

**Common Council
of the City of Onalaska**

Tuesday, August 9, 2016

1

1 The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, August 9,
2 2016. 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, Interim Land Use and
8 Development Director Katie Aspenson, Financial Services Director/Treasurer Fred Buehler,
9 Jarrod Holter, City Engineer

10

11 **Item 2 – Pledge of Allegiance**

12

13 The Pledge of Allegiance was recited.

14

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

16

17 Mayor Chilsen welcomed public input at this time.

18

19 **Jerry Hatlevig**

20 **833 Sand Lake Road**

21 **Onalaska**

22

23 “I would like to pray over this meeting: *‘Father in Heaven, I come before you and ask for your*
24 *wisdom and ask for your presence to be here and to give our leaders the insight that would bring*
25 *life and freedom and victory to our city. Bless these [men] and [women] as they have*
26 *volunteered to do this work on behalf of the community. In Jesus’ name, Amen.’ ”*

27

28 **Bill Soper, YMCA Director**

29 **803 Oak Timber Drive**

30 **Onalaska**

31

32 “I’m here tonight to again speak in opposition to the proposed PILOT ordinance. The
33 community has spoken very clearly at the two Plan Commission meetings, and not one word has
34 been spoken in favor of the proposed ordinance during public input. The ‘Y’ shares your goal of
35 identifying and meeting the unique needs of the City of Onalaska. We understand and appreciate
36 the fiscal pressure the city is facing. We also recognize that as the ‘Y’ we don’t pay taxes
37 because of the services we provide to the community. As we have heard during these
38 discussions and the recent listening sessions, many nonprofits in the community are facing the
39 same fiscal challenges as the city. The ‘Y’ earns its tax-exempt status every day. Our YMCAs
40 work so hard to meet the community needs and to partner with other nonprofits to solve
41 community issues. The people in our community want strong nonprofits like the ‘Y’ where
42 people of all ages and abilities are served. We all want a great community. You want a great

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43 community. Everybody here tonight wants a great community. I've lived here most of my adult
44 life, and I've raised my four kids in this wonderful community. Great communities have strong
45 nonprofits, including churches, Humane Societies, and the 'Y.' I'm the President of the Humane
46 Society Board, so I'm a little biased there, too. Many of the YMCA's programs are provided in
47 the community at little or no cost to participants, including cancer survivorship programming,
48 diabetes prevention programming, teen mentoring, and more. Our concern is that this PILOT
49 will take away from much-needed charitable services and will impact our ability to provide these
50 free or highly subsidized programs. We've also been considering the addition of a warm water
51 therapy pool at the 'Y' North facility to impact seniors. If this PILOT were to go through,
52 triggered by a building permit, we would likely have to relocate that pool to another location.
53 Thank you for your time this evening. There is great value that the 'Y' and other nonprofits
54 provide to this community, and we collectively add greatly to the quality of life. Thank you."

55

56 **Elizabeth Ramsey**
57 **123 Coachlite Court North**
58 **Onalaska**

59

60 "I'm a passionate cyclist. In April I read an article on the Wisconsin Bike Fed's blog about a
61 program that originates in Copenhagen, Denmark, [which is] a well-known, bike-friendly city.
62 This program is called 'Cycling Without Age.' It was founded by a man, Ole Kassow, who is
63 also a passionate cyclist and commutes each day to work on his bike. He passed the same
64 elderly man sitting on a park bench in the city square, and one day Ole took a chance to invite
65 this man on a bike ride. These kinds of simple gestures of goodwill and human kindness are
66 within each of us. We just need to act upon them. As a community, I believe we can make a big
67 difference to our seniors by building a strong cycling program together. The goal is to provide
68 an opportunity for our elderly citizens to experience the freedom and health benefits that
69 accompany bike riding. They get to regain their independence and ride a bike in a different way.
70 The United States quickly took notice, and in August of last year Oshkosh became the first city
71 in the U.S. to give seniors bike rides. Now 14 states participate, including nine cities in
72 Wisconsin, which makes us the top participator in the country. My application for an individual
73 royalty free license was approved in June, making Onalaska the ninth Wisconsin city, but the
74 only city in western Wisconsin. My initial goal is to educate, inspire and enlist support from our
75 city's leaders so we can build a strong program that involves everyone.

