

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

Wednesday, November 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, November 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. Bob Muth, Ald. Jim Binash

6  
7 Also Present: City Clerk Cari Burmaster, City Engineer Jarrod Holter, Interim Land Use and  
8 Development Director Katie Aspenson, Electrical Inspector Brad Neumeister

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. Muth, to approve the minutes from the previous meeting  
15 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. Muth called three times for anyone wishing to provide public input and closed that portion  
22 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 2, 2016**

29  
30 Cari noted the final report was distributed this evening and said all the operators had undergone a  
31 background check and met approval.

32  
33 Motion by Ald. Binash, second by Ald. Muth, to approve the Operator’s Licenses as listed on  
34 report dated November 2, 2016.

35  
36 On voice vote, motion carried.

37  
38 **Item 5 – Approval of Class B Liquor License for Central Florida Restaurants, Inc. d/b/a**  
39 **TGI Friday’s, 9430 State Road 16, Onalaska, WI**

40  
41 Cari said a new corporation will be taking over TGI Fridays. Therefore, TGI Fridays will be  
42 relinquishing its license so the city may issue it to Central Florida Restaurants.

Reviewed 11/4/16 by Cari Burmaster

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43  
44 Motion by Ald. Muth, second by Ald. Binash, to approve Class B Liquor License for Central  
45 Florida Restaurants, Inc. d/b/a TGI Friday's, 9430 State Road 16, Onalaska, WI.

46  
47 Ald. Binash asked if it is necessary to reapply for the license when there is a transfer, or is it  
48 necessary to purchase a new license.

49  
50 Cari said the license is relinquished back to the city, which then issues it back out. Cari said the  
51 annual fee must be paid. In this instance, it is the full fee for the beer portion, and it is a prorated  
52 portion for the Class B Liquor License because they are due July 1. Per ordinance, this is  
53 prorated, and Cari said it is the normal price for an annual renewal.

54  
55 On voice vote, motion carried.

56  
57 **Item 6 – Approval of Change of Agent for Central Florida Restaurants, Inc. d/b/a TGI**  
58 **Friday's, 9430 State Road 16, Onalaska, WI to John L. Hartnell Jr.**

59  
60 Motion by Ald. Binash, second by Ald. Muth, to approve Change of Agent for Central Florida  
61 Restaurants, Inc. d/b/a TGI Friday's, 9430 State Road 16, Onalaska, WI to John L. Hartnell Jr.

62  
63 On voice vote, motion carried.

64  
65 Cari asked John when he will be taking over.

66  
67 John said he is unsure at this time.

68  
69 **Item 7 – Review and consideration of the request from Margaret Collins regarding**  
70 **cemetery graves One (1) and Two (2) in Lot Three (3) in Block Seventy-Three (173)**

71  
72 Cari said it is Block 73 and not 173.

73  
74 Jarrod referred to the map included in committee members' packets, noting that Graves 3, 4 and  
75 5 are occupied, while Graves 1 and 2 currently are vacant. Jarrod said Meg Collins, who is  
76 representing her father and owner of the graves, John Collins, has transferred Graves 1 and 2  
77 transferred to her name. Jarrod said staff had examined the graves and discovered that when  
78 Chester Hodgdon passed away and was buried in Grave 5 in 1946, his grave encroached upon  
79 the grave (Grave 4) to the south. Grave 4 is where Gertrude Collins is buried, and Jarrod said,  
80 "They carried it all the way down through." Jarrod noted there is a 1½-foot encroachment on  
81 Grave 2, meaning there is 6½ feet remaining. Jarrod said it is not possible to place two vaults in  
82 a 6½ foot space, and there is no extra space available on Lot 1 of the next block down. Jarrod  
83 said the Collins family was attempting to sell the graves, which are located in the older portion of  
84 the Onalaska Cemetery. Jarrod referred to a copy of an email from Meg included in committee

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85 members' packets and read the following portion of the email: *"Therefore, in light of this and*  
86 *the time and money expended, we would ask the city to consider buying back these two plots. We*  
87 *understand that new plots sell for \$780 each, but naturally we would be open to a lesser amount*  
88 *in light of the city's consideration of our proposal."*

89  
90 Jarrod said, "We're not in the process of buying back lots. As a staff, we made a  
91 recommendation that we would offer to give them two like lots in the cemetery, so find any spot  
92 in the cemetery with two lots next to one another. She [Meg] really wants to get paid for the lots.  
93 That's the reason we're here tonight, and I'm looking for some direction on this issue."

