

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

Wednesday, August 5, 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, August 5, 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. Tom Smith, Ald. Diane Wulf,
6 Ald. Steven Nott

7
8 Also Present: City Administrator Eric Rindfleisch, Mayor Kim Smith, City Clerk JoAnn
9 Marcon, City Attorney Amanda Jackson, City Engineer Jarrod Holter, Planning Manager Katie
10 Aspenson, Fire Chief Troy Gudie, Ald. Dan Stevens, Police Chief Charles Ashbeck

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

13
14 Motion by Ald. Nott, second by Ald. Wulf, 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 August 5, 2020**

29
30 JoAnn noted an updated list with one additional applicant had been emailed at 4 p.m. today, and
31 she said the Police Department has reviewed and approved all the applicants.

32
33 Motion by Ald. Wulf, second by Ald. Nott, to approve Operator’s Licenses as listed on report
34 dated August 5, 2020.

35
36 On voice vote, motion carried.

37
38 **Item 5 – Approval of Special Events Permit for:**

39
40 A. La Crosse Community Theatre “All in the Timing Event,” September 7th - September
41 20th, 2020 at Altra Federal Credit Union parking lot, 1700 Oak Forest Drive, Onalaska

42

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43 Ald. T. Smith invited Dominique Luecke of the La Crosse Community Theatre to provide an
44 overview of the event.

45
46 Dominique told committee members she and other members of the La Crosse Community
47 Theatre will do a live performance on a 6-foot high elevated stage in Altra Federal Credit
48 Union’s parking lot. Approximately 40 parking spaces have been marked off, which allows for
49 the best sight lines. Dominique told committee members she and other members of the La Crosse
50 Community Theatre are trying to provide something that is fun and light-hearted that will serve
51 as an escape from the challenging circumstances the world is currently facing (e.g. the COVID-
52 19 pandemic, protests, political disagreements). Dominique also said she and the other
53 participants are attempting to be as responsible and safe as possible in that spectators are being
54 encouraged to watch the performance from their automobiles. The actors’ microphones will be
55 connected to a generator so that spectators may tune in to a specified frequency and listen to the
56 dialogue via their car radios. The show is expected to last less than one hour. Dominique said
57 the group wants to ensure spectators follow social distancing and also enjoy an event that is
58 unique and enjoyable. This is the first time the event is being held.

59
60 Motion by Ald. Wulf, second by Ald. Nott, to approve a Special Event Permit for La Crosse
61 Community Theatre “All in the Timing Event,” September 7th - September 20th, 2020 at Altra
62 Federal Credit Union parking lot, 1700 Oak Forest Drive, Onalaska.

63
64 On voice vote, motion carried.

65
66 **Item 6 – Approval of Resolution 34-2020 – to dissolve the Onalaska Arts Commission**

67
68 Ald. Stevens, who sits on the Arts Commission, said there are some inherent problems with
69 being a City of Onalaska entity and it might better exist being a friends group that will allow for
70 more flexibility to accomplish its goals. Ald. Stevens said consideration has been given to
71 renaming the group “Friends of the Onalaska Arts & Culture,” and he suggested that perhaps a
72 partnership could be formed with the La Crosse Community Theater, should there be an interest
73 to do so. Ald. Stevens told committee members the meeting to dissolve the Arts Commission
74 has not yet occurred – it is scheduled for Monday – and he said the apparent consensus among
75 commission members at the last meeting was the friends approach appeared to be the better
76 option. Ald. Stevens said, “Probably dissolving the [commission] from the administrative point
77 of view is the way to go. But keep in mind that we’ll have to take into account what the
78 committee decides, and then what Council thinks. I think that would be the appropriate action at
79 this point.”

80
81 Mayor K. Smith stated there is support for the Arts Commission and the arts, and there is a desire
82 for it to continue in the community. Mayor K. Smith said the city is attempting to find the best
83 way for commission members to do what they want to do to enrich the arts in the community,
84 adding, “We’re just trying to go for improvement.”

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85

86 Ald. Wulf said she believes dissolving the Arts Commission will allow its members to have
87 fewer roadblocks and stated she plans to support the resolution at the August 11 Common
88 Council meeting.

89

90 Amanda noted the Common Council will render the final decision regarding dissolving the
91 commission and suggested that this item be placed on the Council's Non-Consent Agenda.
92 Amanda told committee members they either may make a recommendation to the Council or
93 forward this item without recommendation.

94

95 Mayor K. Smith said one reason dissolving the commission is appealing is there are several
96 individuals who would like to be involved. Mayor K. Smith said having the body serve as a
97 commission is limiting, and the goal is to involve the broad community and allow citizens to
98 provide input. Mayor K. Smith said, "We want this to be more of a collaborative community
99 effort, and by dissolving the committee I think we can achieve that much more efficiently."