76

77 I have made a connection with Wisconsin Bike Fed and our local bike groups, which all support
78 civic improvements for a bike-friendly city. What is needed is a bike and an accessible storage
79 space. Wisconsin Bike Fed has volunteered to be our nonprofit sponsor, which would collect
80 monetary donations and purchase the bike. From the city, I ask for your approval to continue my
81 work in bringing 'Cycling Without Age' to Onalaska. With your support, I foresee additional
82 signage along bike-safe routes; city parks becoming uniquely bike-friendly; and city publication
83 of the program. It is vital to the success of this program to have well-marked bike routes to
84 ensure the safety of cyclists and passengers, as well as visibly educate our community and

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85 visitors. We do have the ability to provide recreation, fellowship and joy to our aging neighbors
86 by joining this international cycling movement and being leaders in western Wisconsin. I
87 wanted to speak to you today to share my enthusiasm and commitment for ‘Cycling Without
88 Age,’ and to enlist your support in how to bring this simple activity to our hometown. I
89 appreciate your thoughtfulness to this unique program that has far-reaching health and social
90 benefits to all of our residents, but especially the seniors who are no longer able to ride a bike on
91 their own. We can give them that experience again. Thank you.”

92

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

95

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

97

98 A. Swearing in of new City of Onalaska Police Officer Nicholas E. Graham

99

100 Cari swore in Nicholas E. Graham as a City of Onalaska Police Officer.

101

102 B. Recognition of City Clerk Cari Burmaster’s appointment to serve on the Legislative
103 Council Study Committee on Publication of Government Documents and Legal Notices

104

105 Mayor Chilsen and the Alderpersons thanked Cari for taking a leadership role in this group.

106

107 C. Recognition of Noah Hougom and Braxton Clermont for Community Service

108

109 Mayor Chilsen said Noah Hougom and Braxton Clermont are being recognized for collecting
110 refuse around all the school sites in the city. Mayor Chilsen said they had done so “because it
111 needed to be done.”

112

113 D. Request for support of La Crosse Center Expansion Project from Steve O’Malley

114

115 Mayor Chilsen said La Crosse County Administrator Steve O’Malley has asked that the City of
116 Onalaska send a letter in support of the La Crosse Center Expansion Project. Mayor Chilsen
117 asked the Council how it wishes to proceed.

118

119 Ald. Bialecki stated he does not believe the Council can take any action on this item as it was
120 placed on the Report from the Mayor and not an action item.

121

122 Mayor Chilsen said he will bring forward the request as an action item at the September 13
123 Common Council meeting.

124

125 E. Proclamation for Filipino-American Weekend

126

127 Mayor Chilsen read the Proclamation for Filipino-American Weekend.
128

129 An unidentified woman thanked Mayor Chilsen and the Common Council for the proclamation.
130 The woman also said several local Filipino-Americans had decided in 2015 to form a Filipino-
131 American Association, and the mission of the group is “[to] unite and uphold Filipino-American
132 families through mutual support and friendship within the Filipino tradition and cultural heritage
133 through cultural event celebration, as well as [giving] back to [the] community.” The woman
134 noted the association will host an event Saturday at the Onalaska American Legion Activities
135 Center.
136

137 **Christina _____**
138 **No address given**
139 **Town of Onalaska**
140

141 Christina thanked the Council for its time and the proclamation.
142

143 **RECOMMENDATIONS FOR APPROVAL AND/OR POSSIBLE ACTION FROM THE**
144 **FOLLOWING COMMITTEES/COMMISSIONS/BOARDS:**
145

146 All items listed under the consent agenda are considered routine and will be enacted by one
147 motion. There will be no separate discussion of these items unless a council member requests
148 removal, in which event the item will be removed from the consent agenda and considered in the
149 order of business in the non-consent agenda.
150

151 **Item 5 – Consent Agenda**
152

153 A. Approval of minutes from the previous meeting(s)
154

155 **FINANCE COMMITTEE**
156

- 157 B. Accept Omni Center Financials for 2016
158 C. Accept City General Fund Financials for 2016
159 D. Accept Gundersen Health Systems Parking Ramp financials for 2nd quarter 2016
160 E. Approval to apply the trade-in value of the city’s old air packs to be applied to the
161 purchase of a new thermal imaging camera at no additional cost
162

163 **PERSONNEL COMMITTEE**
164

- 165 F. Approval of out-of-state travel for Chief Don Dominick to attend Executive Fire Officer
166 (EFO) Symposium in Emmitsburg, Maryland from September 8 through September 10,
167 2016
168

