

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

Wednesday, March 2, 2016

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, March 2, 2016. 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
6 Bertrand, Ald. Barry Blomquist

7
8 Also Present: Mayor Joe Chilsen, Deputy City Clerk Elizabeth Eklund, Ald. Bob Muth, Interim
9 Land Use and Development Director Katie Aspenson, Fire Department Representative Cory
10 Taylor

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

13
14 Motion by Ald. Binash, second by Ald. Blomquist, 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 for anyone wishing to provide public input.

22
23 **Bob Muth, Second District Alderperson**
24 **317 Spruce Street**
25 **Onalaska**

26
27 “There are a couple of things in this packet. If you look at Ordinance 1544-2016, which about
28 the removal illegally parked vehicles, if you look under Subsection ‘c,’ it says, ‘*A towing service*
29 *may, at the request of a private property owner who has not posted private no parking signs in*
30 *compliance with Wisconsin Statutes on their property, remove and store such vehicle only after a*
31 *citation for illegal parking has been issued by a law enforcement officer.*’ It’s my understanding
32 a law enforcement officer cannot issue a parking ticket on private property. We can’t do that.
33 That’s the same as not enforcing stop signs at Shopko and Wal-Mart. They’re not in city
34 ordinance, so they cannot be enforced. There are only three things I’m aware of that police
35 officers can enforce traffic-wise on private property: drunk driving, reckless driving, and I
36 believe handicapped parking. But other than that, you cannot issue a parking ticket on private
37 property. I would ask that maybe you check with [Police] Chief [Jeff] Trotnic on that because
38 would be a problem.”

39
40 Elizabeth said the committee may contact Police Chief Jeff Trotnic by telephone when this item
41 comes up for discussion.

42

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

Wednesday, March 2, 2016

2

43 Ald. Muth addressed Ordinance No. 1551-2016 and said he would ask who is currently enforcing
44 this ordinance. Ald. Muth noted he has had neighbors who owned fire pits and some have had
45 permits while others have not.

46
47 Cory said the Fire Department issues the permits, and that Fire Department staff will investigate
48 complaints registered by a citizen. The Fire Department will ask the citizen to extinguish the fire
49 if he/she is violating the permit guidelines. The Police Department is contacted if there are
50 further issues.

51
52 Elizabeth said citizens may contact the City Clerk's office and inquire if a resident has a permit
53 because this information is in the database.

54
55 Ald. Muth said he believes there are instances where citizens are unaware that a permit is
56 required.

57
58 Ald. Bertrand called three times for anyone else wishing to provide public input and closed that
59 portion of the meeting.

60

61 **Consideration and possible action on the following items:**

62

63 **Administrative**

64

65 **Item 4 – Approval of Operator's Licenses as listed on report dated March 2, 2016**

66

67 Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Operator's Licenses as listed on
68 report dated March 2, 2016.

69

70 On voice vote, motion carried.

71

72 **Item 5 – Approval of Appointment of Agent for La Crosse Country Club, 300 Marcou**
73 **Road, Onalaska to Courtney Wilson**

74

75 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve appointment of agent for La
76 Crosse Country Club, 300 Marcou Road, Onalaska to Courtney Wilson.

77

78 On voice vote, motion carried.

79

80 **Item 6 – Approval of 2015-2016 Class "B" Liquor License for the following applicants:**

81

82 a. Royal Indian Cuisine LLC d/b/a ROYAL INDIAN CUISINE, 235 Sand Lake Road,
83 Onalaska, Wisconsin 54650

84

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

Wednesday, March 2, 2016

3

85 Motion by Ald. Bertrand, second by Ald. Binash, to approve 2015-2016 Class “B” Liquor
86 License for Royal Indian Cuisine LLC d/b/a ROYAL INDIAN CUISINE, 235 Sand Lake Road,
87 Onalaska, Wisconsin 54650.

