

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

1

1 The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, June 9, 2015.
2 It was noted that the meeting had been announced and a notice posted at City Hall.

3
4 Roll call was taken, with the following members present: Mayor Joe Chilsen, Ald. Jim Binash,
5 Ald. Jim Bialecki, Ald. Barry Blomquist, Ald. Jim Olson, Ald. Harvey Bertrand, Ald. Bob Muth

6
7 Also Present: City Clerk Cari Burmaster, City Attorney Sean O’Flaherty, Tourism Director Jean
8 Lunde, Human Resource Specialist Hope Burchell, Police Chief Jeff Trotnic, City Engineer
9 Jarrod Holter, Land Use and Development Director Brea Grace, Fire Chief Don Dominick,
10 Financial Services Director/Treasurer Fred Buehler

11

12 **Item 2 – Pledge of Allegiance**

13

14 The Pledge of Allegiance was recited.

15

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

17

18 Mayor Chilsen welcomed public input at this time.

19

20 **Wade Wilson**

21 **316 15th Avenue North**

22 **Onalaska**

23

24 “First of all, I would just like to thank you all for your service to this community. I know it’s not
25 always easy to serve, and so I would like to pray tonight for your service: *‘Father in heaven, as*
26 *the Apostle Paul once prayed over the people in Philippi, today we echo not only the words, but*
27 *the heart from which they were spoken. We pray that if we have any encouragement from*
28 *belonging to God, any comfort from his love, any fellowship together in his spirit, then let our*
29 *hearts be tender and compassionate, agreeing wholeheartedly with each other, loving one*
30 *another, and working together with one mind and purpose. We pray as Paul prayed for pure*
31 *motives, selflessness, not trying to impress others, being humble, thinking of others as more*
32 *important than ourselves. We pray that we wouldn’t look out only for our own interests, but the*
33 *interests of others that we are called to serve. We pray that we might have the same attitude that*
34 *Christ had as he willingly and purposefully became a servant, literally laying down his life for*
35 *the benefit of all mankind. Amen.’ ”*

36

37 **Matt Sokol**

38 **311 Story Parkway**

39 **Milwaukee**

40

41 “I’m here speaking on behalf of TNT Fireworks regarding our approval for the tent located at the
42 Wal-Mart. We do have a letter of authorization that was submitted with the permit. I have done

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

2

43 my best to speak with Troy and be in communication with him along with this permitting
44 process. I feel that we have complied with everything that they have asked of us. I know there
45 was a slight incident with it, but I gave him the correct certificate. I'm new to this position. I've
46 been with TNT for a few years. I just wanted to put it out there that the customer who would be
47 running this location is a 20-year veteran of TNT Fireworks, and they've run in multiple states.
48 They're a church group that uses the money as a fundraiser for the mission trips that they go
49 along with, so I think that they would be the ideal customer as well as comply with everything
50 within the ordinances of not only the State of Wisconsin, but also the statutes of Onalaska. I
51 hope that you can take that into consideration knowing that if there have been issues in the past
52 that we have a new manager running this area, which is myself. And the group [consists of] very
53 seasoned veterans, and they'll do a great job. Thanks."

54

55 **Dan Ferries**
56 **402 9th Avenue North**
57 **Onalaska**

58

59 "Thank you for this time. Also, thank you, Council members, for your service. What I want to
60 speak to you about tonight is the first thing on the agenda under the Mayor's Report, [which is]
61 recognition of Jean Lunde for 24 years of service. She doesn't know I'm doing this. One day
62 we were over at the Legion volunteering, and somebody approached her and asked her if she
63 would consider being on the Board of Directors of the Onalaska Food Pantry. She said, 'Sure.'
64 She's never too busy. She said, 'Sure,' but she had to submit a resume or some things that she's
65 done in the community over the last few years. I found that rustling through some papers on the
66 desk, and I think it would be remiss if I didn't mention some of these things. My sole intent is to
67 maybe embarrass her a little bit. Jean Lunde started with Onalaska in 1991 to the present time.
68 She's been the Tourism Director for several years. Her job is to promote the City of Onalaska,
69 which I can contest. We like to travel a lot, and it never fails that if we're going to be leaving for
70 the evening going out from the resort or wherever, it's like, 'Where's your Onalaska shirt?' or
71 'Where's your Onalaska cap?' She's always promoting Onalaska. She always has a fistful of
72 business cards, and she gets replies back from Puerto Rico, from California, Arizona and Nevada
73 – emails and phone calls promoting the city at all times. But some of the things that she has ...
74 My intent here is to – as an elected official and for you also and staff members – maybe raise the
75 bar a little bit higher [and] not only do your job and do it well, but also be connected to the
76 community. For 24 years she was with the Onalaska Area Business Association in different
77 capacities from liaison to secretary for seven years. For 23 years she worked on the Great River
78 Road Promotional Committee, and the goal of that is to promote the 33 communities along the
79 Great River Road of [State Trunk] Highway 35. She spent five years on the Onalaska
80 Community Days Committee. She has volunteered at the Sons of the American Legion
81 Breakfast over at the Legion. [She has been involved with] Rotary Lights, and she's a charter
82 member of the Onalaska Hilltopper Rotary Club. She was involved with Onalaska Night
83 Freedom for Honor Flights, raising funds for our veterans to go back to our Nation's Capital and
84 view a monument that was built in their honor. For 14 years she was on committees for the La

