

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

Wednesday, June 3, 2020

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, June 3, 2020. 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. Steven Nott, Ald. Tom Smith,
6 Ald. Diane Wulf

7
8 Also Present: City Administrator Eric Rindfleisch, Mayor Kim Smith, City Clerk Cari
9 Burmaster, City Attorney Amanda Jackson, Interim Fire Chief Troy Gudie, Omni Center Event
10 Coordinator Justin Swartling, Ald. Dan Stevens

11
12 **Item 2 – Approval of minutes from the previous meeting(s)**

13
14 Motion by Ald. Wulf, second by Ald. Nott, to approve the minutes from the previous meeting as
15 printed and on file in the City Clerk’s Office.

16
17 On voice vote, motion carried.

18
19 **Item 3 – Public Input (limited to 3 minutes/individual)**

20
21 Ald. T. Smith called three times for anyone wishing to provide public input and closed that
22 portion of the meeting.

23
24 **Consideration and possible action on the following items:**

25
26 **Administrative**

27
28 **Item 4 – Approval of Operator’s Licenses as listed on report dated June 3, 2020, with**
29 **permission to continue to accept all applications through Monday, June 8, 2020**

30
31 Cari noted she had sent out an updated version of the Operator’s Licenses, and all the applicants
32 have undergone background checks with the Police Department. Cari said she is asking that the
33 city be allowed to continue accepting applications through June 8 as this is the city’s high
34 renewal time and she would like to get in as many as possible for approval at the June 9
35 Common Council meeting.

36
37 Motion by Ald. Wulf, second by Ald. Nott, to approve Operator’s Licenses as listed on report
38 dated June 3, 2020, with permission to continue to accept all applications through Monday, June
39 8, 2020.

40
41 On voice vote, motion carried.

42
Reviewed 06/08/2020 by Cari Burmaster

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43 **Item 5 – Discussion on Mayoral Emergency Order No. 4**

44

45 Amanda told committee members Item Nos. 5 and 6 go together to a certain degree, and she said
46 one of the challenges that remains due to COVID-19 is how to address special events and
47 community gatherings. Amanda noted the city currently is under a Mayoral Order that limits
48 them to repeat events that must follow La Crosse County Health Department and Center for
49 Disease Control and Prevention guidelines. Amanda said she and Mayor K. Smith had discussed
50 adopting formal guidelines and then removing the Mayoral Order so that special events may
51 proceed under the adopted guidelines. Amanda said she and Mayor K. Smith knew La Crosse
52 County would be putting forth guidelines, but they did not know when. Amanda said they had
53 drafted the guidelines that are part of Item No. 6, and she noted La Crosse County had released
54 its guidelines that address special events May 29. The city is following those guidelines for
55 Parks and Recreation Department programming and events held at the Omni Center. Amanda
56 said, “My recommendation would be, from a liability standpoint, we have the least amount of
57 liability if we follow our public health experts’ guidance.”

58

59 Mayor K. Smith said she and Amanda wanted to put out the Mayoral Order so that the city
60 would have something, and she told committee members, “The intention is for us to all work
61 together to find more long-term solutions. If we feel like it’s still too much in turmoil, we can
62 just continue as we are. But it’s difficult for people who are trying to plan events or cancel
63 events when we really are just going on a case-by-case basis and not letting anyone new in. It's
64 pretty restrictive, so I was hoping since we have the cycle of meetings to allow an opportunity
65 for the committee to weigh in. And whatever we as a group decide I’m sure will be in the best
66 interest of the community.”

67

68 Ald. Nott asked if the committee will consider Item Nos. 5 and 6 together.

69

70 Ald. T. Smith asked if there needs to be a motion for Item No. 5, or if the committee is just
71 discussing it at this time.

72

73 Cari noted Item No. 5 states this is a discussion regarding the Mayoral Emergency Order.

74

75 Ald. Nott said he will be discussing both Item Nos. 5 and 6 together, and he told committee
76 members he would not feel comfortable with denying someone the opportunity to hold a new
77 special event that will comply with the guidelines committee members agree are prudent. Ald.
78 Nott said, “If we come out with guidelines, they’re guidelines, whether it’s for established ones
79 or new ones. I don’t know what the difference would be.”

