

**Board of Public Works
of the City of Onalaska**

Tuesday, February 3, 2015

1

1 The Meeting of the Board of Public Works of the City of Onalaska was called to order at 6:30
2 p.m. on Tuesday, February 3, 2015. It was noted that the meeting had been announced and a
3 notice posted at City Hall.

4

5 Roll call was taken with the following members present: Ald. Jack Pogreba, Financial Services
6 Director/Treasurer Fred Buehler, City Engineer Jarrod Holter, Mayor Joe Chilsen, Ald. Jim
7 Bialecki

8

9 Also Present: Land Use and Development Director Brea Grace, Planner/Zoning Inspector Katie
10 Meyer, Assistant City Engineer Kevin Schubert

11

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

13

14 Motion by Ald. Bialecki, second by Mayor Chilsen, 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 for anyone wishing to provide public input.

22

23 **Christopher Meyer**

24 **1589 Medary Lane**

25 **Onalaska**

26

27 “What I have just passed out is a condensed version of 40-some odd pages of what is on the city
28 record. Emails and such that did not make into the city record are not within this document.
29 Several emails were left out. I don’t know why, but again, they are not in this document.
30 Basically what I have done is organized it so you can look at this. The City of Onalaska has
31 cited the violation of 15-1-12 approximately six times to the neighbor on the upper property for
32 having black water pipe draining water to the lower properties. Several times, the city required
33 the removal of these pipes – one time within 30 days. They were never removed. There was
34 never any follow-up. There was never any enforcement. [The city required the removal of the
35 pipes] one time within 10 days. They were never removed. [There was] no follow-up. [There
36 was] no enforcement. Several times, the city required an engineered stabilization of the hillside
37 to bring it back in compliance. [There was] no follow-up. [There was] no enforcement. [There
38 were] no citations. I can go on and on and on, but I think you get the picture. Today, this very
39 day, there are still black pipes in the upper property pointing to the lower properties to this very
40 day. Jack [Ald. Pogreba] has visited the site in question several times, talked with myself, talked
41 to Oliver, who is one neighbor, [and] talked to Harvey up on top. In December he viewed the

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42 pipes. He's taken pictures of the pipes. At that time the city was made aware that the pipes still
43 exist. Nothing has been done – no enforcement. Erosion is still a problem. The hill is still
44 unstable. To date, there are three different ordinances being violated. Some of them are city
45 ordinances. Some are state ordinances. Some are county ordinances. The biggest one is you
46 cannot disturb in any way ...”

47
48 Ald. Pogreba told Christopher he had 30 seconds remaining.

49
50 Christopher said, “I have photographs of the site that I'll give to each one of you. You can look
51 at them if you like. But the long and the short is this needs to be corrected. The city, in its own
52 records, has everything documented. They've cited these violations, yet they've done nothing
53 with it. Liability sits on the city's shoulders right now to enforce the written laws as they are
54 written, which they are not currently doing.”

55
56 Jarrod asked Chris for a copy of the handout he is distributing so it may be placed on the record.

57
58 **Oliver Downer**
59 **1591 Medary Lane**
60 **Onalaska**

61
62 “I'm speaking about the same topic that Chris Meyer just spoke about. Rest assured, I'm as
63 unhappy to be here talking about this again as probably some of you are seeing me talk about it
64 again. But I do thank this group for taking on this issue that we've all talked about way too
65 much – especially since August 4, which is now six months ago, when our damage started again
66 at a very heavy level this past year and we brought it to the City Engineering Department's
67 attention once again. I want to especially thank the Aldermen who supported us at the Common
68 Council meeting back on the 11th of November – Alderman Pogreba, Alderman Bialecki,
69 Alderman [Jim] Olson, Alderman [Harvey] Bertrand and all the others who were willing to take
70 this on again. It's clear that there are three violations which exist. Nobody has been able to
71 dispute that. Nobody who has come to the site has had any concerns about the facts of what has
72 happened. We have county violations, city violations and state [violations]. I ask that this group
73 vote to have this situation enforced the way it should have been starting in 2003, and the way it
74 should have been in 2011 when we were told the pipes were removed. Again, just to simplify it,
75 my neighbor is running water with a gutter onto my property and this city has not been able to
76 enforce any action to resolve that. And of course, the kicker is that there is new evidence that
77 shows that the pipes or the gutters that were supposedly removed still exist in the ground. I ask
78 that if anybody has any questions or wants to dispute the facts – whether it's the fine Engineering
79 Department, which was doing a great job in August of 2014 helping us to get to the resolution,
80 the Aldermen, the Mayor or the City Attorney – please ask those questions and don't stonewall
81 us again like we were for a number of months. Thank you for your attention, and I appreciate
82 you taking action tonight to get this back into the proper movement of re-stabilizing the hillside

Reviewed 2/5/15

83 and making sure we don't have a dangerous situation which is devaluing the properties on
84 Medary Lane. Thank you.”

