

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Common Council
DATE OF MEETING: November 10, 2015 (Tuesday)
PLACE OF MEETING: City Hall – 415 Main St. (Common Council Chambers)
TIME OF MEETING: 7:00 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call.
2. Pledge of Allegiance.
3. **PUBLIC INPUT: (limited to 3 minutes/individual)**
4. **REPORT FROM THE MAYOR:**
 - A. Library statistics for October
 - B. Recycling Award from Wisconsin Department of Natural Resources
 - C. Approval of **Resolution 46-2015** – to join the La Crosse County Convention and Visitors Bureau (LCCVB)
 - D. Approval of By-Laws for LCCVB
 - E. Approval of **Ordinance 1524-2015** - to amend Chapter 4 of Title 2, Section 7 of the Code of Ordinances of the City of Onalaska Relating to the Tourism Commission (Suspend rules to give ordinance its First, Second, Third and Final Readings)

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

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

5. **Consent Agenda**
 - A. Approval of minutes from the previous meeting (s)

FINANCE COMMITTEE

- B. Accept Omni Center financials for 2015
- C. Accept City General Fund Financials for 2015
 1. General Fund
 2. Water-Sewer-Storm Water
- D. Accept Gundersen Health Systems Parking ramp 3rd Quarter 2015 financials
- E. Bethany Lutheran Homes refunding the City's CDA Bonds in November 2015- FIO
- F. Authorization to purchase three Watch Guard in-car video systems not to exceed \$17,760 for the police department and fund will be the usage of a \$4,000 grant and the sale of police cars and equipment totaling \$13,760.00.
- G. Authorization to purchase a Bellhole bucket for the Cemetery a non-budget item not to exceed \$1,313.00.

NOTICES MAILED TO:

*Mayor Joe Chilsen

*Ald. Jim Binash

*Ald. Jim Olson

*Ald. Jim Bialecki

*Ald Barry Blomquist

*Ald. Bob Muth

*Ald. Harvey Bertrand

City Attorney Dept Heads

La Crosse Tribune Charter Com.

Onalaska Holmen Courier Life

WIZM WKTY WLXR WKBH

WLSU WKBT WXOW

*Committee Members

Judy Slaback

William Thomas

Shari Collas

Date Mailed & Posted: 11-6-15

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

JUDICIARY COMMITTEE

- H. Approval of **Ordinance No. 1510-2015** to amend Section 8-4-3(c) of the Code of Ordinances of the City of Onalaska relating to Grave Opening Fees (Third and Final Reading)
- I. Approval of **Ordinance No. 1511-2015** to amend Chapter 1 of Title 9, Section 50 of the Code of Ordinances of the City of Onalaska relating to Private Wells (Third and Final Reading)
- J. Approval of **Ordinance No. 1512-2015** to amend Chapter 4 of Title 6, Section 50 of the Code of Ordinances of the City of Onalaska relating to Trees and Shrubs (Third and Final Reading)
- K. Approval of **Ordinance No. 1514-2015** to amend Chapter 2 of title 7, Section 5 of the Code of Ordinances of the City of Onalaska relating to License Fees (First and Second Reading)
- L. Approval of **Ordinance No. 1515-2015** to amend Chapter 2 of title 7, Section 16 of the Code of Ordinances of the City of Onalaska relating to Restrictions on Temporary Class "B" Fermented Malt Beverage or Wine Licenses (First and Second Reading)
- M. Approval of **Ordinance No. 1516-2015** to amend Chapter 2 of Title 7, Section 4 of the Code of Ordinances of the City of Onalaska relating to Classes of Licenses (First and Second Reading)
- N. Approval of **Ordinance No. 1517-2015** to amend Chapter 1 of Title 9, Section 28 of the Code of Ordinances of the City of Onalaska relating to Service Connections (First and Second Reading)
- O. Approval of **Ordinance No. 1518-2015** to create Chapter 1 of Title 1, Section 10 of the Code of Ordinances of the City of Onalaska relating to City of Onalaska Fee Schedule (First and Second Reading)
- P. Approval of **Resolution 44-2015** – Resolution to approve 2016 Fee Schedule
- Q. Approval of **Ordinance No. 1520-2015** to amend Chapter 1 of Title 9, Section 34 and 35 of the Code of Ordinances of the City of Onalaska relating to Stop Boxes and the installation of Meters and Meter Transceiver Units (First and Second Reading)

ADMINISTRATIVE COMMITTEE

- R. Approval of Operator's Licenses as listed on report dated November 4, 2015
- S. Approval of Special Events Permit:
 - 1. La Crosse Area Family YMCA for Winter Running Series for December 5, 2015, January 9, 2016, and February 13, 2016 from 8-10am each day starting at the YMCA North, 400 Mason Street, Onalaska.
- T. Approval of Pawn Broker License for Pawn America Wisconsin LLC, 1235 Crossing Meadows Drive, Onalaska from 1/1/16 - 12/31/16
- U. Approval for burial of ashes:
 - 1. Request from Judy Slaback to allow burial of ashes for Delores Roberts in Block 128, Lot 5, Grave 4 with her husband James Roberts.
- V. Approval of allowing sale of cemetery lots in Sections 172 through 176 and Sections 203 through 207 in the City of Onalaska Cemetery starting January 1, 2016

BOARD OF PUBLIC WORKS

- W. Approval of utility plan for dedication of water main at 1631 Sand Lake Road
- X. Approval of geotechnical engineering services for Riders Club Road and County Road PH & Braund Street project to Chosen Valley Testing in the amount of \$5,180

PLAN COMMISSION

- Y. Conditional Use Permit filed by William Thomas, N8618 County Road TT, Holmen, WI 54636, approved to allow a wholesale automotive sales business at 702-704 Sand Lake Road, Onalaska, WI 54650, zoned Neighborhood Business (B-1) (Tax Parcels #18-675-12 & 18-675-13). (FIO)

UTILITIES COMMITTEE/MASS TRANSIT

- Z. Accept Shared Ride Transit 2015 financials

TOURISM COMMISSION

- AA. Approval of the use of Special Project Funds in the amount of \$253,000 towards Omni Center projects.

Non-Consent Agenda

6. **RECAP ITEMS PULLED FROM THE CONSENT AGENDA**

7. **FINANCE COMMITTEE**

A. Vouchers

B. Property Insurance Fund:

1. Termination of Local Government Property Insurance fund effective 01/01/16

Resolution 42-2015 (revised)

8. **JUDICIARY COMMITTEE**

A. Approval of **Ordinance No. 1513-2015** to annex land located in the Southeast ¼ of the Northwest ¼ in Section 10, Township 16 North, Range 7 West from the Town of Medary to the City of Onalaska (First and Second Reading) (Hegenbarth Annexation)

B. Approval of **Ordinance No. 1519-2015** to amend Article B of Chapter 1 of Title 15, of the Code of Ordinances of the City of Onalaska relating to Plumbing Code (First and Second Reading)

9. **BOARD OF PUBLIC WORKS**

A. Review and consideration of parking restrictions along Critter Court

B. Review and consideration of water main special assessment for 1631 Sand Lake Road Parcel #18-5822-001, Parcel #18-4519-000 prior to subdivision

C. Authorization of 2016 Capital Improvements Budget and establish public hearing on December 1, 2015 at 6:30 p.m. Board of Public Works Meeting

D. Review and consideration of Final Special Assessments for 2015 Miscellaneous Concrete Project and 2015 Utility Project

10. **PLAN COMMISSION**

A. Approval of a substantial modification to the Greens Coulee Community Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to Clearwater Farms), submitted by Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760 Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-125).

11. **REPORT FROM LAND USE AND DEVELOPMENT DIRECTOR:**

A. Update on November 11th Joint Plan Commission meeting with the Town of Medary Plan Commission to discuss general purposes of cooperative boundary plans.

B. Approval of **Resolution 45-2015** Authorizing Preparation of Cooperative Boundary Plan between the City of Onalaska and the Town of Medary.

12. **Closed Session**

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

- IAFF, International Association of Firefighters, Local 4169
- Consideration, development and approval of negotiating strategy regarding cooperative boundary agreement with Town of Medary

And under Section 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility:

- Discussion of City Administrator and Department Reorganizations

And under Section 19.85 (1)(g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved

- Town of Onalaska Petition for Incorporation

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

Adjournment

RESOLUTION 46-2015

RESOLUTION TO JOIN THE LA CROSSE COUNTY CONVENTION AND VISITORS BUREAU

WHEREAS, the City of Onalaska currently has a Tourism Commission and operates a Tourism Department for the purposes of promoting tourism development and tourism promotion in the City of Onalaska; and

WHEREAS, the City of Onalaska as well as other local municipalities are experiencing limitations with respect to their room tax dollars pursuant to changes made in the 2015-2017 Biennial Budget; and

WHEREAS, the greater La Crosse area is growing as a tourist destination which encompasses all of the municipalities in the greater La Crosse area; and

WHEREAS, a new entity the La Crosse County Convention and Visitors Bureau, Inc. has been created for the purpose of allowing local municipalities to work together to promote tourism and marketing of the greater La Crosse area; and

WHEREAS, the City of Onalaska recognizes a benefit to expanding resources and working collaboratively with neighboring municipalities on regional tourism and promotion for the greater La Crosse area.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Onalaska;

Section 1. The City of Onalaska shall join the La Crosse County Convention and Visitors Bureau, Inc. as a participating member.

Section 2. The City of Onalaska approves the Bylaws of the La Crosse County Convention and Visitors Bureau, Inc and authorizes the Mayor of the City of Onalaska to sign the same.

Section 3. The City of Onalaska shall appoint three directors (the "Directors") to the La Crosse County Convention and Visitors Bureau, Inc. The powers of the City of Onalaska shall be vested in, and exercised by, the Directors in office from time to time. The Directors shall receive no compensation for their services, but may be reimbursed for expenses actually and necessarily incurred in the performance of their duties if such expenses are preapproved by the Common Council of the City of Onalaska.

Section 4. The Mayor of the City of Onalaska shall appoint the Directors subject to confirmation by the Onalaska Common Council. The Directors shall include (a) the chair of the City of Onalaska Tourism Commission, (b) a representative of the hospitality and tourism industry, (c) one citizen of the City of Onalaska.

Section 5. The purpose of the La Crosse County Convention and Visitors Bureau shall be the promotion of the common business interests of the municipality members, primarily joint tourism promotion and marketing as set forth in the Bylaws.

Section 6. The Directors which serve on the La Crosse County Convention and Visitors Bureau shall serve for one year terms, but may be reappointed for up to three (3) consecutive terms.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

BY-LAWS
OF
LA CROSSE COUNTY CONVENTION & VISITORS BUREAU, INC.,
A NON-STOCK CORPORATION
INCORPORATED UNDER THE LAWS OF WISCONSIN

ARTICLE I.

NAME, OFFICES AND PURPOSE

Section 1. The name of the Corporation is La Crosse County Convention and Visitors Bureau, Inc.

Section 2. Principal Office. The principal office of La Crosse County Convention and Visitors Bureau, Inc. (the "Corporation") shall be the following:

<u>State</u>	<u>County</u>	<u>City</u>
Wisconsin	La Crosse	Onalaska

The Corporation may have such other offices, either within the State of incorporation as the Board of Directors may designate or as the business of the corporation may require from time to time.

Section 3. Registered Office. The registered office of the Corporation may be, but need not be, identical with the principal office and the address of the registered office may be changed from time to time by the Board of Directors or by the registered agent. The business office of the registered agent of the Corporation shall be identical to such registered office.

Section 4. Purpose. The Corporation shall promote the common business interests, primarily joint tourism promotion and marketing, of the members of La Crosse County Convention and Visitors Bureau, Inc. (Bureau). The Corporation is organized, and shall at all times be operated exclusively for business purposes as described in Section 501(c)(6), and as an organization other than a private foundation within the meaning of Section 509(a)(2) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law (hereinafter Internal Revenue Code), and the regulations thereunder.

ARTICLE II.

MEMBERS

Section 1. General Power and Number. The Corporation shall have at least two (2) members each (a "Member"). The initial members through their respective tourism and room tax

commissions shall be the City of La Crosse ("La Crosse"), City of Onalaska ("Onalaska"), Village of Holmen ("Holmen"), Village of West Salem ("West Salem") and Town of Campbell ("Campbell"). Each Member shall have the authority to appoint Directors on the basis set forth in Wis. Stat. 66.0615(1m)(c)(2). Initially, each of La Crosse and Onalaska shall appoint 3 directors and each of Holmen, West Salem and Campbell shall appoint 1 director. For each Member appointing more than one director at least one director shall be associated with the hospitality or tourism industry. Upon appointment of the Directors by the Members, the Member appointed Directors shall then appoint two (2) additional Directors which shall be representatives of the region's hotel and motel industry.

Section 2. Place of Meeting and Representation. The Members may designate any place, either within or without the State of incorporation as the place of meeting for any annual meeting or for any special meeting called by the Members. Meetings of the Members, including the annual meeting, may be held concurrently with meetings of the Board of Directors.

Section 3. Notice of Meeting. Written notice stating the place, day and hour of the meeting and in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than forty eight (48) hours nor more than fifty (50) days before the date of the meeting, either personally, electronic mail or by mail, by or at the direction of the President, or the Secretary, or the officer or persons calling the meeting, to each Member of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the Member at its last known address.

Section 4. Annual Meeting. The annual meeting of the Members of this Corporation shall be held no later than March 31 of each year at such hour and place as designated by the Board of Directors.

Section 5. Special Meetings. Special meetings of the Members, for any purpose or purposes, unless otherwise prescribed by statute, may be held whenever called by the Secretary on the direction of the President or upon written direction of a majority of the Directors then in office, or upon a written direction of a majority of Members.

Section 6. Conduct of Meetings. The President, and in the President's absence, a Vice President shall call the meeting of the Members to order and shall act as Chair of the meeting, and the Secretary of the Corporation shall act as Secretary of all meetings of the Shareholders, but, in the absence of the Secretary, the presiding officer may appoint any other person to act as Secretary of the meeting.

Section 7. Member Obligations.

a) Room Tax Contribution. Each Member shall annually contribute to the Corporation no less than the Minimum Percentage of the room tax dollars as defined by Wisconsin Stat. §66.0615(1m)(d) collected by such Member on a monthly basis, within 30 consecutive days following the due date for the collection of such room taxes. For the purposes of this Agreement the term "Minimum Percentage" shall mean 2.8% for all years unless changed by unanimous vote of the Members except the term "Minimum Percentage" shall mean 3.3% for each of La Crosse and Onalaska in 2016 and 2017.

Section 8. Member Benefits.

a) The Corporation shall utilize the revenues which it receives from the Members and from any other sources, to deliver tourism promotion and marketing services as determined by the Corporation which are designed to enhance the tourism industry in the greater La Crosse area, based on policies and procedures implemented by the Corporation. Examples of such services shall include, but not be limited to participation with an 800 information telephone number, website development and management, social media development and management, database management, travel planner, print media, fulfillment services, public relations, niche marketing, group tours, tourism, convention and leisure tourism and attractions, visitor services and events and other services typically performed by similar organizations or commissions.

Section 9. Term.

a) Length of Term. The initial term of the Members shall be eight (8) years unless altered by the Unanimous Consent of the Board of Directors and all Members.

b) Renewal of Term. The term of each Member shall renew for an additional one (1) year term at the end of the initial term and each additional term unless a Member provides notice of non-renewal at least three years prior to such term. For example, if a Member desires to end its membership on December 31, 2025 such Member must provide notice of termination on or before December 30th, 2022.

Section 10. Removal. Following a finding by a 2/3 vote of the Board of Directors that a Member failed to reasonably perform its duties pursuant to Section 7 above, such Member may be removed by the non-defaulting Member.

Section 11. Withdrawal. A Member Municipality may withdraw from the Corporation by providing 60 days Notice of Intent to Dissociate, followed by a public hearing and after the notice and holding of a public hearing, upon ninety days written notice of dissociation from the Corporation and such withdrawal shall be effective on December 31st of. A Member Municipality who no longer has any operating hotel or motels subject to room tax under Wisconsin Statute may withdraw upon sixty days written notice, effective on December 31st of the year in which there are no longer any operating facilities that would be subject to the Wisconsin Room Tax Statute within the Member Municipalities corporate boundaries.

ARTICLE III.

BOARD OF DIRECTORS

Section 1. General Powers and Number. The business and affairs of the Corporation shall be managed by its Board of Directors. The number of Directors of the Corporation shall be no more than seventeen (17).

Section 2. Terms and Qualification of Member Directors. Each Member shall annually appoint Directors prior to the Annual Meeting ("Member Directors"). Each Member shall have the exclusive right to remove and appoint its Member Directors. If a Member fails to appoint their

Directors the size of the Board of Directors shall be reduced by the number of Member Director positions unfilled. The Member Directors shall then appoint the two (2) additional Directors (Hospitality Directors”) which shall be representatives of the region’s hotel and motel industry at the Annual Meeting. The first two Hospitality Directors appointed shall have staggering terms, with the first appointment being for one year and the second appointment being for two years, thereafter every appointment of a Hospitality Director shall be for two (2) years. There shall be no limitation on the number of successive terms for either Member Directors or Hospitality Directors.

Section 4. Regular Meetings. A regular meeting of the Board of Directors shall be held without other notice than this By-Law immediately after the annual meeting of Members, and each adjourned session thereof. The place of such regular meeting shall be the same as the place of the meeting of Members which precedes it, or such other suitable place as may be announced at such meeting of Members. The Board of Directors may provide, by resolution, the time and place, either within or without the state of incorporation, for the holding of additional regular meetings without other notice than such resolution.