100

101 Motion by Ald. Nott, second by Ald. Wulf, to approve Resolution 34-2020 – to dissolve the
102 Onalaska Arts Commission.

103

104 On voice vote, motion carried.

105

106 **Item 7 – Discussion on possible mailbox parking ordinance**

107

108 Jarrod noted this item had been discussed at length at Tuesday evening's Board of Public Works
109 meeting. Jarrod said Board of Public Works members had discussed a variety of topics,
110 including the United States Postal Service's request of having at least 15 feet on each side of the
111 mailbox. Board members discussed placing no-parking signage around mailboxes if it is
112 requested, and also possibly creating a citywide ordinance to not allow parking near mailboxes.
113 The board also discussed how to address residents who park their vehicle in front of their own
114 mailbox. Jarrod said board members had not reached a consensus on how to proceed.

115

116 Ald. T. Smith asked Mayor K. Smith if she had been successful in contacting the Postmaster.

117

118 Mayor K. Smith said she had spoken to the Postmaster, who explained to her that 30 feet total
119 (15 feet on each side) is required on mounted routes and a mail carrier is not to disembark from
120 his/her vehicle and deliver the mail if that spacing is not present. Mayor K. Smith said mail
121 carriers cannot disembark their vehicles because they are in the lane of traffic, and she explained
122 that if people are parking where mail carriers are not able to pull in their vehicle and deliver the
123 mail, the vehicle still is in the lane of traffic. Mayor K. Smith told committee members the
124 Postmaster also had told her municipalities in which there is a significant amount of parking near
125 mailboxes, such as near schools or businesses, have instituted no-parking restrictions during a
126 certain time period such as 7 a.m. to 4 p.m. either weekdays or Monday through Saturday.

Reviewed 08/07/2020 by JoAnn Marcon

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127 Mayor K. Smith said she can ask the Postmaster any follow-up questions committee members
128 might have, and she also noted the Postmaster had declined her request to examine the USPS'
129 policy when she asked if she could do so.

130

131 Ald. T. Smith inquired about the possibility of creating an ordinance that designates where
132 motorists may park their vehicles in proximity to a mailbox.

133

134 Jarrod told Ald. T. Smith the Board of Public Works had discussed the challenges associated
135 with doing so, noting that a homeowner almost could eliminate parking in front of his/her home
136 depending on the location of the mailbox unless he/she has a large lot. Jarrod noted it is not
137 possible for a vehicle to be parked in front of a property owner's driveway if the mailbox is
138 located next to the driveway. Jarrod also said he believes several citizens would request signage
139 prohibiting parking around their mailboxes, and he also said citizens would plead ignorance if a
140 citywide ordinance were instituted. Jarrod also pointed out that other residents in the
141 neighborhood will register complaints that motorists are parking their vehicles in front of their
142 home if no-parking areas are established in other parts of the neighborhood.

143

144 Ald. Stevens said he is a little troubled by the fact the USPS has a policy it would not share with
145 Mayor K. Smith, noting he, Ald. Wulf and Amanda had found the public policy the USPS had
146 printed. Ald. Stevens said it appears the policy the Postmaster would not share with Mayor K.
147 Smith is not aligned with the public policy. Ald. Stevens also said that while Jarrod had
148 presented some possible solutions, he also pointed out there are citizens who are not receiving
149 their mail and are seeking assistance. Ald. Stevens said, "If we start looking at adding extra
150 restrictions for everybody, it seems like the solution is better for the Post Office, but not better
151 for the residents of Onalaska. I think what was discussed last time was we keep going up a level
152 until we get the result we're looking for. ... I would have the ordinances be the last resort."

153

154 Ald. Nott said that while he would like to assume Mayor K. Smith is being told the truth, he still
155 would like to see the USPS' policy. Ald. Nott said that if the USPS is not willing to share that
156 information, there is someone with which it will be forced to share it if a request is made. Ald.
157 Nott suggested approaching Congressman Ron Kind's staff about obtaining the policy for the
158 Congressman.

159

160 Mayor K. Smith said she would approach the Postmaster and tell him she will contact
161 Congressman Kind's office if she is not allowed to see the policy.