85
86 Ald. Pogreba called three times for anyone else wishing to provide public input and closed that
87 portion of the meeting.

88

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

90

91 **Item 4 – Review and consideration of archaeological services for Braund Lumber site**
92 **demolition**

93

94 Jarrod noted that board members' packets contain a copy of an email from the Mississippi Valley
95 Archaeological Center, which has performed the archaeological work that is required in this area
96 due to the non-catalogued burial districts in the area. Jarrod said the services performed would
97 be the same as what had been performed at the bait shop and as part of the State Trunk Highway
98 35 project. Jarrod noted that on the copy of the email he had underlined a not-to-exceed total of
99 \$5,939.59 if nothing is found during the excavation. Jarrod cautioned the board that this total
100 could increase should any artifacts be found. Jarrod added that these services must be performed
101 if the Braund Lumber site is to be demolished.

102

103 Motion by Ald. Bialecki, second by Mayor Chilsen, to approve archaeological services for
104 Braund Lumber site demolition in an amount not to exceed \$5,939.59.

105

106 On voice vote, motion carried.

107

108 **Item 5 – Review and consideration of 2015 Comprehensive Plan update, Chapter 5 –**
109 **Utilities & Community Facilities**

110

111 Jarrod noted that this item does not require a vote and is for information only. Jarrod said the
112 Utilities & Community Facilities chapter contains in-depth discussion of public utilities and
113 facilities for the City of Onalaska. This includes the library, schools, daycare facilities, and the
114 city's infrastructure (water and sewer systems). Jarrod pointed out the chapter states that the city
115 has “very fine facilities” and that the city has positioned itself well for the future.

116

117 Ald. Bialecki noted that the Plan Commission had reviewed this document at its January 27
118 meeting and said no questions or concerns had been raised.

119

120 Ald. Pogreba complimented the document's layout.

121

122 Jarrod noted that Short Elliott Hendrickson had assisted with the document.

123

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124 **Item 6 – Review and consideration of updating agreement for lease of property from Well**
125 **#8 site at 1227 Oak Avenue North to adjoining property at 1224 Cliffview Avenue North**

126

127 Jarrod noted that board members' packets include a copy of an aerial photograph and pointed out
128 an area of the lot that contains Well #8 that the city has been leasing for several years to the
129 property owner at 1224 Cliffview Avenue. Jarrod noted that the residence has been sold and
130 now has new owners, which led to a revision of the lease agreement. Jarrod noted the previous
131 owner owned the property for more than 20 years and said staff approves of the neighbor's use
132 of the property. Jarrod said, "It has not hindered us in any way over the years. They've been a
133 good neighbor to work with. The one thing I would say is that the amount of the lease is very
134 outdated because they happily came in and paid their \$5 for the lease. I don't have a solid
135 recommendation on what it should be. It hasn't been raised in the years since the lease's
136 inception."

137

138 In response to a question by Ald. Pogreba, Jarrod said the individuals residing at 1224 Cliffview
139 Avenue maintain the property where Well #8 is located as if it were their own property. This
140 includes mowing the lawn and trimming the trees.

141

142 Ald. Pogreba said he is inclined not to increase the fee as a goodwill gesture.

143

144 Ald. Bialecki said he agrees with Ald. Pogreba and asked if the agreement protects the city
145 legally in that in the future the homeowners might state they should own the land because they
146 have maintained it for several years.

147

148 Jarrod said that by signing the agreement the owners of 1224 Cliffview Lane would not have
149 domain rights to take over the land because they have maintained it. However, Jarrod also
150 promised to consult with City Attorney Sean O'Flaherty.

151

152 Motion by Ald. Bialecki, second by Mayor Chilsen, to approve updating agreement for lease of
153 property from Well #8 site at 1227 Oak Avenue North to adjoining property at 1224 Cliffview
154 Avenue North.

155

156 On voice vote, motion carried.

157

158 **Item 7 – Review and consideration of temporary limited easement at Tax Parcel 18-846-0**
159 **for State Trunk Highway 35 project with Wisconsin Department of Transportation**

160

161 Jarrod said this city-owned parcel is located south of the sunfish. The Wisconsin Department of
162 Transportation will need to perform slope work in this area in advance of the STH 35 project
163 slated for 2016. Jarrod said this work will not hinder any activities for which this land is utilized,
164 adding that it is "mowed green space." Jarrod said the land will be returned to its state following

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165 completion of the project and noted the State of Wisconsin is offering \$1,800 to the city to cover
166 any damage incurred on the property. Jarrod said it will be a temporary limited easement.

