

**Administrative & Judiciary Committee
of the City of Onalaska**

Wednesday, November 4, 2015

1

1 The meeting of the Administrative & Judiciary Committee of the City of Onalaska was called to
2 order at 6:00 p.m. on Wednesday, November 4, 2015. It was noted that the meeting had been
3 announced and posted at City Hall.

4
5 Roll call was taken with the following members present: Ald. Jim Binash, Ald. Harvey Bertrand

6
7 Also Present: City Clerk Cari Burmaster, City Engineer Jarrod Holter, Land Use and
8 Development Director Brea Grace, Ald. Bob Muth, Police Chief Jeff Trotnic

9
10 Excused Absence: Ald. Barry Blomquist

11
12 **Item 2 – Approval of minutes from the previous meeting**

13
14 Motion by Ald. Binash, second by Ald. Bertrand, to approve the minutes from the previous
15 meeting as printed and on file in the City Clerk's Office.

16
17 On voice vote, motion carried.

18
19 **Item 3 – Public Input (limited to 3 minutes/individual)**

20
21 Ald. Bertrand called three times for anyone wishing to provide public input and closed that
22 portion of the meeting.

23
24 **Consideration and possible action on the following items:**

25
26 **Administrative**

27
28 **Item 4 – Approval of Operator's Licenses as listed on report dated November 4, 2015**

29
30 Motion by Ald. Bertrand, second by Ald. Binash, to approve Operator's Licenses as listed on
31 report dated November 4, 2015.

32
33 On voice vote, motion carried.

34
35 **Item 5 – Special Events Permits:**

- 36
37 a. La Crosse Area Family YMCA for Winter Running Series for December 5, 2015,
38 January 9, 2016, and February 13, 2016 from 8-10 a.m. each day starting at the YMCA
39 North, 400 Mason Street, Onalaska

40
41 Motion by Ald. Bertrand, second by Ald. Binash, to approve Special Events Permits: La Crosse
42 Area Family YMCA for Winter Running Series for December 5, 2015, January 9, 2016, and

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43 February 13, 2016 from 8-10 a.m. each day starting at the YMCA North, 400 Mason Street,
44 Onalaska.

45

46 On voice vote, motion carried.

47

48 **Item 6 – Approval of Pawn Broker License for Pawn America Wisconsin LLC, 1235**
49 **Crossing Meadows Drive, Onalaska from 1/1/16-12/31/16**

50

51 Motion by Ald. Bertrand, second by Ald. Binash, to approve Pawn Broker License for Pawn
52 America Wisconsin, LLC, 1235 Crossing Meadows Drive, Onalaska from 1/1/16-12/31/16.

53

54 On voice vote, motion carried.

55

56 **Item 7 – Request for burial of ashes:**

57

- 58 a. Request from Judy Slaback to allow burial of ashes for Delores Roberts in Block 128,
59 Lot 5, Grave 4 with her husband James Roberts

60

61 Motion by Ald. Bertrand, second by Ald. Binash, to approve request from Judy Slaback to allow
62 burial of ashes for Delores Roberts in Block 128, Lot 5, Grave 4 with her husband James
63 Roberts.

64

65 Cari said Judy Slaback had to seek permission to bury the ashes because there already is one full
66 body burial there. Special permission is required because the city allows either one full burial or
67 two ashes.

68

69 On voice vote, motion carried.

70

71 **Item 8 – Review and consideration of allowing sale of cemetery lots in Sections 172 through**
72 **176, and Sections 203 through 207 in the City of Onalaska Cemetery**

73

74 Motion by Ald. Bertrand, second by Ald. Binash, to approve allowing the sale of cemetery lots in
75 Sections 172 through 176, and Sections 203 through 207 in the City of Onalaska Cemetery.

76

77 Jarrod said lots are becoming scarce in the section the city opened several years ago. Therefore,
78 Jarrod said he believes it is time to open up the upper section. Jarrod said he believes the city
79 has between 20 and 30 years left if it reconditions the land on the other side of Hickory Street
80 that was purchased for cemetery expansion. Jarrod noted that more ashes are being buried now
81 than 20 years ago and predicted that the cemetery as an industry will last longer.

