

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Common Council
DATE OF MEETING: July 9, 2019 (Tuesday)
PLACE OF MEETING: City Hall – 415 Main St. (Common Council Chambers)
TIME OF MEETING: 7:00 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call
2. Pledge of Allegiance
3. Rules of the City of Onalaska Common Council and its Sub Committees – Harassment Free Forum
4. **PUBLIC INPUT: (limited to 3 minutes/individual)**
5. **PUBLIC HEARING: Approximately 7:00 PM (or immediately following Public Input)** to consider adoption of a Resolution to vacate and discontinue a portion of Crestwood Lane, located in Section 1, Township 16, Range 7 West, City of Onalaska, La Crosse County, Wisconsin (Resolution addressed under Non-Consent Agenda Item #13-A)
6. **REPORT FROM THE MAYOR:**
 - A. Letter regarding Vernig property, 514 Main Street, Onalaska
 - B. Library Statistics
 - C. Appointment of Fran Finco and Patty Fitzpatrick to Police & Fire Commission
 - D. Proclamation of Thanks to Sean O’Flaherty
 - E. Proclamation Recognizing Pastor Mark Clements
 - F. Discussion and possible action of a request from City of La Crosse Mayor Tim Kabat for funding for the La Crosse Center expansion

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

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

7. **Consent Agenda**

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

NOTICES MAILED TO:

*Mayor Joe Chilsen	Jarrold Byers
*Ald. Tom Smith	Shari Collas
*Ald. Jim Olson	Katie Rick
*Ald. Dan Stevens	Jena Oeltjen
*Ald Boondi Iyer	Maggie Sturm
*Ald. Diane Wulf	Laura Olson, Gundersen Clinic, Ltd.
*Ald. Kim Smith	Jansen Dahl
City Attorney	City Administrator
Dept Heads	La Crosse Tribune
Coulee Courier	
WKTY WLXR WLAX WKBT WXOW	Onalaska Public Library Onalaska Omni Center

*Committee Members

Date Mailed & Posted: 7-5-19

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.

FINANCE COMMITTEE

- B. Approve 2019 Omni Center Financials
- C. Approve 2019 General Fund Financials
- D. Approve bid for upcoming City of Onalaska financial audits to Hawkins Ash, CPA's
- E. Authorization for Ehlers to assist in the preparation and analyze the Request for Proposals for City Banking

PERSONNEL COMMITTEE

- F. Authorization to replace Police Officer
- G. Approve changes to existing job description for Police/School Liaison Officer/GREAT Instructor
- H. Approve changes to Policy 2.01 EAP
- I. Authorization for City Administrator to request quotes for a consultant to review the grading, pay scales and overall compensation plan for non-union employees as part of the Capital Improvement process for 2020

JUDICIARY COMMITTEE

- J. Approval of **Ordinance 1648-2019** to amend Title 10 Chapter 1 Section 27 of the Code of Ordinances of the City of Onalaska relating to Parking Restrictions (Mason Street) (Third and Final Reading)

ADMINISTRATIVE COMMITTEE

- K. Approval of Licenses for 7/10/2019– 6/30/2020 for:
 - 1. 2019-2020 Combination Class "B" Beer and Liquor License for J&KB HOLDINGS LLC d/b/a, Crooked Pint Onalaska, 9348 State Road 16, Onalaska, Wisconsin, 54650
 - 2. 2019-2020 Class "B" Liquor Outdoor Venue License for J&KB HOLDINGS LLC d/b/a, Crooked Pint Onalaska, 9348 State Road 16, Onalaska, Wisconsin, 54650 Approval of First Amendment to Library Services Agreement
- L. Approval of Change of Agent for Stoney Creek of La Crosse, 3060 South Kinney Coulee Road, Onalaska to Shaun Lawson
- M. Approval of Special Events permits for:
 - 1. Clearwater Farm for 2019 Taste of Summer Event, September 7, 2019
 - 2. Three Rivers Roleo, July 13 -14, 2019 at the Great River Landing
 - 3. National Night Out, Tuesday, August 6, 2019 from approximately 5-8pm at the Quincy Street Park
 - 4. Onalaska High School Homecoming Parade, September 13, 2019 from approximately 2-3pm.
 - 5. YMCA Kid's Triathlon, Saturday, July 13, 2019, starting at YMCA, Mason Street, Onalaska.
- N. Approval of Class B Picnic License for Clearwater Farm for 2019 Taste of Summer, September 7, 2019

BOARD OF PUBLIC WORKS

- O. Approval of chemical rehabilitation of well and gravel pack at Well #8 by Municipal Well & Pump in the amount of \$29,530
- P. Approval of Court Street lift station construction engineering services by Stand Associates in the amount of \$24,300
- Q. Approval of 2019 Urban Forestry Program Change Order #1 in the amount of \$5,472
- R. Approval of fiber optic cable install along East Main Street and Theater Road by Lemonweir Valley Telephone Company
- S. Approval of State/Municipal agreement for State Trunk Highway 16 project (Project #: 7575-00-01/71)

PLAN COMMISSION

- T. Approval of a Certified Survey Map (CSM) submitted by Laura Olson on behalf of Gundersen Clinic LTD, 1910 South Avenue, La Crosse, WI 54601 to reconfigure two (2) parcels and create an outlot for Kinney Coulee Road South (6.66 acres) at 3015 Kinney Coulee Road South, Onalaska, WI 54650 (Tax Parcels #'s: 18-3649-0 & 18-3650-0)
- U. Approval of a Landscaping Plan for the construction of an auto dealership and service center (Dahl Honda) at 2520 Midwest Drive / 384 Theater Road / N4375 Theater Road, Onalaska, WI 54650 (Tax Parcel #'s: 18-3568-40, 18-3570-70, & 9-93-0)

UTILITIES COMMITTEE

- V. Approval of Shared Ride Financials
- W. Approval to purchase 3 vehicles for the next two years at a cost of \$204,000 using a grant of \$163,200 and 20% being local share of \$40,800

PARKS & RECREATION

- X. Approve bid for installation of water line main in the Fire Department to Coulee Region Mechanical at a cost not to exceed \$9,800
- Y. Approve bid for City Hall parking lot sealcoating and lining to B & D Sealcoating at a cost not to exceed \$5,900
- Z. Approve bid for Omni Center concessions arena cabinets to Webstrant Store at a cost not to exceed \$15,044.12

ROOM TAX COMMISSION

- AA. Approval of Financials
- BB. Approval of statistics from Omni Center regarding hotel usage
- CC. Approve 2018 State Room Tax report and methodology to be used on future reporting

Non-Consent Agenda

8. **RECAP ITEMS PULLED FROM THE CONSENT AGENDA**

9. **FINANCE COMMITTEE**

- A. Vouchers

10. **PERSONNEL COMMITTEE**

- A. Review and consideration of reorganization of Omni Center staffing and filling positions
- B. Approve changes to existing job descriptions and new job descriptions:
 - 1. Sales Manager (New Job Description)
 - 2. Event Coordinator (New Job Description)
- C. Review and consideration of authorization to fill any vacant Police Officer, Sergeant, Lieutenant Firefighter/EMT or Firefighter/EMT positions budgeted for 2019 that may come up between now and the end of 2019.

11. **JUDICIARY COMMITTEE**

- A. Approval of **Ordinance 1649-2019** to annex land located in the Southeast ¼ of the Northwest ¼ in Section 10, Township 16 North, Range 7 West from the Town of Medary to the City of Onalaska (Rockwood Annexation) (First and Second Reading)
- B. Approval of **Ordinance 1650-2019** to rezone property located in Section 10, Township 16, Range 7 in the City of Onalaska, La Crosse County Wisconsin from Neighborhood Business (B-1) to Light Industrial (M-1) (Dahl Dealership Rezoning) (First and Second Reading)

12. **ADMINISTRATIVE COMMITTEE**

- A. Approval of Approval of Operator's Licenses as listed on report dated July 9, 2019

13. **PLAN COMMISSION**

- A. **Resolution 33-2019** – Final Resolution to vacate and discontinue a portion of Crestwood Lane in the City of Onalaska, La Crosse County, Wisconsin

14. **UTILITIES COMMITTEE**

- A. **Resolution 34-2019** – Authorizing the Direct Charge of Public Fire Protection

15. **ALDERPERSON KIM SMITH**

- A. Freedom to Independence: Transit Week of Action July 7-14th

16. **COMMON COUNCIL REPORT**

- A. Recognition of years of service for City Attorney Sean O'Flaherty

17. **CITY ADMINISTRATOR**

- A. Review and consideration of the Release of Restrictive Covenant as submitted by Jansen Dahl of CHASE 2010, LLC, 3819 Creekside Drive, Holmen, 54636, on behalf of Judith Rockwood, N9495 Radcliffe Road, Mindoro, WI 54644 to facilitate the construction of an auto dealership and service center at 384 Theater Road, Onalaska, WI 54650 (Tax Parcel #: 18-3570-70)

18. **CLOSED SESSION**

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

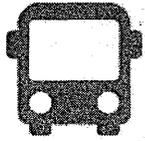
- IAFF, International Association of Firefighters, Local 127
- OPPA, Onalaska Professional Police Association
- SORD, Supervisory Officers Relation Division
- Negotiation strategy for outstanding municipal court tickets

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

Adjournment

Support Public Transportation

Public transit offers freedom of movement and transportation independence



Young people want to live and work in the kinds of places where they can get around without a car.¹