Section 5. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President, Secretary or any two (2) Directors. The President or Secretary calling any special meeting of the Board of Directors may fix any place, either within or without the state of incorporation, as the place for holding any special meeting of the Board of Directors called by them, and if no other place is fixed, the place of meeting shall be the principal business office of the Corporation in the state of incorporation.

Section 6. Notice. Written notice stating the place, day and hour of the meeting and in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than forty eight (48) hours nor more than fifty (50) days before the date of the meeting, either personally, electronic mail or by mail, by or at the direction of the President, or the Secretary, or the officer or persons calling the meeting, to each Director of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the Director at its last known address.

Section 7. Quorum. Except as otherwise provided by law or by the Articles of Incorporation or these By-Laws, at least fifty percent (50%) of the Directors shall constitute a quorum of the transaction of business at any meeting of the Board of Directors, but though less than such quorum is present at a meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

Section 8. Manner of Acting. The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by the Articles of Incorporation or these By-Laws.

Section 9. Organization. The President and in the President’s absence the Vice President and in their absence any Director chosen by the Directors present shall call meetings of the Board of Directors to order and shall act as Chair of such meeting and the Secretary of the Corporation shall act as Secretary at all meetings of the Board of Directors but in the absence of the Secretary the President shall appoint a substitute temporary secretary who shall so act, and in their absence, the presiding officer may appoint any Director to act as Secretary of the meeting.

Section 10. Powers Reserved to the Members. The Board of Directors shall not take any of the following actions:

- (a) Remove a Member
- (b) Remove a Member Director
- (c) Borrow funds or enter into contracts for greater than \$100,000.00
- (d) Amend the By-Laws
- (e) Default on any loan or contract
- (f) Dissolve the Corporation (set forth in Article XII Section 1)

Section 11. Unanimous Consent Without Meeting. Any action required or permitted by the Articles of Incorporation or By-Laws or any provision of law to be taken by the Board of Directors at a meeting or by resolution may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Directors then in office.

Section 12. Meeting by Means of Electronic Communication. Directors participate in a meeting by means of conference telephone or similar means of communication by which all persons participating in the meeting can simultaneously hear each other. Such participation in a meeting pursuant to this Section shall constitute presence in person at such meeting.

ARTICLE IV.

GENERAL OFFICERS

Section 1. Number. The principal officers of the Corporation shall be a President, Vice President, a Secretary and a Treasurer, each of whom shall be elected by the Board of Directors. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors.

Section 2. Election and Term of Office of Officers.

a) The offices of President, Vice President, Secretary and Treasurer shall be elected for one (1) year terms. The offices shall be elected at each annual meeting of the Board of Directors. If an officer resigns or is removed during a term then the Member Director replacing the departing officer shall be a Member Director from the same organization that the departing Member Director was from. If the election of such officers is not held at the appropriate meeting, then such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until a successor shall have been duly elected or until such officers death, resignation or removal.

b) The CEO/President (Executive Director) shall serve at the pleasure of the Board of Directors.

Section 3. Removal. Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interest of the Corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment shall not of itself create contract rights.

Section 4. Vacancies. A vacancy in any principal office because of death, resignation, removal, disqualification or otherwise, shall be filled by the Board of Directors for the unexpired portion of the term.

Section 5. President. The President shall, when present, preside at all meetings of the Members and of the Board of Directors. The President shall have authority to sign, execute and acknowledge, on behalf of the Corporation, all deeds, mortgages, bonds, stock certificates, contracts, leases, reports and all other documents or instruments necessary or proper to be executed in the course of the Corporation's regular business, or which shall be authorized by resolution of the Board of Directors; and, except as otherwise provided by law or the Board of Directors, the President may authorize any Vice President or other officer or agent of the Corporation to sign, execute and acknowledge such documents or instruments in the President's place and stead. In general, the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

Section 6. CEO/President (Executive Director). The CEO/President (Executive Director) shall be the principal executive officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the Corporation. The CEO/President (Executive Director) shall have authority, subject to such rules as may be prescribed by the Board of Directors, to appoint such agents and employees of the Corporation as the CEO/President (Executive Director) shall deem necessary, receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, trust companies or other depositories as shall be selected by the Board of Directors, to prescribe their powers, duties and compensation, and to delegate authority to them. Such agents and employees shall hold office at the discretion of the CEO/President (Executive Director).

Section 7. Vice President. In the absence of the President or in the event of the President's death, inability or refusal to act, or in the event for any reason it shall be impracticable for the President to act personally, the Vice President (or in the event there be more than one Vice President, the Vice Presidents in the order designated by the Board of Directors, or in the absence of any designation, then in the order of their election) shall perform the duties of President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any Vice President may sign, with the Secretary or Assistant Secretary, certificates for shares of the Corporation; and shall perform such other duties and have such authority as from time to time may be delegated or assigned to him by the President or by the Board of Directors. The execution of any instrument of the Corporation by any Vice President shall be conclusive evidence, as to third parties, of his authority to action the stead of the President.

Section 8. Secretary. The Secretary shall: (a) keep the minutes of the meetings of the Members and of the Board of Directors in one or more books provided for that purpose; (b) see that all notices are duly give in accordance with the provisions of these By-Laws or as required by law; (c) be custodian of the corporate records and of the seal of the Corporation and see that the seal of the Corporation is affixed to all documents the execution of which on behalf of the Corporation under its seal is duly authorized; (d) in general, perform all duties incident to the office of Secretary and have such other duties and exercise such authority as from time to time may be delegated or assigned to the Secretary by the President or by the Board of Directors.

Section 9. Treasurer. The Treasurer shall: (a) have charge and custody of and be responsible for all funds and securities of the Corporation and (b) in general, perform all of the duties incident to the office of Treasurer and have such other duties and exercise such other authority as from time to time may be delegated or assigned to him by the President or by the Board of Directors. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Directors shall determine.

Section 10. Delegation of Duties. The Board of Directors may delegate the duties of any officer to any other officer or person whenever it deems it advisable.

ARTICLE V.

CONTRACTS, LOANS, CHECKS AND DEPOSITS: SPECIAL CORPORATE ACTS

Section 1. Contracts. The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute or deliver any instrument in the name of and on behalf of the Corporation, and such authorization may be general or confined to specified instances. In the absence of other designation, all deeds, mortgages and instruments of assignment or pledge made by the Corporation shall be executed in the name of the Corporation by the President or one of the Vice Presidents and by the Secretary or the Treasurer, when necessary or required, shall affix the corporate seal thereto; and when so executed no other party to such instrument or any third party shall be required to make any inquiry into the authority of the signing officer or officers.

Section 2. Loans. No indebtedness for borrowed money shall be contracted on behalf of the Corporation and no evidences of such indebtedness shall be issued in its name unless authorized by or under the authority of a resolution of the Board of Directors. Such authorization may be general or confined to specific instances.

Section 3. Checks, Drafts, etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as shall from time to time be determined by or under the authority of a resolution of the Board of Directors.

Section 4. Deposits. All funds of the Corporation not otherwise employed shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositaries as may be selected by or under the authority of a resolution of the Board of Directors.

Section 5. Voting of Securities Owned by this Corporation. Subject always to the specific direction of the Board of Directors, (a) any shares or other securities issued by any other corporation and owned or controlled by this Corporation may be voted at any meeting of security holders of such other corporation by the President of this Corporation if he be present, or in his absence by any Vice President of this Corporation who may be present, and (b) whenever, in the judgment of the President, or in his absence, of any Vice President, it is desirable for this Corporation to execute a proxy or written consent in respect to any shares or other securities issued by any other corporation and owned by this Corporation, such proxy or consent shall be executed in the name of this

Corporation by the President or one of the Vice Presidents of this Corporation, without necessity of any authorization by the Board of Directors, affixation of corporate seal or countersignature or attestation by another officer. Any person or persons designated in the manner above stated as the proxy or proxies of this Corporation shall have full right, power and authority to vote the shares or other securities issued by such other corporation and owned by this Corporation the same as such shares or other securities might be voted by this Corporation.

ARTICLE VI.

CONFLICT OF INTEREST POLICY

Section 1. Purpose. The purpose of the conflict of interest policy is to protect Corporation's tax-exempt interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations

Section 2. Interested Person. Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

Section 3. Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest, excluding contributions or donations, in any entity with which the Corporation has a transaction or arrangement;
- b. A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Article VI, Section 5, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Section 4. Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

Section 5. Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a

conflict of interest exists.

Section 6. Procedures for Addressing the Conflict of Interest.

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

Section 7. Violations of the Conflict of Interest Policy. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 8. Records of Proceedings. The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Section 9. Compensation. A voting member of the governing board who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 10. Annual Statements. Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy
- c. Has agreed to comply with the policy, and
- d. Understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 11. Periodic Reviews. To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Section 12. Use of Outside Experts. When conducting the periodic reviews as provided for in Article VI, Section 10, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

ARTICLE VII.

AMENDMENTS

Section 1. By Members. These By-Laws may be altered, amended or repealed and new By-Laws may be adopted by the Members by unanimous vote of the Members.

Section 2. By Directors. These By-Laws may also be altered, amended or repealed and new By-Laws may be adopted by the Board of Directors by affirmative vote of a majority of the number of directors present at any meeting at which a quorum is in attendance but no amendment to the By-Laws so adopted shall be effective unless unanimously approved by the Members.

Section 3. Implied Amendments. Any action taken or authorized by the Members or by the Board of Directors, which would be inconsistent with the By-Laws in effect but is taken or authorized by unanimous vote of the Members and the number of Directors required to amend the By-Laws so that the By-Laws would be consistent with such action, shall be given the same effect as though the By-Laws had been temporarily amended or suspended so far, but only so far, as is necessary to permit the special action so taken or authorized.

ARTICLE VIII.

FISCAL YEAR

Fiscal Year. The fiscal year of this Corporation shall be as follows:

<u>Date of Commencement</u>	<u>Date of Termination</u>
January 1	December 31

ARTICLE IX.

BOOKS AND RECORDS

The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Members, Board of Directors, committees having and exercising any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any Director for any proper purpose at any reasonable time. The books and records shall be secured at a location designated by the President.

ARTICLE X.

ACCOUNTS

The Board of Directors shall have the accounts of this Corporation reviewed, at least annually by a certified public accountant.

ARTICLE XI.

INDEMNIFICATION

The Corporation shall, to the fullest extent authorized by ch. 181, indemnify any director or officer of the corporation against reasonable expenses and against liability incurred by a director or officer in a proceeding in which he or she was a party because he or she was a

director or officer of the Corporation. These indemnification rights shall not be deemed to exclude any other rights to which the directors or officers may otherwise be entitled. The Corporation shall, to the fullest extent authorized by ch. 181, indemnify any employee who is not a director or officer of the Corporation, to the extent the employee has been successful on the merits or otherwise in defense of a proceeding, for all expenses incurred in the proceeding if the employee was a party because he or she was an employee of the Corporation. The Corporation may, to the fullest extent authorized by ch. 181, indemnify, reimburse, or advance expenses of directors or officers. If required to do so by law, the Corporation shall report the indemnification of or advance of expenses to directors or officers in writing with or before the notice of the next director's meeting.

ARTICLE XII.

NON-DISCRIMINATION

The services and activities of this Corporation shall at all times be conducted on a non-discriminatory basis without regard to race, color, national origin, sex, religious preference or creed, age, marital status, legal source of income, family status, sexual orientation or physical impairment or handicap, except in the case of eligibility for participation in programs restricted by their nature to persons of certain sex, age or physical characteristics.

ARTICLE XIII.

DISSOLUTION

Section 1. In the event of dissolution of the Corporation, the assets shall be, as determined by the Members, distributed to other charitable organizations that share the mission/vision of this Corporation.

Section 2. Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provisions for the payment of all the Corporation's liabilities dispose of all of the Corporation's assets exclusively for the purposes of the Corporation in such manner as the Members shall determine, or to such organizations organized and operated exclusively for tourism or similar business purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c)(6) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue law), as the Members shall determine.

ARTICLE XIV.

NON-PROFIT AFFIRMATION

Section 1. La Crosse County Convention and Visitors Bureau, Inc. shall meet Federal and State requirements of a 501(c)6 non-profit corporation.

Section 2. Notwithstanding any other provision of these By-Laws, the Corporation shall not carry on any other activities not permitted to be carried on by a Corporation exempt from federal income tax under Section 501 (c)(6) of the Internal Revenue Code of 1986, as now enacted or hereafter amended.

ORDINANCE NO. 1524-2015

AN ORDINANCE TO AMEND CHAPTER 4 OF TITLE 2,
SECTION 7 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO THE TOURISM COMMISSION

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 2, Chapter 4, Section 7, of the City of Onalaska Code of Ordinances

related to the Onalaska Tourism Commission is hereby deleted in its entirety and replaced as follows:

- (a) **Membership and Organization.** The Onalaska Tourism Commission shall consist of five (5) members who shall be selected as follows: One (1) member of the Common Council of the City of Onalaska shall be appointed by the Mayor and confirmed by the Council. Two (2) members shall be appointed by the Mayor who are residents of the City of Onalaska and are owners or managers of businesses located in the City of Onalaska and who are not members of the Common Council, subject to confirmation by the Council. One (1) member shall be a representative of the Wisconsin hotel and motel industry. One (1) member shall be either a member of the Common Council of the City of Onalaska or a citizen residing in the City of Onalaska who shall be appointed by the Mayor and confirmed by the Council. All members of the commission shall serve for a one (1) year term from the date of appointment. Any vacancies occurring on the Tourism Commission shall be filled by appointment by the Mayor, subject to confirmation of the Council. Any person so appointed shall serve the balance of the term of the person causing the vacancy. The Commission shall choose a Chairperson, Vice-Chairperson and such other officers as it deems appropriate.
- (b) **Meetings.** Meetings may be held under call of the Chairperson of the Commission or if requested in writing by three (3) members of the Commission filed with the City Clerk, in which event, the City Clerk shall notify all members of the coming meeting. At least twenty-four (24) hours' notice shall be allowed under this procedure. The City Clerk shall give written notice of each meeting to the Mayor and to all members of the Tourism Commission. Three (3) members shall constitute a quorum. Such regular meetings shall be open to the public.
- (c) **Powers.** The Onalaska Tourism Commission shall require for all organizations, whether private or governmental, who receive funds hereunder, an annual accounting of the application of all room tax funds designated for tourism development and tourism promotion ("Tourism Funds"). The Commission shall designate the use of all Tourism Funds of the City of the Onalaska.
- (d) **Statutory Authority.** The Commission shall be the entity in which room tax is allocated for the City of Onalaska pursuant to Wis. Stat. 66.0615 as may be amended from time to time.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

Cari Burmaster, City Clerk

C. Burmaster
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1510-2015

**AN ORDINANCE TO AMEND TITLE 8, CHAPTER 4, SECTION 3
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING
TO GRAVE OPENING FEES**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY

ORDAIN AS FOLLOWS:

SECTION I. Title 8, Chapter 4, Section 3, Subsection (c) of the City of Onalaska Code of Ordinances is hereby deleted in its entirety and replaced with:

- (c) The fees charged for opening graves or vaults (including ashes buried in a vault) shall be as set forth on the City of Onalaska Fee Schedule. All fees shall be paid at the office of the City Clerk no later than 5:00 P.M. two (2) business days prior to the day of the grave opening or the grave will not be opened.

SECTION II. This Ordinance shall take effect and be in force on January 1, 2016.

Dated this day of 2015.

CITY OF ONALASKA, BY:

Joe Chilsen, Mayor

Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

Jarrold Holter, City Engineer

C. J. Holter 9-14-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 9-18-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for Increase Revenue 2016 to meet the requirements of this ordinance.

ORDINANCE NO. 1511-2015

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 9,
SECTION 50 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
PRIVATE WELLS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 9, Chapter 1, Section 50 of the City of Onalaska Code of Ordinances related to the Private Well Abandonment and Permits is hereby deleted in its entirety and replaced as follows:

Sec. 9-1-50 Private Well Abandonment and Permits.

- (a) **Purpose.** Residents of the City of Onalaska depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this article is to institute regulations and restrictions to protect the city's municipal water supply and well fields and to promote the health, safety and general welfare of the residents of the City of Onalaska.
- (b) **Applicability and Authority.** These regulations are established pursuant to the authority granted by the state legislature in 1983, Wisconsin Act 410 (effective May 11, 1984) which specifically added groundwater protection to the statutory authorization for municipal planning and zoning in order to protect the public health, safety and welfare. This ordinance applies to all wells located within the City's corporate limits. Water Utility customers outside the jurisdiction of the municipal water system may be required under contract agreement or utility rules to adopt and enforce equivalent ordinances within their jurisdiction for purpose stated in Section 1 above.
- (c) **Definitions.**
 - (1) "Municipal Water System" means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
 - (2) "Non-complying" means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.
 - (3) "Pump Installation" means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
 - (4) "Unsafe" well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceeds the drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
 - (5) "Unused" well or pump installation means one which is not used or does not have a functional pumping system.

