The meeting of the Administrative & Judiciary Committee of the City of Onalaska was called to order at 6:00 p.m. on Wednesday, October 7, 2015. It was noted that the meeting had been announced and posted at City Hall.

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

Also Present: City Clerk Cari Burmaster, City Engineer Jarrod Holter, Ald. Bob Muth

Item 2 – Approval of minutes from the previous meeting

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

On voice vote, motion carried.

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

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

Consideration and possible action on the following items:

Administrative

Item 4 – Approval of Operator's Licenses as listed on report dated October 7, 2015

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Operator's Licenses as listed on report dated October 7, 2015.

On voice vote, motion carried.

Item 5 – Liquor Licensing:

a. Approval of Class "B" Beer License for Apefish & Company LLC, 214 Main Street, Onalaska, WI

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Class "B" Beer License for Apefish & Company, LLC, 214 Main Street, Onalaska, WI.

Ald. Binash asked if this is the first time Apefish is seeking a Class "B" Beer License.

Cari said yes, noting Apefish is moving from the corner location to the former location of Angelini's Ristorante. Cari noted that April Amundson, the applicant, is present and said April plans to move her retail business to 214 Main Street and utilize the other portion of the building for the Class "B" Beer License.

April said her retail business is salvage retail consignment.

Cari said April also will have a restaurant in the building.

April said she plans to sell bottled craft beer.

Cari noted that April is limited to selling malt beverages, which could include wine coolers.

On voice vote, motion carried.

Item 6 – Request for burial of ashes:

a. Request from Pamela K. Wagner to allow her ashes in Block 164, Lot 5, Grave 2 with current ashes of son and husband

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Request from Pamela K. Wagner to allow her ashes in Block 164, Lot 5, Grave 2 with current ashes of son and husband.

On voice vote, motion carried.

b. Request from Philip and Joyce Sanders to allow one full burial and one cremains in Block 153, Lot 3, Grave 3

Motion by Ald. Bertrand, second by Ald. Binash, to approve Request from Philip and Joyce Sanders to allow one full burial and one cremains in Block 153, Lot 3, Grave 3.

On voice vote, motion carried.

c. Request from Robert C. Riniker to allow burial of four sets of cremains for himself, Janet (wife), John (son) and Robert S. (son) in Block 150, Lot 6, Grave 2

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Request from Robert C. Riniker to allow burial of four sets of cremains for himself, Janet (wife), John (son) and Robert S. (son) in Block 150, Lot 6, Grave 2.

Ald. Bertrand noted that the family had initially asked to allow the burial of six sets of cremains.

Cari said the city ordinance allows a maximum of four and said the Rinikers had authorized her to change the request to four.

On voice vote, motion carried.

d. Request from Barbara Jaekel to allow the burial of cremains for Ronald Ammerman with his parents Robert and Shirley in Block 157, Lot 8, Grave 2

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Request from Barbara Jaekel to allow the burial of cremains for Ronald Ammerman with his parents Robert and Shirley in Block 157, Lot 8, Grave 2.

On voice vote, motion carried.

Item 7 – Approve Change of Agent for:

a. Kwik Trip #767, 229 Oak Forest Drive, Onalaska to Karla M. Soland

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Change of Agent for Kwik Trip #767, 229 Oak Forest Drive, Onalaska, to Karla M. Soland.

On voice vote, motion carried.

Item 8 – Miscellaneous licensing reporting

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

Cari noted there is a procession license as well as recreational burning permits.

On voice vote, motion carried.

Judiciary

Item 1 – Ordinance No. 1509-2015 – to amend Chapter 1 of Title 7 of the Code of Ordinances of the City of Onalaska relating to licensing of Dogs and Cats Regulation of Animals (Third and Final Reading)

Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1509-2015 – to amend Chapter 1 of Title 7 of the Code of Ordinances of the City of Onalaska relating to licensing of Dogs and Cats Regulation of Animals (Third and Final Reading).

Cari noted that City Attorney Sean O'Flaherty has examined the ordinance and made it gender neutral. The other area that was changed was the ability for the city to collect a fee when residents are calling Animal Control for the removal of dead animals and birds.

On voice vote, motion carried.

Item 2 – Ordinance No. 1510-2015 – to amend Section 8-4-3(c) of the Code of Ordinances of the City of Onalaska relating to Grave Opening Fees (First and Second Reading)

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

Cari said the ordinance must be revised because all the fees are outlined in it. Cari also noted that the new grave opening fees will not take effect until January 1, 2016.

On voice vote, motion carried.

Item 3 – Ordinance No. 1511-2015 – to amend Chapter 1 of Title 9, Section 50 of the Code of Ordinances of the City of Onalaska relating to Private Wells (First and Second Reading)

Motion by Ald. Bertrand, second by Ald. Binash, to approve Ordinance No. 1511-2015 – to amend Chapter 1 of Title 9, Section 50 of the Code of Ordinances of the City of Onalaska relating to Private Wells (First and Second Reading).

Jarrod said because the water rates are changing city staff did not want someone drilling his or her own well within the city. Jarrod said more restrictions have been added, including obtaining approval from the Common Council and the Board of Public Works. Jarrod also noted there is now an application fee and said applicants must meet four bullet points, one of which is showing that the city cannot provide service. Jarrod said anyone wishing to obtain a permit for a private must first see him. Jarrod said a citizen may then go before the Board of Public Works if he/she believes Jarrod did not deny the request correctly, and the Common Council ultimately would have to approve the request. Jarrod said the both Board of Public Works and the Common Council would have to approve the request even if he first approves it.

