

**Common Council  
of the City of Onalaska**

Tuesday, February 11, 2020

1

1 The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, February 11,  
2 2020. It was noted that the meeting had been announced and a notice posted at City Hall.

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4 Roll call was taken, with the following members present: Mayor Kim Smith, Ald. Tom Smith,  
5 Ald. Dan Stevens, Ald. Steven Nott, Ald. Jim Olson, Ald. Diane Wulf

6  
7 Also Present: City Administrator Eric Rindfleisch, City Clerk Cari Burmaster, City Attorney  
8 Amanda Jackson, Financial Services Director/Treasurer Fred Buehler, Human Resource Director  
9 Hope Burchell, City Engineer Jarrod Holter, Planning Manager Katie Aspenson, Parks and  
10 Recreation Director Dan Wick, Fire Chief Billy Hayes, Police Sergeant Matt Jahr

11

12 **Item 2 – Pledge of Allegiance**

13

14 The Pledge of Allegiance was recited.

15

16 **Item 3 – Rules of the City of Onalaska Common Council and its Sub Committees –**

17 **Harassment Free Forum**

18

19 Mayor K. Smith read the following: *“The City Council and Sub-Committee meetings shall be*  
20 *conducted in a courteous manner. Citizens, Council, and Committee members shall be allowed*  
21 *to state their positions in an atmosphere free of slander, insults, obscene remarks, threats of*  
22 *violence, or for use of Council or Committee as a forum for politics. Sufficient warnings may be*  
23 *given by the Sergeant at Arms at any time during the remarks. In the event that any individual*  
24 *shall violate the rules of decorum heretofore set forth, such person may then be cut off from*  
25 *comment or debate.”*

26

27 **Item 4 – PUBLIC INPUT: (limited to 3 minutes/individual)**

28

29 Mayor K. Smith called for anyone wishing to provide public input.

30

31 **Ward Keil**

32 **426 4<sup>th</sup> Avenue North, No. 4**

33 **Onalaska**

34

35 “I would like to address [Mayor K. Smith] and the Council, and remind the community, of what  
36 a fabulous – and I mean this – Police Department and Fire Department that the City of Onalaska  
37 has. I’ve had a lot of reasons in the past months to deal with those departments. I do deliver 350  
38 newspapers a night all over town. The Fire Department was called out to Havenwood [of  
39 Onalaska] when all their alarms happened to go off before it was completely finished. I’ve  
40 called in for many what you want to call the health of citizens in town because maybe their doors  
41 are open [and] this and that. The Police Department’s response was very quick. Just the other  
42 night I had the experience of calling in the overdose case right here on Main Street that involved  
43 two young gentlemen, one of whom I thought was actually dead. I did not go in the car because  
Reviewed by Cari Burmaster 2/13/2020

44 there was no blood, otherwise I would have. But anyway, that's beside the point. He was  
45 hanging in his seatbelt. The response from the Police Department, from the rescue squad to the  
46 ambulance from Gundersen – even the fire truck – was extremely fast. Sure, it seems like many  
47 minutes while you're standing there, but I did check the time, and the response was excellent, in  
48 my opinion. I think the community should be aware of that, and also be very thankful that their  
49 safety is being taken care of by the Onalaska Police Department and the Onalaska Fire  
50 Department. I also would like to compliment this Council for having such departments as the  
51 City of Onalaska has. It is really quite an experience to see these people operate. With that, I  
52 would like all of you and the community to know that you do have tremendous police and fire  
53 departments. Thank you.”

54  
55 Mayor K. Smith called three times for anyone else wishing to provide public input and closed  
56 that portion of the meeting.  
57

58 **Item 5 – REPORT FROM THE MAYOR:**

59  
60 A. 9<sup>th</sup> Annual Firehouse 5K Run/Walk on Saturday, April 11, 2020 at 8:00 a.m.

61  
62 Mayor K. Smith announced that the Onalaska Firefighters Association will host the Firehouse  
63 5K Run/Walk and said the purpose of the event is to promote an active and healthy lifestyle in  
64 the community, and also to fundraise for the Children's Miracle Network hospitals. Awards will  
65 be presented at the conclusion of the event, and light foods and refreshments will be served. The  
66 starting and finish line will be at the Onalaska Fire Department.  
67

68 B. Library statistics and upcoming events

69  
70 Mayor K. Smith reported that 13,155 had utilized the library in January. Also, 1,997  
71 nonresidents utilized the facility in January. Mayor K. Smith said “Art in the Library,” a series  
72 in which the library has partnered with the La Crosse County Economic Development Fund to  
73 support art in the community, will be Tuesday, February 18 at the library. The event is free and  
74 open to the public, but individuals are asked to call ahead and reserve their place.  
75

