

# CITY OF ONALASKA MEETING NOTICE

**COMMITTEE/BOARD:** Joint Municipal Court Committee  
**DATE OF MEETING:** April 18, 2019 (Thursday)  
**PLACE OF MEETING:** City Hall – 415 Main Street (Room 112)  
**TIME OF MEETING:** 3:30 P.M.

## **PURPOSE OF MEETING**

1. Call to Order and roll call
2. Approval of minutes from the previous meeting
3. Public Input (Limited to 3 minutes/individual)

### **Consideration and possible action on the following items:**

4. Nomination and Election of Chair
5. Nomination and Election of Vice Chair
6. Announce Police Chief Member based on rotation-Village of West Salem
7. Clerk of Court:
  - a. Quarterly scorecard for Towns, Cities & Villages (T-C-V)
8. Finance Department:
  - a. Financials
  - b. Joint Municipal Court report regarding forfeitures/court costs
  - c. Quarterly report containing cases not dismissed
  - d. Second Amendment to the Joint Municipal Court Agreement regarding insurance coverage in lieu of bond for Municipal Court Judges
  - e. Ordinance revision relating to Joint Municipal Court
9. Next meeting date – July 18, 2019
10. Adjournment

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the committee may attend this meeting to gather information about a subject over which they have decision making responsibility.

Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

#### **NOTICES MAILED TO:**

Mayor Joe Chilsen  
Ald. Tom Smith  
Ald. Jim Olson  
Ald. Dan Stevens  
Ald. Boondi Iyer  
Ald. Kim Smith  
Ald. Diane Wulf  
City Attorney City Administrator  
La Crosse Tribune Dept Heads  
Coulee Courier FOX  
WKTY WLXR WLAX WKBT WXOW  
Omni Center Onalaska Public Library

\* Teresa Schnitzler–West Salem–Vice Chair - Alternate-Vacant  
\* Carroll Vizecky –Shelby, Alternate – Sean Horton  
\* Scott Alo - Bangor, Alternate – Jeri Wittmershaus  
\* Scott Heinig– Holmen - Chair, Alternate-Erich Zwicker  
\* Terry Schaller – Campbell, Alternate – Lee Weis  
\* Linda Young- Rockland, Stephanie Rowell – Rockland Designee  
\* Michael Hoffman – Holland, Alternate – Kathy Warzynski  
\* Eric Rindfleisch – City of Onalaska Member  
\* Charles Ashheck – Chief of Village of West Salem (Rotating Chief)  
Fred Buehler – Finance Director  
John Brinckman–Municipal Court Judge  
Hildie McIntyre – Municipal Court Supervisor

\*Committee Members

Date Notices Mailed and Posted: 4-11-19

**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.**

# La Crosse Area Restorative Justice Project

(ljarjp@gmail.com) 608-571-2820

## Mission Statement

We provide an alternative to standard criminal justice practices by increasing offender accountability and repairing harms and reducing fears for victims and the community.

## Project Co-Structurers

Bill Oldenburg (cell) 608-769-5094

Bobbie Tippetery (cell) 608-385-2051

Opposed to traditional justice practices, restorative justice has become a more popular community approach to criminal offenders among victims, communities and courts in Wisconsin.

- Currently, there are restorative justice and peer court practices in Barron, Dane, Eau Claire, Marathon, Milwaukee and other Wisconsin counties.
- Until 2013, La Crosse county hosted one of the longest-running restorative justice programs in the State (over 20 years), and its data was utilized nationally.
- Until 2009, La Crosse County hosted a long-running peer court program (20 years), with its successful reduction of recidivism recognized and awarded by the Governor.

In 2017, Bill Oldenburg and Bobbie Tippetery began restructuring the restorative justice project for the La Crosse area. Along with local educators and community collaboration, Circuit Court support by judges Levine and Horne, and Municipal Court judge Marcou's participation, offenders can opt for this diversion and victims offered voice.

After data collection and adequate funding is established, the La Crosse Area Restorative Justice Project will expand to include misdemeanor cases in circuit court.

## Current Applicable Cases (Age and Offense):

- Offenders age range at time of incident: **15 to 24 years** old.
- The types of offenses: **low level property crimes** (vandalism, trespassing, solicitation), **disorderly conduct** and **theft** (up to \$600 or statute).



JMC SCORECARD TOTALS FOR CITY OF ONALASKA						
		2019 -1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019-Total
Total citations filed		591				591
Citations dismissed		37				37
Trials		0				0
G/NC/Default		413				413
NG plea		16				16
Revocation/susp		9				9
NASP		2				2
DPA		2				2
Com Service		9				9
Continued		134				134
<b>TOTAL</b>		<b>1213</b>				<b>1213</b>

JMC SCORECARD TOTALS FOR VILLAGE OF BANGOR						
		2019-1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019 Total
Total citations filed		9				9
Citations dismissed		4				4
Trials		0				0
G/NC/Default		13				13
NG plea		0				0
Revocation/susp		0				0
NASP		0				0
DPA		0				0
Com Service		0				0
Continued		4				4
<b>TOTAL</b>		<b>30</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>30</b>

JMC SCORECARD TOTALS - TOWN OF CAMPBELL						
		2019-1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019-Total
Total citations filed		75				75
Citations dismissed		13				13
Trials		0				0
G/NC/Default		85				85
NG plea		1				1
Revocation/susp		3				3
NASP		0				0
DPA		1				1
Com Service		1				1
Continued		4				4
<b>TOTAL</b>		<b>183</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>183</b>

<b>JMC SCORECARD TOTALS FOR VILLAGE OF HOLMEN</b>						
		2019-1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019-Total
Total citations filed		104				104
Citations dismissed		23				23
Trials		0				0
G/NC/Default		129				129
NG plea		4				4
Revocation/susp		4				4
NASP		0				0
DPA		13				13
Com Service		13				13
Continued		13				13
<b>TOTAL</b>		<b>303</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>303</b>

<b>JMC SCORECARD TOTALS FOR TOWN OF SHELBY</b>						
		2019-1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019 Total
Total citations filed		16				16
Citations dismissed		0				0
Trials		0				0
G/NC/Default		6				6
NG plea		0				0
Revocation/susp		0				0
NASP		0				0
DPA		0				0
Com Service		0				0
Continued		0				0
<b>TOTAL</b>		<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>22</b>

<b>JMC SCORECARD TOTALS FOR VILLAGE OF WEST SALEM</b>						
		2019-1st Qtr	2019-2nd Qtr	2019-3rd Qtr	2019-4th Qtr	2019 Total
Total citations filed		93				93
Citations dismissed		8				8
Trials		0				0
G/NC/Default		67				67
NG plea		2				2
Revocation/susp		0				0
NASP		0				0
DPA		0				0
Com Service		0				0
Continued		7				7
<b>TOTAL</b>		<b>177</b>				<b>177</b>

Balance Sheet  
Account Summary  
As Of 04/10/2019



City of Onalaska

*Handwritten:* 4-9-19

Account	Name	Balance
<b>Fund: 208 - JOINT MUNICIPAL COURT</b>		
<b>Assets</b>		
208-11100	CASH	255,359.66
208-12100	TAXES RECEIVABLE	0.00
208-13100	OTHER ACCOUNTS RECEIVABLE	0.00
208-13103	A/R - ONALASKA	494,402.52
208-13106	A/R - BANGOR	33,876.17
208-13110	A/R - CAMPBELL	62,535.23
208-13112	A/R HOLMEN	160,441.72
208-13114	A/R - ROCKLAND	0.00
208-13116	A/R - SHELBY	12,413.21
208-13117	A/R - WEST SALEM	67,543.55
208-13120	ALLOWANCE FOR UNCOLLECTIBLE COURT	0.00
<b>Total Assets:</b>		<b>1,086,572.06</b>
		<b><u>1,086,572.06</u></b>