88

89 Ald. Bertrand noted that there has been a change of ownership at the restaurant.

90

91 On voice vote, motion carried.

92

93 **Item 7 – Special Events Permits:**

94

95 a. Approval of Firehouse 5K Run on April 9, 2016 from 8-10 a.m. starting at the Fire
96 Department East Parking Lot, City Hall, 415 Main Street, Onalaska

97

98 Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Firehouse 5K Run on April 9,
99 2016 from 8-10 a.m. starting at the Fire Department East Parking lot, City Hall, 415 Main Street,
100 Onalaska.

101

102 Cory said the event typically attracts close to 300 runners, some of whom reside outside the City
103 of Onalaska.

104

105 Ald. Binash asked Cory if the Fire Department has considered applying for a grant through the
106 La Crosse Convention and Visitors Bureau.

107

108 Cory said the Fire Department has applied in the past for funding from the Tourism Commission.

109

110 Ald. Binash encouraged the Fire Department to apply for a grant for the 2017 race.

111

112 On voice vote, motion carried.

113

114 b. Approval of Memorial Day Parade for Onalaska American Legion on May 30, 2016 from
115 9:30-10 a.m. starting at the Onalaska American Legion parking lot

116

117 Motion by Ald. Binash, second by Ald. Bertrand, to approve Memorial Day Parade for Onalaska
118 American Legion on May 30, 2016 from 9:30-10 a.m. starting at the Onalaska American Legion
119 parking lot.

120

121 On voice vote, motion carried.

122

123 c. Fireworks Display Permit for La Crosse Skyrockers, Inc. for Rabe Wedding at Omni
124 Center on March 12, 2016 from approximately 7:30-9 p.m.

125

126 Motion by Ald. Bertrand, second by Ald. Binash, to approve Fireworks Display Permit for La

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

Wednesday, March 2, 2016

4

127 Crosse Skyrockers, Inc. for Rabe Wedding at Omni Center on March 12, 2016 from
128 approximately 7:30-9 p.m.

129

130 A La Crosse Skyrockers representative noted that the fireworks show will only last between 5 to
131 7 minutes. The representative also noted that the La Crosse Skyrockers will call dispatch in the
132 City of La Crosse before starting a fireworks show.

133

134 On voice vote, motion carried.

135

136 **Item 8 – Miscellaneous licensing reporting**

137

138 Motion by Ald. Bertrand, second by Ald. Binash, to approve the miscellaneous licensing
139 reporting.

140

141 On voice vote, motion carried.

142

143 **Judiciary**

144

145 **Item 1 – Ordinance No. 1534-2016 – to adopt the Comprehensive Plan of the City of**
146 **Onalaska, Wisconsin (First and Second Reading)**

147

148 Ald. Blomquist said Katie has requested that the rules be suspended and Ordinance No. 1534-
149 2016 be given its First, Second, Third and Final Reading.

150

151 Motion by Ald. Binash, second by Ald. Bertrand, to suspend the rules and give Ordinance No.
152 1534-2016 its First, Second, Third and Final Reading.

153

154 On voice vote, motion carried.

155

156 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1534-2016 – to
157 adopt the Comprehensive Plan of the City of Onalaska, Wisconsin (First, Second, Third and
158 Final Reading).

159

160 On voice vote, motion carried.

161

162 **Item 2 – Ordinance No. 1535-2016 – to amend Chapter 2, Section 8 of Title 13 of the Code**
163 **of Ordinances of the City of Onalaska relating to R-MMH Mobile Home District (Third**
164 **and Final Reading)**

165

166 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1535-2016 – to
167 amend Chapter 2, Section 8 of Title 13 of the Code of Ordinances of the City of Onalaska
168 relating to R-MMH Mobile Home District (Third and Final Reading).

Reviewed 3/7/16 by Elizabeth Eklund

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

Wednesday, March 2, 2016

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On voice vote, motion carried.