76 C. Proclamation Celebrating Women in Onalaska Government Day

77  
78 Mayor K. Smith noted Susan B. Anthony's birthday is February 15, and also that 2020 marks the  
79 100<sup>th</sup> anniversary of the ratification of the Nineteenth Amendment to the United States  
80 Constitution. Mayor K. Smith read the Proclamation Celebrating Women in Onalaska  
81 Government Day.  
82

83 Motion by Ald. Wulf, second by Ald. Stevens, to approve the Proclamation Celebrating Women  
84 in Onalaska Government Day.  
85

86 On voice vote, motion carried.

87  
88 D. Appointment of Jonathan Klock, 509 Eagle Court, Onalaska to Parks & Recreation Board  
89  
90 Mayor K. Smith noted the appointment would be until April, and that Jonathan would replace  
91 Ald. Nott on the Parks & Recreation Board. Mayor K. Smith noted committee appointments are  
92 awarded yearly in April, and she said, “I hope that as we continue to go forward we can increase  
93 diversity on committees. [Over] the next few weeks, hopefully people can use this as an  
94 incentive to come forward and express their interest to serve on committees.”  
95

96 Motion by Ald. T. Smith, second by Ald. Olson, to approve the appointment of Jonathan Klock,  
97 509 Eagle Court, Onalaska to the Parks & Recreation Board.  
98

99 On voice vote, motion carried.  
100

101 **RECOMMENDATIONS FOR APPROVAL AND/OR POSSIBLE ACTION FROM THE**  
102 **FOLLOWING COMMITTEES/COMMISSIONS/BOARDS:**  
103

104 All items listed under the consent agenda are considered routine and will be enacted by one  
105 motion. There will be no separate discussion of these items unless a council member requests  
106 removal, in which event the item will be removed from the consent agenda and considered in the  
107 order of business in the non-consent agenda.  
108

109 **Item 6 – Consent Agenda**  
110

111 A. Approval of minutes from the previous meeting(s)  
112

113 **FINANCE COMMITTEE**  
114

115 B. Authorization to approve the 2020 City of Onalaska financing plan/timeline

116 C. City of Onalaska Financials:

117 1. Approve General Fund – 2019

118 2. Authorization to approve transfer of funds within each department to comply with  
119 Government Accounting Standards Board (GASB)/Generally Accepted Accounting  
120 Principles (GAAP) standards GASB/GAAP standards – 2019

121 3. Authorization to setup an Accounts Payable for \$1,948 for 2019 Elections General  
122 Operating Supplies to purchase voting booths

123 D. Designated Fund Balance (DSFB) General Fund and/or Special Revenue Funds 2019:

124 1. Authorization to Adjust Existing DSFB - 2019

125 E. Accept 2019 Omni Center Financials

126 F. Joint Municipal Court:

127 1. Approve Financials for 2019

128 2. Approve Joint Municipal Court Allocation – 2019

Reviewed by Cari Burmaster 2/13/2020

- 129           3. Approve the 2014-2019 outstanding citations for the City of Onalaska  
130           4. Approval to purge the 2013 outstanding balance for the City of Onalaska  
131       G. Approve Gundersen Health Systems Parking Ramp 4th Quarter and annual financials for  
132           2019  
133

134       **PERSONNEL COMMITTEE**  
135

- 136       H. Approval of out-of-state travel for Assistant Chief Miller to attend the 20/20 Central  
137           Square conference in Las Vegas, NV from March 17 to March 20, 2020 at a cost of  
138           \$399.00 plus salary. (Central Square is the software vendor for the majority of the Law  
139           Enforcement software in use by the Police Department and we will be seeing some major  
140           software updates in the next two years that will affect all departments county-wide).  
141       I. Authorization to replace Administrative Assistant / Paralegal position  
142       J. Authorization to change job description for Administrative Assistant / Paralegal position  
143

144       **JUDICIARY COMMITTEE**  
145

- 146       K. Approval of **Ordinance 1659-2020** to amend Title 14 of the Code of Ordinances of the  
147           City of Onalaska relating to signs  
148

149       **ADMINISTRATIVE COMMITTEE**  
150

- 151       L. Approval of Operator's Licenses as listed on report dated February 5, 2020  
152       M. Approval of Temporary Class "B" / "Class B" Retailer's License for St. Patrick's Church  
153           for Friday evenings only from February 28 – April 3, 2020 for Friday Fish Fry at 1031  
154           Main Street, Onalaska  
155       N. Approval of Special Event Permit for Firehouse 5K on April 11, 2020 starting at  
156           approximately 6 a.m. at the Fire Department parking lot  
157

