

**Common Council
of the City of Onalaska**

Tuesday, May 14, 2019

1

1 The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, May 14,
2 2019. 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. Tom Smith,
5 Ald. Dan Stevens, Ald. Boondi Iyer, Ald. Jim Olson, Ald. Kim Smith, Ald. Diane Wulf

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, Planning Manager Katie Aspenson, Parks
10 and Recreation Director Dan Wick, Assistant Police Chief Troy Miller, Fire Chief Billy Hayes

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

26
27 **Item 4 – PUBLIC INPUT: (limited to 3 minutes/individual)**

28
29 Mayor Chilsen called for anyone wishing to provide public input.

30
31 **Park Hunter, Pastor of Onalaska United Methodist Church**
32 **212 4th Avenue North**
33 **Onalaska**

34
35 “On behalf of the Christian churches here in the state, I’ve come to bring a word of greeting and
36 thank you, and to offer a blessing. I’ve been getting ready; in a few weeks I fly to England, and
37 a college friend and I will celebrate our 50th birthdays by hiking 80 miles. I’m not dead yet, but I
38 might be in a few weeks. I’ve been warming up by doing a lot of longer walking. A couple
39 weeks ago I walked from the church on a Thursday evening down to my house, which is by
40 Central High School, then the next day I walked back because I had to get my car. Walking like
41 that gives you a chance to really see the community – both here in Onalaska and in La Crosse.
42 I’m just really impressed with how people care for their properties. In north La Crosse, [there

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43 are] still a lot people pumping water out of their basement, so I was thinking about them. Going
44 through the Great River Landing, I'm just amazed to see all the people who go down there and
45 take advantage of that. Especially when I was coming back north, I appreciated the hospitality of
46 the open restrooms. We're very grateful for the good facilities that our city provides. We're also
47 grateful for our community organizations. I'm part of a rotary club that's been raising money for
48 the sculpture, and we do road cleanup and things like that. Tonight, our church just had its free
49 community dinner and fed 100 people. We're not, by any means, unique among that. We're just
50 really blessed in this area with businesses and community organizations, churches, and
51 government who cares. There is a passage in the Book of Hebrews that says, '*Don't neglect to
52 show hospitality to strangers, because by doing so sometimes you entertain angels unawares.*'
53 When we maintain a clean and safe community and when we really work together to make that
54 happen, we're offering hospitality to all sorts of folks. I'm going to offer a quick prayer. If
55 you'd like to pray with me, if that's your tradition, you're welcome. If not, then enjoy a moment
56 of silence. [We pray]: '*Lord, we're so grateful for the gifts that you have showered upon
57 Onalaska; for leaders who care; for civic servants who step forward and serve, often above and
58 beyond the call of duty; for citizens who look out for each other and take care of their
59 community, and look out for guests and strangers and welcome them. We have a reputation of
60 being a community that cares, and [is] a good place to live, a good place to go to school, and a
61 good place to work. In this sense, we're just reflecting your love for the world. Lord, we ask
62 that you would guide us that we would be wise in the use of the resources entrusted to us, and
63 that we would be good stewards and continue to show good hospitality. Amen.*' Thank you very
64 much."

65

66 **Troy Miller, City of Onalaska Assistant Police Chief (current Acting Police Chief)**

67 **No address given**

68

69 "I'm here to apologize to my department. There is a lot going on in our department in the city
70 lately, and one thing I neglected to do is put on the agenda for National Police Week. This is
71 National Police Week, and I think it's very important that I recognize not only our department
72 and our officers, but all the officers nationwide for the job that they do. Police Week was
73 established in 1961, and President John F. Kennedy signed it to become a law that designated
74 May 15 of each year Peace Officer Memorial Day. That has grown to whichever week May 15
75 falls into; [it's] a weeklong designation honoring those who have given the ultimate sacrifice,
76 and those who continue to serve our nation today. As Assistant Chief and Acting Chief, I
77 wanted to give a public note of appreciation to my department for the outstanding work they
78 have done, the support they have given me, the support they give your community of Onalaska,
79 and the support they give in the protection that they offer us. Our department would not be
80 successful without the men and women that work in our department. I also want to go ahead and
81 recognize every law enforcement officer – police, sheriff, FBI, you name it – all those different
82 letters that come to associate with law enforcement. [I give] a heartfelt thank you to everyone
83 that does this job day-in and day-out. They definitely deserve the public recognition. Again, I
84 apologize for not having an agenda item to formally recognize them, but hopefully this will get

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85 the point across and serve its purpose. If you have a chance, I encourage everyone to reach out
86 to law enforcement as you see them and please offer them a thank you for the job that they do.
87 Thank you.”

88

89 Mayor Chilsen said he believes he speaks for the entire Council when he asks Assistant Police
90 Chief Miller to tell his officers how much they appreciate the job the Police Department does for
91 the City of Onalaska.

92

93 **Kim Smith, Third District Alderperson**

94 **436 Mayfair Place**

95 **Onalaska**

96

97 “I just want to take a minute to remind everyone that the La Crosse County Sustainability
98 Committee, which is a committee I serve on representing the City of Onalaska together with the
99 City of La Crosse, La Crosse County, and other representation from across the county, will be
100 hosting a water forum on Thursday [May 16]. It’s going to be Thursday from 5:30 to 6:30 in the
101 basement auditorium of the La Crosse County Administrative Center. The topics that will be
102 covered are nitrates in well water and its impact on health. This has been a topic that has
103 appeared many times in the news lately, and it’s affecting us locally. Jennifer Rombalski from
104 the La Crosse County Health Department will be there sharing factual information that will be
105 followed by a forum where residents can ask questions, share their input and ideas for things that
106 we can do to improve the quality of our drinking water, and reduce nitrates in our area. We’re
107 also going to be talking about the La Crosse River Watershed. Karl Green, from the UW-
108 Madison Division Extension Office in La Crosse County, will be representing information we’ve
109 been working on gathering about the La Crosse River and ways we can improve the water
110 quality there. One of the goals we’ve taken on as a water taskforce is to see what things we can
111 do as residents, as cities, and as a county, to help restore the water quality of rivers, streams,
112 lakes, and ponds that make up the La Crosse River Watershed. We hope to do this by
113 concentrating efforts to reduce nonpoint source phosphorus pollution. We are trying to advocate
114 for stream bank protection, restoration, and permanent easements, with the goal of removing the
115 La Crosse River from the impaired water classification list. This is something that I personally
116 am passionate about. If any of you have any questions, please be sure to reach out to me. Thank
117 you.”

118

119 Mayor Chilsen said he has to read into the record a letter Cari had received.

120

121 As a point of order, Ald. K. Smith said it is her understanding the Common Council had taken
122 action stating that submitted letters only would be acknowledged and said in the record and not
123 read out loud in their entirety.

124

125 Mayor Chilsen said he is unaware of such an action.

126

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127 Sean said, “There was discussion regarding this a few months ago, and I believe that that was the
128 decision made at that time. It was in early 2019.”

129

130 Mayor Chilsen asked that the letter be placed on file, and he also asked to ensure that citizens are
131 not being denied their ability to communicate with the Council.

132

133 Ald. K. Smith asked if it would be possible to recognize the author of the letter and share its
134 topic with the Council.

135

136 Mayor Chilsen said George Tabbert had written a letter regarding the Arts Commission, noting
137 he will later be pulling it from the agenda.

138

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

140

141 A. Library Statistics

142

143 Mayor Chilsen noted no library statistics had been submitted.

144

145 B. Proclamation for Kids to Parks Day

146

147 Mayor Chilsen read the Proclamation for Kids to Parks Day.

148

149 Motion by Ald. T. Smith, second by Ald. Olson, to accept the Proclamation for Kids to Parks
150 Day.

151

152 On voice vote, motion carried.

153

154 C. Appointments to standing committees, boards, commissions, and other committees

155

156 Mayor Chilsen announced he is pulling the appointment of citizens from the standing
157 committees because he does not believe the requested biographies he had received from them
158 were sufficient for the Common Council. Mayor Chilsen said he will bring those forward at the
159 June 11 Common Council meeting.