162

163 Ald. Wulf referred to a memo Amanda had written and noted the USPS' postal delivery policy,
164 as it is found on the USPS' website, states, "*Mailbox blockage by any vehicle may also prevent
165 the delivery of mail. According to our policy, the city or rural carrier should get out of the
166 vehicle to make delivery if the mailbox is temporarily blocked by a vehicle. However, if the
167 carrier continually experiences a problem in serving curblines or rural boxes where the customer
168 is able to control on-street parking, the Postmaster may withdraw delivery service.*" Ald. Wulf

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169 said that when both she and Ald. Stevens had written a letter to the U.S. Postmaster in Onalaska,
170 they had stated the constituent who resides on 8th Avenue South and was experiencing challenges
171 was unable to control the on-street parking. Ald. Wulf noted neither she nor Ald. Stevens had
172 received a reply, and she pointed out Amanda had found a policy posted on the USPS website
173 that says one thing, and the Postmaster in La Crosse is not willing to share the information he
174 had stated to Mayor K. Smith.

175
176 Mayor K. Smith said it is logical that if a USPS vehicle is in the lane of traffic and they are
177 unable to pull out of the lane of traffic, exit the vehicle and deliver the mail, she does not believe
178 a mail carrier should leave the vehicle in the lane of traffic.

179
180 Ald. Wulf said the mail carrier could park behind the parked vehicle.

181
182 Mayor K. Smith asked, “When it was one car down or half a block down or two blocks down –
183 how do you judge that?”

184
185 Ald. Wulf said based on conversations she has had with the constituent who resides on 8th
186 Avenue South, he placed a sign on his mailbox asking motorists not to block it. However,
187 someone allegedly exited his/her vehicle, removed the sign, and reentered the vehicle.

188
189 Jarrod said a majority of the city’s residents have their mailbox next to their driveway, and he
190 noted many driveways in the older section of the city measure 12 feet wide. Jarrod said
191 motorists must be parked 5 feet from the driveway, and he told committee members USPS
192 vehicles should have sufficient room, especially in the newer sections of the city, to pull into the
193 driveway. However, a letter carrier would need to exit the vehicle and walk to the mailbox.

194
195 Ald. Stevens reminded committee members one citizen, through no fault of his own, did not
196 receive his mail, and he suggested to Mayor K. Smith that she ask the Post Office what can be
197 done to ensure the citizen receives his mail. Ald. Stevens said, “He’s out of luck is not a very
198 good answer, and I wouldn’t want to drop that. Maybe they can comp him a P.O. Box, or maybe
199 they have another idea. But I would pursue this until the problem is resolved.”

200
201 Ald. Nott said he believes the city simply wants to know what the USPS’ policy is so that an
202 informed decision can be made. Ald. Nott said he believes the USPS should be able to provide
203 that to the city, and the policy should not be hidden from city officials.

204
205 Ald. T. Smith said he believes this is a USPS issue and not a City of Onalaska issue, and he told
206 committee members he believes the city needs to inform the USPS there is a customer who is not
207 receiving his mail and ask the Post Office what its solution is instead of the city creating an
208 ordinance that affects very few people.

209
210 Ald. Nott said there also are constituents in the Third District who are experiencing the same

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211 challenges related to receiving their mail, and he noted there are other citizens who are not
212 saying anything. Ald. Nott said that while it is possible the city might have to address this issue,
213 not all the information is known as of yet.

214

215 Ald. T. Smith asked what the committee's next action should be.

216

217 JoAnn noted this is only a discussion item this evening.

218

219 Mayor K. Smith told committee members she can be more firm during her next conversation
220 with the Postmaster and said she will contact someone from Congressman Kind's office if she
221 believes no progress has been made.

222

223 JoAnn asked committee members if they wish to have this item appear on the September 2
224 Administrative and Judiciary Committee meeting agenda, or if it should go strictly to the Board
225 of Public Works.

226

227 Jarrod noted he had been directed to include this item on the September 1 Board of Public Works
228 meeting agenda.

229

230 Ald. T. Smith told JoAnn this item will be part of the Board of Public Works' agenda and will
231 not return to the Administrative and Judiciary Committee.

232

233 **Item 8 – Approval of Sidewalk Café Permit Application / Hold Harmless Agreement**

234

235 Motion by Ald. Wulf, second by Ald. Nott, to approve Sidewalk Café Permit Application / Hold
236 Harmless Agreement.

237

238 Ald. T. Smith said it is his understanding the City of La Crosse is doing the same thing for small
239 businesses that might have the opportunity to expand their outdoor seating to the sidewalk or the
240 street and help them continue operating.

241

242 Jarrod said this would be only for the sidewalk in the City of Onalaska.

243

244 Ald. Wulf said it is her understanding this would apply to the downtown Onalaska district as
245 there really are no situations to date where there are sidewalks wide enough to accommodate
246 this.

247

248 Amanda said staff thought there potentially could be areas along Sand Lake Road that could
249 accommodate outdoor seating. Amanda said she believes there is some outdoor seating at
250 Domino's Pizza; however, it is tucked back on its sidewalk adjacent to the parking lot. Amanda
251 said that while she does not want to say the downtown district is the absolute only area where
252 sidewalk dining could occur, she believes the majority of it would occur there.