167

168 Motion by Ald. Bialecki, second by Jarrod, to approve temporary limited easement at Tax Parcel
169 18-846-0 for State Trunk Highway 35 project with Wisconsin Department of Transportation.

170

171 On voice vote, motion carried.

172

173 **Item 8 – Review and consideration of construction permit at south wayside along State**
174 **Trunk Highway 35 for State Trunk Highway 35 project with Wisconsin Department of**
175 **Transportation**

176

177 Jarrod noted that board members’ packets include a map of the south wayside where the sunfish
178 is located and said the city had taken over this wayside and now handles all maintenance
179 activities. This is why a construction permit is necessary. Jarrod said WisDOT is proposing to
180 repave the entire wayside, construct a sidewalk, extend curb and gutter and create a crosswalk.
181 Jarrod said the city would need to maintain the area upon completion of construction, but also
182 pointed out that the costs would be the state’s responsibility.

183

184 Motion by Ald. Bialecki, second by Ald. Pogreba, to approve construction permit at south
185 wayside along State Trunk Highway 35 for State Trunk Highway 35 project with Wisconsin
186 Department of Transportation.

187

188 On voice vote, motion carried.

189

190 **Item 9 – Review and consideration of City-retained professional engineering services from**
191 **Strand Associates and Short Elliott Hendrickson in conjunction with review of developer**
192 **submittal of traffic, water, sanitary sewer and storm sewer plans for project along Sand**
193 **Lake Road/County Trunk Highway S**

194

195 Jarrod noted that Mayo Clinic had purchased the Menards property and said the city has been
196 working with the Mayo Clinic engineer on answering questions regarding Mayo’s proposed
197 designs. Jarrod said he has not received any formal submittals for sanitary sewer, water main or
198 storm sewer at this time. However, Jarrod also said he believes the plans will be submitted
199 within months and stated, “These plans are far-reaching and have a lot of impacts to city
200 infrastructure. I would like to be prepared at that point to have the possibility of using further
201 expertise to review those plans. It could be an area that would have large impacts and large
202 volumes of traffic, employees, water usage, sanitary sewer usage and a variety of things. We’re
203 going to try to do the review of those plans as much as possible in-house with our existing staff,
204 whether it be our engineering staff, Kevin and myself, or the Utility Department to elicit their
205 expertise on designs of lift stations. We do not deal with these volumes of traffic and volumes of

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206 items every day, so I would like to [have the ability to] run those past people at that time.”

207

208 Jarrod said he is proposing seeking assistance from Short Elliott Hendrickson in an amount not
209 to exceed \$3,000, noting that SEH has the city water system modeled and he could ask SEH any
210 questions pertaining to water. Jarrod pointed out that Strand Associates had designed the
211 roundabout located in the area as well as sanitary sewer lift stations and said he would seek
212 Strand’s expertise in these areas as well as storm water as Strand had performed work on the
213 pond located near Menards. Jarrod said he recommends seeking assistance from Strand
214 Associates in an amount not to exceed \$12,000.

215

216 Motion by Ald. Bialecki, second by Fred, to approve City-retained professional engineering
217 services from Strand Associates and Short Elliott Hendrickson in conjunction with review of
218 developer submittal of traffic, water, sanitary sewer and storm sewer plans for project along Sand
219 Lake Road/County Trunk Highway S in an amount not to exceed \$12,000 for Strand Associates,
220 and in an amount not to exceed \$3,000 for Short Elliott Hendrickson.

221

222 Fred referred to the 2015 Budget process and noted that there are funds in the Special Projects
223 Fund. Fred noted that \$35,000 was routed to the Omni Center and said there was more than
224 \$46,000 undesignated, thereby creating the possibility of utilizing these funds for professional
225 engineering services.

226

227 Motion by Ald. Bialecki, second by Ald. Pogreba, to amend the previous motion to state that
228 undesignated funds from the Special Projects Fund will be utilized for City-retained professional
229 engineering services from Strand Associates and Short Elliott Hendrickson.

230

231 Vote on the Amendment:

232

233 On voice vote, motion carried.

234

235 Original motion restated:

236

237 To approve City-retained professional engineering services from Strand Associates and Short
238 Elliott Hendrickson in conjunction with review of developer submittal of traffic, water, sanitary
239 sewer and storm sewer plans for project along Sand Lake Road/County Trunk Highway S in an
240 amount not to exceed \$12,000 for Strand Associates, and in an amount not to exceed \$3,000 for
241 Short Elliott Hendrickson. Undesignated funds from the Special Projects Fund will be utilized.