80

81 Amanda said she believes the Mayoral Order was written when the State of Wisconsin still was
82 under the “Safer at Home” order, and she told Ald. Nott that at the time only allowing repeat
83 events with which the city was familiar seemed like the safest action to take. Amanda said, “I
84 think the idea, and the reason we put this on here, was that there’s probably not a need as long as

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85 people are following county guidelines or whatever guidelines we choose to adopt. We don't
86 need to decide based on whether you're new or not. You follow the guidelines, and you can
87 have your event."

88
89 Mayor K. Smith said it was necessary to put out the Emergency Order, and she told committee
90 members she did not want to be the one deciding which guidelines the city was or was not going
91 to follow. Mayor K. Smith noted there were daily changes related to the pandemic when the
92 order was issued, and she said, "If we can figure out what the rules are going to be, I would
93 definitely like to get that off the books and into something [that is] more of a long-term situation.
94 And as far as the thinking behind the new events is just the amount of variables. We had already
95 had so many variables with trying to figure out the guidelines and how to safely permit anything,
96 that we felt it was not appropriate at that time to consider a new event. But if we have
97 guidelines, then I do think it would be appropriate to consider new events equally."

98

99 **Item 6 – Review and approval of Special Event Guidelines**

100

101 Amanda said the city had reached out to La Crosse County and requested that the county give the
102 city guidelines related to special events. Amanda said Item No. 6 was crafted while the city
103 waited for the county to provide the guidelines, and she told committee members, "I would go
104 back to the fact that from a liability standpoint, the state chose to have a county health
105 department for a reason, by statute, and to limit the number of health departments across the
106 state. ... Since they did put out comprehensive guidelines, which we even refer to in No. 6, I do
107 think ... In some cases, No. 6 is more restrictive than what the county put out as far as details
108 like selling items and things like that. I do think it would be in the city's best interest from a
109 legal standpoint to follow the County Compass."

110

111 Ald. Nott said he thinks he will have some concerns about some of the guidelines that are listed,
112 but he also stressed he does not have concerns about all of them. Ald. Nott said he does not take
113 issue with encouraging social distancing and wearing masks. However, Ald. Nott expressed
114 concern over Item A, which reads as follows: "*All Special Events/Public Gatherings using City
115 Facilities shall adhere to the recommended limit of gatherings for 10 persons or less until any of
116 the following three agencies recommend larger gatherings, the event may follow whichever of
117 the three below agencies has the highest public assembly limit: 1. La Crosse County; 2.
118 Wisconsin Economic Development Corporation; 3. Center for Disease Control.*"

119

120 Ald. Nott said, "The whole 10, I still am waiting for somebody to show me the science on that,
121 including the health boards. Why 10? Why not 11? Why not nine? Why not 15? Why not
122 five? To me, it's totally arbitrary. It also ignores differences in venues. It ignores inside versus
123 outside; we know that outside is a far healthier environment. Just something that comes to mind
124 right there is the 6-foot social distancing is at least established on some form of science. If that's
125 the case, then that would be one person basically requires 36 square feet. I understand it would
126 be circular and not square, but close enough for math. In which case, why wouldn't we just say

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127 one person for every 36 square feet of the venue, and then encourage people to keep the social
128 distancing. We've created the conditions where they can actually do that, then we would
129 encourage them to do it."

130

131 Ald. Nott utilized the example of using 10 persons as a guideline, stating he could not feasibly
132 meet with up to nine other constituents in Third District to hold an information session in Room
133 112 at City Hall. Ald. Nott estimated Room 112 measures approximately 200 square feet and
134 said he could have 10 individuals in there. Also, Ald. Nott said he could go to the Omni Center,
135 which has the capability to seat thousands, and he could only have 10 people in there. Ald. Nott
136 said, "This doesn't make sense to me. I think we need to try to come up with something that is
137 more _____ and more science-based to figure out what is proper for people to do for planning for
138 gatherings."

139

140 Ald. T. Smith noted the city already is following the guidelines already written by La Crosse
141 County and the Health Department, and he said, "Steve is asking for the numbers. We don't
142 have them, so I don't know how we could justify it beyond what they're already
143 recommending."

144

145 Amanda said she would delete No. 6 and instead recommend that the city follow the compass.
146 Amanda said, "I don't think in any situation restricts it to 10. I think right now it's generally
147 speaking at 50 for any outdoor gatherings, and it depends on what you're doing. It's anywhere
148 from 15 to 25 percent capacity. I believe for the Omni Center it could be 25 percent capacity,
149 but it kind of looks at what the activity is. To me, that's more science-based. It's breaking it
150 down based on the use or the activity as opposed to just blanket."