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

3

85 Crosse Area Day – from 1997 to 2011. She served on the original committee in 1997 to bring
86 together La Crosse County residents to enjoy some camaraderie at Miller Park. For 13 years she
87 was involved with the Special Olympics’ Polar Plunge. She was one of the original starters of
88 that, and it initially was in Onalaska. [She] also [was involved with] the Onalaska Community
89 Thanksgiving Dinner from 2010 to 2013, and she was a co-founder [of the event]. For 19 years
90 [she was a member of] the Great River State Trail Friends and Bike 4 Trails group – from 1994
91 to 2013. Harvey, you probably know this, but the Bike 4 Trail starts south of Fountain City and
92 it goes down to Reedsburg. It’s 101 miles, and it’s the first thing on her bucket list to retire, and
93 she’s going to walk the 101 miles. The Onalaska Community Cleanup ...”

94

95 Mayor Chilsen asked Dan to conclude his remarks as he has reached his time limit.

96

97 Dan said, “[Jean has been involved with] the Onalaska Community Christmas, the Onalaska
98 Sesquicentennial, All-Class Reunions in 2006, 2010 and 2013. [She was involved with] Tornado
99 Youth Hockey from 1997 to 2009, and [she also was involved with] the Real Recovery, which is
100 a neat program, in 2012. I just wanted to mention a few of the things that she’s been involved
101 with, and I hope I embarrassed her a little bit. I just want to tell her [to have a] happy retirement.
102 You deserve it, Jean. Thank you.”

103

104 Mayor Chilsen called three times for anyone else wishing to provide public input and closed that
105 portion of the meeting.

106

107 **Item 4 – REPORT FROM THE MAYOR:**

108

109 A. Recognition of Jean Lunde’s 24 years of service

110

111 Mayor Chilsen asked Hope to read the plaque being presented to Jean.

112

113 Hope said, “We’re presenting this plaque to Jean Lunde in appreciation for 24 years of dedicated
114 service to the City of Onalaska, from 1991 to 2015. Thank you, Jean.”

115

116 B. Swearing in of Onalaska Police Officer Grant TeBeest

117

118 Cari asked Officer TeBeest to raise his right hand and repeat the following: *“I, Grant TeBeest,
119 having been appointed as an Onalaska Police Officer, swear that I will support the Constitution
120 of the United States and the Constitution of the State of Wisconsin, and will faithfully and
121 impartially discharge the duties of said office to the best of my ability, so help me God.”*

122

123 C. Review of City of Onalaska Safety Record – by Pallin Allen from Cities and Villages
124 Mutual Insurance Company (CVMIC)

125

126 Pallin noted that CVMIC is a collection of 46 members throughout the State of Wisconsin that
Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

4

127 have pooled their resources to create this organization. In turn, CVMIC provides insurance
128 services such as training to its membership, of which the City of Onalaska is a member. Pallin
129 referred to the handout of the city's performance over the last five years distributed to Council
130 members and noted the following:

- 131
- 132 • The city's SIR (Self-Insured Retention), or its deductible, is \$17,500. These are funds the
133 city will spend before CVMIC contributes. Approximately \$38,000 has been returned to
134 the city over the last five years based on its performance regarding liability.
 - 135 • The city has a deductible of \$1,000 for its Auto Physical Damage Program. There has
136 been a return of \$18,500 to the city over the last five years.
 - 137 • The Experience Modification Study line graph includes a gray line that represents a
138 Workers Compensation "mod." A "mod" is a multiplier, and any entity that has Workers
139 Compensation Insurance in the State of Wisconsin has all its loss experience placed into a
140 number generator, which provides a "mod." This means good experiences will be
141 rewarded with discounts, and bad experiences will result in penalties and extra premiums.
142 CVMIC has consistently been around .9, and the City of Onalaska has consistently been
143 lower than .8. Pallin said Workers Compensation is a true reflection of the city's
144 experience and performance that has occurred over a given period of time. The city has
145 saved approximately \$190,000 over the last five years.

146
147 D. Library statistics for May

148
149 Mayor Chilsen reported that 9,867 individuals passed through the front doors of the library in
150 May. Seventeen groups (426 patrons) met at the facility, and \$100 of revenue was raised.