- (6) "Well" means a drill hole or other excavation or opening deeper than it is wide that extends more than ten (10) feet below the ground surface constructed for the purpose of obtaining groundwater.
- (7) "Well Abandonment" means the proper filling and sealing of a well according to the provision of s. NR 812.26, Wisconsin Administrative Code.
- (d) **Use of Private Wells; Use of Water Supply.**
- (1) **Private Well Abandonment Generally.**
- a. All structure and buildings used, or intended to be used, for human habitation shall connect to the municipal water supply within one (1) year of the availability of said water. All private wells shall, within ninety (90) days after connection to the City water supply, be permanently abandoned pursuant to Section (6) below unless the owner or owners obtain a well operation permit from the City of Onalaska Water Utility.
- b. In the event permission is granted to use a private well, it is expressly provided that the water therefrom shall be used on outside hose bibs only.
- (2) **Well Operation Permit.** A permit may be granted to operate a well if the following requirements are met, except as otherwise provided herein:
- a. The well and pump installation meet the requirements of Wis. Admin. Code ch. NR 812 and subsequent amendments, a well constructor's report is on file with the DNR, or certification of the acceptability of the well has been granted by the private water supply section of the DNR.
- b. The well construction and pump installation have a history of producing safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well.
- c. The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- d. No physical connection shall exist between the piping of the public water system and the private well. The City may elect to do a cross connection inspection to verify compliance.
- e. A permit fee shall have been paid once every five years in an amount determined annually by the City Council and set forth on the City Fee Schedule.
- (3) **Additional Conditions of Permit.** The right to construct, install and maintain a well as authorized by permit under this section shall be expressly conditioned upon the owners and successors in interest complying with the following:
- a. The owner shall permit the water utility or its designee access to the well for inspection and testing at anytime during working hours.
- b. No repair or modification of any well may be performed unless prior notification is given to the water utility and the plan and resulting construction is reviewed and inspected by the City Engineer or its designee.
- c. The City shall have the right to sample the water after completion of any such repairs or modification. Such sampling shall be at the owner's cost and may either be done by the City or by the owner at the City's direction.
- d. The City shall have the right to randomly test or direct the owner to test the well not more than two times in any six month period. The City may

require additional testing if there is reason to believe some contamination may be present or that the results of previous tests may be invalid.

- e. The cost of any testing and sampling as provided in this section shall be paid by the owner upon invoice by the City.
- f. A permit issued in accordance with the provisions of this section shall be revoked by the City Engineer or its designee upon notice to the permittee that any of the following have occurred:
 - a. The owner of the well has refused access to a well for testing or has failed to follow a direction of order of municipal water utility in regard to testing or sampling.
 - b. The owner of any well has neglected to pay for any tests authorized with 30 days of billing invoice.
 - c. Any test results demonstrate well contamination and do not meet reasonable health standards or are in violation of any state or municipal ordinance dealing with well operation.
 - d. The parties aggrieved by permit revocation may appeal the initial decision of the water superintendant to the board of public works by filing a written for review with the City Clerk.

- (4) **Application for Permit.** Applications for a well operation permit shall be made in writing by the owner or owners of the well to the City of Onalaska Water Utility. Application shall be upon a form provided by the Water Utility and shall be made concurrently with the application for a plumbing permit to connect the premises with municipal water. A fee as determined by the City of Onalaska Common Council and reflected on the City's Fee Schedule shall accompany the well operation permit application. Applications for a well operation permit must be approved by the City Engineer, upon approval by the City Engineer the application will be forwarded to the Board of Public Works and the Common Council for approval. Applications to drill a new well shall require a separate application for new well in addition to the well operation permit, the application to drill a new well shall be on a form provided by the City Engineer's office and shall require a needs assessment and any other information deemed necessary by the City Engineer and shall be reviewed in conjunction with the well operation permit. The application to drill a new well shall be accompanied with the applicable permit fee.
- (5) **Terms of Permit.** The well operation permit shall be valid for five (5) years from the date of issuance.
- (6) **Renewal Permit.** Renewal permits shall be issued for the term and upon payment of the permit fee hereinabove mentioned. Renewal Well Operation Permits are subject to the same conditions as initial Well Operation Permits, as outlined in Section 3 above. The owner or owners shall certify when applying for a renewal permit that the well is in good operable condition and is in conformity with all applicable state and local laws and shall provide proof of safe water by providing at least one sample, having been taken within 2 weeks of the date of application. In the event the first sample fails, the owner can provide an additional two samples taken a minimum of two weeks apart to verify that the first sample was related to domestic hygiene issues and not well safety problems. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well. In the event it is found, upon any inspection, that any cross connection has been made between the municipal water supply system and the piping of a private well water system, or that the well equipment is inoperable, or does not meet state or local regulations, all permits

shall be immediately suspended. In the case of a cross connection, the permit shall be revoked and the well ordered properly abandoned in accordance with applicable ordinances. In the event any inspection results in a suspension of a permit and a second inspection is made to determine if the reason for suspension has been eliminated, the owner shall bear the cost of any re-inspection fee as set forth on the Inspection Department's Fee Schedule.

- (7) **Well Abandonment.** Upon revocation of a well permit in accordance with this section or upon voluntary determination to abandon the use of any well previously permitted hereunder, all wells under the jurisdiction of this section shall be abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812. All debris, pump, piping, unsealed liners, and other obstructions which may interfere with the sealing operations shall be removed prior to abandonment. The owner of the well or the owner's agent shall notify the City Engineer or its designee at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the water utility superintendent or its designee and an abandonment report form, supplied by the state department of natural resources, shall be submitted by the well owner to the water utility and the state department of natural resources within ten days of the completion of the well abandonment.
- (8) **Abandonment of Unused or Previously Abandoned Wells.** It shall be the responsibility of the landowner of any real property upon which a well is located to see to it that all wells located on the owner's property have been properly abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812, regardless of whether such owner has used such well. Upon discovery of any unused or previously abandoned well, the owner shall notify the municipal water utility and comply, insofar as is practicable, with the procedures of subsection (6) of this section. In the case of a previously abandoned well, if the owner can produce proof of compliance with state well abandonment requirements to the satisfaction of the utilities manager/engineer, compliance with this section may be deemed unnecessary. Such determination shall be at the discretion of the utilities manager/engineer upon considering the present and future possibility of ground water contamination at the well site.
- (9) **Failure to Properly Abandon Well Public Nuisance.** Failure to abandon any well after revocation of a permit to follow the provisions of Wis. Admin. Code NR ch.812, in abandoning such well is hereby deemed a public nuisance, and the City may cause such well to be property abandoned and may assess the cost against the owner of the affected property and collect it as a special tax.
- (e) **Penalties.** Any person, firm or other well owner violating any provision of this Section shall, upon conviction, be punished by a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), together with the cost of prosecution. Each twenty-four (24) hour period during which a violation exists shall be deemed and constitute a separate offense.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1511 – 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 9/16/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

C. J. Holter 9-16-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 9-18-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1512-2015

**AN ORDINANCE TO AMEND CHAPTER 4 OF TITLE 6,
SECTION 50 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO TREES AND SHRUBS**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 6, Chapter 4 of the City of Onalaska Code of Ordinances related to the
Trees and Shrubs is hereby deleted in its entirety and replaced as follows:

Chapter 4

Trees and Shrubs

- 6-4-1 Statement of Policy and Applicability of Chapter
- 6-4-2 Definitions
- 6-4-3 Staff Forester
- 6-4-4 Interference with Staff Forester Prohibited
- 6-4-5 Abatement of Public Nuisances, Dangerous, Obstructive, and Infective Trees
- 6-4-6 Assessment of Costs of Abatement
- 6-4-7 Maintenance and Removal of Trees and Shrubs in Public Ways or Public
Properties/Areas
- 6-4-8 Planting of Trees and Shrubs
- 6-4-9 Trimming
- 6-4-10 Trees and Shrubbery Obstructing View at Intersections or View of Traffic Signs
- 6-4-11 Prohibited Acts
- 6-4-12 Appeal from Determinations and Orders
- 6-4-13 Adoption of State Statutes
- 6-5-14 Violations
- 6-5-15 Emergencies
- 6-5-16 Severability
- 6-5-17 Arboricultural Standards

Sec. 6-4-1 Statement of Policy and Applicability of Chapter.

- (a) **Intent and Purpose.** It is the policy of the City to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.
- (b) **Application.** The provisions of this Chapter shall apply to trees and shrubs growing or hereafter planted in or upon public areas and terrace areas and also to all trees and shrubs growing or to be planted in or upon any private premises which shall threaten the life, health, safety or welfare of the public or of any public areas.

Sec. 6-4-2 Definitions.

Whenever the following words or terms are used in this Chapter, they shall be construed to have the following meanings:

- (a) **Boulevard or Terrace Areas.** The land between the typical location of the street edge or curbing and the street right-of-way. Where there is no curb and gutter, the edge of the road way (pavement or gravel) to the right-of-way line shall be deemed to be a boulevard for the purpose of this Chapter. "Boulevard" shall have the same meaning as "terrace". Where there are no sidewalks, the area from the curbing or edge of street to the right-of-way line shall be deemed boulevard areas under this Chapter.
- (b) **Critical Root Radius (CRR).** 1.5 feet for every diameter inch at diameter at breast height (DBH), as relating to excavations near trees.
- (c) **Evergreen Tree.** Any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.
- (d) **Frames.** A device used to stabilize or provide protection to a tree. May include staking materials, blocks, or other landscaping materials around the base of a tree.
- (e) **Major Alteration.** Trimming a tree beyond one-third (1/3) of the crown.
- (f) **Person.** Person, firm, business, association, corporation or other legal entity.
- (g) **Public Nuisance.** Any deleterious or fatal tree disease. Any tree or shrub or part thereof which, by reason of its condition and location, is hazardous and/or interferes with the use of any public property/area or public ways; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.
- (h) **Public Properties/Areas.** Land owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, recreation areas, park ways, common open spaces, greenways, forests, conservancies and other lands owned or leased by the City under the authority of the Parks and Recreation Board.
- (i) **Public Trees and Shrubs.** All trees and shrubs located or to be planted in or upon public areas.
- (j) **Public Ways.** All public streets, roads, right-of-ways, boulevards, terraces strips between public lot lines and curbs, alleys, sidewalks, cemeteries, and other lands owned or leased by the City and under the authority of the Board of Public Works.

- (k) **Shrubs.** Any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.
- (l) **Staff Forester.** Person designated by the Parks and Recreation Board and the Board of Public Works as authorized to carry out provisions of this Chapter
- (m) **Top, Topping.** The severe cutting back of limbs to stubs within the tree crown to such a degree so as to remove normal canopy and disfigure the tree.
- (n) **Tree.** Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.
- (o) **Urban Forest.** The collection of trees in and around the City, including park and street trees on public property and on private property.

Sec. 6-4-3 Staff Forester.

- (a) **Parks and Recreation Board Appointment.** The Parks and Recreation Board may designate a municipal employee(s) to perform the duties of Staff Forester under Chapter 27.09, Wis. Stats., and may authorize such Staff Forester to perform the duties and exercise the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:
 - (1) To direct, manage, supervise, and control the planting, removal, maintenance, protection of all trees and shrubs on all public properties, areas and ways; to supervise Park Department personnel in the planting, removal, maintenance, and protection of said trees and shrubs.
 - (2) To guard all trees and shrubs within the City located on public areas so as to prevent the spread of disease or pests and to eliminate dangerous conditions which may affect the life, health or safety of persons or property.
 - (3) To enforce this ordinance as it pertains to trees and shrubs on private premises.
 - (4) Such other powers and duties as are provided by the laws of Wisconsin, particularly Sections 27.08 and 27.09, Wis. Stats., by ordinance of the City and by the Parks and Recreation Board.
- (b) **Right-of-Entry.** The Staff Forester or other authorized City representatives may make a request to enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this Chapter. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to Sec. 66.0119, Wis. Stats.
- (c) **Inspection.** The Staff Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The Staff Forester may also inspect or cause the inspection of any tree reported to be public nuisance or suspected to be infested with a deleterious or fatal tree disease or any part of a tree bearing materials reported or suspected to be infested.
- (d) **Maintenance/Removal.** Staff Forester or other authorized agent may trim, prune, or remove a tree or shrub located on or hanging into public properties/areas and public ways as necessary as determined by the Staff Forester, due to disease, damage, hazardous condition and/or location, public nuisance, or if it's location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Staff Forester shall cause maintenance and/or removal of a tree or shrub on private premise (as Per Section 6-4-5).

Sec. 6-4-4 Interference with the Staff Forester Prohibited.

No person shall interfere with the Staff Forester or authorized representative while Staff Forester is engaged in carrying out any work or activities authorized by this Chapter.(Refer to Section 6-4-3 (b).)

Sec. 6-4-5 Abatement of Public Nuisances, Dangerous, Obstructive and Infective Trees.

- (a) **Tree Diseases as a Public Nuisance.** Due to the many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases, the City intends to control and prevent the spread of tree diseases, therefore infectious, epidemic and fatal tree diseases ("Nuisance Diseases") and the insect pests and vectors which carry such diseases are declared to be public nuisances.
- (b) **Inspection.** The Staff Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The Staff Forester may also inspect or cause the inspection of any tree reported or suspected to be infested with an Nuisance Diseases, or any part of a tree bearing materials reported or suspected to be infested.
- (c) **Abatement of Nuisances; Duty of Staff Forester.**
 - (1) The Parks & Recreation Board or its designee, upon the recommendation of the Staff Forester, shall order, direct, supervise and control the abatement of public nuisances on public properties/areas or public ways as defined in this Section by removal, burning or by other means which it determines to be necessary to prevent as fully as possible the spread of Nuisance Diseases, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.
 - (2) Any tree or part thereof, whether alive or dead, which the Staff Forester finds to be infected, hazardous or a nuisance so as to be a public nuisance, endanger the public or other structures, trees, plants or shrubs, shall be removed, trimmed or treated by the owner of the property. The Staff Forester shall give written notice to said owner to remedy the situation. Such notice shall describe the public nuisance and recommend procedures for its removal or abatement and shall specifically state the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the Staff Forester on the basis of the seriousness of the condition of the tree and/or danger to the public. The notice shall state that unless the owner abates the public nuisance in the manner specified in the notice, or appeals to the Parks & Recreation Board or its designee to show that such nuisance does not exist or does not endanger the health of trees in the City, the Parks and Recreation Board or its designee shall cause the abatement thereof and the property shall be assessed a special charge for the work completed plus an administrative fee.
 - (3) If the owner shall fail to remove, treat or trim said tree within the specified timeframe, the Staff Forester may cause the tree to be removed, treated or trimmed by order of the Parks and Recreation Board or its designee and the property shall be assessed as

a special charge for the work completed in addition to an administrative fee as set forth on the City's fee schedule.

- (4) Prior to the Staff Forester causing the work to be completed, the Parks and Recreation Board or its designee shall determine if a public nuisance exists on private property in the City and determine the method to abate or cause the abatement of such nuisance in a manner as to remove the tree or bush or to destroy or prevent as fully as possible the spread of public nuisances, other deleterious tree diseases, or the insect pests or vectors known to carry such disease.
- (5) If the property owner appeals to the Parks and Recreation Board or its designee and the appeal to halt the abatement fails, the Parks and Recreation Board or its designee shall order the immediate abatement thereof. Unless the property owner abates the nuisance as directed within five (5) days after such appeal, the Parks and Recreation Board or its designee shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property, including an administrative fee, in accordance with the procedures provided in this Section. The Parks and Recreation Board or its designee may extend the time allowed the property owner for abatement work, but not to exceed ten (10) additional days.

Sec. 6-4-6 Assessment of Costs of Abatement.

- (a) The entire cost of abating any public nuisance as defined herein may be charged to and assessed against the parcel or lot abutting on the street, alley, terrace, boulevard or parkway upon or in which such tree is located or the parcel or lot upon which such tree stands, at the direction of the Parks and Recreation Board or its designee and Common Council in accordance with Section 66.0627 or Section 27.09, Wis. Stats.
- (b) The cost of abating a public nuisance located on private premises shall be assessed as a special charge to the property on which such public nuisance is located, as follows:
 - (1) The Staff Forester shall keep a strict account of the cost of such work and the amount chargeable to each lot or parcel and shall report such work, charges, description of lands to which charged and names and addresses of the owners of such lands to the and subsequently the Common Council on or before October 15 of each year.
 - (2) Upon receiving the Parks and Recreation Board or its designee's report, the Council shall hold a public hearing on such proposed charges, giving at least fourteen (14) days' advance notice of the time, place and purpose of such hearing to interested persons by publication in a newspaper of general circulation in the municipality and by mail to the owner of each property proposed to be charged. Each property owner shall be notified of the amount proposed to be assessed against his premises and the work for which such charge is being made.
 - (3) After such hearing, the Common Council shall affirm, modify and affirm or disapprove such assessments by resolution and shall cause a copy thereof to be published. Upon adoption and publication of such resolution, assessments made thereby shall be deemed final.
 - (4) The City Clerk shall mail notice of the amount of such final assessment to each owner of property assessed at his last-known address, stating that, unless paid within thirty (30) days of the date of the notice, such assessment will be entered on the tax roll as a tax against the property, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such assessment.

- (5) The City hereby declares that, in making assessments under this Section, it is acting under its police power, and no damages shall be awarded to any owner for the destruction of any diseased or infested tree or wood or part thereof.

Sec. 6-4-7 Maintenance and Removal of Trees and Shrubs in Public Ways or Public Properties/Areas.

- (a) No person, firm, organization or corporation shall remove, damage, perform major alterations on or destroy a tree or shrub in public ways or public properties/areas or cause such act to be done by others unless authorized in writing by the Staff Forester.
- (b) In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least eight (8) inches below grade measured in a straight line with the normal grade of sidewalk to top of eight (8) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil and seeded as soon as practicable.
- (c) Public Utilities shall notify the Staff Forester prior to removal, trimming, pruning, etc., of any public tree or shrub in public ways or on public properties/areas in the City.
- (d) Any landscaping installed at the base of a public tree or shrub may be removed at the discretion of the City.