151

152 Ald. Nott said, "I want us to create the conditions to where anyone who is having a gathering can
153 meet in the 6-foot social distancing, et cetera, et cetera, that's on here. ... We create the
154 conditions and we encourage people to meet them, then we've done our due diligence. Even the
155 number 50 to me is arbitrary. It really should be venue-based and based on some scientific
156 criteria. If it's going to be the 6-foot social distancing, then that's what it's based on in what the
157 capacity could be for a social gathering. Arbitrary numbers to me don't make any sense."

158

159 City Administrator Rindfleisch said staff had put together these guidelines in the absence of La
160 Crosse County having plans in place in anticipation of what the county might do. City
161 Administrator Rindfleisch said, "The county went in a different direction that we are pleased to
162 see, so if you're asking staff for a request, our request is to file, if you will, the document that is
163 attached to No. 6 and follow the county guidelines."

164

165 Motion by Ald. Nott, second by Ald. T. Smith, to file the Special Event Guidelines and instead
166 follow the La Crosse County-recommended guidelines.

167

168 Ald. Nott asked that the county's guidelines be compiled and sent to the alderpersons, and he

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169 said, “There are certain things the county is doing that I think are arbitrary and not based on
170 science. A lot of what they do is, but some of what they’re doing to me doesn’t make any
171 sense.” Ald. Nott cited the example of the sale of food being limited to prepackaged items,
172 which is included in the document before the committee this evening, and he said, “If food is
173 being cooked to the proper temperature, which is already a requirement – and it was before
174 COVID-19 – then I think any real danger is being mitigated. If we want to put some kind of
175 restriction on like what Kwik Trip is doing, for instance, where they have to package each
176 hamburger or hot dog individually ... Otherwise the way I’ve seen a lot of this with the
177 prepackaged being defined is the ice cream sandwich comes from the store already packaged –
178 things like that. You can’t actually do any food preparation on site, which doesn’t make sense to
179 me, either.

180

181 I don’t know what’s in those guidelines is the bottom line. I have no problem if they’re more
182 lenient than what we’re looking at here with going with that for now. But I would still like to see
183 a review of those.”

184

185 Amanda noted she had just emailed the guidelines, and she told Ald. Nott they are less restrictive
186 in the sense they do not address food, but instead address items such as capacity of the public
187 assembly. Amanda said in certain cases they do emphasize wearing masks, adding, “For our
188 purposes, I don’t think it’s ever required; it’s simply recommended. And then also maintaining
189 the 6 feet of social distancing.”

190

191 Ald. Nott said he believes they all sound reasonable, especially since they are only
192 recommendations, and he thanked Amanda for emailing the guidelines.

193

194 On voice vote, motion carried, 2-0, with one abstention (Ald. Wulf).

195

196 **Item 7 – Approval of Special Events Permit for:**

197

198 A. Great River Sound on Tuesday evenings from approximately 6:30-8:30pm (rain dates
199 Wednesday evenings) from June 16 through September 9, 2020 at Dash Park, Onalaska

200

201 Cari told committee members the application is on file, and she noted this event has been held in
202 the past. Cari said that based on the discussion that occurred during the last item, she would
203 request that the event follow La Crosse County Health Guidelines.

204

205 Motion by Ald. Nott, second by Ald. Wulf, to approve a Special Event Permit for Great River
206 Sound on Tuesday evenings from approximately 6:30-8:30 p.m. (rain dates Wednesday
207 evenings), from June 16 through September 9, 2020 at Dash-Park, Onalaska, provided that La
208 Crosse County Health Guidelines are followed.

209

210 Ald. Stevens, a representative of the Onalaska Hilltopper Club, which is a supplicant for the

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211 permit, noted he had received an update earlier Wednesday from the La Crosse County Health
212 Department, and he said, “We were hoping to, in light of the guidelines we had presented in our
213 plan, maybe get a blessing or a special dispensation to move forward. The ruling from the
214 county at this point was that they were going to stick with the current model, which would limit
215 us to 50 people in Dash-Park, which we believe is not sustainable for the program to continue to
216 provide a service to the community and keep the sponsors happy. They did qualify that
217 statement with, this is very fluid and it’s likely that the number could be relaxed and change very
218 soon. What I would ask the committee for is to proceed with the permit with the understanding
219 that the Onalaska Hilltopper Club ... We would like to have the permit with the understanding
220 that if the rules relax from La Crosse County, then we would be able to proceed with the concert
221 from that point going forward. We would, however, not operate with the guidelines as they
222 stand at 50. Rather than wait an additional month for the next A&J meeting, we would like the
223 ability to start when we are able, if we are able. If that doesn’t change, our intention at this point
224 is not to have the concert series in 2020, but to start fresh again in 2021.”