151
152 E. Announcement of Onalaska being named Top 100 Best Towns in 2015 by Livability.com

153
154 Mayor Chilsen reported that the City of Onalaska has been named the 18th most livable city in
155 the United States among cities ranging in population from 1,000 to 20,000. Mayor Chilsen noted
156 that the only Midwestern city with a better ranking was Traverse City, Michigan (11th).

157
158 F. Recognition of Utility Department Workers

159
160 Mayor Chilsen commended Jarrod and his staff for their work after a water pump failed on May
161 31 at the lift station located at 6th Avenue North and Quincy Street. City staff rerouted the
162 system, and citizens were alerted of the situation via Code Red. Mayor Chilsen said, "All in all,
163 it was a fine showing by Jarrod, Jim Prindle, Shane Stoner, Steve Jackson, John Wyatt, Jason
164 Hilton, Colin Radtke, and all the crew down at the fire station that work hard on that Code Red.
165 So thank you, gentlemen."

166
167 G. **Resolution 30-2015** – Resolution to Approve Authority of Burlington Northern Santa Fe

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

5

168 Railway Police Officers Issuing Municipal Citations and Complaints

169

170 Mayor Chilsen read Resolution 30-2015.

171

172 Motion by Ald. Bialecki, second by Ald. Bertrand, to approve Resolution 30-2015.

173

174 On voice vote, motion carried.

175

176 H. **Resolution 31-2015** – Resolution to Oppose the Amendment to Local Government

177 Lodging Tax

178

179 Mayor Chilsen read Resolution 31-2015.

180

181 Motion by Ald. Bertrand, second by Ald. Blomquist, to approve Resolution 31-2015.

182

183 On voice vote, motion carried.

184

185 I. Review compensation for Board of Review Members

186

187 Cari noted that Board of Review members receive \$100 to serve on the board in addition to their
188 normal pay. Cari also noted that this policy has been in effect during her 14 years with the city
189 and said she is unsure how long this policy has been in place. Cari said the Board of Review,
190 which convenes on June 10, will be meeting for the initial first two hours before likely going into
191 two days of hearings. Cari noted that doing so will lengthen the process and said a suggestion
192 had been brought forward to possibly increase compensation for serving on the board. Cari said,
193 “It is a very important board for the city. It’s a lot of responsibility, and we want it to be taken
194 very seriously. I don’t know if we could do anything for this year. It might be part of the budget
195 process, and maybe Sean could address any of those other concerns that come up with the
196 discussion.”

197

198 Sean said, “With respect to changing it for this year, it could be passed this year. But the soonest
199 it would take effect is for the Board of Review which is appointed at next year’s [Common
200 Council] organizational meeting.”

201

202 In response to a question by Ald. Bialecki, Sean said this would be an ordinance change.

203

204 Motion by Ald. Bialecki, second by Ald. Bertrand, to refer to the Administrative and Judiciary
205 Committee consideration of compensation for Board of Review members.

206

207 Cari asked the Council to provide direction for the Administrative and Judiciary Committee.

208 Cari said some topics for discussion include how much to increase compensation and how to

209 define a day. Cari noted that Sean will be drafting language for the ordinance and said she wants

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

6

210 to ensure that it reflects the Council's thoughts and wishes.

211

212 Ald. Muth said he wants to find out what other communities are doing compared to the City of
213 Onalaska.

214

215 Ald. Olson noted it is his turn this year to serve on the Board of Review and said he must take
216 two vacation days from his job in order to fulfill his obligation. Ald. Olson said, "That's a cost
217 to me of using vacation days because that's the only way my job would let me serve that way.
218 Other people may be different. That creates a disincentive for me, but that's just me."

219

220 On voice vote, motion carried.

221

222 **RECOMMENDATIONS FOR APPROVAL AND/OR POSSIBLE ACTION FROM THE**
223 **FOLLOWING COMMITTEES/COMMISSIONS/BOARDS:**

224

225 All items listed under the consent agenda are considered routine and will be enacted by one
226 motion. There will be no separate discussion of these items unless a council member requests
227 removal, in which event the item will be removed from the consent agenda and considered in the
228 order of business in the non-consent agenda.