160

161 Cari told Mayor Chilsen the Council must address the appointments of the alderpersons.

162

163 Mayor Chilsen noted Fred is being appointed to the Joint Municipal Court Committee as an
164 alternate for the Onalaska appointee. In addition, Ald. Wulf is being appointed Chair of the
165 Board of Zoning Appeals, and Ald. Olson is being appointed to the Arts Commission.

166

167 Cari noted Ald. Wulf also is being appointed Chair of the Library Commission. Cari also noted
168 that Brent Larson is currently serving on the Board of Zoning Appeals and said she does not

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169 believe the city would need a biography from him.

170

171 Mayor Chilsen told Cari she is correct that Brent will not need to submit a biography.

172

173 Motion by Ald. K. Smith, second by Ald. Wulf, to approve appointing Mayor Joe Chilsen and
174 Ald. Jim Olson to the Arts Commission; Ald. Diane Wulf as Chair of the Board of Zoning
175 Appeals, and Brent Larson as a citizen member of the Board of Zoning Appeals; Financial
176 Services Director/Treasurer Fred Buehler as an alternate for the Onalaska appointee on the Joint
177 Municipal Court Committee; and Ald. Diane Wulf as Chair of the Library Commission.

178

179 On voice vote, motion carried.

180

181 D. Consideration of a request from City of La Crosse Mayor Tim Kabat for funding for the
182 La Crosse Center expansion

183

184 Mayor Kabat said he appreciates the opportunity to appear before the Council this evening and
185 noted he is being joined by representatives from the City of La Crosse Common Council, the La
186 Crosse Center Board, and La Crosse Center staff. Mayor Kabat promised his presentation will
187 be brief and said he is more interested in the Council's questions and feedback regarding the La
188 Crosse Center and the City of La Crosse's request. Mayor Kabat shared the following three
189 points:

190

- 191 • The La Crosse Center is a regionally significant driver of the local economy. Mayor
192 Kabat said, "As part of our efforts – it's been going on several years to go through our
193 planning processes looking at our market as well as the economic impacts of what the La
194 Crosse Center represents – we've learned that the current regional economic impact from
195 the La Crosse Center operations is about \$38 million every year. Our plans include a
196 fairly significant increase in the amount of square footage for ballrooms and meeting
197 spaces, and lobby and gathering spaces. We're planning and hoping to see another
198 approximate \$6 million impact on top of that. If all things go according to plan, we'll
199 have a facility that generates about \$44 million every year for the larger region. We feel
200 that it's important that we have this facility. It's a much-needed facility. I think it's one
201 of those facilities that has to do a lot of things well, everything from national touring acts
202 to weddings and monster truck shows, and everything in between. It does definitely meet
203 a significant need for our larger region. I think most importantly for you as you're
204 contemplating this request [is] how does a city like Onalaska or how does the larger
205 region benefit? I would say that I'm not sure how long, for example, the City of
206 Onalaska has had a room tax. But I would be willing to bet that there have been room tax
207 dollars generated from events at the La Crosse Center that have helped Onalaska's
208 budget. We feel it's very appropriate to be here tonight. We have a similar request with
209 La Crosse County that we'll also be addressing."

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- 210 • There is a very “robust” financing plan associated with this effort. Mayor Kabat said,
211 ““All along, we’ve been looking at accommodation of borrowing cash reserves as well as
212 a fairly significant grant from the State of Wisconsin. We were able to obtain a \$4.5
213 million grant from the state based on our overall scope. Our scope of our project is \$42
214 million. It’s really a combination of renovations and expansions. The current meeting
215 space – and I’m just going to use rough numbers – there is about 100,000 square feet
216 currently of arena space, meeting space, [and] ballroom space. We’re looking at about a
217 \$30,000 to \$40,000 addition when you add up all those rooms. It’s a very significant
218 expansion that really includes all parts of the facility. We’re going to touch all the
219 concession areas, the bathrooms, the offices – everything from top to bottom. It needs it.
220 Part of our financing plan does include debt service. There is a borrowing of about \$35.5
221 million. The annual debt service is about \$2.5 million. We’re looking at a combination
222 of room tax funds for that, property tax levy, a ticket surcharge, as well as requests from
223 your community and La Crosse County. The reason why we’re focused on both La
224 Crosse County and Onalaska is that we’re looking at this from the approach the same as
225 the UW-La Crosse stadium project that happened 12 years ago, [and] UW-La Crosse
226 [representatives] were here asking for help not only from Onalaska and La Crosse
227 County, but the City of La Crosse as well because of the regional nature of what the UW-
228 L stadium represents. We’re here in a very similar type of arrangement that we’re
229 looking at. I think it’s really important that we do this. Our Council has approved the
230 concept, so the designs and those things are moving forward. The architects and the
231 engineers are working very diligently now on all the details, so that’s the last hurdle, if
232 you will, to move this forward. We’re full steam ahead.”
- 233 • Mayor Kabat said he anticipates one of the questions being if funding from the City of
234 Onalaska is absolutely needed, and he stated, “My answer would be yes. However, this
235 project is moving forward. I’m not going to try to pretend that somehow it’s not. This
236 project has to happen. It’s a large driver regionally, and it is going to move forward.
237 What I really feel like is important – again, I think it was talked about when UW-La
238 Crosse came for funding for the stadium – is this is an opportunity for us to move beyond
239 talking the talk when it comes to regional collaboration and to actually put those words
240 into action, and to show that we are true spirit partners in these efforts.”

241
242 Mayor Chilsen noted the Council will not make a decision this evening regarding the City of
243 Onalaska assisting with funding for the La Crosse Center expansion. Rather, the city will
244 examine the financial figures and determine how to proceed. Mayor Chilsen asked Mayor Kabat
245 if there is any additional information he is able to share with the Council.

246
247 Mayor Kabat said he is willing to share additional information on whatever interests the Council.
248 This includes the market study that was conducted as well as two economic impact studies,
249 including an updated version based on the approved design, and information provided by the
250 architects pertaining to the design. Mayor Kabat noted there are between 100 and 140 events

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251 held every year at the La Crosse Center, and he said between 35 and 55 percent of the
252 individuals who attend those events reside outside the City of La Crosse. Mayor Kabat said, “It
253 is a big regional driver as well as a benefit for folks who live in the area.”

254

255 Ald. K. Smith told Mayor Kabat she appreciates hearing from him in person his passion for the
256 project, and she asked him what the funding gap is he hopes to bridge through the regional
257 partnerships.

258

259 Mayor Kabat told Ald. K. Smith the request the City of La Crosse has for both La Crosse County
260 and the City of Onalaska would be to reduce the property tax levy being asked of City of La
261 Crosse taxpayers. Mayor Kabat said, “We’re still working through a little bit on the negotiations
262 on the room tax. But if all of that goes according to plan, we’ll be looking at an annual property
263 tax levy to our residents and property tax payers in La Crosse of about \$1.1 million. If we are
264 able to receive funding from either or both of our requests, that would go right into just reducing
265 that property tax levy impact. It would go toward debt service, in essence.”

266

267 Mayor Chilsen noted La Crosse Center Director Art Fahey, La Crosse Center Board President
268 Brent Smith, and a LADCO representative also are in attendance this evening should any
269 Council member’s questions need to be answered by them.

270

271 Ald. Stevens thanked Mayor Kabat for attending this evening’s meeting, and he noted that within
272 the last week Council members had received a letter from the La Crosse Chamber of Commerce
273 urging support of funding the La Crosse Center expansion. Ald. Stevens noted the letter had
274 cited a regional effort had been utilized with the Fox Cities Exhibition Center, and he said he had
275 researched this and discovered the facility had been constructed a few years ago at a cost of \$32
276 million. Ald. Stevens said, “If this is a \$42 million remodel ... It’s kind of late to the game at
277 this point, but have we considered just razing it and building from the bottom up? It strikes me
278 that, after you raze and demolish it, there would be approximately a \$9 million savings.”

279

280 Mayor Kabat said, “The Center Board, to their credit, looked at all those types of ideas at the
281 very beginning of the process. It is just too expensive to tear down the entire facility and build a
282 brand-new facility. They did look at that, though. We’ve had some of that input and feedback,
283 especially when we were looking at a little bit different version last year. There were questions
284 about all of that: Should we move it? Should we put it at other locations? The community has
285 really spoken loud and clear through our several years of planning processes that they want that
286 Center to stay at its location. And in working with our design team, the architects, the Center
287 Board, and all of the stakeholders, it is less expensive to renovate what we have there now
288 because we still do have a fairly significant structure versus starting from scratch. But we did
289 look at that.”

290

291 City Administrator Rindfleisch said, “Part of my responsibility as [City] Administrator is to
292 provide policy recommendations to the Council. In preparation for this meeting, most of the

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293 Council members have engaged me with some questions. I was hoping that they would engage
294 the primary person who is here to present, but in the lack of thereof, if I may, ask those questions
295 on behalf. One point you made is getting beyond talking the talk and getting to the true spirit of
296 regionalization. I think the first agreement that we make is regionalization also includes shared
297 costs, and that's why we're here today: to make that request. Two other parts of regionalization
298 that I've heard frequently in the last several weeks is, is there any sense of shared governance for
299 this? I know the public was indicating that whenever it's time to pay for something, now we're
300 engaged. But when it's time to make any plans or offer some insight, that's not the case. Would
301 this plan, long-term, offer some sense of a seat at the table, if you will, for Onalaska?"

302
303 Mayor Kabat told City Administrator Rindfleisch that while he cannot answer that question this
304 evening, "it is something that we definitely would consider and discuss and provide more
305 direction on. We've only heard that talk through the media at this point. I know the La Crosse
306 Center Board has had a little bit of discussion about the possibility and the opportunity to expand
307 that group. I guess the short answer is we would definitely consider that, if that made sense."

308
309 City Administrator Rindfleisch noted the third part of regionalization is the sense of decision-
310 making and said there is the sense that there is not the ability to participate in the discussion
311 regarding the points Ald. Stevens had raised earlier in terms of what to do with the existing
312 facility (e.g. razing it, expanding it, the level of expansion) until the end of the process. City
313 Administrator Rindfleisch said, "Not just the shared cost, but also the level of service provided
314 with regionalization – in this case, what to do with the facility – and the governance of that are
315 the three points that I am hearing frequently."

316
317 Mayor Kabat said, "In an ideal world, this would be a county or a district facility that all of the
318 folks within a much larger area would help govern and operate. It just so happens that here in
319 the City of La Crosse, through a whole history, we have a number of these regional facilities,
320 whether they're airports or La Crosse Centers, that are solely within the City of La Crosse at this
321 point. But that doesn't mean that they should stay that way. At least for our discussions tonight,
322 it's the City of La Crosse coming to you and not a larger county or a regional districtwide
323 entity."

324
325 City Administrator Rindfleisch said, "To make a policy recommendation, I strongly agree. I
326 have made that recommendation in other regional discussions as well; in particular, the
327 metropolitan sewage district as a shared service. It takes off the pressure of the city and passes
328 those three topics I pointed out to everybody as well, and I would suggest fire or public safety is
329 another aspect we can continue to look at. But I think the three aspects of we all share in the
330 costs, we all share in the benefits, and we all share in the governances is very important.

331
332 You identified looking for funding to help offset the taxpayer costs. Is there a particular kind of
333 funding that you're requesting – General Fund or anything else? As the policy discussion
334 continues, based on where we are currently at our 8 percent [room tax], this is less of a question

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335 and more of a point for the Council to decide. We are currently at the 8 percent in the City of
336 Onalaska. We can exceed the 8 percent, but only to fund our own convention center. We could
337 use our existing 8 percent in another fashion, which would have to be reallocated from the
338 current allocation, so that would be a potential option. What we do already have is funding for
339 the Omni Center, which would have to be backfilled somehow. The third option is the tax levy,
340 using General Fund expenses, which I think would also be part of the budget process, how to
341 reallocate our finite resources as well. Those are the sources that you would have in your
342 discussions to look at where this funding comes from.”

343

344 Mayor Kabat said, “We understand that Onalaska is at the 8 percent, so we realize that perhaps
345 you have fewer options at the table than maybe some of the other communities do. Again, I
346 would just point out that I think in an ideal world you would have all the folks who participate in
347 the La Crosse County Convention and Visitors Bureau all at the same room tax rate, and all kind
348 of kicking in to operations and the facilities. We’re getting there. We’ve made a lot of great
349 progress in joining together as a county. We still have a way to go. We understand back in 2007
350 Onalaska had some room tax capacity to be able to raise money for a period of time to help
351 contribute to [the UW-L] stadium project. Unfortunately, that capacity is not there today, so we
352 do understand that.”

353

354 Ald. Stevens asked Mayor Kabat, “In a perfect world, what is the total amount of money that you
355 are short that you don’t directly control over the City of La Crosse?”

356

357 Mayor Kabat said, “In an ideal world – and you had mentioned the Fox Cities earlier – they were
358 able to fund lease revenue bonds entirely with room taxes. They receive room taxes from Little
359 Chute, Appleton, [and] maybe one or two other communities that they utilize to pay the debt for
360 that facility. There might have been some tax increment financing in there as well. That would
361 be your ideal world, where you would have a nontax levy situation funding these types of
362 operations. I think perhaps we have something to learn from the Fox Cities where they were able
363 to pool room tax dollars and fund that. As I said, for us it’s not so much a matter of a gap
364 because we know right now we have about \$1.1 million or so that’s going to go onto our tax levy
365 to fund this project. We’re looking to try to reduce that, if at all possible. Again, as a side, we
366 do not have an option to use tax increment financing for this project because even though [the La
367 Crosse] Center is in one of our newly created TIFs, we have a development agreement with [La
368 Crosse] County on the Lot C development and are utilizing our increment, if you will, that is
369 being generated from Lot C to help pay debt on the parking structure that’s downtown. That’s
370 another one of those regional uses – parking for folks – that’s just another one of those things.
371 It’s not so much that we have a gap; it’s more of we’ve identified, here is what would impact our
372 levy. We’re looking to try to reduce that, if at all possible.”

373

374 Ald. Stevens told Mayor Kabat he is certain the Common Council has much to discuss before
375 giving him a response, and he said, “If an alternative solution were to present itself that would
376 solve your problems, would that be something the City of La Crosse would be willing to sit

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377 down and talk about?"

378

379 Mayor Kabat told Ald. Stevens yes and said, "We're always willing to consider that. I think
380 we've had, just in the little bit of time here in debating some of the room tax issues, we've had
381 some businesspeople who have indicated some interest. The thing is, though, without sounding
382 too crass, we need the commitment and the cash on hand in order to move forward. We need
383 something beyond, if you will, a verbal commitment."

384

385 Mayor Chilsen thanked Mayor Kabat and everyone who came to this evening's meeting and
386 promised the Council will discuss the request. Mayor Chilsen requested that as much data as
387 possible be sent to the Council as it would assist in the decision-making process.

388

389 Mayor Kabat promised Mayor Chilsen that City of La Crosse staff will prepare for the Council a
390 package that includes the market study, economic impacts, the building design, and the budget to
391 this point.

392

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

395

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

400

401 **Item 6 – Consent Agenda**

402

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

404

405 **FINANCE COMMITTEE**

406

407 B. Approve 2019 Omni Center Financials

408 C. Approve 2019 General Fund Financials

409 D. Approve monthly department presentation by Finance Director/Treasurer and an
410 overview of the Finance Department

411 E. Approve Gundersen Health System Parking Ramp Financial for 1st Quarter 2019

412 F. Approve contract extension for Kirk Bey transcription services for 2020

413 G. Accept offer from WI Department of Transportation Bureau of Transportation Safety
414 (BOTS) for a 75/25 match relating to speeding and other traffic violations

415 H. Approve Liquor Account Agreement between the City of Onalaska and the Onalaska
416 Enhancement Foundation (OEF)

417 I. Approval of the following contracts:

418 1. MACH Sub-User's Agreement

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419 2. TRACS Sublicense Agreement

420

421 **PERSONNEL COMMITTEE**

422

423 J. Approve out-of-state travel for Jeremy Southworth to attend Leadership in Supervision at
424 the National Fire Academy in Emmitsburg, Maryland from July 21 through July 26, 2019

425 K. Approval of out-of-state travel for Jason Veldboom, Wayne Nagy and Karl Goldbeck to
426 attend Crude by Rail Emergency Response in College Station, Texas from October 7
427 through October 9, 2019

428 L. Approval of filling the budgeted position of Firefighter/EMT

429 M. Approval to increase Part-Time Firefighter/EMT Lieutenant Goldbeck's hours to exceed
430 the 600-hour Wisconsin Retirement cap, not to exceed greater than 900 hours in a rolling
431 calendar year

432

433 **JUDICIARY COMMITTEE**

434

435 N. Approval of **Ordinance 1636-2019** to amend Chapter 1 of Title 10, Section 15 of the
436 Code of Ordinances of the City of Onalaska relating to controlled intersections
437 designated (Third and Final Reading)

438 O. Approval of **Ordinance 1639-2019** to annex land located in the Northeast ¼ of the
439 Northwest ¼ in Section 29, Township 17 North, Range 7 West from the Town of
440 Onalaska to the City of Onalaska (Abbey Road Extension) (Third and Final Reading)

441 P. Approval of **Ordinance 1640-2019** to amend Article E of Chapter 1 of Title 10 of the
442 Code of Ordinances of the City of Onalaska Relating to Winter Alternate Parking (Third
443 and Final Reading)

444 Q. Approval of **Ordinance 1642-2019** to amend Section 14 of Chapter 3 of Title 2 of the
445 Code of Ordinances of the City of Onalaska relating to the City Administrator (First and
446 Second Reading)

447 R. Approval of **Ordinance 1645-2019** to amend Section 27 of Chapter 1 of Title 10 of the
448 Code of Ordinances of the City of Onalaska relating to Parking Restrictions (6th Avenue
449 North) (First and Second Reading)

450 S. Approval of **Ordinance 1646-2019** to amend Section 27 of Chapter 1 of Title 10 of the
451 Code of Ordinances of the City of Onalaska relating to Parking Restrictions (13th Avenue
452 North) (First and Second Reading)

453 T. Approval of **Ordinance 1647-2019** to amend Section 3 of Chapter 1 of Title 2 of the
454 Code of Ordinances of the City of Onalaska relating to the City Budget Hearing (First
455 and Second Reading)

456

457 **ADMINISTRATIVE COMMITTEE**

458

459 U. Approval of Operator's Licenses as listed on report dated May 8, 2019

460 V. Approval of amendment to Class B Liquor License for American Legion Post 336, 731

Reviewed 5/16/19 by Cari Burmaster

**Common Council
of the City of Onalaska**

Tuesday, May 14, 2019

12

- 461 Sand Lake Road, Onalaska for June 14-15, 2019 for Onalaska Community Days to
462 include outside grounds
- 463 W. Approval of variance to the noise ordinance for:
- 464 1. American Legion Post 336, 731 Sand Lake Road, Onalaska for June 14-
465 15, 2019 for Onalaska Community Days until 11:30 p.m. each evening
- 466 2. Onalaska Enhancement Foundation for Celebrate Onalaska for June 22,
467 2019 until 11:30 p.m.
- 468 X. Approval of request for waiver to 7-1-23: Limitation on Number of Dogs and Cats for
469 Melissa Delaney, 1823 Snowflake Place, Onalaska
- 470 Y. Approval of Special Events Permit for:
- 471 1. Walk With Warriors, Saturday, June 15, 2019, from approximately 10-
472 11 a.m. starting at American Legion, 731 Sand Lake Road, Onalaska,
473 WI
- 474 2. Memorial Day Parade for American Legion on May 27, 2019 from
475 approx. 9:30-10 a.m. from the American Legion to Onalaska Cemetery
- 476 3. American Legion Legacy Scholarship Run on June 15, 2019 from
477 approx. 10 a.m.-4 p.m. starting at La Crosse Area Harley-Davidson,
478 1116 Oak Forest Drive, Onalaska
- 479 4. Celebrate Onalaska by Onalaska Enhancement Foundation, June 21
480 (approx. noon) thru June 23, 2019 (approx. 4 p.m.) at Van Riper
481 Park/Omni Center/JC Fields
- 482 5. Red Cedar Block Party, June 4, 2019 (rain date June 5, 2019) from 5-
483 7:30 p.m. closing Red Cedar Court between Riders Club Road and
484 Grove Street
- 485 Z. Approval of Beekeeping License for Clearwater Farm, 760 Green Coulee Road, Onalaska
486 for May 15, 2019-December 31, 2019
- 487 AA. Approval of Fireworks Permit for Michael F. Callaway/R&M Enterprises, Inc. for
488 selling of fireworks from a tent located at East Towne Plaza, State Road 16, Onalaska
489 from June 14, 2019 through July 6, 2019
- 490 BB. Approval of professional architectural services for Onalaska Cemetery Master
491 Contract with Tribute Design Systems, LLC

492
493 **BOARD OF PUBLIC WORKS**

- 494
- 495 CC. Approval of extending parking restrictions on north side of Mason Street to east
496 of fire hydrant
- 497 DD. Approval of methodology for **Ordinance 1643-2019** for hookup charges for
498 Abbey Road
- 499 EE. Approval of methodology for **Ordinance 1644-2019** for hookup charges for Crestwood
500 Lane
- 501 FF. Approval of bids received for Crestwood Booster Pump Station Project to Olympic
502 Builders in the amount of \$974,846

Reviewed 5/16/19 by Cari Burmaster

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13

503 GG. Approval of no action in regards to drainage easement at 960 and 962 Streblow
504 Street

505 HH. Approval of professional services for design of fiber optic line installation
506 between City buildings to Livermore Technologies in the amount of \$20,210

507 II. Approval of archaeology services by Mississippi Valley Archaeology Center for 2017
508 Utility Project – 3rd Avenue South in the amount of \$43,547

509 JJ. Approval of stormwater drainage easement for Crestwood Estates Development

510

511 **PLAN COMMISSION**

512

513 KK. Conditional Use Permit request filed by Ruth Mashak, 729 Redwood Street,
514 Onalaska, WI 54650 for the purpose of allowing the operation of a home occupation
515 (offering piano lessons) at the property located at 729 Redwood Street, Onalaska, WI
516 54650 (Tax Parcel #18-5898-1) (FIO)

517 LL. Conditional Use Permit request filed by Leah Berlin and Jim Bressi of Kwik Trip, Inc.,
518 1626 Oak Street, La Crosse, WI 54601 on behalf of David & Barbara Hegenbarth of
519 Hegenbarth Investments, LLC, 2400 Cedar Creek Lane, Onalaska, WI 54650 for the
520 purpose of allowing the operation of a meal prep/catering establishment at the property
521 located at 910 2nd Avenue North, Onalaska, WI 54650 (Tax Parcel #18-1276-0) (FIO)

522 MM. Conditional Use Permit request filed by Dan Wick, Parks & Recreation Director
523 of the City of Onalaska, 415 Main Street, on behalf of the City of Onalaska, 415 Main
524 Street, Onalaska, WI 54650 for the purpose of allowing the construction of a perforated
525 aluminum screen behind and a wood canopy over the existing stage at Dash-Park located
526 at 200 Main Street, Onalaska, WI 54650 (Tax Parcel #18-96-1) (FIO)

527 NN. Denial of a request to amend Site Plan Permit #181016 Conditions of Approval
528 filed by Terry Weiland, 600 L Hauser Road, Onalaska, WI 54650, for the purpose of
529 changing Condition #26 tied to the construction of a five-unit Townhome / Row House
530 development at the property located at 2215-2217-2219-2221-2223 Abbey Road (Tax
531 Parcel #18-4511-315)

532

533 **UTILITIES COMMITTEE**

534

535 OO. Approve the Program of Projects for Onalaska, with modifications based on the
536 final distribution report

537 PP. Approval of Shared Ride Financials

538

539 **PARKS & RECREATION**

540

541 QQ. Approval to change May Parks and Recreation Board meeting to May 20th at 5:15
542 p.m.

543 RR. Approve Omni Center shelter sprinkler system bid to Fireline Sprinkler, LLC in
544 amount not to exceed \$11,900

Reviewed 5/16/19 by Cari Burmaster

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14

545 SS. Approve Omni Center shelter heat bid to Coulee Region Mechanical in an amount not to
546 exceed \$2,300

547 TT. Approve lifeguard chairs and umbrella bid to The Lifeguard Store in an amount not to
548 exceed \$4,800

549

550 Motion by Ald. Olson, second by Ald. Stevens, to approve the Consent Agenda, sans Item NN.

551

552 On voice vote, motion carried.

553

554 **Non-Consent Agenda**

555

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

557

- 558 • Item NN: Plan Commission – Denial of a request to amend Site Plan Permit #181016
559 Conditions of Approval filed by Terry Weiland, 600 L Hauser Road, Onalaska, WI
560 54650, for the purpose of changing Condition #26 tied to the construction of a five-unit
561 Townhome / Row House development at the property located at 2215-2217-2219-2221-
562 2223 Abbey Road (Tax Parcel #18-4511-315)

563

564 **Item 7a – PLAN COMMISSION**

565

566 NN. Denial of a request to amend Site Plan Permit #181016 Conditions of Approval filed by
567 Terry Weiland, 600 L Hauser Road, Onalaska, WI 54650, for the purpose of changing Condition
568 #26 tied to the construction of a five-unit Townhome / Row House development at the property
569 located at 2215-2217-2219-2221-2223 Abbey Road (Tax Parcel #18-4511-315)

570

571 Katie told Council members the Plan Commission had voted unanimously at its April 23 meeting
572 to deny Terry Weiland's request. Katie said she has been asked to note the reason for the denial
573 and referred to the minutes from the April 23 Plan Commission meeting, in which she stated city
574 staff did not agree with the requested change. Further, Katie noted that as a Site Plan Permit
575 represents an agreement between the applicant and the City of Onalaska, any change to those
576 conditions of approval must be approved both by the Plan Commission and the Common
577 Council. Katie told Council members Plan Commission member Paul Gleason had stated he did
578 not see any basis to approve the applicant's request to amend the Site Plan Permit, and she noted
579 Paul had said, "*It sounds like it was agreed to. At the time, it was a reasonable point to be in*
580 *agreement on. At this point in time, I do not see a basis for it.*" Katie further noted there was
581 discussion regarding if the applicant had submitted the elevations in reference to the fill of the
582 land going up to the base of where the first floor is. Katie said there was a comment in the
583 applicant's letter that stated it would appear as though the additional strip of brick façade would
584 look like it was floating. Katie said Paul was referring to the elevations that were included in
585 Plan Commission members' packets, noting that the fill would be going up to the base of it so it
586 would not appear as though it were floating. Katie referred to Paul's comments in the meeting

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15

587 minutes, in which he stated, *“If the applicant submitted that elevation showing fill up to the floor*
588 *level, that’s part of the approved requirements. And I think staff is well within their rights to*
589 *insist that the fill be added up to basically the bottom of the brick. ... I’m in full agreement with*
590 *staff’s recommendation on this. I don’t think we should be second-guessing staff on something*
591 *such as this.”*

592
593 City Administrator Rindfleisch asked Sean to share his insight regarding the role the Common
594 Council plays at this time regarding a decision rendered by the Plan Commission.

595
596 Katie explained the Site Review process to the Council as a process in which applicants come
597 forward and propose development to the city. The Engineering Department, Fire Department,
598 Inspection Department, and Planning Department review proposals. The development is
599 examined from all aspects, and staff drafts Conditions of Approval. Katie said conditions range
600 from one page with five or six conditions to five or six pages, depending on the scope of the
601 project. Katie said this particular development was a brand-new facility (five-row townhome) in
602 the City of Onalaska, and she explained that as part of this process city staff, the Planning
603 Department in particular, reviews architecture. The applicant is required to show all four sides
604 of the building, and staff reviews it accordingly. Katie said the city has worked with other
605 applicants who had done development along Abbey Road, and staff also had required a strip of
606 brick to face Abbey Road as a feature to enhance curb appeal. Katie said that when she had
607 made that request to the applicant, he had offered to reduce the amount of brick that would be on
608 the new frontage road on the north side to only go up halfway and instead wrap the brick around
609 the eastern façade (this was documented in the notes). Katie said staff was not asking that the
610 brick go on the back side of it, nor on the side that would not be viewed by the public. Rather, it
611 would be along the frontage road area. Katie said city staff agreed to that, and thus wrote the
612 Condition of Approval that was proposed to staff at that time.

613
614 Katie said the next step after addressing all the Conditions of Approval is to send the list to the
615 applicant, along with a Site Plan Approval form. This form states that it is tied to all the
616 Conditions of Approval. If the applicant signs the permit, he/she is agreeing to adhere to all
617 Conditions of Approval for a development. Katie said the applicant signed the permit
618 application, and from that staff issued the permit so that the project was able to proceed. Katie
619 said, “At this time, the applicant has come forward requesting to modify that condition to not put
620 that strip of brick façade facing Abbey Road and instead go back to the original design of vinyl.
621 As that agreement is essentially an agreement with the City of Onalaska and the owner of the
622 property, any change to that has to be approved by both the Plan Commission and the Common
623 Council. The Plan Commission voted to deny this request, so now it has come forward to the
624 Common Council to take final action.”

625
626 Sean said, “Because it is deemed a contractual issue and not a new Site Plan Review, it would be
627 up to the Common Council to make a decision based upon the recommendation of the Plan
628 Commission. If it had been an original Site Plan Review which the applicant was appealing or
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16

629 was unhappy about, that would go to the Board of Zoning Appeals. But because this is an
630 existing Site Plan, what is being requested is an accommodation to the Site Plan, or a variance to
631 the Site Plan.”

632
633 City Administrator Rindfleisch said that because the Site Plan has been made part of the
634 conditions, his concern is that the conditions were approved by the Plan Commission. City
635 Administrator Rindfleisch said this is not just a Site Plan Review, but the applicant is requesting
636 a condition amendment.

637
638 Sean noted it is the conditions to the Site Plan Review and said, “It ultimately comes down to
639 changing the conditions. That’s something that this Council can do.”

640
641 Ald. Stevens asked if any circumstances changed for the builder after the permit was issued.

642
643 Katie noted the applicant, Terry Weiland, is attending this evening’s meeting and said he likely
644 can better address Ald. Stevens’ question.

645
646 **Terry Weiland**
647 **600 L. Hauser Road**
648 **Onalaska**

649
650 Terry identified himself as both the owner and builder of the project and said, “Yes, a condition
651 did change. Upon setting the building in the specific area, it made more sense not to have a steep
652 upgrade and fill in where we’re talking about this brick facing. It’s just like you don’t like 20-
653 percent grades or whatever. I didn’t want a steep runoff from my building just to accommodate
654 filling up there. I wanted to expose more of the basement, and it will all blend in nice and won’t
655 have any steep gradework. That makes the brick part appear like it’s going to be out of the
656 ground. That’s why I requested the change. I haven’t built any building that something hasn’t
657 changed during the process of building it. This was the procedure I had to go through to get this
658 changed. For some reason, they want to stick to the brick on there. I’ve heard comments from
659 Plan Commission member Paul [Gleason] that if the committee was for it it’s not really a big
660 deal. It’s not going to make or break the look of the building. It’s not that big an area; it’s 36
661 feet by 4 feet.”

662
663 Ald. Olson asked Terry, “Why do you think the Plan Commission denied your request?”

664
665 Terry said, “I have no idea. I was surprised.”

666
667 Ald. Olson said, “That’s what you’re asking us to change. We have these people making
668 decisions for us, and their recommendation comes to us. Now you want us to change that, and I
669 have a difficult time with that, to be honest with you.”

670
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17

671 Terry said, "There is no ordinance. There is no condition of the subdivision that this brick was
672 on. It's only an opinion of the Plan Commission, and it was an opinion of myself that I agreed
673 to. But now that the grading has changed, I requested to remove it."

674

675 Ald. Olson asked, "And their response was?"

676

677 Terry said, "You got the response. They denied it."

678

679 Motion by Ald. Wulf, second by Ald. K. Smith, to uphold the decision of the Plan Commission
680 and deny a request to amend Site Plan Permit #181016 Conditions of Approval filed by Terry
681 Weiland, 600 L Hauser Road, Onalaska, WI 54650, for the purpose of changing Condition #26
682 tied to the construction of a five-unit Townhome / Row House development at the property
683 located at 2215-2217-2219-2221-2223 Abbey Road (Tax Parcel #18-4511-315).

684

685 Ald. T. Smith told Mayor Chilsen he had spoken to Terry earlier Tuesday and said he asked to
686 remove this item from the Consent Agenda because Terry believed he had not received a
687 comprehensive answer as to why the Plan Commission had denied his request. Ald. T. Smith
688 said he had asked Katie to explain the situation and the documentation supporting that decision,
689 adding he believes she had done so. Ald. T. Smith said he wanted to ensure that Terry had an
690 answer as to why the Plan Commission had voted to deny the request, as well as the details
691 behind its rationale to deny it.

692

693 On voice vote, motion carried.

694

695 **Item 8 – SUSPENSION OF COUNCIL RULE SEC. 2-2-3(c) CODE OF ORDINANCES**

696

697 A. **Resolution 26-2019** – To Dissolve the Onalaska Technology Committee (Veto by Mayor
698 Chilsen on April 20, 2019)

699

700 Mayor Chilsen said the Council will be voting on whether to sustain or override his veto.

701

702 Cari told the Council a two-thirds vote (four votes) is required to overturn Mayor Chilsen's veto,
703 and she said Resolution 26-2019 is now back on the floor on which to take action.

704

705 Ald. Wulf asked Cari, "If we wish to make a motion to approve Resolution 26-2019, it will be to
706 enact, once again, what we did last month at [the Common Council Reorganizational Meeting] to
707 dissolve the [Technology] Committee. If we choose to do nothing, the veto will stand, correct?"

708

709 Cari told Ald. Wulf she is correct.

710

711 Mayor Chilsen said there would have to be a second piece to that, but that will not occur this
712 evening.

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18

713

714 Ald. Wulf asked both Mayor Chilsen and City Administrator Rindfleisch for their respective
715 thoughts on this item; specifically, Mayor Chilsen's thoughts behind the veto, and then City
716 Administrator Rindfleisch's input as to how the initial resolution first came before the Common
717 Council at the April 16 Common Council Reorganizational Meeting.

718

719 Cari and Mayor Chilsen both said a motion should be put on the floor before the Council
720 engages in discussion.

721

722 Motion by Ald. Wulf, second by Ald. T. Smith, to approve Resolution 26-2019 – To Dissolve
723 the Onalaska Technology Committee (Veto by Mayor Chilsen on April 20, 2019).

724

725 Mayor Chilsen said he had vetoed Resolution 26-2019 because after serious consideration, "I'm
726 not so sure that I want to get rid of a Technology Committee, but rather move it to an ad hoc
727 committee which would only meet when either the City Administrator or the Council deemed it
728 necessary for them to get additional information on technology. This was driven out of a
729 situation that happened where the Technology Committee was talking about something, and our
730 Technology person [asked], 'How do you do that?' Somebody on the Technology Committee
731 said, 'At the place I work this is how we do that.' Our Technology person said, 'I didn't even
732 know that was possible to do it that way.' I guess in hearing that, I would like to keep as much
733 expertise in this area at least an arm's length away. They don't have to meet every month, but
734 [rather] times when we need a little extra support or a little extra effort, we can call on that
735 committee. That was my reason for vetoing it."

736

737 City Administrator Rindfleisch told the Council that Resolution 26-2019 had come to fruition
738 based on conversations that go back more than one year. City Administrator Rindfleisch said,
739 "The difficulty having the committee meet, getting a quorum was often a challenge. ... However,
740 the real point is that as an advisory committee ... Two words there. One, it's advisory. It's the
741 only committee that we have in the structure that any action it takes goes to another committee
742 and it doesn't go to the Council for a decision. Any Capital Improvements expenses go to the
743 Board of Public Works for Capital. Any policies go to the Administrative and Judiciary
744 Committee, and so on. In the desire to be more efficient with our committee structure, that was
745 one issue I had there as advisory. ... The people who serve on the committee are indeed
746 knowledgeable, and we fully intend to be able to access them as individual resources, much as
747 we would with any purchase or any new program or policy in the organization itself. If there are
748 new ways in doing business in police or fire, my expectation is that the chiefs would discuss with
749 people what are the new ways of doing things. It's the same thing with the [City] Clerk. If
750 there's new technologies or new systems, we'd do that. There are no committees that they would
751 necessarily go to for that purpose.

752

753 To some degree, it also hamstrings my ability to gain knowledge in that particular area because
754 now instead of reaching for the phone I'm just getting information, setting agenda, getting a

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19

755 quorum to meet and not having a walking quorum of members to be able to discuss. Whereas
756 without having the committee, all the information can be gained on a more frequent basis and
757 way I think respects the role of the [City] Administrator and the department heads to go get that
758 information, as needed. Finally, if there's a concern about the knowledge or the experience of
759 any individual employee, it's best done through coaching or done through a performance
760 improvement plan – not by having a committee to overview that particular employee, in my
761 opinion.”

762
763 Ald. Stevens said he had done some research since the Common Council voted to dissolve the
764 Technology Committee, and he erroneously assumed it was similar to the Great River Landing
765 Committee, which had not met over the previous year. Ald. Stevens noted he had examined the
766 past Technology Committee meeting minutes and said he had seen that it had met five times in
767 2018, and twice so far in 2019. Ald. Stevens said, “There are several items that were kind of left
768 on the table that were supposed to be addressed in an April meeting, which didn't happen
769 because it was resolved. Those issues were deciding about the expansion of the Police
770 [Department's] camera system, Wi-Fi at the Great River Landing, and there's an upcoming
771 phone upgrade, which I believe there was quoted about \$175,000, and I'm not sure where that
772 was left. I understand they also look at the city mobile phone policy, the electronic
773 communication policy, and the email system policy. And they just instituted the FMX ticketing
774 systems.

775
776 I think the Mayor brings up a very good point, and my concern is that if we are to dissolve this
777 committee I think we're leaving some work on the table that if we were to close it, it should be a
778 planned transition. Additionally, it may be appropriate to go to the ad hoc system. And if it
779 turns out that the committee does not have a use in the ad hoc status and does not meet for an
780 extended period of time, it would be entirely appropriate to dissolve the committee. But I don't
781 if we're there yet. I think we can plan this transition a little bit better. I think I'm inclined to
782 sustain the veto.”

783
784 Ald. Wulf noted Ald. Tom Smith had served in the past on the Technology Committee, and she
785 also noted she has served as a committee member – either as an alderperson or a community
786 member – for 15 years. Ald. Wulf told the Council that at times over the years there has been
787 confusion as to which items should come before the Technology Committee. Ald. Wulf further
788 said, “At times, items have been purchased that never appeared before Technology for advice or
789 input. And a lot of items have also come before Technology since its inception in 2002. I think
790 if our City Administrator's vision is to streamline the committee process a bit more, I'm all for
791 that. It's one less agenda to prepare, one less to post, one less meeting to make quorum, fewer
792 minutes, [and] less cost in the long run. I do think ad hoc committees can work. My only
793 concern is that with ad hoc committees I find that possibly committee members don't have as
794 much of a buy-in, so they just meet very sporadically and attendance can tend to be even less
795 than a committee that meets on a regular basis because everyone knows they need to come the
796 fourth Thursday of every month at 6:30 p.m., they show up, and they have that buy-in. I feel

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20

797 very comfortable speaking on behalf of the current Technology Committee members when I say
798 that if staff has needs in the future – either research needs, specific questions, whatever may arise
799 – I know they will all welcome a phone call or an email from staff. They will make themselves
800 available. They have said that a number of times. We have one guy in particular who is kind of
801 the ‘Phone King,’ and he’s very proud of that. I think if we vote tonight to dissolve the
802 committee and for some reason in the future staff or administration feels there’s a need to
803 reappoint, we can certainly do that at that time. But I think dissolving the committee will give
804 our staff more flexibility and be more able to be efficient going forward. So while I certainly
805 respect Mayor Chilsen’s point of view on this matter, I will ask my fellow alderpersons to vote
806 ‘yes’ and pass Resolution 26-2019 to dissolve the Technology Committee.”

807

808 Ald. T. Smith said that in addition to having a City Administrator, the City of Onalaska now has
809 more resources available to it than there were in 2002 and 2005 when he served on the
810 Technology Committee. Ald. T. Smith said, “I think we have come a long way, and I think it
811 gives the [City] Administrator and his staff the ability to make those decisions. But like Diane
812 said, there is a lot of knowledge in this area, and we could always still pull them in as needed. I
813 support that, too.”

814

815 Mayor Chilsen reminded the Council a ‘yes’ vote will be to dissolve the Technology Committee.

816

817 On roll call vote: Ald. Kim Smith – aye, Ald. Diane Wulf – aye, Ald. Tom Smith – aye, Ald.
818 Dan Stevens – nay, Ald. Boondi Iyer – aye, Ald. Jim Olson – aye. Motion carried, 5-1. Mayor
819 Chilsen’s veto is overridden.

820

821 **Item 9 – FINANCE COMMITTEE**

822

823 A. Vouchers

824

825 Motion by Ald. K. Smith, second by Ald. Stevens, to approve the vouchers expended since the
826 last Common Council meeting on April 9, 2019, in the amount of \$9,195,483.69.

827

828 On voice vote, motion carried.

829

830 B. Approve agreement with General Engineering Company (GEC) for the provision of
831 Inspection Services

832

833 Motion by Ald. K. Smith, second by Ald. Olson, to approve agreement with General Engineering
834 Company (GEC) for the provision of Inspection Services.

835

836 City Administrator Rindfleisch asked that the motion and second include language that the
837 motion be subject to the final approval of the agreement as approved by the City Attorney. City
838 Administrator Rindfleisch said, “We don’t have that final agreement yet.”

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21

839

840 Motion by Ald. K. Smith, second by Ald. Olson, to amend the previous motion to state the
841 approval will be only be valid after incorporating any changes or approval of the City Attorney.

842

843 Ald. Stevens asked if it is appropriate to see what the changes are before the Council votes on it.

844

845 Sean said, "We sent a number of changes to GEC. They accepted a majority of them, and we
846 were down to one section. We seem to have come to agreement on that, and they are sending it
847 to their attorney. The City Administrator and GEC have been talking about the changes, and
848 now it's being sent to GEC's attorney to make sure that they can accept the changes we made.
849 The last change has to do with we won't agree to indemnify them for their negligence. That's
850 the last issue."

851

852 Ald. Stevens said he thought his question was valid and told the alderpersons they either can vote
853 on it now or refer it to later. Ald. Stevens said, "It sounds like that everything on the city's part
854 is settled, so it sounds as if it would be appropriate to approve it."

855

856 City Administrator Rindfleisch said he is asking the Council not to defer, and to continue to
857 await the final version by the City Attorney. City Administrator Rindfleisch said, "Timing is a
858 bit of the essence here because the position was ... They're contracted out to help backfill some
859 of the inspections as we're entering our busy construction season for both commercial and
860 residential. I don't think it can wait until June."

861

862 Vote on the amendment:

863

864 On voice vote, motion carried.

865

866 Original motion restated:

867

868 To approve agreement with General Engineering Company (GEC) for the provision of
869 Inspection Services, with any changes made by the City Attorney.

870

871 On voice vote, motion carried.

872

873 C. Approve a Community Development Investment Grant Agreement between the
874 Wisconsin Economic Development Corporation (WEDC) and the City of Onalaska for
875 the Great River Residences project in the amount of \$250,000

876

877 Motion by Ald. K. Smith, second by Ald. Stevens, to approve a Community Development
878 Investment Grant Agreement between the Wisconsin Economic Development Corporation
879 (WEDC) and the City of Onalaska for the Great River Residences project in the amount of
880 \$250,000.

Reviewed 5/16/19 by Cari Burmaster

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22

881
882 Cari said it is her understanding the motion that came out of the May 8 Finance and Personnel
883 Committee meeting was contingent upon the approval of the development agreement.

884
885 Ald. K. Smith told Cari she is correct.

886
887 Motion by Ald. K. Smith, second by Ald. Stevens, to amend the previous motion to state the
888 Community Development Investment Grant Agreement between the Wisconsin Economic
889 Development Corporation (WEDC) and the City of Onalaska for the Great River Residences
890 project in the amount of \$250,000 is contingent upon the Development Agreement between the
891 City of Onalaska and WEDC.

892
893 Sean said it is his understanding the developer needed to have delivered the signed agreement,
894 which has occurred.

895
896 City Administrator Rindfleisch told Sean he is correct, and he asked the members of the Finance
897 and Personnel Committee, meaning Ald. K. Smith, Ald. Olson, and Ald. Stevens, “Was the
898 intent that the agreement was signed? Or was the intent that the agreement was to be approved
899 by the Council as well? I can’t speak to that.”

900
901 Sean said, “If that’s the case, then rather than have entertained these motions, I would suggest
902 moving this item after Closed Session since that’s a topic at Closed Session rather than vote in
903 this conditional manner.” Sean suggested withdrawing the motion on the floor and taking up the
904 matter following Closed Session.

905
906 Motion and second withdrawn.

907
908 Ald. K. Smith asked that Item 9C be moved to following Closed Session.

909
910 Mayor Chilsen said the item will be moved to following Closed Session.

911
912 **Item 10 – JUDICIARY COMMITTEE**

913
914 A. **Ordinance 1643-2019** – to amend Chapter 3 of Title 9, Section 3 of the Code of
915 Ordinances of the City of Onalaska relating to North Abbey Road Zone Charges (First
916 and Second Reading)

917
918 Motion by Ald. T. Smith, second by Ald. Olson, to suspend the rules and give Ordinance 1643-
919 2019 its First, Second, Third and Final Reading.

920
921 On voice vote, motion carried.

922
Reviewed 5/16/19 by Cari Burmaster

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23

923 Motion by Ald. T. Smith, second by Ald. Olson, to approve Ordinance 1643-2019 – to amend
924 Chapter 3 of Title 9, Section 3 of the Code of Ordinances of the City of Onalaska relating to
925 North Abbey Road Zone Charges (First, Second, Third and Final Reading).

926

927 On voice vote, motion carried.

928

929 **B. Ordinance 1644-2019** – to amend Chapter 3 of Title 9, Section 4 of the Code of
930 Ordinances of the City of Onalaska relating to Crestwood Lane Zone Charges (First and
931 Second Reading)

932

933 Motion by Ald. T. Smith, second by Ald. Wulf, to suspend the rules and give Ordinance 1644-
934 2019 its First, Second, Third and Final Reading.

935

936 On voice vote, motion carried.

937

938 Motion by Ald. T. Smith, second by Ald. Olson, to approve Ordinance 1644-2019 – to amend
939 Chapter 3 of Title 9, Section n4 of the Code of Ordinances of the City of Onalaska relating to
940 Crestwood Lane Zone Charges (First, Second, Third and Final Reading).

941

942 On voice vote, motion carried.

943

944 **Item 11 – ADMINISTRATIVE COMMITTEE**

945

946 **A.** Approval of Special Events Permit for Downtown Sound by the Onalaska Hilltopper
947 Rotary on Tuesday evenings starting June 4, 2019-August 27, 2019 from approx. 6-8
948 p.m.

949

950 Motion by Ald. Wulf, second by Ald. K. Smith, to approve Special Events Permit for Downtown
951 Sound by the Onalaska Hilltopper Rotary on Tuesday evenings starting June 4, 2019-August 27,
952 2019 from approx. 6-8 p.m.

953

954 Ald. Stevens told Mayor Chilsen he had asked Ald. Wulf to place this item on the Non-Consent
955 Agenda simply for transparency purposes. Ald. Stevens noted he serves as Co-Chairperson for
956 the Downtown Sound event and said there will be no material gain by himself. Ald. Stevens told
957 the Council a different musical act will be featured each Tuesday evening for three months at
958 Dash-Park. The Onalaska Hilltopper Rotary also will be collecting for charitable purposes,
959 including funds for the sculpture at the Great River Landing as well as food donations for the
960 Onalaska Food Pantry. Ald. Stevens said he had asked that this item be placed on the Non-
961 Consent agenda so that he could abstain from this vote.

962

963 On voice vote, motion carried, 5-0, with one abstention (Ald. Stevens).

964

Reviewed 5/16/19 by Cari Burmaster

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

966

967 A. **Resolution 29-2019** – Final Resolution regarding assessments for alley paving between
968 2nd Avenue North and 3rd Avenue North from Main Street to King Street

969

970 Motion by Ald. K. Smith, second by Ald. T. Smith, to approve Resolution 29-2019 – Final
971 Resolution regarding assessments for alley paving between 2nd Avenue North and 3rd Avenue
972 North from Main Street to King Street.

973

974 On voice vote, motion carried.

975

976 B. Review and consideration of contract extension for 2014-2020 Refuse and Recycling
977 Collection Contract with Harter’s Quick Clean-up

978

979 Ald. K. Smith said the Board of Public Works had recommended moving forward with extending
980 the contract from 2021 to 2028, and the extension will include negotiations to add yard waste
981 receptacles as an option.

982

983 Motion by Ald. K. Smith, second by Ald. Wulf, to approve proceeding with a contract extension
984 for 2014-2020 Refuse and Recycling Collection Contract with Harter’s Quick Clean-up, with the
985 addition of yard waste containers.

986

987 Ald. K. Smith told the Council timing is of the utmost importance with this item, stating, “This is
988 like a crossroads where we would have to decide if we wanted to go out to bid on the refuse and
989 recycling collection, now would be the time we would have to start preparing for that and
990 preparing the documents. We do have a contingency for a contract extension in our current
991 agreement that we have with them. We’ve been happy with their service, and have just
992 identified a few areas staff will be focusing on and bringing forward as the contract negotiations
993 begin.”

994

995 Jarrod noted the Board of Public Works had engaged in a lengthy discussion at its May 7
996 meeting on various topics in relation to the Solid Waste Contract with Harter’s Quick Clean-up.
997 Harter’s is requesting a seven-year extension to the current contract that expires at the end of
998 2020. The current contract includes an option for an extension, and it would extend at the
999 current pricing with the yearly CPI, as is the case in the current contract. Jarrod said Harter’s
1000 would be utilizing the existing automated carts for another seven-year term. Jarrod noted
1001 Harter’s is proposing the addition of a 95-gallon yard waste cart, and he said staff is looking for a
1002 recommendation to proceed with the extension. Jarrod said Sean will assist staff in drafting an
1003 extension of the agreement to bring back forward.

1004

1005 On voice vote, motion carried.

1006

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25

1007 C. Review and consideration of proposals received for Fire Department kitchen remodel

1008

1009 Motion by Ald. K. Smith, second by Ald. Wulf, to award the Fire Department kitchen remodel
1010 project to Borton Construction in the amount of \$67,204.

1011

1012 Ald. K. Smith noted that while the Fire Department had budgeted only \$60,000 for this item, the
1013 department has a balance of \$2,970 from the purchase of its rapid deploy craft. Ald. K. Smith,
1014 “It is our expectation that they will use that money to help offset the difference. But as we move
1015 forward through this construction season, in our Capital Improvement Projects we will need to
1016 be looking for some places where we can make up the difference we’re still lacking on this
1017 item.”

1018

1019 City Administrator Rindfleisch said that following discussions with members of the Fire
1020 Department, they had been able to identify funding sources both in the Capital Projects and Fund
1021 207. City Administrator Rindfleisch said, “Generally at this point in time, we would indicate
1022 those sources when something is over budget.”

1023

1024 Fred said it is important that the funds be noted as to where they were coming from so that the
1025 project may proceed. Fred noted \$4,234 is needed, and he said those funds will come out of
1026 Equipment Replacement Fund 207 within the Fire Department.

1027

1028 Ald. Stevens it seems the difference between the amount budgeted for the project and what is
1029 needed is not substantial, and he asked if perhaps there is an opportunity to attempt to fundraise
1030 through the community – perhaps through the Onalaska Enhancement Foundation or working
1031 with local organizations. Ald. Stevens said, “If I understand it correctly, it’s not a lot of money.
1032 And if we can do something right for our firefighters, I think that’s an avenue we should
1033 explore.”

1034

1035 Mayor Chilsen promised to discuss Ald. Stevens’ suggestion with the OEF.

1036

1037 City Administrator Rindfleisch said there is always the opportunity to fundraise for the
1038 departments within the city, stating, “The more the community participates and assists all of our
1039 departments, I think it is greatly appreciated.”

1040

1041 On voice vote, motion carried.

1042

1043 **Item 13 – CITY ADMINISTRATOR**

1044

1045 A. **Resolution 30-2019** – Preliminary Resolution to Vacate and Discontinue a Portion of
1046 Crestwood Lane, City of Onalaska, La Crosse County, Wisconsin

1047

1048 Motion by Ald. K. Smith, second by Ald. Olson, to approve Resolution 30-2019 – Preliminary
Reviewed 5/16/19 by Cari Burmaster

**Common Council
of the City of Onalaska**

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26

1049 Resolution to Vacate and Discontinue a Portion of Crestwood Lane, City of Onalaska, La Crosse
1050 County, Wisconsin.

1051
1052 City Administrator Rindfleisch noted this vacation is a very small portion of Crestwood Lane,
1053 and he said because it is all on one side of the centerline it would all go to the property owner,
1054 which ultimately is the City of Onalaska. City Administrator Rindfleisch said these are the
1055 locations where the city will be doing the booster station for the water and the Crestwood Lane
1056 project.

1057
1058 On voice vote, motion carried.

1059
1060 **Item 14 – CLOSED SESSION**

1061
1062 To consider a motion to convene in Closed Session under Section 19.85(1)(e) of the Wisconsin
1063 Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the
1064 investing of public funds or conducting other specified public business whenever competitive or
1065 bargaining reasons require a closed session:

1066
1067 • Discussion and Consideration of a Development Agreement with Marvin Wanders of
1068 GRR Onalaska, LLC, PO Box 609, La Crosse, WI 54602 as associated with Tax
1069 Increment District (TID) #5

1070
1071 And under Section 19.85(1)(f) of the Wisconsin Statutes for the purpose of considering financial,
1072 medical, social or personal histories or disciplinary data of specific persons, preliminary
1073 consideration of specific personnel problems or the investigation of charges against specific
1074 persons except where par. (b) applies which, if discussed in public, would be likely to have a
1075 substantial adverse effect upon the reputation of any person referred to in such histories or data,
1076 or involved in such problems or investigations:

1077
1078 • Discussion of extension of unpaid leave per 7.01 Leave of Absence Policy

1079
1080 And under Section 19.85(1)(g) of the Wisconsin Statutes for the purpose of conferring with legal
1081 counsel for the governmental body who is rendering oral or written advice concerning strategy to
1082 be adopted by the body with respect to litigation in which it is or is likely to become involved:

1083
1084 • Weather-related fall in the vicinity of the 500 block of Wilson St.
1085 • Door damage on 600 block of 2nd Avenue South

1086
1087 If any action is required in Open Session as a result of the Closed Session, the Common Council
1088 will reconvene in Open Session to take the necessary action and/or continue on with the printed
1089 agenda.

Reviewed 5/16/19 by Cari Burmaster

**Common Council
of the City of Onalaska**

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27

1090

1091 Motion by Ald. Stevens, second by Ald. T. Smith, to convene in Closed Session.

1092

1093 On roll call vote: Ald. Kim Smith – aye, Ald. Boondi Iyer – aye, Ald. Dan Stevens – aye, Ald.

1094 Jim Olson – aye, Ald. Tom Smith – aye, Ald. Diane Wulf – aye. Motion carried. In Closed

1095 Session.

1096

1097

1098 **In Open Session at 9:23pm**

1099

1100 Motion by Alderperson Kim Smith, second by Alderperson Diane Wulf to approve Development

1101 Agreement with Marvin Wanders of GRR Onalaska, LLC, as associated with the Tax Increment

1102 District (TID) #5.

1103

1104 On voice vote, motion carried.

1105

1106 **FINANCE**

1107

1108 C. Approve a Community Development Investment Grant Agreement between the

1109 Wisconsin Economic Development Corporation (WEDC) and the City of Onalaska

1110 for the Great River Residences project in the amount of \$250,000.

1111

1112 Motion by Alderperson Kim Smith, second by Alderperson Jim Olson to approve Community

1113 Development Investment Grant Agreement between the Wisconsin Economic Development

1114 Corporation (WEDC) and the City of Onalaska for the Great River Residences project in the

1115 amount of \$250,000.

1116 On voice vote, motion carried.

1117

1118 **Adjournment**

1119

1120 Motion by Ald. Stevens, second by Ald. Olson, to adjourn at 9:26 p.m.

1121

1122 On voice vote, motion carried.

1123

1124

1125 Recorded by:

1126

1127 Kirk Bey