<b>Liability</b>		
208-21100	ACCOUNTS PAYABLE	0.00
208-21110	AP PENDING (DUE TO POOL)	0.00
208-21511	FICA W/H	0.00
208-21512	FEDERAL W/H	0.00
208-21513	STATE W/H - WI	0.00
208-21515	FICA W/H - MEDICARE	0.00
208-21520	RETIREMENT W/H	0.00
208-21529	HEALTH INS W/H (EMPL. HEAL. INS. CO.)	0.00
208-21530	HEALTH INS	0.00
208-21531	CANCER INS	0.00
208-21533	HEALTH/DENTAL/LIFE INS PREMIUMS	0.00
208-21534	MEDICAL & DEP CARE - SECT. 125	0.00
208-21535	WI-RETIREMENT SYSTEM (P.T.EE)	0.00
208-21540	UNITED WAY	0.00
208-21570	UNION DUES	0.00
208-21573	DEFERRED COMPENSATION	0.00
208-21581	SUPPORT PAYMENTS	0.00
208-21700	ACCRUED WAGES	0.00
208-22220	BAIL BOND PAYMENTS	0.00
208-22229	PARTIAL PAYMENT-VARIOUS	3,301.46
208-24340	CITATIONS	0.00
208-24341	CITATIONS DUE ST./CO./CITY	0.00
208-24342	PARKING	0.00
208-26000	DEFERRED REVENUE	0.00
208-26001	DEFERRED REVENUE - JMC FINES	831,212.40
<b>Total Liability:</b>		<b>834,513.86</b>

<b>Equity</b>		
208-34100	FUND BALANCE	191,390.45
<b>Total Beginning Equity:</b>		<b>191,390.45</b>
Total Revenue		157,721.58
Total Expense		97,053.83
<b>Revenues Over/Under Expenses</b>		<b>60,667.75</b>
<b>Total Equity and Current Surplus (Deficit):</b>		<b>252,058.20</b>
<b>Total Liabilities, Equity and Current Surplus (Deficit):</b>		<b><u>1,086,572.06</u></b>



City of Onalaska

# Budget Report

## Account Summary

For Fiscal: 2019 Period Ending: 04/30/2019

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 208 - JOINT MUNICIPAL COURT</b>							
<b>Revenue</b>							
208-00000-41110	GENERAL PROPERTY TAXES	71,850.00	71,850.00	0.00	71,850.00	0.00	0.00 %
208-00000-45111	FINES/FORFEITURES	0.00	0.00	0.00	58,588.73	58,588.73	0.00 %
208-00000-45113	COURT COST - DUE TO JOINT	70,000.00	70,000.00	0.00	26,279.45	-43,720.55	62.46 %
208-00000-46001	DANCE RECEIPTS	0.00	0.00	0.00	0.00	0.00	0.00 %
208-00000-46120	SALES MATERIALS & SUPLS	0.00	0.00	0.00	0.00	0.00	0.00 %
208-00000-46424	CONTRIBUTIONS FROM TOWNS/VI	64,465.00	64,465.00	0.00	1,000.00	-63,465.00	98.45 %
208-00000-48000	MISCELLANEOUS INCOME	0.00	0.00	0.00	3.40	3.40	0.00 %
208-00000-48500	DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00 %
208-00000-48700	SALES	0.00	0.00	0.00	0.00	0.00	0.00 %
	<b>Revenue Total:</b>	<b>206,315.00</b>	<b>206,315.00</b>	<b>0.00</b>	<b>157,721.58</b>	<b>-48,593.42</b>	<b>23.55 %</b>
<b>Expense</b>							
208-51200-110	SALARIES - REGULAR	67,929.00	67,929.00	0.00	15,313.74	52,615.26	77.46 %
208-51200-120	WAGES - REGULAR	27,907.00	27,907.00	0.00	6,147.34	21,759.66	77.97 %
208-51200-124	WAGES - PERM PT	42,509.00	42,509.00	0.00	7,484.00	35,025.00	82.39 %
208-51200-125	OVERTIME - PERM PT	0.00	0.00	0.00	0.00	0.00	0.00 %
208-51200-126	WAGES TEMP./SEAS.	0.00	0.00	0.00	0.00	0.00	0.00 %
208-51200-150	FICA	10,583.00	10,583.00	0.00	2,088.32	8,494.68	80.27 %
208-51200-151	RETIREMENT (WRS)	7,489.00	7,489.00	0.00	1,502.89	5,986.11	79.93 %
208-51200-152	HEALTH INSURANCE	25,485.00	25,485.00	0.00	5,991.75	19,493.25	76.49 %
208-51200-153	DENTAL INSURANCE	2,216.00	2,216.00	0.00	510.84	1,705.16	76.95 %
208-51200-154	LIFE INSURANCE	59.00	59.00	0.00	11.10	47.90	81.19 %
208-51200-225	PHONE/INTERNET/CABLE	700.00	700.00	0.00	89.35	610.65	87.24 %
208-51200-240	SOFTWARE MAINTENANCE CONTR	8,022.00	8,022.00	0.00	7,983.47	38.53	0.48 %
208-51200-241	EQUIPMENT MAINTENANCE CONT	192.00	192.00	0.00	0.00	192.00	100.00 %
208-51200-290	OTHER CONTRACTUAL SERVICES	4,522.00	4,522.00	0.00	942.43	3,579.57	79.16 %
208-51200-291	TRANSCRIPTION CONTRACTUAL	200.00	200.00	0.00	0.00	200.00	100.00 %
208-51200-310	OFFICE SUPPLIES	650.00	650.00	0.00	0.00	650.00	100.00 %
208-51200-311	POSTAGE	2,000.00	2,000.00	561.06	946.57	1,053.43	52.67 %
208-51200-312	COPY USAGE & PAPER	854.00	854.00	0.00	125.53	728.47	85.30 %
208-51200-320	SUBSCRIPTIONS & DUES	930.00	930.00	0.00	845.00	85.00	9.14 %
208-51200-323	GENERAL ADVERTISING	0.00	0.00	0.00	0.00	0.00	0.00 %
208-51200-330	SEMINARS, CONF & TRAVEL	1,465.00	1,465.00	0.00	0.00	1,465.00	100.00 %
208-51200-340	OPERATING SUPPLIES	2,003.00	2,003.00	0.00	8.50	1,994.50	99.58 %
208-51200-341	PRINTING & FORMS	300.00	300.00	0.00	0.00	300.00	100.00 %
208-51200-393	FINES/FORFEITURES (T/C/V)	0.00	0.00	11,095.80	43,720.29	-43,720.29	0.00 %
208-51200-397	MISC. EXPENSE	0.00	0.00	89.80	0.00	0.00	0.00 %
208-51200-510	INS - WORKERS COMP	300.00	300.00	0.00	127.00	173.00	57.67 %
208-51200-810	GENERAL CAPITAL OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00 %
208-51200-813	TECH. OUTLAY -JMC	0.00	0.00	0.00	3,215.71	-3,215.71	0.00 %
	<b>Expense Total:</b>	<b>206,315.00</b>	<b>206,315.00</b>	<b>11,746.66</b>	<b>97,053.83</b>	<b>109,261.17</b>	<b>52.96 %</b>
	<b>Fund: 208 - JOINT MUNICIPAL COURT Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-11,746.66</b>	<b>60,667.75</b>	<b>60,667.75</b>	<b>0.00 %</b>
	<b>Report Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>-11,746.66</b>	<b>60,667.75</b>	<b>60,667.75</b>	<b>0.00 %</b>

43,720.29  
 14,868.44 HELD JAN  
 58,588.73

**Joint Municipal Court**  
**Monthly Summary**  
**Total - All Municipalities**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$14,868.44	\$7,065.09	\$21,933.53
Feb-19	\$15,040.36	\$6,978.01	\$22,018.37
Mar-19	\$28,679.93	\$12,236.35	\$40,916.28
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
Total	\$58,588.73	\$26,279.45	\$84,868.18

OK

OK

OK

**Joint Municipal Court**

**Monthly Summary**

**City of Onalaska**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$9,075.67	\$4,318.56	\$13,394.23
Feb-19	\$10,003.36	\$3,799.96	\$13,803.32
Mar-19	\$17,584.13	\$7,641.56	\$25,225.69
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
Total	\$36,663.16	\$15,760.08	\$52,423.24

**Joint Municipal Court**

**Monthly Summary**

**Village of Bangor**

**VILLA800**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$193.54	\$132.00	\$325.54
Feb-19	\$87.00	\$112.00	\$199.00
Mar-19	\$543.00	\$218.00	\$761.00
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
Total	\$823.54	\$462.00	\$1,285.54

**Joint Municipal Court**

**Monthly Summary**

**Town of Campbell**

**TOWNC871**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$922.71	\$635.49	\$1,558.20
Feb-19	\$1,547.40	\$879.00	\$2,426.40
Mar-19	\$3,502.23	\$1,298.71	\$4,800.94
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
Total	\$5,972.34	\$2,813.20	\$8,785.54

**Joint Municipal Court**

**Monthly Summary**

**Village of Holmen**

**VILLA890**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$2,763.55	\$962.14	\$3,725.69
Feb-19	\$2,209.76	\$1,537.45	\$3,747.21
Mar-19	\$5,029.77	\$2,045.28	\$7,075.05
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
<b>Total</b>	<b>\$10,003.08</b>	<b>\$4,544.87</b>	<b>\$14,547.95</b>