229

230 **Item 5 – Consent Agenda**

231

232 A. Approval of minutes from the previous meeting(s)

233

234 **FINANCE COMMITTEE**

235

236 B. Accept Omni Center financials for 2015

237 C. Accept City General Fund Financials for 2015

238 D. Approval of the usage of the Mary Aiken funds (\$6,202.34) and Capital Improvement
239 Funds in the Cemetery to hire Paragon Associates to design the cemetery fence and wall
240 not to exceed \$9,400

241 E. Approval to purchase Fire Department software in the amount of \$4,250

242 F. Approval to purchase the Market Drive Software, an assessing software, in the amount of
243 \$3,407 (charged annually)

244

245 **PERSONNEL COMMITTEE**

246

247 G. Approval of River Valley Newspaper Group Advertising Agreement for 2015-2016

248 H. Approval of Board of Review Procedure for Waiver of Board of Review Hearings

249 I. Approval of Board of Review Procedure for Sworn Testimony or Sworn Written
250 Testimony Requests

251 J. Approval of changes to Police Policy #19 Mobile Video Recording System

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

7

- 252 K. Approval of Memorandum of Understanding of Law Enforcement Mutual Assistance
253 Agreement between the City of Onalaska and the City of La Crosse
254

255 **JUDICIARY COMMITTEE**

- 256
257 L. Approval of **Ordinance No. 1498-2015** to amend Title 2 Chapter 4 of the City of
258 Onalaska Code of Ordinances related to the City Plan Commission (Third and Final
259 Reading)
260 M. Approval of **Ordinance No. 1499-2015** – to amend Title 13 Chapter 6 of the City of
261 Onalaska Code of Ordinances related to Telecommunication Structures and Towers (First
262 and Second Reading)
263

264 **ADMINISTRATIVE COMMITTEE**

- 265
266 N. Approval of the Kids Tri Run for the YMCA, July 11, 2015 from 8 a.m.-noon starting at
267 YMCA West Parking Lot, 400 Mason Street, Onalaska
268 O. Approval of Special Events Permit Application for the American Legion Spirit Run –
269 Motorcycle Benefit for the American Legacy Fund on June 20, 2015 from 8 a.m. to 8:10
270 a.m., 731 Sand Lake Road to State Road 53 North
271 P. Approval of Fireworks Display Permit for Patrick Bonadurer/La Crosse Skyrockers for
272 June 27, 2015 (alternate date June 28, 2015) from approximately 9:45 p.m.-10:15 p.m. at
273 the Onalaska Schools Baseball Fields
274 Q. Approval of Special Olympics Unified Relay Across America Run on June 16, 2015 from
275 approximately 4:15-6:15 p.m.
276 R. Approval of request for burial of ashes of Steven K. Peterson with full body burial of
277 Jane E. Peterson in Block 112, Lot 7, Grave 5
278 S. Approval of request for burial of ashes of Michael J. Valley with full body burial of Edna
279 L. Valley in Block 112, Lot 7, Grave 3
280 T. Approval of Licenses for 7/1/2015-6/30/2016
281 1. Class A Beer Only License – none to report
282 2. Class A Liquor Licenses
283 3. Class B Beer Only Licenses
284 4. Class B Liquor Licenses
285 5. Outdoor Venue Licenses
286 6. Cigarette Licenses
287 7. Hotel/Motel Licenses
288 8. Campground/Mobile Home Licenses
289 9. Taxi Licenses
290

291 **BOARD OF PUBLIC WORKS**

- 292
293 U. Approval of professional forestry consulting services for update of City-owned tree
Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

8

- 294 inventory area #1 by Bluestem Forestry Consulting in the amount of \$10,144
295 V. Approval of demolition of house at 107 South Court Street utilizing city staff
296 W. Approval of bids received for Self Contained Breathing Apparatus from 5 Alarm and
297 Safety in the amount of \$200,627.00 for the Onalaska Fire Department
298 X. Approval of State/Municipal Agreement for Wisconsin Department of Transportation
299 project (ID 7190-03-71) along State Trunk Highway 35 from Burlington Northern
300 railroad bridge to 2nd Avenue Southwest with City Attorney review
301 Y. Approval of Amendment #3 for State Trunk Highway 16 left-turn lane extension design
302 by Short Elliott Hendrickson in the amount of \$3,681.56
303 Z. Approval of professional engineering services for Riders Club Road and PH & Braund
304 Street projects designed in conjunction with Surface Transportation – Urban funding by
305 Short Elliott Hendrickson in the amount of \$149,810.00
306