225

226 Cari said she believes the situation will be ever-changing, and she told Ald. Stevens there might
227 be times when the series will occur, and there will be times it will not occur due to the county’s
228 guidelines. Cari also told Ald. Stevens city officials do not know what those guidelines will be,
229 and she said, “I guess that’s why that is there, so that would give you the ability to do it when
230 you thought that you were able to do it and meet those guidelines.”

231

232 Ald. Stevens said the Onalaska Hilltopper Club potentially would proceed with the series if the
233 conditions turn favorable and La Crosse County guidelines are met. Ald. Stevens said, “If it
234 varies from week to week, it might get to be too onerous to manage and we may call it for the
235 season.” Ald. Stevens said community members have reached out to the Onalaska Hilltopper
236 Club and expressed their desire to see the concert series occur, “but it has to work on several
237 different levels, otherwise it’s not going to be feasible. This is a component. We need a permit
238 from the city to utilize the park. However, as Rotarians we want to do this right. We want to be
239 safe and respectful and do something that works all the way around. Having the ability to go
240 forward, if conditions are good, I’m asking that you would recognize that the Rotarians would
241 comply with the guidelines. And if there ever were any issues, you know where to find me.”

242

243 Cari asked Ald. Stevens that the Onalaska Hilltopper Club notify the city if the concert series is
244 unable to continue at any point during the season so that the public may be notified in the correct
245 manner.

246

247 Ald. Stevens told Cari the city would be notified, and that the Onalaska Hilltopper Club also
248 would provide a press release.

249

250 City Administrator Rindfleisch said that based on Ald. Stevens’ request, he does not believe the
251 committee would need to take any additional action based on the previous motion which,
252 following the guidelines as the compass moves from “orange” (its current status) to “yellow” to

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253 “red,” the concert series, on approval, would be allowed to follow those particular guidelines if
254 there are more individuals present in the park. City Administrator Rindfleisch said he does not
255 believe any additional action needs to be taken “because those are the guidelines that change. I
256 think the motion was appropriate and would allow it to occur as the Rotarians were comfortable
257 allowing that to happen.”

258

259 Ald. Nott said he is eager to see the guidelines, stating, “The social-distancing aspect, whether
260 you’re indoors or outdoors, certainly to me from everything I can read, should be making a
261 difference. If you’re indoors with 6-foot social distancing versus outdoors, that’s maybe even
262 less. I don’t know what that is, but we’ve known for months now the CDC has been saying that
263 outdoors is safer. I need something from the powers that be to tell me how much safer. Dan
264 might be able to have this if the social distancing is cut in half outdoors – I don’t know. But
265 certainly, indoors is more an incubator. This is what’s bothered me about a lot of this guidance.
266 To me, it just doesn’t make sense. It’s one size fits all.”

267

268 Ald. T. Smith said, “I think we all feel that until we get more direction all we can really do is to
269 go based on what we know.”

270

271 On voice vote, motion carried.

272

273 B. Amend date of Sole Burner 5K for the American Cancer Society to Sunday, October 4,
274 2020

275

276 Cari noted this event, originally scheduled for April, was postponed, and event organizers now
277 wish to hold it in October. Cari said she is asking that La Crosse County Health guidelines in
278 place at that time be followed if the committee votes to approve the event.

279

280 Motion by Ald. Nott to approve amending the date of Sole Burner 5K for the American Cancer
281 Society to Sunday, October 4, 2020, with the stipulation that the established guidelines
282 determined by the Administrative and Judiciary Committee or the Common Council are
283 followed.

284

285 Ald. Nott said he is changing the wording of the motion because there could come a time when
286 the city determines that La Crosse County is not being reasonable, adding, “I’d hate to lock us
287 into something.”

288

289 Motion dies for lack of a second.

290

291 Motion by Ald. Wulf, second by Ald. T. Smith, to approve amending the date of Sole Burner 5K
292 for the American Cancer Society to Sunday, October 4, 2020, with the stipulation that event
293 organizers will adhere to the La Crosse County guidelines that are in place at that time.