Item 3 – Ordinance No. 1537-2016 – to amend Chapter 4 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating to Registration of Direct Sellers (Third and Final Reading)

Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1537-2016 – to amend Chapter 4 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating to Registration of Direct Sellers (Third and Final Reading).

On voice vote, motion carried.

Item 4 – Ordinance No. 1538-2016 – to amend Chapter 2 of Title 7, Section 11 of the Code of Ordinances of the City of Onalaska relating to Transfer and Lapse of License (Third and Final Reading)

Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1538-2016 – to amend Chapter 2 of Title 7, Section 11 of the Code of Ordinances of the City of Onalaska relating to Transfer and Lapse of License (Third and Final Reading).

On voice vote, motion carried.

Item 5 – Ordinance No. 1539-2016 – to amend Chapter 3 of Title 7, Section 2 of the Code of Ordinances of the City of Onalaska relating to Cigarette License (Third and Final Reading)

Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1539-2016 – to amend Chapter 3 of Title 7, Section 2 of the Code of Ordinances of the City of Onalaska relating to Cigarette License (Third and Final Reading).

On voice vote, motion carried.

Item 6 – Ordinance No. 1540-2016 – to amend Chapter 6 of Title 7, Section 1 of the Code of Ordinances of the City of Onalaska relating to Regulation of Taxicabs (Third and Final Reading)

Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1540-2016 – to amend Chapter 6 of Title 7, Section 1 of the Code of Ordinances of the City of Onalaska relating to Regulation of Taxicabs (Third and Final Reading).

On voice vote, motion carried.

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

Wednesday, March 2, 2016

6

212 **Item 7 – Ordinance No. 1541-2016 – to amend Chapter 2 of Title 7, Section 18 of the Code**
213 **of Ordinances of the City of Onalaska relating to Class “A” and Class “B” Outdoor Venue**
214 **License (Third and Final Reading)**

215
216 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1541-2016 – to
217 amend Chapter 2 of Title 7, Section 18 of the Code of Ordinances of the City of Onalaska
218 relating to Class “A” and Class “B” Outdoor Venue License (Third and Final Reading).

219
220 On voice vote, motion carried.

221
222 **Item 8 – Ordinance No. 1542-2016 – to amend Chapter 5 of Title 7, Section 4 of the Code of**
223 **Ordinances of the City of Onalaska relating to Hotel/Motel Permits (Third and Final**
224 **Reading)**

225
226 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1542-2016 – to
227 amend Chapter 5 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating
228 to Hotel/Motel Permits (First and Second Reading).

229
230 On voice vote, motion carried.

231
232 **Item 9 – Ordinance No. 1544-2016 – to amend Chapter 1 of Title 10, Section 34 of the Code**
233 **of Ordinances of the City of Onalaska relating to Removal of Illegally Parked Vehicles**
234 **(First and Second Reading)**

235
236 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1544-2016 – to
237 amend Chapter 1 of Title 10, Section 34 of the Code of Ordinances of the City of Onalaska
238 relating to Removal of Illegally Parked Vehicles (First and Second Reading).

239
240 Ald. Blomquist said the committee would move on to Item 10 as a message is left for Police
241 Chief Trotnic.

242
243 **Item 10 – Ordinance No. 1545-2016 – to rezone property located in Section 04 Township**
244 **16, Range 7 in the City of Onalaska, La Crosse County, Wisconsin from Public & Semi-**
245 **Public (P-1) to Single Family Residential and/or Duplex Residential (R-2) (First and Second**
246 **Reading)**

247
248 Katie asked that, if possible, Ordinance No. 1545-2016 be given its First, Second, Third and
249 Final Reading.

250
251 Motion by Ald. Blomquist, second by Ald. Bertrand, to suspend the rules and give Ordinance
252 No. 1545-2016 its First, Second, Third and Final Reading.

253
254 On voice vote, motion carried.