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253
254 Jarrod said that while there are sporadic spots throughout the city that could accommodate
255 sidewalk dining, he agrees the majority of establishments that could accommodate it are located
256 in the downtown district.

257
258 Ald. Wulf said it is her understanding representatives from two establishments had approached
259 the city while the State of Wisconsin was under the “Safer at Home” order, and any fees were
260 waived because the city had no application at that time. Ald. Wulf said it is her understanding
261 those establishments will be grandfathered in, but they will be subjected to the \$100 fee if they
262 want to apply for this license as of January 1, 2021.

263
264 Amanda told Ald. Wulf she is correct, and she asked JoAnn to confirm that both David Reay’s
265 and Maggie’s had applied for a Special Event Permit for this.

266
267 JoAnn told Amanda both establishments had done so.

268
269 On voice vote, motion carried.

270
271 **Item 9 – Miscellaneous licensing reporting**

272
273 Motion by Ald. Wulf, second by Ald. Nott, to place on file the miscellaneous licensing reporting
274 dated August 5, 2020.

275
276 On voice vote, motion carried.

277
278 **Judiciary**

279
280 **Item 10 – Ordinance 1670-2020 – to amend Title 2 of the Code of Ordinances of the City of**
281 **Onalaska relating to Government and Administration**

282
283 Amanda noted the ordinance has been updated with the motions that were made at the July 8
284 Administrative and Judiciary Committee meeting, as well as the changes to salary that were
285 decided at the July 14 Common Council meeting.

286
287 JoAnn noted Amanda had sent out a memo earlier this week with some proposed changes to the
288 ordinance.

289
290 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1670-2020 – to amend
291 Title 2 of the Code of Ordinances of the City of Onalaska relating to Government and
292 Administration.

293
294 Ald. Wulf asked Ald. T. Smith if his motion encompasses the suggestions Amanda had made in

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295 her memo dated August 4.

296

297 Ald. T. Smith said yes.

298

299 Ald. Wulf addressed Section 2.02.36 (“Order of Business”) and inquired about the change
300 Amanda has proposed.

301

302 Amanda said the second sentence currently reads, “*Members of the Council and City Officers*
303 *desiring a matter to be placed on the agenda shall submit the same to the City Clerk in a timely*
304 *fashion.*” Amanda said she is proposing that that sentence be deleted and replaced with the
305 sentence in her memo that states, “*The Mayor, City Officers, or any two members of the Council*
306 *may elect to place something on the agenda. Any items being placed on the agenda shall be*
307 *submitted to the City Clerk in a timely fashion.*” Amanda noted it would take two
308 Councilmembers instead of one to place something on the agenda.

309

310 Ald. Wulf asked if she may assume that does not include the Aldermanic Report.

311

312 Amanda said that is correct.

313

314 Ald. Wulf noted she had spoken to Amanda regarding Section 2.04.32 (“Residency Required for
315 Service on Boards or Commissions”) and said, “I for one can understand how it can be difficult
316 at times to find the right fit per the Room Tax Commission [and] how it is framed right now,
317 because they have to ... It’s difficult to find a person who actually lives in the City of Onalaska,
318 but they also have to be a hotelier [Wisconsin hotel or motel industry representative] ... I just
319 want to make sure that as it also relates to our CDA and also historical – but I’m mostly
320 concerned about CDA – that it’s never misinterpreted that there would be a possibility that we
321 maybe could have one day all five members of our CDA having people live in La Crosse or not
322 living in the City of Onalaska, because if you read the makeup of the CDA they also talk about
323 different industries. That would be my one concern, but Amanda has assured me that would not
324 be the case. I just want to go on record stating that I could not support that.”

325

326 Amanda said in those instances the city generally lists it wants someone to have a background in
327 a certain area (e.g. finance, real estate), and she stated she does not read that to mean an industry-
328 specific representative. However, Amanda also said she is open to changing that.

329

330 Ald. Wulf said she has no objections as long as everyone understands what Amanda’s intent is
331 and agrees with it, and also if Amanda feels there is no room for misinterpretation.

332

333 Ald. T. Smith and Ald. Nott both stated they have no objections.

334

335 Motion by Ald. Wulf, second by Ald. T. Smith, to amend the previous motion and change
336 Division 2 (“Mayor”), Section 2.02.22 (“Salary”), Subsection B (“Expenses”) to read as follows:

Reviewed 08/07/2020 by JoAnn Marcon

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337 *“Commencing on April 20, 2021, the Mayor shall receive Three Thousand Dollars (\$3,000.00)*
338 *per year paid monthly for general un-itemized expenses.”* Subsection B currently states that
339 commencing on April 20, 2021, the Mayor shall receive \$2,400 per year paid monthly for
340 general un-itemized expenses.

341
342 Ald. Wulf said she is bringing this alone, and she noted she has spoken with city staff to confirm
343 financial figures. Ald. Wulf also noted she has reached out to City Administrator Rindfleisch
344 and Amanda, and she said that when Joe Chilsen was serving as Mayor he received \$250 per
345 month (\$3,000 per year) for general un-itemized expenses. Ald. Wulf said she is simply looking
346 at keeping that in line going forward, adding that she sees no reason why that total should be
347 reduced in any way. Ald. Wulf said she believes the reduction from \$3,000 to \$2,400 was an
348 oversight and stated she is seeking support to make that position whole again.

349
350 Ald. Nott asked if the previous Title 2 had \$3,000 in it.

351
352 Amanda said the previous ordinance only established the Mayor’s salary, noting that while salary
353 must be included in an ordinance, expenses do not. Amanda told committee members there was
354 confusion surrounding when the Mayor’s position went from full-time to part-time as to what the
355 salary was, and this is how it ended up being slightly reduced. Amanda said it had been her
356 intent to keep it as it was, but she ended up slightly reducing it. Amanda told committee
357 members that had not been her intent and noted there was confusion because there really is no
358 record of expenses. Amanda said she believes the change had occurred in 2018.

359
360 Ald. Wulf stressed this is not an increase and reiterated Joe Chilsen had received \$250 per month
361 (\$3,000 per year) for general un-itemized expenses while he was serving as Mayor. Ald. Wulf
362 said she wants to put the amount the Mayor receives for general un-itemized expenses back to
363 where it was and stated, “I just think we need to make it right.”

364
365 Ald. Nott said, “When this was a discussion on the alderpersons, we decided that for legal
366 reasons ... that we would eliminate these un-itemized expenses and just kind of capture them
367 into salary. The only expenses you would have would be extraordinary ones like conferences
368 and things of that nature that you could declare. Do we not want to go that way with the Mayor
369 as well?”

370
371 Ald. Wulf directed Ald. Nott’s attention to Section 2.02.19 (“Salary and Expenses”) and noted
372 there is a Subsection A (“Salary”) and Subsection B (“Expenses”) for the alderpersons. Ald.
373 Wulf noted the salary and expenses for the alderpersons had been split going forward starting in
374 2021.

375
376 Ald. Nott said it was his understanding that per a vote at the July 14 Common Council meeting
377 there would be a salary increase after the next election in April 2021, and also that the
378 alderpersons no longer would be dealing with expenses.

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379
380 Ald. Wulf noted the Council had never discussed the Mayor at the July 14 Common Council
381 meeting.

382
383 Ald. Nott stated he believes all the elected officials need to be brought into alignment, and he
384 said, “The way I recall the discussion, there was concern that with expenses that were not
385 itemized there was a degree of risk we could be incurring if we continued that going forward.”

386
387 Mayor K. Smith told committee members the amount Ald. Wulf is requesting would make the
388 Mayor’s salary stay the same, and she said, “If you enact what’s before you without changing it,
389 it would result in a pay decrease for the Mayor. Then going forward, you’re not able to change
390 the Mayor’s salary for better or worse until the next election. You can decide to do it now, but
391 it’s going to be 3½ years before it would be happening.”

392
393 Ald. Nott said, “If we want to get this where it’s aligned with the alderpersons, it would be after
394 the next Mayoral election.”

395
396 Mayor K. Smith said it would be the summer before the end of the term and stated, “All we were
397 looking at is trying to keep the pay the same, not counting the COVID extra expenses.”

398
399 Amanda referred to the July 14 Common Council minutes and said it appears the Council had
400 voted for Option B, which included approving an extra \$100 per month for the Common Council
401 President, and a salary of \$22,400 for the Mayor. Amanda noted the Mayor’s salary cannot be
402 adjusted until 2024, and she told committee members Mayor K. Smith’s expenses would not
403 change unless they move to change the expenses. Expenses would remain at \$250 per month
404 until there either is a resolution or take formal action to halt them. Amanda said, “This would
405 adjust her salary to what you want it to be beginning in 2024. If you want to eliminate expenses,
406 what we would want to do is pass this. Then it would become \$23,000 in April 2024, then we
407 would need to do a resolution or something in effect prior to that stopping expenses effective
408 April of 2024.”