294

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295 Ald. Nott said, “We are potentially getting into a situation to where we are acquiescing city
296 authority to the county. Why I’m saying that is, the guise of safety and health can feasibly apply
297 to every single aspect of our daily lives. I do think that this city, over time as we learn more, can
298 also make our own determinations if we think that the county is not being reasonable or
299 forthcoming with guidance that’s useful to us or what have you. I think it’s very dangerous for
300 us to say, in everything health-related, the county is now in charge of all aspects. That seems to
301 be the path we’re going down right now, and I’m very uncomfortable.”

302

303 On voice vote, motion carried.

304

305 C. Amend date of American Legion Riders Association Motorcycle Ride to August 15, 2020

306

307 Cari noted this event originally was scheduled for June.

308

309 Motion by Ald. Nott, second by Ald. Wulf, to approve amending the date of American Legion
310 Riders Association Motorcycle Ride to August 15, 2020.

311

312 On voice vote, motion carried.

313

314 D. Market in the Park Event, June 13, 2020 from 9am-2pm at Van Riper Park Aquatic
315 Center parking lot

316

317 Cari told committee members this is a new event, which is being put on by the Parks and
318 Recreation Department.

319

320 Motion by Ald. Wulf, second by Ald. Nott, to approve a Special Event Permit for the Market in
321 the Park event, June 13, 2020 from 9 a.m.-2 p.m. at Van Riper Park Aquatic Center parking lot.

322

323 On voice vote, motion carried.

324

325 **Item 8 – Approval of Licenses for 7/1/2020-6/30/2021**

326

- 327 A. Class A Liquor Licenses
- 328 B. Class A Beer Only License – NONE
- 329 C. Class B Liquor Licenses
- 330 D. Class B Beer Only Licenses
- 331 E. Outdoor Venue Licenses – Class B Liquor
- 332 F. Outdoor Venue Licenses – Class B Beer
- 333 G. Cigarette / Tobacco Licenses
- 334 H. Hotel/Motel Licenses
- 335 I. Campground/Mobile Home Licenses
- 336 J. Taxi Licenses

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337 K. Weights and Measures Licenses

338

339 Cari told committee members that Items ‘A’ through ‘J’ have been submitted and have passed
340 the background checks, and she said the committee may address all of them together to save
341 time. Cari said she would like the committee to address Item ‘K’ separately.

342

343 Motion by Ald. Wulf, second by Ald. Nott, to approve licenses for Items 8A through 8J for July
344 1, 2020 through June 30, 2021.

345

346 Ald. Wulf referred to Item 8H and inquired about three motels that had not been marked
347 “Received.”

348

349 Cari said everything has been received from Items 8A through 8J.

350

351 On voice vote, motion carried.

352

353 Cari addressed Item 8K and told committee members it has been a unique year regarding
354 licensing due to the COVID-19 pandemic shutdown. Cari noted the city had sent out letters and
355 that some business are just now reopening, meaning they have to catch up on a significant
356 amount of paperwork. Cari asked that the committee approve the licenses of the establishments
357 that have submitted the application payment, and also that the committee approve the other
358 establishments, provided the city receives the application payments by the deadline date of the
359 expiration of their license (June 30).

360

361 Motion by Ald. Nott, second by Ald. Wulf, to approve the Weights and Measures Licenses under
362 Item 8K for July 1, 2020 to June 30, 2021, provided the City of Onalaska receives the application
363 payment by the deadline date of June 30, 2020.

364

365 Ald. Wulf noted that this is no different than any other year, other than the challenges that have
366 arisen due to the pandemic.

367

368 Cari said there always is a struggle with Weights and Measures Licenses because the city is
369 dealing with many different entities, and this license is the only one those establishments hold
370 with the city. Cari said this year the number is slightly larger than normal.

371

372 On voice vote, motion carried.

373

374 **Item 9 – Approval of Fireworks Permits for Michael F. Callaway / R&M Enterprises, Inc.**
375 **for selling of fireworks from a tent located at East Towne Plaza, State Road 16, Onalaska**
376 **from June 15, 2020 through July 6, 2020**

377

378 Cari said this is a repeat tent that always is in the city and sells fireworks for Independence Day.

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379
380 Motion by Ald. Wulf, second by Ald. Nott, to approve Fireworks Permits for Michael F.
381 Callaway / R&M Enterprises, Inc. for selling of fireworks from a tent located at East Towne
382 Plaza, State Road 16, Onalaska from June 15, 2020 through July 6, 2020.

383
384 Ald. Wulf asked Interim Fire Chief Gudie if he has any concerns regarding this permit.