Wisconsin's population of seniors is rapidly growing; we are outliving our ability to drive.²



59% of respondents with disabilities said inadequate transportation restricts their ability to find a job.³



The unemployment rate for the blind/visually impaired is 70%, that rate across all disabilities is about 60%.⁴

Solution: Invest in 21st Century Transportation Infrastructure

- 1. Better access to work, school, and services by investing in public transportation:** Public transportation provides an important connection to work, entertainment, healthcare and other services. **One third of Wisconsin's bus fleet is past its useful life,**⁵ while many transit systems face cuts to service territory or route frequency. We must increase state public transit funding by \$36 million per year, in line with the Transportation Policy and Finance Commission's "Keep Wisconsin Moving" report recommendations.
- 2. Clearing the way for more regional transportation collaboration:** Communities are currently unable to raise revenue for local transportation priorities on a regional basis, and political boundaries like county lines pose barriers to more effective collaboration. One long-identified solution is the creation of Regional Transportation Authorities (RTAs). Statewide RTA-enabling legislation would give local governments more control in addressing their transportation needs.
- 3. A "Fix it First" approach to roads and bridges:** Prioritize maintenance of existing roads and bridges over building new highway infrastructure. We should increase local road and bridge assistance by \$40 million per year, in line with the recommendations of the Transportation Policy and Finance Commission's "Keep Wisconsin Moving" report.
- 4. A moratorium on new highway expansion projects:** Adding highway lanes or building new highways is unlikely to reduce congestion or improve safety. Expanding highways predictably brings new drivers to the road, and often leads to a quick return to the congested conditions the expansion project was originally supposed to solve. Spending on big-ticket highway projects has increased leaving less money to meet other pressing transportation needs and driving up long-term maintenance costs.



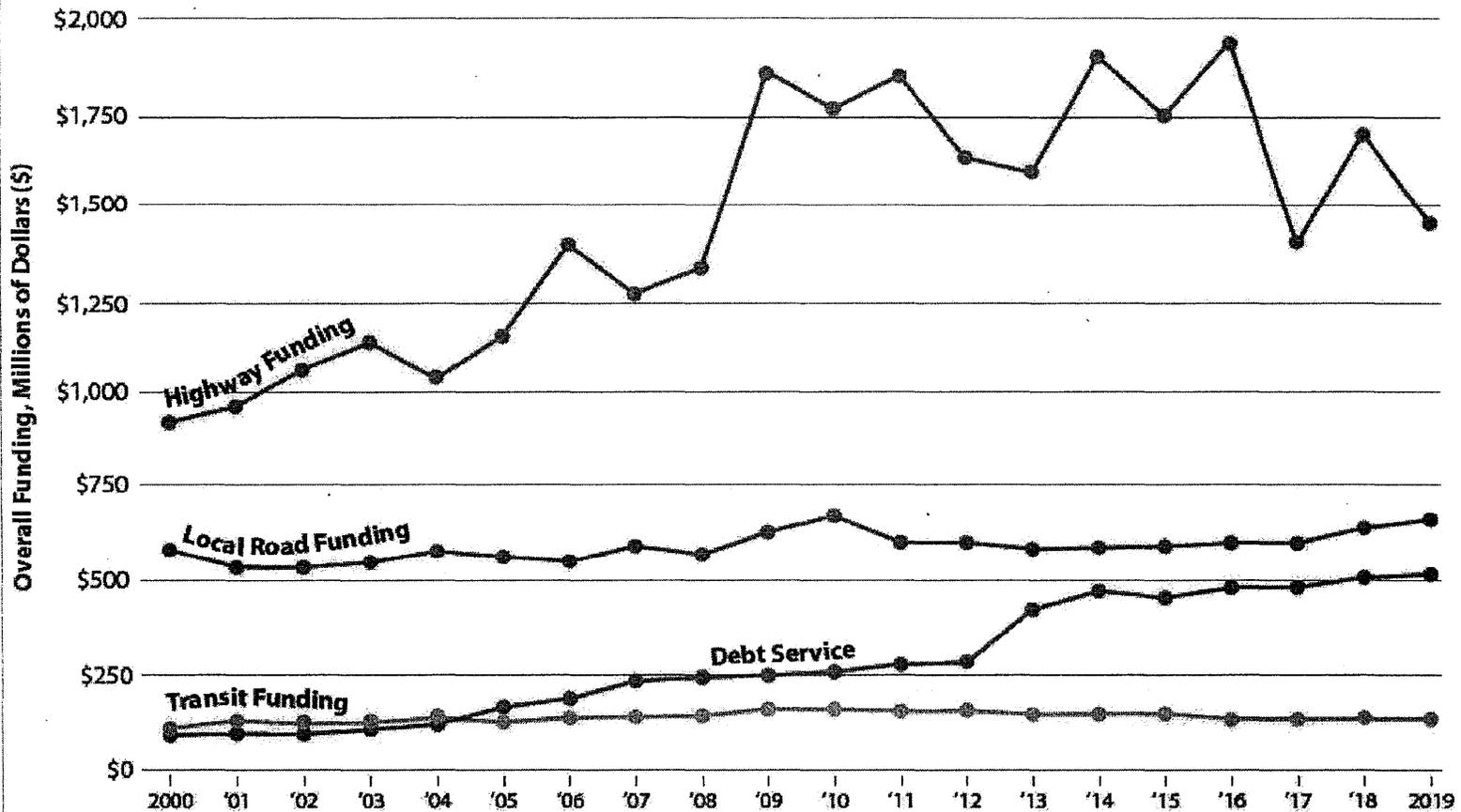
Decades of Misplaced Priorities Have Hurt Wisconsin



Decades of misplaced spending priorities have left Wisconsin's transportation infrastructure in rough shape. For the past twenty years, state leaders have spent heavily on expanding Wisconsin's major highways, often based on questionable justifications and without a clear understanding of the long-term costs and benefits of these big-ticket projects. With revenue stagnant, we have been left with fewer resources to meet urgent needs.

Now, roads across the state are deteriorating – particularly at the local level – and our public transportation systems are struggling to get people to the places that matter – work, school, the doctor's office. Our focus on expanding roadway capacity has also encouraged more people to drive, worsening congestion and generating emissions harmful to public health and the environment.

Wisconsin Transportation Spending (2000-2019)



Source: Wisconsin Department of Transportation: 2018-2019 Budget Trends
Highway funding includes major highway development, state highway rehabilitation, southeast Wisconsin megaprojects, major interstate and bridge construction and highway operations (maintenance).
Local road funding includes local road and bridge assistance and general transportation aids.

CONTACT:

Peter Skopec, WISPIRG: peter@wispirg.org, (608) 268-1656

Deb Nemeth, 1000 Friends of Wisconsin: dnmeth@1kfriends.org, (608) 259-1000

Cassandra Steiner, Sierra Club Wisconsin Chapter: cassandra.steiner@sierraclub.org, (608) 256-0565

REFERENCES:

1 WISPIRG Foundation, Driving Wisconsin's "Brain Drain?" How Outdated Transportation Policies Undermine Wisconsin's Ability to Attract and Retain Young Talent for Tomorrow's Economic Prosperity, 2014. And WISPIRG Foundation and Frontier Group, Millennials in Motion: Changing Travel Habits of Young Americans and the Implications for Public Policy, 2014.

2 Wisconsin Aging Advocacy Network, 2018 Transportation Issue Paper, "Reliable, Accessible, and Affordable Transportation: The key to remaining independent, engaged and connected," 2018.

3 Survival Coalition of Wisconsin Disability Organizations, Wisconsin Transportation Survey Results, September 2018, accessed at <http://www.survivalcoalitionwi.org/wp-content/uploads/2018/09/wi-transportation-survey-infographic.pdf>.

4 "Blindness Statistics." National Federation of the Blind, nfb.org/resources/blindness-statistics.

5 Wisconsin Public Transportation Association, Transit System Capital Needs.

**NOTICE OF PUBLIC HEARING AND CONSIDERATION OF RESOLUTION TO
VACATE AND DISCONTINUE A PORTION OF
CRESTWOOD LANE IN ONALASKA, WI 54650**

Please take notice that the Common Council of the City of Onalaska will hold a public hearing and consider adoption of a resolution to vacate and discontinue a portion of Crestwood Lane located in Section 01, Township 16, Range 7 West, City of Onalaska, La Crosse County, Wisconsin: **Tuesday, July 9, 2019 at approximately 7:00 P.M. (or immediately following public input)** at City Hall, 415 Main Street, Onalaska, WI 54650.

YOU ARE FURTHER NOTIFIED, that a map and precise legal description of the portion to be vacated, as well as the proposed resolution, may be reviewed at City Hall during normal office hours.

Dated this 6th day of June, 2019.

Caroline Burmaster
City Clerk

To: City of Onalaska

Subject: Corner of my property for street renovation

I am writing this to you in a timeline format so you can see what has been going on for over a year.

- May 21, 2018

A letter was sent to me from Sean O'Flaherty representing the City of Onalaska in a proposal for a deed to use part of my property for a road expansion. My property is at 519 Main Street which is next to city hall.

I called him back to see what needed to be done and he offered me \$7,500 for my land. I counter offered \$10,000 at that time because I was quite frustrated with city hall for harassing my daughter (who lives in my home) about various issues e.g dogs barking. where trash was placed, how the house looked and so on.

I did not hear back right away so I called his office several times and talked to the secretary. No answer to my offer.