82

83 Cari said she believes there needs to be better clarification regarding the conditions tied to the
84 area of the cemetery the city soon will be opening up.

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85

86 Jarrod said he is envisioning sales beginning January 1, which is when the city's new fees will
87 take effect. Jarrod also said he does not object to single lots being sold.

88

89 On voice vote, motion carried.

90

91 **Item 9 – Miscellaneous licensing reporting**

92

93 Cari noted that there is one recreational burning permit and one Special Class B Picnic License.

94

95 Motion by Ald. Bertrand, second by Ald. Binash, to approve the miscellaneous licensing
96 reporting.

97

98 On voice vote, motion carried.

99

100 **Judiciary**

101

102 **Item 1 – Ordinance No. 1510-2015 – to amend Section 8-4-3(c) of the Code of Ordinances of**
103 **the City of Onalaska relating to Grave Opening Fees (Third and Final Reading)**

104

105 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1510-2015 – to
106 amend Section 8-4-3(c) of the Code of Ordinances of the City of Onalaska relating to Grave
107 Opening Fees (Third and Final Reading).

108

109 Cari said the ordinance has been slightly revised, noting that the fees have been removed from
110 the ordinance. The goal is to place them on a separate table that will be approved yearly, and
111 therefore the ordinance changes will not be required. Cari said the fee schedule, which the
112 committee will discuss later in the meeting, would be a separate document.

113

114 Ald. Bertrand asked Cari if she expects citizens to express concern over the fee increase.

115

116 Cari said the city does not want to burden its citizens and therefore fees are not increased
117 substantially.

118

119 Jarrod said he believes the fees are comparable to what is seen in the area.

120

121 On voice vote, motion carried.

122

123 **Item 2 – Ordinance No. 1511-2015 – to amend Chapter 1 of Title 9, Section 50 of the Code**
124 **of Ordinances of the City of Onalaska relating to Private Wells (Third and Final Reading)**

125

126 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1511-2015 – to

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127 amend Chapter 1 of Title 9, Section 50 of the Code of Ordinances of the City of Onalaska
128 relating to Private Wells (Third and Final Reading).

129

130 On voice vote, motion carried.

131

132 **Item 3 – Ordinance No. 1512-2015 – to amend Chapter 4 of Title 6, Section 50 of the Code**
133 **of Ordinances of the City of Onalaska relating to Trees and Shrubs (Third and Final**
134 **Reading)**

135

136 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1512-2015 – to
137 amend Chapter 4 of Title 6, Section 50 of the Code of Ordinances of the City of Onalaska
138 relating to Trees and Shrubs (Third and Final Reading).

139

140 Brea said there were questions regarding maintenance. However, City Attorney Sean O’Flaherty
141 made some recommendations and this language has been included the current version.

142

143 On voice vote, motion carried.

144

145 **Item 4 – Ordinance No. 1513-2015 – to annex land located in the Southeast ¼ of the**
146 **Northwest ¼ in Section 10, Township 16 North, Range 7 West from the Town of Medary to**
147 **the City of Onalaska (First and Second Reading) (Hegenbarth Annexation)**

148

149 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1513-2015 – to
150 annex land located in the Southeast ¼ of the Northwest ¼ in Section 10, Township 16 North,
151 Range 7 West from the Town of Medary to the City of Onalaska (First and Second Reading)
152 (Hegenbarth Annexation).

153

154 Brea said the property is located on the corner of County Trunk Highway OS and Pralle Road.
155 The property would be brought in as Single-Family Residential zoning. Brea said the property
156 owner wishes to connect to City of Onalaska utilities and has asked to expedite the approval
157 process. Brea asked that the rules be suspended and Ordinance No. 1513-2015 be given its First,
158 Second, Third and Final Reading.

159

160 Motion by Ald. Binash, second by Ald. Bertrand, to suspend the rules and give Ordinance No.
161 1513-2015 its First, Second, Third and Final Reading.

