

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

1

1 The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, February 13,
2 2018. It was noted that the meeting had been announced and a notice posted at City Hall.

3
4 Roll call was taken, with the following members present: Mayor Joe Chilsen, Ald. Jim Binash,
5 Ald. Jerry Every, Ald. Ron Gjertsen, Ald. Harvey Bertrand, Ald. Bob Muth

6
7 Also Present: City Administrator Eric Rindfleisch, City Clerk Cari Burmaster, City Attorney
8 Sean O’Flaherty, City Engineer Jarrod Holter, Financial Services Director/Treasurer Fred
9 Buehler, Human Resource Director Hope Burchell, Planner/Zoning Inspector Katie Aspenson,
10 Parks and Recreation Director Dan Wick, Fire Chief Don Dominick

11
12 Excused Absence: Ald. Jim Olson

13
14 **Item 2 – Pledge of Allegiance**

15
16 The Pledge of Allegiance was recited.

17
18 **Item 3 – Public Input: (limited to 3 minutes/individual)**

19
20 Mayor Chilsen called for anyone wishing to provide public input.

21
22 **Park Hunter, Pastor, United Methodist Church**

23 **212 4th Avenue North**

24 **Onalaska**

25
26 “As we begin the season of Lent tomorrow with Ash Wednesday – for Christians, this is a
27 traditional time of repentance and reflection as we think about the ways we have fallen short and
28 resolve to do better – that can also go for institutions [such as] churches, schools and cities. This
29 evening I thought I would offer a prayer of repentance, and those of you who would like to join
30 are welcome to. [We pray]: *‘Merciful God, we confess that we have not loved you with our*
31 *whole hearts. We have failed to be an obedient people. We have not done your will. We have*
32 *broken your law. We have rebelled against your love. We have not loved our neighbors, and we*
33 *have not heard the cry of the needy. Forgive us, we pray. Create in us clean hearts. Guide us in*
34 *leadership and in citizenship, both earthly and heavenly. Free us for joyful obedience through*
35 *Jesus Christ our Lord. Amen.’ Thank you.”*

36
37 **Kim Smith**

38 **436 Mayfair Place**

39 **Onalaska**

40
41 “I am running for Third District Alderperson, which will be decided in April. I would like to use
42 this opportunity to give you a chance to get to know me a little bit better. I’m an Onalaska native

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

2

43 and an OHS graduate. I've spent almost all of my life in the City of Onalaska as a resident, and
44 I've been active many years in local government, serving on the Park[s] [and Recreation] Board
45 and also several terms as an alderperson. I'm currently a Quality Assurance Coordinator at City
46 Brewery. I've been married 30 years next month. I have two adult children who also graduated
47 from OHS. I have a Master's Degree in Servant Leadership, and also a Graduate Certificate in
48 Ethical Leadership for Organizations. When I reflect on my past service to the community, what
49 I really am the most proud of and thankful for are the relationships that I have built with people.
50 As aldermen, I'm sure you all know our relationships are valuable. We have an opportunity to
51 leave a legacy for our community. This can only happen when we all work together with each
52 other within the communities, the neighborhoods of our districts, with city employees who are
53 experts in their field, and with our neighboring communities. Relationships are vital. Significant
54 projects I was a part of in my previous tenure acquisition of the waterfront property, planning
55 and construction of the Aquatic Center, and the library expansion project. Multiple times, I have
56 played a leading role in bringing the separate groups together for the common good of Onalaska.
57 Some things I have consistently supported that I feel are vitally essential to our community
58 include maintaining and improving the infrastructure, protecting water quality, preserving the
59 greenway, supporting businessowners and emergency services, and then also of course keeping
60 the taxes low. I am a fiscal conservative. To be fiscally conservative in city government, there
61 needs to be a balance between the maintenance of city interests and proactive, progressive
62 growth. Proactive rather than reactive, and progressive, meaning happening in stages. Our city
63 is a dynamic entity that faces constant change. As leaders, we must have good vision for the
64 future, and we must be proactive. We do this by constantly learning, listening, adjusting,
65 collaborating, and using our wisdom. Thank you."

66

67 Mayor Chilsen called three times for anyone else wishing to provide public input and closed that
68 portion of the meeting.

69

70 **Item 4 – PUBLIC HEARING: Approximately 7:00 P.M. (or immediately following public**
71 **input) for consideration of an adoption of a resolution to vacate and discontinue a portion**
72 **of the alley from Locust Street to King Street (between 4th Avenue North and 5th Avenue**
73 **North) located in Section 5, Township 16, Range 7 (Resolution addressed under Non-**
74 **Consent Agenda Item #13-A)**

75

76 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of
77 adopting a resolution to vacate and discontinue a portion of the alley from Locust Street to King
78 Street (between 4th Avenue North and 5th Avenue North) located in Section 5, Township 16,
79 Range 7.

80

81 **Jeff Moorhouse**
82 **1979 Sandalwood Drive**
83 **Onalaska**

84

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

3

85 “I’m representing Onalaska United Methodist Church, 212 4th Avenue North. I’m Chairman of
86 the trustees. We’ve requested the vacation of the alley for the purposes of expanding our facility.
87 We’re kind of tight on the block and we do own the entire block, including all sides of the alley.
88 The alley was in our block, so it doesn’t extend either direction. We’re requesting that be
89 vacated so we can use it to expand our building. Thank you.”

90

91 Mayor Chilsen called three times for anyone else wishing to speak in favor of adopting a
92 resolution to vacate and discontinue a portion of the alley from Locust Street to King Street
93 (between 4th Avenue North and 5th Avenue North) located in Section 5, Township 16, Range 7
94 and closed that portion of the public hearing.

95

96 Mayor Chilsen called three times for anyone wishing to speak in opposition to adopting a
97 resolution to vacate and discontinue a portion of the alley from Locust Street to King Street
98 (between 4th Avenue North and 5th Avenue North) located in Section 5, Township 16, Range 7
99 and closed the public hearing.

100

101 Motion by Ald. Every, second by Ald. Gjertsen, to adopt a resolution to vacate and discontinue a
102 portion of the alley from Locust Street to King Street (between 4th Avenue North and 5th Avenue
103 North) located in Section 5, Township 16, Range 7.

104

105 Ald. Muth said it is logical to abandon this portion of the alley as it will fit with the church’s
106 expansion plans. Ald. Muth noted he had examined the plans at the Plan Commission Sub
107 Committee meeting earlier Tuesday and said he is “really delighted” with the church’s plans.
108 Ald. Muth also noted the alley is only utilized for the church’s traffic and said it does not affect
109 any other resident.

110

111 Sean noted this item is listed under the Non-Consent Agenda (Item 13-A) and said that while he
112 believes the motion is worthy, it also is not made in the order of the agenda.