409
410 Ald. Nott said, “For the Mayor and effective April 2021, for the alderpersons. I think that’s what
411 we already voted for.” Ald. Nott addressed Ald. Wulf’s concerns regarding the accidental
412 decrease in un-itemized expenses and the need to adjust the amount from \$2,400 per year to
413 \$3,000 per year, asking if it would be necessary to have a resolution stating everything gets
414 rolled into salary after the 2024 election. Ald. Nott asked if there would be two different
415 resolutions, also asking if the committee may vote on the other resolution without it being an
416 agenda item.

417
418 Amanda said the resolution would need to be done this evening.

419
420 Ald. Nott asked about including the 2024 piece to Title 2.

Reviewed 08/07/2020 by JoAnn Marcon

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421
422 Amanda told Ald. Nott the expenses are not in the ordinance and noted the Mayor's expenses are
423 not being eliminated with passage of the ordinance. Amanda said, "They'll continue at whatever
424 you've set them at. This will just change moving forward." Amanda showed committee
425 members the language in Section 2.02.19 and Section 2.02.22 the Common Council had voted on
426 July 14, and she said she believes the Mayor's salary should be \$23,000 per year under Section
427 2.02.22 if the committee wishes to eliminate the Mayor's expenses. The Mayor would continue
428 to receive \$250 monthly for expenses until April 2024.

429
430 Ald. Nott noted Title 2 still exists, also noting it states the alderpersons will receive \$1,200
431 monthly for un-itemized expenses commencing in April 2021. Ald. Nott pointed out that had
432 been rolled into the alderpersons' salaries.

433
434 Amanda told Ald. Nott the only thing the committee is changing from what Council approved is
435 what Ald. Wulf is proposing, which is to increase Mayor K. Smith's yearly amount for un-
436 itemized expenses from \$2,400 to \$3,000 to make it even with what her current expenses are.

437
438 Ald. Nott told Amanda he is supportive of that and said, "I'm trying to figure out in April of
439 2021 and in April of 2024, how do we get that fixed? Even if you go back to 'Salary and
440 Expenses' under the alderpersons, it [says], '*Commencing on April 20, 2021, upon election*
441 *alderpersons shall receive One Thousand Two Hundred Dollars (\$1,200.00) per year paid*
442 *monthly for general un-itemized expenses.*' Then it has the \$4,800 ... We were going to \$6,000
443 in salary in April of 2021 and eliminating the expenses."

444
445 Amanda told committee members someone needs to make an amendment to approve what is on
446 her screen, meaning Section 2.02.19 ("Salary") (Alderpersons) and Section 2.02.22 ("Salary")
447 (Mayor).

448
449 Motion and second for the amendment to the previous motion withdrawn.

450
451 Ald. Nott asked Amanda, "Where do we have in until that timeframe we still have the expenses
452 for the Mayor of \$3,000?"

453
454 Amanda said it is possible to add a sentence to Section 2.02.22 that states, "*Commencing on*
455 *April 16, 2024, the Mayor shall no longer receive an expense allotment.*"

456
457 Ald. Nott asked where the \$3,000 expense would be captured.

458
459 Amanda said it currently exists and told Ald. Nott that expenses do not have to be in the
460 ordinance. Amanda said there is more flexibility with expenses, but there also is more risk.
461 Amanda said the committee needs to make sure it is terminating any expense payment effective
462 April 16, 2024.

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463
464 Ald. Nott asked Amanda if the committee does not need to vote if there is no motion to increase
465 the Mayor's yearly expenses from \$2,400 to \$3,000.

466
467 Amanda said that is correct.

468
469 Ald. Wulf asked if it is implied that the Mayor will receive \$250 per month for general un-
470 itemized expenses starting January 1, 2021 if the committee takes no action.

471
472 Amanda said Mayor K. Smith will continue to receive the budgeted expense allotment that
473 currently exists. Amanda told committee members a sentence can be added to Section 2.022.22,
474 Subsection B stating that the Mayor no longer will receive \$250 per month for general un-
475 itemized expenses beginning April 16, 2024.

476
477 Ald. Wulf suggested that perhaps Section 2.02.22, Subsection A could state that the Mayor no
478 longer shall receive an expense allowance beginning on April 16, 2024.

479
480 Ald. Nott said he believes the same thing should be done with Section 2.02.19, Subsection A.

