

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

Wednesday, September 3, 2014

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, September 3, 2014. 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. Harvey Bertrand, Ald. Jack
6 Pogreba, Ald. Erik Sjolander

7
8 Also Present: Mayor Joe Chilsen, City Clerk Cari Burmaster, Ald. Bob Muth, Financial Services
9 Director/Treasurer Fred Buehler, City Engineer Jarrod Holter, Police Chief Jeff Trotnic, City of
10 Onalaska Police Sergeant Jason Jobe

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

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14 Motion by Ald. Sjolander, 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. Pogreba 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**

29
30 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve the Operator's Licenses dated
31 August 26, 2014, and also an updated list of Operator's Licenses dated September 3, 2014.

32
33 On voice vote, motion carried.

34
35 **Item 5 – 2014 Cemetery Financials**

36
37 Fred noted the \$45,000 under "Accounts Payable" is the balance of the loan the city needs to pay
38 off. Fred directed committee members to the "Revenues" page and said the revenues to date
39 should be in the area of approximately 67 percent of years past through the month of August.
40 Fred said it is favorable to have 33 percent or less remaining. However, the current percent
41 remaining is 55.5. Fred attributed this to a lack of demand to enter the cemetery. Fred said the
42 number of graves being sold is fewer than the number of graves being opened. Fred said there

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43 was a deficit of \$11,425.22 as of August 31.

44

45 In response to a question by Ald. Pogreba, Fred said the \$45,000 was paid off on March 15.

46

47 Motion by Ald. Bertrand, second by Ald. Sjolander, to accept the 2014 Cemetery Financials.

48

49 On voice vote, motion carried.

50

51 **Item 6 – 2015 Cemetery Proposed Budget**

52

53 Motion by Ald. Bertrand, second by Ald. Pogreba, to approve the 2015 Cemetery Proposed
54 Budget.

55

56 Fred referenced the 2015 proposed budget included in committee members' packets and noted
57 the sale of lots went into effect January 1, 2014. Fred said the price of grave openings has not
58 been changed since January 2013. Fred said past practice has been to examine possibly
59 modifying the sale of lots and grave openings yearly on an alternating basis. Fred said the
60 budget that is before the committee this evening shows no modification to either ordinance.
61 Grave openings have decreased from \$30,000 to \$26,000 in the 2015 budget. Sale of lots has
62 decreased from \$24,028 to \$21,000. Fred said there would be a deficit of \$22,609 under
63 "Expenditures" in the 2015 budget.

64

65 Ald. Pogreba inquired about the part-time wages and an additional increase of wages. Ald.
66 Pogreba asked if a part-time position is being added for 2015 even though there are no extra
67 hours in the standard wages.

68

69 Jarrod said no, noting part-time wages are the same as 2014.

70

71 Fred noted the \$9,480 listed under "Wages – Permanent Part-Time" has been placed under the
72 incorrect line item. This sum needs to be placed on Line 126, which is "Wages –
73 Temporary/Seasonal."

74

75 In response to a question by Ald. Bertrand, Fred said monuments and markers are separate.

76

77 Jarrod said a \$75 fee is charged to place a marker so the monument company places it in the
78 correct location.

79

80 On voice vote, motion carried.

81

82

83

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85 **Item 7 – Approval of St. Patrick’s 5K Fun Run on October 11, 2014 from 8-9:30 a.m.**
86 **starting at St. Patrick’s School**

87
88 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve the St. Patrick’s 5K Fun Run on
89 October 11, 2014 from 8-9:30 a.m. starting at St. Patrick’s School.

90
91 On voice vote, motion carried.

92
93 **Item 8 – Approval of agent for Kwik Trip #643, 1276 Crossing Meadows Drive, Onalaska**
94 **to Patrick F. Schippers**

95
96 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve an approval of agent for Kwik
97 Trip #643, 1276 Crossing Meadows Drive, Onalaska to Patrick F. Schippers.

98
99 On voice vote, motion carried.

100
101 **Item 9 – Approval of Run from the Cops 5K on Saturday, October 18, 2014 from 8-11 a.m.**
102 **starting at City Hall, 415 Main Street, Onalaska**

103
104 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve the Run from the Cops 5K on
105 Saturday, October 18, 2014 from 8-11 a.m. starting at City Hall, 415 Main Street, Onalaska.

106
107 Cari noted there is an additional handout for the kids’ walk that was not included in the original
108 packet.

109
110 On voice vote, motion carried.

111
112 **Item 10 – Approval of Jaszewski headstone for Onalaska Cemetery on Block 162, Lot 8,**
113 **Graves 3 and 4**

114
115 Motion by Ald. Bertrand, second by Ald. Sjolander, to approve the Jaszewski headstone for
116 Onalaska Cemetery on Block 162, Lot 8, Graves 3 and 4.

117
118 Cari noted that Jarrod had responded in an email that is included in the attachments. The request
119 would be approved with three stipulations:

- 120
- 121 • Must own a minimum of two lots. A 5-foot monument must be centered on the two lots.
122 There must be an 8-foot width of two lots.
 - 123 • The foundation must be at least 4 inches bigger than outside of pool table to ensure that
124 the monument is not struck by a lawn mower.
 - 125 • There must be a foundation under the entire pool table to ensure there is no trimming
126 under the monument.

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127

128 Ald. Pogreba suggested amending the motion on the floor to include the stipulations.

129

130 Motion by Ald. Sjolander, second by Ald. Bertrand, to amend the previous motion to include the
131 list of conditions that have been agreed upon by City of Onalaska staff and the Jaszewski family.