- Sept. 6, 2018

I finally received a letter from Mr. O' Flaherty offering me \$1,500. I tried calling back to see why the big change in price and was never called back. I was getting very frustrated because this did not make any sense.

- Nov. 2018

I sent a certified letter to Mr. O' Flaherty with a list of questions and concerns which included why the change in price, how I felt that he was avoiding me, how my daughter had been treated by city hall in the past years. I then asked for the original amount of \$7,500.

- Jan.15. 2019

I received a letter from Mr. O'Flaherty stating that he was sending through my offer of 7,500 to the Board of Public Works and then onto the City Common Council.

- Feb. 14, 2019

A letter from Mr. O'Flaherty which stated they City Council would not change the offer of \$1,500 for an issue that had been in existence for more than 30 years. Now I was really confused – what issue that was 30 years old? My father Dave Pertzsch owned the house at that time. I found out a deed had been prepared in 1965 that was never signed.

I then asked to meet with Mayor Chilsen which he did. I told him what had been going on and he suggested I write this letter to you. So here it is with a copy of the land map. You can see where the west corner of my property was changed with new sidewalk and curb lines.

I would just like this issue resolved. I spent most of my life in Onalaska and was very proud of my grandfather Irv Pertzsch being mayor for 38 years. I don't think he would be happy with how this has been handled. All I want is a fair price for my property and an explanation of why the big difference in value from what I was first offered.

Thank You for listening to my concerns,

Patti Virnig

A handwritten signature in cursive script that reads "Patti Virnig". The signature is written in black ink and is positioned below the typed name.

Burmester, Cari

From: George Tabbert <GeoTabbert@hotmail.com>
Sent: Tuesday, July 09, 2019 5:12 PM
To: Wulf Diane; Olson, Jim; Smith, Kim; Iyer, boondi; Burmaster, Cari
Subject: Vernig property

Just a short note. I noticed that the topic of the Vernig property is on tonight's Common Council agenda. I read the letter from the owner, Patti. I remember Patti and Peggy Pertzsch from school. I also remember their mother, Eveyln Pertzsch as well as Mayor Pertzsch.

Please give Patti and her family the utmost respect when you discuss the Vernig property. I know of no one from the Pertzsch family who would write a letter like that unless he or she had been mistreated.

And as far as the dogs go, I like those dogs better than I like some people in Onalaska. Feel free to include this note in the record of tonight's meeting.

George Tabbert
1st district resident

Sent from Mail for Windows 10

Chilsen, Joe

From: Patty Fitzpatrick <pattyfitz623@gmail.com>
Sent: Wednesday, July 03, 2019 4:05 PM
To: Chilsen, Joe
Subject: Volunteering - Patty Fitzpatrick

Mayor Joe Chilsen

Let me take the time to introduce myself, I am Patty Fitzpatrick, a resident of Onalaska, WI for the last 8 years. I am a retired individual looking to get a little more involved in community projects.

I am retired from Trane company where I worked for twenty years as a Manager, Project Manager and other varied titles.

Being that I am retired, I have an interest in sharing some of my management and organizational skills with the local community.

I currently volunteer at Mayo as Treasurer of the Franciscan Auxiliary Board, a member of the Oktoberfest Festmaster Ball committee and Country Boom organization.

I've had an interest in getting involved with the Police and Fire Commission Board at some point. I feel that both the police and fire department are such an important part of our community and provide such a needed service to the entire community.

I have had experience in interviewing, disciplining and hiring employees.

Just a brief synopsis of my career:

Trane 20 years

UPS 6 years

G Heileman Brewing 6 years

Ace Hardware Distribution 4 years

La Crosse Footwear 12 years

I've held management positions in the majority of career history. I have hired, fired, analyzed, trained, project managed a variety of IT projects and much more.

I would like to sit down and discuss my background with you.

Will Friday, July 5th at 9:00 a.m. work or Monday July 8th at 1:00 p.m. work?

Looking forward to meeting with you.

Patty Fitzpatrick

608 799 8562

pattyfitz623@gmail.com

Fran Finco

Born: Wakefield, Michigan

Post High School Education:

Bachelor's Degree from Northern Michigan University, Marquette, in political science with teaching certification.

Master's Degree from the University of North Dakota, Grand Forks, in school counseling.

Specialist Degree from Moorhead State University, Moorhead, MN, in educational administration.

Educational Doctorate from National Louis University, Chicago, in educational administration.

Professional Work History:

Teacher at Cathedral Elementary, Crookston, MN.

Teacher, Coach, Athletic Director and Assistant Principal at Mount St. Benedict Academy, Crookston, MN.

K-12 School Counselor at Fisher Public Schools, Fisher, MN.

Associate Principal at Franklin Middle School, Thief River Falls, MN.

Middle School Principal, Director of Instructional Services and Superintendent for the School District of Onalaska, Onalaska, WI.

PROCLAMATION of THANKS

TO

SEAN O'FLAHERTY

For his

SERVICE to the CITY of ONALASKA

WHEREAS, Sean O'Flaherty has served as the City Attorney for the City of Onalaska for approximately 12 ½ years dating back to when the population of the city was only 16,425; and

WHEREAS, The population of the City of Onalaska was 16,425 when he commenced opining and lending his statutorial expertise to the City of Onalaska; and

WHEREAS, Sean O'Flaherty has attended approximately 175 Common Council meetings where he enforced Robert's Rules of Order with gentle hand and firm conviction using his sense of humor as effectively as his Book of Statutes opining and lending his statutorial expertise to keep meetings within the boundaries and rules of the law; and

WHEREAS, Sean O'Flaherty has assisted the City of Onalaska in maneuvering through the jungles of land use law, assessment negotiations, boundary agreements, labor negotiations, sewer agreements, power line situations, and a plethora of other legal snarls; and

WHEREAS, Sean O'Flaherty has truly served the citizens of the City of Onalaska with honesty, forthrightness, and dogged determination that we here tonight do recognize; and

WHEREAS, Sean O'Flaherty will be missed by many here at the City of Onalaska and the many citizens whose rights he protected and defended;

Now, Therefore, I Joe Chilsen, Mayor of the City of Onalaska on behalf of the citizens do recognize and officially thank Sean O'Flaherty for his dedication to the City of Onalaska.

Dated the 9th day of July, 2019

Joe Chilsen, Mayor
City of Onalaska

Caroline Burmaster, City Clerk
City of Onalaska

PROCLAMATION
RECOGNIZING
PASTOR MARK CLEMENTS
35 YEARS OF MINISTRY

- WHEREAS,** Pastor Mark Clements ministered for the first time on July 6, 1984; and
- WHEREAS,** Pastor Mark Clements has become a driving force behind the growth of chaplaincy work across all levels of law enforcement including; local Police and Sheriff Departments, The Wisconsin State Patrol, The Wisconsin Department of Natural Resources, The Wisconsin Justice Department, The Federal Bureau of Investigation, and The United States Secret Service; and
- WHEREAS,** Pastor Mark Clements further ministers to prison inmates and others worldwide via his weekly television broadcast and social media feed of The Word of the Lord program; and
- WHEREAS,** Pastor Mark Clements has been instrumental in the organization and management of the Mayoral Prayer Breakfast of which I have been honored to take part in the past seven (7) years; and
- WHEREAS,** Pastor Mark Clements has been supported in all of these most important endeavors by his life partner and wife Paula for the past 38 years; and
- WHEREAS,** Pastor Mark Clements has also been inspired by the love of his two children Aaron and Alyssa; and
- WHEREAS,** This mayor recognizes the outstanding devotion and service that Pastor Mark Clements has given to the City of Onalaska Police Department and the Mayor's Office; and
- NOW,** Therefore, I Joe Chilsen, Mayor of the City of Onalaska do recognize and proclaim July 7, 2019 as Pastor Mark Clements Day in the City of Onalaska, and a copy of this proclamation be forever contained in the records of the Onalaska City Clerk proclaiming such.

Dated the 9th day of July 2019

Caroline Burmaster, City Clerk
City of Onalaska

Joe Chilsen, Mayor
City of Onalaska

ORDINANCE NO. 1648-2019

AN ORDINANCE TO AMEND TITLE 10 CHAPTER 1 SECTION 27 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO PARKING RESTRICTIONS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Subsection (rr) of Section 27 of Chapter 1 of Title 10 is hereby deleted in its entirety and replaced as follows:

(rr) Mason Street

- (1) There shall be no parking, stopping or standing on the south side of Mason Street from a point four hundred fifty feet (450') west of the westerly right-of-way line of East Avenue North to a point five hundred ninety-five feet (595') west of the westerly right-of-way line of East Avenue North.
- (2) There shall be no parking, stopping or standing on the south side of Mason Street from a point seven hundred eighteen (718') feet west of the westerly right-of-way line of East Avenue to a point eight hundred sixty three feet (863') west of the westerly right-of-way line of East Avenue.
- (3) There shall be no parking, standing or stopping along the north side of Mason Street from three hundred eighty-five (385') feet to eight hundred sixty-three (863') feet west of the westerly right-of-way line of East Avenue.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated this ____ day of _____, 2019.