169 **JUDICIARY COMMITTEE**

170

171 G. No Report

172

173 **ADMINISTRATIVE COMMITTEE**

174

175 H. Approval of Operator's Licenses as listed on report dated August 3, 2016

176 I. Denial of request from citizen Robert Hughes to change in whole or in part the following
177 portions of the City of Onalaska Code of Ordinances: Sec. 15-1-72 State of Wisconsin
178 Electrical Licenses, Certifications and Definitions, Sec. 15-1-35 Plumbers to be Licensed,
179 Sec. 15-1-60 Gas Licenses

180 J. Approval of Special Events Permit for St. Pat's 1-Mile Fun Run on October 15, 2016 at 8
181 a.m. starting at 11th Avenue North, Onalaska between Onalaska Post Office and St.
182 Patrick's School, provided certificate of insurance is provided

183 K. Approval of Change of Agent for Kwik Trip #377, 1802 East Main Street, Onalaska, WI
184 to Edmund J. Szewczyk

185 L. Approval of burial of cremains for Vernon D. Tucker with the full body burial of his late
186 wife, Gloria J. Tucker, in Block 134, Lot 4, Grave 2 in the City of Onalaska Cemetery

187 M. Approval of Class "B" Picnic License for:

188 1. Holmen Youth Baseball Parent Association on 8/19/16-8/20/16 for
189 Kornfest softball tournament at the Omni Center grounds, 255 Riders
190 Club Road, Onalaska, provided certificate of insurance is provided

191 2. La Crosse County Library for Leave A Legacy Event on 9/11/16 at the
192 Onalaska Public Library, 741 Oak Avenue South, Onalaska

193

194 **BOARD OF PUBLIC WORKS**

195

196 N. Approval of Change Order #6 for the Well #9 Reconstruction Project in the amount of
197 \$1,262.10

198 O. Approval of storm water outfall repair at Alpine Place by Les Manske & Sons in the
199 amount of \$13,500

200 P. Approval of alterations to Section 15-2-3 Construction Site/Excavation Erosion Control

201 Q. Approval of intersection control at:

202 1. Stop sign installation at 13th Avenue South and Green Bay Street

203

204 **PLAN COMMISSION**

205

206 R. Approval of Certified Survey Map (CSM) submitted by Duane Schulze, 2009 Charles
207 Avenue, Onalaska, WI 54650 regarding 2009 Charles Avenue, Onalaska, containing 0.68
208 acres and two (2) lots (Tax Parcel #18-4197-)

209

210 **UTILITIES COMMITTEE/MASS TRANSIT**

- 211
212 S. Approval of three (3) Shared Ride vehicle purchases delayed to fall of 2016
213 T. Approval of Shared Ride Transit:
214 1. 2016 financials
215 2. Approved Shared Ride provider of Running, Inc. for 2017 & 2018
216

217 **PARKS AND RECREATION BOARD**

- 218
219 U. No report from Parks & Rec
220

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

222
223 On voice vote, motion carried.

224
225 **Non-Consent Agenda**

226
227 **Item 6 – RECAP ITEMS PULLED FROM THE CONSENT AGENDA**

228
229 As there were no items removed from the Consent Agenda, Item 7 was addressed next.

230
231 **Item 7 – FINANCE COMMITTEE**

- 232
233 A. Vouchers

234
235 Motion by Ald. Bialecki, second by Ald. Olson, to approve the vouchers expended since the last
236 Common Council meeting on July 12, 2016, in the amount of \$2,464,440.93.

237
238 On voice vote, motion carried.

- 239
240 B. Upgrade to City of Onalaska website not to exceed \$6,395 from GovOffice

241
242 Motion by Ald. Bialecki, second by Ald. Blomquist, to approve upgrade to City of Onalaska
243 website not to exceed \$6,395 from GovOffice.

244
245 On voice vote, motion carried.

- 246
247 C. Cities and Villages Mutual Insurance Company (CVMIC) Self-Insured Retention (SIR)
248 premium option of a \$17,500 deductible for years 2017 & 2018

249
250 Motion by Ald. Bialecki, second by Ald. Olson, to approve Cities and Villages Mutual Insurance
251 Company (CVMIC) Self-Insured Retention (SIR) premium option of a \$17,500 deductible for
252 years 2017 & 2018.

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253

254 On voice vote, motion carried.

255

256 D. Update on Cash Management Policy

257

258 Fred said to the best of his knowledge that the Finance and Personnel Committee had referred
259 this item back to its September 7 meeting. Fred also said that in return there will be meetings
260 and discussions regarding proceeding with implementing a Cash Management Policy.