**Joint Municipal Court**

**Monthly Summary**

**Town of Shelby**

**TOWNS874**

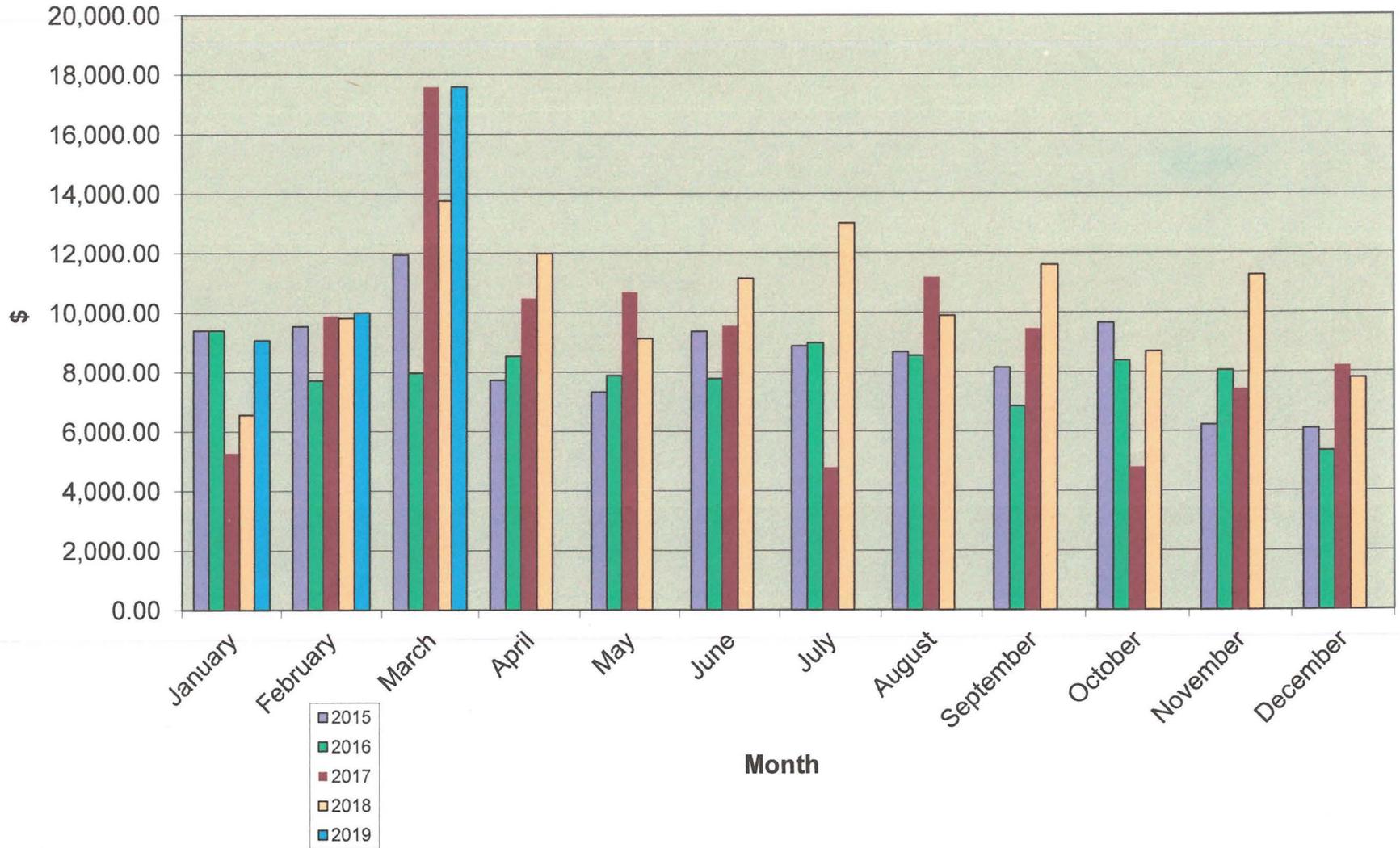
<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$317.85	\$130.00	\$447.85
Feb-19	\$211.46	\$79.00	\$290.46
Mar-19	\$250.00	\$109.00	\$359.00
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
Total	\$779.31	\$318.00	\$1,097.31

**Joint Municipal Court**  
**Monthly Summary**  
**Village of West Salem**

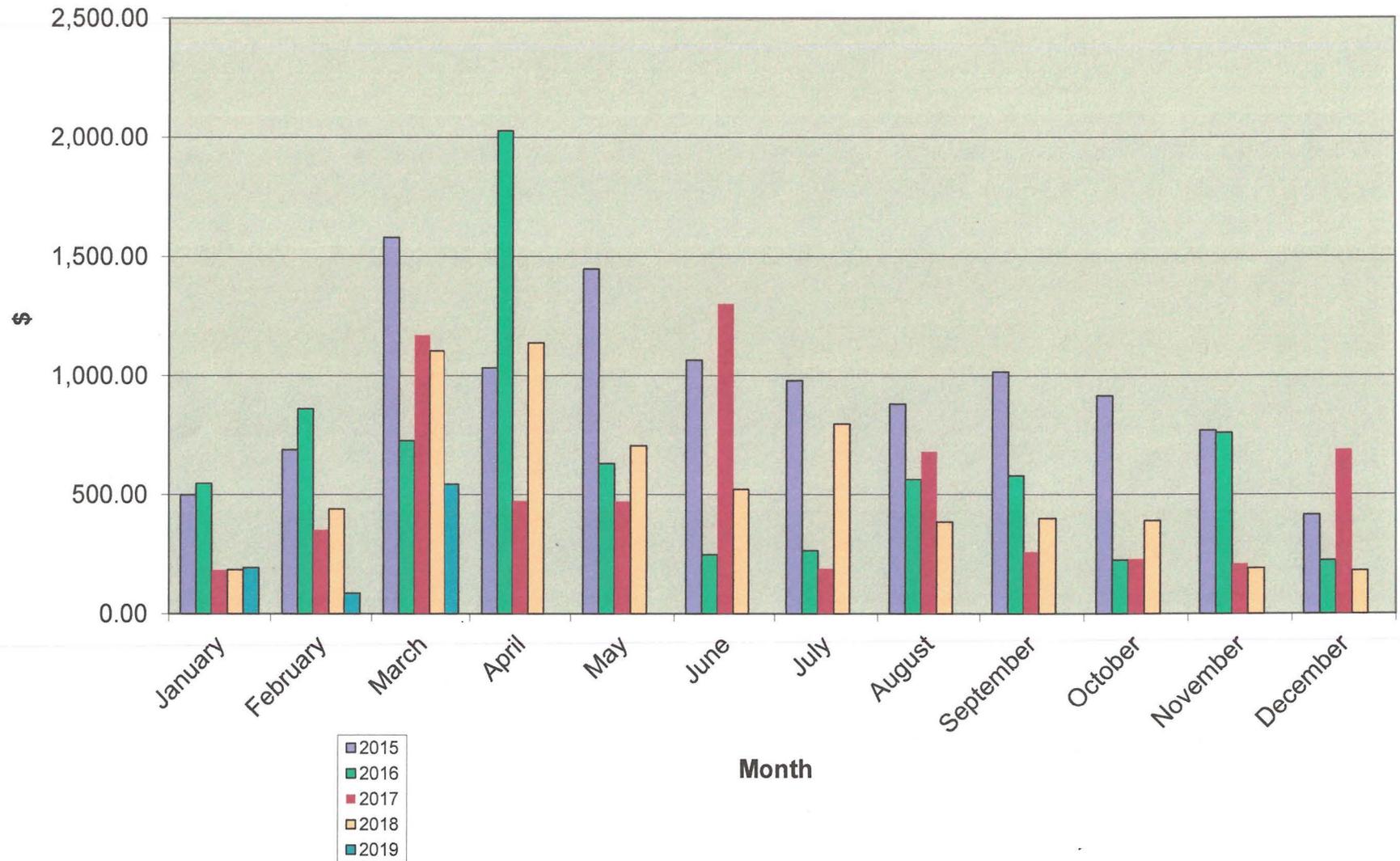
**VILLA897**

<b>Month</b>	<b>Forfeitures</b>	<b>Court Costs Due City</b>	<b>Monthly Total</b>
Jan-19	\$1,595.12	\$886.90	\$2,482.02
Feb-19	\$981.38	\$570.60	\$1,551.98
Mar-19	\$1,770.80	\$923.80	\$2,694.60
Apr-19			
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
Oct-19			
Nov-19			
Dec-19			
<b>Total</b>	<b>\$4,347.30</b>	<b>\$2,381.30</b>	<b>\$6,728.60</b>