307 **PLAN COMMISSION**

- 308
309 AA. Approval of a rezoning request filed by Marianne Buchanan for Wesley and
310 Florence Spors Irrevocable Trust, W2815 Shorewood Ct., West Salem, WI 54669, from
311 Interim Single Family Residential District (R-1) to Light Industrial District (M-1) for
312 development of the property located at N4502 French Road and 200 French Road (Tax
313 Parcels #18-4453-0 & 9-451-0)
314 BB. Approval of an Ordinance to Amend the Unified Development Code, Section 13-
315 6-6 regarding Telecommunication Structures and Towers
316 CC. Approval of a rezoning request filed by Keith Heinze for Luther High School,
317 1501 Wilson Street, Onalaska, WI 54650, from Single Family and Duplex Residential
318 District (R-2) to Public & Semi-Public District (P-1) for the purpose of merging the three
319 (3) parcels into one (1) parcel for property located at 1501 Wilson Street (Tax Parcels
320 #18-1023-1 & 18-1037-0)
321 DD. Approval of a non-substantial alteration to the Walnut Grove Planned Unit
322 Development, filed by Paragon Associates for I&B of Hudson, LLC, 422 Callaway
323 Boulevard, La Crosse, WI 54603, to subdivide Walnut Grove Lot 2 into two (2) buildable
324 lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-0)
325 EE. Approval of a Conditional Use Permit application filed by Steve Peters/Two Beagles
326 Brewpub, 403 Cedar Bird Lane, Holmen, WI 54636, who is requesting a Conditional Use
327 Permit to allow the operation of a brewpub at 910 2nd Avenue North (Tax Parcel #18-
328 1276-0) (FIO)
329 FF. Approval of a non-substantial alteration to the Nathan Hill Estates Subdivision Planned
330 Unit Development (PUD) for 402-412, 422-432, and 442-452 Coronado Circle (Lots 3
331 and 4 of Certified Survey Map 1601242) submitted by Chris Meyer of Dream Builders of
332 Wisconsin LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of
333 Nathan Estates LLC (Tax Parcel #s 18-5955-4 & 18-5955-5)
334 GG. Approval of a Certified Survey Map (CSM) submitted by John Schmitz of Point
335 Surveying on behalf of Brian Miller of Nathan Estates LLC, 121 West Franklin Street,

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

9

336 Sparta, WI 54656 for the purpose of subdividing Lots 3 & 4 of Certified Survey Map
337 1601242 into three (3) buildable lots on Coronado Circle in the Nathan Hill Estates
338 Planned Unit Development (Tax Parcel #s 18-5955-4 & 18-5955-5)

339 HH. Approval of a Certified Survey Map (CSM) submitted by Jeff Moorhouse of
340 Paragon Associates on behalf of I&B of Hudson, LLC, 422 Callaway Boulevard, La
341 Crosse, WI 54603, for the purpose of subdividing Walnut Grove Lot 2 into two (2)
342 buildable lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-
343 0)

344

345 **UTILITIES COMMITTEE/MASS TRANSIT**

346

347 II. Accept MTU Transit update and 2014/15 financials

348 JJ. Accept the Shared Ride Transit update and 2015 financials

349

350 **TOURISM COMMISSION**

351

352 KK. Approval of appointment to the Great River Landing Committee – Dustin Hundt

353 LL. Approval of Sponsorship Level of \$1,500 for Three Rivers Roleo

354

355 Motion by Ald. Bialecki, second by Ald. Olson, to approve the Consent Agenda.

356

357 On voice vote, motion carried.

358

359 **Non-Consent Agenda**

360

361 **Item 6 – RECAP ITEMS PULLED FROM THE CONSENT AGENDA**

362

363 • Finance Committee: Item D – Approval of the usage of the Mary Aiken funds
364 (\$6,202.34) and Capital Improvement Funds in the Cemetery to hire Paragon Associates
365 to design the cemetery fence and wall not to exceed \$9,400

366 • Item A – Approval of minutes from the previous meeting.

367

368 **The following item was pulled from the Consent Agenda, to be addressed at this time in the**
369 **Non-Consent Agenda.**

370

371 Item A: Approval of minutes from the previous meeting.

372

373 Motion by Ald. Bialecki, second by Ald. Olson, to approve the minutes from the May 12, 2015
374 Common Council meeting.

375

376 Motion by Ald. Bialecki, second by Ald. Olson, to amend the previous motion, delete a

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

10

377 statement on line 343 that reads, “to reach its goal of \$150,000 be given a highest priority in the
378 2016 Capital Improvements Budget” and replace it with “the amount of money still needed to
379 reach its goal of \$150,000 be a high priority.”

380

381 Ald. Bialecki said this is to clarify the intent of the motion made at the May 12 Common Council
382 meeting. Ald. Bialecki noted there had been a discussion regarding the Cemetery funding and
383 explained the intent was if fundraising efforts fall short even with \$20,000 of Tourism funding
384 the remainder of the amount will go to the 2016 Capital Improvements Budget. Ald. Bialecki
385 noted his motion had stated “the highest priority” and said it cannot be given the highest priority.
386 Ald. Bialecki said, “A high priority is appropriate.”

387

388 Vote on the amendment:

389

390 On voice vote, motion carried.

391

392 Original motion restated:

393

394 To approve the minutes from the May 12, 2015 Common Council meeting as amended.

395

396 On voice vote, motion carried.

397

398 **Item 7 – FINANCE COMMITTEE**

399

400 A. Vouchers

401

402 Motion by Ald. Muth, second by Ald. Bialecki, to approve the vouchers expended since the last
403 Common Council meeting on May 12, 2015, in the amount of \$1,718,524.59.