94  
95 Ald. Binash noted that other members of the Collins family are interred in the same location and  
96 said John Collins had once been the owner.

97  
98 Jarrod said the Collins family had owned them. However, there no longer are any members of  
99 the Collins family residing in this area, and Jarrod said they do not have perceived use for the  
100 graves. Jarrod noted that Meg Collins resides in Colorado with her father, John.

101  
102 Ald. Binash said only one gravesite may be utilized.

103  
104 Jarrod told Ald. Binash he is correct, noting that only ashes could be interred in Grave 2. Jarrod  
105 said the city would mark the grave as "unsaleable" and cross it off the map if the city chooses  
106 either to allow the Collins family to trade a grave or purchase a grave. Grave 1 still could be  
107 sold as a single grave, while ashes could be interred in Grave 2.

108  
109 Ald. Binash asked, "So the city should just look at one of the two available and the other one is a  
110 loss?"

111  
112 Jarrod said, "That would be my recommendation." Jarrod noted Cari had located the old records  
113 and said he believes the Collins family had paid \$50 a grave in 1945.

114  
115 Ald. Muth noted that \$50 in 1946 equates to \$700 in 2016 and said the two cannot be put  
116 together.

117  
118 Cari said the city always has taken the position of not buying back graves, noting that the owners  
119 are responsible for selling or reselling graves.

120  
121 Ald. Binash said, "It would seem to me that if we gave them two gravesites and they wanted to  
122 sell them, it would probably be in their best interest financially to recoup whatever it is that  
123 they're looking to recoup."

124  
125 Cari said this is the offer the Collins family has been made.

126

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127 Jarrod said Meg is requesting that the city buy back the two plots.

128

129 Motion by Ald. Muth, second by Ald. Binash, to approve offering Margaret Collins two alternate  
130 gravesites and not to buy back cemetery graves One (1) and Two (2) in Block 73 of the Onalaska  
131 Cemetery.

132

133 On voice vote, motion carried.

134

135 **Item 8 – Approval of Special Events Permit for American Cancer Society Sole Burner**  
136 **Walk/Run on April 23, 2017 from approximately 6 a.m.-2 p.m. starting at 2700 Midwest**  
137 **Drive, Onalaska**

138

139 Ald. Muth said this item has been removed from the agenda.

140

141 Cari said this item will appear on the December 7 Administrative and Judiciary Committee  
142 meeting agenda.

143

144 **Item 9 – Miscellaneous licensing reporting**

145

146 Cari noted committee members' packets include a list of four recreational burning permits.

147

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

149

150 On voice vote, motion carried.

151

152 **Judiciary**

153

154 **Item 10 – Ordinance 1569-2016 – to amend Chapter 2 of Title 6, Section 2 of the Code of**  
155 **Ordinances of the City of Onalaska relating to construction and repair of sidewalks (Third**  
156 **and Final Reading)**

157

158 Motion by Ald. Binash, second by Ald. Muth, to approve Ordinance 1569-2016 – to amend  
159 Chapter 2 of Title 6, Section 2 of the Code of Ordinances of the City of Onalaska relating to  
160 construction and repair of sidewalks (Third and Final Reading).

161

162 Jarrod said the repair costs for city boulevard trees that damage sidewalks will be split 50-50  
163 between the city and affected property owners.

