show and Play

Motion by Gomez, second by Yarrington to recommend the Common Council approve the Special Wine Permit for the Tomah Area Community Theatre for March 21-31 and April 4-7, 2019 at 907 Kilbourn Avenue for a dinner show/play at 907 Kilbourn Ave. Motion passed without negative vote.

Special Beer Permit – for the Tomah Fire Department for a Wild Turkey Federation Banquet on March 30, 2019 at the Recreation Building at Recreation Park.

Motion by Scholze, second by Cram to recommend the Common Council approve the Special Beer Permit for the Tomah Fire Department for a Wild Turkey Federation Banquet on March 30, 2019 at the Recreation Building at Recreation Park. Motion passed without negative vote.

Request for Change of Agent for Kwik Trip No. 484, 124 W. McCoy Blvd. to Britney E. Hall.

Motion by Yarrington, second by Cram to recommend the Common Council approve the request for change of Agent for Kwik Trip No. 484, 124 W. McCoy Blvd. to Britney E. Hall as requested. Motion passed without negative vote.

Request for Change of Agent for Kwik Trip No. 796, 310 E. McCoy Blvd. to Jamie A. Prestwood. Motion by Cram, second by Yarrington to recommend the Common Council approve

the request for change of Agent for Kwik Trip No. 796, 310 E. McCoy Blvd. to Jamie A. Prestwood as requested. Motion passed without negative vote.

2019 Budget Amendment – Reduce Reserve For Contingency Acct. #01-51980-2270 by \$24,143.35 and Authorize Expenditures of \$15,293.35 from Law Enforcement Bldg. Maintenance Acct. #01-52100-3550 and \$8,850 from General Building Repair & Maintenance Acct. #01-51600-3500 for HVAC System Repairs. This is a budget amendment to transfer funds from Contingency for the City Hall and Police Department HVAC systems. This is for control upgrades for City Hall and the re-piping circuit for redundancy for the Police Department. This was not addressed in the budget process, but is in need of being taken care of at this time.

Motion by Gomez, second by Murray to recommend the Common Council approve the 2019 Budget Amendment Transferring \$24,143.35 from the Reserve for Contingency Acct. #01-51980-2270 and authorizing expenditures of \$15,293.35 from Law Enforcement Bldg. Maintenance Acct. #01-52100-3550 and \$8,850 from General Building Repair & Maintenance Acct. #01-51600-3500 for HVAC System Repairs.. Motion passed without negative vote.

“Class B” Liquor and Class “B” Fermented Malt Beverage License for JVM Investments, LLC d/b/a Murray’s on Main, Michael Murray, Agent at 810 Superior Avenue for March 1, 2019-June 30, 2019. JVM Investments, LLC has submitted the application for Murray’s on Main at 810 Superior Avenue upon completion of construction which is anticipated to be March 1, 2019.

Motion by Scholze, second by Cram to recommend the Common Council approve the “Class B” Liquor and Class “B” Fermented Malt Beverage License for JVM Investments, LLC effective from March 1, 2019 expiring June 30, 2019 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 issued. Motion passed with one negative vote from Yarrington. (Mike Murray abstained.)

Application to Operate an Outdoor Facility by Mike Murray at 810 Superior Avenue – d/b/a Murray’s on Main. “Murray’s on Main” would like to extend their liquor license to include an outside seating area facing Superior Avenue on the first level as well as a second floor banquet center balcony. Based on review of the application, the Planning Commission recommends approval of the Outdoor Facility License with the condition that it conforms to future ordinances. The ability to have live entertainment in these areas will be discussed at a subsequent meeting and requires separate approval. The Police Chief and Building Inspector concur with this recommendation. Site plans were reviewed by the Planning Commission.

Motion by Gomez second by Yarrington to recommend the Common Council approve the Outdoor Facility request by Mike Murray at 810 Superior Avenue for Murray’s on Main as approved by the Planning Commission. Motion passed without negative vote (Mike Murray abstained).

Cabaret License for Murray’s on Main, 810 Superior Avenue. Motion by Cram, second by Gomez to recommend the Common Council approve the Cabaret License for Murray’s on Main at 810 Superior Avenue. Motion passed without negative vote (Mike Murray abstained).

Taxi Cab Licenses for Tomah Transit – Running, Inc. Running Inc. has taken over the Tomah Transit Shared Ride Program for Tomah effective January 1, 2019. The certificate of insurance is on file and payment has been received. Mechanic inspection reports were provided. The Police Department still needs to complete their inspections of all vehicles. This licensing period runs from January 1, 2019 to December 31st annually. Due to the switch in Shared Ride administration effective January 1st, this process was delayed.

Motion by Murray, second by Scholze to recommend the Common Council approve the Taxi Cab Licenses for Tomah Transit-Running, Inc. for a 2013 Dodge Grand Caravan VIN #2C4RDGBG6DR633211; 2015 Dodge Grand Caravan – VIN #2C7WDGBG8FR636166; 2015 Dodge Grand Caravan – VIN #2C7WDGBG2FR703117; 2016 Dodge Grand Caravan – VIN #2C7WDGBG9GR386602; and a 2017 Dodge Grand Caravan – VIN #2C7WDGBG5HR648584 for the licensing period effective now through Dec. 31, 2019 contingent on passing Police Department inspections. Motion passed without negative vote.

Madison Area Technical College Clinical Setting Affiliation Agreement. The Ambulance Service is requesting authorization to sign an agreement with the Madison Area Technical College for the purpose of making Tomah Area Ambulance Service an approved Clinical Setting. This will allow the Ambulance Service the ability to accept students that are currently enrolled in EMT, Advanced EMT, and Paramedic training to provide for them fieldwork, internship or practicum.

Motion by Gomez, second by Cram to recommend the Common Council approve the Clinical Setting Affiliation Agreement between the Tomah Area Ambulance Service and the Madison Area Technical College as presented. Motion passed without negative vote.

Application and Resolution for State Trust Fund Loan in the Amount of \$250,000 for the Purpose of Financing Rehabilitation TID #8 District Development Incentive and Levying Upon All Taxable Property a Direct Annual Tax Sufficient to Pay the Annual Installments and Principal and Interest

Motion by Cram, second by Scholze to recommend the Common Council approve the application and resolution for the State Trust Fund Loan in the amount of \$250,000 for the purpose of financing the remaining Development Incentive in the Downtown Rehabilitative TID District #8 for 3rd Gen, LLC and levying upon all taxable property a direct annual tax sufficient to pay the annual installments of principal and interest. Motion passes with one negative vote from Mary Ann Komiskey. (Mike Murray abstained.)

Resolution Authorizing an Agency Fare to the Shared Ride Taxi Program Fee Schedule. An agency fare is a fare that is allowed to be charged to human service organizations for the use of transit services by their clients. The fare is determined by the municipality. We are suggesting a rate of \$6 one way. The higher rate is to help cover the Federal Transit Administrative costs incurred by the Shared Ride Taxi Program. We are permitted to do this under the laws that govern transportation programs.

Motion by Murray, second by Gomez to recommend the Common Council approve the Resolution authorizing an agency fare to the Shared Ride Taxi Program fee schedule as presented. Motion passed without negative vote.

Correction of Assessor's Palpable Error on Parcel 286-9160-0000 located at 1216 Mark Avenue. The Assessor's office double assessed the personal property for the massage business located at 1216 Mark Avenue. There are two accounts for the same business; one under the name of Therapeutic Healing Massage and one under Brandy Peterson (the owner's name). It has been determined that the correct account is under the owner's name and the account for Therapeutic Healing Massage is incorrect.

Motion by Yarrington, second by Zabinski to recommend the Common Council rescind tax bill #274 in the amount of \$13.32 for Parcel #286-09160-0000 and record it under Acct. #01-51910-3400 Illegal Taxes, Tax Refunds & Uncollectible Taxes. Motion passed without negative vote.

Correction of Assessor's Palpable Error on Parcel 286-02713-1312 located at Berry Avenue.

The assessor's office made an error in the land value computation for parcel 286-02713-1312 for tax year 2018. The assessor and the property owner had a discussion in 2017 that there was a lack of utilities available to this lot. The adjustment was not made to the land value in 2018 which resulted in an error of \$11,200 or the amount of tax to be rescinded at \$248.39.

Motion by Murray, second by Kling to recommend the Common Council rescind the amount of \$248.39 for parcel #286-02713-1312 from Acct. 01-51910-3400 Illegal Taxes, Tax Refunds, & Uncollectible Taxes. Motion passed without negative vote.

Discussion of Amending City Ordinance Section 2-557 Regarding Composition of Long Range Planning Committee. The Long Range Planning Committee currently consists of ten members including the Mayor, two members of the Council and seven members with 2 of those being members of the Planning Commission. It has been difficult obtaining a quorum for the monthly meetings. With the resignation of Eric Prise, it is requested that discussion be held regarding reducing the size of the Committee by one and not filling this vacancy. This change would require an ordinance amendment.

Motion by Gomez, second by Zabinski to recommend the Common Council authorize the reduction in the size of the Long Range Planning Committee by one and bring back the ordinance amendment in March for Council approval. Motion passed with one negative vote from Yarrington.

Resolution Authorizing Payment of Monthly Bills.

Motion by Murray, second by Gomez to recommend the Common Council approve the monthly bills in the amount of \$4,093,560.20 as presented. Motion carried without negative vote.

Monthly Financial Report. Motion by Scholze, second by Gomez to accept the January Monthly Financial Report. Motion passed without negative vote.

Adjourn. Motion by Cram, second by Zabinski to adjourn. Motion passed without negative vote. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

JoAnn Cram, City Clerk