404

405 On voice vote, motion carried.

406

407 B. Authorization to approve the repairs to the city elevators in the amount of \$6,383.00, a
408 non-budgeted item with funds for the repairs expended from the Equipment Replacement
409 Fund with usage of the Undesignated Fund Balance reserves

410

411 Motion by Ald. Muth, second by Ald. Bertrand, to approve the repairs to the city elevators in the
412 amount of \$6,383.00, a non-budgeted item with funds for the repairs expended from the
413 Equipment Replacement Fund with usage of the Undesignated Fund Balance reserves.

414

415 On voice vote, motion carried.

416

417

418

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

11

419 **The following item was pulled from the Consent Agenda, to be addressed at this time in the**
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421

422 C. Approval of the usage of the Mary Aiken funds (\$6,202.34) and Capital Improvement
423 Funds in the Cemetery to hire Paragon Associates to design the cemetery fence and wall
424 not to exceed \$9,400.

425

426 Ald. Bertrand said he will need to abstain from voting on this item because he does some work
427 for Paragon Associates.

428

429 Motion by Ald. Bialecki, second by Ald. Olson, to approve the usage of the Mary Aiken funds
430 (\$6,202.34) and Capital Improvement Funds in the Cemetery to hire Paragon Associates to
431 design the cemetery fence and wall not to exceed \$9,400.

432

433 On voice vote, motion carried, 5-0, with one abstention (Ald. Bertrand).

434

435 **Item 8 – JUDICIARY COMMITTEE**

436

437 A. Approval of **Ordinance No. 1501-2015** to rezone adjacent property located in Section 33
438 Township 17, Range 7 in the City of Onalaska, La Crosse County, Wisconsin from
439 Single Family Residential (R-1) to Single Family and/or Duplex Residential (R-2)
440 (Traditional Trade Rezoning) (First and Second Reading)

441

442 Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1501-2015 to
443 rezone adjacent property located in Section 33 Township 17, Range 7 in the City of Onalaska, La
444 Crosse County, Wisconsin from Single Family Residential (R-1) to Single Family and/or Duplex
445 Residential (R-2) (Traditional Trade Rezoning) (First and Second Reading).

446

447 Cari noted that the Judiciary Committee had voted at its June 3 meeting to suspend the rules and
448 give Ordinance No. 1501-2015 its First, Second, Third and Final Readings.

449

450 Motion by Ald. Bialecki, second by Ald. Muth, to suspend the rules and give Ordinance No.
451 1501-2015 its First, Second, Third and Final Reading.

452

453 On voice vote, motion carried.

454

455 Motion by Ald. Blomquist, second by Ald. Binash, to approve Ordinance No. 1501-2015 to
456 rezone adjacent property located in Section 33 Township 17, Range 7 in the City of Onalaska, La
457 Crosse County, Wisconsin from Single Family Residential (R-1) to Single Family and/or Duplex
458 Residential (R-2) (Traditional Trade Rezoning) (First, Second, Third and Final Reading).

459

460 On voice vote, motion carried.

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

12

461
462 B. Approval of **Ordinance No. 1502-2015** to annex land located in the Northwest ¼ of the
463 Northwest ¼ in Section 12, Township 16 North, Range 7 West from the Town of Medary
464 to the City of Onalaska (Spors Trust Annexation) (First and Second Reading)
465

466 Motion by Ald. Blomquist, second by Ald. Binash, to suspend the rules and give Ordinance No.
467 1502-2015 its First, Second, Third and Final Reading.
468

469 On voice vote, motion carried.
470

471 Motion by Ald. Blomquist, second by Ald. Olson, to approve Ordinance No. 1502-2015 to annex
472 land located in the Northwest ¼ of the Northwest ¼ in Section 12, Township 16 North, Range 7
473 West from the Town of Medary to the City of Onalaska (Spors Trust Annexation) (First, Second,
474 Third and Final Reading).
475

476 On voice vote, motion carried.
477

478 **Item 9 – ADMINISTRATIVE COMMITTEE**
479

480 A. Approval of Operator's Licenses as listed on report dated June 9, 2015
481

482 Motion by Ald. Bertrand, second by Ald. Binash, to approve the Operator's Licenses as listed on
483 report dated June 9, 2015 in addition to the packet with the agenda.
484

485 On voice vote, motion carried.
486

487 B. Approval of Fireworks Permit for Michael Callaway/Snap Fireworks for Tent at East
488 Towne Plaza from June 15-July 10, 2015 to sell fireworks
489