CITY OF ONALASKA, BY:

Joe Chilsen, Mayor

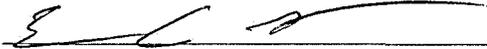
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

FISCAL IMPACT OF ORDINANCE 1648 – 2019

Please route in this order

Mason Street
Eric Rindfleisch, Administrator

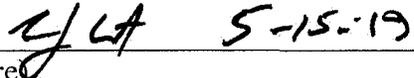

(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer


(signature)

No Fiscal Impact

Budgeted Item \$100 FOR SIGN & POST

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

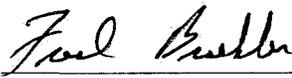

(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ 100 - sign & post for _____ to meet the requirements of this ordinance.

July 9, 2019



To: Finance and Personnel Committee
FROM: Finance Department
SUBJ: Payables and Approval

The following is a list of monies expended since the last Common Council meeting dated June 11, 2019

The total is:	<u>\$2,263,381.31</u>
6/12/2019 AP Packet 2568 -June 2019	\$23,104.58
6/13/2019 AP Packet 2570 - June 2019	\$1,160.24
6/13/2019 AP Packet 2569 - VOID	-\$25,526.56
AP Packet 2573 - June 2019	\$25,526.56
6/20/2019 AP Packet 2579 - June 2019	\$299,845.55
6/21/2019 AP Packet 1044 -City Payroll 06/21/19	\$171,920.93
AP Packet 1044 - City Payroll drafts	\$98,272.43
AP Packet 2577 - Deferred Payables	\$46,573.47
6/25/2019 AP Packet 2582 - VOID	-\$11.12
AP Packet 2583 - VOID	-\$144.01
AP Packet 2575 - June 2019	\$79.50
AP Packet 2585 - June 2019	\$15,583.45
7/1/2019 AP Packet 2590 - June 2019	\$56,433.33
7/5/2019 AP Packet 1047 -City Payroll 07/05/19	\$171,504.10
AP Packet 1047 - City Payroll drafts	\$99,849.90
AP Packet 2592 - Deferred Payables	\$12,029.39
7/10/2019 AP Packet -July 2019 (including ACH)	<u>\$1,267,179.57</u>
Total	<u><u>\$2,263,381.31</u></u>

Finance Committee Signatures

ORDINANCE NO. 1649-2019

**AN ORDINANCE TO ANNEX LAND LOCATED IN THE SOUTHEAST ¼ OF THE
NORTHWEST ¼ IN SECTION 10, TOWNSHIP 16 NORTH, RANGE 7 WEST
FROM THE TOWN OF MEDARY TO THE CITY OF ONALASKA**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION I. Proper petition for direct annexation by unanimous approval, signed by all the owners of all real property in such territory and all of the electors residing in such territory, having been presented to the Common Council of the City of Onalaska, requesting the annexation of the territories described in Exhibit A which is attached hereto and incorporated herein to the City of Onalaska, Wisconsin from the Town of Onalaska, La Crosse County, Wisconsin. The population of the area annexed is zero (0).

IT IS HEREBY ORDAINED that the above-described properties and the same is hereby annexed to the City of Onalaska, Wisconsin, and it is further ordained that the corporate limits of the City of Onalaska are hereby amended to include the above-described property within the corporate limits of the City of Onalaska, Wisconsin.

SECTION II. Sec. 2-1-3(b) of the Code of Ordinances of the City of Onalaska entitled "Ward and Aldermanic District Boundaries" is hereby amended to include the above-described properties within the boundaries of the Third Aldermanic District, Ward 11.

SECTION III. The properties are hereby zoned Light Industrial (M-1) and all of the provisions of the Code of Ordinances of the City of Onalaska governing said zoning classification shall apply hereto.

SECTION IV. This Ordinance shall take effect and be in force from and after its passage.

Dated this ____ day of _____, 2019.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

EXHIBIT A

LOCATED IN PART OF THE SE-NW OF SECTION 10, T16N, R7W, TOWN OF MEDARY, LA CROSSE COUNTY, WISCONSIN, DESCRIBED AS FOLLOW:

COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 10; THENCE S00°46'15"E ALONG THE EAST LINE OF SAID NW $\frac{1}{4}$ 1990.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°46'15E ALONG SAID EAST LINE 234.04 FEET TO THE NORTHEAST CORNER OF LOT 4 OF CSM V. 13, P. 49; THENCE S88°49'39"W ALONG THE NORTH LINE THEREOF 296.72 FEET TO THE EAST LINE OF CSM V. 2, P 155; THENCE N01°06'27"W ALONG SAID EAST LINE 235.71 FEET TO THE NORTHEAST CORNER OF SAID CSM; THENCE N89°21'42"E 96.51 FEET; THENCE N89°02'53"E 201.59 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD.

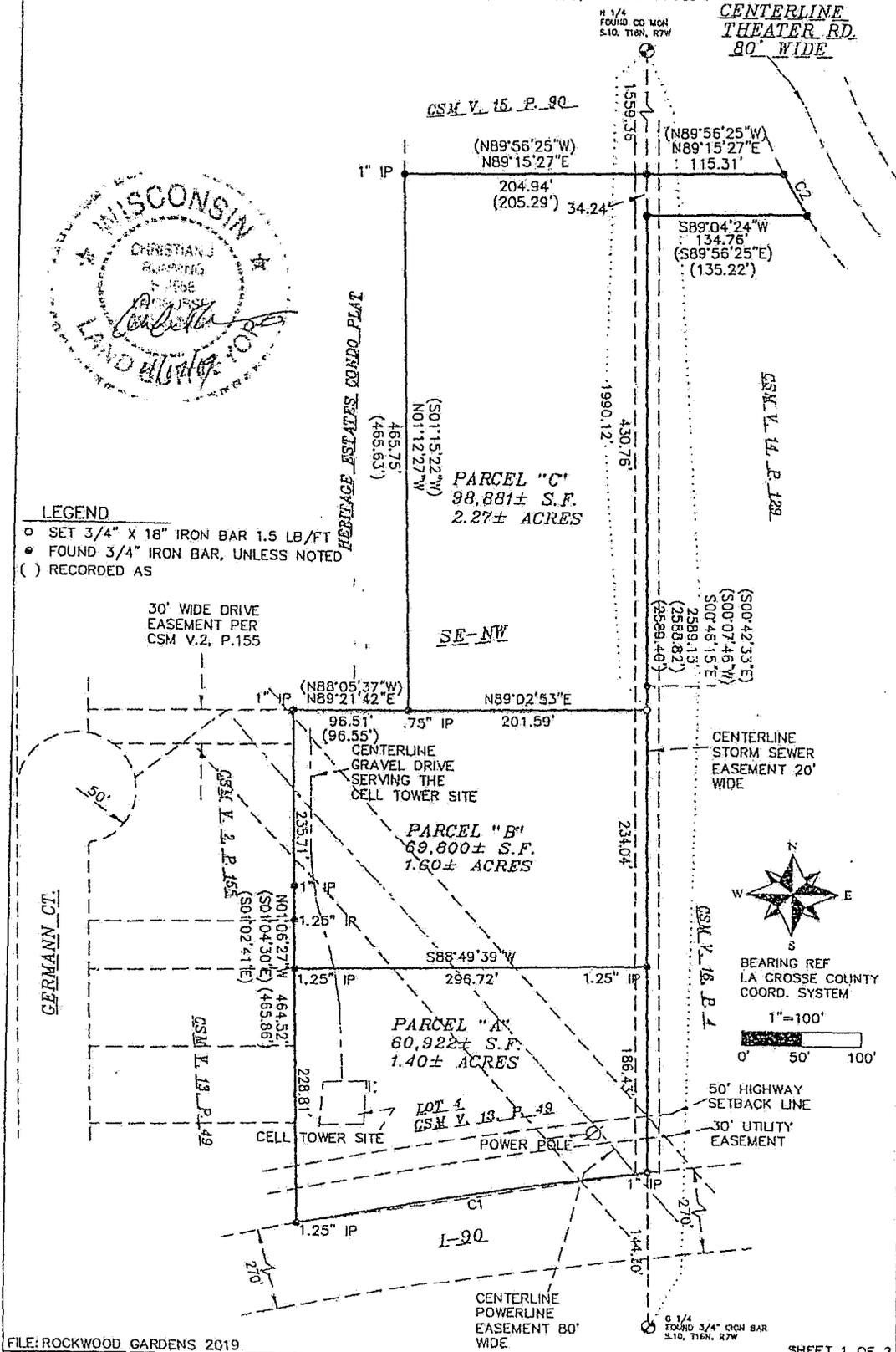
PLAT OF SURVEY

LOCATED IN LOT 4 OF CSM VOLUME 13, PAGE 49 AND IN PART OF THE SE-NW OF SECTION 10 T16N, R7W, CITY OF ONALASKA, AND TOWN OF MEDARY, LA CROSSE COUNTY, WISCONSIN.



LEGEND

- SET 3/4" X 18" IRON BAR 1.5 LB/FT
- FOUND 3/4" IRON BAR, UNLESS NOTED
- () RECORDED AS



DAHL
AUTOMOTIVE
— 1911 —

Dahl Automotive
3819 Creekside Lane
Holmen, WI 54636
608.784.9601

June 14, 2019

Dahl Ford Lincoln
608.779.2886
Onalaska, WI

Dear Onalaska Administrative & Judiciary Committee & Common Council:

**Dahl Hyundai
Mazda Subaru**
608.784.9600
La Crosse, WI

The reason for my letter is to request that the Administrative & Judiciary Committee and Common Council Suspend the Reading of the Rules and have the 1st & 2nd and 3rd & Final Readings occur during your July meetings held on July 3, 2019 and July 9, 2019 respectively.