Sec. 6-4-8 Planting of Trees and Shrubs.

- (a) **Purpose.** The planting, care and protection of the trees within the City is desirable for the purposes of beauty, shade, comfort, stormwater runoff, noise abatement and economic betterment, and hereby encourages all persons to assist in a program of tree planting, care and protection.
- (b) **Tree Planting Program.** The Staff Forester shall establish a program for tree planting, care and protection for public properties/area and public ways. The Common Council shall also encourage the planting, care and protection of trees and shrubs on private premises within the City. Planting of trees in the terrace areas shall be according to the City approved tree planting list, as kept on file with the Staff Forester.
- (c) **Planting.**
- (1) The size and genus, species and variety of trees and shrubs to be planted in public ways shall be consistent with the City's recommended tree species list on file with the Staff Forester, and following planting requirements listed herein. The City at its discretion may remove any trees planted in public ways.
 - (2) Prior to any tree or shrub planting in public properties/areas, the Staff Forester shall first be consulted regarding the size and genus, species and variety of trees and shrubs to be planted as well as the manner of planting. The City at its discretion may remove any trees planted in public properties/areas.
 - (3) There shall be a minimum distance of fifteen (15) feet and a recommended distance of twenty-five (25) to thirty (30) feet between terrace area trees depending upon the size of tree and other factors. Terrace trees shall be planted equal distance between the sidewalk or proposed sidewalk and back of the curb or proposed back of curb. In terrace areas less than five (5) feet wide, planting will not be permitted. Terrace area trees shall be a minimum of twenty (20) feet from an intersection.

- (4) Evergreen trees shall not be planted in a terrace area.
- (5) It shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within terrace areas whose growth is in excess of thirty (30) inches in height above the top of the nearest curb.
- (6) Tree grates, where required, shall be provided for terrace trees surrounded by concrete by the adjacent property owner and shall be level with adjacent concrete.
- (7) Trees or shrubs shall not be planted closer than two and a half (2.5) feet to any sidewalk or curb. Where sidewalks are not installed, trees or shrubs shall be planted in a manner to allow for future sidewalk improvements.
- (8) All new required shade trees must be a minimum of one and one-half inch (1-1/2") diameter caliper at the time of planting. All new required evergreen trees must be a minimum of six feet (6) high when planted, except for low creeping shrubs.
- (9) For all new subdivisions and commercial developments, developers shall install one (1) tree per twenty-five feet (25') of street frontage on boulevard or street frontage prior to issuance of occupancy permits.
- (10) Placement of Trees. Trees may not be planted in the boulevard closer than:
 - (a) Twenty (20) feet to a utility or street light pole;
 - (b) Fifteen (15) feet to a driveway or alley;
 - (c) Six (6) feet to a water stop box, or gas shut off;
 - (d) Ten (10) feet to a fire hydrant.
 - (e) Fifteen to thirty (15-30) feet to another tree; or
 - (f) Twenty (20) feet to the intersection of two (2) streets from either corner on the property line.
- (d) **Unlawfully Planted Trees.** Trees or shrubs planted within any terrace or planting easement without the authorization and approval of the Staff Forester may be removed. The Staff Forester shall notify the abutting owner in writing, listing the unlawfully planted trees or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.
- (e) **Frames.** Any person, adjacent to whose land any public tree or shrub is growing in public ways or public property/areas, may, for the propose of protecting such tree or shrub, surround the same with a suitable box or frame or staking for protection, but all such work should be performed under the supervision and direction of the Staff Forester. The City may at its discretion remove frames or landscaping located in public ways or on public properties/areas.

Sec. 6-4-9 Trimming.

- (a) Trees and shrubs standing in or upon any boulevard, public way, public property/area or upon any private premises adjacent to any public way or public property/areas shall be kept trimmed so that the lowest branches projecting over the public way provide a clearance of not less than fourteen (14) feet. The Staff Forester may waive the provisions of this Section for newly planted trees if the Staff Forester determines that the trees(s) do not interfere with public travel, obstruct the light of any street light or endanger public safety.

- (b) The necessity of pruning shall be determined by and may be ordered by the Staff Forester to be completed.
- (c) Clearance from sidewalk to lower branches shall not be less than ten (10) feet. All trees standing upon private property in the City, the branches of which extend over the line of the street, shall be trimmed so that no branch shall grow or hang over the line of the sidewalk lower than ten (10) feet above the level of the sidewalk. No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp.
- (d) No person may remove, trim or fertilize trees in the public right-of-way or on public property unless the work is completed by a licensed arborist or designated agent of the City unless the City gives written permission for another individual to complete such work. No person shall remove or make Major Alterations to trees in the public right-of-way or on public property unless such work is approved in writing by the City Forester, or the City Forester's designee, prior to the completion of work. For the purposes of this subsection the term "Major Alteration" shall mean "trimming or pruning of more than one third (1/3) of the crown of a tree or bush."

Sec. 6-4-10 Trees and Shrubbery Obstructing View at Intersection or View of Traffic Signs.

- (a) Notwithstanding any other provision of this Chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two (2) or more streets or alleys in the City any tree, shrub or other growth which may obstruct the view or life safety of the operator of any motor vehicle or pedestrian approaching such intersection.
- (b) It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- (c) Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel or life safety. The Staff Forester shall notify the abutting owner in writing, listing the planted trees, plants or shrubs, ordering their trimming/removal, and establishing a reasonable time within which such trimming/removal shall be accomplished. In the event that trimming/removal is not accomplished within the time specified, the Board of Public Works may order the trimming/removal such trees, plants or shrubs and property shall be special assessed for the work completed in addition to an administrative fee.

Cross Reference: Traffic Visibility- Section 13-7-13.

Sec. 6-4-11 Prohibited Acts.

- (a) **Damage to Public Trees.** No person shall perform or cause to be performed by others any of the following acts:
 - (1) Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
 - (2) Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.

- (3) Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place concrete/asphalt or other solid substance around the base of the same.
 - (4) Remove any guard, stake, tree gator bag or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
 - (5) Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails, screws or other device to any tree; except that the City may tie official regulatory temporary signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.
 - (6) Cause or encourage any fire or burning near or around any tree.
 - (7) It is prohibited to plant trees that reach a maximum, mature height of greater than twenty-five (25) feet underneath any overhead utility line.
- (b) **Excavations.**
- (1) All trees on any parkway or other publicly owned property near any excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of ten (10) feet from any public tree without a Street Opening / Work in Right-of-Way Permit from the Engineering Department. Any person seeking a permit to excavate near a tree in a public street, alley, highway, or boulevard shall submit a written proposed plan to the Engineering Department as part of the permit application with clear and specific identification of the trees in a public street, alley, highway or boulevard which the person is targeting for excavation. The identification shall include the name and block number(s), address(s) of the street(s) on which the trees are located.
 - (2) The Staff Forester has the authority to approve or deny the permit and assess violations as outlined in this Chapter if the work is not performed in accordance with accepted arboricultural standards. Any public tree that is damaged to the extent of not gaining full recovery in the opinion of the Staff Forester will be replaced through payment from the person causing the damage. Cost will be the value as determined in the City Tree Inventory, if the tree is not part of an inventory the cost will equal \$200/inch measured at diameter breast height or 4.5 feet from ground level.

Sec. 6-4-12 Appeal from Determinations or Orders.

Any person who receives a determination or order under this Chapter from the Staff Forester or the Parks and Recreation Board or its designee and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of Chapter 68, Wis. Stats., to the Parks & Recreation Board or its designee within seven (7) days of receipt of the order. The Parks & Recreation Board or its designee shall hear such appeal within forty-five (45) days of receipt of written notice of the appeal. After such hearing, the Common Council may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Common Council shall, by letter, notify the party appealing the order or determination of its decision within ten (10) days after the hearing has been concluded. The Council shall file its written decision with the City Clerk.

Sec. 6-4-13 Adoption of State Statutes.

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.
State Law Reference: Sections 27.09 and 86.03, Wis. Stats.

Sec. 6-4-14 Violations.

Any person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a forfeiture between fifty (\$50.00) and five hundred (\$500.00) dollars. Each day that such violation is not remedied, shall be considered a separate offense.

Sec. 6-4-15 Emergencies.

The Staff Forester, in the case of emergencies, such as windstorms, ice storms, insect/disease outbreaks or other disasters, may waive the requirements of this Ordinance so that private or public work to restore order in the City is in no way hindered.

Sec. 6-4-16 Severability.

Should any section, subsection, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance in whole or in any part thereof other than the part so declared to be invalid.

Sec. 6-4-17 Arboricultural Standards.

All work performed must be performed in compliance of accepted arboricultural standards.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1512 – 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 9/28/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

Jarrold Holter 9-28-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1514-2015

AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 7,
SECTION 5 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO LICENSE FEES

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 2, Section 5 of the City of Onalaska Code of Ordinances
related to the License Fees is hereby deleted in its entirety and replaced as follows:

Sec. 7-2-5 License Fees.

There shall be the following classes and denominations of licenses which, when issued by the City Clerk under the authority of the Common Council after payment of the fee hereinafter specified shall permit the holder to sell, deal or traffic in intoxicating liquors or fermented malt beverages as provided in Sections 125.04(5), (6); 125.28(1)(a), (b), (d); 125.28(2); 125.31(2)(a); 125.22(1), (2), (4); 125.32(4)(a); 125.31(2)(b); 125.26(2); 125.04(6); 125.17; 125.68(2); 125.32(2); 125.51(2); 125.51(3); or 125.57, Wis. Stats.:

- (a) **Retail Class "A" Intoxicating Liquor License.** To be reviewed annually and accompanied by such fee as set forth on the City of Onalaska Fee Schedule;
- (b) **Retail Class "B" Intoxicating Liquor License.** To be reviewed annually and accompanied by such fee as set forth on the City of Onalaska Fee Schedule. New applications for Retail Class "B" Intoxicating Liquor Licenses shall first be reviewed to see if any "Non-Reserve Class "B" Intoxicating Liquor Licenses are available, if there are no "Non-Reserve Class "B" Intoxicating Liquor Licenses available, applicant will then be reviewed for a Reserve Class "B" Intoxicating Liquor License. Reserve Class "B" Intoxicating Liquor License-Initial/One Time Fee shall be as set forth on the City of Onalaska Fee Schedule Club licenses as defined in Wisconsin Statutes shall be issued for as set forth on the City of Onalaska Fee Schedule..
- (c) **Class "A" Fermented Malt Beverage Retailer's License.** To be reviewed annually and accompanied by such fee as set forth on the City of Onalaska Fee Schedule;
- (d) **Class "B" Fermented Malt Beverage Retailer's License.** A fee as set forth on the City of Onalaska fee schedule or three-fourths (3/4) of that amount for a six (6) month period to be reviewed annually. Class "B" fermented malt beverage retailer's license for brewers shall be pursuant to Sections 125.31(1)(a) and 125.06(1), Wis. Stats;
- (e) **Special Class "B" Fermented Malt Beverage Retailer's License.** To be reviewed per event and accompanied by such fee as set forth on the City of Onalaska Fee Schedule; Three (3) day fermented malt beverage licenses may be issued to bona fide clubs, chamber of commerce, lodges or societies which have been in existence for more than six (6) months or to organizations of ex-military service personnel authorizing them to sell fermented malt beverages at a particular picnic, gathering or meeting: To be reviewed per event and accompanied by such fee as set forth on the City of Onalaska Fee Schedule.

- (f) Wholesaler's License. To be reviewed annually and accompanied by such fee as set forth on the City of Onalaska Fee Schedule;
- (g) Retail Class "C" Wine License. A fee as set forth on the City of Onalaska Fee Schedule or ¾ of that amount for a period of six (6) months or less to be reviewed annually.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1514 – 2015

Please route in this order

Cari Burmaster, City Clerk

C. Burmaster
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1515-2015

AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 7,
SECTION 16 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO RESTRICTIONS ON TEMPORARY CLASS "B" FERMENTED MALT
BEVERAGE OR WINE LICENSES

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 2, Section 16 of the City of Onalaska Code of Ordinances related to the Temporary Class "B" Fermented Malt Beverage or Wine Licenses is hereby deleted in its entirety and replaced as follows:

Sec. 7-2-16 Restrictions on Temporary Class "B" Fermented Malt Beverage or Wine Licenses.

It shall be unlawful for any person or organization on a temporary basis to sell or offer to sell any alcohol beverage upon any City-owned property or privately-owned property within the City of Onalaska, except through the issuance of temporary Class "B" license issued by the Common Council in accordance with Wisconsin State Statutes and as set forth in this Section. A temporary Class "B" license authorizing the sale and consumption of fermented malt beverages or wine on City-owned property or privately-owned property may be authorized by the Common Council provided the following requirements are met, except that the Council may waive or modify certain requirements due to the physical characteristics of the licensed site:

- (a) **Compliance with Eligibility Standards.** The organization shall meet the eligibility requirements of a bona fide club, association, chamber of commerce, lodge or society as set forth in Section 125.26(6) and Section 125.51(1) Wis. Stats. as applicable, and shall fully comply with the requirements of this Section and Section 11-4-1.
- (b) **Posting of Signs and Licenses.** All organizations issued a liquor license shall post in a conspicuous location at the main point of sale and at all remote points of sale a sufficient number of signs stating that no fermented malt beverage shall be served to any under-age person.
- (c) **Fencing.** All organizations shall install a double fence around the main point of sale when the main point of sale is outside or in a temporary structure to control ingress and egress and shall continually station a licensed operator or security guard at the entrance of the main point of sale for the purpose of checking age identification. There shall be only one (1) point of ingress and egress whether the main point of sale is indoors or outdoors. The double fence shall be a minimum of four (4) feet high and a minimum of six (6) feet between fences. A single eight (8) foot chain link fence may be used to meet the fence requirements.
- (d) **Wine Walks and Events with Multiple Locations.** Up to twenty (20) licenses may be issued to the applying organization for the same event if all of the following apply:
 - (1) Each license is issued for the same date and times and the applying organization is the sponsor of an event held at multiple locations within the municipality on the date and times in which the temporary license is applied for.

(2) An admission fee is charged for participation in the event and no additional fee is charged for service of alcohol at the event.

(3) The duration of the event cannot exceed one (1) day.

(4) Within the immediate 12 month period, the applying organization has been issued fewer than 2 temporary class B licenses under this Ordinance.

(5) For purposes of the 2-license limit, each event for which multiple licenses are issued shall count as one license toward the 2-license limit, as set forth in Wis. Stat. 125.51 as may be amended.

(6) No person or organization may serve wine after 9 p.m. on premises covered by a temporary class "B" license issued under this Section.

(d) **Underage Persons Prohibited.** No underage persons as defined by the Wisconsin Statutes shall be allowed to assist in the sale of fermented malt beverage at any point of sale, nor shall they be allowed to loiter or linger in the area of any point of sale.

(e) **Licensed Operators Requirement.** A licensed operator shall be stationed at all points of sales at all times. The Council may require that police officers be employed to monitor the event.

(f) **Permitted Cups or Cans Only.** Intoxicants will be sold outside only in foam or plastic cups, or cans.

(g) **Additional Requirements.** In addition, requesting organizations shall comply with the following:

(1) When the event sponsored by the requesting organization is to take place on City park property, the organization shall work closely with the City officials in locating, setting up and identifying the size of the snow fence area. Such information shall be made part of the temporary Class "B" license application.

(2) When the event sponsored by the requesting organization is to take place on City owned property other than park property and/or privately owned property, the organization shall work closely with the Police Department in locating and setting up the snow fence area. The Chief of Police shall work closely with the requesting organization in identifying the size of the fenced-in area and the exact location. Such information shall be made part of the temporary Class "B" license application. For indoor events, the structure used must have suitable exits and open spaces to accommodate anticipated attendance. It shall contain adequate sanitary facilities to accommodate the size of the group.

(h) **Insurance.** The applicant for a temporary Class "B" fermented malt beverage or wine license may be required to indemnify, defend and hold the City and its employees and agents harmless against all claims, death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant may be required to furnish a Certificate of Comprehensive General Liability insurance with the City of Onalaska. The applicant may be required to furnish a performance bond prior to being granted the temporary Class "B" license.

Cross Reference: Section 11-4-1.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burnmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1515 – 2015

Please route in this order

Cari Burmaster, City Clerk

C. Burmaster

(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1516-2015

**AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 7,
SECTION 4 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO CLASSES OF LICENSES**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 7, Chapter 2, Section 4 of the City of Onalaska Code of Ordinances related to the Classes of Licenses is hereby deleted in its entirety and replaced as follows:

Sec. 7-2-4 Classes of Licenses.