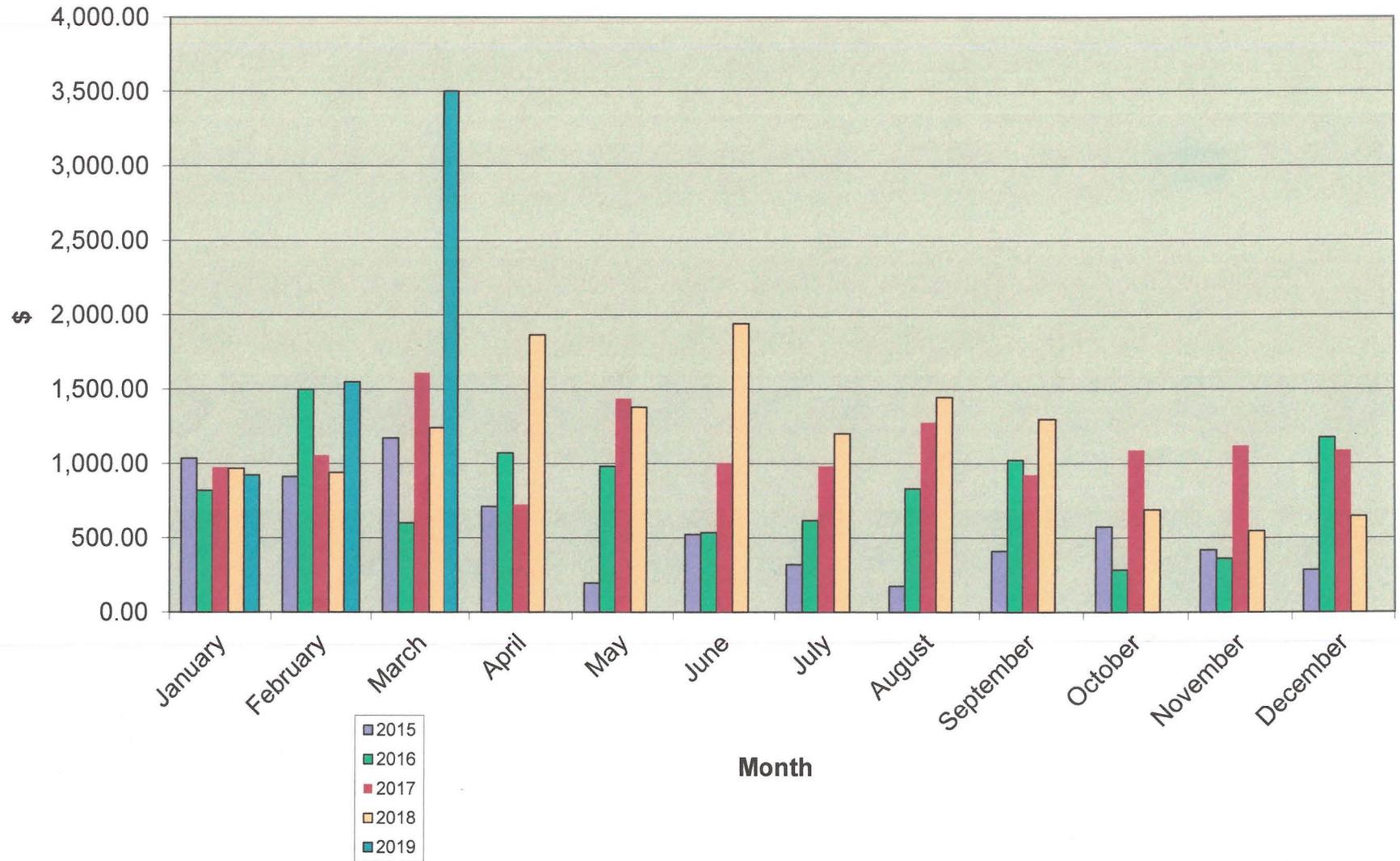
# City of Onalaska-J.M.C.



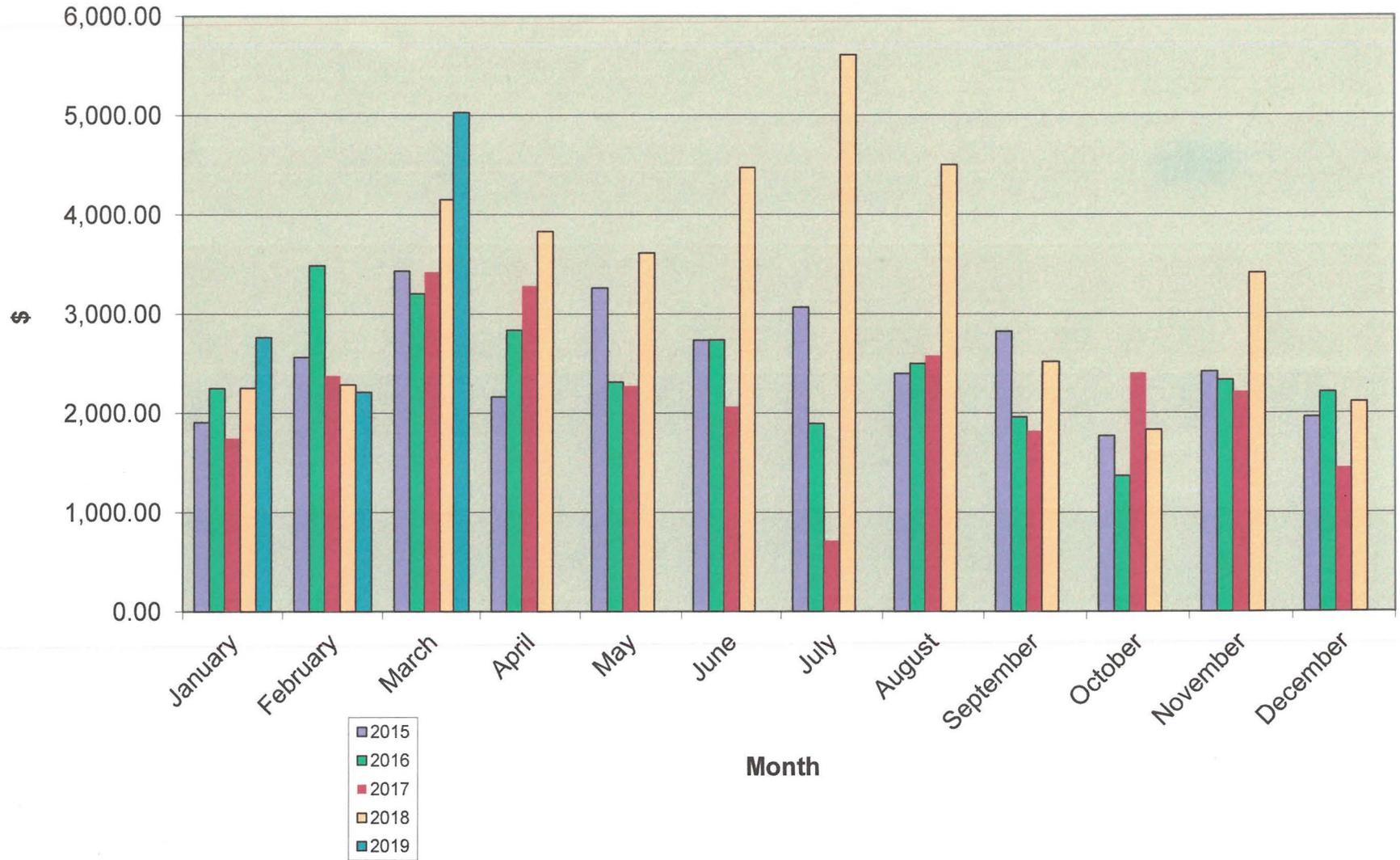
## Village of Bangor-J.M.C.