261

262 Ald. Bialecki said it is his understanding that Fred might need more software to fully implement
263 the policy.

264

265 Fred said a software application would be required.

266

267 Ald. Bialecki asked if the Technology Advisory Committee will review this item.

268

269 Fred said yes.

270

271 Ald. Bialecki asked Fred when he anticipates a final, full implementation.

272

273 Fred said he assumes the Technology Advisory Committee will review this item at its August 25
274 meeting, and that hopefully the final implementation will occur “as soon as possible.”

275

276 Ald. Bialecki asked if the final implementation can occur within a month to month-and-a-half.

277

278 Ald. Bialecki was told yes.

279

280 **Item 8 – PERSONNEL COMMITTEE**

281

282 A. **Resolution 34-2016** – Resolution to Authorize the Council Chairman to Act as Interim
283 Administrator

284

285 Motion by Ald. Bialecki, second by Ald. Olson, to approve Resolution 34-2016 – Resolution to
286 Authorize the Council Chairman to Act as Interim Administrator.

287

288 On voice vote, motion carried, 5-0, with one abstention.

289

290 Ald. Bialecki asked how many hours will be required of Ald. Muth.

291

292 Ald. Muth admitted that several hours will be required.

293

294 Ald. Bialecki said, “I’m only curiously asking that because I have a pretty good idea what that’s

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295 going to be, and you [Ald. Muth] may not at this time. I'd also like to think within the next 30
296 days if a large volume of his time is living [at City Hall] to cover that position we should very
297 well consider compensating him for that."

298

299 B. Review and consideration of using employment search firm to recruit for City
300 Administrator position

301

302 Motion by Ald. Bialecki, second by Ald. Binash, to approve the use of an employment search
303 firm to recruit for City Administrator position. Human Resource Director Hope Burchell is to be
304 in contact with such agency, and she also must bring any and all costs for the search back to the
305 Common Council for full approval.

306

307 On voice vote, motion carried.

308

309 **Item 9 – PLAN COMMISSION**

310

311 A. Consideration of development of a new Payment in Lieu of Taxes (PILOT)
312 ordinance/policy

313

314 Motion by Ald. Bialecki, second by Ald. Bertrand, to bring to the floor for discussion
315 consideration of development of a new Payment in Lieu of Taxes (PILOT) ordinance/policy.

316

317 Ald. Bialecki said some Council members had made a request within the last couple weeks to
318 place two items on tonight's agenda. One is to have a discussion on the Blue Ribbon
319 Commission discussed at the July 26 Plan Commission meeting. Ald. Bialecki said no real
320 motion had been made at that meeting to endorse doing that. Ald. Bialecki also said, "It was
321 such a contentious topic as a PILOT and some of the things that are said to be out there right now
322 that I really think that that should be in the public eye with a different form of committee and not
323 behind closed doors. Then more importantly, the history of this is, I just feel that this whole
324 thing was kind of done somewhat backwards. If I can get the history right in my mind, I think
325 when the PILOT policy first came to us it would have been at the end of January. Fred had
326 mentioned that to me. At that time, I had thought that that ought to go to the Plan Commission
327 for discussion and potentially public hearings because of the composition of it, but it did not. It
328 was felt that it should go to Finance and Personnel. It did that and it went to Council and it got
329 approved. All right, so you think it's the final product. One month later this comes back to the
330 Plan Commission, [which was asked], 'Did the Council do a good job?' At that point I did refer
331 that back to the Council again, and my intent at that was to reconsider my vote. My rationale is,
332 again, if you're going to have that type of a policy I think it needs to be laid out, it needs to be
333 clarified, it needs to be educated to the community. And the final product – if there's going to be
334 one – [needs to be] brought back and legislated [by] the Plan Commission, the Finance and
335 Personnel Committee, and up to the Council. I think we might have handled that backwards, so I
336 was going to change my vote on that."

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337

338 Ald. Bertrand said, "I think a PILOT ordinance is very much needed. As I understand it, in the
339 history of Onalaska there are over 30 PILOT programs developed. Is that right, Sean? Is it in
340 excess of 30 over time?"

341

342 Sean said he would tend to defer to Fred, but he also stated he believes Ald. Bertrand is correct.

343

344 Ald. Bertrand said it is his understanding that in the last couple of years the Council has had to
345 review and vote on two or three PILOT programs. Ald. Bertrand said, "I guess it's kind of a trite
346 term, but it's kind of a 'pay me now, pay me later' kind of thing. The issues are going to
347 continue coming up. As I understand it, the ordinance is developed for the purpose of having a
348 guideline by which we can make decisions in the future consistently. So first of all, I think that
349 there's some kind of an ordinance necessary. Secondly, I think kind of along the line you're
350 speaking, Jim. But first of all, I don't think we on the Council are totally educated on the whole
351 issue of the PILOT. ... Secondly, I know we've gone through some effort to educate the public,
352 but I don't think the public is educated sufficiently on the process. Number one, there needs to
353 be some mechanism by which we Council members can make sure we understand the issues. I
354 know I've bothered you a couple of times, Katie, and [also] you, Sean, so I'm kind of getting up
355 to speed. But it's not an easy ordinance at all."