481
482 Amanda made the following edits so that Section 2.02.19 and Section 2.02.22 read as follows:
483

- 484 • **Section 2.02.19 ("Salary"), Subsection A:** *"Commencing on April 20, 2021, upon*
485 *election alderpersons shall be compensated Six Thousand Dollars (\$6,000.00) per*
486 *calendar year paid monthly while holding office. At the beginning of each term*
487 *thereafter, the compensation shall increase by the same percentage as approved by the*
488 *Council for the full-time non-union positions for the preceding two years. The Common*
489 *Council President, upon election, shall receive an additional salary of One Hundred*
490 *Dollars (\$100.00) per month for the execution of their duties as Council Presidents. At*
491 *the beginning of each election as Common Council President thereafter, the*
492 *compensation shall increase by the same percentage as approved by the Council for the*
493 *full-time non-union positions for the preceding year. Commencing upon election in 2021*
494 *and 2022, depending on election year, alderpersons shall no longer receive the budgeted*
495 *expense allotment."*
- 496 • **Section 2.02.22 ("Salary"), Subsection A:** *"Commencing on April 16, 2024, the Mayor*
497 *shall be compensated Twenty-Three Thousand Dollars (\$23,000.00) per calendar year*
498 *paid monthly while holding office. Commencing with each new term, the compensation*
499 *shall increase by the same percentage as approved by the Council for the full-time non-*
500 *union positions for the four years prior. Commencing on April 16, 2024, the Mayor shall*
501 *no longer receive the budgeted expense allotment."*

502
503 Ald. Wulf asked if Section 2.02.22, Subsection B under Division 2 ("Mayor") will be removed.

504

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13

505 Amanda said yes and noted Mayor K. Smith will receive \$250 in monthly expenses until April
506 2024.

507

508 Mayor K. Smith noted she currently receives \$350 per month for expenses – she currently
509 receives an extra \$100 per month – and she said that amount will go back to \$250 starting
510 January 1, 2021.

511

512 Motion by Ald. Nott, second by Ald. T. Smith, to amend the previous motion and amend Title 2
513 to reflect the changes made by City Attorney Amanda Jackson under Section 2.02.19, Subsection
514 A (“Salary for Alderpersons”) and Section 2.02.22, Subsection A (“Salary for Mayor”).

515

516 JoAnn asked that the amendment to the motion also reflect that Subsection B is being eliminated
517 under both Section 2.02.19 and Section 2.02.22.

518

519 Motion by Ald. Nott, second by Ald. T. Smith, to amend the previous motion and amend Title 2
520 to reflect the changes made by City Attorney Amanda Jackson under Section 2.02.19, Subsection
521 A (“Salary for Alderpersons”) and Section 2.02.22, Subsection A (“Salary for Mayor”).
522 Subsection B under Section 2.02.19 and Subsection B under Section 2.02.22 are being deleted.

523

524 Vote on the amendment:

525

526 On voice vote, motion carried.

527

528 Ald. Wulf asked that the following change be made under Section 2.04.25 (“Municipal Harbor
529 Commission”), Item G(1): The word ‘annually’ be deleted from the sentence, “*The MHC shall
530 annually elect a Chairperson and Vice-Chairperson from among the Commissioners.*” Ald.
531 Wulf noted the Municipal Harbor Commission has met only a handful of times over the last 15
532 years.

533

534 Motion by Ald. Wulf, second by Ald. T. Smith, to amend the previous motion and edit Section
535 2.04.25 (“Municipal Harbor Commission”), Item G(1) to read as follows: “*The MHC shall elect
536 a Chairperson and Vice-Chairperson from among the Commissioners.*”

537

538 Vote on the amendment:

539

540 On voice vote, motion carried.

541

542 Original motion restated:

543

544 To approve Ordinance 1670-2020 – to amend Title 2 of the Code of Ordinances of the City of
545 Onalaska relating to Government and Administration.

546

547 On voice vote, motion carried.

Reviewed 08/07/2020 by JoAnn Marcon

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14

548

549 **Item 11 – Ordinance 1675-2020 – to Annex Land Located In The Northeast ¼ Of The**
550 **Southwest ¼ In Section 29, Township 17 North, Range 7 West From The Town Of**
551 **Onalaska To The City Of Onalaska (Leppert Annexation)**

552

553 Katie said this is a petition to annex from the Town of Onalaska and noted the property owner is
554 in need of utilities. Katie also noted utilities will be available for the homeowner if this
555 annexation is approved. The Plan Commission unanimously approved the annexation at its July
556 28 meeting.

557

558 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1675-2020 – to Annex
559 Land Located In The Northeast ¼ Of The Southwest ¼ In Section 29, Township 17 North,
560 Range 7 West From The Town Of Onalaska To The City Of Onalaska (Leppert Annexation).

561

562 On voice vote, motion carried.

563

564 **Item 12 – Ordinance 1677-2020 – to Rezone Parcel Located In Section 33, Township 17,**
565 **Range 7 In The City of Onalaska, La Crosse County Wisconsin From Agriculture (A-1)**
566 **And Non-Designated To Mixed Use Community (MU-C) (Sand Lake Road)**

567

568 Katie said this is a petition to rezone three properties – two of which are zoned A-1, and one that
569 does not have a designated zoning district – to Mixed-Use Community to allow for a mixed-use
570 development as proposed by Traditional Trades. The Plan Commission approved the rezoning at
571 its July 28 meeting.

572

573 Motion by Ald. Wulf, second by Ald. T. Smith, to approve Ordinance 1677-2020 – to Rezone
574 Parcel Located In Section 33, Township 17, Range 7 In The City of Onalaska, La Crosse County
575 Wisconsin From Agriculture (A-1) And Non-Designated To Mixed Use Community (MU-C)
576 (Sand Lake Road).

577

578 On voice vote, motion carried.

579

580 **Item 13 – Ordinance 1678-2020 – to Delete Title 12 Of The Code Of Ordinances Of The**
581 **City of Onalaska Relating To Parks And Recreation And Create Title 8 Of The City**
582 **Ordinances Related To Parks And Recreation**

583

584 Ald. Nott, who sits on the Parks, Recreation & Library Board, said there had been a
585 misunderstanding related to definitions. Ald. Nott said, “When it referred to ‘Electric Personal
586 Assistive Mobility Device,’ many of us went down the path that was for somebody who was
587 handicapped/an ADA-compliant type of an individual. That is not the case. These terms we’re
588 using, we’re using the definitions from the Wisconsin State Statutes. Wisconsin defines an
589 Electric Personal Assistive Mobility Device as a self-balancing, two non-tandem wheel device.

Reviewed 08/07/2020 by JoAnn Marcon

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15

590 It's a Segway. That's what they're limiting usage on depending on the path when they refer to
591 that."

592
593 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1678-2020 – to Delete
594 Title 12 Of The Code Of Ordinances Of The City of Onalaska Relating To Parks And Recreation
595 And Create Title 8 Of The City Ordinances Related To Parks And Recreation.

596
597 On voice vote, motion carried.

598
599 **Item 14 – Ordinance 1679-2020 – to Amend Chapter 4 Of Title 6 Of The Code Of**
600 **Ordinances Of The City of Onalaska Relating To Sidewalks**

601
602 Amanda said this is the ordinance that will enable the sidewalk cafes as it relates to the permit
603 application the committee had approved earlier this evening. Amanda said, "This came from
604 realizing we had no real great avenue through which somebody could apply for a sidewalk café.
605 The existing ordinance references our Special Event Permit, but that's not really well set up for
606 this. We looked at other communities and what they were doing. Most had it codified as
607 something within their ordinance. We came up [with something] based on what we thought
608 would fit what we were looking at doing and what other communities had done. We drafted this
609 amendment to our ordinance, along with the corresponding permit application from earlier."

610
611 Amanda noted this item had gone before the Board of Public Works on Tuesday, and she told
612 committee members there had been a discussion regarding the possibility of the committee
613 making an amendment related to molded plastic tables and chairs, which will not be permitted.
614 Amanda said the idea is the city does not want establishments to utilize chairs or tables that
615 could be windborne.

616
617 Ald. Nott, who also sits on the Board of Public Works, noted he had made that recommendation
618 and said chairs comprised of other materials such as wicker also could be windborne.

619
620 Motion by Ald. Wulf, second by Ald. T. Smith, to approve Ordinance 1679-2020 – to Amend
621 Chapter 4 Of Title 6 Of The Code Of Ordinances Of The City of Onalaska Relating To
622 Sidewalks.

623
624 Ald. Nott told committee members the Board of Public Works had discussed amending Section
625 6.04.13, Subsection B, Item 4(g) to state, "Outdoor furnishings will not be easily windborne."
626 Ald. Nott also suggested adding a sentence cautioning against utilizing lightweight materials
627 such as plastic molded chairs and lawn chairs.

628
629 Amanda said she believes what Ald. Nott is suggesting is appropriate.

630
631 Motion by Ald. Nott, second by Ald. T. Smith, to amend the previous motion and amend Section

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16

632 6.04.13, Subsection B, Item 4(g) to read, “*Outdoor furnishings will not be easily windborne (e.g.*
633 *plastic tables and chairs, lawn chairs, lightweight wicker materials).*”

634

635 Vote on the amendment:

636

637 On voice vote, motion carried.

638

639 Original motion restated:

640

641 To approve Ordinance 1679-2020 – to Amend Chapter 4 Of Title 6 Of The Code Of Ordinances
642 Of The City of Onalaska Relating To Sidewalks, as amended.

643

644 On voice vote, motion carried.

645

646 **Adjournment**

647

648 Motion by Ald. T. Smith, second by Ald. Wulf, to adjourn at 7:13 p.m.

649

650 On voice vote, motion carried.

651

652

653 Recorded by:

654

655 Kirk Bey