162

163 On voice vote, motion carried.

164

165 Motion by Ald. Binash, second by Ald. Bertrand, to approve Ordinance No. 1513-2015 – to
166 annex land located in the Southeast ¼ of the Northwest ¼ in Section 10, Township 16 North,
167 Range 7 West from the Town of Medary to the City of Onalaska (First, Second, Third and Final
168 Reading) (Hegenbarth Annexation).

169

170 On voice vote, motion carried.

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171
172 **Item 5 – Ordinance No. 1514-2015 – to amend Chapter 2 of Title 7, Section 5 of the Code**
173 **of Ordinances of the City of Onalaska relating to License Fees (First and Second Reading)**
174

175 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1514-2015 – to
176 amend Chapter 2 of Title 7, Section 5 of the Code of Ordinances of the City of Onalaska
177 relating to License Fees (First and Second Reading).

178
179 Cari said the license fees would be removed from the ordinance.

180
181 On voice vote, motion carried.

182
183 **Item 6 – Ordinance No. 1515-2015 – to amend Chapter 2 of Title 7, Section 16 of the Code**
184 **of Ordinances of the City of Onalaska relating to Restrictions on Temporary Class “B”**
185 **Fermented Malt Beverage or Wine Licenses (First and Second Reading)**
186

187 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1515-2015 – to
188 amend Chapter 2 of Title 7, Section 16 of the Code of Ordinances of the City of Onalaska
189 relating to Restrictions on Temporary Class “B” Fermented Malt Beverage or Wine Licenses
190 (First and Second Reading).

191
192 Cari noted there was a change in the State of Wisconsin Statutes that allows for “wine walks.”
193 The Chamber of Commerce may apply for a license and wine may be consumed in several
194 locations. Cari said this currently is not in the city’s ordinances and terminology regarding
195 “wine walks” has been added.

196
197 Ald. Binash asked what precipitated the change.

198
199 Cari said individuals had lobbied the Wisconsin State Legislature and noted that an entity now
200 may have one license that may be dispersed over multiple locations.

201
202 On voice vote, motion carried.

203
204 **Item 7 – Ordinance No. 1516-2015 – to amend Chapter 2 of Title 7, Section 4 of the Code of**
205 **Ordinances of the City of Onalaska relating to Classes of Licenses (First and Second**
206 **Reading)**
207

208 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1516-2015 – to
209 amend Chapter 2 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating
210 to Classes of Licenses (First and Second Reading).

211
212 Cari noted it has been some time since this section of the ordinance has been examined and said
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213 it needed to be revised so that it matches State of Wisconsin Statutes.

214

215 On voice vote, motion carried.

216

217 **Item 8 – Ordinance No. 1517-2015 – to amend Chapter 1 of Title 9, Section 28 of the Code**
218 **of Ordinances of the City of Onalaska relating to Service Connections (First and Second**
219 **Reading)**

220

221 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1517-2015 – to
222 amend Chapter 1 of Title 9, Section 28 of the Code of Ordinances of the City of Onalaska
223 relating to Service Connections (First and Second Reading).

224

225 Brea noted she had distributed a document detailing what has changed in the ordinance.
226 Specifically, the following sentence has been added: *“All water services from the curb stop to*
227 *the meter, whether new or replacement, shall be one (1) inch.”* Brea noted that the sentence had
228 been removed from the ordinance at some point and said staff believes it still is valid language.
229 Brea said the standard has been 1 inch, but the sentence had been inadvertently removed from
230 the ordinance language.

231

232 On voice vote, motion carried.

233

234 **Item 9 – Ordinance No. 1518-2015 – to create Chapter 1 of Title 1, Section 10 of the Code**
235 **of Ordinances of the City of Onalaska relating to City of Onalaska Fee Schedule (First and**
236 **Second Reading)**

237

238 Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1518-2015 – to
239 create Chapter 1 of Title 1, Section 10 of the Code of Ordinances of the City of Onalaska relating
240 to City of Onalaska Fee Schedule (First and Second Reading).

241

242 Cari said this would add a chapter to the Code of Ordinances to allow the city to move to a fee
243 schedule structure. Cari said Item 10 is the resolution that would approve the fee schedule.