Dahl Honda
608.784.9280
La Crosse, WI

This is in relation to the consideration of the annexation application for N4342 Germann Court / N 4375 Theater Road, Tax Parcel #9-93-0 (1.84 acres total) filed by Judith Rockwood, N9495 Radcliffe Road, Mindoro, WI 54644.

**Dahl Chevrolet
Buick GMC**
507.452.3680
Winona, MN

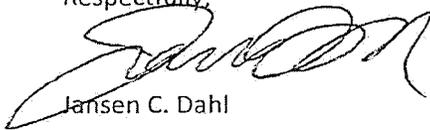
We greatly appreciate your consideration of this request as our project has a tight timely in which to be completed. We look forward to building another fine retail Automotive building in the City of Onalaska.

**Dahl Used Car
Express Service**
507.961.1500
Winona, MN

Feel free to call or email me with any questions or concerns at 608-784-9601 or jansen@dahlauto.com

Dahl Toyota
507.452.4080
Winona, MN

Respectfully,

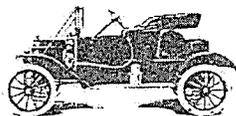


Jansen C. Dahl
Vice President
Dahl Automotive Holdings, Ltd.

**Dahl Auto
Museum**
608.791.6494
La Crosse, WI

**Line-X Protective
Coatings**
608.786.4403
West Salem, WI

**ABRA
Auto Body & Glass**
608.785.1160
La Crosse, WI



FISCAL IMPACT OF ORDINANCE 1649 – 2019

Rockwood Annexation
Eric Rindfleisch, Administrator

Please route in this order

Eric Rindfleisch
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrod Holter, City Engineer

JRH 6-14-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Caitlin Hagar, GIS Analyst
check wards, districts and addressing

Caitlin Hagar 6/17/19
(signature)

Wards, Districts and Addressing OK

Troy Miller, Chief of Police

Troy Miller 6-17-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

Fred Buehler 6-18-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

ORDINANCE NO. 1650 - 2019

AN ORDINANCE TO REZONE PROPERTY LOCATED IN SECTION 10, TOWNSHIP 16, RANGE 7 IN THE CITY OF ONALASKA, LA CROSSE COUNTY WISCONSIN FROM NEIGHBORHOOD BUSINESS (B-1) TO LIGHT INDUSTRIAL (M-1)

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. The zoning map which is part of the zoning ordinance, Chapter 1 of Title 13 of the Code of Ordinances of the City of Onalaska is hereby amended to rezone the property described below from Neighborhood Business District (B-1) to Light Industrial District (M-1).

Property is more particularly described as:

Computer Number: 18-3570-70
Section 11, Township 16, Range 07,

CERTIFIED SURVEY MAP NO. 49 VOL 13 LOT 4 DOC NO. 1463946

SECTION II. The office of the City Engineer is hereby directed to make the above-described zoning changes on the official City of Onalaska zoning map.

SECTION III. This Ordinance shall take effect and be in force from and after its passage and publication.

Dated this ____ day of _____, 2019.

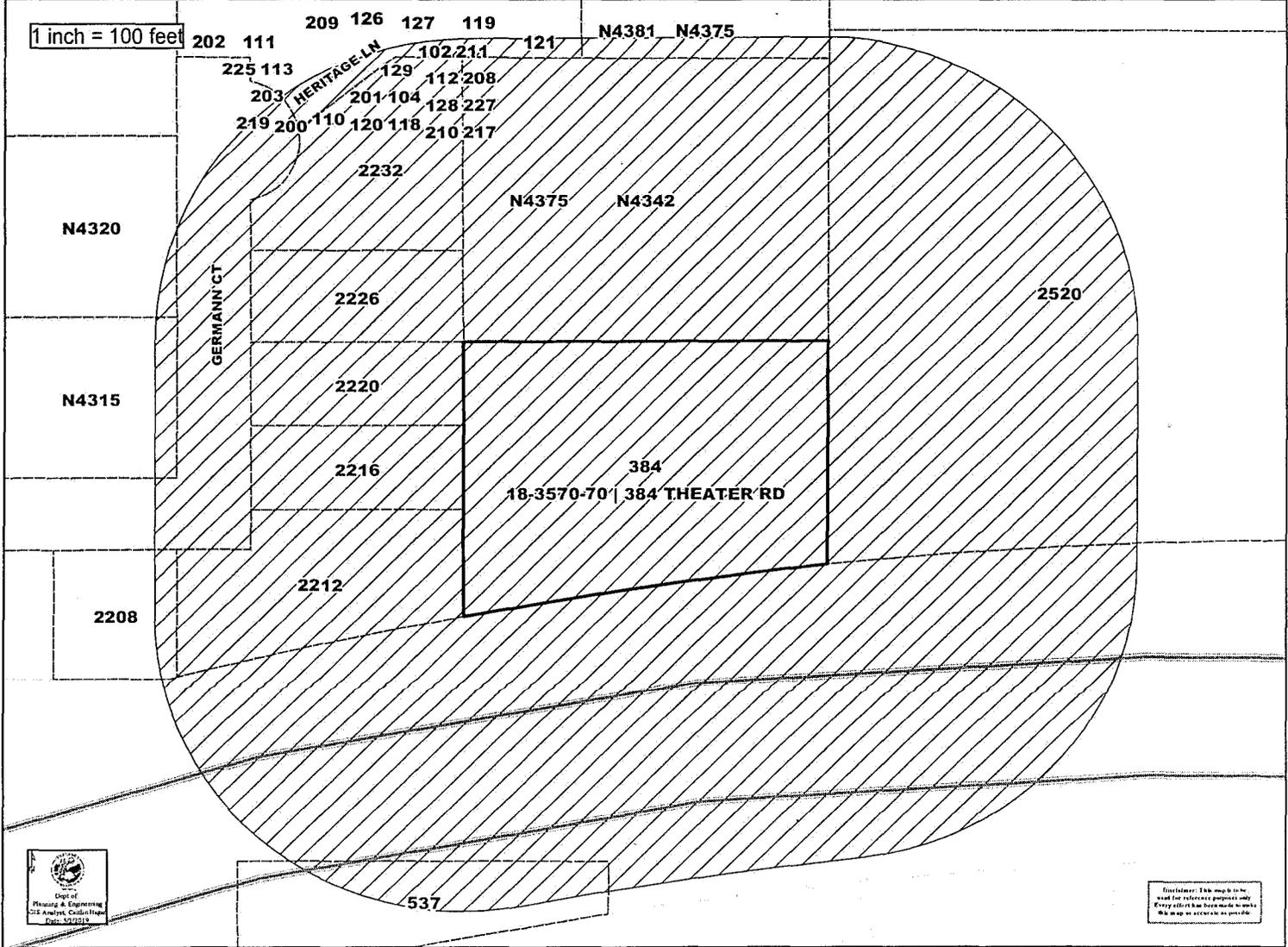
CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

Properties within 250ft of Parcel 18-3570-70



Disclaimer: This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.

DAHL
AUTOMOTIVE
— 1911 —

Dahl Automotive
3819 Creekside Lane
Holmen, WI 54636
608.784.9601

June 14, 2019

Dahl Ford Lincoln
608.779.2886
Onalaska, WI

Dear Onalaska Administrative & Judiciary Committee & Common Council:

**Dahl Hyundai
Mazda Subaru**
608.784.9600
La Crosse, WI

The reason for my letter is to request that the Administrative & Judiciary Committee and Common Council Suspend the Reading of the Rules and have the 1st & 2nd and 3rd & Final Readings occur during your July meetings held on July 3, 2019 and July 9, 2019 respectively.

Dahl Honda
608.784.9280
La Crosse, WI

This is in relation to the consideration of the rezoning request filed by Jansen Dahl of CHASE 2010, LLC, 3819 Creekside Ln. Holmen, WI 54636, on behalf of Judith Rockwood, N9495 Radcliffe Road, Mindoro, WI 54644.

**Dahl Chevrolet
Buick GMC**
507.452.3660
Winona, MN

We greatly appreciate your consideration of this request as our project has a rather tight timeline in which to be completed. We look forward to building another fine retail automotive building in the City of Onalaska.

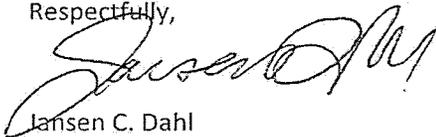
**Dahl Used Car
Express Service**
507.961.1500
Winona, MN

Feel free to call or email me with any questions or concerns at 608-784-9601 or jansen@dahlauto.com

Dahl Toyota
507.452.4080
Winona, MN

**Dahl Auto
Museum**
608.791.6494
La Crosse, WI

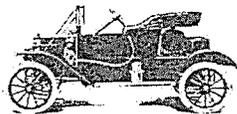
Respectfully,



Jansen C. Dahl
Vice President
Dahl Automotive Holdings, Ltd.

**Line-X Protective
Coatings**
608.786.4403
West Salem, WI

**ABRA
Auto Body & Glass**
608.785.1160
La Crosse, WI

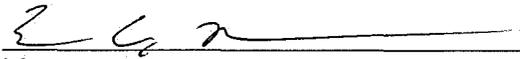


FISCAL IMPACT OF ORDINANCE 1650 – 2019

Please route in this order

Dahl Rezoning

Eric Rindfleisch, Administrator


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Jarrold Holter, City Engineer

 6-14-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Troy Miller, Chief of Police

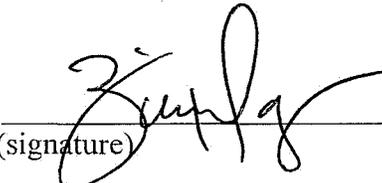
 6-17-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Troy Gudie, Interim Fire Chief

 6-18-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Dan Wick, Parks & Rec Director


(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

Fred Buehler, Financial Services Director

 6-19-19
(signature)

No Fiscal Impact

Budgeted Item

Will need \$ _____ for _____ to meet the requirements of this ordinance.