356

357 Ald. Bialecki said, "While I have my reservations on this and follow some of the arguments out
358 there, I agree with you 100 percent there appears to be a lot of confusion in the public. That still
359 gives us the right to consider PILOTs as they come along. Two thoughts come to mind. One [is
360 regarding] Rivers Harvest Church. [Pastor] Andy [LeFebre] built the church with his
361 congregation a few years back. ... Andy built his church for the future – 20, 25 years out – which
362 is good. Now, in the interest of his congregation he has space there, and with his congregation
363 they opted to operate a daycare center for their congregation inside this space. I see two things
364 in here. One, I admire him because he's going to get maximum, efficient use for his space by
365 using this program for the time being and more importantly, provide a service to the
366 congregation. I don't know this as a fact, but if it's for the congregation I'm going to sense it's
367 going to have somewhat of a religious overtone to it. And for us to suggest taxation, where are
368 we crossing the line? I'm not sure of that.

369

370 Twenty years ago I was involved in a situation with a rather large nonprofit, and it was
371 religiously toned. We wanted to take the existing building and do \$1.5 million in renovations
372 and add a secondary service and new building for probably \$3 to \$3.5 million. You're talking \$4
373 to \$4.5 million, and we researched our funding mechanisms. Come to find out, the City of La
374 Crosse had some financing through housing bonds that were available at the time. What came
375 back was, 'We will finance this for you. You're going to get your interest rate for \$5 million a
376 year to drop by 2 percent a year. We would like to ask that you pay a PILOT to the City of La
377 Crosse for the city's mill rate.' It's a done deal. It was a win-win for both. For \$25,000 a year
378 in property taxes you get a 2 percent reduction in interest on a \$5 million bond issue. That's a

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379 no-brainer. That's an acceptable situation. For the benefit of the community, I really think that
380 we need a special committee that should be in the public eye just to really clarify exactly where
381 we're going, and that everyone is good with whatever comes out of there – if anything – and it
382 gets legislated appropriately and does not wind up in the courts.”

383
384 Ald. Bertrand asked if this is a forum on how the city should proceed and said, “I think there
385 needs to be some educational effort for the public. I think we're in no situation to say ‘yes’ or
386 ‘no’ on the ordinance. I'm not sure what the Blue Ribbon Committee means. I think that we
387 need to continue moving forward on the ordinance. We need to have some form of it, if not this
388 form, in the future. There needs to be an educational component there, and I'm not exactly sure
389 what complexion that should have. Are we going to move in that direction? Where are we
390 headed tonight?”

391
392 Ald. Binash read the following: “There has been a public forum on June 16 and several
393 occasions to add input about the PILOT. The last Plan Commission [meeting] on July 26
394 explained how the ordinance in question came about. The ordinance was an outline or a
395 beginning for discussions. Again, the ordinance was fostered as a result of questions regarding
396 fairness when implementing a PILOT. It is recognized the significance the nonprofit
397 organizations have to a community. When the republic was being organized, public serving and
398 member serving organizations did what government couldn't or wouldn't do in the communities.
399 There was only so much that government should get involved with that charitable and some
400 fraternal organizations were there to help society function as a community. The tax laws have
401 evolved over the years and continue to support an exemption for those organizations that have
402 the 501(c) code. In our community, it is realized the role the nonprofit organizations play in
403 providing resources that government isn't always capable of doing. There may be those who feel
404 that some nonprofits are not paying their fair share when it comes to public services. However,
405 our history in tax laws clearly support the separation and see the significance for doing so. It is
406 understood the hardships some nonprofits have monetarily. I wouldn't want to add to those
407 burdens. Local governments continue to seek ways to fund budgetary concerns, and we're no
408 different. The PILOT, as I understood it, was used under certain circumstances.