113

114 Mayor Chilsen said the Council will delay voting on the motion.

115

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

117

118 A. Library Statistics

119

120 Mayor Chilsen reported that to date 16,284 individuals have visited the library. In addition, the
121 library has collected \$2,200 in rent income.

122

123 B. Recognition of probation completion for the following City of Onalaska
124 Firefighter/EMTs:

125

126 1. Full Time: Jarod Benson & Scott Weeks

Reviewed 2/15/18 by Cari Burmaster

127
128 Cari first swore in Jarod Benson, then Scott Weeks, as full-time Firefighter/EMTs.
129
130 2. Paid-On-Call: Erin Koller & Ty Edwards

131
132 Cari first swore in Erin Koller, then Ty Edwards, as paid on-call Firefighter/EMTs.
133

134 **RECOMMENDATIONS FOR APPROVAL AND/OR POSSIBLE ACTION FROM THE**
135 **FOLLOWING COMMITTEES/COMMISSIONS/BOARDS:**

136
137 All items listed under the consent agenda are considered routine and will be enacted by one
138 motion. There will be no separate discussion of these items unless a council member requests
139 removal, in which event the item will be removed from the consent agenda and considered in the
140 order of business in the non-consent agenda.

141
142 **Item 6 – Consent Agenda**

143
144 A. Approval of minutes from the previous meeting(s)

145
146 **FINANCE COMMITTEE**

- 147
148 B. Accept Omni Center Financials for 2017
149 C. Accept General Fund Financials for 2017
150 1. Authorization to approve transfer of funds within each department to
151 comply with Government Accounting Standards Board
152 (GASB)/Generally Accepted Accounting Principles (GAAP) as
153 presented to Finance and Personnel on February 7, 2018
154 D. Approve Designated Fund Balance (DSFB) General Fund and/or Special Revenue Funds
155 2017
156 1. Adjust Existing DSFB – 2017
157 2. Establish New DSFB – 2017
158 E. Approval of purchasing a drone not to exceed \$10,200, using \$5,000 of donated funds
159 and using designated fund balance for the remaining \$5,200
160 F. Approval of the 2018 contractual commercial appraisal services of Real Estate
161 Appraisals, Inc.
162 G. Accept Gundersen Health Systems Parking Ramp 4th Quarter and annual for 2017

163
164 **PERSONNEL COMMITTEE**

165
166 H. Approval to post, advertise, and fill budgeted position Public Works Operator
167
168

169 **ADMINISTRATIVE COMMITTEE**

- 170
171 I. Approval of Operator's Licenses as listed on report dated February 7, 2018
172 J. Approval of Class B Picnic License for:
173 1. La Crosse Area Builders Association, 816 2nd Avenue South, Onalaska
174 for the La Crosse Area Builders Association Home Show, March 9-11,
175 2018 at the Omni Center, Onalaska
176 K. Approval of Special Event Permit for:
177 1. Firehouse 5K for the Onalaska Fire Department on Saturday, April 14,
178 2018 from 6 a.m.-10 a.m. starting at Onalaska City Hall, 415 Main
179 Street, Onalaska
180 2. Sole Burner – Coulee Region Run/Walk for the American Cancer
181 Society, 2700 Midwest Drive, Onalaska on Sunday, April 22, 2018 from
182 6 a.m.-2 p.m. starting at 2700 Midwest Drive, Onalaska
183

184 **BOARD OF PUBLIC WORKS**

- 185
186 L. Approval of professional engineering services for the design of traffic signal upgrade
187 project at 12th Avenue South/Sand Lake Road and Main Street by Strand Associates at a
188 cost of \$27,900
189 M. Approval of purchasing tandem axle cab and chassis from De Bauche Truck & Diesel at
190 a cost of \$95,312
191 N. Approval of purchasing traffic message boards from Work Area Protection Corporation
192 at a cost of \$19,000
193 O. Approval of 2018-2020 fire hydrant painting by Davies Water in the amount of \$15,750
194 per year
195 P. Approval of purchasing Engineering Department survey equipment from Topcon
196 Solutions Store in the amount of \$23,696.35
197 Q. Approval of 2018-2020 sanitary sewer televising by Flow-Rite Pipe & Sewer Services at
198 a yearly cost of \$24,500
199 R. Approval of 2018 orthophotography flight by Ayres Associates at a cost of \$21,400
200 S. Approval of purchasing water valve operator/exerciser from E.H. Wachs at a cost of
201 \$23,100
202 T. Approval of replacing current Public Works Department two-way analog radio
203 equipment with digital equipment from P&H Services at a cost of \$25,199.85
204

205 **PLAN COMMISSION**

- 206
207 U. Approval of a request by Ralph Kloiber of HOM Furniture to host two (2) thirty (30) day
208 tent sale events in 2018 at 9519 State Road 16, Onalaska, WI (Tax Parcel #18-3625-4)
209 V. Approval of a request to extend the Final Plat submittal requirement for one year, as
210 requested by Kevin Fry, on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska

- 211 for the 4th Addition to the Country Club Estates Plat (Tax Parcels #18-3566-100 & 18-
212 4479-0)
213 W. Approval of a request by Steve Bluske of Shopko to host an extended tent sale event in
214 2018 at 9366 State Road 16, Onalaska, WI (Tax Parcel #18-3589-9)
215

216 **UTILITIES COMMITTEE/MASS TRANSIT**

- 217
218 X. Accept MTU Transit Financials
219 Y. Accept Shared Ride Transit:
220 1. Financials
221 2. Policy regarding Public Comment Process for Fare and Service Changes
222 3. Approval of Title VI Plan
223

224 **PARKS & RECREATION**

- 225
226 Z. Approve the leasing of the indoor space at the Great River Landing to Explore La Crosse
227 AA. Award 2018 Summer Activity Guide printing bid to Crescent Printing at a cost
228 not to exceed \$3,040
229 BB. Award volleyball standard quote to Games People Play in an amount not to
230 exceed \$12,159
231

232 Motion by Ald. Muth, second by Ald. Bertrand, to approve the Consent Agenda.

233

234 On voice vote, motion carried.

235

236 **Non-Consent Agenda**

237

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

239

- 240 • Item C: Finance Committee – Accept General Fund Financials for 2017 – 1,
241 Authorization to approve transfer of funds within each department to comply with
242 Government Accounting Standards Board (GASB)/Generally Accepted Accounting
243 Principles (GAAP) as presented to Finance and Personnel on February 7, 2018.
244 • Item D: Finance Committee – Approve Designated Fund Balance (DSFB) General Fund
245 and/or Special Revenue Funds 2017 – 1, Adjust Existing DSFB 2017; 2, Establish New
246 DSFB 2017.
247 • Item E: Finance Committee – Approval of purchasing a drone not to exceed \$10,200
248 using \$5,000 of donated funds and using designated fund balance for the remaining
249 \$5,200.
250

251 City Administrator Rindfleisch asked that the three items removed from the Consent Agenda be
252 addressed between Item “E” and Item “F” under the Finance Committee on the Non-Consent
253 Agenda.

254

255 **Item 8 – FINANCE COMMITTEE**

256

257 A. Vouchers

258

259 Motion by Ald. Muth, second by Ald. Binash, to approve the vouchers expended since the last
260 Common Council meeting on January 9, 2018, in the amount of \$10,230,597.69.

261

262 On voice vote, motion carried.

263

264 B. Authorization to approve transfer of funds from Workers Compensation to Miscellaneous
265 Expense in the amount of \$1,300 and Street Signals-Electrical to Street Signals-
266 Contractual in the amount of \$2,500 to comply with Government Accounting Standards
267 Board (GASB)/Generally Accepted Accounting Principles (GAAP)

268

269 Motion by Ald. Muth, second by Ald. Binash, to approve transfer of funds from Workers
270 Compensation to Miscellaneous Expense in the amount of \$1,300 and Street Signals-Electrical to
271 Street Signals-Contractual in the amount of \$2,500 to comply with Government Accounting
272 Standards Board (GASB)/Generally Accepted Accounting Principles (GAAP).

273

274 On voice vote, motion carried.

275

276 City Administrator Rindfleisch said he had erred in telling Mayor Chilsen when to address the
277 three items pulled from the Consent Agenda and asked that be addressed prior to Item “C.”

278

279 **The following items were pulled from the Consent Agenda, to be addressed at this time in**
280 **the Non-Consent Agenda.**

281

282 B-2. Accept General Fund Financials for 2017 – 1, Authorization to approve transfer of funds
283 within each department to comply with Government Accounting Standards Board
284 (GASB)/Generally Accepted Accounting Principles (GAAP) as presented to Finance and
285 Personnel on February 7, 2018.

286

287 Motion by Ald. Muth, second by Ald. Binash, to accept General Fund Financials for 2017 –
288 Authorization to approve transfer of funds within each department to comply with Government
289 Accounting Standards Board (GASB)/Generally Accepted Accounting Principles (GAAP) as
290 presented to Finance and Personnel on February 7,

291

292 Ald. Every said, “What we’re doing here is transferring money around, and I’m generally against
293 ... This is the policy and it has been done, and it works. But I am against this policy, and I will

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

8

294 vote no. To explain that, these things are being done according to generally accepted
295 government auditing standards. Yes, we are doing that. The auditor's job is to make sure that
296 the information we provide is free of any financial or material misstatements, and they are. The
297 city's goal is to provide services that improve the quality of life for our residents and not to
298 generate profits as companies do. We are transferring \$225,000 of surplus money into the 2017
299 General Fund, in the General Fund, to a Special Revenue Fund. That's called a carryover, in
300 some parlance. It's unexpended funds from the 2017 Budget. Some would say that these funds
301 belong to the taxpayer, as I would. The sum of these surplus funds are because we have
302 conscientious and dedicated department heads and people working for us who have caused us,
303 because of their ingenuity and persistence and good choices, to have this surplus. We're
304 fortunate to have that. But \$3,293,000 of our revenue comes from fees, permits, assessments,
305 and other forms of additional income. That is about a third of our budget – it comes from other
306 sources other than property tax. Then we are using these surplus funds to fund last-minute
307 projects that have not been properly reviewed and vetted by the Council, and that is what's
308 happening. We're being asked to approve some things, and to some they may not seem very
309 critical. But they are items that have now been added because we have a surplus. We want to do
310 some new projects or complete some that haven't been budgeted.

311
312 The amount of the year-end surplus is hard to predict because we also have what we call an
313 unassigned surplus. That is, there are several things that have been purchased in the year that
314 aren't paid for. [There are] projects that are in progress and not completed. Those all have to be
315 completed, and that's a separate fund. What I'm talking about is the unassigned surplus. I'm
316 just asking that you understand why I am voting no, and it's for that reason. When, after the
317 April election, we do our reassignments of the committees, I do intend to introduce a resolution
318 to combine these ending funds as 'Assigned' – that means already committed, ordered,
319 unfinished products – and 'Unassigned Reserve,' 10 percent of which would remain in the
320 reserve fund, which we have, and 90 percent would go what I call a 'Budget Stabilization
321 Account' to be used to directly offset next year's budget. In other words, trying to return some
322 of these funds to the taxpayers. That's my explanation. Thank you for your attention."

323

324 On voice vote, motion carried, 4-1 (Ald. Every).

325

326 B3. Approve Designated Fund Balance (DSFB) General Fund and/or Special Revenue Funds
327 2017 – 1, Adjust Existing DSFB 2017; 2, Establish New DSFB 2017.

328

329 Motion by Ald. Muth, second by Ald. Bertrand, to approve Designated Fund Balance (DSFB)
330 General Fund and/or Special Revenue Funds 2017 – 1, Adjust Existing DSFB 2017; 2, Establish
331 New DSFB 2017.

332

333 Ald. Every said he is voting no based on the same rationale he had just explained.

334

335 On voice vote, motion carried, 4-1 (Ald. Every).

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

9

336
337 B4. Approval of purchasing a drone not to exceed \$10,200 using \$5,000 of donated funds
338 and using designated fund balance for the remaining \$5,200.
339

340 Motion by Ald. Muth, second by Ald. Binash, to approve the purchase of a drone not to exceed
341 \$10,200 using \$5,000 of donated funds and using designated fund balance for the remaining
342 \$5,200.
343

344 Ald. Every said he once again is voting no and stated, “There is a little twist to this one. The gift
345 that we got, the gifts are nice to get. They are always appreciated, and I know they are heartfelt.
346 However, my feeling is that the gifts should come before the Council before they’re accepted,
347 simply because of incidents just like this where you have to add funds to them to complete
348 whatever project was intended with the gift. That should have to go through the Council
349 procedure, with normal vetting and with the Council taking a look at it. And it should be into
350 next year’s budget, so for that reason I am voting no.”
351

352 Ald. Muth said, “When we start making people who want to donate anonymously and they want
353 to be anonymous, we should respect that desire to be anonymous. I also heard of people trying
354 to find out who gave that donation, which is actually to me an insult. But in this case, the
355 Council did have action. We were decided to do the additional \$5,200 to obtain this drone,
356 which can be used by the Police Department, the Fire Department, the Engineering Department,
357 the Parks and Recreation Department – all departments are going to be able to use this. It’s
358 going to be technology – we either keep up with technology or we’re going to get run over by it.
359 I think the Council did make the decision to add the \$5,200 so that we could get that. The
360 Council did take action on that. If the Council decided we didn’t need a drone or it was a bad
361 idea, we could have turned down the donation. We didn’t. We accepted it, and now we’ve
362 added to it. I appreciate the people who donated the \$5,000, and I’m also going to respect their
363 wishes to stay anonymous. But I think this is a good thing.”
364

365 Ald. Every said, “Just to respond to that, I could care less who gave the gift. I really don’t care,
366 and I thank them very much. That’s heartfelt, as I said. Maybe you weren’t listening. But the
367 fact is it was on your agenda last week. There was supposed to be an explanation by somebody
368 to the other Council members. As you are all aware with the system that we use here, we can
369 attend some of these meetings, but we are not allowed to ask questions. There was a
370 presentation to be made at that meeting, and the Chief [Police Chief Jeff Trotnic] was here, and it
371 wasn’t made. We were sitting wondering, what’s it all about? I did speak to the [Police Chief
372 Trotnic] beforehand, and he explained it to me, so I knew what it was about. But as far as
373 anonymity is concerned, yes, I would respect anybody’s anonymity, and that is not any reflection
374 on the reason I am voting no. But I will vote no.”
375

376 Ald. Gjertsen said, “I agree with Jerry as far as the Council has to have some oversight as whole
377 on gifts that are being given to the city whether it’s art or it’s machinery, or just monetary gifts. I
Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

10

378 also have a concern on the drone. You're starting from scratch, so that means you have
379 insurance liabilities and you have training liabilities. The dollar bills that we're talking about are
380 just the very beginning. As far as the technology end of it goes, we're in what I would call the
381 infancy of drones. From what I've seen of them, they're quite frail. And it takes quite a bit of
382 training to get an individual to be proficient. So when you are talking about using it as a broad
383 instrument through the city, it almost has to be one individual running it. That means if the Fire
384 Department needs it we're going to have to have somebody who is competent on the Fire
385 Department or an individual who can be there. If the police need it, it will be the same, [as it will
386 be with] the Parks [and Recreation Department]. I do see some value in it down the line, but I
387 also see that this is going to cost a lot more money. I'm going to vote against it for two different
388 reasons. I don't think we can justify it at this point. I don't see anything that we can't do
389 without it. And I'm more concerned down the line what it's going to cost just to keep every
390 department competent to run it."

391
392 Ald. Bertrand said, "I'm not sure which department it was, whether it was the Police Department
393 or the Fire Department, but we had a situation – I'm not sure of the exact details – last year in
394 which I believe there was a boat that was swamped or about to go over the dike. I'm not sure if
395 we had sent someone out to save the individual, but had there been a drone we would have been
396 able to send it out there to at least survey the situation and bring back the information to us. I
397 believe it is modern technology, and I think given the relatively small amount that is designated
398 here it is a good purchase."

399
400 Ald. Binash said, "I believe it was at [the February 7 Finance and Personnel Committee meeting]
401 when we talked about this. I was in the audience, and I also had listened to why there is the
402 necessity for it. In this instance, I think we're being proactive. I heard 'proactive' and
403 'reactive.' I think this is proactive. Yes, there may be costs, but you have them listed of what
404 they might be. I think when you start talking about not only what goes on on the river. what
405 happens in our parks, what happens in a fire, if you have a hostage situation, this all comes very
406 important to the city, and we have to move along with progress and technology. To suddenly say
407 that this is an unnecessary expense I think is a disservice to the city. This is an important part of
408 what we need to do to be proactive and not at some point in time say, 'Why didn't we have this
409 tool and we didn't get it?' We have the opportunity. Now is a good time to do it."

410
411 Ald. Muth said, "I discussed the issues of how we use this drone. If we have one lost child and
412 the Police Department needs it to find this child, is that child's life worth \$5,200? Yes, I'll spend
413 \$5,200 if one incident results in the safety of our firefighters, the safety of our citizens or the
414 safety of a police officer. That drone made a difference. It's money well-spent. I am sure the
415 Fire Department when they're fighting a fire would love to have a drone to take a look at
416 different angles to see what the best way is to fight the fire. [It would be the same for the Police
417 Department] if we have a hostage situation. I don't know what the future holds for us for
418 incidents that are going to occur, but I want to give our staff any tool that I can possibly supply
419 them with to do their job, and to do it in a safe manner. I am totally for this."

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

11

420

421 Ald. Every said, “Not to belabor the point, but yes, I agree with you. In fact, if you will ask
422 [Chief Trotnic], he’ll say that I approve of that. Once again, you missed the point. The point is
423 the way we’re using the funds and where we’re getting them from. That’s the point. I don’t
424 object to how it’s going to be used, when or why. It’s a good idea.”

425

426 On voice vote, motion carried, 3-2 (Ald. Every, Ald. Gjertsen).

427

428 C. **Resolution 8-2018** – To Transfer Funds to/from various departments in the 2017 General
429 Fund Budget

430

431 Motion by Ald. Muth, second by Ald. Binash, to approve Resolution 8-2018 – To Transfer
432 Funds to/from various departments in the 2017 General Fund Budget.

433

434 On roll call vote: Ald. Jerry Every – nay, Ald. Ron Gjertsen – aye, Ald. Jim Binash – aye, Ald.
435 Bob Muth – aye, Ald. Harvey Bertrand – aye. Motion carried, 4-1.

436

437 D. **Resolution 9-2018** – To Transfer from the 2017 General Fund Budget to the Special
438 Revenue Fund-Special Projects (DARE/GREAT – Onalaska Police Department) account
439 in the amount of \$3,500

440

441 Motion by Ald. Muth, second by Ald. Binash, to approve Resolution 9-2018 – To Transfer from
442 the 2017 General Fund Budget to the Special Revenue Fund-Special Projects (DARE/GREAT –
443 Onalaska Police Department) account in the amount of \$3,500.

444

445 On roll call vote: Ald. Harvey Bertrand – aye, Ald. Ron Gjertsen – nay, Ald. Bob Muth – aye,
446 Ald. Jim Binash – aye, Ald. Jerry Every – nay. Motion carried, 3-2.

447

448 E. **Resolution 10-2018** – To amend the 2017 General Fund Budget and transfer to Special
449 Projects – Equipment Replacement Fund 2017

450

451 Motion by Ald. Muth, second by Ald. Binash, to approve Resolution 10-2018 – To amend the
452 2017 General Fund Budget and transfer to Special Projects – Equipment Replacement Fund
453 2017.

454

455 Ald. Bertrand asked Fred to explain what is involved with Resolution 10-2018.

456

457 Fred explained that City Administrator Rindfleisch had written a letter to the city’s department
458 heads in August 2017 mandating that they have a zero-percent increase across the board,
459 including the Special Projects Fund. Fred said the Special Projects Fund, or the funds being
460 discussed, would be transferred via resolution. Fred said the figures submitted by the
461 departments did not exceed what was budgeted. Fred also said the city was able to utilize and

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

12

462 substantiate the funds the departments needed to spend to stay within budget and utilize the
463 undesignated fund balance within the Equipment Replacement Fund. Fred said, “By doing this,
464 this allows the same practice to continue for the year 2019 where the taxpayers ... We’ll be using
465 some of our fund balance and not levying for dollars through taxation.”
466

467 City Administrator Rindfleisch noted the Common Council had, in the previous budget,
468 approved the use of the undesignated fund balance for expenses. This freed up additional space
469 that the city did not have to levy. City Administrator Rindfleisch addressed Ald. Every and said,
470 “As you’re talking about returning it to the taxpayers through the budget process, we’ve already
471 done that and will continue to do so in the future with that. That is the first amount used for
472 expenses, and then we levy above that. We don’t necessarily have to levy the full amount.”
473

474 On roll call vote: Ald. Bob Muth – aye, Ald. Jerry Every – nay, Ald. Ron Gjertsen – aye, Ald.
475 Jim Binash – aye, Ald. Harvey Bertrand – aye. Motion carried, 4-1.
476

477 F. City of Onalaska 2018 Capital Projects – General Obligation Corporate Purpose Bonds
478 and Note Anticipation Notes:

479 1. **Resolution 3-2018** – Initial Resolution Authorizing \$175,000 General Obligation
480 Bonds for Parks and Public Grounds Projects
481

482 Motion by Ald. Muth, second by Ald. Bertrand, to approve Resolution 3-2018 – Initial
483 Resolution Authorizing \$175,000 General Obligation Bonds for Parks and Public Grounds
484 Projects.
485

486 On roll call vote: Ald. Jim Binash – aye, Ald. Harvey Bertrand – aye, Ald. Bob Muth – aye, Ald.
487 Jerry Every – aye, Ald. Ron Gjertsen – aye. Motion carried, 5-0.
488

489 2. **Resolution 4-2018** – Initial Resolution Authorizing \$3,450,000 General Obligation
490 Bonds for Street Improvement Projects
491

492 Motion by Ald. Muth, second by Ald. Gjertsen, to approve Resolution 4-2018 – Initial
493 Resolution Authorizing \$3,450,000 General Obligation Bonds for Street Improvement Projects.
494

495 On roll call vote: Ald. Jim Binash – aye, Ald. Harvey Bertrand – aye, Ald. Bob Muth – aye, Ald.
496 Jerry Every – aye, Ald. Ron Gjertsen – aye. Motion carried, 5-0.
497

498 3. **Resolution 5-2018** – Resolution Directing Publication of Notice to Electors
499

500 Motion by Ald. Muth, second by Ald. Gjertsen, to approve Resolution 5-2018 – Resolution
501 Directing Publication of Notice to Electors.
502

503 On roll call vote: Ald. Jerry Every – aye, Ald. Bob Muth – aye, Ald. Harvey Bertrand – aye,
504 Ald. Ron Gjertsen – aye, Ald. Jim Binash – aye. Motion carried, 5-0.

Reviewed 2/15/18 by Cari Burmaster

505
506 4. **Resolution 6-2018** – Resolution Providing for the Sale of \$3,625,000 General
507 Obligation Corporate Purpose Bonds
508

509 Motion by Ald. Muth, second by Ald. Gjertsen, to approve Resolution 6-2018 – Resolution
510 Providing for the Sale of \$3,625,000 General Obligation Corporate Purpose Bonds.
511

512 On roll call vote: Ald. Harvey Bertrand – aye, Ald. Ron Gjertsen – aye, Ald. Jerry Every – aye,
513 Ald. Jim Binash – aye, Ald. Bob Muth – aye. Motion carried, 5-0.
514

515 5. **Resolution 7-2018** – Resolution providing the sale of \$1,570,000 Note Anticipation
516 Notes
517

518 Motion by Ald. Muth, second by Ald. Bertrand, to approve Resolution 7-2018 – Resolution
519 providing the sale of \$1,570,000 Note Anticipation Notes.
520

521 On roll call vote: Ald. Harvey Bertrand – aye, Ald. Ron Gjertsen – aye, Ald. Jerry Every – aye,
522 Ald. Jim Binash – aye, Ald. Bob Muth – aye. Motion carried, 5-0.
523

524 **Item 9 – PERSONNEL COMMITTEE**
525

526 A. Review and consideration of authorization to replace a police officer position
527

528 Hope apologized for this item not coming before the Finance and Personnel Committee at its
529 February 7 meeting, noting that she had not received a notice of resignation until February 8.
530 Hope expressed a desire to fill the position and said candidates will be pulled from an eligibility
531 list. Therefore, the position will not need to be re-advertised. Hope said she believes there are
532 five or six names on the eligibility list and asked to be given permission to fill the position.
533

534 Motion by Ald. Every, second by Ald. Muth, to approve authorization to replace a police officer
535 position.
536

537 Ald. Bertrand asked if the job description and salary will remain the same.
538

539 Ald. Bertrand was told both will remain the same.
540

541 On voice vote, motion carried.
542

543 **Item 10 – JUDICIARY COMMITTEE**
544

545 A. **Ordinance 1604-2018** – to amend Chapter 6 of Title 13 of the Code of Ordinances of the
546 City of Onalaska relating to accessory uses and the sign ordinance (First and Second

Reviewed 2/15/18 by Cari Burmaster

547 Reading)

548

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

551

552 On voice vote, motion carried.

553

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

557

558 On voice vote, motion carried.

559

560 **Item 11 – ADMINISTRATIVE COMMITTEE**

561

562 A. Review of fees for mobile home parks

563

564 Motion by Ald. Muth, second by Ald. Every, to approve the fees for mobile home parks.

565

566 The Administrative and Judiciary Committee passed a motion at its February 7 meeting to
567 establish a \$90 Mobile Home Park License Fee for every 50 lots or fraction thereof. The license
568 would be annual. Cari said the fee for one through 50 units would be \$90; the fee for 51 through
569 100 units would be \$180; and the fee for more than 100 units would be \$270.

570

571 Ald. Gjertsen said the fees are directed to the mobile home parks, adding that the fees are being
572 increased to cover administrative expenses. Ald. Gjertsen also said the fees have not been
573 increased since the early 1970s.

574

575 Ald. Bertrand said he believes it is important be specific on an item such as this so those affected
576 can be informed at the Common Council level as they do not always have time to attend
577 committee meetings.

578

579 On voice vote, motion carried.

580

581 **Item 12 – BOARD OF PUBLIC WORKS**

582

583 A. Review and consideration of Corrosion Control study for City water system, including
584 professional engineering and laboratory services

585

586 Jarrod said that at its February 6 meeting the Board of Public Works approved proceeding with a
587 Corrosion Control study with Process Research Solutions, LLC in an amount not to exceed
588 \$38,280.

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

15

589

590 Motion by Ald. Every, second by Ald. Muth, to approve proceeding with a Corrosion Control
591 study for City water system, including professional engineering and laboratory services with
592 Process Research Solutions, LLC in an amount not to exceed \$38,280.

593

594 On voice vote, motion carried.

595

596 **Item 13 – PLAN COMMISSION**

597

598 A. **Resolution 11-2018** – Final Resolution to vacate and discontinue a portion of the alley
599 from Locust Street to King Street (between 4th Avenue North and 5th Avenue North), City
600 of Onalaska, La Crosse County, WI

601

602 Motion by Ald. Binash, second by Ald. Every, to approve Resolution 11-2018 – Final Resolution
603 to vacate and discontinue a portion of the alley from Locust Street to King Street (between 4th
604 Avenue North and 5th Avenue North), City of Onalaska, La Crosse County, WI.

605

606 On roll call vote: Ald. Bob Muth – aye, Ald. Jerry Every – aye, Ald. Ron Gjertsen – aye, Ald.
607 Jim Binash – aye, Ald. Harvey Bertrand – aye. Motion carried, 5-0.

608

609 Cari noted that the Council had made the original motion following the public hearing under
610 Item 4.

611

612 Sean noted the Council had returned to the agenda and said the original motion had died.

613

614 **Item 14 – REPORT FROM CITY ADMINISTRATOR**

615

616 A. Discussion regarding Joint Municipal Court records

617

618 City Administrator Rindfleisch said he had been asked to prepare a memo regarding boxes
619 involved with the files within the Coulee Region Joint Municipal Court, noting concerns had
620 been raised regarding the number of boxes increasing from one or two to 30. City Administrator
621 Rindfleisch said he had contacted Sean, who has been “heavily involved” with the case, since the
622 beginning, adding he also had reviewed the memo with Joint Municipal Court Supervisor Hildie
623 McIntyre. City Administrator told the Council that in June 2017 Acting Municipal Court Clerk
624 Mary Lynch had raised concerns regarding citations, some of which were several years old, that
625 had not been entered appropriately. City Administrator Rindfleisch referred to a comment Sean
626 had made stating that at the time the volume was unknown. City Administrator Rindfleisch
627 referred to the memo and noted that in August 2017 Mary Lynch indicated there were six to
628 eight boxes that she did not know how to address.

629

630 City Administrator Rindfleisch said, “To be clear, it’s not that there were additional boxes

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

16

631 relocated at this point or found or discovered. These were existing files that were not organized
632 or were mislabeled. As [Mary Lynch] was going through and pulling things out, she was
633 creating boxes. I think in terms of things being discovered, at this point in time it is existing
634 boxes, existing files, misorganized being set aside to be organized. I account for the increase
635 that she was already going through the files records and discovering more items that were out of
636 place or irregular.”

637
638 City Administrator Rindfleisch said seven boxes were removed by Sean’s office for review in
639 September 2017, noting at that time there were 10 more boxes in the office, and 20 more in the
640 City Hall basement (Dead Records). City Administrator Rindfleisch said, “As I stated earlier, it
641 was not so much that the boxes were just discovered. It was that what boxes we assumed were in
642 Dead Records had been a jumble of records that some were dead and some were not. They
643 should have been dead. They should have been labeled correctly as dead. It wasn’t necessarily
644 new records. It was the continuation of the records that were disorganized and misplaced and
645 identifying where those records were.” City Administrator Rindfleisch said the 30 boxes
646 included every box in Dead Records, including items that should have been dead and filed. But
647 because they were not properly filed, they still were in existence.

648

649 **Item 15 – REPORT FROM ALDERPERSON BINASH**

650

651 A. Discussion on the possible sale/exchange of city property relating specifically to the land
652 set aside at 13th Avenue South and Hickory Street for the expansion of the cemetery

653

654 Ald. Binash noted there is property located at 13th Avenue South and Hickory Street that was
655 designed for expansion of the City of Onalaska Cemetery. Ald. Binash said he has asked City
656 Administrator Rindfleisch to look into possibly selling this property. Ald. Binash said it is his
657 understanding the city purchased the property from a private party either in 2008 or 2009, adding
658 there might have been stipulations involved with the sale of the property. Ald. Binash said, “The
659 climate for cemeteries has kind of changed, and the amount of space we have in the existing
660 cemetery may be adequate for, if I’m not mistaken, another 10, 15 years. The idea is to see if we
661 can possibly put this property out for sale, with the idea of putting that property back on the tax
662 rolls and then preserving our present cemetery for the history of the City of Onalaska. Perhaps
663 some funds might be designated for upkeep. That’s the reason for bringing it this evening before
664 the Council: to see if we would be interested. If we can sell this property, I guess that was going
665 to be looked into by our City Administrator.”

666

667 City Administrator Rindfleisch said city officials had met with the property owners in 2008,
668 noting that at the time Midwest Professional Appraisal, LLC appraised the property’s value as
669 being \$270,000. City Administrator Rindfleisch said the city had discussed purchasing the
670 property for expansion of the cemetery, and also possibly closing off Hickory Street. In return,
671 the property owners would sell the property to the city for \$240,000. City Administrator
672 Rindfleisch said no agreement was reached in 2008. City Administrator Rindfleisch said an

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

17

673 offer of \$180,000 was made to the surviving property owner in 2012, noting the additional
674 contingencies included:

675

676 • The seller shall have the right to erect a monument of mutual agreement on size, shape
677 and placement on the property, noting the prior ownership of the property by the property
678 owners.

679 • The sale will be financed through a land contract for three years.

680

681 City Administrator Rindfleisch noted there is no specific verbiage in the agreement stating the
682 land must be utilized for the cemetery. City Administrator Rindfleisch referred to the closing
683 documents and noted an offer of purchase of \$180,000 was made to the surviving property
684 owner. The land contract names the surviving property owner as the trustee of a trust. City
685 Administrator Rindfleisch said that in theory a trust would continue beyond the life of the
686 individual and certain requirements might exist. City Administrator Rindfleisch said it is his
687 understanding that the purchase of the land was a policy decision, noting that a monument could
688 be erected and funds could be utilized to sponsor the existing cemetery. City Administrator said
689 he and Jarrod had discussed the number of parcels that could be utilized, noting the market rate
690 for parcels is approximately \$60,000. City Administrator Rindfleisch said placing eight plots on
691 the land for \$480,000 likely means it cannot be sold for \$480,000 without water and sewer,
692 adding that the plots either would need to be sold at a discount, or water and sewer would need to
693 be installed in order for the land to be sold at a full market rate.

694

695 Jarrod said he met with the now-deceased property owner in 2008, noting he had owned the
696 parcel for several years. Jarrod said a decision was made at the time not to pursue any offers.
697 However, the decedent's widow came forward in 2012 and the city proceeded to purchase the
698 property. Jarrod said, "I think the reasoning for the purchase at that time was for future cemetery
699 expansion with the thought that, as we've seen the sales of lots decline ... We are still selling
700 lots, so we are still receiving income off of that. Most of the income goes into our operating
701 budget; part of it goes into a perpetual care fund; and part of it goes into a Capital Improvements
702 fund to maintain the facility. The reasoning for that was thinking if we had 30 years' worth of
703 lots left in the existing cemetery, by securing this land we have a contiguous to our existing
704 cemetery. We could have economies of scale for maintenance versus getting out somewhere else
705 if the city so chose at some point in the future to find another plot of land for a cemetery.
706 Obviously we know that currently land within the city limits is very hard to come by. [The
707 thought was that] a generation from now there would still be lots to sell and hopefully garner
708 income from them."

709

710 For clarification, Ald. Bertrand asked Ald. Binash if there are a sufficient number of lots in the
711 cemetery to last another 10 to 15 years.

712

713 Jarrod said that at the current rate of purchase it likely would be 25 to 30 years before there

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

18

714 would not be any more lots available.

715

716 Ald. Bertrand what action should be taken once 30 years have passed if the city sells the land.

717

718 Jarrod said the City of Onalaska Cemetery will have reached maximum capacity at that point, the
719 city would maintain the existing cemetery and no lots would be for sale. Jarrod said the city
720 would need to decide if it wished to pursue additional land or find a different location.

721

722 Ald. Bertrand said he believes 30 years in the future “is a very limited amount of time,” adding
723 he believes it is a poor assumption to believe the city could secure additional land at that time.

724

725 Ald. Binash said he had brought this topic before the Council for discussion to determine if the
726 city would be interested in selling the property and returning to the tax rolls. Ald. Binash noted
727 there has been an increase in the number of cremations, and he asked Jarrod if 30 years refers to
728 cemetery expansion or to the present situation.

729

730 Jarrod said he believes the city’s current cemetery will last 30 years at the current absorption
731 rate, agreeing with Ald. Binash that there have been more cremation internments. Jarrod
732 estimated the ratio of cremations to full burials at 50-50, noting that rate either was 90-10 or 80-
733 20 in 1998. Jarrod noted the city also has altered its cemetery rules to allow up to three ash
734 internments in a single plot with a full burial. Jarrod said, “We are getting more use of the
735 existing land, but at some point you will run out of land. There will be no more land for the
736 cemetery.”

737

738 Ald. Bertrand said, “If there were a specific use for the funds that are generated in the sale, if we
739 had a specified need, something that we have a great need for, maybe I can see this. On the other
740 hand, the land is valuable. It seems as though in the future with the growth that we hopefully see
741 in the City of Onalaska, I would hate to see land go that would be very, very valuable in the
742 future.”

743

744 Ald. Gjertsen noted he is familiar with real estate being discussed, also noting “it is tucked right
745 into a neighborhood across the street from the cemetery.” Ald. Gjertsen said he agrees with Ald.
746 Binash that it would be an ideal situation for the city to return the land to the tax rolls, adding
747 there are several things that could be done to the real estate. Ald. Gjertsen said he believes the
748 Council likely needs to take “thoughtful action” toward obtaining new real estate for the
749 cemetery, agreeing with Ald. Bertrand that 30 years is a short amount of time. Ald. Gjertsen
750 said, “We do not have the real estate within the city limits, so we’re going to be looking at some
751 other place. I think the amount of money that we would wind up sticking into it and get out of it
752 would be beneficial for the city. The piece of real estate [has significant slopes], and it is tucked
753 right into the residents. I know if I owned real estate on either side of what you were considering
754 to use for [the cemetery] I would be opposed to it just because it doesn’t fit.”

755

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

19

756 Jarrod said there would be room for approximately eight residential lots, depending on the
757 layout.

758

759 Ald. Every's comments were inaudible on the recording.

760

761 Ald. Binash said another question that needs to be answered is if whether the city still wants to
762 have the process of the cemetery, noting the presents lots might be sufficient for a couple
763 decades. Ald. Binash said, "After that, if it becomes full, do you still want to be in the cemetery
764 business and just maintain what we have? There's a history there. It's a park as well as a
765 cemetery, so we want to maintain it. We're putting a lot of money into the structure around the
766 cemetery to make it look good. I don't want to think we'll hold on to the land and then at some
767 point in the future sell it. The issue is we should do something in the present rather than wait for
768 the future, and be respectful of the family that sold us this property and perhaps their wishes of
769 having some kind of monument either in the present cemetery or at the location where the
770 property is now. It appears there might not be any encumbrances to selling this property. We
771 might want to reach out to any family members and advise them that we're thinking of doing
772 this. I think the next step would be [to determine if] we would like to go forward and see about
773 the possibility of a sale."

774

775 Ald. Bertrand said he is very concerned about the family, who might have a "sentimental
776 attachment" to the cemetery and would want to have the option of expanding it to the lots. Ald.
777 Bertrand noted there is an emotional attachment to the cemetery by the Cemetery Committee,
778 which he also noted put a tremendous amount of effort into upgrading the cemetery's
779 appearance. Ald. Bertrand said, "To take away the possibility of adding land to the cemetery
780 would be a very bad idea."

781

782 **Item 16 – REPORT FROM ALDERPERSON GJERTSEN**

783

784 A. Discussion regarding Joint Municipal Court

785

786 Ald. Gjertsen said he did not know City Administrator Rindfleisch would be presenting the
787 memo discussed under Item 14 this evening. Ald. Gjertsen said, "What I will add to that is in
788 reading the minutes from the [January 18] Joint Municipal Court [meeting], I realize that Harvey
789 asked for Judge [John] Brinckman's resignation. I would take that first as a taxpayer he asked
790 for it. And secondly, I would take him asking that as an alderman asking for that resignation. I
791 think that Judge Brinckman has kind of showed the taxpayers and this Council that he has no
792 intention of stepping down. We can sit here and talk about the many things that have gone
793 wrong. My point is we need to deal with Judge Brinckman. In talking with Eric, there are still
794 some more problems going on with Judge Brinckman over there, and I'm not surprised.

795 Anybody who has been in the La Crosse area knows Judge Brinckman is kind of his own guy. I
796 think that at some point in time – we have plenty of time to deal with it – reupping into the Joint
797 Municipal Court is a tool. I think sitting around waiting for another voting cycle is improper for

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

20

798 us to do. We're not going to get a better performance out of this judge. It's not going to happen.
799 This Council can do something about it. We can do it now, we can do it later. We can step out
800 of the Joint Municipal Court enough to let them deal with him. That would be later this year. It
801 doesn't need to happen tonight. It doesn't need to happen next month. But as you close out
802 2018 there are some decisions that could be made. I'm very, very uncomfortable in many
803 different ways with what's going on over there having that individual run a chunk of our city. It
804 pretty much looks to me like he doesn't care what we think or what the taxpayers think. I've
805 read a lot the stuff that he wrote, and I've sat through a few meetings. He doesn't respect you
806 guys. It's not surprising. He doesn't respect the taxpayer. He showed it. I would ask, has
807 anybody heard of his resignation? Is he going to email [or place a] telephone call? I haven't
808 heard anything, and I don't get my information from the radio or the newspaper. I rely on this
809 body to get what I need. I'm not going to read the newspaper to find out. I believe we need to
810 be considered going down the line how we move this individual out."

811
812 Ald. Muth said, "We have to remember this [Municipal Court Judge] is an elected position. The
813 citizens voted him into office. It's not something that the Council approved. We did not put him
814 into that position. And as far as authority to remove him or anything like that, I don't believe we
815 have any authority to do such a thing. It's up to the voters to make that decision. We're very
816 limited on the authority that the city has."

817
818 Ald. Gjertsen said, "I just explained a way around it. There is another tool – it's called a recall.
819 I respect the voters, but voters can be misinformed. They can have a moving target with an
820 individual who is in office. That person can be voted in and be highly rated and doing a good
821 job, and then things change. I'm not going to get into the details of what changed. They have,
822 and it's not good. The first thing I will tell you is I respect the voter – absolutely. I'm not trying
823 to circumvent them. I'm trying to help the situation. There are some tools; a recall would be
824 one. I wouldn't recommend it, [but] we have the ability to do something that at the very least we
825 could get out of it. I firmly believe that if he is not going to resign, and it appears to me he's not
826 going to ... I commend Harvey for asking for it. I don't know that I would have. I support
827 Harvey on it. I would ask everybody up here to consider what Harvey asked of him. I will say
828 that I would ask for his resignation also now. I will go public with that. I have done it on the
829 record now. I feel strongly about, and I'm glad Harvey was there to do it. Some other things
830 will come out on my other point here coming up."

831
832 Ald. Bertrand said, "I stand by my request. I know it's an elected office. However, I think it's
833 important that we, the Council, take a position on this, which I did, and which Ron has. And I
834 think it's important that the public know our position and our distrust in the current situation. I
835 am wondering if it's possible for us to take a vote of no confidence because the term going
836 forward as to when the next election cycle comes about. If it were stated and on the record that
837 the Council had a no confidence vote, I think that would play very much into the voters' decision
838 process. I would like to suggest that we have a no confidence vote on the issue."

839

Reviewed 2/15/18 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, February 13, 2018

21

840 Mayor Chilsen said he does not believe the Council can take such a vote because it is not this
841 evening's agenda.

842

843 Sean said this agenda item is for discussion purposes and for information to be shared. Sean said
844 if there is to be an action item it would be placed on the March 13 Common Council agenda.

845

846 Ald. Gjersten said he had purposely initiated this discussion because he wants the alderpersons to
847 understand "that we had a taxpayer and an alderman step up and do what I didn't feel I could do
848 even sitting in the meetings and listening. I'm glad [Harvey] did it. I commend him. As a
849 Council we need to move on from this, and some of things we're doing is going to get that
850 done."

851

852 B. Discussion regarding Committee meeting times

853

854 Ald. Gjertsen noted he had discussed this topic with every alderperson except Ald. Muth and
855 said, "What I would like to see in light of these meetings that are happening at earlier portions of
856 the afternoon, what I'm asking is that this Council would consider – at least with the meetings
857 that we have some oversight of – to get them at a more consistent time of day out of business
858 hours. I would consider that anything past 6 o'clock. For the guys that work, the value of the
859 committees and the value of being at the meetings is such." Ald. Gjertsen cited the example of
860 the January 18 Joint Municipal Court Committee meeting, stating he wishes he had been able to
861 attend it. Ald. Gjertsen said that although he had obtained information via the meeting minutes
862 as well as contacting Ald. Bertrand by telephone, he wants to attend as many meetings as
863 possible. Ald. Gjertsen said while it is not possible to attend every meeting, it will be easier for
864 the alderpersons to attend meetings if they are held outside working hours. Ald. Gjertsen asked
865 the Council to consider his request at some point in the future.

866

867 Ald. Muth said he believes it is a good idea to discuss Ald. Gjertsen's suggestion regarding
868 meeting times. Ald. Muth also said he believes the Joint Municipal Court Committee meeting
869 time is established by its members and the Council is not involved.

870

871 Ald. Gjertsen said he believes the Joint Municipal Court Committee can be included in the
872 conversation, and also that it is to its members' benefit to have as many alderpersons present as
873 possible if the Joint Municipal Court remains in the City of Onalaska. Ald. Gjertsen said, "We
874 do have a say in what's going on in our city, and they're part of what's going on here. It's
875 valuable to be at meetings."

876

877 Ald. Muth said the other jurisdictions that comprise the Joint Municipal Court Committee also
878 would be able to attend. Ald. Muth also said it is the Joint Municipal Court Committee's
879 decision regarding when to meet, adding, "But the idea makes sense to me."

880

881

Reviewed 2/15/18 by Cari Burmaster

882 **Item 17 – CLOSED SESSION**

883

884 To consider a motion to convene in Closed Session under Section 19.85(1)(c) of the Wisconsin
885 Statutes for the purpose of considering employment, promotion, compensation or performance
886 evaluation data of any public employee over which the governmental body has jurisdiction or
887 exercises responsibility, and under Section 19.85(1)(g) of the Wisconsin Statutes for the purpose
888 of conferring with legal counsel for the governmental body who is rendering oral or written
889 advice concerning strategy to be adopted by the body with respect to litigation in which it is or is
890 likely to become involved:

891

- 892 • Review of Fire Department Personnel Related Matters

893

894 And to consider a motion to convene in Closed Session under Section 19.85(1)(e) of the
895 Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public
896 properties, the investing of public funds, or conducting other specified public business, whenever
897 competitive or bargaining reasons require a closed session:

898

- 899 • Consideration, development and approval of negotiating strategy regarding Town of
900 Medary Fire Contract

901

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

905

906 Motion by Ald. Bertrand, second by Ald. Gjertsen, to convene in Closed Session.

907

908 On roll call vote: Ald. Jim Binash – aye, Ald. Jerry Every – aye, Ald. Ron Gjertsen – aye, Ald.
909 Harvey Bertrand – aye, Ald. Bob Muth – aye. Motion carried.

910

911

912 Recorded by:

913

914 Kirk Bey