164

165 On voice vote, motion carried.

166

167 **Item 11 – Ordinance 1572-2016 – to amend Section 3 of Chapter 2 of Title 15 of the Code of**  
168 **Ordinances of the City of Onalaska relating to applicability and jurisdiction of**

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169 **construction sites and excavation erosion control (Third and Final Reading)**

170

171 Motion by Ald. Binash, second by Ald. Muth, to approve Ordinance 1572-2016 – to amend  
172 Section 3 of Chapter 2 of Title 15 of the Code of Ordinances of the City of Onalaska relating to  
173 applicability and jurisdiction of construction sites and excavation erosion control (Third and  
174 Final Reading).

175

176 Jarrod said the La Crosse County Landfill will be exempt from the city’s ordinance for erosion  
177 control site plans because the landfill falls under the Wisconsin Department of Natural Resources  
178 code for the landfill that either meets or exceeds the city’s ordinance.

179

180 On voice vote, motion carried.

181

182 **Item 12 – Ordinance 1575-2016 – to amend Article D of Chapter 1 of Title 15 of the Code of**  
183 **Ordinances of the City of Onalaska relating to the Electrical Code (First and Second**  
184 **Reading)**

185

186 Motion by Ald. Binash, second by Ald. Muth, to approve Ordinance 1575-2016 – to amend  
187 Article D of Chapter 1 of Title 15 of the Code of Ordinances of the City of Onalaska relating to  
188 the Electrical Code (First and Second Reading).

189

190 Brad said that currently any electrical and low-voltage work in the city requires a permit and  
191 noted some contractors currently are not adhering to this. Brad said that while the city can  
192 enforce this ordinance, staff does not have the time to do so correctly. Brad said he believes  
193 allowing the exemptions will make clear guidelines for when permits are needed. Permits still  
194 are required, but contractors who are licensed by the State of Wisconsin will be allowed to have  
195 more of a hierarchy than those who are not. The state would allow some exemptions for licensed  
196 electricians to perform any work in the city. Brad said the wording for low voltage was to allow  
197 for the insured homeowner, the low-voltage contractors, and the phone and cable companies who  
198 always will perform small cabling jobs to work without a permit less than a \$200 value. A  
199 permit would be required if the work exceeds \$200, and the state exempts them from the  
200 licensing. Brad said the city still would need to perform inspections. Brad said his intent for  
201 having a larger, \$10,000 value for low voltage when an electrical contractor is involved,  
202 providing general supervision for a homeowner or another contractor who is not a licensed  
203 electrical contractor is to give them the hierarchy that they have the license by the state to work  
204 with a larger amount of low voltage up to a \$10,000 value.

205

206 Brad said, “The purpose is to better align it with the state. ... All fire alarm systems regardless of  
207 value will be permitted. ... The ordinance will not change the fact that we do not allow  
208 homeowners to do any of their high voltage electrical work. ... It’s just to make it cleaner  
209 because right now we don’t have the enforcement to catch all the illegal things that are  
210 happening collected, so to speak.”

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211

212 Katie said the city's legal counsel has reviewed and approved this.

213

214 Ald. Binash said it is his understanding that individuals who wish to install a ceiling fan or a  
215 light fixture will not require a permit.

216

217 Brad said a licensed electrical contractor would have to perform high-voltage work, noting low  
218 voltage is considered to be less than 100 volts. Citizens would not be allowed to install their  
219 own ceiling fan.

220

221 Katie said that has not changed.

222

223 Brad said the intent is to target the 10 to 15 percent who are not compliant.

224

225 Ald. Binash asked if the committee should give the ordinance its First, Second, Third and Final  
226 reading this evening.

227

228 Brad said staff wants to obtain feedback from the contractors, noting he has attempted to contact  
229 approximately five contractors. Only two have replied so far, and Brad said they have expressed  
230 support for the ordinance, asking that the city create a substantial penalty for those who do not  
231 comply.

232

233 Katie said staff intends to send a mailing to all electrical contractors in the city who work in here.  
234 The mailing would include a copy of the draft ordinances where they could see the changes.  
235 Brad's contact information also would be included.

236

237 On voice vote, motion carried.

238

239 **Adjournment**

240

241 Motion by Ald. Muth, second by Ald. Binash, to adjourn at 6:22 p.m.

242

243 On voice vote, motion carried.

244

245

246 Recorded by:

247

248 Kirk Bey