Reviewed 3/7/16 by Elizabeth Eklund

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

Wednesday, March 2, 2016

7

255
256 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1545-2016 – to
257 rezone property located in Section 04 Township 16, Range 7 in the City of Onalaska, La Crosse
258 County, Wisconsin from Public & Semi-Public (P-1) to Single Family Residential and/or Duplex
259 Residential (R-2) (First, Second, Third and Final Reading).

260
261 Katie said the property is considered a non-conforming type of residence in this zoning district.
262 The property owner is attempting to refinance his home, but he cannot do this until the property
263 is properly rezoned. Katie noted that the Plan Commission had unanimously approved this
264 request.

265
266 On voice vote, motion carried.

267
268 **Item 11 – Ordinance No. 1546-2016 – to amend Chapter 4 of Title 2, Section 7 of the Code**
269 **of Ordinances of the City of Onalaska relating to the Tourism Commission (First and**
270 **Second Reading)**

271
272 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1546-2016 – to
273 amend Chapter 4 of Title 2, Section 7 of the Code of Ordinances of the City of Onalaska relating
274 to the Tourism Commission (First and Second Reading).

275
276 Ald. Bertrand noted that the name of the Tourism Commission is being changed to the Room
277 Tax Commission.

278
279 Ald. Binash referred to Sec. 2-4-7c (“Powers”) and questioned the wording of the following:
280 *“The Room Tax Commission shall require all organizations, whether private or governmental,*
281 *who receive funds hereunder, an annual accounting of the application of all room tax funds*
282 *designated for tourism development and tourism promotion.”* Ald. Binash said it is his
283 understanding that the Room Tax Commission does not receive any applications.

284
285 Elizabeth said City Attorney Sean O’Flaherty will be able to answer Ald. Binash’s question.

286
287 Ald. Binash said the committee could table this item and request a further review and an
288 understanding of the wording.

289
290 Motion by Ald. Binash, second by Ald. Bertrand, to table for further review by city legal counsel
291 Ordinance No. 1546-2016 – to amend Chapter 4 of Title 2, Section 7 of the Code of Ordinances
292 of the City of Onalaska relating to the Tourism Commission (First and Second Reading).

293
294 On voice vote, motion carried.

295
296 **Item 12 – Ordinance No. 1547-2016 – to amend Chapter 2 of Title 6, Section 2 of the Code**

Reviewed 3/7/16 by Elizabeth Eklund

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

Wednesday, March 2, 2016

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297 **of Ordinances of the City of Onalaska relating to Sidewalk Permit required (First and**
298 **Second Reading)**

299

300 Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1547-2016 – to
301 amend Chapter 2 of Title 6, Section 2 of the Code of Ordinances of the City of Onalaska relating
302 to Sidewalk Permit required (First and Second Reading).

303

304 On voice vote, motion carried.

305

306 **Item 13 – Ordinance No. 1548-2016 – to amend Chapter 2 of Title 2, Section 11 of the Code**
307 **of Ordinances of the City of Onalaska relating to Special Meetings (First and Second**
308 **Reading)**

309

310 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1548-2016 – to
311 amend Chapter 2 of Title 2, Section 11 of the Code of Ordinances of the City of Onalaska
312 relating to Special Meetings (First and Second Reading).

313

314 On voice vote, motion carried.

315

316 **Item 14 – Ordinance No. 1549-2016 – to amend Chapter 11 of Title 7, Section 1 of the Code**
317 **of Ordinances of the City of Onalaska relating to Transient and Temporary Public**
318 **Entertainments (First and Second Reading)**

319

320 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1549-2016 – to
321 amend Chapter 11 of Title 7, Section 1 of the Code of Ordinances of the City of Onalaska
322 relating to Transient and Temporary Public Entertainments (First and Second Reading).

