

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

Wednesday, April 8, 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, April 8, 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. Jack Pogreba, Ald. Harvey
6 Bertrand, Ald. Erik Sjolander

7
8 Also Present: City Clerk Cari Burmaster, Police Chief Jeff Trotnic, Land Use and Development
9 Director Brea Grace, Ald. Bob Muth, Recreation Supervisor Marcus Aumann

10
11 **Item 2 - Approval of minutes from the previous meeting**

12
13 Motion by Ald. Sjolander, second by Ald. Bertrand, to approve the minutes from the previous
14 meeting as printed and on file in the City Clerk's Office.

15
16 On voice vote, motion carried.

17
18 **Item 3 – Public Input (limited to 3 minutes/individual)**

19
20 Ald. Pogreba called three times for anyone wishing to provide public input and closed that
21 portion of the meeting.

22
23 **Consideration and possible action on the following items:**

24
25 **Administrative**

26
27 **Item 4– Approval of Operator's Licenses as listed on report dated April 8, 2015**

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29 Motion by Ald. Sjolander, second by Ald. Bertrand, to approve Operator's Licenses as listed on
30 report dated April 8, 2015.

31
32 Cari noted there have been some difficulties in printing out the appropriate reports due to the
33 changeover to a new cashiering system and said she will be placing this item on the Non-Consent
34 Agenda for the April 14 Common Council meeting as there likely will be additional names on
35 the report.

36
37 On voice vote, motion carried.

38
39 **Item 5 – Approval of The Rugged Run, June 28, 2015 from 6-11 a.m. starting at Van Riper
40 Park**

41
42 Motion by Ald. Bertrand, second by Ald. Pogreba, to approve The Rugged Run, June 28, 2015

Reviewed 4/10/15

**Administrative & Judiciary Committee
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Wednesday, April 8, 2015

2

43 from 6-11 a.m. starting at Van Riper Park.

44

45 On voice vote, motion carried, 2-0, with one abstention (Ald. Sjolander).

46

47 **Item 6 – Approval of the Fleis Nightfall Frolic 5K, April 17, 2015 from 5-9 p.m. starting at**
48 **Rowe Park**

49

50 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve the Fleis Nightfall Frolic 5K,
51 April 17, 2015 from 5-9 p.m. starting at Rowe Park.

52

53 On voice vote, motion carried.

54

55 **Item 7 – Approval of a variance to the noise ordinance from June 26-June 28, 2015 for**
56 **“Celebrate Onalaska” until 11:30 p.m. (11 p.m. previously approved)**

57

58 Motion by Ald. Bertrand, second by Ald. Pogreba, to approve a variance to the noise ordinance
59 from June 26-June 28, 2015 for “Celebrate Onalaska” until 11:30 p.m. (11 p.m. previously
60 approved).

61

62 Police Chief Trotnic said he had requested this variance as the initial request for a variance until
63 11 p.m. had been a mistake.

64

65 Ald. Pogreba asked if it would be possible to send notices to the residents in the area that the
66 variance to the noise ordinance is being changed to 11:30 p.m.

67

68 Police Chief Trotnic told Ald. Pogreba this could be done and said he had settled on 11:30 p.m.
69 instead of midnight because this mirrors the language that had been utilized for Legion Days.

70

71 On voice vote, motion carried, 2-0, with one abstention (Ald. Sjolander).

72

73 **Item 8 – Approval of Class Picnic License for Rotary of Onalaska for Spring Mixer held at**
74 **Clearwater Farms, 760 Green Coulee Road, Onalaska on Saturday, May 16, 2015**

75

76 Motion by Ald. Sjolander, second by Ald. Bertrand, to approve Class Picnic License for Rotary
77 of Onalaska for Spring Mixer held at Clearwater Farms, 760 Green Coulee Road, Onalaska on
78 Saturday, May 16, 2015.

79

80 On voice vote, motion carried.

81

82 **Item 9 – Approval of appointment of agent for Scott R. Hinkel for Wal-Mart #1679, 3107**
83 **Market Place, Onalaska**

84

**Administrative & Judiciary Committee
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Wednesday, April 8, 2015

3

85 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve appointment of agent for Scott R.
86 Hinkel for Wal-Mart #1679, 3107 Market Place, Onalaska.

87

88 On voice vote, motion carried.

89

90 **Item 10 – Miscellaneous licensing reporting**

91

92 Cari noted she had distributed handouts for recreational burning permits as well as three solicitor
93 permits.

94

95 Motion by Ald. Sjolander, second by Ald. Bertrand, to approve the miscellaneous licensing
96 report.

97

98 On voice vote, motion carried.

99

100 **Judiciary**

101

102 **Item 1 – Ordinance No. 1497-2015 – to amend Title 6 Chapter 2 of the City of Onalaska**
103 **Code of Ordinances related to snow and ice removal (First and Second Reading)**

104

105 Motion by Ald. Bertrand, second by Ald. Pogreba, to approve Ordinance No. 1497-2015 – to
106 amend Title 6 Chapter 2 of the City of Onalaska Code of Ordinances related to snow and ice
107 removal (First and Second Reading).