242

243 On voice vote, motion carried.

244

245

246

247 **Item 10 – Review and consideration of dump box and accessories bid for 2015 F-550 cab &**
248 **chassis**

249
250 Jarrod noted that one bid had been received from Universal Truck Equipment of Centerville.
251 The total bid was \$16,114. Jarrod said city staff is recommending the base bid plus Option A for
252 a total bid of \$15,790. Jarrod noted that \$16,500 had been budgeted for this purchase.

253
254 Motion by Jarrod, second by Ald. Bialecki, to approve dump box and accessories bid for 2015 F-
255 550 cab & chassis to Universal Truck Equipment in the amount of \$15,790 for the base bid
256 (\$14,948) plus Option A (\$842).

257
258 In response to a question by Ald. Pogreba, Jarrod said the bid opening had been January 27.

259
260 On voice vote, motion carried.

261
262 **Item 11 – Review and consideration of contractor submissions of bidders proof of**
263 **responsibility for Well #9 reconstruction project**

264
265 Jarrod said Well #9 is currently out for bid and that the bids will be received the morning of
266 Wednesday, February 18. Jarrod said it will be necessary to receive a bidder's proof of
267 responsibility to ensure that the city has qualified bidders. The bidder's proof of responsibility
268 must be submitted by the end of the day on Monday, February 9. Jarrod promised to distribute a
269 sheet of recommended bidders to be approved at the February 10 Common Council meeting.
270 Jarrod said he does not want to preclude any good bidders and that he wants to have the window
271 compressed for time between the bid and when the city prequalifies.

272
273 Motion by Ald. Bialecki, second by Ald. Pogreba, to move to the February 10 Common Council
274 meeting without recommendation review and consideration of contractor submissions of bidders
275 proof of responsibility for Well #9 reconstruction project.

276
277 On voice vote, motion carried.

278
279 **Item 12 – Pay Estimates: Strand Associates, Short Elliott Hendrickson Inc., Wapasha**
280 **Construction, La Crosse County Highway Department, State of Wisconsin Department of**
281 **Transportation and any other contractor/developer**

282
283 **BOARD OF PUBLIC WORKS**
284 **MONTHLY ESTIMATES**

285
286 **February 3, 2015**

288		Original			
289		Contract	Change	Paid to	Due this
290	<u>Contractor</u>	<u>Amount</u>	<u>Orders</u>	<u>Date</u>	<u>Estimate</u>
291					
292	1. WAPASHA CONSTRUCTION				
293	2013 Reservoir Improvements				
294	Construction				
295	Estimate #13 – FINAL	\$ 294,991.99	\$ -	\$ 284,846.51	\$ 4,880.48
296					
297	2. STRAND ASSOCIATES				
298	Well #9 – Reconstruct/Filter				
299	Design				
300	Estimate #5	\$ 132,700.00	\$ 19,800.00	\$ 116,200.00	\$ 32,130.00
301					
302	3. SEH INC.				
303	Bait Shop Demolition				
304	Sample Collection & Wis. DNR				
305	Estimate #1	\$ 2,642.00	\$ -	\$ -	\$ 2,585.30
306					
307	4. LA CROSSE COUNTY HWY. DEPT.				
308	CTH SN				
309	Design				
310	Estimate #2	\$ 17,293.00	\$ -	\$ 1,657.19	\$ 3,245.88

311
312 Motion by Ald. Bialecki, second by Ald. Pogreba, to pay the four estimates as dated February 3,
313 2015.

314
315 On voice vote, motion carried.

316
317 **Item 13 – Review and consideration of sediment/water runoff at 1558 West Young Drive**

318
319 Jarrod noted that this item had been tabled for two months at the December 2 Board of Public
320 Works meeting.

321
322 Mayor Chilsen said, “Our [City] Attorney has gone on record as saying that we are to stay out of
323 this. The Council is to stay out of this.”

324
325 Motion by Fred, second by Mayor Chilsen, to table indefinitely review and consideration of
326 sediment/water runoff at 1558 West Young Drive.

327
328 On roll call vote: Financial Services Director/Treasurer Fred Buehler – aye, Ald. Jack Pogreba –

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329 nay, Ald. Jim Bialecki – aye, Mayor Joe Chilsen – aye, City Engineer Jarrod Holter – aye.
330 Motion carries, 4-1.

331

332 **Adjournment**

333

334 Motion by Fred, second by Ald. Bialecki, to adjourn.

335

336 On voice vote, motion carried.

337

338

339 Recorded by:

340

341 Kirk Bey