323

324 Ald. Binash said this item relates to events such as carnivals.

325

326 On voice vote, motion carried.

327

328 **Item 15 – Ordinance No. 1550-2016 – to amend Chapter 4 of Title 7, Section 4 of the Code**
329 **of Ordinances of the City of Onalaska relating to Registration of Direct Sellers (First and**
330 **Second Reading)**

331

332 Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1550-2016 – to
333 amend Chapter 4 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating
334 to Registration of Direct Sellers (First and Second Reading).

335

336 On voice vote, motion carried.

337

338 **Item 16 – Ordinance No. 1551-2016 – to amend Chapter 2 of Title 5, Section 9 of the Code**

Reviewed 3/7/16 by Elizabeth Eklund

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

Wednesday, March 2, 2016

9

339 **of Ordinances of the City of Onalaska relating to Open Burning (First and Second**
340 **Reading)**

341
342 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1551-2016 – to
343 amend Chapter 2 of Title 5, Section 9 of the Code of Ordinances of the City of Onalaska relating
344 to Open Burning (First and Second Reading).

345
346 On voice vote, motion carried.

347
348 **Item 17 – Ordinance No. 1552-2016 – to amend Chapter 7 of Title 7, Section 1 of the Code**
349 **of Ordinances of the City of Onalaska relating to Regulation of Fireworks (First and**
350 **Second Reading)**

351
352 Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1552-2016 – to
353 amend Chapter 7 of Title 7, Section 1 of the Code of Ordinances of the City of Onalaska relating
354 to Regulation of Fireworks (First and Second Reading).

355
356 Ald. Binash noted that he had not read anything pertaining to applications being reviewed by the
357 Fire Department and he is unsure if this needs to be included in the ordinance.

358
359 Elizabeth said vendors must inform the Fire Department what items will be sold. This is part of
360 the application process.

361
362 On voice vote, motion carried.

363
364 **Item 18 – Ordinance No. 1553-2016 – to amend Section 60 of Article C of Chapter 1 of Title**
365 **15 of the Code of Ordinances of the City of Onalaska relating to Gas Licenses (First and**
366 **Second Reading)**

367
368 Motion by Ald. Blomquist, second by Ald. Bertrand, to approve Ordinance No. 1553-2016 – to
369 amend Section 60 of Article C of Chapter 1 of Title 15 of the Code of Ordinances of the City of
370 Onalaska relating to Gas Licenses (First and Second Reading).

371
372 Katie said the code is being updated to change the date and time of when the city will be
373 collecting and sending out the licenses. Katie said staff also added another way to be qualified
374 for the license, and that is to obtain the Department of Safety and Professional Services HVAC
375 Qualifier. Also, members of the general public seeking a permit must provide proof of passing
376 an exam that is deemed acceptable by the Inspection Department instead of the Inspection
377 Department administering an exam. Katie noted that the City of La Crosse does this exam and
378 said most of the individuals employed here receive the City of La Crosse's test.

379
380 On voice vote, motion carried.

Reviewed 3/7/16 by Elizabeth Eklund

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

Wednesday, March 2, 2016

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381

382 The committee returned to Item 9.

383

384 **Item 9 – Ordinance No. 1544-2016 – to amend Chapter 1 of Title 10, Section 34 of the Code**
385 **of Ordinances of the City of Onalaska relating to Removal of Illegally Parked Vehicles**
386 **(First and Second Reading)**

387

388 Elizabeth said Police Chief Trotnic had not called back.

389

390 Motion by Ald. Binash, second by Ald. Blomquist, to table for further review Ordinance No.
391 1544-2016 – to amend Chapter 1 of Title 10, Section 34 of the Code of Ordinances of the City of
392 Onalaska relating to Removal of Illegally Parked Vehicles (First and Second Reading).

393

394 On voice vote, motion carried.

395

396 **Adjournment**

397

398 Motion by Ald. Blomquist, second by Ald. Binash, to adjourn at 6:36 p.m.

399

400 On voice vote, motion carried.

401

402

403 Recorded by:

404

405 Kirk Bey