244

245 On voice vote, motion carried.

246

247 **Item 10 – Resolution 44-2015 – Resolution to approve 2016 Fee Schedule**

248

249 Motion by Ald. Binash, second by Ald. Bertrand, to approve Resolution 44-2015 – Resolution to
250 approve 2016 Fee Schedule.

251

252 Cari noted that committee members’ packets include all the fees that would have appeared in the
253 ordinances. Cari said the fee structure will be brought forward annually. The fee increases will
254 be seen annually, and the fee increases before the committee this evening will take effect January

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7

255 1, 2016.

256

257 Brea said the proposed zoning fees have been included in the fee structure. Brea said the Zoning
258 Ordinance is different in that State of Wisconsin Statutes require a public hearing when there are
259 changes to the Zoning Ordinance. Brea said a public hearing regarding the zoning fees will be
260 held at the November 17 Plan Commission meeting. If the Plan Commission recommends
261 something else, the ordinance will need to be changed for consistency with what comes out of
262 the public hearing.

263

264 Cari said the fee schedule will not return to the Administrative and Judiciary Committee because
265 it is on a resolution. Cari said Item 9 was approval of the section of the ordinance to allow the
266 fee schedule, while Item 10 is the actual fee schedule. Cari said the committee will approve
267 what is currently there. The section of the ordinance to which Brea had referred will need to
268 come back before the committee if there are changes to the zoning fees.

269

270 On voice vote, motion carried.

271

272 **Item 11 – Resolution No. 1519-2015 – to amend Article B of Chapter 1 of Title 15 of the**
273 **Code of Ordinances of the City of Onalaska relating to Plumbing Code (First and Second**
274 **Reading)**

275

276 Motion by Ald. Bertrand, second by Ald. Binash, to approve Resolution No. 1519-2015 – to
277 amend Article B of Chapter 1 of Title 15 of the Code of Ordinances of the City of Onalaska
278 relating to Plumbing Code (First and Second Reading).

279

280 Brea said all the statutory references to the Plumbing Code have been updated, noting a section
281 related to conflicts has been added. A specific Notification for Inspections section also has been
282 added. Section 15-1-38 is “Orders to Correct Plumbing Violations.” A written order must be
283 delivered both to the plumber and the homeowner.

284

285 On voice vote, motion carried.

286

287 **Item 12 – Resolution No. 1520-2015 – to amend Chapter 1 of Title 9, Section 34 and 35 of**
288 **the Code of Ordinances of the City of Onalaska relating to Stop Boxes and the installation**
289 **of Meters and Meter Transceiver Units (First and Second Reading)**

290

291 Motion by Ald. Bertrand, second by Ald. Binash, to approve Resolution No. 1520-2015 – to
292 amend Chapter 1 of Title 9, Section 34 and 35 of the Code of Ordinances of the City of Onalaska
293 relating to Stop Boxes and the installation of Meters and Meter Transceiver Units (First and
294 Second Reading).

295

296 Jarrod said staff wanted to include items that hold individuals accountable for stop boxes;

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297 specifically, that they are to finished elevation. Jarrod said the ordinance has been updated to
298 also include the Meter Transceiver Unit (MXU), which the beige box above the meter. The
299 MXU sends out the signal that allows the meter to be read.

300

301 Ald. Binash said he is unfamiliar with the term “stop box.”

302

303 Jarrod explained that it is another term for a curb box.

304

305 Brea said she needs to ask that the rules be suspended on Ordinance No. 1519-2015.

306

307 A vote was first taken on Ordinance No. 1520-2015.

308

309 On voice vote, motion carried.

310

311 Brea asked to return to Item 11 and suspend the rules so that Ordinance No. 1519-2015 be given
312 its First, Second, Third and Final Reading.

313

314 Cari said Ordinance No. 1519-2015 may be placed on the Non-Consent Agenda at the November
315 10 Common Council meeting. The rules could be suspended at that time.

316

317 **Adjournment**

318

319 Motion by Ald. Binash, second by Ald. Bertrand, to adjourn at 6:36 p.m.

320

321 On voice vote, motion carried.

322

323

324 Recorded by:

325

326 Kirk Bey