409
410 What I think we should consider are several options, including abandoning PILOTs. If a
411 nonprofit competes with a for-profit – example, a daycare – should a PILOT be considered for a
412 nonprofit? If a nonprofit has a daycare facility and the funds go back into the nonprofit, should it
413 then be exempt from a PILOT? If a nonprofit is renting a building, should a PILOT be
414 considered? These are just some things. What's best for the community is what the community
415 decides. Like many my age, our parents went through The Great Depression. The lessons about
416 sharing and community were cornerstones of what it means to be a member of society. We can't
417 forget we're all in this together. Nonprofits perform a significant role in helping to stabilize the
418 community. It is in our best interest to preserve this function. What I would like to see tonight is
419 at least something regarding the ordinance that we have presented to the community. I would
420 like to see it go away. I would like to see that ordinance be struck. I would like the community

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421 to feel that they're not being taken advantage of at this time. If we do redo the ordinance I think
422 it should be done in such a way as that the community nonprofits and charitable organizations
423 and member organizations feel that they are not going to be put upon and a burdensome to their
424 monetary values."

425
426 Ald. Bialecki told Ald. Binash, "You're absolutely right. That ordinance discussed at that
427 meeting is not on the agenda tonight. I assume through what's on here that goes away. My
428 intent was to reconsider the vote we took on February 9 at the Council meeting on the policy
429 until there's a final product that's been appropriately educated to the community as well as
430 legislated through the different committees and on to the Council. But as I mentioned before,
431 this Blue Ribbon [Commission] troubles me. You can have a committee do these things. 'Blue
432 Ribbon' to me means we're going to go behind closed doors. Not with an issue like that. That
433 needs to be in the public eye."

434
435 Ald. Bertrand asked Ald. Bialecki, "Did you say the ordinance is going away based on ... I don't
436 understand that."

437
438 Ald. Bialecki said, "We're not voting on that ordinance."

439
440 Ald. Bertrand said, "I know. But the ordinance still sits to be voted on, correct? It still stands an
441 issue to be voted on. I thought you said it went away."

442
443 Ald. Olson said, "I have some experience in this community in the religious community, and I'm
444 very passionate about that. I don't think the government has anything to do with going inside of
445 a religious organization and taxing them under any circumstance. I'm a little firmer on that
446 because I think the religious community and all the other things Mr. Soper spoke about with the
447 'Y' add civility and strength to our community. That is a quiet thing that adds so much to the
448 quality of life that we have here. I think that is very, very important to our community."

449
450 Ald. Muth said, "I've been biting at the bit to give my opinion. During this whole process I've
451 had one citizen ask me my opinion about the PILOT program. Otherwise no one asked me at all
452 what my thoughts were. The public hearing that was held at the Omni Center, we were required
453 to sit there and listen to a lot of comments. There was a lot of jumping to conclusions and wrong
454 information presented, and we were not able to respond. I was chairman of the [Plan
455 Commission Subcommittee]. We again had a meeting where a bunch of comments were made
456 that were incorrect. The information was wrong and again, people were jumping to conclusions.
457 Again, I was not allowed to speak up. This is my first opportunity to do so, and I want to back
458 what Alderman Olson has said and also Alderman Binash. I too feel that government should
459 keep its nose out of religion and stay out of churches. I have tons of questions on this, but I want
460 to point out that a lot of the things that were brought up were things that were misunderstood.
461 Some people got on the bandwagon and started beating the drum and blowing it out of
462 proportion. I didn't have the opportunity to straighten out a lot of it, and I think that has to be

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463 done. That is not our goal, and it never was our goal. We are not out to tax nonprofits. I heard a
464 couple comments about underhanded government. [That was] uncalled for. I was really
465 completely surprised by some people in this community that I have known since they were
466 children on their comments. My personal opinion is I don't think government belongs in our
467 churches and nonprofits. They do a tremendous amount of benefit for our community, and they
468 are a reflection of our community. Onalaska is a community that is I'm sure admired by
469 anybody who comes here. We are a very caring, giving community. We always have been. I've
470 been here 40 years, and I'm extremely proud of the City of Onalaska. No one up here in front of
471 you right now wants to change that."

472

473 Ald. Bertrand inquired about a church that was renting out space to a for-profit daycare, which is
474 a private entity and said, "My point is that churches, places of worship, should not be infringed
475 upon in terms of legislation. On the other hand, in this case some of the space was used by
476 another entity. How do we deal with that? My point is there needs to be some mechanism – and
477 I think the ordinance is one – by which you consider these. They're going to come up. There is
478 no guarantee that every situation is going to be the same. We need some ordinance to deal with
479 these issues. I'm not sure how else to deal with it besides having an ordinance."