Ald. Blomquist said he believes it would be difficult for a citizen to prove there is a need to drill a private well.

Jarrod said one of the few instances where a well would be needed in the city would be at a golf course, noting the city's water utility might not want to service the course due to its high demands during the city's highest demands. Jarrod noted that The Golf Club at Cedar Creek, Coulee Golf Bowl and the La Crosse Country Club all have their own wells. Jarrod noted that

most of the courses either started out in the township and were annexed into the city or still are located within the township. Jarrod said one of the few instances where drilling a well could be looked upon favorably is if someone wanted to construct a new golf course within the city limits.

Cari noted that (4) Application for Permit states that the application to drill a new well shall be accompanied with a $5,000 permit fee.

Jarrod noted that when the Board of Public Works sent back the ordinance to Sean a second time, it went back with the directive to strengthen it.

Ald. Bertrand noted the ordinance states that a fee is determined by the Common Council.

Jarrod noted there currently are slightly more than 100 private wells in the city and said areas that are annexed into the city typically are serviced by a private well. Jarrod said the property owners previously were allowed to keep their private wells and only utilize it for outside irrigation. Jarrod said these wells must be inspected every five years and property owners must show that they are not cross-connected into the city's system.

Ald. Bertrand asked if the language pertaining to the $5,000 fee is consistent with other municipalities.

Jarrod said he believes the fee is "exceptionally high" and added that the Board of Public Works wishes to have a deterrent to drilling private wells.

On voice vote, motion carried.

Item 4 – Ordinance No. 1512-2015 – to amend Chapter 4 of Title 6, Section 50 of the Code of Ordinances of the City of Onalaska relating to Trees and Shrubs (First and Second Reading)

Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Ordinance No. 1512-2015 – to amend Chapter 4 of Title 6, Section 50 of the Code of Ordinances of the City of Onalaska relating to Trees and Shrubs (First and Second Reading).

Jarrod said Sean is recommending the following change to Section 6-4-9(d): *"No person may remove, trim or fertilize trees in the public right-of-way or on public property unless the work is completed by a licensed arborist or designated agent of the City unless the City gives written permission for another individual to complete such work. No person shall remove or make Major Alterations to trees in the public right-of-way or on public property unless such work is approved in writing by the City Forester, or the City Forester's designee, prior to the completion of work. For the purposes of this subsection the term 'Major Alteration' shall mean 'trimming or pruning of more than one-third (1/3) of the crown of a tree or bush.' "*

Jarrod said he agrees with the language, noting that city forestry work is done under a committee consisting of himself, Planner/Zoning Inspector Katie Aspenson, Parks and Recreation Director Dan Wick, and Davie Lien of the Parks Department. Jarrod said he would like citizens to make a request to the city for city staff to cut down trees in the right-of-way. Jarrod said staff also wanted to give citizens the opportunity to hire a professional to trim trees if they so choose.

Ald. Bertrand asked if this is an item that requires a public hearing.

Jarrod said much of what is in the Forestry Ordinance is housekeeping because many sections of the ordinance were outdated.

Ald. Binash referred to a discussion at the October 6 Board of Public Works meeting pertaining to tree roots upending sidewalks and said there was a suggestion to review this ordinance.

Jarrod noted Section 4, Part 4 under Public Works addresses who pays for repairs and said that is separate from this document.

Ald. Bertrand referred to Section 6-4-6 ("Assessment of Costs of Abatement") and asked if the charges will be reviewed once a year.

Jarrod said staff wants to retain this language so the city may assess back funds if it becomes necessary to enter onto private property and treat a diseased tree. Jarrod also said the ordinance was crafted under items city staff is currently performing. Jarrod noted the previous ordinance called for a permit when something needed to be done and said the city lacks the staff to have a permitting system. Jarrod said homeowners who wish to plant a boulevard tree may choose one from a list of 10 species.

Ald. Bertrand referred to "Tree Planting Program" under Section 6-4-8 ("Planting of Trees and Shrubs") and inquired about No. 5, which states it shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within terrace areas whose growth is in excess of 30 inches in height above the top of the nearest curb.

Jarrod said "height" should be utilized in place of "growth." Jarrod said staff is attempting to allow citizens who build eco-friendly lawnscapes more creativity.

Ald. Bertrand referred to Section 6-4-10 ("Trees and Shrubbery Obstructing View at Intersection or View of Traffic Signs") and noted there are certain areas of the city with trees that obstruct one's vision.

Jarrod noted items such as this one are taken on a complaint business and said staff sends a letter to the property owner asking him/her to trim back the tree. Jarrod noted that staff goes to a

different section of the city every five years to trim trees. The trees are trimmed for structure and height clearance. Jarrod said trees are trimmed for clearance at the right-of-way line if there are clearance issues either with the street or the sidewalk.

On voice vote, motion carried.

Adjournment

Motion by Ald. Blomquist, second by Ald. Binash, to adjourn at 6:42 p.m.

On voice vote, motion carried.

Recorded by:

Kirk Bey