490 Motion by Ald. Bertrand, second by Ald. Olson, to approve a Fireworks Permit for Michael
491 Callaway/Snap Fireworks for Tent at East Towne Plaza from June 15-July 10, 2015 to sell
492 fireworks.
493

494 Ald. Bertrand asked Fire Chief Dominick if this matter has been resolved to his satisfaction.
495

496 Fire Chief Dominick said yes.
497

498 Ald. Muth noted he had attended the June 3 Administrative and Judiciary Committee and told
499 Fire Chief Dominick he is impressed with his desire for the safety of his firefighters and the
500 citizens of the City of Onalaska by enforcing the laws regarding fireworks. Ald. Muth, a retired
501 police officer, noted he had seen young children suffer serious injuries from fireworks that were
502 recklessly handled and commended Fire Chief Dominick for enforcing the rules. Ald. Muth

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

13

503 asked Sean if the city can go beyond the state's rules and Fire Chief Dominick can, in certain
504 situation, ask that individuals not be allowed to sell fireworks because he considers a certain item
505 to be dangerous.

506
507 Sean said the city has discretion to ask businesses to comply with what it wants during the
508 permitting process.

509
510 Ald. Bertrand asked if the city can do as it wishes if there are concerns regarding the safety of the
511 citizens.

512
513 Sean said, "As long as you have a reasonable basis for making a decision and it's not arbitrary
514 and capricious."

515
516 Ald. Binash said he believes the issue discussed at the June 3 Administrative and Judiciary
517 Committee was regarding poundage on the premises. Ald. Binash said, "The question has to do
518 with, do we need to amend those issues that we were talking about? There was that in the packet
519 of information that was given to Mr. Callaway, I believe. One of the items said you can't do
520 more than 125 pounds or something to do with pyrotechnics. Do we need to amend anything
521 with that list he was given?"

522
523 Fire Chief Dominick noted that he and Michael Callaway had spoken on June 4 and said Michael
524 agreed that 125 pounds was correct.

525
526 On voice vote, motion carried.

527
528 C. Approval of Fireworks Permit for TNT Fireworks, 4003 Helton Drive, Florence, AL for
529 tent at Wal-Mart Parking Lot, 317 Market Place, from June 30, 2015 to July 4, 2015 to
530 sell fireworks from 9 a.m. to 9 p.m. daily

531
532 Motion by Ald. Bertrand, second by Ald. Binash, to approve a Fireworks Permit for TNT
533 Fireworks, 4003 Helton Drive, Florence, AL for tent at Wal-Mart Parking Lot, 317 Market
534 Place, from June 30, 2015 to July 4, 2015 to sell fireworks from 9 a.m. to 9 p.m. daily.

535
536 Cari noted that this item was a late submittal that had not appeared on the June 3 Administrative
537 and Judiciary Committee meeting agenda and had come straight to the Common Council. Cari
538 also noted that Fire Chief Dominick had signed off on the permit, pending compliance.

539
540 Fire Chief Dominick noted the information that was missing, inaccurate or obsolete is in the file,
541 and said approval would be granted pending the stipulations that are the same for the previous
542 fireworks tent.

543
544 Cari asked Matt Sokol if he agrees with the condition.

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

14

545
546 Matt said yes.

547
548 On voice vote, motion carried.

549
550 D. Approval of Licenses for 7/1/2015-6/30/2016

551 1. Weights and Measures Licenses

552
553 Motion by Ald. Bertrand, second by Ald. Blomquist, to approve licenses for 7/1/2015-6/30/2016,
554 Weights and Measure Licenses, excluding Onalaska Scale, Salon Centric and Men's Warehouse.

555
556 Cari asked for permission to be able to accept those applications and payment if they are made
557 by the end of the month so the licenses may be issued in a timely manner. Cari said if they have
558 not arrived at City Hall by June 30 they will be in a citation situation on July 1.

559
560 Motion by Ald. Bialecki, second by Ald. Binash, to amend the previous motion to state any and
561 all renewal fees must be paid to the City of Onalaska by June 30, 2015.

562
563 Vote on the amendment:

564
565 On voice vote, motion carried.

566
567 Original motion restated:

568
569 To approve licenses for 7/1/2015-6/30/2016, Weights and Measures Licenses, excluding
570 Onalaska Scale, Salon Centric and Men's Warehouse. All renewal fees must be paid by June 30,
571 2015.

572
573 On voice vote, motion carried.

574
575 **Item 10 – REPORT FROM LAND USE & DEVELOPMENT DIRECTOR**

576
577 A. 2015 Development Update

578
579 Brea reported the following data from January through May:

- 580
581
 - 582 • Thirty-eight building permits have been issued for single and two-family homes. Thirty-
 - 583 nine such permits were issued in 2014.
 - 584 • The estimated value of new construction for single and two-family homes is \$9.4 million.
 - 585 The total for 2014 was \$9.6 million.
 - Two new multifamily structures with 37 units have come in, and the construction value is

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

15

586 nearly \$2 million. The five-year annual average is 26 new units with a value of \$1.8
587 million.