132

133 Vote on the Amendment:

134

135 On voice vote, motion carried.

136

137 Original motion restated:

138

139 To approve the Jaszewski headstone for Onalaska Cemetery on Block 162, Lot 8, Graves 3 and 4
140 with the list of conditions that have been agreed upon by City of Onalaska staff and the
141 Jaszewski family.

142

143 On voice vote, motion carried.

144

145 **Item 11 – Discussion on procedure/timeline for ordinance change for noise variance for**
146 **City of Onalaska golf courses**

147

148 Cari said she and Police Chief Trotnic would like to know how the committee wants to design
149 the ordinance procedurally. Cari said she and Police Chief Trotnic would like to see the
150 ordinance change completed by March 2015 if the committee chooses to move forward.

151

152 Ald. Pogreba said he would like to see the ordinance changed by February 2015, stating he
153 believes it will be necessary to hold a public hearing.

154

155 Cari said a public hearing could be held at the November 5 Administrative and Judiciary
156 Committee meeting. Cari noted that public hearings held during Plan Commission meetings
157 typically include a 250-foot list. Cari said individuals do not have to be City of Onalaska
158 residents to receive a notice.

159

160 Ald. Pogreba suggested that the committee should examine a draft of the ordinance at its October
161 8 meeting. The public hearing also will be approved at that time.

162

163 Cari said she will have both a draft ordinance and a draft of the public hearing notice ready for
164 the October 8 Administrative and Judiciary Committee meeting. The public hearing would be
165 held at the November 5 meeting. The ordinance could receive its First and Second reading at the
166 December Administrative and Judiciary Committee meeting, and its Third and Final Reading at
167 the January meeting.

168

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169 Mayor Chilsen said it is his understanding that the lone change to the ordinance is the time at
170 which mowing operations may begin.

171

172 **Item 12 – Miscellaneous licensing reporting**

173

174 Motion by Ald. Sjolander, second by Ald. Bertrand, to approve the miscellaneous licenses that
175 were included in the Administrative and Judiciary Committee packets as well as what was
176 distributed to committee members this evening (September 3).

177

178 On voice vote, motion carried.

179

180 **Judiciary**

181

182 **Item 1 – Ordinance 1480-2014 – to amend Title 10 Chapter 1 of the City of Onalaska Code**
183 **of Ordinances related to parking restrictions (Third and Final Reading)**

184

185 Motion by Ald. Pogreba, second by Ald. Bertrand, to approve Ordinance 1480-2014 – to amend
186 Title 10 Chapter 1 of the City of Onalaska Code of Ordinances related to parking restrictions
187 (Third and Final Reading).

188

189 On voice vote, motion carried.

190

191 **Item 2 – Ordinance 1481-2014 – to amend Title 10 Chapter 1 of the City of Onalaska Code**
192 **of Ordinances related to tow-away zones (Third and Final Reading)**

193

194 Motion by Ald. Pogreba, second by Ald. Bertrand, to approve Ordinance 1481-2014 – to amend
195 Title 10 Chapter 1 of the City of Onalaska Code of Ordinances related to tow-away zones (Third
196 and Final Reading).

197

198 On voice vote, motion carried.

199

200 **Item 3 – Ordinance 1482-2014 – to amend Title 10 Chapter 1 Section 22 of the City of**
201 **Onalaska Code of Ordinances related to parking vehicle for repair (First and Second**
202 **Reading)**

203

204 Cari said Police Chief Trotnic has request that the committee suspend the rules and give
205 Ordinance 1482-2014 its First, Second, Third and Final Readings.

206

207 In response to a question by Ald. Pogreba, Police Chief Trotnic said this amendment request is
208 coming from City Attorney Sean O’Flaherty. Police Chief Trotnic said there currently is a
209 practice of citing citizens who are attempting to sell vehicles on the side of the roadway,
210 something Sean has stated is a violation of a citizen’s Constitutional right. Police Chief Trotnic

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211 said the removal of selling vehicles from the ordinance is an attempt to eliminate confusion over
212 the Police Department unduly citing an individual that does not deserve to be cited.

213

214 In response to a question by Ald. Pogreba, Police Chief Trotnic said there is a request to suspend
215 the rules and make the change as quickly as possible because it is “an unconstitutional
216 oversight.” Police Chief Trotnic said, “You can go the normal way. We’ll just make sure our
217 officers know that although it’s still on the books it’s not enforceable. That’s what we’re trying
218 to do now, but when you rely upon making all officers understand that it’s out of play even
219 though it’s worded that you can enforce it, mistakes can happen because of the way it’s still
220 worded.”

221

222 Motion by Ald. Pogreba, second by Ald. Bertrand, to suspend the rules and give Ordinance
223 1482-2014 – to amend Title 10 Chapter 1 Section 22 of the City of Onalaska Code of Ordinances
224 related to parking vehicle for repair its First, Second, Third and Final Reading.

225

226 On voice vote, motion carried.

227

228 Motion by Ald. Pogreba, second by Ald. Bertrand, to approve Ordinance 1482-2014 – to amend
229 Title 10 Chapter 1 Section 22 of the City of Onalaska Code of Ordinances related to parking
230 vehicle for repair (First, Second, Third and Final Reading).

231

232 On voice vote, motion carried.

233

234 **Adjournment**

235

236 Motion by Ald. Pogreba, second by Ald. Bertrand, to adjourn at 6:27 p.m.

237

238 On voice vote, motion carried.

239

240

241 Recorded by:

242

243 Kirk Bey