158       **BOARD OF PUBLIC WORKS**  
159

- 160       O. Approval of City of Onalaska Water Utility joining the Municipal Environmental Group  
161           Water Division  
162       P. Approval of Public Works Department equipment purchases:  
163           1. ¾-ton and ½-ton pickup truck from Ewald Automotive Group in the amount of  
164           \$62,978  
165           2. 60-inch front mount mower from Value Implement in the amount of \$15,950  
166           3. Ground cover mats from DICA Outrigger Pads in the amount of \$8,053  
167           4. Camera installation for Public Works Facility by 1st Business Solutions, Inc. in the  
168           amount of \$10,051.73  
169       Q. Approval of change Order #1 for 6th and Quincy Pump Station Rehabilitation Project by  
170           Olympic Builders in the amount of \$4,447.26

- 171 R. Approval of professional engineering services for final design of Green Coulee Reservoir  
172 Project by Short Elliot Hendrickson in the amount of \$97,000  
173

174 **PLAN COMMISSION**

- 175  
176 S. Approval of a proposed Site Plan Amendment for 1785 East Main Street, Onalaska, WI  
177 54650 (Tax Parcel #: 18-725-1)  
178 T. Accept recommendation to adopt the Unified Development Code & Zoning Map  
179

180 **UTILITIES COMMITTEE**

- 181  
182 U. Approval of Shared Ride Financials  
183 V. Accept 2018 Audit results from the Wisconsin Department of Transportation regarding  
184 the Onalaska-Holmen-West Salem Shared Ride Program  
185 W. Authorization to sell Shared Ride vehicles under the Wisconsin Surplus Auction  
186

187 **PARKS & RECREATION BOARD**

- 188  
189 X. Approve the purchase of a Smithco Super Star ballfield groomer from Horst Distributing  
190 at a cost not to exceed \$8,000  
191 Y. Approve Water Management Assistance Program with Carrico Aquatics at a cost not to  
192 exceed \$13,100 for 2020 & \$14,380 in 2021  
193 Z. Approve vacuum cleaner purchase from Dalco at a cost not to exceed \$836.58  
194 AA. Approve Library front door closure replacement to Glass Service Center at a cost  
195 not to exceed \$6,892.82  
196 BB. Approve the purchase of pipe and bases from Georgia Expo at a cost not to  
197 exceed \$3,061.59  
198 CC. Approve the purchase of power panel for Omni Center Arena #1 from Viking  
199 Electric at a cost not to exceed \$18,620  
200 DD. Approve the install of the Omni Center power panel to Wehrs Electric at a cost  
201 not to exceed \$9,306  
202 EE. Approve the purchase of a card printer from Amazon at a cost not to exceed \$1,081  
203 FF. Approve the purchase of indoor turf for the west wing of the Omni Center from Summit  
204 Commercial Fitness at a cost not to exceed \$20,051.40  
205 GG. Approve the installation of the indoor turf for the west wing of the Omni Center  
206 from M3 Flooring at a cost not to exceed \$8,640  
207 HH. Approve the purchase of a walk behind floor scrubber from DWD Enterprises at a  
208 cost not to exceed \$8,700  
209

210 Motion by Ald. Stevens, second by Ald. Wulf, to approve the Consent Agenda.  
211

212 On voice vote, motion carried.

Reviewed by Cari Burmaster 2/13/2020

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**Non-Consent Agenda**

**Item 7 – RECAP ITEMS PULLED FROM THE CONSENT AGENDA**

As there were no items removed from the Consent Agenda, Item 8 was addressed next.

**Item 8 – FINANCE COMMITTEE**

A. Vouchers

Motion by Ald. Stevens, second by Ald. Olson, to approve the vouchers expended since the last Common Council meeting on January 14, 2020 in the amount of \$12,337,567.54.

On voice vote, motion carried.

B. City of Onalaska 2020 Capital Projects – General Obligation Corporate Purpose Bonds and State Trust Fund Loan:

1. **Resolution 3-2020** – Initial Resolution Authorizing \$50,000 General Obligation Bonds for Sanitary Sewer Projects

Motion by Ald. Stevens, second by Ald. T. Smith, to approve Resolution 3-2020 – Initial Resolution Authorizing \$50,000 General Obligation Bonds for Sanitary Sewer Projects.

On roll call vote: Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald. Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye. Motion carried, 5-0.

2. **Resolution 4-2020** – Initial Resolution Authorizing \$25,000 General Obligation Bonds for Storm Sewer Projects

Motion by Ald. Stevens, second by Ald. Wulf, to approve Resolution 4-2020 – Initial Resolution Authorizing \$25,000 General Obligation Bonds for Storm Sewer Projects.