PACKET: 02895 License Packet Operators July

SEQUENCE: License #

ID	PERIOD	NAME	LICENSE CODE
00358	7/01/19- 6/30/21	GROKOWSKY DANIEL	OPRATOR OPERATORS - 2 YEAR
01600	7/01/19- 6/30/21	THURSTON BETH	OPRATOR OPERATORS - 2 YEAR
02163	7/01/19- 6/30/21	BENNETT GREGORY	OPRATOR OPERATORS - 2 YEAR
02314	7/01/19- 6/30/21	DAVIS MARISA	OPRATOR OPERATORS - 2 YEAR
02326	7/01/19- 6/30/21	TONN MATTHEW	OPRATOR OPERATORS - 2 YEAR
02388	7/01/19- 6/30/21	MUELLER JONATHON	OPRATOR OPERATORS - 2 YEAR
02397	7/01/19- 6/30/21	POSS DERICK	OPRATOR OPERATORS - 2 YEAR
02444	7/01/19- 6/30/21	HOFFMANN KARL	OPRATOR OPERATORS - 2 YEAR
02522	7/01/19- 6/30/21	BLAZEK NOLAN	OPRATOR OPERATORS - 2 YEAR
02649	7/01/19- 6/30/21	KING JAMES	OPRATOR OPERATORS - 2 YEAR
02933	7/01/19- 6/30/21	BENSON TONY	OPRATOR OPERATORS - 2 YEAR
02962	7/01/19- 6/30/21	PEEK TINA	OPRATOR OPERATORS - 2 YEAR
03034	7/01/19- 6/30/21	ECKERT HEATHER	OPRATOR OPERATORS - 2 YEAR
03039	7/01/19- 6/30/21	HANSEN RITA	OPRATOR OPERATORS - 2 YEAR
03046	7/01/19- 6/30/21	STERN CHRISTOPHER	OPRATOR OPERATORS - 2 YEAR
03085	7/01/19- 6/30/21	SENDELBACH SHELLY	OPRATOR OPERATORS - 2 YEAR
03202	7/01/19- 6/30/21	CHAMBERLAIN-LINDSEY KRISTI	OPRATOR OPERATORS - 2 YEAR
03420	7/01/19- 6/30/21	SLATER CRYSTAL	OPRATOR OPERATORS - 2 YEAR
03435	7/01/19- 6/30/21	WORKE RANDY	OPRATOR OPERATORS - 2 YEAR
03450	7/01/19- 6/30/21	ECKERT JESSICA	OPRATOR OPERATORS - 2 YEAR
03482	7/01/19- 6/30/21	BROCKMEYER JASON	OPRATOR OPERATORS - 2 YEAR
03502	7/01/19- 6/30/21	GRESHAM JACOB	OPRATOR OPERATORS - 2 YEAR
04118	7/01/19- 6/30/20	HENDRICKS-ERDOS GRACE	OPRATOR OPERATORS - 1 YEAR
04683	7/03/19- 6/30/21	CAPONIGRO LINDA	OPRATOR OPERATORS - 2 YEAR
04880	7/01/19- 6/30/21	SAMPLE NEHEMIAH	OPRATOR OPERATORS - 2 YEAR
05029	7/01/19- 6/30/21	CRAM KRISTINE	OPRATOR OPERATORS - 2 YEAR
05057	7/01/19- 6/30/21	BRISKEY KELLY	OPRATOR OPERATORS - 2 YEAR
05096	7/01/19- 6/30/21	DUTTON MATTHEW	OPRATOR OPERATORS - 2 YEAR
05111	7/01/19- 6/30/21	HEYER MELISSA	OPRATOR OPERATORS - 2 YEAR
05192	7/01/19- 6/30/21	SCHMELING JACKIE	OPRATOR OPERATORS - 2 YEAR
05208	7/01/19- 6/30/21	MOLSTAD RACHAEL	OPRATOR OPERATORS - 2 YEAR
05209	7/01/19- 6/30/21	KUSTER JENNIFER	OPRATOR OPERATORS - 1 YEAR
05312	7/01/19- 6/30/20	ROJAS ADILENE	OPRATOR OPERATORS - 1 YEAR
05429	7/01/19- 6/30/21	HAWLEY ALEX	OPRATOR OPERATORS - 2 YEAR
05450	7/01/19- 6/30/20	HALL ELIZABETH	OPRATOR OPERATORS - 1 YEAR
05640	6/12/19- 6/30/21	MARTHALER JONATHAN	OPRATOR OPERATORS - 2 YEAR
05663	7/01/19- 6/30/21	BARADIC BENJAMIN	OPRATOR OPERATORS - 2 YEAR
05689	6/17/19- 6/30/21	FICKETT HANNAH	OPRATOR OPERATORS - 2 YEAR
05718	6/21/19- 6/30/21	WALLACE MICHAELA RAE	OPRATOR OPERATORS - 2 YEAR
05737	6/21/19- 6/30/21	DONELSON HANNAH	OPRATOR OPERATORS - 2 YEAR
05745	7/01/19- 6/30/21	HERRMAN ELLYN	OPRATOR OPERATORS - 2 YEAR
05765	7/01/19- 6/30/21	MCARTHUR DANIEL	OPRATOR OPERATORS - 2 YEAR
05825	6/28/19- 6/30/20	PONTERIO VINCENT	OPRATOR OPERATORS - 1 YEAR
05841	7/08/19- 6/30/21	YANG KAZOUA	OPRATOR OPERATORS - 2 YEAR
05845	7/08/19- 6/30/21	ZITZNER KYMBERLY*	OPRATOR OPERATORS - 2 YEAR

RESOLUTION NO. 33 -2019

**FINAL RESOLUTION TO VACATE AND DISCONTINUE
A PORTION OF CRESTWOOD LANE,
CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN**

WHEREAS on May 14, 2019 the Common Council of the City of Onalaska approved and passed Preliminary Resolution 30-2019 to vacate and discontinue a portion of Crestwood Lane, more particularly described in Exhibits A & B, as attached, in the City of Onalaska;

AND, WHEREAS, a notice of public hearing concerning said vacation and discontinuance was published and provided in accordance with Sec. 66.1003, Stats.;

AND, WHEREAS, a public hearing was held on July 9, 2019 at 7:00 p.m. regarding said vacation;

AND, WHEREAS, the vacation of a portion of Crestwood Lane is in the public interest as it will assist in facilitating the construction of a booster station that will allow for future private development opportunities;

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Onalaska, La Crosse County, Wisconsin does hereby vacate a portion of Crestwood Lane, more particularly described on Exhibits A & B which are attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that a certified copy of this Final Resolution together with a map showing the location of the vacated street shall be recorded in the Office of the Register of Deeds for La Crosse County, Wisconsin.

Dated this 9th day of July, 2019

CITY OF ONALASKA

BY: _____
Joe Chilsen, Mayor

Caroline Burmaster, City Clerk

Passed: 7/9/19
Approved: 7/9/19
Published: 7/19/19

CRESTWOOD LANE ROW VACATION TO CITY OF ONALASKA

EXHIBIT A

Existing Crestwood Lane right-of-way located in part of the Southeast Quarter of the Southwest Quarter of Section 1, Township 16 North, Range 7 West, City of Onalaska, La Crosse County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 1;
thence S 14° 13' 12" W 3969.65 feet to the Easterly right-of-way of Crestwood Lane and the Point of Beginning of this description;