- 588 • Four commercial permits have been issued for new commercial construction, and there
589 are several more “in the queue.” The value of new commercial construction is estimated
590 to be \$9.7 million.
- 591 • The total value of new construction (residential and commercial) was \$42.9 million in
592 2014. The total value of new construction from January through May 2015 is \$30
593 million.

594

595 B. Village of Holmen Boundary Agreement Update

596

597 Brea noted the city has been working on a cooperative plan with the Village of Holmen that
598 includes a shared “grow-to” line and a future expansion line. A joint public hearing between the
599 City of Onalaska and Village of Holmen Plan Commissions has been scheduled for 6 p.m. on
600 Wednesday, June 24 at the Omni Center. Brea said this meeting is intended to gather public
601 input about the draft cooperative plan and noted the cooperative plan likely will be sent out next
602 week both to the Common Council and the Plan Commission.

603

604 **Item 11 – REPORT FROM ALDERPERSONS**

605

- 606 A. Discussion regarding notifications of Council Members when emergency/City issues
607 arise – i.e., Code Red Notifications with water and sewer problems

608

609 Ald. Muth noted that he lives north of Quincy Street in the Second District, and Ald. Bialecki
610 resides south of Quincy Street in the Second District. Ald. Muth also noted that while he had
611 received the Code Red telephone call regarding the water pump failure on May 31 at the lift
612 station, Ald. Bialecki had not. Ald. Muth said, “I was utterly impressed with our staff. I walked
613 out to my corner at 4th [Avenue North] and Spruce Street and met Jarrod, who was busy trying to
614 get things done. But he had time to talk to my neighbor, who really impressed him that he
615 bothered to walk over and let him know what’s going on. Because of the Code Red I knew what
616 was going on, but I think the thing that was missing is [Ald. Bialecki] did not get a notification
617 because he was south of Quincy Street. The only thing I’m suggesting is a possibility that if we
618 have to use Code Red it is an emergency – and that definitely was an emergency – that someone
619 contact the Alderpersons to let them know what’s going on. I ran into Jim later at a meeting and
620 he had no clue what was going on, and I filled him in. Not that anybody intended to leave him
621 out, but I think all the Council members should have gotten a call saying what the problem is and
622 what’s going on and what is being resolved so if any citizen has a question we don’t look silly
623 not knowing what’s going on even though the newspapers have the information. I think it’s
624 important for this Council, especially in emergencies, to know what’s going on so we can answer
625 to the citizens if they call and let us know.”

626

627 Ald. Bertrand said citizens in another district might wonder how they might be affected by an

Reviewed 6/11/15

**Common Council
of the City of Onalaska**

Tuesday, June 9, 2015

16

628 emergency and stated it would be helpful for Alderpersons in other districts to be apprised of the
629 situation.

630

631 Mayor Chilsen noted that Code Red has the ability to notify all the Alderpersons about all
632 emergencies in the city.

633

634 Ald. Blomquist noted he had been unable to answer the questions of constituents who had asked
635 him about the emergency.

636

637 **Item 12 – CLOSED SESSION**

638

639 To consider a motion to convene in Closed Session under Section 19.85(1)(e) of the Wisconsin
640 Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the
641 investing of public funds or conducting other specified public business whenever competitive or
642 bargaining reasons require a closed session:

643

- 644 • Consideration of a negotiating strategy regarding boundary agreement with Village of
645 Holmen

646

647 And to consider a motion to convene in Closed Session under Section 19.85(1)(g) of the
648 Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body
649 who is rendering oral or written advice concerning strategy to be adopted by the body with
650 respect to litigation in which it is or is likely to become involved:

651

- 652 • Claims against the City regarding water damage at 852 4th Avenue North, Onalaska, WI
- 653 • Consideration and development of negotiating strategy regarding Town of Onalaska
654 Petition for Incorporation
- 655 • Consideration and development of negotiating strategy regarding Badger-Coulee
656 Transmission Line

657

658 If any action is required in Open Session, as the result of the Closed Session, the Committee will
659 reconvene in Open Session to take the necessary action and/or continue on with the printed
660 agenda.

661

662 Motion by Ald. Olson, second by Ald. Bialecki, to convene in Closed Session.

663

664 On roll call vote: Ald. Harvey Bertrand – aye, Ald. Barry Blomquist – aye, Ald. Bob Muth –
665 aye, Ald. Jim Olson – aye, Ald. Jim Binash – aye, Ald. Jim Bialecki – aye. In Closed Session.

666

667

668 Recorded by:

669

670 Kirk Bey

Reviewed 6/11/15