480

481 Ald. Blomquist said, "I'm a firm believer in supporting nonprofit organizations. My family and I
482 for years have supported all kinds of things. I'm a member of a church nearby here. I don't
483 particularly want to see them [have to pay] any tax. But as an Alderman I'm sitting up here and
484 my understanding of this is, first of all, we've had PILOTs for 20-some years. My understanding
485 of this ordinance is it was going to be put in place to clarify rather than being negotiated by
486 whatever administration is up here at the time. The ordinance would give the staff the direction
487 to implement these policies equally and evenly to everybody. I've talked to Plan Commission
488 [members]. I've talked to other Aldermen. I've talked to citizens. I've talked to a couple
489 ministers. I'm very much with Bob – there is just a lot of misinformation out there. I see one
490 person come up and talk about how much they're going to be taxed. I talked to a staff person
491 who said they're exempt and they don't even pay anything. If I'm confused I'm sure everybody
492 else out there is confused.

493

494 On the flip side of this, I personally have a problem when any kind of charitable organization
495 starts some entity on the side that competes with the other entity down the street that pays taxes.
496 I don't know that that's fair, either. I'm sure against taxing churches and places of worship, but I
497 really think that all of us up here need more information to make a logical, fair decision for
498 everybody. I think we all have to also respect that there are people in our community who don't
499 want to support nonprofits. That's not me, but there are people who are that way and I think
500 we're representing them too, somewhat. I think I have to be much more well-educated. Maybe
501 that's my fault, but I've tried to research it as much as I can. I'm very much for any kind of
502 organization or entity. Obviously, as Jim says, a Blue Ribbon Commission is not the right way
503 to do it behind [closed] doors. You do it in the public somehow. I think everybody needs to
504 know more about this rather than everybody jumping to conclusions that are sometimes false."

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505
506 Ald. Bertrand asked if there is a similar mechanism the Council has utilized in the past regarding
507 being educated on a complex issue such as this one so that the citizens may be better educated.
508

509 Ald. Bialecki said he cannot recall one and stated he does not object to the formation of a
510 separate committee that will examine and dissect this issue in the public eye. However, Ald.
511 Bialecki also said he wants to be educated on the issue, and he also wants to ensure that the city
512 does not encounter any legal difficulties.
513

514 Ald. Bertrand how the Council plans to proceed relative to the ordinance.
515

516 Mayor Chilsen told Ald. Bertrand there is no motion on the floor relative to the ordinance.
517

518 Ald. Bertrand inquired about the status of the ordinance.
519

520 Mayor Chilsen asked if the ordinance would die for lack of being passed.
521

522 Sean said the ordinance is not on the agenda to be voted up or down and noted the item on
523 tonight's agenda is: "Consideration of development of a new Payment in Lieu of Taxes (PILOT)
524 ordinance/policy." Sean noted the Council had discussed this topic and said, "The discussion
525 stands as it is and there's going to be no further discussion about a PILOT ordinance or a PILOT
526 policy. There is no change from the status quo. ... There's no ordinance right now, so there
527 would be no change."
528

529 Ald. Blomquist said, "So the status quo basically means the PILOT program that's been in effect
530 for the last 20-some years stays in effect by implemented on an individual basis and negotiated
531 business as time goes along."
532

533 Sean told Ald. Blomquist he is correct and said, "Each time there's been a PILOT the Council
534 has voted on it each of the times that there has been a PILOT agreement."
535

536 Ald. Bertrand asked, "Is that a yes or a no? I want to make sure I know which vote is which."
537

538 Ald. Bialecki told Ald. Bertrand that if he believes the Council should proceed, someone needs
539 to make a motion to approve Item 9a and then obtain a second.
540

541 Ald. Bertrand asked, "If I bring forward a motion on Item (9)a, that means to continue
542 development of a PILOT ordinance, correct?"
543

544 Motion by Ald. Bertrand to vote on consideration of development of a new Payment in Lieu of
545 Taxes (PILOT) ordinance/policy.
546

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14

547 Ald. Bialecki pointed out that the item states it is the development of a new Payment in Lieu of
548 Taxes ordinance and policy.

549

550 Ald. Binash told Ald. Bertrand, “I think what you may be looking at is, do we want to have
551 public input and city involvement in discussions about an ordinance for a PILOT? Is that my
552 understanding what we’re thinking about doing? Do we want to have some kind of committee?
553 Or do we just want to keep the policy the way it is?”

554

555 Ald. Olson said discussion must end if the motion does not receive a second.

556

557 Ald. Binash said, “The policy stays as is. The ordinance that the public had seen is not an
558 ordinance and will not be implemented.”