- (a) **Retail Class "A" Intoxicating Liquor License.** A retail Class "A" intoxicating liquor license, when issued by the City Clerk under the authority of the Common Council, shall permit its holder to sell, deal and traffic in intoxicating liquors only in original packages or containers and to be consumed off the premises so licensed.
- (b) **Retail Class "B" Intoxicating Liquor License.** A retail Class "B" intoxicating liquor license, when issued by the City Clerk under authority of the Common Council, shall permit its holder to sell, deal and traffic in intoxicating liquors to be consumed by the glass only on the premises so licensed and in the original package or container in multiples not to exceed four (4) liters at any one (1) time, to be consumed off the premises, except that wine may be sold in the original package or otherwise in any other quantity to be consumed off the premises.
- (c) **Class "A" Fermented Malt Beverage Retailer's License.** A Class "A" retailer's fermented malt beverage license, when issued by the City Clerk under the authority of the Common Council, shall entitle the holder thereof to possess, sell or offer for sale fermented malt beverages only for consumption away from the premises where sold and in the original packages, containers or bottles.
- (d) **Class "B" Fermented Malt Beverage Retailer's License.** A Class "B" fermented malt beverage retailer's license, when issued by the City Clerk under the authority of the Common Council, shall entitle the holder thereof to possess, sell or offer for sale, fermented malt beverages, either to be consumed upon the premises where sold or away from such premises. The holder may also sell beverages containing less than one-half (1/2) of a percentum of alcohol by volume, without obtaining a special license to sell such beverages.
- (e) **Class "B" Outdoor Venue License.** A Class "B" Outdoor Venue License, when issued by the City Clerk under authority of the Common Council, as provided for in Sec. 125.26, Wis. Stats., shall entitle the holder of a Class B Fermented Malt Beverage Retailer's License to keep, maintain, conduct or operate any outdoor venue. All requirements set forth in Sec. 7-2-18 must be satisfied prior to a Class "B" Outdoor Venue License being issued.
- (f) **Temporary Class "B" Fermented Malt Beverage or Wine License.**
 - (1) **License.** A temporary Class "B" fermented malt beverage or wine license, when issued by the City Clerk under authority of the Common Council, as provided for in Sec. 125.26(6) and Sec. 125.51(10), Wis. Stats., shall entitle the holder thereof to possess, sell or offer for sale fermented malt beverages, wine or both at a particular picnic, post

meeting, fair or similar gathering. Such license may be issued only to bona fide clubs, state, county or local fairs, chamber of commerce, associations or agricultural societies, lodges or societies that have been in existence for not less than six (6) months prior to the date of application for such license or to posts of ex-servicemen's organizations now or hereafter established. Such license is valid for dates as approved by the Common Council. Irrespective of other Sections of this Chapter, the Common Council is hereby authorized to issue a fermented malt beverage or wine license to any local civic, or any local religious or any local not-for-profit organization pursuant to this Section.

- (2) **Application.** Application for such license shall be signed by the president or corresponding officer of the organization making such application and shall be filed with the City Clerk together with the appropriate license fee as set forth on the City of Onalaska Fee Schedule. Such application shall clearly specify whether the application is for fermented malt beverages, wine or both. Any person fronting for any group other than the one applied for shall, upon conviction thereof, be subject to a forfeiture of Two Hundred Dollars (\$200.00) and will be ineligible to apply for a special Class "B" license for one (1) year. The license shall specify the hours and dates of license validity. The application for an event lasting more than four (4) days shall be filed a minimum of fifteen (15) days prior to the meeting of the Common Council at which the application will be considered. The application for an event lasting four (4) days or less shall be filed a minimum of five (5) days prior to the meeting of the Common Council at which the application will be considered. If the application is for a license to be used in a City park, the applicant shall specify the main point of sale facility.
- (3) **Issuance by City Clerk.** Any license under this Subsection may be issued directly by the City Clerk without approval of the Common Council in the event that the City Clerk determines that all criteria for the issuance of such license are met and the person or entity seeking such license has previously been issued a Temporary Class "B" Fermented Malt Beverage or Wine License by the City of Onalaska within three (3) years prior to the date of application for the current license. In the event such person or entity has not previously been issued a license as set forth hereunder, the application for the license currently being sought must be approved by the Common Council before issuance.
- (4) **Limitation on Number of Licenses.** An organization may not be issued more than 2 licenses for a temporary class "B" license for Fermented Malt Beverages or Wine in any 12-month period except as provided in Section 7-2-16(d).
- (g) **Wholesaler's License.** A wholesaler's fermented malt beverage license, when issued by the City Clerk under authority of the Common Council, shall entitle the holder thereof to possess, sell or offer for sale fermented malt beverages only in original packages or containers to dealers, not to be consumed in or about the premises of said wholesaler.
- (h) **Retail Class "C" Wine License.** A retail Class "C" wine license, when issued by the City Clerk under the authority of the Common council, shall permit its holder to sell, deal, and traffic in wine to be consumed by the glass or in an opened original container for consumption on the premises where sold.

Cross Reference: Section 7-2-17.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1516 – 2015

Please route in this order

Cari Burmaster, City Clerk

C. Burmaster
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1517-2015

**AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 9,
SECTION 28 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
SERVICE CONNECTIONS**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 9, Chapter 1, Section 28, subsection (d) of the City of Onalaska Code of Ordinances related to the Service Connections (or Water Laterals) is hereby deleted in its entirety and replaced as follows:

(d) Water service from the main to the curb stop shall use type "K" copper for three-fourths (3/4) inch to two (2) inch diameter pipe. The type of pipe for installations in excess of two (2) inches shall be determined by the City of Onalaska. All water services from the main to the meter stops for new construction shall be a minimum of one (1) inch. All water services from the curb stop to the meter, whether new or replacement, shall be one (1) inch.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1517 - 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 10/27/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrod Holter, City Engineer

C. Holter 10-27-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 10-29-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1518-2015

**AN ORDINANCE TO CREATE CHAPTER 1 OF TITLE 1,
SECTION 10 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO CITY OF ONALASKA FEE SCHEDULE**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Title 1, Chapter 1, Section 10 of the City of Onalaska Code of Ordinances
related to the Classes of Licenses is hereby deleted in its entirety and replaced as follows:

Sec. 1-1-10 City of Onalaska Fee Schedule.

There shall be a City of Onalaska Fee Schedule approved annually by the Common Council
which shall set forth all of the fees charged by the City of Onalaska.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and
prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1518 – 2015

Please route in this order

Cari Burmaster, City Clerk

C. Burmaster

(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

RESOLUTION 44- 2015

RESOLUTION TO APPROVE 2016 FEE SCHEDULE

WHEREAS, the City of Onalaska maintains numerous fee provisions for payment of licenses, permits and other municipal services;

WHEREAS, such fees have previously been listed in the various City of Onalaska ordinances chapters making them difficult to locate by residents and patrons of the City of Onalaska;

WHEREAS, having a master fee schedule will provide residents, patrons and City employees with one location for all fees charged by the City of Onalaska;

WHEREAS, having one master fee schedule will allow for easier review of the fees on an annual basis and allowing the City to ensure fees are appropriate for the services provided;

NOW, THEREFORE, BE IT RESOLVED, that the City of Onalaska approves the City of Onalaska Fee Schedule attached hereto as Exhibit A for the year 2016 and orders such fee schedule to be made available to the public on the City of Onalaska website, the City Clerk's office and any office in which such fees are imposed.

Dated this ____ day of December, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

City of Onalaska

Type of Fee	Fee Amount	Ordinance Reference	When Due	
CLERK/FINANCE DEPARTMENT FEES				
Liquor/Beer				
Class A Beer	\$75.00	7-2-5 (c)	Annual	
Class A Liquor	\$425.00	7-2-5(a)	Annual	
Class B Beer	\$100.00	7-2-5(d)	Annual	
Class B Liquor	\$450.00/\$10,000.00	7-2-5(b)	Annual	
Picnic Class B	\$10.00	7-2-5(e)	Annual	
Class C Wine	\$100.00	7-2-5(g)	Annual	
Outdoor Venue	\$100.00/\$15.00	7-2-18(a)	Upon Application	
Publication	\$10.00	7-2-6 (c)	Annual	
Cigarette	\$100.00	7-3-2-(b)	Annual	
Operator	\$25.00/\$15.00 Provisionals \$3.00/\$5.00		Annual	
Change of Agent	\$10.00	7-2-11(b)	Upon Application	
Transfer of Liquor License	\$10.00	7-2-11(a)	Upon Application	
Hotel/Motel				
	\$30.00/ 2 yr	7-5-4		
	\$25.00/1 yr			
Mobile Home Parks				
1 to 25	\$25.00	7-17-2(a)(b)	Monthly	
25 to 50	\$50.00	7-17-2 (a)(b)	Monthly	
51 to 75	\$75.00	7-17-2(a)(b)	Monthly	
over 100	\$100.00	7-17-2(a)(b)	Monthly	
Taxi Cabs				
	\$125.00	7-6-1(d)	5/15 each yr	
Weights and Measures				
	\$50.00 plus \$10.00/device \$7.00 timer device	7-15-1(f); 7-15-1(j)(1-3)	Annual	By July 1
Pawn Broker				
	\$210.00	7-13-1	Annual	By Jan. 1
Second Hand Article Dealer				
	\$27.50	7-13-1	Annual	By Jan. 1
Second Hand Jewelry Dealer				
	\$30.00	7-13-1	Annual	By Jan. 1
Second Hand Article Dealer/ Mall or Flea Market				
	\$165.00	7-13-1	Bi-Annual	By May 1
Junk Dealer				
	\$125.00	7-16-3(a)	Annual	
Itinerant Junk Dealer				
	\$20.00	7-16-3(b)	Annual	
Solititors				
	\$40.00/\$20.00	7-4-4 (c)(1)	Upon Application	Valid 90 days
Firework				
Display	\$0.00	7-7-1(b)(3)	per event	
Sales	\$50.00	7-7-1(b)(2)	Upon application	
Carnival				
	\$50.00	7-11-1(d)(2)	Per Event	
Recreational Burn				
	\$40.00/ 2 year	5-2-9©(1)	Bi annual	

City of Onalaska

Cemetery Fees				
Plot	\$780.00	8-4-3(2)		
Infant	\$260.00	8-4-3 C(3)		
Opening Fees Adult				
Full Burial M-F	\$675.00	8-4-3 (c)(2)		
Ashes M-F	\$325.00	8-4-3 (c)(3)		
Full Saturday	\$840.00	8-4-3 (c)(2)		
Ashes Saturday	\$400.00	8-4-3 (c)(3)		
Full Sunday/Holiday	\$950.00	8-4-3 (c)(2)		
Ashes Sunday/Holiday	\$450.00	8-4-3 (c)(3)		
Transfer Fee	\$60.00	8-4-3 (d)(2)		
Opening Fees Infant				
Full Burial M-F	\$275.00	8-4-3 (c)(1)		
Ashes M-F	n/a	8-4-3 (c)(3)		
Full Saturday	\$350.00	8-4-3 (c)(1)		
Ashes Saturday	n/a	8-4-3 (c)(3)		
Full Sunday/Holiday	\$400.00	8-4-3 (c)(1)		
Ashes Sunday/Holiday		8-4-3 (c)(3)		
Replacement Animal Tags/ Various Licenses				
	\$5.00	7-1-3 (3)		
Dogs/Cat (spayed or neutered)	\$13.00	7-1-3 (3)		
Dogs/Cat (intact)	\$23.00	7-1-3 (3)		
NSF				
	\$30.00			
Administration Fee				
	\$40.00			
Public Records				
	\$.25 per page/\$5.00 per CD	3-3-4(f)		
Title Searches				
	\$30.00 (\$25.00 Clerk & \$5.00 Water Department)			
Special Common Council Meeting				
	\$25.00	2-2-11(b)		
Tax Exempt				
	\$20.00/parcel			
PARKS AND RECREATION FEES				
Building				
Rowe Park				
Shelter #1 (Capacity 100)				
Group 1	N/C			
Group 2	\$25.00			
Group 3	\$55.00			
Group 4	\$80.00			
Shelter #2 (Capacity 90)				
Group 1	N/C			
Group 2	\$25.00			
Group 3	\$55.00			
Group 4	\$80.00			

<u>Community Park</u>				
Park Shelter (Capacity 75)				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$55.00		
Group 4		\$80.00		
Lions Shelter (Capacity 75)				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$50.00		
Group 4		\$75.00		
<u>Glen Fox Park</u>				
Park Shelter (Capacity 75)				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$55.00		
Group 4		\$80.00		
<u>Van Riper Park</u>				
Shelter #1 (Capacity 75)				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$75.00		
Group 4		\$100.00		
Shelter #2 (Capacity 75)				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$50.00		
Group 4		\$75.00		
<u>Community Center</u>				
1/2 Day (4 hours) -Cap. 100				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$75.00		
Group 4		\$100.00		
Full Day (Capacity 100)				
Group 1		N/C		
Group 2		\$50.00		
Group 3		\$125.00		
Group 4		\$175.00		
<u>Omni Center</u>				
Shelter 1/2 Day (Four hours) (Capacity 200)				
Group 1		\$25.00		
Group 2		\$75.00		
Group 3		\$125.00		
Group 4				
Shelter Full Day (Capacity 200)				
Group 1		N/C		
Group 2		\$50.00		
Group 3		\$100.00		
Group 4		\$175.00		

City of Onalaska

Meeting Room (Capacity 75)				
Group 1		N/C		
Group 2		Call 781-9566 x603 to book		
Group 3		Call 781-9566 x603 to book		
Group 4		Call 781-9566 x603 to book		
Banquet Hall (Capacity 250)				
Group 1		N/C		
Group 2		Call 781-9566 x603 to book		
Group 3		Call 781-9566 x603 to book		
Group 4		Call 781-9566 x603 to book		
Sports Fields (No Lights)				
Community Park				
Group 1		N/C		
Group 2		\$20.00		
Group 3		\$50.00		
Group 4		\$75.00		
Van Riper Park				
Group 1		N/C		
Group 2		\$20.00		
Group 3		\$50.00		
Group 4		\$75.00		
Sports Field (Lights)				
Community Park				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$75.00		
Group 4		\$150.00		
Van Riper Park				
Group 1		N/C		
Group 2		\$25.00		
Group 3		\$75.00		
Group 4		\$150.00		
ZONING/PLANNING PERMIT FEES				
Preliminary Plat	\$200 + \$25/lot		13-9-76 (d)(1)	
Final Plat	\$150 + \$10/lot		13-9-76 (e) (1)	
Certified Survey Map	\$75 + \$10/lot		13-9-76 (a)	
Rezoning	\$300.00		13-8-9 (a) (3)	
PCID/PUD	\$700.00		13-1-47(b)	
Conditional Use Permit	\$250.00		13-8-9 (a) (5)	
Conditional Use-Class 1 Collocation	\$3,000.00		13-6-6(1)(E)(2)(x)	
Conditional Use-Class 2 Collocation	\$250.00		13-6-6(1)(F)(4)	
Conditional Use-Radio Broadcast/Antenna	\$250.00		13-6-6(2)(b)(2)(vi)	
Variance	\$300.00		13-8-40(a), 13-8-41(f)	
Board of Zoning				
Administrative Appeals	\$100.00			
Street Vacations/Right of Way Discontinuance	\$300.00			
Republication Fee*	\$100.00			
* for CUP, Rezoning/PUD, Variance, Street Vacation/ROW Discontinuance				
Zoning Verification Letters	\$24/residential \$100/commercial			
Sign				
if under 35 square feet	\$20.00		13-6-19(c)	
if over 35 square feet	\$.60/per square foot		13-6-19(c)	

City of Onalaska

Impact Fees			
Green Fee	\$638.47/acre		
Park Fee/Unit	\$922.21/unit		
Park Fee/Unit w/Land	\$448.52/unit		
Topography Map	\$10/acre	13-9-76 (b)	
Stormwater Permit Application Fees			
Residential			
<1 acre of disturbance	\$75.00	15-2-8; 15-2-6(c)	
>1 acre of disturbance	\$150.00	15-2-8; 15-2-6(c)	
Commercial			
<1 acre of disturbance	\$100.00	15-2-8; 15-2-6(c)	
>1 acre of disturbance	\$200.00	15-2-8; 15-2-6(c)	
Subdivision/Condo Plat			
<10 acres	\$200.00	15-2-8; 15-2-6(c)	
>10 acres	\$400.00	15-2-8; 15-2-6(c)	
Permit Fees will double if work is commenced before permit is issued			
Erosion Control Permit Application Fees			
		15-2-8; 15-2-6(c)	
<1 acre of disturbance	\$75.00	15-1-15(a)	
>1 acre of disturbance	\$150.00	15-1-15(a)	
Commercial			
<1 acre of disturbance	\$100.00	15-1-15(b)	
>1 acre of disturbance	\$200.00	15-1-15(b)	
Subdivision/Condo Plat			
<10 acres	\$200.00	15-2-8; 15-2-6(c)	
>10 acres	\$400.00	15-2-8; 15-2-6(c)	
Permit Fees will double if work is commenced before permit is issued			
Fill/Excavation Permit Application Fees			
<1 acre of disturbance	\$75.00		
>1 acre of disturbance	\$150.00		
Commercial			
<1 acre of disturbance	\$100.00		
>1 acre of disturbance	\$200.00		
Subdivision/Condo Plat			
<10 acres	\$200.00		
>10 acres	\$400.00		
Permit Fees will double if work is commenced before permit is issued			
Building Inspection:			
Residential Permit Fees			
Building, adding, altering and placing accessory structures (includes porches, decks and egress windows)	\$0.25/square feet of all area (\$50.00 minimum fee)	15-1-15 (a)	
Swimming Pools (over 15 feet in diameter)	\$50.00	15-1-15(a)	
Razing/Demolition (over 200 square feet)	\$50.00	15-1-15(a)	
Residential Moving	\$60.00 + \$0.25/square feet of new foundation	15-1-15(a)	
Residential Certificate of Completion	\$25.00	15-1-15(a)	
Residential Zoning Permit (Plan Review)	\$50.00	15-1-15(a)	