108

109 Brea described Ordinance No. 1497-2015 as a “housekeeping ordinance” and said it discusses
110 how city staff either could issue a courtesy notice to citizens and then perform a cleanup or
111 simply direct a cleanup. Brea said staff typically issues a courtesy notice that reminds citizens
112 that they are responsible for clearing snow within 24 hours of a snow event. Brea said the city
113 has the authority either to cite a citizen or perform an immediate cleanup if there is a blatant
114 violation. Brea referred to a copy of Ordinance No. 1497-2015 distributed this evening to the
115 committee and referred to Section 6-2-8 (b)(2), which states a \$40 administrative fee per parcel
116 shall be charged for processing. This was a recommendation by the Finance Department that had
117 been approved the City Attorney’s office.

118

119 Ald. Pogreba asked Brea if the Street Department is contacted and asked to perform snow
120 removal if a citizen does not comply.

121

122 Brea said yes, but also said she wants to leave this as a policy instead of placing it in the
123 ordinance because the city has the option of utilizing an outside contractor for snow removal if
124 there is above-average snowfall during the winter and the Street Department is unable to perform
125 snow removal.

126

**Administrative & Judiciary Committee
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Wednesday, April 8, 2015

4

127 Ald. Pogreba asked Cari if there have been any recent instances of citizens not performing snow
128 removal at their residences.

129
130 Cari said that while matters such as these do not come through the City Clerk's office, her office
131 does bill out to citizens who do not comply. Cari cited foreclosure properties and homes for sale
132 as examples of properties where the city performs snow removal.

133
134 Brea said in instances such as the ones Cari mentioned the city attempts to work with the bank
135 and locate a responsible entity to care for the property. Brea said she does not know how many
136 letters to non-compliant citizens have been sent out, but she acknowledged there have been
137 complaints. Brea estimated that city staff had performed cleanup at three properties this past
138 winter and said the property owners were then billed. Bills that are not paid are placed on the tax
139 rolls. Brea estimated that city staff had performed cleanup at three or four properties during the
140 winter of 2013-14.

141
142 Cari pointed out that these are properties that are billed and noted that Brea's department is in
143 contact with several other property owners who do not reach that point.

144
145 Brea estimated that her department is in contact with between 50 and 100 property owners.

146
147 Ald. Pogreba asked if the \$40 fee is collected only after a city employee performs snow removal.

148
149 Brea said the usual procedure is a non-complying property owner receives a letter and is given
150 the opportunity to perform snow removal. The city then performs a repeat inspection. If the
151 property owner has not performed snow removal, the Street Department clears the snow and
152 takes before and after pictures. The time spent clearing snow and what type of equipment is
153 utilized is tracked either the Street Department or the Parks Department, and a detailed invoice is
154 then sent to the Finance Department. Brea said the \$40 would be added onto the actual time and
155 cost of the snow removal. The bill is sent to the property owner, and it is placed on the tax roll if
156 payment is not received within 30 days. Brea said if there is snowfall between the time the first
157 notice is mailed and when the property is cleaned up, a citizen has another 24 hours to bring the
158 property into compliance.

159
160 Cari noted that it takes several days for mail to reach its destination in the city.

161
162 Ald. Sjolander asked if there are other options regarding putting a property owner on notice.

163
164 Ald. Pogreba said notices are sent to a homeowners' mailing address and noted there are
165 instances where citizens either are on vacation or reside in a warmer climate during the winter
166 months.

167
168 Brea said notices for rental properties that do not comply are sent to the landlord's home address.

**Administrative & Judiciary Committee
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Wednesday, April 8, 2015

5

169

170 Cari noted that the property owner does not necessarily reside in the City of Onalaska.

171

172 Ald. Muth referred to the ordinance and noted it states a property owner must clear the entire
173 sidewalk. Ald. Muth said there is a citizen in his district whose children consistently only shovel
174 a small path on the sidewalk.

175

176 Brea said the ordinance calls for the entire sidewalk to be cleared because there are handicapped
177 citizens who require full clearance of the sidewalk. Brea also noted that citizens who reside on
178 the corner of a block sometimes do not shovel down into the street, instead leaving a mound of
179 snow between the sidewalk and the street. Brea said this snow also must be cleared.

180

181 On voice vote, motion carried.

182

183 **Adjournment**

184

185 Motion by Ald. Pogreba, second by Ald. Bertrand, to adjourn at 6:14 p.m.

186

187 On voice vote, motion carried.

188

189

190 Recorded by:

191

192 Kirk Bey