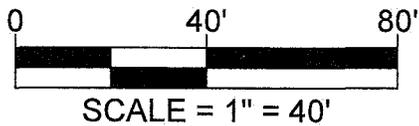
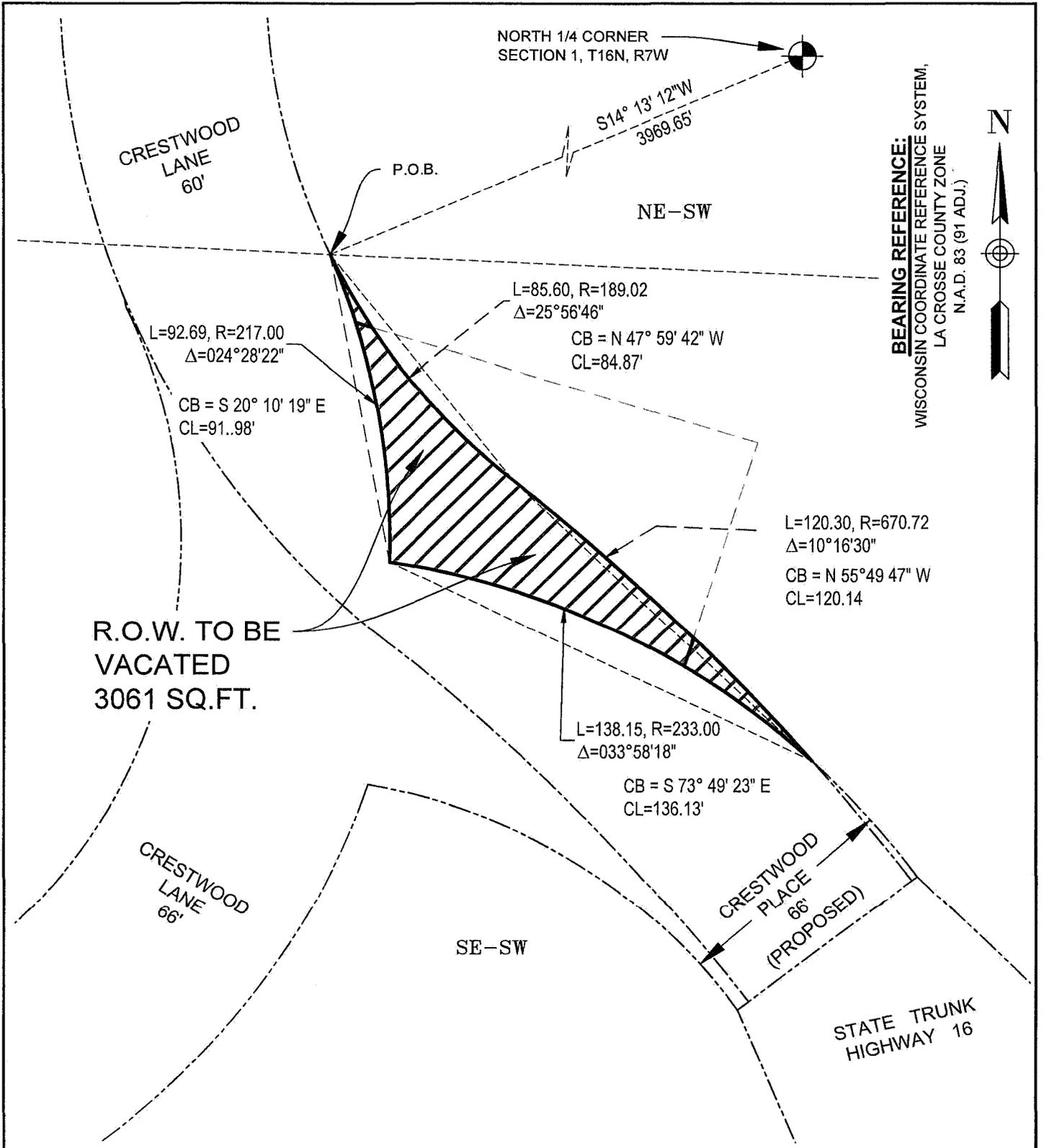
thence Southerly along new easterly right-of-way of Crestwood Lane on the arc of a 217.00 foot radius curve, concave to the West, the chord of which bears S 20° 10' 19" E and measures 91.98 feet;

thence Southeasterly along new northerly right-of-way of Crestwood Place on the arc of a 233.00 foot radius curve, concave to the Southwest, the chord of which bears S 73° 49' 23" E and measures 136.13 feet;

thence Northwesterly along current right-of-way of Crestwood Lane on the arc of a 670.72 foot radius curve, concave to the Southwest, the chord of which bears N 55° 49' 47" W and measures 120.14 feet;

thence Northwesterly along current right-of-way of Crestwood Lane on the arc of a 189.02 foot radius curve, concave to the Northeast, the chord of which bears N 47° 59' 42" W and measures 84.87 feet to the Point of Beginning.

Parcel contains approximately 3,061 square feet or 0.07 acres more or less. Subject to any easements, covenants and restrictions of record.



RIGHT-OF-WAY TO BE VACATED
CRESTWOOD BOOSTER STATION
ONALASKA, WI



DAVY ENGINEERING CO.
LA CROSSE, WISCONSIN

DATE
4/30/2019

NOTEBOOK NO.

PROJECT NUMBER
001398-109.100

SHEET
1 OF 1

RESOLUTION NO. 34-2019

RESOLUTION AUTHORIZING THE DIRECT CHARGE OF PUBLIC FIRE PROTECTION

WHEREAS, The City of Onalaska, La Crosse County, Wisconsin (the "Municipality") owns and operates the Water Utility (the "Utility") as a public utility; and

WHEREAS, the Municipality provides public fire protection for the benefit of the public health, safety, and well-being of its residents; and

WHEREAS, the Utility is authorized by the Wisconsin Public Service Commission to recover the cost of providing and maintaining fire hydrants use for public fire protection: and

WHEREAS, the Municipality has determined it is in the public interest to change the manner in which public fire protection fire charges are paid for combination of the municipal charge (via tax roll) basis and direct charge on water bills, based on an equivalent meter size basis, thus, allowing for the collection of public fire protection charges from property owners not presently subject to property taxes; and

WHEREAS, \$48,519.00 of Public Fire Protection Charges shall be a direct charge on water utility bills and the remaining balance of Public Fire Protection Charges shall remain on the tax roll. The Wisconsin Public Service Commission cost of service study results tentatively indicate a total public fire protection charge of \$415,170.00 for 2020; and

WHEREAS, in accordance with Wis. Stat. Sec. 196.03(3)(b), the Municipality has chosen to have the Utility bill a specific dollar amount for public fire protection;

NOW, THEREFORE, BE IT RESOLVED, that the new basis for public fire protection shall be \$415,170.00, which includes \$48,519.00 which will be collected through direct charge on quarterly utility bills for public fire protection based on an equivalent meter basis and the remaining current balance of \$366,651.00 to continue being placed on the tax roll; and

BE IT ALSO RESOLVED, that this charge shall be effective the latter of January 1, 2020 or upon review and approval by the Public Service Commission of the State of Wisconsin

Effective Date. This Resolution shall take effect immediately upon its adoption and approval.

Dated this day of , 2019.

CITY OF ONALASKA

By: _____
Joe Chilsen, Mayor

By: _____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

RELEASE OF RESTRICTIVE COVENANT

THIS RELEASE made by the owner ("Property Owner") of that real property described below ("Property"), does hereby release the Restrictive Covenant dated October 8, 2003 and recorded by the La Crosse County Register of Deeds on October 9, 2003 as Document Number 1375458, which was corrected by Affidavit dated October 14, 2003 and recorded on October 20, 2003 as Document Number 1376571, copies of which are attached as Exhibit A ("Restrictive Covenant").

Matthew R. Cromheecke
Moen Sheehan Meyer, Ltd.
201 Main Street, Suite 700
La Crosse, WI 54601

Legal Description: See Addendum A which is attached hereto and incorporated herewith by reference.

9-93-0; 18-3570-61

Parcel Identification Number (PIN)

The City of Onalaska being the said governing body having zoning authority over said Property does hereby authorize and agree to this release of the Restrictive Covenant pursuant to the execution of that Authorization to Release Restrictive Covenant attached hereto and incorporated herewith by reference as Addendum B.

(SEAL) *Judith B. Rockwood* (SEAL)
* Judith B. Rockwood Property Owner

* _____ (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT



authenticated on _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Matthew R. Cromheecke
201 Main Street, Suite 700, La Crosse, WI 54601

Personally came before me on June 25, 2019,
the above-named Judith B. Rockwood
to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

* *Sally R. Inda* Sally R. Inda
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: 9-1-21)

ADDENDUM A
Release of Restrictive Covenant
Legal Description

- (A) Part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, La Crosse County, Wisconsin, described as follows: Commencing at the Southwest corner of said SE 1/4 of the NW 1/4; thence East, along the South line thereof, 852 feet to the point of beginning: Thence North 00° 05' West 565 feet; thence East 468 feet to the East line of said SE 1/4 of the NW 1/4; thence South, along said East line, 565 feet to the Southeast corner thereof; thence West 468 feet to the point of beginning. EXCEPT that part of the following described parcels contained in the above described parcel: (1) Lots 2, 3 and 4 of La Crosse County Certified Survey Map filed on March 27, 1984, in Volume 2 of Certified Survey Maps, page 155, as Document No. 948519, and (2) Lot 1 of La Crosse County Certified Survey Map filed on March 15, 1990, in Volume 4 of Certified Survey Maps, page 131, as Document No. 1034349, and (3) Lots 1, 2, 3 and 4 of La Crosse County Certified Survey Map filed on December 5, 2006, in Volume 13 of Certified Survey Maps, page 49, as Document No. 1463946. ALSO EXCEPTING lands sold, taken or used for Interstate Highway I-90.
- (B) A non-exclusive drive easement for ingress and egress as depicted on Lot 2 of Certified Survey map filed March 27, 1984 in Volume 2 of Certified Survey Maps, pages 155 and 155A as Document No. 948519, being part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, now City of Onalaska, La Crosse County, Wisconsin. Said drive easement also depicted on Lot 1 of Certified Survey maps, page 24 as Document No. 1148238, being part of the SE 1/4 of the NW 1/4 of Section 10 Township 16 North, Range 7 West, City of Onalaska, La Crosse County, Wisconsin.

**ADDENDUM B-
AUTHORIZATION TO
RELEASE OF RESTRICTIVE
COVENANT**

The City of Onalaska being the said governing body having zoning authority over that Property described in the Release of Restrictive Covenant does hereby authorize and agree to the release of the Restrictive Covenant pursuant to the execution of that Release of Restrictive Covenant.