City of Onalaska

Residential Roofing (over 200 square feet)	\$50.00	15-1-15(a)		
Erosion Control		15-1-15(a)		
<1 acre of disturbance	\$75.00	15-1-15(a)		
>1 acre of disturbance	\$150.00	15-1-15(a)		
Reinspection Fee	\$50.00	15-1-15(a)		
Permit Fees will double if work is commenced before permit is issued				
Commercial Permit Fees				
Commercial (Non warehouse) and Multi Family Structures	\$0.40/square feet for first 15,000 square feet, add \$0.20 additional square feet (\$100 minimum and \$40,000 max)	15-1-15(b)		
Remodeling and Build-outs	\$0.40/square feet for first 15,000 square feet, add \$0.15 additional square feet (\$100 minimum and \$40,000 max)	15-1-15(b)		
Commercial City Construction Plan Review	\$80/hr	15-1-15(b)		
	(new or addition less than 50,000 ft ² or alterations less than 100,000 ft ²)			
Commercial Warehouse Structure	\$0.25/sq. ft. for first 15,000 sq. ft. and \$0.15 per additional sq. ft. (\$40,000 Max. \$100 Min.)	15-1-15(b)		
Commercial Wrecking	\$100.00	15-1-15(b)		
Commercial Moving	\$60 + \$0.40/square feet for new foundation	15-1-15(b)		
Commercial Certificate of Completion	\$50.00	15-1-15(b)		
Multi-Family Certificate of Completion	\$20.00 + \$5.00/unit	15-1-15(b)		
Commercial Roofing over 1,000 square feet	\$100.00	15-1-15(b)		
Commercial Miscellaneous (misc. interior and exterior modifications)	\$100.00	15-1-15(b)		
Class 1 Collocation	\$600.00			
Class 2 Collocation /Radio Broadcasting	\$250.00			
Electrical Permit Fees:				
	Based on Project Value (including time and materials)			
\$0-\$2,000	\$40.00	15-1-73 (2) (a)		
\$2,001 - \$3,000	\$50.00	15-1-73 (2) (a)		
\$3,001 - \$4,000	\$60.00	15-1-73 (2) (a)		
\$4,001 - \$5,000	\$70.00	15-1-73 (2) (a)		
\$5,001 - \$6,000	\$80.00	15-1-73 (2) (a)		
\$6,001 - \$7,000	\$90.00	15-1-73 (2) (a)		
\$7,001- \$8,000	\$100.00	15-1-73 (2) (a)		
\$8,001 - \$9,000	\$110.00	15-1-73 (2) (a)		
\$9,001 - \$10,000	\$120.00	15-1-73 (2) (a)		
>\$10,000	\$120 & add \$3/additional \$1,000	15-1-73 (2) (a)		
Re-Inspection Fee	\$50.00	15-1-73 (2) (a) (a)		
Permit Fees will double if work is commenced before permit is issued				
		15-1-73 (2) (a) (b)		

City of Onalaska

HVAC Permit Fees:		Based on Project Value (including time and materials)	
\$0 - \$2,000 (total cost)	\$40.00	15-1-57 (a)	
\$2,001 - \$3,000	\$45.00	15-1-57 (a)	
\$3,001 - \$4,000	\$55.00	15-1-57 (a)	
\$4,001 - \$5,000	\$65.00	15-1-57 (a)	
\$5,001 - \$6,000	\$75.00	15-1-57 (a)	
\$6,001 - \$7,000	\$85.00	15-1-57 (a)	
\$7,001 - \$8,000	\$95.00	15-1-57 (a)	
\$8,001 - \$9,000	\$105.00	15-1-57 (a)	
\$9,001 - \$10,000	\$115.00	15-1-57 (a)	
>\$10,000	\$115 add \$2.50/additional \$1,000	15-1-57 (a)	
Re-Inspection Fee	\$50.00		
Permit Fees will double if work is commenced before permit is issued			
Plumbing Permit Fees		Based on Project Value (including time and materials)	
\$0 - \$2,000 (total cost)	\$30.00	15-1-35 (b)	
\$2,001 - \$10,000	\$15.00 per \$1,000 or part thereof	15-1-35 (b)	
\$10,001 - \$50,000	\$150 for first \$10,000 & add \$4/additional \$1,000 or part thereof	15-1-35 (b)	
>\$50,000	\$325 for each \$50,000 plus \$3.50 for each additional \$1,000 or part thereof	15-1-35 (b)	
Underground Sprinklers	\$10.00 per \$1,000 or part thereof	15-1-35 (c)	
Sewer Connection	\$30.00	15-1-35 (d)	
Sewer Relay	\$30.00	15-1-35 (e)	
Water Connection	\$30.00	15-1-35 (f)	
Water Relay	\$30.00	15-1-35 (g)	
New Well Permit	\$5,000.00	9-1-50(d)(4)	
Well Permits	\$25.00	15-1-35 (h)	
Lift Station/Sanitary Sewer Service Fees in Certain Areas**	In addition to the foregoing there shall be a connection charge for certain areas:	15-1-35 (i)	
Area A:	\$20/connection		
Area B:	\$38/connection		
Area C: East Aven N. Zone	\$1,102/acre		
Area D: Green Coulee Zone	\$312		
Area E: Pralle Annexation Zone	\$727/acre		
Area F: State Road 16 Zone	\$812/acre		
Greens Coulee High Pressure Zone**	\$2,061/acre* -min. 1 acre	** Based on CPIU Midwest District CPI on 1/1 of each year	
Re-Inspection Fee	\$50.00	15-1-35 (k)	
Permit Fees will double if work is commenced before permit is issued			
Miscellaneous Permit Fees			
Sidewalk	\$15/stretch	6-2-2 (d) (1)	
Street Opening	\$25.00 (with Public Works Permission)	6-2-3 (f) (2)	
Driveway Approaches	\$20/opening	6-2-4	
Street Privelege/Dumpster	\$25.00	6-2-7 (c)	

City of Onalaska

Printing Fees				
Black and White Copies/Prints				
8 1/2 x 11 - Letter Size		\$0.25		
8 1/2 x 14 - Legal Size		\$0.50		
11 x 17 Ledger Size		\$0.50		
17 x 22 -Arch C		\$3.00		
22 x 34 -Arch D		\$5.00		
34 x 44 - E size, up to Arch E		\$6.00		
Small Street Maps		\$2.00		
Large Street Maps		\$10.00		
Color Copies/Prints				
8 1/2 x 11 - Letter Size		\$1.00		
8 1/2 x 14 - Legal Size		\$1.00		
11 x 17 Ledger Size		\$2.00		
17 x 22 -Arch C		\$9.00		
22 x 34 -Arch D		\$12.00		
34 x 44 - E size, up to Arch E		\$15.00		
Aerial Photo & Full Color Maps-Copies or Prints				
8 1/2 x 11 - Letter Size		\$1.00		
8 1/2 x 14 - Legal Size		\$1.00		
11 x 17 - Ledger Size		\$2.00		
17 x 22 - Arch C		\$15.00		
22 x 34 - Arch D		\$20.00		
34 x 44 - E size, up to Arch E		\$30.00		
Small Zoning Maps (color only)		\$10.00		
Large Zoning Maps (color only)		\$15.00		
Query/Service Products				
Products that require the creation of an original document by a staff person involving computer time, calculations and/or data retrieval				
Black and White				
8 1/2 x 11 - Letter Size		\$1.00		
8 1/2 x 14 - Legal Size		\$1.00		
11 x 17 Ledger Size		\$2.00		
17 x 22 -Arch C		\$15.00		
22x34-Arch D		\$17.00		
34x44 -E size up to Arch E		\$19.00		
Color Prints				
8 1/2 x 11 - Letter Size		\$2.00		
8 1/2 x 14 - Legal Size		\$2.00		
11 x 17 Ledger Size		\$4.00		
17 x 22 -Arch C		\$18.00		
22x34-Arch D		\$21.00		
34x44 -E size up to Arch E		\$24.00		
Aerial Photo & Full Color Maps-Prints				
8 1/2 x 11 - Letter Size		\$2.00		
8 1/2 x 14 - Legal Size		\$2.00		
11 x 17 Ledger Size		\$4.00		
17 x 22 -Arch C		\$24.00		
22x34-Arch D		\$29.00		
34x44 -E size up to Arch E		\$39.00		
Misc.				
Mailing Labels		\$1.00 per page		
Faxes		.25 per page		

ORDINANCE NO. 1520 -2015

**AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 9,
SECTIONS 34 AND 35 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO STOP BOXES AND THE INSTALLATION OF METERS AND METER
TRANSCIEVER UNITS**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 9, Chapter 1, Section 34 and Section 35 of the City of Onalaska Code of Ordinances related to the Stop Boxes and Installation of Meters and Meter Transceiver Units are hereby deleted in its entirety and replaced as follows:

Sec. 9-1-34 Stop Boxes.

The property owner shall protect the stop box in the terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate the stop box and shut off the water in case of a leak on the consumer's premises.

Stop box shall be set to flush grade with finished elevations and be operable prior to occupancy of any new structure. If installation falls within concrete or asphalt, stop box must be protected by a Utility provided sleeve.

Sec. 9-1-35 Installation of Meters and Meter Transceiver Unit (MXU)

Meters will be furnished and placed by the utility in replacement applications, meters will be furnished to a licensed plumber for installation in new locations. Meters are not to be disconnected or tampered with by the consumer or property owner. All meters shall be so located that they shall be protected from obstructions and permit ready access, defined as a three foot by three foot clear are, six feet in height, thereto for reading, inspection and servicing, such location to be designated or approved by the Utility. MXU shall have wires to meter securely fastened and MXU shall be installed at highest vertical elevation available. All piping within the building must be supplied by the consumer. (See Section 9-1-15).

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1520 – 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 10/27/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

J. Holter 10-27-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jeff Trotnic, Chief of Police

Jeff Trotnic 10/29/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 10-30-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

PACKET: 01342 License Packet NOV OPERATORS

SEQUENCE: License #

ID	PERIOD	-----NAME-----		LICENSE CODE
01502	10/07/15- 6/30/17	LUND	DYLAN	OPRATOR OPERATORS - 2 YEAR
01505	10/12/15- 6/30/17	STOTESBERY	ASHLEY NICOLE	OPRATOR OPERATORS - 2 YEAR
01506	10/13/15- 6/30/17	BREY	NATHAN	OPRATOR OPERATORS - 2 YEAR
01507	10/15/15- 6/30/17	SIMON	PEGGY A	OPRATOR OPERATORS - 2 YEAR
01508	10/20/15- 6/30/17	MORATTO	MATTHEW	OPRATOR OPERATORS - 2 YEAR
01509	10/27/15- 6/30/17	BOYLAN	SHANNON	OPRATOR OPERATORS - 2 YEAR
01511	10/27/15- 6/30/17	DIELS	PAIGE	OPRATOR OPERATORS - 2 YEAR
01512	10/27/15- 6/30/16	WINTERS	ZACKARY	OPRATOR OPERATORS - 1 YEAR
01515	10/30/15- 6/30/16	KLOSS	CHRISTOPHER	OPRATOR OPERATORS - 1 YEAR
01516	11/02/15- 6/30/16	OAKES	DANIEL	OPRATOR OPERATORS - 1 YEAR
03069	10/22/15- 6/30/17	HAUSER	DANIEL	OPRATOR OPERATORS - 2 YEAR
04637	10/09/15- 6/30/16	HOILAND	DYLAN	OPRATOR OPERATORS - 1 YEAR

RESOLUTION NO. 42-2015 (revised)

**A RESOLUTION TO WITHDRAWAL FROM THE LOCAL
GOVERNMENT PROPERTY INSURANCE FUND**

TO: THE HONORABLE MAYOR AND COMMON COUNCIL OF THE
CITY OF ONALASKA, WI

WHEREAS, pursuant to the requirements of s.605.21 (3) Wisconsin Statutes, the City of Onalaska will be providing a certified notice to the Local Government Property Insurance Fund that by a majority vote, the Council elects to withdraw from the fund,

WHEREAS, the City of Onalaska has policy #140520 to be canceled 01/01/2016,

NOW THEREFORE BE IT RESOLVED, that the City Clerk certifies by majority vote, the Common Council voted to withdraw from the Local Government Property Insurance Fund on November 10, 2015:

Dated this 10th day of November 2015

CITY OF ONALASKA

BY:

Joe Chilsen, Mayor

Caroline Burmaster, City Clerk

Passed:
Approved:
Published:

ORDINANCE NO. 1513-15

**AN ORDINANCE TO ANNEX LAND LOCATED IN THE SOUTHEAST ¼ OF THE
NORTHWEST ¼ IN SECTION 10, TOWNSHIP 16 NORTH, RANGE 7 WEST
FROM THE TOWN OF MEDARY TO THE CITY OF ONALASKA**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Proper petition for direct annexation by unanimous approval, signed by all the owners of all real property in such territory and all of the electors residing in such territory, having been presented to the Common Council of the City of Onalaska, requesting the annexation of the territory described in Exhibit A which is attached hereto and incorporated herein to the City of Onalaska, Wisconsin from the Town of Medary, La Crosse County, Wisconsin. The population of the area annexed is two (2).

IT IS HEREBY ORDAINED that the above-described property and the same is hereby annexed to the City of Onalaska, Wisconsin, and it is further ordained that the corporate limits of the City of Onalaska are hereby amended to include the above-described property within the corporate limits of the City of Onalaska, Wisconsin.

SECTION II. Sec. 2-1-3(b) of the Code of Ordinances of the City of Onalaska entitled "Ward and Aldermanic District Boundaries" is hereby amended to include the above-described property within the boundaries of Ward 11 in the Third Aldermanic District.

SECTION III. The property is hereby zoned R-1 Single-Family Residential and all of the provisions of the Code of Ordinances of the City of Onalaska governing said zoning classification shall apply hereto.

SECTION IV. This Ordinance shall take effect and be in force from and after its passage.

Dated this _____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

EXHIBIT A

Legal Description for Tax Parcel No. 9-110-0

Part of the SE ¼ of the NW ¼, Section 10, T16N-R7W, Town of Medary, La Crosse County, Wisconsin, described as follows:

Commencing at the North ¼ corner of Section 10, thence S 25°20'39" W 1488.42 feet to the South right-of-way line of County Road "OS" and the point of beginning of this description:

thence S 00°41'28" E 226.04 feet to the southeast corner of that parcel described in Document Number 1543548;

thence, along the South line of said parcel and its westerly prolongation, S 88° 55'50" W 226.30 feet to the West right-of-way line of Pralle Road;

thence, along said West line, N 01°02'38" W 204.57 feet to the South right-of-way line of County Road "OS";

thence, N 83°32'38" E 228.71 feet to the point of beginning.

Subject to any easements, covenants and restrictions of record.

FISCAL IMPACT OF ORDINANCE 1513 – 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 10/16/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

C. Holter 10-29-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jeff Trotnic, Chief of Police

[Signature]
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 10-29-15
(signature)

No Fiscal Impact

Budgeted Item Act 317 costs

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1519-2015

AN ORDINANCE TO AMEND ARTICLE B OF CHAPTER 1 OF TITLE 15,
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
PLUMBING CODE

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Article B, Title 15, Chapter 1, of the City of Onalaska Code of Ordinances
related to the Plumbing Code is hereby deleted in its entirety and replaced as follows:

Article B: Plumbing Code

Sec. 15-1-30 Purpose and Scope of Plumbing Code.

- (a) The purpose of this Plumbing Code is to provide minimum regulations, provisions and requirements in the City of Onalaska to insure safety and adequacy to persons and property wherever plumbing is installed and to all alterations or improvements, including replacement of any apparatus or device pertaining to plumbing.
- (b) The design and installation of all plumbing systems shall comply with the requirements of this Article; the State Plumbing Code as described in 15-1-31 below, the City Utility Code found in Title 9 of the City Ordinances and the City's Water Utility Rules approved by the Wisconsin Public Service Commission.
- (c) The provisions of this Article shall apply to every building, or portion of a building, devoted to a new use for which the requirements are in any way more stringent than the requirements covering the previous use.
- (d) This Article shall be known as the City of Onalaska Plumbing Code.

Sec. 15-1-31 State Regulations Adopted.

- (a) **Adopted by Reference.** Chapter 145, Wis. Stats.; the State Plumbing Code, Wis. Adm. Code; and SPS 381, 382, 383 and SPS 384, Wis. Adm. Code, together with all amendments and restatements are hereby adopted and by reference made a part of this Chapter with the same force and effect as though set out in full. Failure to comply with any of the provisions of the statutes or administrative rules, regulations and bulletins, shall constitute a violation of this chapter, punishable according to the penalties provided below.
- (b) **To be on File.** A copy of the State Plumbing Code shall be on file in the offices of the Department of Inspection.

Sec. 15-1-32 Conflicts.

No part of this Article shall be interpreted to prevent the enforcement of other City ordinances or regulations which prescribe standards equal to or more stringent than the standards established by this Article.

Sec. 15-1-33 Plumbing Defined.

In this Article, "plumbing" means and includes:

- (a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems, and the installation thereof.
- (b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewerage system terminal within the bounds of or beneath an area subject to easement for highway purposes, including private domestic sewage treatment and disposal systems, and the alteration of any such systems, drains or waste piping.
- (c) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within the bounds of or beneath an area subject to easement for highway purposes and its connections.
- (d) The water pressure systems other than municipal systems as provided in Ch. 281, Wis. Stats.
- (e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly service, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

Sec. 15-1-34 Plumbing Permits.