385
386 Interim Fire Chief Gudie told Ald. Wulf there have been no past issues, and he said, “We should
387 be fine with this one. I’ve worked with him in the past, and we haven’t had any major issues.
388 All of that has been worked out through the years. He usually does it every year. He did not do
389 it last year, but it looks like he’s back again this year.”

390
391 Ald. Wulf noted there once was a vendor who operated in the city, and this vendor no longer
392 applies for a license.

393
394 Interim Fire Chief Gudie told Ald. Wulf she is correct.

395
396 On voice vote, motion carried.

397
398 **Item 10 – Discussion on possible mailbox parking ordinance**

399
400 Ald. Wulf said Clint Kanieski, who resides on the 100 block of 8th Avenue South, originally had
401 contacted Ald. Stevens about this matter. Ald. Wulf noted this item had appeared on both the
402 February and March Administrative and Judiciary Committee meeting agendas, and she said she
403 believes the direction that was given was for either Ald. Stevens and/or her to attempt to contact
404 the Post Office and point out to its employees that the Post Office needed to follow its own
405 policy. Ald. Wulf noted Ald. Stevens had contacted the Post Office via a letter and asked that
406 the employees follow the posted policy, and also that Post Office employees should contact the
407 city if they have questions or concerns. Ald. Wulf noted no one from the Post Office ever
408 contacted either Ald. Stevens or Clint Kanieski. Ald. Wulf told committee members she has
409 followed up with Clint a number of times, and she said he still was facing the same issues,
410 adding, “It is very errant here and there.” Ald. Wulf said the issues with which Clint was dealing
411 went away with the arrival of the COVID-19 pandemic due to the fact Irving Pertzsch
412 Elementary School, as well as the rest of the schools in the Onalaska School District, closed due
413 to the pandemic. Thus, parking no longer was an issue. However, Ald. Wulf said Clint fully
414 expects the issues to reappear once school is back in session.

415
416 Ald. Wulf noted she had since followed up with the Post Office in Onalaska, and she then was
417 directed to the City of La Crosse as the La Crosse Postmaster oversees the mail carriers in
418 Onalaska. Ald. Wulf said, “When I directed them towards the letter about following their own
419 policy, they said at the end of the day, it’s really to the discretion of each employee whether or
420 not they choose to get out of their truck and deliver the mail, depending upon the conditions. As

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421 nicely as I could, I strongly suggested that maybe they need to look at their posted policy if they
422 weren't going to choose to follow it anymore." Ald. Wulf noted she had contacted Clint and
423 described him as being one of the most reasonable constituents to which she has spoken. Ald.
424 Wulf said Clint believes he is not the only resident who is experiencing this problem, and that
425 this is not an isolated incident. Ald. Wulf said Clint is speaking on behalf of other citizens who
426 are facing the same issue. Ald. Wulf said Clint has asked that the city look into a possible
427 adjustment of its current ordinance. Ald. Wulf said she believes any adjustment must be
428 enforceable by the Police Department, and it also must work with the Post Office. Ald. Wulf
429 said Clint suggested possibly changing the ordinance's verbiage to state that motorists cannot
430 park within 2 feet of the center of the mailbox post in either direction. Ald. Wulf said she had
431 brought back this item to the committee for further discussion, and also the possibility of asking
432 Amanda to look at what abutting municipalities do.

433
434 Amanda offered to survey other municipalities, and she said she believes she found at least one
435 other ordinance that deals with this situation. Amanda said the city will need to communicate to
436 the public it has a new ordinance that restricts parking in front of mailboxes, and she told
437 committee members it will present a challenge. Amanda said that while motorists could be
438 issued citations for parking in front of mailboxes, it might not stop Clint's core problem as
439 motorists still could park in front of his mailbox and the Post Office could choose not to deliver
440 his mail. Amanda told committee members it is her understanding different individuals are
441 parking in front of Clint's mailbox.

442
443 Ald. Wulf told committee members Clint had sent her a copy of a document describing how the
444 Village of Romeoville addresses parking in front of mailboxes. Ald. Wulf said Romeoville had
445 passed an ordinance in May 2019 stating automobiles may not park within 15 feet of an
446 individual mailbox or a cluster of mailboxes unless the car is registered to the same address as
447 the mailbox in question. Ald. Wulf stated she never could support removing 15 feet of curb
448 parking spots, but she said she is seeking a sensible solution.

449
450 Ald. Nott, who represents Third District, noted Clint had contacted him first before he had
451 directed him to his Second District representative. Ald. Nott said he had spoken to some of his
452 constituents, and he told committee members Clint's assumption is correct in that there are other
453 citizens who experience problems with motorists parking in front of their mailboxes and they
454 then sometimes miss receiving their mail for days. Ald. Nott asked that an exception be made
455 for individuals who wish to park in front of their own mailbox, and he told committee members
456 there were residents who raised concerns about small property lines. Ald. Nott said the same
457 citizens became concerned when he told them there might be a future ordinance because they
458 then will lose all their street parking. Ald. Nott said allowing residents to park in front of their
459 own mailboxes will create complexities for the Police Department regarding enforcement of the
460 ordinance. Ald. Nott suggested perhaps reaching out to the Post Office regarding how much
461 space its employees believe is reasonable for them to access a mailbox in a delivery jeep. Ald.
462 Nott said he believes 15 feet is "very excessive," and, "I suspect they could probably do it in 6 or

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12

463 7 [feet]. I think they would be the experts. They're the ones driving those vehicles.”

464

465 Ald. T. Smith asked if perhaps Mayor K. Smith could contact the Postmaster.

466

467 Amanda said she believes it might be worth “reaching out a little bit more strongly” once more
468 to the Post Office and informing its employees Clint is not the only resident who is missing mail.

469 Amanda said it seems as though this is more an employee issue.

470

471 Ald. T. Smith noted the Post Office has admitted its employees are not following the policy.

472

473 Mayor K. Smith said she is willing to meet with Amanda and reach out to the Post Office.

474

475 Ald. T. Smith said he believes the alderpersons have done well in attempting to get Post Office
476 employees to listen to their concerns. However, Ald. T. Smith also said, “Sometimes at the
477 Mayor level, it just brings a different aura to it. It might be worth a shot.”

478

479 Mayor K. Smith noted this has been happening for some time and said citizens also have
480 contacted her.

481

482 Ald. Nott said he believes the best solution is for the Post Office to follow its own policy, and he
483 also said he agrees the city needs to “keep going higher and higher up the chain until we get a
484 response.” Ald. Nott said perhaps all the alderpersons need to sign a letter to the Post Office as
485 residents across the city are facing the same issue Clint is. Ald. Nott said, “If it has to go up high
486 enough, we may end up getting our own representative involved.”

487

488 Ald. Wulf asked that this item remain on the agenda for the July 8 Administrative and Judiciary
489 Committee meeting.

490

491 **Item 11 – Miscellaneous licensing reporting**

492

493 Cari noted committee members had received an updated report for the recreational burning
494 permits. There also is a solicitor’s permit from Michael Callaway.

495

496 Motion by Ald. Wulf, second by Ald. Nott, to place on file the miscellaneous licensing reporting.

497

498 On voice vote, motion carried.

499

500 **Judiciary**

501

502 **Item 12 – Ordinance 1669-2020 – to amend Title 1 of the Code of Ordinances of the City of**
503 **Onalaska relating to general provisions for use and Code of Ordinances**

504

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505 Amanda said this is the first step of the recodification process, and she told committee members
506 she believes this has not been done in at least a few decades. Amanda said city staff is checking
507 the ordinances, if there is a process, and if it is being followed. Staff also double check statutes
508 and the administrative code to ensure the references are correct.

509
510 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1669-2020 – to amend
511 Title 1 of the Code of Ordinances of the City of Onalaska relating to general provisions for use
512 and Code of Ordinances.

513
514 Ald. Wulf addressed Chapter 3, Section 1.03.12 (“Use of Official City Logo”) and said she
515 supports deleting the part that states the Administrative Committee must give prior written
516 approval to individuals, groups, or organizations that wish to use the Official City Logo. Ald.
517 Wulf said she does not remember anyone ever approaching the Administrative and Judiciary
518 Committee and requesting to use the seal.

519
520 Cari noted only one person had approached the city and inquired about utilizing the logo, but the
521 individual had withdrawn the request one he/she had discovered what the requirements are.

522
523 Ald. Wulf said the seal belongs to the City of Onalaska, and that the city should be protecting it.

524
525 Ald. Nott said no one should be utilizing the city’s logo without approval and stated, “I don’t
526 know why we would do that, but you always leave that open. But we should have control over
527 that, absolutely.”

528
529 Ald. Wulf said it is her understanding that as of today, before the committee and the Common
530 Council approve the ordinance, an individual who wishes to use the logo would have to come
531 before the Administrative and Judiciary Committee. However, no one would have the ability to
532 come before the Administrative and Judiciary Committee and use the logo if the committee
533 approves the ordinance this evening and the Common Council approves it June 9.

534
535 Amanda told Ald. Wulf she is correct.

536
537 City Administrator Rindfleisch said if the city had a partnership with a sign and someone asked
538 to use the logo for the sign, the city is the body that will make that decision. City Administrator
539 Rindfleisch said the logo may be utilized, but the city must allow it.

540
541 On voice vote, motion carried.

542
543 **Item 13 – Ordinance 1670-2020 – to amend Title 2 of the Code of Ordinances of the City of**
544 **Onalaska relating to Government and Administration**

545
546 Amanda said this was primarily a lot of reorganization and told committee members it was an

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547 attempt have consistency among the boards and the requirements. Amanda said there was
548 reorganization pertaining to how staff was laid out.

549

550 Ald. Wulf said she has several questions and asked if this item should be deferred so that the
551 committee may discuss the next ordinance.

552

553 Ald. Nott said he also has several questions and told committee members he will entertain a
554 motion to defer this item.

555

556 Motion by Ald. Wulf, second by Ald. T. Smith, to refer to the July 8 Administrative and
557 Judiciary Committee meeting Ordinance 1670-2020 – to amend Title 2 of the Code of
558 Ordinances of the City of Onalaska relating to Government and Administration.

559

560 On voice vote, motion carried.

561

562 **Item 14 – Ordinance 1671-2020 – to amend Title 3 of the Code of Ordinances of the City of**
563 **Onalaska relating to Finance**

564

565 Motion by Ald. Wulf, second by Ald. T. Smith, to approve Ordinance 1671-2020 – to amend
566 Title 3 of the Code of Ordinances of the City of Onalaska relating to Finance.

567

568 Ald. Wulf referred to Section 3.03.11, Section B (“Determination of Surplus City Property”) in
569 Chapter 3 and she said that for years that a list of surplus property that exceeded \$500 had to
570 come before the Common Council. Ald. Wulf said it is her understanding that it no longer will
571 come before the Common Council and instead will be addressed at a staff or a department head
572 level. Ald. Wulf read the following from Section 3.03.11, Section B(1): “... *the Financial*
573 *Services Director and applicable Department Head shall determine whether or not the item is*
574 *surplus City property.*”

575

576 Amanda referred to Section 3.03.11, Section C(1), which reads as follows: “*Whenever it is*
577 *determined that an item of property is surplus City property, it shall be disposed of in*
578 *accordance with the City's Finance Policy Manual or as required by law.*”

579

580 City Administrator Rindfleisch said the policy procedures have been more flexible than the
581 ordinance code, and he told committee members the intent is not to change the ordinance as
582 much as possible. City Administrator Rindfleisch said there is more control by the Common
583 Council by eliminating that section and employing the policy manual, which may be changed
584 without recodification and republishing. City Administrator Rindfleisch said that under the
585 current policy the Common Council is notified regarding anything of a substantial nature,
586 adding, “I’m comfortable in terms of that change. You can lower the number; you can raise the
587 number. But the Council can do that on a more frequent basis than by keeping it in the
588 ordinance.”

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589

590 Ald. Wulf asked what is in the Finance Policy Manual, and she said she will support the
591 ordinance this evening even if she does not receive an answer tonight. Ald. Wulf said it always
592 can be added if there is a strong feeling that the Common Council should know about the surplus
593 property.

594

595 Amanda said she believes the Finance Policy Manual follows current practice that has been done
596 for many years. This means something goes to auction if it is a certain level, and if possible it
597 may be reused in the city. Amanda told committee members she can send them an updated copy
598 of the Finance Policy Manual.

599

600 On voice vote, motion carried.

601

602 **Item 15 – Ordinance 1672-2020 – to amend Title 4 of the Code of Ordinances of the City of**
603 **Onalaska relating to Administrative Review Determinations / Public Records**

604

605 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1672-2020 – to amend
606 Title 4 of the Code of Ordinances of the City of Onalaska relating to Administrative Review
607 Determinations / Public Records.

608

609 On voice vote, motion carried.

610

611 **Adjournment**

612

613 Motion by Ald. Wulf, second by Ald. T. Smith, to adjourn at 7:00 p.m.

614

615 Ald. Nott adjourned the meeting.

616

617

618 Recorded by:

619

620 Kirk Bey