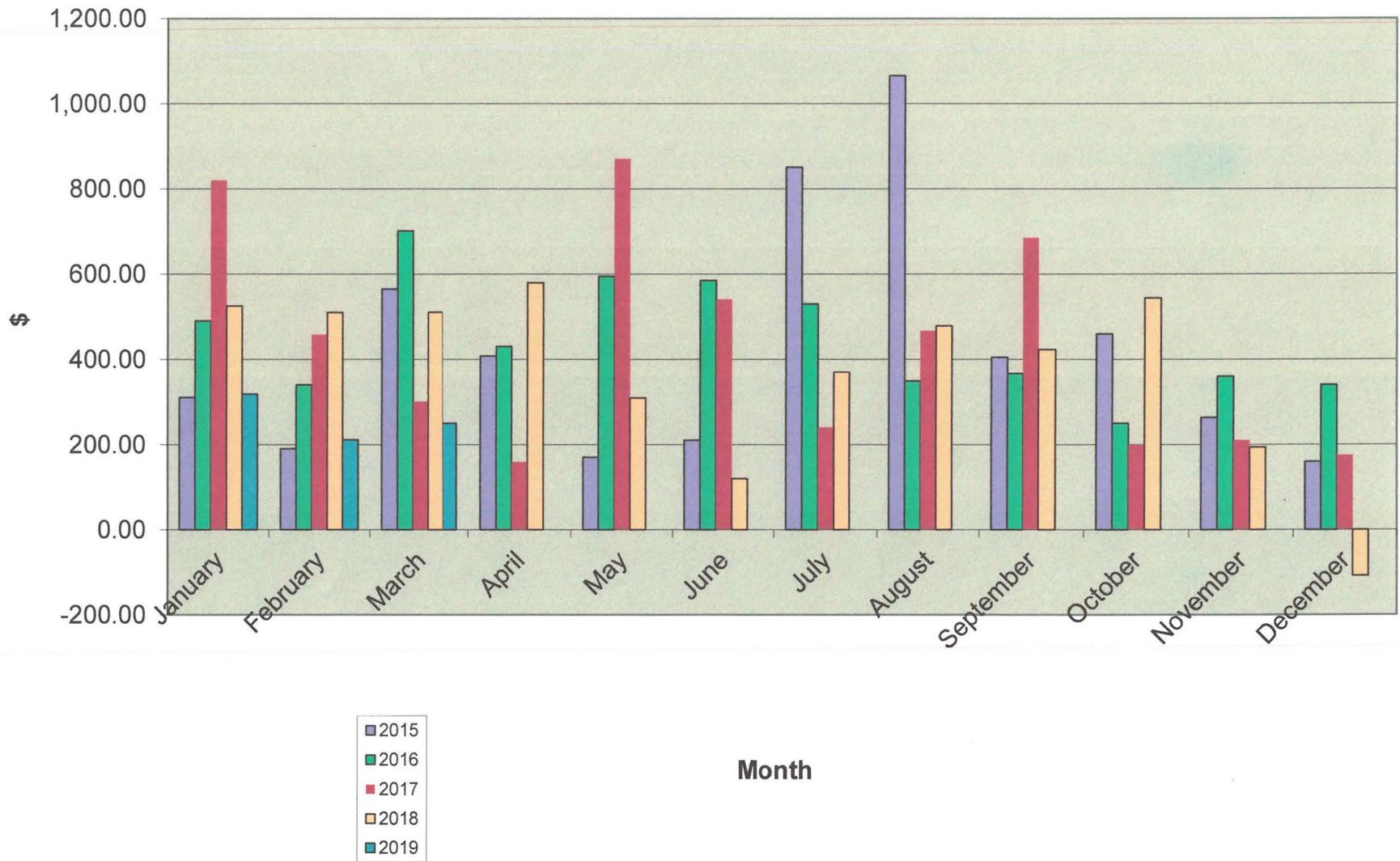
# Town of Campbell-J.M.C.



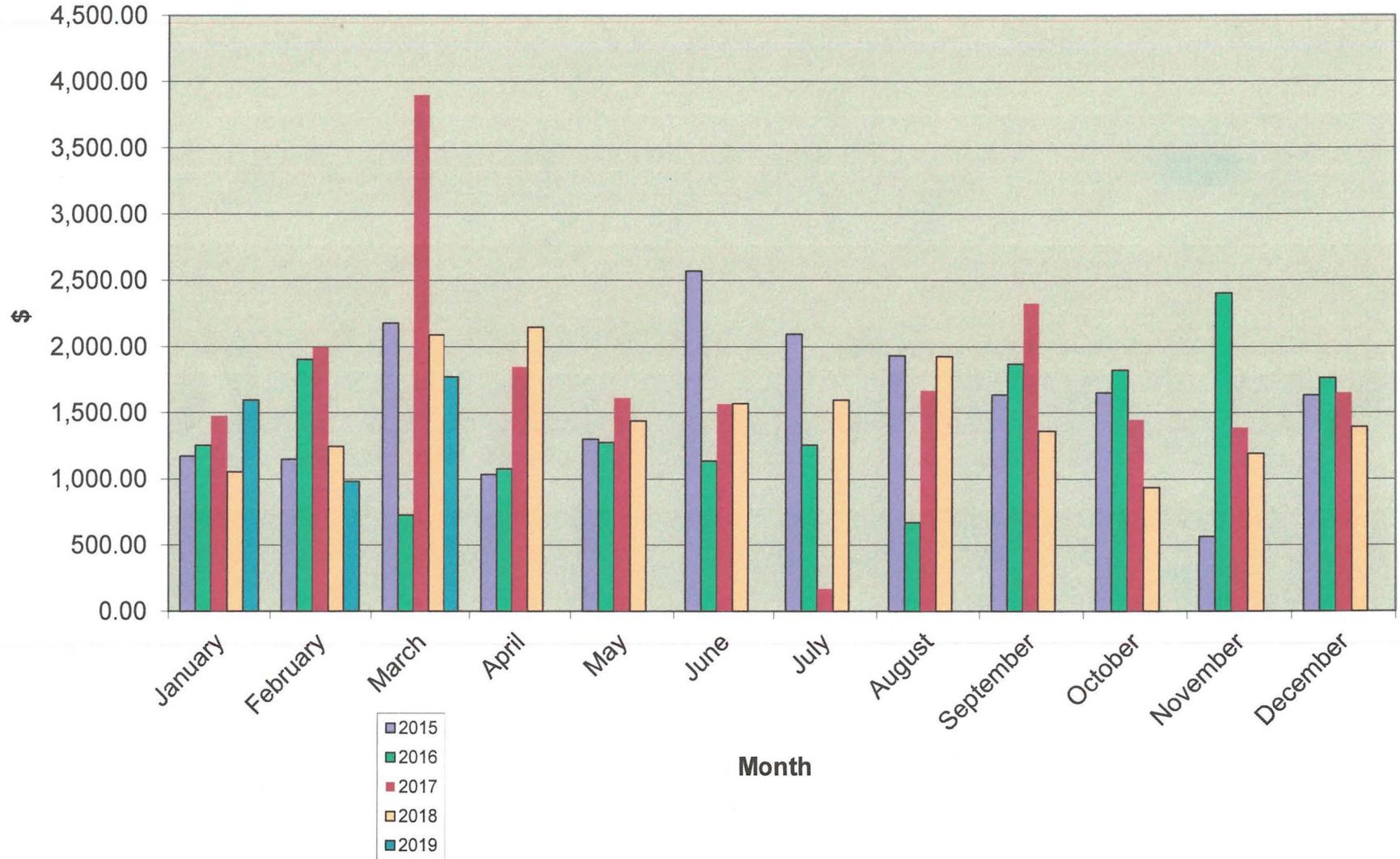
# Village of Holmen-J.M.C.



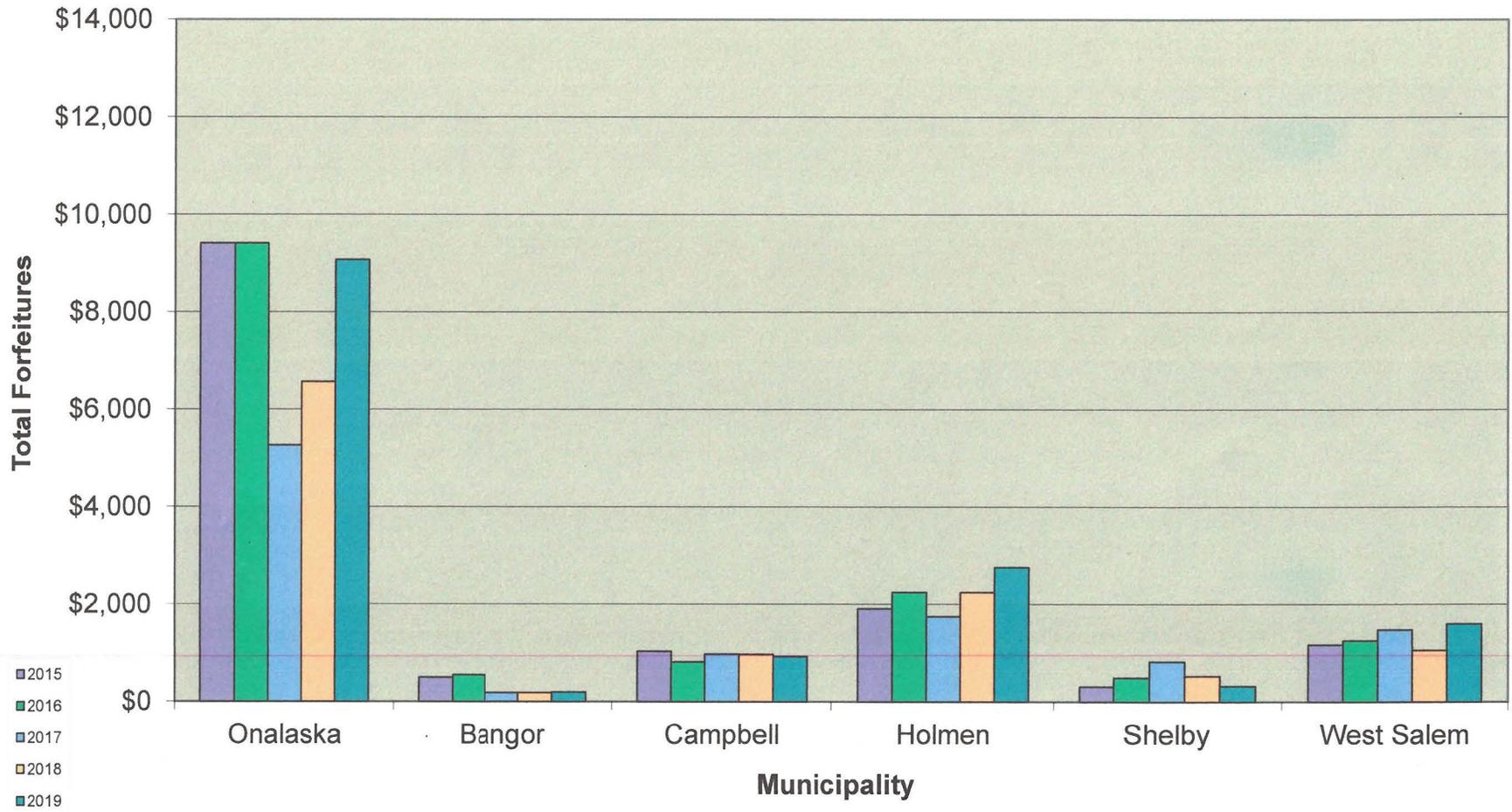
## Town of Shelby-J.M.C.



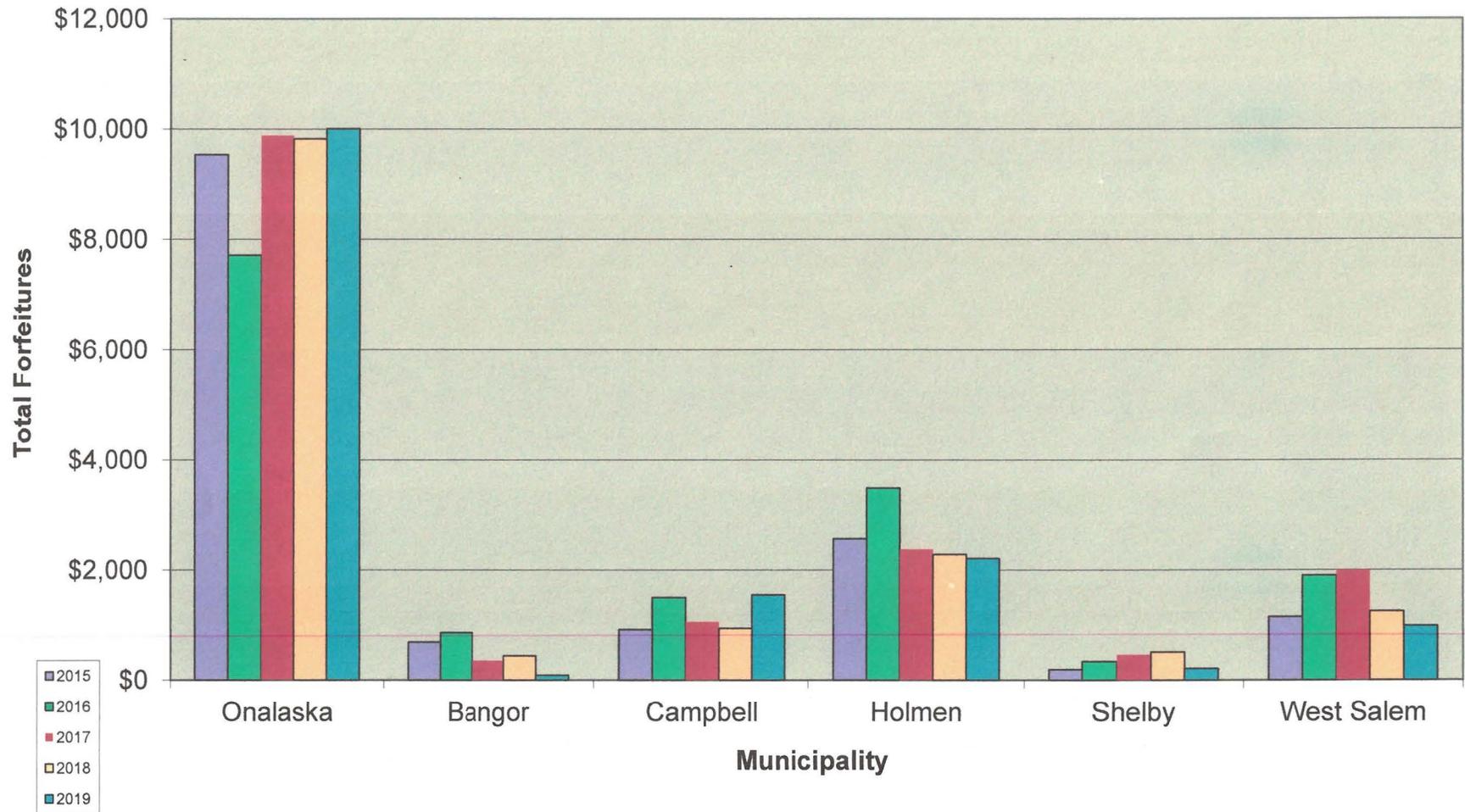
# Village of West Salem-J.M.C.



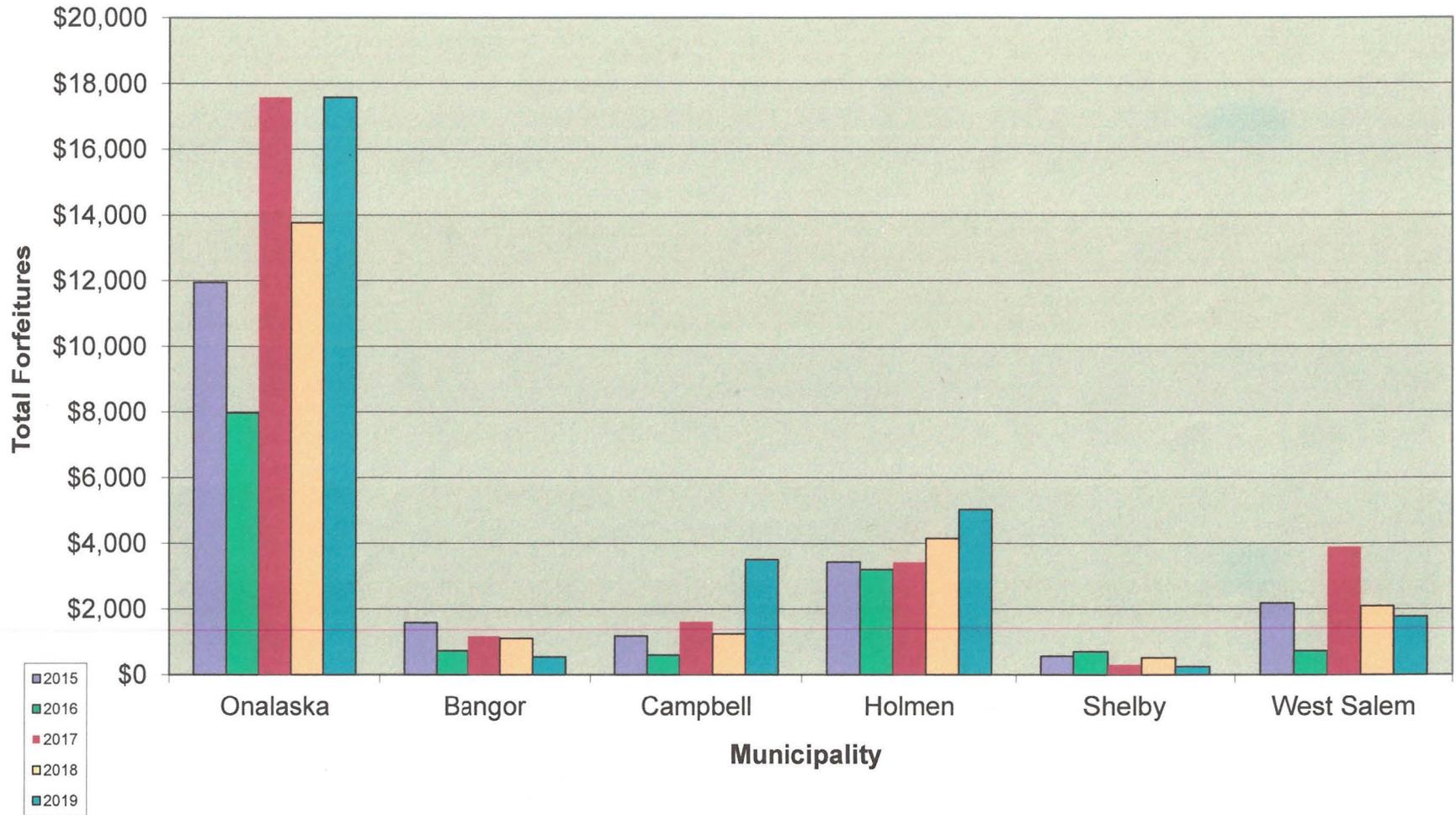
# Joint Municipal Court January



## Joint Municipal Court February



## Joint Municipal Court March



**JOINT MUNICIPAL COURT ALLOCATION - 2019**  
CITATIONS NOT DISMISSED (Info supplied by Finance Dept.)

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Onalaska	461				461	56.7734%
Bangor	17				17	2.0936%
Campbell	100				100	12.3153%
Holland	0	0	0	0	0	0.0000%
Holmen	153				153	18.8424%
Rockland	0	0	0	0	0	0.0000%
Shelby	6				6	0.7389%
West Salem	75				75	9.2365%
<b>GRAND TOTAL</b>	<b>812</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>812</b>	<b>100.0000%</b>

**JOINT MUNICIPAL COURT ALLOCATION - 2018**  
CITATIONS NOT DISMISSED (Info supplied by Finance Dept.)

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Onalaska	390	494	581	505	1970	57.3341%
Bangor	28	42	30	23	123	3.5797%
Campbell	68	99	62	52	281	8.1781%
Holland	0	0	0	0	0	0.0000%
Holmen	142	276	164	131	713	20.7509%
Rockland	0	0	0	0	0	0.0000%
Shelby	19	19	25	8	71	2.0664%
West Salem	66	50	82	80	278	8.0908%
<b>GRAND TOTAL</b>	<b>713</b>	<b>980</b>	<b>944</b>	<b>799</b>	<b>3436</b>	<b>100.0000%</b>

**JOINT MUNICIPAL COURT ALLOCATION - 2017**  
2017 CITATIONS NOT DISMISSED (Info supplied by Finance Dept.)

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Onalaska	403	505	510	414	1832	52.9786%
Bangor	38	44	34	24	140	4.0486%
Campbell	92	87	111	69	359	10.3817%
Holland	0	0	0	0	0	0.0000%
Holmen	142	206	196	120	664	19.2019%
Rockland	0	0	0	0	0	0.0000%
Shelby	7	20	30	14	71	2.0532%
West Salem	104	98	91	99	392	11.3360%
<b>GRAND TOTAL</b>	<b>786</b>	<b>960</b>	<b>972</b>	<b>740</b>	<b>3458</b>	<b>100.0000%</b>

**JOINT MUNICIPAL COURT ALLOCATION - 2016**  
2016 CITATIONS NOT DISMISSED (Info supplied by JMC Clerk of Court)

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total	
Onalaska	415	540	700	495	2150	57.9671%
Bangor	24	62	32	30	148	3.9903%
Campbell	71	54	38	46	209	5.6349%
Holland	0	0	0	0	0	0.0000%
Holmen	188	247	177	89	701	18.9000%
Rockland	0	0	0	0	0	0.0000%
Shelby	20	31	27	23	101	2.7231%
West Salem	70	87	132	111	400	10.7846%
<b>GRAND TOTAL</b>	<b>788</b>	<b>1021</b>	<b>1106</b>	<b>794</b>	<b>3709</b>	<b>100.0000%</b>

**Buehler, Fred**

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**From:** Amanda Jackson <ajackson@lacrosselaw.com>  
**Sent:** Tuesday, April 09, 2019 1:53 PM  
**To:** heinig@holmenwi.com  
**Cc:** Buehler, Fred  
**Subject:** Amendment to JMC Agreement  
**Attachments:** JMC Amendment 2.pdf

Hi Scott,

As a follow up to the JMC ordinance update and the issue related to insurance, attached is a proposed amendment to the JMC Agreement to address the insurance coverage for the municipal court judge moving forward. If you have any questions, please do not hesitate to contact me.

Amanda Halderson Jackson | Attorney  
[ajackson@lacrosselaw.com](mailto:ajackson@lacrosselaw.com)

201 MAIN STREET ■ STE. 1000 ■ LA CROSSE, WI 54601 PHONE (608) 784-1605 ■ FAX (608) 785-1303  
[www.lacrosselaw.com](http://www.lacrosselaw.com)

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## SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement (“Second Amendment”) is entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and among the City of Onalaska, the Town of Campbell, the Town of Holland, the Town of Shelby, the Village of Rockland, Village of Bangor, Village of Holmen, and the Village of West Salem (the “Participating Municipalities”).

### RECITALS

A. The City of Onalaska, Town of Campbell, Town of Shelby, Village of Rockland, Village of Holmen and Village of West Salem entered into that certain Agreement dated November 14, 2003 (the “Joint Municipal Court Agreement”) which was amended in 2015 under First Amendment to the Joint Municipal Court Agreement to include the Village of Bangor and Town of Holland.

B. Since the Joint Municipal Court Agreement and First Amendment were signed, statutory changes have been made related to bonding and insurance for Municipal Court Judges.

C. The Participating Municipalities desire to amend the Joint Municipal Court Agreement as provided in this Second Amendment.

C. Defined terms not otherwise defined herein shall be defined as set forth in the Joint Municipal Court Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree that the Joint Municipal Court Agreement is amended as follows:

1. Each municipality shall obtain a dishonesty insurance policy or other appropriate policy as set forth under Wis. Stat. §755.03 covering the Municipal Court Judge in an amount set forth by their individual governing body which shall be in lieu of an official bond under Wis. Stat. §755.03. Such coverage does not have to be exclusive to the Municipal Court Judge, a municipality may include the Municipal Court Judge within their dishonesty insurance policy or similar such policy covering all municipal employees and/or officers. Proof of insurance shall be provided to the Joint Municipal Court Chair, on or before January 30<sup>th</sup> of each year.

**CITY OF ONALASKA, BY:**

**VILLAGE OF HOLMEN, BY:**

\_\_\_\_\_  
Joe Chilsen, Mayor

\_\_\_\_\_  
President

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Caroline Burmaster, Clerk

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Clerk

**TOWN OF CAMPBELL, BY:**

**TOWN OF SHELBY, BY:**

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Chair

---

Administrator

---

Clerk

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Clerk

**VILLAGE OF BANGOR, BY:**

**VILLAGE OF WEST SALEM, BY:**

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President

---

President

---

Clerk

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Clerk

**VILLAGE OF ROCKLAND, BY:**

**TOWN OF HOLLAND, BY:**

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Chair

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Chair

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Clerk

---

Clerk

**Buehler, Fred**

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**From:** Amanda Jackson <ajackson@lacrosselaw.com>  
**Sent:** Thursday, April 04, 2019 2:06 PM  
**To:** heinig@holmenwi.com  
**Cc:** Buehler, Fred; Rindfleisch, Eric  
**Subject:** Joint Municipal Court  
**Attachments:** Joint Municipal Court-Generic for Adaptation.docx; 2nd Amendment to JMC Agreement.pdf; Ordinance re Joint Municipal Court-Marked.pdf; Ordinance re Joint Municipal Court-CLEAN.pdf

Scott:

Pursuant to our phone conference last week I've attached a clean and marked copy of the proposed revised ordinance for Joint Municipal Court as well as a Second Amendment to the JMC Agreement addressing the insurance in lieu of bond issue, which should all be on the upcoming JMC agenda. The changes with respect to the ordinance itself began with Hilde bringing a concern that the listed duties for the Clerk were not reflective of her job description, current practices or changes in technology. As I mentioned the review of the ordinance raised the issue related to the bonding of the Joint Municipal Court. Based on conversations with Claire at the League related to the statutory requirements for bonding or insurance as well as CVMIC related to the different ways that this could be handled, it appears that the easiest way is for each municipality to include the Judge on their dishonesty or equivalent policy. While bonding is always an option, it would likely be the most expensive option. If you have any questions on the attached please let me know. I did also include a generic version not in the City's ordinance format that can be reformatted for each municipalities use in revising their ordinances.