- (a) **Required.** No work contemplated by this Chapter shall be started until a permit therefor has been obtained from the Department of Inspection, provided no permit shall be required for minor repairs to faucets or the removal of stoppages in soil and waste pipes.
- (b) **Application.** The application shall be in writing upon forms which the Department of Inspection shall provide and shall include the name of the owner and the description of the property on which the work is to be done, along with such pertinent information as the Department of Inspection may require, and shall state that the property owner and the applicant will be bound by and subject to the provisions of this Article.
- (c) **Issuance, Term, Suspension and Revocation.** When the Department of Inspection is satisfied that the work proposed by the applicant can be done in conformity with the provisions of this Article and after the appropriate fees have been paid, the Department of

Inspection shall issue the permit. Such permit shall allow for the continuous performance of the work named thereon. A permit shall automatically expire when work ceases for a period of sixty (60) days without good and reasonable cause for same as may be approved by the Department of Inspection and shall automatically expire on completion of the work for which it is used, provided the Department of Inspection may, upon notice, suspend or revoke such permit for violation of the provisions of this Article.

(d) **Restrictions on Issuance.**

(1) No plumbing permit shall be issued to any person who is in violation of this Article until such violation has been corrected.

(2) No plumbing permit shall be issued to any person against whom an order issued by the Department of Inspection is pending, provided this restriction may be waived by the Department of Inspection.

(e) **Notification for Inspection.** The plumber or owner/occupant to whom the permit has been issued, or his/her agent, shall notify the Department of Inspection in the manner prescribed by the Department of Inspection when the work is ready for inspection and shall specify the street address and permit number under which the work is being done. Unless otherwise permitted by the Department of Inspection, all plumbing work shall be left uncovered until inspected and approved. The person making the request for inspection shall make such arrangements as will enable the Inspector to reach all parts of the building and shall provide the equipment and labor for making tests of the system.

(f) **Final Inspection.** The plumber or owner/occupant to whom the permit has been issued, or his/her agent shall notify the Department of Inspection when the work is completed and ready for final inspection. The person making the request for final inspection shall make arrangement for entry into all parts of the building where the inspection is to be performed.

(g) **Right to Entry.** The Inspector shall have the right to enter onto public or private property during reasonable hours to inspect plumbing work. Where entry is refused, the Inspector may seek an inspection warrant as provided in §66.0119, Wis. Stats. as may be amended.

Sec. 15-1-35 Plumbers to be Licensed.

No person shall carry on the business of plumbing or do any plumbing work until he/she shall have first obtained the proper license to do so from the state. An unlicensed person may remove stoppages in drain pipes or repair valves or faucets. No person shall install plumbing unless at all times a licensed Wisconsin master plumber is in charge, who shall be responsible for the proper installation.

Sec. 15-1-36 Plumbing Permit Fees.

The schedule of permit fees to be paid shall be set forth in the City of Onalaska Inspection Office and shall be set forth on the City of Onalaska Fee Schedule, and such fees shall be paid at the time the permit is issued:

(a) **Scope.** The fees provided for in this Chapter include all plumbing fixtures, appliances, devices or traps to be installed or openings roughed-in for future installation, which will be, or are, connected to the water supply or drainage system, directly or indirectly, or

both. This includes garbage disposal units, domestic water heaters, water softeners, roof drains and devices connected to the building storm drains, along with fees for the inspection of changes or alterations in building drains, stacks, vents and plumbing work where no fixtures are installed.

(b) **Plumbing Permit Fees.** Permit fees shall be based upon the physical value of the work to be done (including time and materials) as determined by the Department of Inspection on the basis of current costs as set forth in the City of Onalaska Fee Schedule, fees are charged for the following items:

1. **Installation Fee:** This fee is to be applicable for installation and inspection for connections to the main or end of the lateral at the curb to the buildings, as well as for septic tank and dry well installations, also for each tap and water service pipe connected to the City water main, including fire protection services.
2. **Underground Sprinklers.**
3. **Sewer Connection.**
4. **Sewer Relay.**
5. **Water Connection.**
6. **Water Relay.**
7. **Well Permits.**
8. **Lift Station Fees in Certain Areas.** In addition to the foregoing, there shall be a connection charge per service connection.
9. **Re-inspection Fee.** For re-inspection of incomplete conditions at the time of the initial inspection request.

(c) **Double Fees.** The above permit fees shall be doubled when construction is commenced before a permit is issued.

Sec. 15-1-37 Installation of Check Valves on All Plumbing.

Notwithstanding any other provisions of this Chapter, all residential units/homes within the City of Onalaska, within a secondary water pressure zone, shall have installed a check valve and a pressure-reducing valve. Said check valve is to be located on the home side of the water meter and said pressure reducing valve shall be installed on the street side of the water meter.

Sec. 15-1-38 Orders to Correct Plumbing Violations

(a) **Time for Compliance.** The Inspector shall issue orders requiring that plumbing code violations be corrected within a specified time. The compliance time shall not be more than 30 days, depending upon the nature of the violation and the hazard involved.

(b) **Duration of Order.** A written order to correct plumbing code violations must be complied with as stated in the written order, the order itself shall remain active for 24 months from date of issuance, meaning that any subsequent violations during the 24 month period may result in an immediate issuance of a municipal citation. A continued failure to correct a violation identified in an order may result in the issuance of a municipal citation to the person to whom the order was issued.

(c) **Content of Orders.** Whenever the Inspector determines that there are reasonable grounds to believe that a violation of any provision of this chapter exists, he or she shall order the person responsible to correct the violation. The order shall be in writing and shall:

1. Include a description of the real estate sufficient for identification;
2. Specify the violation which exists and the remedial action required;
3. Allow a reasonable time for the performance of any act it requires;
4. Include the following disclaimer: "The findings of this inspection report are intended to identify code violations that are readily apparent at the time of inspection. The inspection did not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

(d) **Service of Orders.** Orders to correct plumbing violations shall be served upon the Permit Holder with a copy to the owner of record by first class mail at the address listed with the City Assessor's office or by delivering the order to the owner personally. When the owner of record does not have an address listed, the order may be served:

1. By delivering the order to the owner personally; or
2. By first class mail addressed to the owner at the last known address as shown on the most recent property tax bill for the property affected by the order; or
3. By posting the order in a conspicuous place on the exterior of the structure affected by the order.
4. If an order is served by first class mail, the person serving the order shall execute an affidavit which should include the following:
 - a. The date upon which the order was mailed.
 - b. An allegation that the envelope was postpaid.
 - c. The name of the person to whom the envelope was addressed.
 - d. The address on the envelope.
 - e. That the order was enclosed within the envelope.

(e) **Notice to Purchasers.** An owner shall notify a purchaser, in writing, that an order has been issued concerning a violation of this Article, whenever the condition of the property giving rise to the order has not been corrected. Any owner who fails to give written notice to a purchaser, prior to acceptance of a written offer to purchase, of any order concerning this property shall be subject to a forfeiture as provided below. No owner may accept an offer to purchase which was made prior to the disclosure required by this subsection, unless the purchaser acknowledges receipt of a notice of outstanding orders and a willingness to proceed despite such knowledge.

(f) **Extension of Time to Comply with Orders.** The owner/Permit Holder or other responsible person may, prior to the expiration of the compliance time specified in the order, request an extension of the compliance time. When the owner or other responsible person demonstrates that they are making a diligent effort to comply with the order, the Inspector may extend the time for compliance for not more than 30 days.

Sec. 15-1-39 Enforcement Actions

- (a) **Forfeiture.** Any person who violates any provision of this Article, or fails to comply with a lawful order of the Inspector to correct a violation of this chapter shall, upon conviction of the violation, pay a forfeiture of not less than \$100.00 and not more than \$500.00 together with the costs of prosecution and in default of payment of such forfeiture and costs of prosecution shall be imprisoned in the County jail until such forfeiture and costs of prosecution are paid, but not exceeding 90 days for a first offense.
- (b) **Refusal to Issue Plumbing Permit.** No person may obtain a permit to do plumbing work in the City of Onalaska while that person is failing or refusing to correct a plumbing violation after having been convicted of that violation.
- (c) **Suspension or Revocation of Plumbing Permit.** The Inspector may revoke or suspend a plumbing permit if the Inspector finds that the permit holder has:
 - 1. Made a material misstatement in the application for a permit or renewal thereof;
 - or
 - 2. Has failed to correct a plumbing code violation within 30 days after having received notice of the violation.
- (d) **Action to Enjoin.** The City Attorney may, in addition to, or in lieu of other remedies provided by law, bring an action to enjoin a person from committing repeated violations of this chapter.

Sec. 15-1-40 through Sec. 15-1-49 Reserved for Future Use.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this ____ day of _____, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1519 - 2015

Please route in this order

Brea Grace, Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Brea Grace 10/27/15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

J. Holter 10-27-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 10-29-15
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

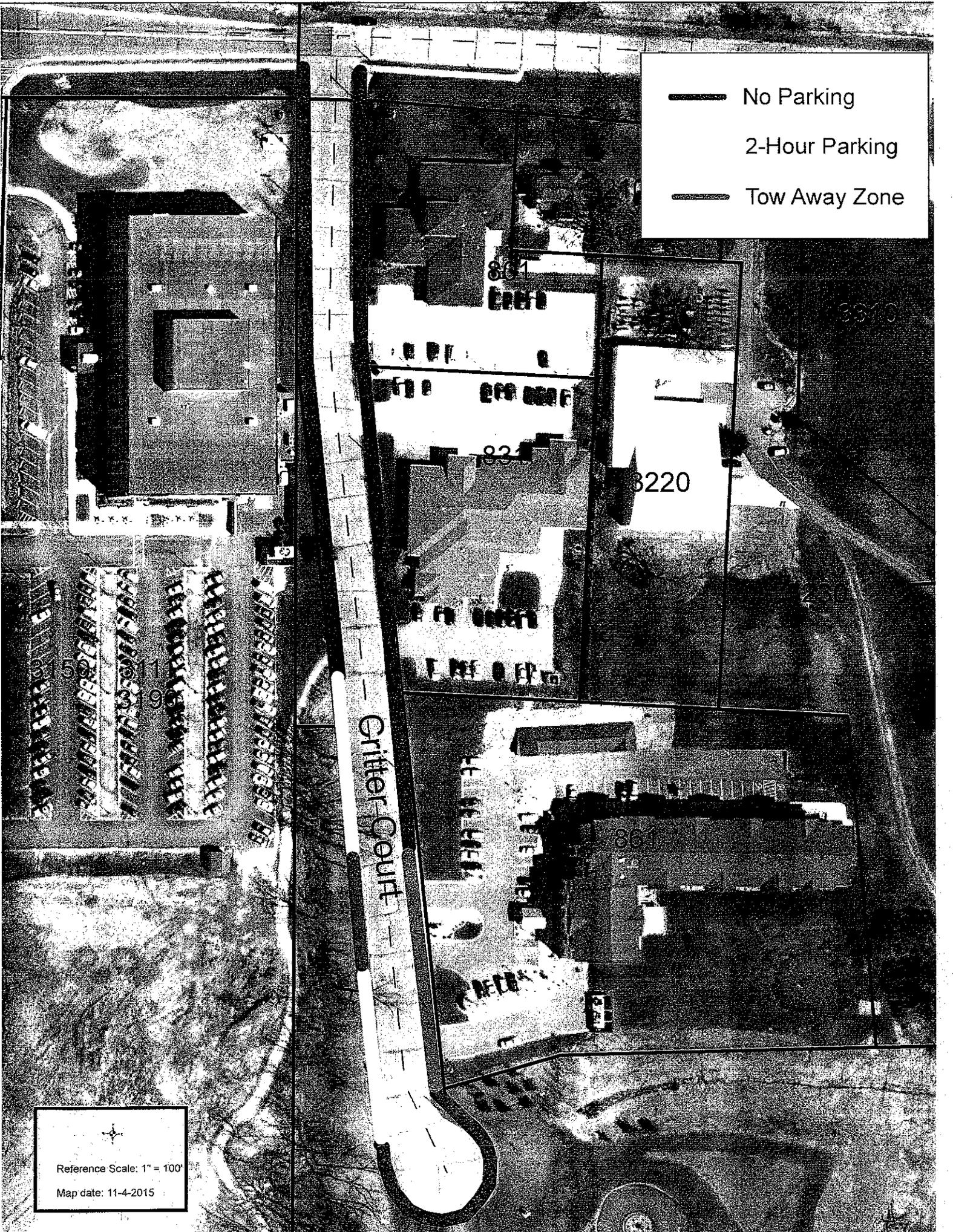
— No Parking
— 2-Hour Parking
— Tow Away Zone

Critter Court

3190
3111
3150

Reference Scale: 1" = 50'
Map date: 11-4-2015

 No Parking
 2-Hour Parking
 Tow Away Zone




 Reference Scale: 1" = 100'
 Map date: 11-4-2015

November 4, 2015

**FINAL SPECIAL ASSESSMENT COSTS
2015 UTILITY PROJECT
CONTRACTOR: Haas Sons Inc.
CITY OF ONALASKA, WISCONSIN**

- 1) 6" Concrete Sidewalk/Apron = \$4.76/S.F.
(including 7.5% Administrative Cost)

CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>Storm Sewer</u>	<u>Tourism</u>	<u>General</u>	<u>Total Cost</u>	<u>Less Amount</u>		<u>Amount Needed by Borrowing</u>
							<u>Already Bonded</u>	<u>Other Sources</u>	
<u>I. Public Works Department</u>									
1.									
a. Sidewalk (NEW)	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
b. Repair Program	\$ -	\$ -	\$ -	\$ -	\$ 42,000	\$ 42,000	\$ -	\$ -	\$ 42,000
c. Well St in fill installation	\$ -	\$ -	\$ -	\$ -	\$ 43,000	\$ 43,000	\$ -	\$ -	\$ 43,000
c. Misc. In fill installation	\$ -	\$ -	\$ -	\$ -	\$ 43,000	\$ 43,000	\$ -	\$ -	\$ 43,000
2.									
a. Pavement Maintenance Program (NEW)	\$ -	\$ -	\$ -	\$ -	\$ 375,000	\$ 375,000	\$ -	\$ 125,000	\$ 250,000
w/ La Crosse County Hwy Dept.									
3.									
a. Railroad quiet zone study									
b. 2nd Ave SW & Irvin St									
c. Design Study (2013 CIP #24)	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ -
d. Construction (New)	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ 250,000
4.									
a. Street repaving - Holiday Heights (2015-Proposed #10)									
b. East Young Dr from West Young Dr - PASER 4-0 to Medary Ln	\$ -	\$ -	\$ -	\$ -	\$ 34,000	\$ 34,000	\$ -	\$ -	\$ 34,000
5.									
a. East Main St, Theater Rd Dr to Marcou Rd - mill & overlay (2014 Proposed #26) - PASER 3-0	\$ -	\$ -	\$ -	\$ -	\$ 723,000	\$ 723,000	\$ -	\$ -	\$ 723,000
6.									
a. Sanitary sewer combination cleaning truck (2015 Proposed #14), NET OF TRADE \$75,000	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ 300,000
7.									
a. Green Coulee intersection improvements at East Main St (2015-Proposed #16)	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ 100,000
1) Preliminary	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ 200,000
2) Final	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Meeting Dates:
 BOPW-09-01-15
 Revised 9-23-15
 BOPW-10-7-15
 BOPW-11-3-15

CITY OF ONALASKA
 2016 Capital Improvement Projects - Proposed

I. Public Works Department (cont'd)

	Sanitary Sewer	Water	Storm Sewer	Tourism	General	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
8. Crossing Meadows Dr - pavement replacement - 12th Ave S to 1,200 feet east (2014 Proposed #20) PASER 3-0	\$	\$	\$	\$	\$ 182,000	\$ 182,000	\$	\$	\$ 182,000
9. Green St - reconstruction (2015 Proposed #19) 9th Ave to 10th Ave & Horman Blvd PASER 2.0	\$ 74,000	\$ 98,000	\$ 50,000	\$ -	\$ 230,000	\$ 452,000	\$ -	\$ -	\$ 452,000
10. Fern St reconstruction, 3rd to 4th (NEW) PASER 2.0	\$ -	\$ -	\$ 28,000	\$ -	\$ 94,000	\$ 122,000	\$ -	\$ -	\$ 122,000
11. Green Coulee Water High Service Zone Improvements-Design (NEW)	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ 50,000
12. Public Works Facility - epoxy floor coating (2015 Proposed #21)	\$ 20,000	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ 80,000	\$ 80,000	\$ -	\$ -
13. Coachlite Subdivision - repaving (2015 Proposed #22) GrandView Blvd, Fairway Ct, Coachlite Ct N, Kevin Ct, & Coachlite Ct S PASER 2.0	\$ -	\$ -	\$ -	\$ -	\$ 325,000	\$ 325,000	\$ -	\$ -	\$ 325,000
14. Sand Lake Rd reconstruction (NEW) Redwood St to Riders Club Rd a- Design (2016) b- Construction (2017)	\$	\$	\$	\$	\$ 50,000	\$ 50,000	\$	\$	\$ 50,000
15. King St reconstruction (2015 Proposed #25) 5th Ave N to 6th Ave N & 6th Ave N reconstruction - Main St to Monroe St PASER 3-5	\$ 22,000	\$ 46,000	\$ -	\$ -	\$ 196,000	\$ 264,000	\$ -	\$ -	\$ 264,000

2015 CIP SWR (#17) \$20,000
 2015 CIP WTR (#33) \$20,000
 2015 CIP SW (#41) \$20,000
 2015 CIP GF (#17) \$20,000

CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed

Meeting Dates:
BOPW-09-01-15
Revised 9-23-15
BOPW-10-7-15
BOPW-11-3-15

I. Public Works Department (cont'd)

	Sanitary Sewer	Water	Storm Sewer	Tourism	General	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
16. 2nd Ave/5TH-55 crosswalk replacement (NEW)	\$ -	\$ -	\$ -	\$ -	\$ 90,000	\$ 90,000	\$ -	\$ -	\$ 90,000
17. Alley Paving projects (2015 Proposed #26)									
a. Alley construction between Irwin St/Main St & 3rd Ave N/4th Ave N	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ 30,000
b. Alley paving between Irvin/Hickory St & 3rd Ave N/4th Ave N	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ -	\$ 20,000
18. South Kinney Coulee liftstation (2015 Proposed #28) - reconstruction	\$ 265,000	\$ -	\$ -	\$ -	\$ -	\$ 265,000	\$ -	Lax CO Solid Waste \$ 10,000	\$ 255,000
19. French Rd - (2011 Proposed #18)									
a. Booster Station	\$ -	\$ 600,000	\$ -	\$ -	\$ -	\$ 600,000	\$ -	\$ -	\$ 600,000
b. Watermain	\$ -	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000
20. I-90 sanitary sewer - WIS DOT project (2015 CIP #15 - Continued)	\$ 558,800	\$ -	\$ -	\$ -	\$ -	\$ 558,800	\$ 58,800	WIS DOT \$ 400,000	\$ 100,000
21. Street repaving (NEW)									
10th Ave N - Park Pl to Grove St	\$ -	\$ -	\$ -	\$ -	\$ 182,000	\$ 182,000	\$ -	LRIP \$ 23,000	\$ 159,000
Park Pl - 10th Ave N to end PASER 2.4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22. Country Club Lane - repaving (NEW) PASER 2.5	\$ -	\$ -	\$ -	\$ -	\$ 310,000	\$ 310,000	\$ -	\$ -	\$ 310,000
23. Street repaving (NEW) Well St, 13th Ave N, 14th Ave N, Lake St, 13th Pl, Herman Ct, Pleasant Ct, Hanson Ct, Meadow Ln & Redwood St PASER 2.6	\$ -	\$ -	\$ -	\$ -	\$ 663,000	\$ 663,000	\$ -	SWR FUNDS \$ - WTR FUNDS \$ -	\$ 663,000
24. 3rd Ave N - Poplar St to cul de sac south of John St (NEW)	\$ 15,000	\$ 15,000	\$ 10,000	\$ -	\$ 30,000	\$ 70,000	\$ -	STRM FUNDS \$ 70,000 2015 CIP GNRL \$ -	\$ -
a. Design (2016)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
b. Construction (2017)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed

Meeting Dates:
BOPW-09-01-15
Revised 9-23-15
BOPW-10-7-15
BOPW-11-3-15

I. Public Works Department (cont'd)

	Sanitary Sewer	Water	Storm Sewer	Tourism	General	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
25. Street repaving - Oak Forest Dr (NEW) Hilltopper Pl to 12th Ave S PASER 2.5	\$ -	\$ -	\$ -	\$ -	\$ 401,000	\$ 401,000	\$ -	\$ -	\$ 401,000
							2008 CIP WTR \$15,000 2011 CIP SW \$15,000 2014 CIP GF \$100,000		
26. Main St Pavement Patching (2014 Deferred)	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ 202,000	\$ 232,000	\$ 130,000	\$ -	\$ 102,000
27. Street repaving - Oak Forest Dr (NEW) 12th Ave S to Wilson St PASER 3-0	\$ -	\$ -	\$ -	\$ -	\$ 387,000	\$ 387,000	\$ -	\$ -	\$ 387,000
							1996 CIP \$71,000 2009 CIP \$101,000 2013 CIP \$27,000		
28. 2nd Ave SW to STH 35 cross lot (NEW) Sanitary Sewer Interceptor relay	\$ 199,000	\$ -	\$ -	\$ -	\$ -	\$ 199,000	\$ 199,000	\$ -	\$ -
29. Fractor backhoe (NEW)	\$ 30,000	\$ 30,000	\$ 30,000	\$ -	\$ 30,000	\$ 120,000	\$ -	\$ -	\$ 120,000
30. Cemetery Enhancements (NEW) Main St / 13th Ave S a. Design (Paragon) (2015) approved CC 2015 b. Construction (2016)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ -	\$ 200,000	\$ -
31. Street Sign Inventory (NEW)	\$ -	\$ -	\$ -	\$ -	\$ 70,000	\$ 70,000	\$ -	\$ -	\$ 70,000
							2014 CIP WTR \$10,000 2014 CIP SWR \$10,000		
32. STH 16 - Landfill Rd to City limits (2014 #27) WTS DOT reconstruction	\$ 10,000	\$ 50,000	\$ -	\$ -	\$ -	\$ 60,000	\$ 20,000	\$ -	\$ 40,000
33. Riders Club Road - Street Renovation (2014 CIP #21 AND 2015 CIP #7) - STH 35 to Sand Lake Rd Paser 2-6 a. Design b. Right of Way Acquisition c. Construction (anticipated 2018, \$1,485,000 80% STP -U Funding)	\$ -	\$ -	\$ -	\$ -	\$ 125,000	\$ 125,000	\$ 125,000	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 65,000	\$ -	\$ -	\$ 65,000
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
							2014 CIP #21 2014 CIP #22		
34. Braund St/PH Design - Braund St to Theater Rd. PH to STH 16 - street reconstruction (2014 CIP #22 and 2015 CIP #8) a. Design PASER 3 (100%) b. Right of Way Acquisition Local = 100% c. Construction (anticipated 2018, \$638,000 - 80% STP -U Funding)	\$ -	\$ -	\$ -	\$ -	\$ 55,000	\$ 55,000	\$ 55,000	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ 35,000	\$ -	\$ -	\$ 35,000
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
							2014 CIP #22		

CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>Storm Sewer</u>	<u>Tourism</u>	<u>General</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
II. Planning Department									
35	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 12,000	\$ -	\$ -	\$ 12,000
	Bluffland protection program w/ MVC (NEW)								
36	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ 25,000
	Urban Forestry - general (NEW)								
37	\$ -	\$ -	\$ -	\$ -	\$ 195,000	\$ 195,000	\$ -	\$ 45,000	\$ 150,000
	Emerald Ash Borer - tree planting (NEW)								
38	\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$ 45,000	\$ -	\$ -	\$ 45,000
	Emerald Ash Borer - tree stump removal (NEW)								
39	\$ -	\$ -	\$ -	\$ -	\$ 8,000	\$ 8,000	\$ -	\$ -	\$ 8,000
	Urban forestry consulting services - tree inventory update (2nd of 3 yrs) (NEW)								
40	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Waterfront improvements - Great River Landing Project (2015 Proposed #41)								
	\$ -	\$ -	\$ -	\$ 160,000	\$ -	\$ 160,000	\$ 100,000	\$ 60,000	\$ -
	\$ -	\$ -	\$ -	\$ 2,350,000	\$ -	\$ 2,350,000	\$ -	\$ 346,000	\$ 2,004,000
	a. Design								
	b. Construction - Phase I								
	(projects 1.0 & 1.1 including trailhead building & parking lot)								
III. Fire Department									
41	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Land & Facilities (2008 Proposed #37)								
	a. Purchase land (3 acres @ \$3-00/sq ft)								
	Fire Station #2 - 5TH-16 & I-90 vicinity								
42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Fire Engine/Pumper (replaces 1992 Peterbilt) (NEW)								
	(Deduct \$20,000 for trade)								
IV. Parks & Recreation Department									
43	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ 15,000
	Comprehensive Outdoor Recreation Plan (NEW)								
	- rewrite								
44	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
	Van Riper Park playground replacement (2014 Proposed #49)								
45	\$ -	\$ -	\$ -	\$ -	\$ 19,000	\$ 19,000	\$ -	\$ 7,000	\$ 12,000
	Video camera replacement - Aquatic Center & skatepark (NEW)								

WI DNR \$25000
LX Comm. Found \$20000

2015 CIP #41 SPEC. PROJ. DSEB.

WI DNR

CVMIC GRANT

Meeting Dates:
 BOPW-09-01-15
 Revised 9-23-15
 BOPW-10-7-15
 BOPW-11-3-15

CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>Storm Sewer</u>	<u>Tourism</u>	<u>General</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
IV. Parks & Recreation Department (cont'd)									
46	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ 30,000
	3/4 Ton Truck (Title Change)								
47	\$ -	\$ -	\$ -	\$ -	\$ 13,000	\$ 13,000	\$ -	\$ -	\$ 13,000
	Van Ripper Park - outfield fencing (west field) (2014 Proposed #49)								
48	\$ -	\$ -	\$ -	\$ -	\$ 18,500	\$ 18,500	\$ -	\$ -	\$ 18,500
	Hiltopper-Heights Park--basketball court-overlay (2014 Proposed #47)								
49	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ 25,000
	Nathan Hills area playground (2015 Proposed #46)								
50	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	\$ -
	Oak Park #4 - playground equipment (NEW)								
V. Police									
51	\$ -	\$ -	\$ -	\$ -	\$ 92,190	\$ 92,190	\$ -	\$ -	\$ 92,190
	Replace 2 squad cars (NEW)								
52	\$ -	\$ -	\$ -	\$ -	\$ 25,093	\$ 25,093	\$ -	\$ -	\$ 25,093
	AH Terrain Vehicle								
VI. Omni Center									
53	\$ -	\$ -	\$ -	\$ -	\$ 97,000	\$ 97,000	\$ -	\$ 97,000	\$ -
	Omni Center roof (NEW)								
54	\$ -	\$ -	\$ -	\$ -	\$ 31,000	\$ 31,000	\$ -	\$ 31,000	\$ -
	Arena 1 bleacher work (NEW)								
	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -
	a. Perma-Cap bleacher seat & riser cover								
	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -
	b. End & front bleacher rails								
55	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -
	Overhaul of chiller in Arena 2 (NEW)								
56	\$ -	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ -	\$ 25,000	\$ -
	Security cameras for Arena 1 (NEW)								

**CITY OF ONALASKA
2016 Capital Improvement Projects - Proposed**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>Storm Sewer</u>	<u>Tourism</u>	<u>General</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
VI. Omni Center (cont'd)									
57	\$	\$	\$	\$ 7,500	\$ 7,500	\$ 15,000	\$	\$	\$ 15,000
								SPEC. PROJ. DSFB.	
58	\$	\$	\$	\$	\$ 50,000	\$ 50,000	\$	\$ 50,000	\$
59	\$	\$	\$	\$	\$ 10,000	\$ 10,000	\$	\$ 10,000	\$
								SPEC. PROJ. DSFB.	
60	\$	\$	\$	\$	\$ 4,400	\$ 4,400	\$	\$	\$ 4,400
VII. Library									
61	\$	\$	\$	\$	\$ 50,000	\$ 50,000	\$	\$	\$ 50,000
IX. City Hall									
62	\$	\$	\$	\$	\$ 15,000	\$ 15,000	\$	\$	\$ 15,000

TOTALS: \$ 1,441,800 \$ 248,000 \$ 123,000 \$ 2,510,000 \$ 4,004,190 \$ 8,326,990 \$ 782,800 \$ 1,549,000 \$ 5,995,190

	<u>Projected Costs</u>	<u>Less Already Bonded</u>	<u>Less Other Sources</u>	<u>Net Project Cost</u>	<u>Issuance Costs</u>	<u>Projected Bond Issue</u>
Sewer Projects	\$ 1,441,800	\$ 287,800	\$ 425,000	\$ 729,000	\$	\$ 729,000
Water Projects	\$ 248,000	\$ 45,000	\$ 15,000	\$ 188,000	\$	\$ 188,000
General Projects	\$ 4,004,190	\$ 315,000	\$ 693,000	\$ 2,996,190	\$	\$ 2,996,190
Storm Water Projects	\$ 123,000	\$ 35,000	\$ 10,000	\$ 78,000	\$	\$ 78,000
Tourism	\$ 2,510,000	\$ 100,000	\$ 406,000	\$ 2,004,000	\$	\$ 2,004,000
Grand Totals	\$ 8,326,990	\$ 782,800	\$ 1,549,000	\$ 5,995,190	\$	\$ 5,995,190

o/c

o/c

November 4, 2015

**FINAL SPECIAL ASSESSMENT COSTS
2015 MISCELLANEOUS CONCRETE PROJECT
CONTRACTOR: Steiger Construction
CITY OF ONALASKA, WISCONSIN**

- | | | |
|----|--|---------------|
| 1) | 4" Concrete Sidewalk Replacement - General
(including 7.5% Administrative Cost) | = \$5.27/S.F. |
| 2) | 4" Concrete Sidewalk Removal - General
(including 7.5% Administrative Cost) | = \$1.40/S.F. |
| 3) | 6" Concrete Sidewalk Replacement - General
(including 7.5% Administrative Cost) | = \$6.02/S.F. |
| 4) | 6" Concrete Sidewalk Removal - General
(including 7.5% Administrative Cost) | = \$2.42/S.F. |
| 5) | 4" Concrete Sidewalk Replacement - Sidewalk Management Program
(including 7.5% Administrative Cost) | = \$5.64/S.F. |
| 6) | 4" Concrete Sidewalk Removal - Sidewalk Management Program
(including 7.5% Administrative Cost) | = \$1.50/S.F. |
| 7) | 6" Concrete Sidewalk Replacement - Sidewalk Management Program
(including 7.5% Administrative Cost) | = \$6.02/S.F. |
| 8) | 6" Concrete Sidewalk Removal - Sidewalk Management Program
(including 7.5% Administrative Cost) | = \$2.04/S.F. |



CITY OF ONALASKA

PLANNING/ZONING DEPARTMENT
PH: (608) 781-9590
FAX (608) 781-9506

415 MAIN STREET
ONALASKA, WI 54650-2953
<http://www.cityofonalaska.com>

MEMO

Date: 11/04/2015
To: Common Council
Cc: Mayor Joe Chilsen, Fred Buehler, Cari Burmaster, Dan Wick
From: Brea Grace
Re: Clearwater Farm PUD Modification

At the October 27th Plan Commission meeting the Plan Commission recommended approval of a substantial modification to the Green Coulee Community Park PUD to allow grazing in Zone 2 (adjacent to Clearwater Farms). The Plan Commission's approval was conditioned on a set of 6 conditions (which you will find enclosed).

After the meeting Alderman Binash, Chair of the Parks & Recreation Board, suggested that the Parks and Recreation Board be able to comment on and/or determine the setback between the sidewalk and the fence for the future grazing area, so that Parks & Recreation Department mowing practices be considered. For the Common Council's consideration, attached is an alternate set of conditions that would place the setback requirement decision on the Parks & Recreation Board (see condition #6).

In the months ahead, the Parks and Recreation Board also will be reviewing and making a recommendation to the Common Council on a Grazing Land Lease with Clearwater Farms.

CONDITIONS APPROVED BY PLAN COMMISSION:

October 27, 2015

Agenda Item 5:

Consideration of a substantial modification to the Greens Coulee Community Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to Clearwater Farms), submitted Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760 Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-131).

1. Applicant to enter into a Grazing Land Lease agreement with the City of Onalaska.
2. Applicant shall abide by all requirements and conditions of the previously approved Greens Coulee Community Park Planned Unit Development and with previous City approvals.
3. A 10-foot buffer to be maintained along wetlands.
4. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
5. Any omissions of any conditions not listed in the minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.
6. A 10-foot setback to be maintained from the paved path on the west and southeast sides of the fenced-in grazing area.

**CONDITIONS RECOMMENDED FOR CONSIDERATION BY
COMMON COUNCIL:**

November 10, 2015

Consideration of a substantial modification to the Greens Coulee Community Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to Clearwater Farms), submitted Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760 Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-131).

1. Applicant to enter into a Grazing Land Lease agreement with the City of Onalaska.
2. Applicant shall abide by all requirements and conditions of the previously approved Greens Coulee Community Park Planned Unit Development and with previous City approvals.
3. A 10-foot buffer to be maintained along wetlands.
4. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
5. Any omissions of any conditions not listed in the minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.
6. Setback distance between the fenced-in grazing area and adjacent sidewalks and paths to be determined by the Parks and Recreation Board for maintenance purposes.

Modified condition.

RESOLUTION 45-2015

**AUTHORIZING PREPARATION OF COOPERATIVE BOUNDARY PLAN
BETWEEN THE CITY OF ONALASKA AND TOWN OF MEDARY**

WHEREAS, the Common Council of the City of Onalaska has determined that in order to promote the public health, safety and welfare as well as the best interests of the City of Onalaska citizens, the City must provide for the harmonious and planned development of the City of Onalaska in conjunction with its neighbors; and

WHEREAS, the legislature has provided a means for municipalities to cooperate and plan for development and growth as well as establish boundaries among themselves under the provisions of section §66.0307 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, by the City of Onalaska that:

1. The City, through its agents and officials, is authorized to participate in the preparation of a cooperative boundary plan with the Town of Medary under the procedures and standards set forth in Wis. Stat. §66.0307;
2. That the City officers, staff and consultants are hereby authorized and directed to work with representatives of the Town of Medary to prepare a cooperative plan for consideration by the City Council and Town Board and the eventual submission to the Department of Administration for review;
3. The City Clerk is directed to give written notice of the adoption of this resolution within 5 days of adoption to the following entities:
 - a. The Departments of Administration, Transportation, Natural Resources and Agriculture, Trade and Consumer Protection;
 - b. The Clerks of any municipality, school district, technical college district, sewerage district or sanitary district which has any part of its territory within 5 miles of a participating municipality;
 - c. The La Crosse County Clerk;
 - d. The La Crosse County zoning agency created under §59.63(2), Wis. Stats. and the Mississippi River Regional Planning Commission.

Passed and approved this ____ day November, 2015.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED: