

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Common Council
DATE OF MEETING: November 8, 2016 (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. Appointment of Joe Bucheger to the Community Development Authority (CDA) of the City of Onalaska
 - C. Appointment of Steven Nott to Parks and Recreation Board

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 2016
- C. Accept City General Fund Financials for 2016
- D. Approval of purchasing and funding software in 2016 for the Fire Department

PERSONNEL COMMITTEE

- E. Approval of MSDS Online contract renewal for 1/31/17 through 1/31/2020
- F. Approval of new position job description:
 1. HR/IT Assistant
 2. Administrative Secretary – Police Department

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

Onalaska Holmen Courier Life

WKTY WLXR WLAX

WKBT WXOW

*Committee Members

Margaret Collins

David Lardinois/American Cancer Society

Martha Groth

Chris Meyer/Brian Miller

Onalaska Public Library Onalaska Omni Center

Date Mailed & Posted: 11-3-16

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

- G. Approval of **Ordinance No. 1569-2016** to amend Chapter 2 of Title 6, Section 2 of the Code of Ordinances of the City of Onalaska relating to construction and repair of sidewalks (Third and Final Reading)
- H. Approval of **Ordinance No. 1572-2016** to amend Section 3 of Chapter 2 of Title 15 of the City of Onalaska Code of Ordinances relating to applicability and jurisdiction of construction sites and excavation erosion control (Third and Final Reading)
- I. Approval of **Ordinance No. 1575-2016** to amend Article D of Chapter 1 of Title 15 of the Code of Ordinances of the City of Onalaska relating to the Electrical Code. (First and Second Reading)

ADMINISTRATIVE COMMITTEE

- J. Approval of Operator's Licenses as listed on report dated November 2, 2016.
- K. Approval of Class B Liquor License for Central Florida Restaurants, Inc. d/b/a TGI Friday's, 9430 State Road 16, Onalaska, WI
- L. Approval of Change of Agent for Central Florida Restaurants, Inc. d/b/a TFI Friday's, 9430 State Road 16, Onalaska, WI to John L. Hartnell Jr.
- M. Approval denial of request from Margaret Collins regarding cemetery graves One (1) and Two (2) in Lot Three (3) in Block Seventy-Three (73)
- N. Approval of Special Events Permit for American Cancer Society Sole Burner Walk/Run on April 23, 2017 from approximately 6am – 2pm starting at 2700 Midwest Drive, Onalaska.

BOARD OF PUBLIC WORKS

- O. Approval of snowmobile trail within the City of Onalaska for the 2016-2017 winter season including crossing State Trunk Highway 35 at Oak Forest Drive.
- P. Authorization of 2017 Capital Improvements Budget and establish public hearing date on December 6, 2016 at 6:30pm Board of Public Works Meeting.
- Q. Approval of bid received for the combination sanitary sewer cleaning truck from Bruce Equipment in the amount of \$333,748.00.
- R. Approval of Change Order #1 for the 2016 Main Street Concrete project in the amount of \$23,050.00.

PLAN COMMISSION

- S. Approval of a Conditional Use Permit filed by Martha Groth of Grandma's Arms, 1828 Main Street East, Onalaska, WI 54650 to allow the operation of a child care center at 1828 Main Street East, Onalaska, WI 54650, Tax Parcel # 18-4112-0 (FIO)
- T. Approval of a Preliminary Plat submitted by Chris Meyer of Dream Builders of Wisconsin, LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates, LLC, 1820 Tahoe Place, Onalaska, WI 54650 and Coronado Villas LLC, 123 7th Street South, La Crosse, WI 54601 for Coronado Circle Development, a 24 parcel lot land division (3.07 acres) along Coronado Circle (private drive) within Nathan Hills Estates located at 462-480 Coronado Circle, 442-452 Coronado Circle, 422-432 Coronado Circle, 402-412 Coronado Circle, 465-467 Coronado Circle & 475-477 Coronado Circle, Onalaska, WI 54650 (Tax Parcels #: 18-5955-3, 18-5955-8, 18-5955-7, 18-5955-6, 18-5955-10 & 18-5955-11)

UTILITIES COMMITTEE/MASS TRANSIT

- U. Approval of Shared Ride Transit 2016 Financials.

PARKS AND RECREATION BOARD

- V. Approve revisions to the Park and Recreation Scholarship Program
- W. Authorization to work with Onalaska Lions Club to replace steps at the Sunfish wayside leading down to the Great River Bike Trail

HISTORIC PRESERVATION COMMISSION

- X. Approval to contact property owners listed in the Survey of Historic Properties Project to gauge interest in becoming locally designated historic structures.

Non-Consent Agenda

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

7. **FINANCE COMMITTEE**

A. Vouchers

8. **PERSONNEL COMMITTEE**

A. Approval of authorization to replace a police officer position due to vacancy

9. **INTERIM LAND USE & DEVELOPMENT DIRECTOR**

A. **Resolution 37-2016** - Preliminary Resolution to Vacate and Discontinue a Portion of Kinney Coulee Road North.

B. Approval to move the Plan Commission Sub-Committee meeting from the 3rd Tuesday of the month to the 2nd Tuesday of the month at 4:30pm

10. **Closed Session:**

To consider a motion to convene in Closed Session 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:

- Claim regarding overhead wires at 437 Pearl Street, Onalaska, WI

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:

- Tornado Youth Hockey
- Sanitary Sewer Agreement

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

Adjournment

PACKET: 01707 License Packet Nov Operators

SEQUENCE: License #

ID	PERIOD	NAME	LICENSE CODE
00281	10/06/16- 6/30/18	MADSEN MARK	OPRATOR OPERATORS - 2 YEAR
01699	10/06/16- 6/30/18	OELKE ELIZABETH	OPRATOR OPERATORS - 2 YEAR
01849	10/18/16- 6/30/17	GEMPELER HEIDI	OPRATOR OPERATORS - 1 YEAR
01860	10/25/16- 6/30/18	KIRCHNER EMILY	OPRATOR OPERATORS - 2 YEAR
01861	10/25/16- 6/30/18	JONES MACKENZIE	OPRATOR OPERATORS - 2 YEAR
01862	10/25/16- 6/30/18	HANSON CASSANDRA	OPRATOR OPERATORS - 2 YEAR
01863	10/25/16- 6/30/18	SKRENTNY ALLISON	OPRATOR OPERATORS - 2 YEAR
01864	10/25/16- 6/30/18	BOLDON CHELSEY	OPRATOR OPERATORS - 2 YEAR
01865	10/25/16- 6/30/18	CLAUSSEN ASHLEY	OPRATOR OPERATORS - 2 YEAR
01866	10/25/16- 6/30/18	JOHNSON ZACHARY	OPRATOR OPERATORS - 2 YEAR
01867	10/25/16- 6/30/18	SIVERHUS KARI	OPRATOR OPERATORS - 2 YEAR
01869	10/28/16- 6/30/18	HEILMAN KATIE	OPRATOR OPERATORS - 2 YEAR
04863	10/10/16- 6/30/17	WALKER STEVEN	OPRATOR OPERATORS - 1 YEAR
04866	10/27/16- 6/30/18	IKERT LYNETTE	OPRATOR OPERATORS - 2 YEAR

ORDINANCE NO. 1569-2016

**AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 6,
SECTION 2 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA
RELATING TO CONSTRUCTION AND REPAIR OF SIDEWALKS**

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

SECTION I. Title 6, Chapter 2, Section 2, Subsection (c)(1) of the City of Onalaska Code
of Ordinances related to Special Assessments for Sidewalks is hereby created as follows:

- (1) Special assessments levied to defray the costs of repairing sidewalks damaged by
City owned trees placed on the boulevard shall be split equally between the City of
Onalaska and the property owner for all City administered repairs. Where the
property owner's portion of the fee exceeds \$100, the property owner shall be
allowed to pay the fee in equal installments as set forth in Section (c) above.

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 _____, 2016.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1569 – 2016

Please route in this order

Jarrod Holter, City Engineer

CJH wt 9-19-16
(signature)

No Fiscal Impact

Budgeted Item THROUGH CAPITAL IMPROVEMENTS BUDGET

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

Fred Buehler, Financial Services Director

Fred Buehler 9-19-16
(signature)

No Fiscal Impact

Budgeted Item

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

ORDINANCE NO. 1572-2016

AN ORDINANCE TO AMEND SECTION 3 OF CHAPTER 2 OF TITLE 15, OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO APPLICABILITY AND JURISDICTION OF CONSTRUCTION SITES AND EXCAVATION EROSION CONTROL

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

SECTION I. Subsection (a) of Section 3 of Title 15, Chapter 2, of the City of Onalaska Code of Ordinances related to the Applicability is hereby deleted in its entirety and replaced as follows:

Sec. 15-2-3 Applicability and Jurisdiction.

(a) Applicability.

(1) This ordinance applies to a construction site with land disturbing construction activity except as provided under sub. (b).

(2) This ordinance does not apply to the following:

- a. A construction project that is exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under chapter 40, Code of Federal Regulations, Part 122, for land disturbing construction activity.
- b. Land development and land disturbing activities exempted by State or Federal law, including highway construction projects.
- c. Nonpoint discharges from agricultural facilities and practices.
- d. Nonpoint discharges from silviculture activities.
- e. Agricultural or horticultural activities, landscaping activities of one/half (0.5) acre or less, the construction or maintenance of a septic system or associated drain field or any project involving excavation or fill of less than one hundred (100) cubic yards of earth and quarry operations governed by City Ordinance 7-10-5.
- f. Solid waste disposal facility activities covered under a WDNR approved plan of operation that includes stormwater and erosion control standards as defined in NR 504.09, Wisconsin Administrative Code.

(3) Notwithstanding the applicability requirements in paragraph (1), this ordinance applies to construction sites of any size that, in the opinion of the Land Use and Development Director or their designee, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, that causes undue channel erosion, that increases water pollution by scouring or the transportation of particulate matter or that endangers property or public safety.

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 _____, 2016.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1572 – 2016

Please route in this order

Katie Aspenson, Interim Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Katie Aspenson 9-26-16
(signature)

No Fiscal Impact

Budgeted Item

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

Jarrold Holter, City Engineer

Jarrold Holter 9-27-16
(signature)

No Fiscal Impact

Budgeted Item

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

ORDINANCE NO. 1575-2016

**AN ORDINANCE TO AMEND ARTICLE D OF CHAPTER 1 OF TITLE 15,
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO
THE ELECTRICAL CODE**

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

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

Article D: Electrical Code

Sec. 15-1-70 Application of Provisions of the Electrical Code.

- 1) **General.** This Article shall be known as the "Electrical Code of the City of Onalaska" and will be referred to in this Chapter as "this Code" or "this Article."
- 2) **Purpose.** The purpose of this Electrical Code is the practical safeguarding of persons and property from hazards arising from the installation and use of electricity; and to establish rules and fees for the issuance of permits, and the inspection of all electrical and low voltage work covered under the scope of this article.
- 3) **Scope.** This code shall apply to the installation, re-construction, alteration, extension and repair of wiring and equipment for heat, light, power, control, voice, data, CATV, fire alarm, security systems and other low voltage work. Materials, fittings, devices, appliances, luminaries, apparatus and the like used as part of or in conjunction with said installations shall be referred to in this Code as "Equipment" or "Electrical Equipment" unless specifically stated otherwise.
- 4) **Conflict.** 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. 15-1-71 State Regulations Adopted

- 1) **Adopted by Reference.** Chapter 101, Wis. Stats.; SPS 305, 316 and 320, Wis. Adm. Code together with all amendments and reinstatements 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. References in this Chapter to Wisconsin statutory section or chapter or Wisconsin Administrative Code sections or chapter describing or defining procedures or author for enactment or enforcement shall be deemed to refer to the most recent enactments of the Wisconsin Legislature describing or defining such procedures or authorities.
- 2) **To be on File.** A copy of the State Electrical Code shall be on file in the offices of the Department of Inspection.

Sec. 15-1-72 State of Wisconsin Electrical Licenses, Certifications, Definitions, and Exceptions.

1) General

No person, firm, corporation, institution, organization or representative thereof shall engage in the installation, alteration, re-construction, extension or any work covered under the Scope of this Article or engage in the business of said, installation, alteration, re-construction, or extension for any purpose in the City Of Onalaska without first having proper certifications, licenses and insurance as provided by this Section and per Wisconsin State Statutes and the Wisconsin Administrative Code as may be amended. Any electrical work associated with fire alarm systems regardless of voltages shall require an electrical permit without exception. A residential property owner may not install, repair or maintain electrical wiring on premises that the property owner owns and occupies as a residence, all work must be performed by an Electrical Contractor as defined in SPS 305.41 except as specified under 15-1-72(3)(b).

2) Definitions

- a) **Electrical Contractor:** An Electrical Contractor is a person, firm, corporation, institution or organization licensed under SPS 305.41 of the Administrative Code.
- b) **Master Electrician:** A Master Electrician is a person licensed by the State of Wisconsin as a Master Electrician under 305.43 of the Administrative Code.
- c) **Residential Master Electrician.** A Residential Master Electrician is a person licensed by the State of Wisconsin as a Residential Master Electrician under 305.435 of the Administrative Code.
- d) **Registered Master Electrician.** A Registered Master Electrician is a person licensed by the State of Wisconsin as a Registered Master Electrician under 305.437 of the Administrative Code.
- e) **Journeyman Electrician:** A Journeyman Electrician is a person licensed by the State of Wisconsin as a Journeyman Electrician under 305.44 of the Administrative Code.
- f) **Industrial Journeyman Electrician:** An Industrial Journeyman Electrician is a person licensed by the State of Wisconsin as an Industrial Journeyman Electrician under 305.443 of the Administrative Code.
- g) **Residential Journeyman Electrician:** A Residential Journeyman Electrician is a person licensed by the State of Wisconsin as a Residential Journeyman Electrician under 305.447 of the Administrative Code.
- h) **Beginning Electrician:** A Beginning Electrician is a person registered by the State of Wisconsin as a Beginning Electrician under 305.45 of the Administrative Code.
- i) **Electrical Apprentices.** An Electrical Apprentice is a person registered by the State of Wisconsin as an Electrical Apprentice under 305.46 of the Administrative Code.
- j) **Low Voltage Installer:** Any person engaged in installing, repairing, or maintaining equipment or systems that operate at 100 volts or less.
- k) **Electrical Wiring:** means all equipment, wiring, material, fittings, devices, appliance, fixtures, and apparatus used for the production, modification, regulation, control, distribution, utilization, or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified under the state electrical wiring code. "Electrical wiring" does not include the equipment, wiring, material, fittings, devices, appliances, fixtures and apparatus used by a public utility, an electric cooperative or a wholesale merchant operator for the purpose of generating, transmitting, distributing or controlling heat, light, power or natural gas to its customers or members.

3) Exceptions

- a) No permits are required for licensed Electrical Contractors for any electrical work that involves a total labor and material value under one thousand (\$1,000.00) dollars. If the City of Onalaska is not in agreement with the value of work, a copy of the customer paid invoice shall be made available upon request to the City. If the value is determined to be higher than the one thousand (\$1,000.00) dollar value, a double fee shall occur in addition to an inspection of the work with the contractor on-site, and in addition the City may issue citations as noted in Section 15-1-78.
- b) No permits are required for any individual, business, entity who files a Certificate of Insurance with coverage amount allowed by the City of Onalaska for any low voltage electrical work (under 100 volts) that involves a total labor and material value under two hundred (\$200.00) dollars. If the City is not in agreement with the value of work, a copy of the customer paid invoice shall be made available upon request to the City. If the value is determined to be higher than the two hundred (\$200.00) dollar value, a double fee shall occur in addition to an inspection of the work with the contractor on-site, and in addition the City may issue citations as noted in Section 15-1-78.
- c) No permits are required for low voltage work performed by a licensed Electrical Contractor that involves a total material value under ten thousand (\$10,000) dollars. If the City is not in agreement of whom is responsible for the general supervision of the low voltage work or the value of the work being done, a written notarized statement shall be required from the electrical contractor verifying general supervision and installation compliance occurred on the subject property and a copy of the customer paid invoice shall be made available upon request of the City. If the City is not in agreement with the value of work, a copy of the customer paid invoice shall be made available upon request to the City. If the value is determined to be higher than the ten thousand (\$10,000.00) dollar value, a double fee shall occur in addition to an inspection of the work with the contractor on-site, and in addition the City may issue citations as noted in Section 15-1-78.
- d) No permits are required for electrical work in the following circumstances:
 - i. A person engaged in installing electrical wiring within an existing industrial facility or existing manufacturing facility owned or leased by the person or by an entity for which the person is an agent or an employee.
 - ii. A person engaged in maintaining or repairing electrical wiring, apparatus or equipment for elevators and escalators.
 - iii. A person engaged in installing, repairing or maintaining electrical wiring, apparatus, or equipment for elevators and escalators.
 - iv. A person engaged in installing, repairing, or maintaining electrical wiring of facilities that support telecommunications service, as defined in Wis. Stat. 182.017 (1g)(cq) that is provided by a telecommunications provider, as defined in Wis. Stat. 196.01 (8)(p).
 - v. A person engaged in electrical wiring for components of a manufactured home, as defined in Wis. Stat. 101.91(2) or a manufactured building, as defined in Wis. Stat. 101.71(6), while the manufactured home or the manufactured building is at or in the facility at which it is being manufactured.
 - vi. A person employed by an electricity provider, or a subcontractor of an electricity provider, who installs, repairs, or maintains electrical wiring for equipment that is installed in the normal course of providing utility services by the electricity provider.
 - vii. A person engaged in installing, repairing, maintaining electrical wiring that provides lighting or signets for public thoroughfares and for public airports.
 - viii. A person engaged in installing, repairing or maintaining electric lines on the utility side of substations and other distribution facilities owned or operated by customers or members of electricity providers.

- ix. A person employed by an electricity provider, or a subcontractor of an electricity provider, who installs, repairs or maintains primary voltage electric facilities that are owned by the electricity provider's customers or members and that operate at greater than 600 volts.
- x. A person employed by an electricity provider, or a subcontractor of an electricity provider, who restores service during an emergency.
- e) No permits are required for any licensed Electrical Contractor who completes work specified under Wisconsin State Statute §101.862 License or Registration Required.
- f) An unlicensed individual may perform work on non-residential properties without an Electrical Contractors license upon obtaining a permit under Sec. 15-1-73 below in the following circumstances:
 - i. A person engaged in installing, repairing, or maintaining an electronic system designed to monitor a premises for the presence of an emergency, to issue an alarm for an emergency, or to detect and summon aid for an emergency.
 - ii. A person engaged in installing, repairing or maintaining manufactured equipment or utilization equipment, including ballasts, electric signs and luminaires, or any other manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair or maintenance only involves the modification or installation of conductors that are considered part of the equipment or system under this subsection. For purposes of this subsection, any conductor going from the disconnecting point or the nearest junction, pull or device box to the manufactured equipment or utilization equipment of the manufactured system is considered part of the equipment or system.
 - iii. A person who installs a replacement for an existing switch or outlet if the replacement switch or outlet has a rating of not more than 20 amperes.
 - iv. A person engaged in installing, repairing, or maintaining a private on-site wastewater treatment system, as defined in Wis. Stat. §145.01(12), if the activity only involves modifying a conductor going from the system's junction, pull, or device box to the nearest disconnecting point and the conductor is buried with the system.
 - v. A person engaged in installing, repairing or maintaining a pump for a well if the activity only involves installing or modifying a conductor going from the pump's junction, pull or device box to the nearest disconnecting point and the conductor is buried with the pump.
 - vi. A person or persons meeting the requirements under Wis. Stat. §101.862(5) or (6).

Sec. 15-1-73 Permits, Fees and Inspections

- 1) **Permit Application:** No electrical wiring shall be installed, altered, re-constructed, extended or repaired without first obtaining an electrical permit and their required inspections, except as set forth above in 5-1-72(3) Exceptions. Said work includes low voltage work: installing, repairing, or maintaining equipment or systems that operate at 100 volts or less.
 - a) **Application for Installation, Repair or Maintenance of Electrical Wiring:**
 - i. Applications for permits shall be made and signed by a Master Electrician or their approved agent. All work performed under the Electrical Permit, shall be done under the general supervision of the Master Electrician.
 - ii. Application shall provide proof of valid license as a Master Electrician and Electrical Contractor with the State of Wisconsin.
 - iii. Application shall be made on forms provided by the Inspection Department and shall state the Electrical Contractor's permanent place of business.

- b) **Application for Low Voltage Work:** Application for low voltage shall be made by the installer on forms provided by the Inspection Department and shall include such plans, specifications, and other information as requested by the Inspection Department. No permits shall be issued to any installer who does not have a current certificate of insurance on file, or any installer who has ignored orders to correct code deficiencies or has fees, fines or penalties outstanding.

Permits shall be invalid if work is not commenced within 6-months of permit issuance and shall expire one year after permit issuance. The Electrical Inspector may extend the period not more than two times for up to an additional 180 days each.

2) Permit Fees:

Permit fees shall be based upon the physical value of the work to be done, as determined by the Inspection Department on the basis of current costs as set forth on the City of Onalaska Fee Schedule. Fees shall be due at the time of application.

- a. The permit fee shall be doubled when work is commenced before a permit is obtained and in addition the City may issue citations as noted in Section 15-1-78.
- b. There shall be a re-inspection fee for each occurrence as set forth on the City of Onalaska fee schedule.

3) Electrical Inspections:

- a. **Rough Inspection(s).** The rough inspection by the Department of Inspection shall occur within 3 business days (during a normal working week) after notification by the contractor that the wiring and equipment is roughed in, and before such work is covered up.
- b. **Final Inspection.** The final inspection by the Department of Inspection shall occur within 5 business days (during a normal working week) after written notification by the contractor that the job is completed.
- c. **Orders.** The Department of Inspection shall issue orders requiring that electrical code violations be corrected within a specified time. The compliance time shall not be more than 30 days, depending on the nature of the violation and hazard involved. A written order to correct electrical code violations must be complied with as stated in the written order, the order itself shall remain active for 24 months from the 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.
- d. **Content of Orders.** Whenever the Department of Inspection determines that there are reasonable grounds to believe 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:
 - i. Include a description of the real estate sufficient for identification;
 - ii. Specify the violation which exists and the remedial action required;
 - iii. Allow a reasonable time for the performance of any act it requires;
 - iv. 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 electrical systems or the closed structural or nonstructural elements of the buildings and premises.

No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied.

- e. **Service of Orders.** Orders to correct electrical violations shall be served upon the Permit Holder. Orders not corrected within 2 weeks shall be sent 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:
 - i. By delivering the order to the owner personally; or
 - ii. By first class mail 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
 - iii. By posting the order in a conspicuous place on the exterior of the structure affected by the order.
 - iv. If an order is served by first class mail, the person serving the order shall execute an affidavit which shall include the following:
 - 1. The date upon which the order was mailed.
 - 2. An allegation that the envelope was postpaid.
 - 3. The name of the person to whom the envelope was addressed.
 - 4. The address on the envelope.
 - 5. That the order was enclosed within the envelope.
- f. **Compliance.** Upon the failure of any inspection due to code deficiencies or the electrical work scheduled to be inspected has not complete at the time of inspection, a re-inspection fee shall be assessed against the permit holder. If the Department of Inspection determines that the work conforms to this Code, a certificate of compliance may be issued. All wiring and equipment covered under the Scope of this Article shall be inspected and approved by the Department of Inspection before the installation or equipment is put into normal or permanent service.
- g. **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 purchase acknowledges receipt of a notice of outstanding orders and a willingness to proceed despite such knowledge.
- h. **Liability for Damages.** This Code shall not affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damages to persons or property caused by any defect therein, nor shall the City be held as assuming any such liability by reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

4) Investigations:

The Electrical Inspector may investigate any charges or complaints filed which may be brought against the holder of any permit, for noncompliance with any provision of this code on the part of the permit holder or any person performing any work under their direction. Any licensed Electrical Contractor who knowingly and willfully procures a

permit for electrical work which is to be performed by anyone not properly licensed by the State of Wisconsin shall be subject to the maximum penalty prescribed by Section 15-1-90 of the Municipal Code of Ordinances. No person may obtain a permit for electrical work in the City of Onalaska while that person is failing or refusing to correct an electrical violation after having been convicted of that violation.

Sec. 15-1-74 Standards for the Installation of Electrical Equipment.

- 1) Standards for the installation of electrical conductors and equipment in the City of Onalaska shall conform to and comply with the applicable provisions of this Code, Chapters SPS 305, SPS 316 and SPS 320 of the Wisconsin Administrative Code and all subsequent amendments, the Statutes of the State of Wisconsin, and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Where no specific standards for safety are prescribed by this ordinance or by the State Electrical Code, conformity with the regulations set forth in the National Electrical Code and in the National Electrical Safety Code shall be prima facie evidence of conformity with approved standards for safety to persons and property.
- 2) Only that equipment which has been expressly made for electrical, control, voice, data, CATV, fire alarm and security system purposes shall be installed for said purpose. All heat, light, power, control, voice, data, CATV, fire alarm, security system equipment and other low voltage system equipment shall be installed and used in the exact manner and for the exact purpose indicated by the equipment's listings, labels and the manufacturer's markings and instructions. The original manufacturer's listings, labels, ratings and markings shall be visible and the equipment shall not be changed or altered in any manner, except that normal replacements and repairs may be made to such equipment if the replacements and repairs do not change the listing, original characteristics or design.
- 3) The City of Onalaska may require existing installations to be brought into compliance with the minimum wiring requirements of the Minimum Housing and Property Maintenance Code or Uniform Dwelling Code and within the time determined by the City.
- 4) Interpretation of the Code shall be at the discretion of the Department of Inspection. Written requests for formal interpretations or variances of SPS 316 shall be directed to the Wisconsin Department of Commerce, Safety and Buildings Division, Electrical Unit.

Sec. 15-1-75 Public Liability Insurance and Completed Operations Insurance.

Permit holders, except those residential owner occupied Permit Holders for low voltage work (defined as installing, repairing, or maintaining equipment or systems that operate at 100 volts or less), shall carry insurance having aggregate coverage of not less than One Million Dollars (\$1,000,000.00) covering all of the following risks: public liability, personal injuries, property damage, and completed operations. Insurance for completed operations coverage shall be sufficiently broad to cover installation, service and repair of equipment sold by the Permit Holder and servicing, installation and repair of equipment not sold by the Permit Holder. Permit Holder shall submit a certificate of insurance indicating such coverage at the time the application for license or renewal thereof is made. Residential owner occupied Permit Holders performing low voltage work must provide a current certificate of homeowner's insurance or a copy of their current homeowner's insurance policy.

Sec. 15-1-76 Unsafe or Illegal Electrical Equipment.

When the Department of Inspection finds any electrical equipment to be unsafe or dangerous to persons or property, the person owning, using or selling such electrical equipment shall be

notified in writing to remove or cause to be removed, or to make any changes or repairs or cease to sell, so as to restore such electrical equipment to a safe condition. Failure to comply with such notice within the time specified in such notice shall be sufficient cause for the Department of Inspection to disconnect or order the removal of, or order the discontinuance of, electrical service to said electrical equipment.

In any case of emergency affecting the safety of persons or property, or where electrical equipment interferes with the work of the fire department, or where electrical equipment is not installed in conformity with the regulations of this Electrical Code, the Department of Inspection shall have the authority to disconnect immediately or cause the removal of or disconnection of any such electrical equipment. When the Department of Inspection disconnects or causes to be disconnected electric current from electrical equipment, an official notice, tag, lock or seal shall be attached to such electrical equipment to prevent the use of electricity. It shall be unlawful for any unauthorized person to attach such official notice, tag, lock or seal, or to break open, change, remove, destroy, tear, alter, mutilate, cover or otherwise deface or injure any such official notice, tag, lock or seal. The Department of Inspection shall have the power and authority to seize and take possession of any electrical equipment or materials which, in its opinion, are dangerous to life or property, or which are suspected or found to have been the cause of any fire, accident, injury or fatality and to retain possession for the purpose of making an investigation, an examination or for official evidence. After such electrical equipment and materials have served their purpose, they shall be returned to the owner.

Sec. 15-1-77 Disclaimer of Inspections.

The purpose of the inspections under this Article is to improve the quality of property in the City of Onalaska. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to inspections hereunder: "These findings of inspections contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of mechanical systems or the closed structural and non-structural elements of the buildings and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied.

Sec. 15-1-78 Enforcement Actions

- 1) **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 for each violation 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. Each day of violation shall constitute a separate offense.
- 2) **Refusal to Issue Electrical Permit.** No person may obtain a permit to do electrical work in the City of Onalaska while that person is failing or refusing to correct a electrical violation after having been convicted of that violation.
- 3) **Suspension or Revocation of Electrical Permit.** The Inspector may revoke or suspend an electrical permit if the Inspector finds that the permit holder has:
 - i) Made a material misstatement in the application for a permit or renewal thereof; or

- ii) Has failed to correct an electrical code violation within 30 days after having received notice of the violation.
- 4) **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. 15-1-79 through Sec. 15-1-89

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 1575 – 2016

Please route in this order

Katie Aspenson, Interim Land Use & Development Director
(let Joe Barstow review all annexation ordinances)

Katie Aspenson 10-20-16
(signature)

No Fiscal Impact

Budgeted Item

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

Jarrold Holter, City Engineer

Jarrold Holter 10-20-16
(signature)

No Fiscal Impact

Budgeted Item

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

Don Dominick, Fire Chief

Don Dominick 10-25-2016
(signature)

No Fiscal Impact

Budgeted Item

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

Fred Buehler, Financial Services Director

Fred Buehler 10-26-16
(signature)

No Fiscal Impact

Budgeted Item

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

Dear Mr. Holter,

I would like to request that a portion of North Kinney Coulee Road located in the City of Onalaska be vacated. The attached drawing and legal description give the exact portion we are referring to.

Since North Kinney Coulee Road was originally dedicated, there have been significant changes in the vicinity and in the layout of the road itself. Whereas the road previously extended in a straight line past my property, it was reconfigured to accommodate a cul-de-sac for the Microtel Inn next door. Some right-of-way was added and some was vacated to accommodate this reconfiguration.

The intent of this change was to provide a 66 foot right-of-way that terminated in the cul-de-sac near the Inn. Unfortunately, this reconfiguration resulted in a remnant of unused right-of-way between the travelled road and the north line of my property.

This area could be used for stormwater management and additional parking if it was added to my property. It serves no purpose as a part of North Kinney Coulee Road.

In conclusion, this vacation request would add to the value of my land while removing maintenance and liability issues for the City.

Thank you for your help and your consideration,

[Signature] OCT 6 16
Jeff Laufle, co-owner
CONSEAT LLC

RECEIVED
OCT 06 2016
BY: KA

CITY OF ONALASKA
REC# R00060445 10/27/2016 11:02 AM
TRAN: 450 PLANNING & ZONING
OPER: 02 TERM: 2
KEY: CASH 02

JEFF LAUFLE / VACATION 300.00
PAID BY: JEFF LAUFLE / VACATION
OC 306.00AUTH:027227 REF:14P

APPLIED 306.00
TENDERED 306.00

CHANGE 5.00

RESOLUTION NO. 37-2016

**A PRELIMINARY RESOLUTION TO VACATE AND DISCONTINUE A PORTION OF
KINNEY COULEE ROAD NORTH**

To: Honorable Mayor and Common Council, Onalaska, Wisconsin
Members of the Common Council

WHEREAS, Jeff Laufle requests vacation and discontinuance of a portion of Kinney Coulee Road North, particularly described in Exhibit A, as attached, in the City of Onalaska.

AND, WHEREAS, the vacation of a portion of Kinney Coulee Road North is in the public interest as the vacation will return the land to the tax role and enable the abutting property owner to better utilize the vacated land;

NOW, THEREFORE, BE IT RESOLVED, that the City of Onalaska will hold a public hearing on January 10, 2017 at 7:00 p.m. in City Hall, 415 Main Street, Onalaska, Wisconsin, which is not less than forty (40) days after the introduction of this resolution, with notice of the hearing and service to be provided to all interested landowners at least thirty (30) days prior to the hearing.

BE IT FURTHER RESOLVED, that the City of Onalaska will act on a resolution to discontinue and vacate a portion of Kinney Coulee Road North on the 10th day of January at 7:00 p.m.

BE IT FURTHER RESOLVED, that a lis pendens will be filed with the Register of Deeds, La Crosse County in the matter under Wis. Stat. §840.11.

BE IT FURTHER RESOLVED, that in the public interest, the above noted street right-of-way should be vacated, and to that end the above noted notice and hearing procedure shall be followed to ensure compliance with Wisconsin Statutes and City of Onalaska Code of Ordinances.

Dated this 8th day of November, 2016.

CITY OF ONALASKA

BY: _____
Joe Chilsen, Mayor

Caroline Burmaster, City Clerk

Passed:
Approved:
Published: