

**Administrative & Judiciary Committee  
of the City of Onalaska**

Wednesday, February 7, 2018

1

1 The meeting of the Administrative & Judiciary Committee of the City of Onalaska was called to  
2 order at 6:00 p.m. on Wednesday, February 7, 2018. It was noted that the meeting had been  
3 announced and posted at City Hall.

4

5 Roll call was taken with the following members present: Ald. Jerry Every, Ald. Ron Gjertsen,  
6 Ald. Bob Muth

7

8 Also Present: City Administrator Eric Rindfleisch, City Clerk Cari Burmaster, Financial  
9 Services Director/Treasurer Fred Buehler, Planner/Zoning Inspector Katie Aspenson, Police  
10 Chief Jeff Trotnic, Attorney Amanda Jackson of O'Flaherty Heim Birnbaum Kirchner & Curtis,  
11 Ltd., Fire Chief Don Dominick, Firefighter Cory Taylor

12

13 **Item 2 – Approval of minutes from the previous meeting(s)**

14

15 Motion by Ald. Gjertsen, second by Ald. Every, to approve the minutes from the previous  
16 meeting as printed and on file in the City Clerk's Office.

17

18 On voice vote, motion carried.

19

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

21

22 Ald. Muth called three times for anyone wishing to provide public input and closed that portion  
23 of the meeting.

24

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

26

27 **Administrative**

28

29 **Item 4 – Approval of Operator's Licenses as listed on report dated February 7, 2018**

30

31 Cari told committee members they had copies of the new report and said all the applicants have  
32 undergone a Police Department background check.

33

34 Motion by Ald. Muth, second by Ald. Every, to approve the Operator's Licenses as listed on  
35 report dated February 7, 2018.

36

37 On voice vote, motion carried.

38

39 **Item 5 – Approval of Class B Picnic License for:**

40

41 a. La Crosse Area Builders Association, 816 2<sup>nd</sup> Avenue South, Onalaska for the La Crosse  
42 Area Builders Association Home Show, March 9-11, 2018 at the Omni Center, Onalaska

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43

44 Motion by Ald. Muth, second by Ald. Every, to approve a Class B Picnic License for the La  
45 Crosse Area Builders Association, 816 2<sup>nd</sup> Avenue South, Onalaska for the La Crosse Area  
46 Builders Association Home Show, March 9-11, 2018 at the Omni Center, Onalaska.

47

48 On voice vote, motion carried.

49

50 **Item 6 – Approval of Special Events Permit for:**

51

52 a. Firehouse 5K for the Onalaska Fire Department on Saturday, April 14, 2018 from 6 a.m.-  
53 10 a.m. starting at Onalaska City Hall, 415 Main Street, Onalaska

54

55 Motion by Ald. Muth, second by Ald. Gjertsen, to approve a Special Events Permit for Firehouse  
56 5K for the Onalaska Fire Department on Saturday, April 14, 2018 from 6 a.m.-10 a.m. starting at  
57 Onalaska City Hall, 415 Main Street, Onalaska.

58

59 Cari said all the department heads have signed off on the event, and that she has the Certificate  
60 of Insurance on file.

61

62 On voice vote, motion carried.

63

64 b. Sole Burner – Coulee Region Run/Walk for the American Cancer Society, 2700 Midwest  
65 Drive, Onalaska on Sunday, April 22, 2018 from 6 a.m.-2 p.m. starting at 2700 Midwest  
66 Drive, Onalaska

67

68 Motion by Ald. Muth, second by Ald. Every, to approve a Special Events Permit for the Sole  
69 Burner – Coulee Region Run/Walk for the American Cancer Society, 2700 Midwest Drive,  
70 Onalaska on Sunday, April 22, 2018 from 6 a.m.-2 p.m. starting at 2700 Midwest Drive,  
71 Onalaska.

72

73 Cari said this is a repeat event and there will be no changes to the route. Cari also said all the  
74 department heads have signed off on the event and the Certificate of Insurance is on file.

75

76 On voice vote, motion carried.

77

78 **Item 7 – Review of Fees for:**

79

80 a. Mobile Home Parks

81

82 City Administrator Rindfleisch said it is his understanding the last time an update occurred was  
83 the 1970s.

84

Reviewed 2/9/18 by Cari Burmaster

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3

85 Fred referred to a copy of a memo included in committee members' packets and said the  
86 Assessor ( $2\frac{1}{2}$  hours x \$50/hour x 12 months = \$1,500) is somewhat covered under the tax  
87 portion. Fred said, "If you were to exclude the Assessor portion and if you were just trying to  
88 recoup and break even with the Finance ( $1\frac{1}{2}$  hours x \$46.78/hour x 12 months = \$842) and City  
89 Clerk monthly responsibilities (2 hours x \$24.04 = \$48), it comes to \$890. If you were to raise it  
90 the max, as outlined by the City Attorney, \$100 for every 50 lots or fraction thereof, it would  
91 generate \$1,050. If you were to adjust that downward to \$90 for every 50 lots or fraction  
92 thereof, you would generate \$990. If you would move it down to \$75 for every 50 lots or  
93 fraction thereof, you would generate \$825. Or you can decide to do nothing."

94

95 Ald. Muth said, "The reason I brought this up is that I just wanted to make sure that the fees were  
96 covering the time spent for our staff for permits and so on. The other information you gave us  
97 related to the taxes that they pay, that may make a difference where we don't need to raise it.  
98 But the only reason I questioned that is that I just wondered that the city taxpayer shouldn't be  
99 paying for fees that are issued if it costs them money rather than the trailer home."

100

101 City Administrator Rindfleisch referred to Fred's comment regarding "leaving it alone means no  
102 change," and said, "I think you were actually referring to leaving it as \$100 for every 50 lots or  
103 fraction thereof." City Administrator Rindfleisch noted the city currently collects \$375 annually  
104 for five mobile home parks in the city. City Administrator Rindfleisch also pointed out that the  
105 city currently only collects one-third of what it costs to issue the license permit at the current  
106 rate. City Administrator Rindfleisch also said the other General Fund expenses are covered by  
107 the General Fund taxpayers.

108

109 Motion by Ald. Every, second by Ald. Gjertsen, to establish a \$90 Mobile Home Park License  
110 Fee for every 50 lots or fraction thereof.

111

112 Ald. Every said, "I don't see the need to raise the fee just to raise a fee."

113

114 Ald. Muth said, "My idea was to increase it 50 percent at all levels, so we're not jumping to the  
115 max."

116

117 Amanda said it is not necessary to have the same fee level, but instead have a flat \$90 fee for 50  
118 lots. Amanda asked if there are any parks with fewer than 50 lots.

119

120 Cari said yes and noted there currently are four fee levels. Cari said, "The way you outlined it  
121 for \$90 for 50 [lots], it would actually change it to three levels. One to 50 would be the \$90.  
122 The 51 to 100 would be \$180, and over the 100 would be \$270."

123

124 Amanda said she does not believe State of Wisconsin Statute allows the city to take this action,  
125 stating she believes \$100 is the maximum amount that can be charged per 50 units.

126

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127 Cari said the city would charge \$270 for more than 100 lots. The maximum amount the city  
128 could charge for more than 100 lots is \$300.

129

130 Ald. Muth asked Fred what the result would be if the city increased the fees, all levels, by 50  
131 percent.

132

133 Fred said the city would generate \$825 if it charged \$75 for every 50 lots.

134

135 Cari said there would be a \$75 charge for one to 50 lots. There would be a \$150 charge for 51 to  
136 100 lots, and there would be a \$225 charge for more than 100 lots. Cari said the \$825 that would  
137 be generated by charging \$75 for every 50 lots or fraction thereof would not quite cover the total  
138 expense of \$890.

139

140 Ald. Muth noted the motion on the floor is to increase the fee to \$90 for every 50 lots or fraction  
141 thereof and said the committee must first vote on this motion. Ald. Muth asked Fred, "What  
142 percent increase would cover the expense?"

143

144 Fred said, "We've never had the expense recognized before," and he asked Cari how much she  
145 had collected under the current rate.

146

147 Cari estimated \$325.

148

149 Fred said the percentage can be determined by subtracting \$325 from the \$825 that would be  
150 collected if the city charged \$75 for every 50 lots and dividing that sum (\$500) by \$325.

151

152 Ald. Every said he believes it would be the opposite.

153

154 Amanda asked if charging \$80 for every 50 lots would be sufficient.

155

156 Ald. Gjertsen said the city would come close to covering its expenses if it charges \$80.

157

158 Ald. Every said he believes Ald. Muth's idea of a percentage is fairer, stating, "It's the same for  
159 everybody."

160

161 Fred said there would be a 153 percent increase by dividing \$500 by \$325. Fred said multiplying  
162 325 by 153 percent equals a \$497 increase.

163

164 Ald. Every asked if there is an urgent need to do this and suggested that the calculations could be  
165 presented at the March 7 Administrative and Judiciary Committee meeting.

166

167 Cari said she has to send out renewal notices, and she must send out the letter at the beginning of  
168 March. Cari said she cannot take any action until the rates are established.

Reviewed 2/9/18 by Cari Burmaster

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169

170 Motion and second withdrawn.

171

172 Fred asked Ald. Muth if he wants a 50-percent increase from the \$325.

173

174 Ald. Muth said no, noting that the 50 percent will come up short. Ald. Muth said he does not  
175 like the idea of informing mobile home owners that the city will increase their rates 100 percent.

176 Ald. Muth said, "I would rather say 90 percent or whatever to show that we're increasing it to  
177 cover our costs."

178

179 Fred said the percentage increase (174 percent) can be determined by subtracting \$325 from  
180 \$890 and dividing that sum (\$565) by \$325.

181

182 City Administrator Rindfleisch inquired about the sizes of the city's five mobile home parks.

183

184 Cari said she believes a majority of them are between 51 and 100 units.

185

186 Discussion ensued regarding rate increases.

187

188 Cari told Fred, "If we went with an 80-percent increase on all the rates, going to three levels, the  
189 first level would be one to 50, that would be \$90."

190

191 For clarification, Katie noted it is one fee per park.

192

193 Cari said the fee for 51 to 100 lots would be \$135, and the fee for more than 100 lots would be  
194 \$180. Cari noted this would be an 80-percent increase at every level and asked Fred, "Where  
195 would you wind up for income?"

196

197 Fred said \$720.

198

199 Ald. Muth said, "If we increased everything by 100 percent, we're just doubling the \$50, the  
200 \$150 and the \$200. For over 100 lots we're not jumping from \$100 to \$300; we're jumping from  
201 \$100 to \$200. And the \$75 [for 51 to 100 lots] we wouldn't jump all the way up to \$200; that  
202 would be \$150. The others would be \$100."

203

204 Cari said the \$50 fee would increase to \$100; the \$75 fee would increase to \$150; and the \$100  
205 fee would increase to \$200. Regarding the city's five mobile home parks, the 22-lot park would  
206 be charged \$100; the 59-lot park would be charged \$150; the 124-lot park would be charged  
207 \$200; the 66-lot park would be charged \$150; and the 150-lot mobile home park would be  
208 charged \$200.

209

210 Amanda said \$800 would be collected.

Reviewed 2/9/18 by Cari Burmaster

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211

212 Cari said the best scenario presented was the \$90 for every 50 lots.

213

214 Motion by Ald. Every, second by Ald. Gjertsen, to establish a \$90 Mobile Home Park License  
215 Fee for every 50 lots or fraction thereof.

216

217 On voice vote, motion carried.

218

219 Cari said the fee for one through 50 units would be \$90; the fee for 51 through 100 units would  
220 be \$180; and the fee for more than 100 units would be \$270.

221

222 **Item 8 – Miscellaneous licensing reporting**

223

224 Cari noted she had distributed a report listing recreational burning permits.

225

226 Motion by Ald. Every, second by Ald. Gjertsen, to approve the miscellaneous licensing  
227 reporting.

228

229 On voice vote, motion carried.

230

231 **Judiciary**

232

233 **Item 9 – Ordinance 1604-2018 – to amend Chapter 6 of Title 13 of the Code of Ordinances**  
234 **of the City of Onalaska relating to accessory uses and the sign ordinance (First and Second**  
235 **Reading)**

236

237 City Administrator Rindfleisch said it is his understanding that there have been some potential  
238 requests for billboard applications and asked if the rules can be suspended and Ordinance 1604-  
239 2018 be given its First, Second, Third and Final Reading.

240

241 Motion by Ald. Every, second by Ald. Muth, to suspend the rules and give Ordinance 1604-2018  
242 its First, Second, Third and Final Reading.

243

244 Katie said both she and Amanda had worked “for the better part of almost two years” on  
245 rewriting this ordinance to bring it in line with a United States Supreme Court ruling regarding  
246 signage. Katie said, “The bulk of this is essentially taking out the content-based work. You have  
247 to look at a sign to read the sign. We no longer can regulate it. A good example is a political  
248 sign. If you drive down the road and you see ‘Vote for Someone’ and the only way you would  
249 know that sign is political is by reading it, we can no longer do that. We can’t designate  
250 different types of signage. All we can do is say you can put up a sign on your property 30 days  
251 before an election and 10 days after. We don’t say what can go on your sign. We can say how  
252 many, how big it can be, how long it can be there, can it be lit, can it not. That’s one big change

Reviewed 2/9/18 by Cari Burmaster

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253 we did for all of the signage that we have. Another change is that we reorganized it based on  
254 your zoning district. If you're in a Commercial District you get different allowances than if  
255 you're in a Residential District, which is different than if you're in a Public and an Institutional  
256 and you have a church. ... We've strengthened our billboard section for static billboards and the  
257 electronic ones that can change. We tried to catch any loopholes that were previous and  
258 tightened our standards so that we keep the aesthetics of Onalaska looking the way that we want  
259 it to. We still have a lot of allowances for our businesses. Signage is very important to gaining  
260 the attention they need, so we wanted to make sure that we didn't change that."

261

262 Ald. Muth referred to Section 13-6-19 ("Substitution") and noted it describes some of the  
263 wording on the signs. Ald. Muth asked if the owner of Del's Auto & Marine could utilize his  
264 sign to say that he wants Police Chief Trotnic to become the State of Wisconsin's Governor.

265

266 Katie said yes.

267

268 Ald. Muth said he did not want the ordinance to hamper that ability, nor did he want the  
269 ordinance to hamper the ability of churches to invite individuals to worship there.

270

271 Amanda said that prior to the rewrite the code referred to real-estate signs and garage sale signs,  
272 noting that their size was regulated, as was the number based on the type of content on the sign.  
273 Amanda said the city still can regulate signs with lewd content.

274

275 Ald. Every inquired about the length of time a message may appear on an electronic sign, and he  
276 also inquired about the city gaining access to the signs.

277

278 Katie said the city receives up to 10 events a year that it may publicize, citing the example of the  
279 city's spring election. The event will be a part of the rotation for a week before the event occurs.

280

281 Amanda said all the billboards in the city have been mapped, noting that in the future there likely  
282 will be a push to replace the existing wood, metal structure billboards with electronic billboards.  
283 Amanda said, "We wanted to be open to the potential, because I think most people would prefer  
284 fewer billboards if they are electronic rather than more billboards. [We wanted] to be open to  
285 what the future might hold as [the old billboards] slowly come down."

286

287 Katie noted there currently is one electronic billboard in the city, and another one is coming.

288

289 On voice vote, motion carried.

290

291 Motion by Ald. Every, second by Ald. Muth, to approve Ordinance 1604-2018 – to amend  
292 Chapter 6 of Title 13 of the Code of Ordinances of the City of Onalaska relating to accessory  
293 uses and the sign ordinance (First, Second, Third and Final Reading).

294

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8

295 On voice vote, motion carried.

296

297 **Adjournment**

298

299 Motion by Ald. Muth, second by Ald. Every, to adjourn at 6:36 p.m.

300

301 On voice vote, motion carried.

302

303

304 Recorded by:

305

306 Kirk Bey