Matthew R. Cromheecke
Moen Sheehan Meyer, Ltd.
201 Main Street, Suite 700
La Crosse, WI 54601

9-93-0: 18-3570-61

Parcel Identification Number (PIN)

	(SEAL)	Mayor, City of Onalaska	(SEAL)
*	*		
	(SEAL)	Clerk, City of Onalaska	(SEAL)
*	*		

AUTHENTICATION

ACKNOWLEDGMENT

authenticated on _____

STATE OF WISCONSIN)
) ss.
COUNTY)

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

Personally came before me on _____,
the above-named _____

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:
Matthew R. Cromheecke
201 Main Street, Suite 700, La Crosse, WI 54601

* _____
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

Document Number

Document Title

RESTRICTIVE COVENANT

1375458

LACROSSE COUNTY
REGISTER OF DEEDS
DEBORAH J. FLOCK

RECORDED ON
10/09/2008 02:22PM

REC FEE: 17.00
TRANSFER FEE:
EXEMPT #:

PAGES: 4

Recording Area

Name and Return Address

EUGENE C. FALKENBERG

N4342 GERMANN CT.

DNALASRA, WI. 54601

Parcel Identification Number (PIN)

This information must be completed by subalter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m) WRDA 10/99

EXHIBIT A

(A) That part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, La Crosse County, Wisconsin, described as follows: Commencing at the Southwest corner of said SE 1/4 of the NW 1/4; thence East along the quarter line 852 feet to the point of beginning; Thence North 0 degrees 05 minutes West 565 feet; thence East 468 feet to the East line of said SE 1/4 of the NW 1/4; thence South along said line 565 feet to the Southeast corner of said SE 1/4 of the NW 1/4; thence West 468 feet to the point of beginning.

EXCEPTING that part of the following described parcels that are included in the above described parcel:

(1) Certified Survey Map filed March 15, 1990 in Volume 4 of Certified Survey Maps, pages 131 and 131A, as Document No. 1034349, being part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, now City of Onulaska, La Crosse County, Wisconsin.

(2) Certified Survey Map filed March 27, 1984, in Volume 2 of Certified Survey Maps, pages 155 and 155 A as Document No. 958519, being part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, now City of Onulaska, La Crosse County, Wisconsin.

Also EXCEPTING lands for Highway I-90.

N4342 Germann Court. (Tax Parcel No. 9-93-000).

(B) A non-exclusive drive easement for ingress and egress as depicted on Lot 2 of Certified Survey Map filed March 27, 1984 in Volume 2 of Certified Survey Maps, pages 155 and 155A as Document No. 958519, being part of the SE 1/4 of the NW 1/4 of Section 10, Township 16 North, Range 7 West, Town of Medary, now City of Onulaska, LaCrosse County, Wisconsin. Said drive easement also depicted on Lot 1 of Certified Survey Map filed March 8, 1996 in Volume 7 of Certified Survey Maps, page 24 as Document No. 1148238, being part of the SE 1/4 of the NW 1/4 of Section 10 Township 16 North, Range 7 West, City of Onulaska, LaCrosse County, Wisconsin.

(Tax Parcel No. 18-3570-61).

PETITION NO. 1535

REPORT OF PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE
TO COUNTY BOARD ON HEARING OF PETITION TO AMEND
THE LA CROSSE COUNTY ZONING ORDINANCE

TO THE COUNTY BOARD OF LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered the petition to amend the La Crosse County Zoning Ordinance filed by:

DORIS E. BOWES PO BOX 784 ONALASKA WI, ACTING IN BEHALF OF
EUGENE AND ELIZABETH FALKENBERG N4342 GERMANN CT ONALASKA WI

on the 4th day of AUGUST 2003

to rezone from RESIDENTIAL DISTRICT "A"

to COMMERCIAL DISTRICT "B"

the following described land in the Town of MEDARY

A 1.84-acre parcel for use as a growing area for nursery stock and greenhouse for use in conjunction with the adjacent business of Rockwood Gardens, on land described as: Part of the SE-NW of Section 10, T 16 N, R 7 W described in Tax Parcel 9-93-0. Town of Medary.

And having held public hearing thereon, pursuant to Section 59.69 Wisconsin Statutes, notice thereof having been given as provided by law, and being duly informed of the facts pertinent to the changes proposed, and duly advised of the wishes of the people in the area affected and the wishes of the Town Board, hereby recommends as follows: APPROVAL as Conditional Zoning.

Based on a vote of six in favor (Bina excused), the Committee recommended Conditional Zoning for a landscaping business, nursery and flower shop only. Document must be recorded to effectuate the zoning change. The Town Board recommended approval.

(IF THIS PETITION IS APPROVED AS A CONDITIONAL ZONING, DEED RESTRICTIONS MUST BE RECORDED BEFORE ZONING TAKES EFFECT.)

Dated this 14th day of AUGUST 2003

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY Jeff Blustein
Jeff Blustein, Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY Jan Kell
Jan Kell, Chair

COUNTY BOARD ACTION DATED: 21 day of August 2003. Approved [Signature]

Document number

AFFIDAVIT OF CORRECTION

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

AFFIANT, Michael S. Moen, hereby swears or affirms that a certain document which was titled as follows: Restrictive Covenant (type of document), recorded on the 9th day of October, 2003 (year), page, as document number 1375458 and was recorded in La Crosse County, State of Wisconsin, contained the following error (if more space is needed, please attach addendum): The legal description should be corrected as follows: In paragraph (2), the document number should be changed to 948519.

1376571

LACROSSE COUNTY REGISTER OF DEEDS DEBORAH J. FLOCK

RECORDED ON 10/20/2003 03:06PM

REC FEE: 19.00 TRANSFER FEE: EXEMPT #:

PAGES: 5

#53 Recording area

Name and return address Mike Moen Moen, Sheehan, Meyer Ltd. P.O. Box 786 La Crosse WI 54602-0786

AFFIANT makes this Affidavit for the purpose of correcting the above document as follows (if more space is needed, please attach addendum):

18-3570-61

Parcel identification number (PIN)

Correction of the legal description as follows: In paragraph (2), the document number is changed to 948519.

A copy of the original document (in part or whole) [X] is [] is not attached to this Affidavit (if a copy of the original document is not attached, please attach legal description and names of grantors and grantees).

Dated: October 14, 2003

Signed:

Michael S. Moen

State of Wisconsin) County of La Crosse) ss.

Subscribed and sworn to (or affirmed) before me this 14th day of October, 2003

Patriqua A. Marshall

Notary Public, State of Wisconsin My Commission (expires) 9/4/2005

AFFIANT is the (check one):

- [X] Drafter of the document being corrected. [] Owner of the property described in the document being corrected. [] Other - explain:

Attorney Michael S. Moen

This instrument is drafted by: Moen Sheehan Meyer, Ltd.

THIS FORM IS INTENDED TO CORRECT SCRIVNER'S ERRORS AND NOT FOR THE CONVEYANCE OF REAL PROPERTY.

Document Number

Document Title

RESTRICTIVE COVENANT

1 375458

LACROSSE COUNTY
REGISTER OF DEEDS
DEBORAH J. PLOCK

RECORDED ON
10/09/2003 02:22PM

REC FEE: 17.00
TRANSFER FEE:
EXEMPT #:

PAGES: 4

Recording Area

Name and Return Address

EUGENE C. FALKENBERG

14542 GERMANN CT.

ONALASKA, WI. 54250

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document.
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RESTRICTIVE COVENANT

The undersigned Eugene C. Falkenberg and Elizabeth A. Falkenberg, being the owners of the property described on Exhibit A attached hereto and incorporated herein by reference, do hereby create and impose the following restrictive covenant on the described property, pursuant to the County Board of La Crosse County, Wisconsin, rezoning the premises from Residential District "A" to Commercial District "B":

The premises shall be used for a landscaping business, nursery, flower shop and related accessory uses only.

This restriction may be amended or revoked by mutual agreement of the property owner(s) and County of La Crosse or other governmental body having zoning authority.

Dated this 8 day of October, 2003.

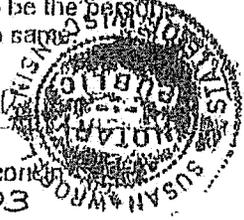
Eugene C. Falkenberg
Eugene C. Falkenberg

Elizabeth A. Falkenberg
Elizabeth A. Falkenberg

STATE OF WISCONSIN)
) ss.
LA CROSSE COUNTY)

Personally came before me this 8th day of October, 2003, the above-named Eugene C. Falkenberg and Elizabeth A. Falkenberg, to me known to be the persons who executed the foregoing instrument, and each acknowledged the same.

Susan Wroble
Notary Public, State of Wisconsin
My Commission: 11-12-03



DRAFTED BY:
Attorney Michael S. Moen
Moen Sheehan Meyer, Ltd.

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(Tax Parcel No. 18-3570-61).

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TO COUNTY BOARD ON HEARING OF PETITION TO AMEND
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TO THE COUNTY BOARD OF LA CROSSE COUNTY:

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EUGENE AND ELIZABETH FALKENBERG N4342 GERMANN CT ONALASKA WI

on the 4th day of AUGUST 2003

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Based on a vote of six in favor (Bina excused), the Committee recommended Conditional Zoning for a landscaping business, nursery and flower shop only. Document must be recorded to effectuate the zoning change. The Town Board recommended approval.

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Dated this 14th day of AUGUST 2003

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY Jeff Blustein
Jeff Blustein, Director

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY Jan Keji
Jan Keji, Chair

COUNTY BOARD ACTION DATED: 21 day of August 2003. Approved [Signature]