On roll call vote: Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald. Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye. Motion carried, 5-0.

3. **Resolution 5-2020** – Initial Resolution Authorizing \$320,000 General Obligation Bonds for Parks and Public Grounds Projects

Motion by Ald. Stevens, second by Ald. Olson, to approve Resolution 5-2020 – Initial Resolution Authorizing \$320,000 General Obligation Bonds for Parks and Public Grounds Projects.

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255  
256 On roll call vote: Ald. Steven Nott – aye, Ald. Diane Wulf – aye, Ald. Jim Olson – aye, Ald.  
257 Tom Smith – aye, Ald. Dan Stevens – aye. Motion carried, 5-0.  
258

259 4. **Resolution 6-2020** – Initial Resolution Authorizing \$2,985,000 General Obligation  
260 Bonds for Street Improvement Projects  
261

262 Motion by Ald. Stevens, second by Ald. T. Smith, to approve Resolution 6-2020 – Initial  
263 Resolution Authorizing \$2,985,000 General Obligation Bonds for Street Improvement Projects.  
264

265 On roll call vote: Ald. Steven Nott – aye, Ald. Diane Wulf – aye, Ald. Jim Olson – aye, Ald.  
266 Tom Smith – aye, Ald. Dan Stevens – aye. Motion carried, 5-0.  
267

268 5. **Resolution 7-2020** – Initial Resolution Authorizing \$1,220,000 General Obligation  
269 Bonds for Fire Department Equipment  
270

271 Motion by Ald. Stevens, second by Ald. Olson, to approve Resolution 7-2020 – Initial  
272 Resolution Authorizing \$1,220,000 General Obligation Bonds for Fire Department Equipment.  
273

274 On roll call vote: Ald. Diane Wulf – aye, Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald.  
275 Tom Smith – aye, Ald. Jim Olson – aye. Motion carried, 5-0.  
276

277 6. **Resolution 8-2020** – Initial Resolution Authorizing \$80,000 General Obligation  
278 Bonds for Water System Projects  
279

280 Motion by Ald. Stevens, second by Ald. Wulf, to approve Resolution 8-2020 – Initial Resolution  
281 Authorizing \$80,000 General Obligation Bonds for Water System Projects.  
282

283 On roll call vote: Ald. Diane Wulf – aye, Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald.  
284 Tom Smith – aye, Ald. Jim Olson – aye. Motion carried, 5-0.  
285

286 7. **Resolution 9-2020** – Resolution Directing Publication of Notice to Electors Relating  
287 to Bond Issues  
288

289 Motion by Ald. Stevens, second by Ald. T. Smith, to approve Resolution 9-2020 – Resolution  
290 Directing Publication of Notice to Electors Relating to Bond Issues.  
291

292 On roll call vote: Ald. Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye, Ald. Dan  
293 Stevens – aye, Ald. Steven Nott – aye. Motion carried, 5-0.  
294

295 8. **Resolution 10-2020** – Resolution Providing the Sale of \$4,680,000 General  
296 Obligation Corporate Purpose Bonds

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297

298 Motion by Ald. Stevens, second by Ald. Olson, to approve Resolution 10-2020 – Resolution  
299 Providing the Sale of \$4,680,000 General Obligation Corporate Purpose Bonds.

300

301 On roll call vote: Ald. Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye, Ald. Dan  
302 Stevens – aye, Ald. Steven Nott – aye. Motion carried, 5-0.

303

304 9. **Resolution 16-2020** – Resolution Requesting State Trust Fund 5-year Loan of  
305 \$542,000 to purchase 3 police cars, police portable radios, city hall roof and HVAC,  
306 municipal code recodification, and wage study

307

308 Motion by Ald. Stevens, second by Ald. Wulf, to approve Resolution 16-2020 – Resolution  
309 Requesting State Trust Fund 5-year Loan of \$542,000 to purchase 3 police cars, police portable  
310 radios, city hall roof and HVAC, municipal code recodification, and wage study.

311

312 On roll call vote: Ald. Dan Stevens – aye, Ald. Diane Wulf – aye, Ald. Jim Olson – aye, Ald.  
313 Steven Nott – aye, Ald. Tom Smith – aye. Motion carried, 5-0.

314

315 C. **Resolution 13-2020** – To transfer funds to/from various departments 2019 General Fund  
316 Budget

317

318 Motion by Ald. Stevens, second by Ald. T. Smith, to approve Resolution 13-2020 – To transfer  
319 funds to/from various departments 2019 General Fund Budget.

320

321 Fred told Councilmembers they had received a revised copy in their packets and said this is what  
322 they are approving this evening. Fred said, “The only clarification is it was highlighted ... [It  
323 was the] second from the last GL account number on that sheet. It was 100-55420. The one in  
324 your packet had dash-127. The real one is the 126.”

325

326 On roll call vote: Ald. Steven Nott – aye, Ald. Dan Stevens – aye, Ald. Jim Olson – aye, Ald.  
327 Tom Smith – aye, Ald. Diane Wulf – aye. Motion carried, 5-0.

328

329 D. **Resolution 14-2020** – Authorization to transfer from General Fund to Special Project  
330 Fund Drug Abuse Resistance Education (D.A.R.E.) account in the amount of \$3,500

331

332 Motion by Ald. Stevens, second by Ald. Olson, to approve Resolution 14-2020 – Authorization  
333 to transfer from General Fund to Special Project Fund Drug Abuse Resistance Education  
334 (D.A.R.E.) account in the amount of \$3,500.

335

336 On roll call vote: Ald. Steven Nott – aye, Ald. Dan Stevens – aye, Ald. Jim Olson – aye, Ald.  
337 Tom Smith – aye, Ald. Diane Wulf – aye. Motion carried, 5-0.

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338  
339 E. **Resolution 15-2020** – Authorization to transfer from the 2019 General Fund Budget to  
340 the Special Projects Fund – Equipment Replacement Fund \$275,000  
341

342 Motion by Ald. Stevens, second by Ald. Wulf, to approve Resolution 15-2020 – Authorization to  
343 transfer from the 2019 General Fund Budget to the Special Projects Fund – Equipment  
344 Replacement Fund \$275,000.  
345

346 On roll call vote: Ald. Tom Smith – aye, Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald.  
347 Jim Olson – aye, Ald. Diane Wulf – aye. Motion carried, 5-0.  
348

349 **Item 9 – PERSONNEL COMMITTEE**

350 A. Review and consideration of compensation study proposals by:

- 351 1. Baker Tilly Virchow Krause, LLP  
352 2. Carlson Dettmann Consulting  
353 3. Public Administration Associates  
354  
355

356 City Administrator Rindfleisch noted the Finance and Personnel Committee had discussed this  
357 item at its February 5 meeting and told the Council he had reviewed the comparisons he had  
358 received from Baker Tilly Virchow Krause, LLP, Carlson Dettmann Consulting, and Public  
359 Administration Associates. City Administrator Rindfleisch said that while his experience in this  
360 field has only been with Baker Tilly, he is happy to answer any questions the alderpersons might  
361 have about the three firms. City Administrator Rindfleisch said this is the order of preference he  
362 recommends:  
363

- 364 1. Baker Tilly Virchow Krause, LLP  
365 2. Public Administration Associates  
366 3. Carlson Dettmann Consulting  
367

368 Motion by Ald. Wulf, second by Ald. Nott, to award the compensation study to Baker Tilly  
369 Virchow Krause, LLP. The study will cover all current employees, including elected officials, in  
370 an amount not to exceed \$35,000, the total amount budgeted in the 2020 Capital Improvements  
371 Budget.  
372

373 Ald. T. Smith said he supports the recommendation of utilizing Baker Tilly Virchow Krause,  
374 LLP, stating, “I’m very familiar with this ... I’ve done this for many years in my private sector  
375 job. I’ve worked with Baker Tilly a lot. They are very professional. They know their stuff, and  
376 they are well-prepared. Not that the others aren’t, but looking at the comparisons and with the  
377 familiarity, I definitely support the Baker Tilly decision.”  
378

379 Ald. Stevens asked if the study will cover both city and union positions, including those in the  
Reviewed by Cari Burmaster 2/13/2020

380 Police Department and the Fire Department.

381

382 City Administrator Rindfleisch said, “I believe would be encompassed by the motion, yes.”

383

384 Ald. Wulf said, “I apologize. I did mean to also include and say the word ‘labor.’ I did want to  
385 clarify that.”

386

387 On voice vote, motion carried.

388

389 **Item 10 – JUDICIARY COMMITTEE**

390

391 A. **Ordinance 1660-2020** – To amend Chapter 4 of Title 2 of the Code of Ordinances of the  
392 City of Onalaska relating to Boards, Commissions and Committees

393

394 Motion by Ald. T. Smith, second by Ald. Wulf, to approve Ordinance 1660-2020 – To amend  
395 Chapter 4 of Title 2 of the Code of Ordinances of the City of Onalaska relating to Boards,  
396 Commissions and Committees.

397

398 On voice vote, motion carried.

399

400 B. **Ordinance 1661-2020** – To amend Title 13 of the Code of Ordinances of the City of  
401 Onalaska relating to Zoning. (<https://tinyurl.com/OnalaskaUDC-FinalDraft>)

402

403 Motion by Ald. T. Smith, second by Ald. Wulf, to refer to the March 10 Common Council  
404 meeting Ordinance 1661-2020 – To amend Title 13 of the Code of Ordinances of the City of  
405 Onalaska relating to Zoning. (<https://tinyurl.com/OnalaskaUDC-FinalDraft>).

406

407 Ald. Stevens asked why Ordinance 1661-2020 is being deferred.

408

409 Mayor K. Smith said, “The reason it needs to be deferred is just so that we have time to catch up  
410 all the other ordinances that are affected before we put it into place.”

411

412 On voice vote, motion carried.

413

414 **Item 11 – ADMINISTRATIVE COMMITTEE**

415

416 A. **Resolution 12-2020** – To approve Special Events Fee Schedule for 2020

417

418 Motion by Ald. Wulf, second by Ald. Nott, to approve Resolution 12-2020 – To approve Special  
419 Events Fee Schedule for 2020.

420

421 On roll call vote: Ald. Diane Wulf – aye, Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald.  
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422 Tom Smith – aye, Ald. Jim Olson – aye. Motion carried, 5-0.  
423

424

**Item 12 – BOARD OF PUBLIC WORKS**

425

426 A. **Resolution 11-2020** – City of Onalaska support of State Trunk Highway 16 multi-use  
427 connector trail project  
428

429

429 Motion by Ald. Wulf, second by Ald. T. Smith, to approve Resolution 11-2020 – City of  
430 Onalaska support of State Trunk Highway 16 multi-use connector trail project.  
431

432

432 On roll call vote: Ald. Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye, Ald. Dan  
433 Stevens – aye, Ald. Steven Nott – aye. Motion carried, 5-0.  
434

435

**Item 13 – PLAN COMMISSION**

436

437 A. Approval of a request to extend the Final Plat submittal requirement for one year, as  
438 requested by Kevin Fry, on behalf of Elmwood Partners, 1859 Sand Lake Road,  
439 Onalaska, for the 4th Addition to the Country Club Estates Plat (Tax Parcel #'s: 18-3566-  
440 100 & 18-4479-0)  
441

442

442 Motion by Ald. T. Smith, second by Ald. Olson, to approve a request to extend the Final Plat  
443 submittal requirement for one year, as requested by Kevin Fry, on behalf of Elmwood Partners,  
444 1859 Sand Lake Road, Onalaska, for the 4<sup>th</sup> Addition to the Country Club Estates Plat (Tax  
445 Parcel #'s 18-3566-100 & 18-4479-0).  
446

447

447 Ald. Wulf asked Katie to share with the Council the background regarding this item.  
448

449

449 Katie noted the original approval of the Preliminary Plat for this project occurred in March 2012,  
450 and the Common Council approved the rezoning and annexation formally into the City of  
451 Onalaska in May 2012. The city began annual one-year extensions for Final Plat submittal in  
452 February 2015, with the most recent extension being approved in February 2019. Katie said the  
453 Council is being asked to consider a one-year extension to 2021 to allow the 4<sup>th</sup> Addition to the  
454 Country Club Estates Plat be submitted later than 36 months. Katie noted the city has a rule  
455 stating an applicant must provide the Final Plat after 36 months and said, “Thereafter, if you do  
456 not comply with our requirement, you are able to get one-year extensions. We currently do not  
457 have a time limit on how often people can request extensions.”  
458

459

459 Ald. Wulf said, “I’ve been following this for quite some time. I know that it did pass at Plan  
460 Commission [on January 28 on a] 4-1 [vote]. I know there were a couple of Plan Commissioners  
461 who weighed in on it and expressed concerns. They thought there was some discussion whether  
462 they should just pull it off and come back with a new plan. I for one am hesitant to say ‘yes’  
463 again for one more year. I had asked Katie to pull this off the Consent Agenda because I don’t

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464 like to have a messy agenda. I was originally going to vote ‘yes’ tonight, but I’ve changed my  
465 mind and I will be voting ‘no’ this evening. I think I’m ready to draw a line in the sand and say  
466 ‘no’ and they just need to come back and start with a new plan. I think there’s been enough  
467 time.”

468  
469 Ald. Nott said, “I remember when this came up when I was on Plan Commission last year, and I  
470 know there was a lot of discussion then because it kept coming back. Obviously it’s come back  
471 again, and the Plan Commission recommended approval for another time. I wasn’t party on the  
472 Plan Commission this time to listen to the discussions, but I’m pretty certain had I been there I  
473 would have voted ‘no’ on this. I came very close to voting ‘no’ last year. ... This should go back  
474 to the drawing board [and they need] to figure out what they’re going to do.”

475  
476 Ald. T. Smith noted he serves on the Plan Commission and said, “This did pass to do it, knowing  
477 that we really need to end this. [The Plan Commission] said this would pretty well be the last  
478 time. Some of the discussion that came up was that it was during all the zoning changes, and ...  
479 because of all the changes going on, maybe it was another reason to extend it one more year.  
480 We’ll have the new zoning in place, [and] we’ll be able to handle it a little better moving  
481 forward. That was the thought behind it, and Katie and her team was part of that discussion. As  
482 much as we’re hesitant to doing that, because of all the changes moving forward we granted it  
483 for one more year. We’re just saying it has to come to an end. If this is the last year, we’ll  
484 probably support this from the Plan Commission’s perspective. That was our thought.”

485  
486 Ald. Stevens asked, “How many times has this been pushed forward? And if we’re saying that  
487 the reason for giving them an additional extension is the changes to the [Zoning] Code, how  
488 many of these extensions happened prior to there being a code change?”

489  
490 Katie told Ald. Stevens there had been five extensions granted and noted this would be the sixth  
491 extension.

492  
493 Ald. Stevens asked if city staff is able to make a recommendation regarding the appropriateness  
494 of “continually pushing extensions out,” and he also asked if the extenuating circumstances of  
495 the changes to the Zoning Code enough to warrant granting an additional extension.

496  
497 Katie said, “Our code will allow additional flexibility. They have noted they intend to come  
498 forward with a Planned Unit Development. Our code has changed in that regard in terms of  
499 allowing the two steps of the process to run at the same time. ... We also have a change in the  
500 new code that you cannot have unlimited requests. We do have a stopper that you can only ask  
501 so many times, and then you are required to reapply. Those are two major changes. We’ve had  
502 some before. Another example brought up often was the French Valley project. That had  
503 received well over 10 extensions over time before the city finally said no, you have to come back  
504 with a new project. It was essentially given by the developer that the market conditions were not  
505 yet ready for this, and they are requesting one additional year at this time.”

Reviewed by Cari Burmaster 2/13/2020

506  
507 Ald. Stevens asked if extensions have to be in one-year increments, or if the Council is able to  
508 make a motion to “grant them that there were some changes, but this needs to either happen or  
509 not.”  
510  
511 Katie told Ald. Stevens the extensions have always been done in one-year increments.  
512  
513 Ald. Stevens asked if that is by policy.  
514  
515 Katie said it is going to be changed thereafter.  
516  
517 Ald. Nott asked if either Kevin Fry or another Elmwood Partners representative had told city  
518 staff the request for another delay is due to the zoning changes, and he also asked if either Kevin  
519 or an Elmwood Partners representative had stated how the zoning changes impacted them.  
520  
521 Katie read the following letter from Kevin Fry that was included in the January 28 Plan  
522 Commission meeting packets: *“The original Preliminary Plat of the 4<sup>th</sup> Addition to the Country*  
523 *Club Estates was approved by the Common Council at the March 13, 2012 meeting, with a one-*  
524 *year extension approved at the February 2019 meeting. We are requesting a one-year extension*  
525 *of the approval of the Preliminary Plat to allow more time to see this project through.”* Katie  
526 added, “It was in conversation with staff regarding the zoning change, but not part of their formal  
527 application.”  
528  
529 Ald. Nott asked, “So they didn’t even mention that as part of the consideration?”  
530  
531 Katie said, “Not in their letter.”  
532  
533 Ald. Nott asked, “If there was a vote that turned this down, it does in no way prevent them from  
534 reapplying with another plan, correct?”  
535  
536 Katie said yes, noting the applicant would have to begin again with a new Preliminary Plat.  
537  
538 Mayor K. Smith asked if the applicant would be able to do so immediately.  
539  
540 Katie said yes and noted there is no delay.  
541  
542 Ald. Stevens said, “I’m not sure I’m comfortable with a whole year extension. It may seem like  
543 the easiest recourse is to deny it and have them apply for a new plan. I’m wondering if we could  
544 do a happy medium. Under special circumstances, can we do a six-month extension? Or does it  
545 have to be a year?”  
546  
547 Ald. Nott said, “One of the considerations I would have on a lot of things that come before the  
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**Common Council  
of the City of Onalaska**

Tuesday, February 11, 2020

14

548 committee is any risk at establishing a precedent. ... The more we do continuous extensions, it  
549 potentially could be making it more difficult to say no in the future to additional requests. It's  
550 just something I would like to consider, too."

551  
552 Ald. Stevens said, "I think my counterpoint to Alder Nott's valid concern is this Council would  
553 get to make those arbitrary decisions. I don't think it's a matter of precedent. I think it's a  
554 matter of the Council vote."

555  
556 Motion restated:

557  
558 To approve a request to extend the Final Plat submittal requirement for one year, as requested by  
559 Kevin Fry, on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska, for the 4<sup>th</sup> Addition  
560 to the Country Club Estates Plat.

561  
562 Ald. Stevens said, "What I'm struggling with is, do we realize that perhaps the change in the  
563 code may have caused a delay, and it would it be reasonable to grant at least a partial extension?  
564 Part of me is also thinking is to deny it and make them reapply again. I'm interested to see if we  
565 have that ability to try to do some sort of compromise, or if it's just cleaner if we turn it down."

566  
567 City Administrator Rindfleisch said, "It does occur to me that in conversation, it was not the  
568 Zoning Code that caused the delay. It was very clearly the market conditions were not right for  
569 them to develop that. I'm just not sure either six months or one year is enough to really decide  
570 that."

571  
572 Amanda said that pursuant to city ordinances, it does not define what an extension is; rather, the  
573 Common Council simply may grant an extension.

574  
575 Ald. Wulf requested a roll call vote.

576  
577 Motion restated:

578  
579 To approve a request to extend the Final Plat submittal requirement for one year, as requested by  
580 Kevin Fry, on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska, for the 4<sup>th</sup> Addition  
581 to the Country Club Estates Plat.

582  
583 On roll call vote: Ald. Dan Stevens – nay, Ald. Diane Wulf – nay, Ald. Jim Olson – aye, Ald.  
584 Steven Nott – nay, Ald. Tom Smith – aye. Motion failed, 3-2.

585  
586 **Item 14 – PARKS & RECREATION BOARD**

587  
588 A. Authorization to proceed forward with a Petition under Wisconsin Statute §66.1025 to  
589 Order a Sale of Oak Park #5

Reviewed by Cari Burmaster 2/13/2020

590  
591 Motion by Ald. Stevens, second by Ald. Nott, to approve authorization to proceed forward with a  
592 Petition under Wisconsin Statute §66.1025 to Order a Sale of Oak Park #5.

593  
594 Ald. Stevens noted the Parks, Recreation & Library Board had many members that would be  
595 affected by the sale and said they uniformly supported the sale of the property. Ald. Stevens  
596 said, “While we prefer to not get rid of green space, in this case the park is not easily accessible  
597 to the public. Therefore, it is hard for us to maintain, and in this case it makes sense to bring the  
598 item to market. And it was supported by the community.”

599  
600 Amanda told the Council it will be necessary for the city to obtain Circuit Court approval to sell  
601 Oak Park No. 5 as the land was platted as parkland.

602  
603 On voice vote, motion carried.

604  
605 **Item 15 – CLOSED SESSION**

606  
607 To consider a motion to convene in Closed Session under Section 19.85(1)(e) of the Wisconsin  
608 Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the  
609 investing of public funds or conducting other specified public business, whenever competitive or  
610 bargaining reasons required a closed session:

- 611
- 612 • Discussion and negotiation regarding the proposed Sanitary Sewer Agreement with the  
613 City of La Crosse
  - 614 • Negotiations with 2285 Quarry Lane for Reservoir Easement Agreement
  - 615 • IAFF, International Association of Firefighters, Local 127
- 616

617 To consider a motion to convene in Closed Session under Section 19.85(1)(g) of the Wisconsin  
618 Statutes for the purpose of conferring with legal counsel for the governmental body who is  
619 rendering oral or written advice concerning strategy to be adopted by the body with respect to  
620 litigation in which it is or is likely to become involved:

- 621
- 622 • IAFF, International Association of Firefighters, Local 127: Grievance 2019-3 RE: Part  
623 Time Emergency Medical Technicians (EMT’s)
  - 624 • IAFF, International Association of Firefighters, Local 127: Prohibited Practice Complaint  
625 – RE: Part Time Emergency Medical Technicians (EMT’s)
  - 626 • Water leak at 945 Oak Avenue South
- 627

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

631  
632 Motion by Ald. Olson, second by Ald. Stevens, to convene in Closed Session.  
633  
634 On roll call vote: Ald. Tom Smith – aye, Ald. Dan Stevens – aye, Ald. Steven Nott – aye, Ald.  
635 Jim Olson – aye, Ald. Diane Wulf – aye. In Closed Session at 7:47 p.m.  
636  
637  
638 Recorded by:  
639  
640 Kirk Bey