Thanks,

Amanda Halderson Jackson | Attorney

[ajackson@lacrosselaw.com](mailto:ajackson@lacrosselaw.com)

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ORDINANCE NO. -2019

AN ORDINANCE TO AMEND ARTICLE E OF CHAPTER 3 OF TITLE 2  
OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO  
JOINT MUNICIPAL COURT

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

SECTION I. Chapter 3 of Title 2, Section 13 of the City of Onalaska Code of

Ordinances related to is hereby deleted in its entirety and replaced as follows:

**Sec. 2-3-13 Joint Municipal Court**

- (a) **Established.** Pursuant to Chapter 755 Wisconsin Statutes, there is hereby created and established a municipal court designated "Joint Municipal Court" for the City of Onalaska, Town of Campbell, Town of Holland Town of Shelby, Village of Bangor, Village of Holmen, Village of Rockland and the Village of West Salem, (hereinafter referred to individually as "Member Municipality" and collectively as "Member Municipalities")
- (b) **Municipal Court Committee.** There is hereby created a Municipal Court Committee. The Municipal Court Committee shall be comprised of one representative of each member municipality who shall be appointed by the Mayor, President or Chair of the member municipality, subject to confirmation by the respective governing body, and in addition, one member who shall be a police chief of a member municipality. The Chief's position shall be replaced on a yearly basis by means of rotation among the chiefs. Chiefs will rotate as follows: Onalaska, Campbell, Shelby, Bangor, Holmen, and West Salem. In the event a Member Municipality not listed above has a Police Chief, they shall be added to the rotation In order to assure participation and continuity of representation, each member municipality may appoint an alternate representative who shall act on committee matters in the absence of the representative. The term for each municipal member representative, other than chief, shall be for two (2) years.
- (c) **Creation and Qualification of the Position of Municipal Judge.** Pursuant to Chapter 755, Wis. Stats., the office of municipal judge is hereby created. Eligibility for the office of municipal judge shall be as follows: To be eligible for the office of municipal judge a person must be a qualified elector of a Member Municipality.
- (d) **Election and Term of Municipal Judge.** The position of the municipal judge shall be by election. The municipal judge shall be elected at large at the spring election, for a four (4) year term, commencing on May 1<sup>st</sup> succeeding his or her election. Electors of the Member Municipalities shall be eligible to vote for the municipal judge of the Joint Municipal Court.
- (e) **Creation of the Position of Clerk of the Municipal Court.** Pursuant to Chapter 755, Wis. Stats., the office of the clerk of the Joint Municipal Court is hereby created. Said Clerk shall take the position upon hire by the City of Onalaska and written appointment by the municipal judge. One member of the Joint Municipal Court Committee, selected by the Chair, shall participate in the interviews for the hiring of the Municipal Court Clerk. Training and compensation of said clerk shall be as determined by the City of Onalaska after consideration of any recommendation by the Municipal Court Committee.

- (f) **Salary of Municipal Judge.** The municipal judge shall receive a fixed salary and municipal judge's training pursuant to Section 755.18, Wis. Stats., the salary to be determined by the City of Onalaska after consideration of the recommendation of the Municipal Court Committee, subject to Sec. 755.04, Wis. Stats., which shall be in lieu of fees and costs. The salary may be increased for a new term prior to the beginning of the term of the judge or for the second year of the term of the judge, but shall not be decreased during the term of the judge. The salary shall be paid in monthly installments. No salary shall be paid to the municipal judge for any time during his or her term for which he or she has not executed and filed the official bond and oath as required by subsection (h) of this section.
- (g) **Bond and Oath of Municipal Judge.** The municipal judge shall, after election to fill a vacancy, take and file the official oath as prescribed in Sec. 755.03, Wis. Stats., with the city clerk of the City of Onalaska. In lieu of an official bond, each Member Municipality shall maintain the Municipal Court Judge under their municipality's dishonesty insurance policy or other appropriate insurance policy that covers the judge and shall provide proof of the same yearly to the Joint Municipal Court Committee.
- (h) **Oath of Municipal Court Clerk.** The municipal court clerk shall, before entering upon the duties of the office take and file the official oath as prescribed in Sec. 19.01 Wis. Stats., with the city clerk of the City of Onalaska. The City of Onalaska shall provide a copy of the sworn oath to the other Member Municipalities.
- (i) **Jurisdiction of Municipal Judge.** The municipal judge shall have jurisdiction as provided in Article VII, §§755.045 and 755.05, Wis. Stats., and as otherwise provided by state law. In addition, it shall have exclusive jurisdiction over actions in the municipalities that are parties to the agreement and seeking to impose forfeitures for violations of municipal ordinances, resolutions and by-laws.
- (j) **Joint Municipal Court.**
- (1) **Location.** The Joint Municipal Court's location shall be the City of Onalaska City Hall. The time(s) of the municipal court shall be determined by the municipal judge and the Municipal Court Committee.
  - (2) **Vacancies.** If the municipal judge is temporarily absent, sick or disabled, the provisions of Sec. 800.06(1), Wis. Stats., shall apply, and if the municipal judge becomes incompetent, unable or fails to act, or in the event of a vacancy, the provisions of Sec. 800.06(2), Wis. Stats., shall apply. Any substitute municipal judge designated or assigned hereunder shall be compensated as authorized by Wis. Stat. 800.065(3)..
  - (3) The municipal judge shall satisfy all continuing education requirements for municipal judges.
  - (4) Upon the proper and timely written request for substitution of the municipal judge, the provisions of Sec. 800.05, Wis. Stats., shall apply.
  - (5) The procedures of the Joint Municipal Court shall be in accord with the applicable Wisconsin Statutes, this ordinance and the Joint Municipal Court Agreement entered into between the Member Municipalities. The Joint Municipal Court shall abide by the Wisconsin Rules of Evidence and shall abide by the Uniform State Traffic Deposit Schedule. In non-traffic matters, each Member Municipality shall draft a bond schedule, which shall become effective upon approval by the Member Municipality's governing body. No bond shall exceed the maximum penalty which could be imposed for the ordinance violation.
- (k) **Fees and Costs.**
- (1) The municipal judge may impose punishment and sentences as provided by Chapters 800 and 938 Wis. Stats, and as provided in the ordinances of the Member

Municipalities that are parties to the agreement. The Treasurer of the City of Onalaska and the Municipal Court Clerk certifies the monthly accounting with the State of Wisconsin. Such reports are available by request to each Member Municipality.

- (2) The municipal judge shall collect a fee for Court Costs on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons or the action is tried as a contested matter. For the purposes of this section, the "Court Costs" for matters adjudicated by the Coulee Region Joint Municipal Court shall be at the maximum rate allowed pursuant to Wis. Stat. Sec. 814.65, or its successor or replacement.
- (l) **Withdrawal from Joint Municipal Court.** Any member municipality may withdraw from this Agreement by giving notice in writing to the Municipal Court Committee no later than September 30<sup>th</sup> of any year. Upon giving such notice, the member municipality's participation in the joint municipal court shall terminate on December 31<sup>st</sup> of said year.
- (m) **Statutes Adopted by Reference.** Chapters 755 and 800, Wis. Stats. as may be amended, are hereby adopted by reference.
- (n) **Contempt of Court.** The municipal judge, after affording an opportunity to the person accused to be heard in defense, may impose as sanction authorized under §800.12 Wis. Stats. and may impose a forfeiture therefore not to exceed two-hundred dollars (\$200) or upon nonpayment of the forfeiture and the assessments thereon, a jail sentence not to exceed seven (7) days.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED: