

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

A COMMITTEE OF THE WHOLE MEETING of the City of Tomah was held on the 12th day of August, 2019 at 6:30 p.m. in the Council Chambers at City Hall with Council Vice-President Shawn Zabinski presiding. The meeting was called to order at 6:30 p.m.

Roll call was taken with the following members present: Mike Murray, Richard Yarrington, Jeff Cram, Shawn Zabinski, Lamont Kiefer, Donna Evans, and Susan Holme. Absent: Travis Scholze and Mary Ann Komiskey. Quorum present.

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

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Approval of July 8, 2019 Minutes of the Committee of the Whole.

Motion by Murray, second by Yarrington to approve the minutes of the July 8, 2019 regular Committee of the Whole meeting. Motion passed without negative vote.

Fire Department Monthly Report. Fire Chief Tim Adler reported many hours have been spent at the new Tomah Health building performing inspections and learning the building's layout. The final inspection was performed and fire code documents were signed off. The department conducted training on radio communications and water supply exercises. They participated in the 4th of July parade and assisted with the fireworks show. The department received \$4,500 from the Frank G. Andres Charitable Trust which will be applied towards rescue equipment. The department assisted at the Monroe County Fair and participated in the human foosball tournament. Adler met with the National Fire Safety council representative and ordered fire safety educational materials for the Tomah Area School District for the 2019-2020 school year. The preliminary drawing for the new fire/ambulance facility has been received, however, the location has not been determined. Chief Adler advised the department had 22 calls in July with no serious fires in the city and have had 143 calls for service this year.

Parks and Recreation Monthly Report: Parks Department, Recreation Programs, Aquatic Center, and Recreation Park: Parks and Rec Dir. Joe Protz advised his crew assisted with set up/cleanup for National Night out on August 6th. Painting the Youth Soccer and Football fields will begin as well as working on this year's Fall Tree Program. The open house meeting for Winnebago Park Plan will be held on August 26th at 5:15pm to 6:15pm at Winnebago Park. The monthly committee meeting will follow. Summer programs are finishing up and fall programs will begin registration late August. The Aquatic Center will be closing August 18th and the Annual Pooch Plunge is scheduled for August 25th. Protz is working on plans for upgrades to walkways, parking, drainage, and accessibility. The Public Works department has begun painting parking stalls around the Ice Center. A report is being developed regarding the updates/renovation to the Boy Scout Cabin.

Ambulance Department Monthly. A monthly written statistics report was provided. This past month, three full-time employees were out with military obligations and the full/part-time staffing had to backfill the holes. On July 20th, the department conducted in-house training focused on helicopter landing and saline lock training. The ambulance fire dated January 13th was determined to have been caused by a fuel line that was improperly attached after a major repair of an injector pump installation was completed. All insurance companies have settled and closed the claim. TAAS was part of the 17th Annual National Night Out on August 6th and demonstrated the Lucas3 Compression device. While responding to 9-1-1 call, the EMS Fly-Car struck a deer. The order of the new 4X4 Ambulance which was to be delivered in April has now been pushed back to December 2019 due to a manufacturing fire. Director Dunford advised the manufacturer called him regarding a demo ambulance that matches

exactly to an older model we currently own. Due to the inability for delivery of the new ambulance, they are offering this demo vehicle for \$213,000 which is reduced by \$10,000. The unit has 6,000 miles and could be shipped to the City within two weeks. Director Dunford recommends to purchase the demo vehicle in 2019 and push the new ambulance order into 2020's budget. This would roughly save the City \$18,000. Dunford advised, in order to maintain our self-funding status, we need to increase our subsidy rates and recommends a \$2.50 increase per capita. The state average per capita (subsidy) charge is \$40.00 to \$45.00 and the City currently sits at \$5.00 per capita. The department responded to 221 calls for service.

Police Department Monthly Report. Police Chief Nicholson provided a written department report. Officer Paulson has advanced and is operating on solo patrol, however, continues in the field training program. Officer Hanrahan is also progressing well in the field training program. The department is in the process of promoting a patrol officer to sergeant. Interviews will be held on August 14th. The Department participated in National Night Out on Aug. 6th and Chief Nicholson thanked all those who helped organize and donated to this great event. Approximately 300 youth attended the annual Bike Rodeo event. The annual Cops on the Roof at Dunkin Donuts to raise funds for Special Olympics will be held August 16th from 6 – 11 a.m. All pre-order sales will go directly to Special Olympics. The department was heavily staffed for the Tractor Pull with no major incidents. Chief Nicholson advised they originally did not staff for the Downtown Thursday Night concert series and continues to see no issues at this time. The department will assist with the Platoon Run on August 25th.

Public Works & Utilities Director – Water, Sewer, Public Works, and Lake Updates. Director Arity reported installation of new street lights will start in front of the Library on August 13th. The alley project is temporarily on hold and the contractor intends to start up again in late August. There is approximately four blocks of sanitary sewer and storm sewer restoration along with the new asphalt. The department has advertised for an open Sanitation Operator position. Modern Disposal will be charging an additional charge for recycling which is anticipated to be about \$25,000 per year. Flows at the sewer plant have decreased slightly to 1.2 million gallons per day. The lime stabilization project is currently in the submittal stage. There was a water leak at the Tomah Middle School and repairs were made. Other than that, operations are normal. The next Lake Committee meeting is scheduled for September 19th, 2019.

Accept Treasurers Cash and Investment Reports.

Motion by Murray, second by Kiefer to recommend the Common Council accept the July 2019 cash and investment reports as presented. Motion passed without negative vote.

Bartender Licenses. Motion by Evans, second by Cram, to recommend the Common Council approve bartender licenses for the period of August 14, 2019 to June 30, 2020 as follows: Helene R. Abbott, Andrea S. Borowiec, Mary E. Grimshaw, Sarah J. Haralson, Julia I. Pasch, Jordan K. Sieben, Pepper M. Slabik, Tami M. Visgar, and Amanda R. Zielinski. Motion passed without negative vote (Murray abstained).

Special Beer Permit for Monroe County Shelter Care for October 24, 2019 for Brighter Tomorrows 2nd Annual Fundraiser at Recreation Park in the Recreation Building at 1625 Butts Avenue. Motion by Yarrington, second by Kiefer to recommend the Common Council approve the Special Beer Permit for the Monroe County Shelter Care for their Brighter Tomorrows 2nd Annual Fundraiser at Recreation Park in the Recreation Building at 1625 Butts Avenue on October 24, 2019. Motion passed without negative vote.

2019 Budget Amendment – Recognizing Donation of \$2,794.35 from Frank G. Andres Fund in Acct. #12-48502 Senior and Disabled Grants and Donations and Authorize an Expenditure of \$2,794.35 from Acct. #12-57650-8300 Senior and Disabled Outlay Equipment for Purchase of New Dining Room Chairs. Motion by Kiefer, second by Cram to recommend the Common Council approve the 2019 Budget Amendment recognizing a donation of \$2,794.35 from Frank G. Andres

Fund in Acct. #12-48502 Senior and Disabled Grants and Donations and Authorize an Expenditure of \$2,794.35 from Acct. #12-57650-8300 Senior and Disabled Outlay Equipment for Purchase of New Dining Room Chairs. Motion passed without negative vote.

Request from Kelsey's for Extension of Class "B" Fermented Malt Beverage License and "Class B" Liquor License for Special Event on August 24, 2019. The event would run from 10 a.m. to 10 p.m. and the fenced off area would include only the parking stalls directly behind the business from the end of the building to the dumpster. There will be no live entertainment or music outside but table and chairs will be put out. This provides the ability to carry out and smoke for their Combat Vets Organization Event.

Motion by Kiefer, second by Murray to recommend the Common Council approve the request from Kelsey's for extension of the Class "B" Fermented Malt Beverage License and "Class B Liquor License for their special event on August 24, 2019 from 10 a.m. to 10 p.m. Motion passed without negative vote.

Application of Class "A" Fermented Malt Beverage License and "Class A" Liquor License for Molter Family Markets, LLC, DBA: Molter's Fresh Market at 701 East Clifton Street. Motion by Murray, second by Kiefer to recommend the Common Council approve the application of the Class "A" Fermented Malt Beverage License and "Class A" Liquor License for Molter Family Markets, LLC, DBA: Molter's Fresh Market at 701 East Clifton Street for the period of August 15, 2019 through June 30, 2020 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 issued. Motion passed without negative vote.

"Class B" Liquor and Class "B" Fermented Malt Beverage License Held in Abeyance for 1106 Superior Avenue. Last year the license for 1106 Superior Avenue, formerly known as Sportsman's Bar and District 5, was surrendered in April. As a sale has not occurred and no application is on file and the license has been held for a period of time allowing the previous owner an opportunity to sell the building, it is recommended to allow for this "Regular" license to become available for issuance in the City.

Motion by Murray, second by Yarrington to table until the following item is discussed. Motion passed without negative vote.

After discussion on the request to adopt language for liquor licenses, the following motion was made:

Motion by Yarrington, second by Kiefer to recommend the Common Council allow for this "Regular" License to become available for issuance in the City. Motion passed without negative vote.

Request to Adopt Language for Liquor Licenses in Regards to the Relationship with the Establishment. Alderman Yarrington recommends establishing language to encompass the need to pay the license fee while it is being withheld waiting sale of an establishment and that after 90 days if a sale has not occurred that the licenses be surrendered back to the City for reissue. At the present time, the license is held in the operator's name, not the building name. Alderperson Yarrington proposes that if the property owner has a tenant that ceases to operate and surrenders the license, the property owner should be able to apply and hold the license for 90 days and the property owner would need to pay the normal fees to hold the license. If the sale would be pending during that time, then an additional 90 days could be allotted. Consistency is one of the factors the state wants the City to follow and the City has allowed total flexibility in various scenarios. It was voiced that the current system works well. It was requested that a time limit be placed when licenses become available. The City can't control extenuating circumstances. The Council had voted earlier in the year to set time limits and the motion did not pass.

Motion by Kiefer, second by Murray to recommend the Common Council leave the procedure the same as it currently is and address each situation as it occurs. Motion passed with two negative votes (Yarrington and Holme).

Creation of a Full Time Position for Code Enforcement Officer. Due to a resignation, the part-time Code Enforcement Officer position is now vacant. The position was originally created to be used by both Police and Building Departments. Due to the increase of construction, Building Inspector Rolff is unable to allot time for enforcement of our various ordinance violations regarding code. City Administrator Gorius recommends a change of position count to create a full time position for Code Enforcement Officer. This position would be placed at Grade "I" on the wage and survey scale and be provided the same benefits of all full time employees according to the personnel policy manual. The question arose if taking the police department duties out the job description, would time increase for the Code Enforcement position? Administrator Gorius advises he sees a need for the full time position. It was recommended to take the Weed Commissioner position from the Public Works Director and give those duties to the Code Enforcement Officer as well. The Evidence Custodian is not being requested at this time.

Motion by Kiefer, second by Evans to recommend the Common Council to authorize a change of position count resolution to create a full time position for Code Enforcement Officer. Motion passed with one negative vote (Yarrington).

Report on Annual Meeting of Joint Review Board Tax Incremental District Eight. City Administrator Gorius, reported on the July 25, 2019 annual meeting to review the performance of TID 8. Andrew Bremer, from MSA, presented the annual report and stated that currently TID 8 has a tax increment value of \$7,117,500 which indicates the TID is functioning as expected. The completion of the Downtown Information Center, completion of 3rd Gen LLC mixed use development, and adoption of TID 9 and 10 allow allocation of future excess tax increment to TID 8 were part of the report. The development of the façade improvement revolving loan fund has progressed.

Lease Between the City of Tomah and the American Federation of Government Employees Local 007. The American Federation of Government Employees Local 007 is seeking to enter a lease agreement with the City of Tomah to utilize the upstairs offices at our Senior and Disabled Community Center. In reviewing the proposed agreement, it was recommended by the Administrator and staff to increase the monthly rate to \$400.00 per month. This would reflect \$100.00 per office per month. The lease would be set for six-month intervals and utilities would be included with rent.

Motion by Yarrington, second by Murray to recommend the Common Council to authorize the change of price point to \$100 per month per office and authorize the City Attorney to draw up the lease and move forward with renting the space. Motion passed without negative vote.

Request Two Hour Parking Signs Not to be Replaced on New Street Light Poles. Installation of the new street lights has begun. To declutter the signage on the existing poles and replacements, Public Works Director Kirk Arity recommends to NOT replace the two hour parking signs on the new poles. Chief Nicholson advised two hour parking is rarely enforced with a minimum of two or three complaints in a year. The businesses and Chamber of Commerce do not see an issue with the removal. The intent is to keep the ordinance active, however, without the signage along Superior it wouldn't be enforced on Superior Avenue. Chief Nicholson recommends removing the ordinance if the signs are removed. It was the consensus of the Committee of the Whole to leave the ordinance on the books.

Motion by Murray, second by Holme to recommend the Common Council remove the two hour parking signs and NOT replace them on the new street light poles. Motion passed without negative vote.

Resolution Amending the Classification and Compensation Plan for AFSCME Union Members.

The AFSCME Union members have failed to gain a majority vote to remain in the union. As a result, these employees will no longer be covered under a collective bargaining unit as of January 1, 2020. The City will need to budget accordingly to include these positions into their respective wage classification as represented by the wage scale approved and implemented on January 1, 2019. The question arose as to whether the employees would be placed into the new scale before or after the scale would be adjusted for the annual cost of living increase. It was determined that the Council will make this determination in the budget process. Communication and education will need to be given to the employees who are moving into the non-represented wage scale. Another question arose as to what would happen if the union re-activates next Spring. It was discussed that those positions would have to be re-evaluated again through union negotiations.

Motion by Murray, second by Cram to recommend the Common Council approve the Resolution amending the classification and compensation plan and authorize staff to make the required budget adjustments needed for implementation. Motion passed without negative vote.

Resolution Authorizing Payment of Monthly Bills

Motion by Kiefer, second by Yarrington to recommend the Common Council approve the monthly bills in the amount of \$2,027,071.60 as presented. Motion carried without negative vote.

Monthly Financial Report – July 2019. Motion by Kiefer, second by Cram to accept the July 2019 Monthly Financial Report as presented. Treasurer Mann addressed several questions regarding the ambulance expenditures. Motion passed without negative vote.

Adjourn.

Motion by Kiefer, second by Murray to adjourn. Motion passed without negative vote. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

JoAnn Cram, City Clerk