559

560 Motion by Ald. Bertrand, second by Ald. Blomquist, to continue the effort of preparing and
561 putting in force a Payment in Lieu of Taxes ordinance in the future.

562

563 On roll call vote: Ald. Jim Olson – nay, Ald. Jim Binash – nay, Ald. Harvey Bertrand – aye,
564 Ald. Bob Muth – nay, Ald. Jim Bialecki – nay, Ald. Barry Blomquist – aye. Motion failed, 4-2.

565

566 **Item 10 – UTILITIES COMMITTEE/MASS TRANSIT**

567

568 A. **Resolution 33-2016** – Shared Ride Taxi Program for the City of Onalaska

569

570 Motion by Ald. Olson, second by Ald. Bialecki, to approve Resolution 33-2016 – Shared Ride
571 Taxi Program for the City of Onalaska.

572

573 On voice vote, motion carried.

574

575 **Item 11 – REPORT FROM LAND USE & DEVELOPMENT DIRECTOR**

576

577 A. Consideration of a waiver to Section 13-7-10 as requested by David and Ann Turk, 215
578 Green Coulee Road, Onalaska for one (1) year to allow improvements to the Dairyland
579 Power Line to occur prior to construction of an attached garage

580

581 Motion by Ald. Bialecki, second by Ald. Muth, to approve a waiver to Section 13-7-10 as
582 requested by David and Ann Turk, 215 Green Coulee Road, Onalaska for one (1) year to allow
583 improvements to the Dairyland Power Line to occur prior to construction of an attached garage.

584

585 Ald. Bialecki noted that the Turks had received a letter informing them their cars were parked
586 improperly and said the Turks intend to construct a garage to accommodate their vehicles.
587 However, Ald. Bialecki said the site on which the Turks wish to construct the garage is where
588 Dairyland Power will be installing power lines. Ald. Bialecki said it is understanding that

589 Dairyland Power likely will begin the project in May 2017. The Council is voting on giving the
590 Turks one year to construct the garage, meaning they must complete construction by August
591 2017.

592
593 On voice vote, motion carried.

594
595 **Item 12 – CLOSED SESSION**

596
597 To consider a motion to convene in Closed Session under Section 19.85(1)(e) of the Wisconsin
598 Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the
599 investing of public funds or conducting other specified public business, whenever competitive or
600 bargaining reasons require a closed session:

- 601
602
 - Nathan Hills Estate

603
604 To consider a motion to convene in Closed Session under Section 19.85(1)(g) of the Wisconsin
605 Statutes for the purpose of conferring with legal counsel for the governmental body who is
606 rendering oral or written advice concerning strategy to be adopted by the body with respect to
607 litigation in which it is or is likely to become involved:

- 608
609
 - La Crosse County Case No: 2016-CV-385

610
611 If any action is required in Open Session, as the result of the Closed Session, the Common
612 Council will reconvene in Open Session to take the necessary action and/or continue on with the
613 printed agenda.

614
615 Motion by Ald. Bialecki, second by Ald. Olson, to convene in Closed Session.

616
617 On roll call vote: Ald. Jim Binash – aye, Ald. Jim Bialecki – aye, Ald. Barry Blomquist – aye,
618 Ald. Jim Olson – aye, Ald. Harvey Bertrand – aye, Ald. Bob Muth – aye. In Closed Session at
619 7:56 p.m.

620
621 Motion by Alderperson Jim Bialecki, second by Alderperson Bob Muth to reconvene in open
622 session at 8:17pm.

623 On roll call vote: Ald. Muth – aye, Ald. Olson – aye, Ald. Binash – aye, Ald. Bertrand – aye,
624 Ald. Blomquist - aye and Ald. Bialecki – aye. Motion carried 6-0.

625
626 In open session.

627
628 Motion by Alderperson Jim Binash, second by Alderperson Jim Bialecki to allow the purchase of
629 land at Nathan Hills Estate for parks, using the land acquisition funds for the purchase.

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630 On roll call vote: Ald. Muth – aye, Ald. Olson – aye, Ald. Binash – aye, Ald. Bertrand – aye,
631 Ald. Blomquist - aye and Ald. Bialecki – aye. Motion carried 6-0.

632

633 Motion by Alderperson Jim Bialecki, second by Alderperson Barry Blomquist to adjourn at
634 8:20pm.

635

636 On roll call vote: Ald. Muth – aye, Ald. Olson – aye, Ald. Binash – aye, Ald. Bertrand – aye,
637 Ald. Blomquist - aye and Ald. Bialecki – aye. Motion carried 6-0.

638

639

640 Recorded by:

641

642 Kirk Bey