



# City of Onalaska Meeting Notice

**COMMITTEE/BOARD:** Special Common Council  
**DATE OF MEETING:** April 28, 2020 (Tuesday)  
**PLACE OF MEETING:** City Hall – 415 Main Street  
**TIME OF MEETING:** 7:00 P.M.

**This meeting is being conducted via remote conferencing software due to a State of Emergency and the Wisconsin Governor’s Executive Order. Members of the public may join the video or call to listen in and provide public input at:**

**Meeting Link:** <https://zoom.us/j/94217856666?pwd=aTBMZ0hROXcwdk83VnloVHpKeWhRQT09>

- **Phone Number: 1-312-626-6799**
- **Meeting ID: 942 1785 6666**
- **Password: 54650**

## PURPOSE OF MEETING

1. Call to Order and Roll Call
2. Approval of minutes from previous meeting
3. Public Input (limited to 3 minutes per individual)

### REPORT FROM THE MAYOR:

4. Appointment of Sam Scinta, 4104 Beverly Dr., Onalaska to the Long Range Planning Committee
5. Appointment of Peg Binash, 700 Westwood Dr., Onalaska to Room Tax Commission

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

6. Discussion and possible action on the vacancy of a Third Aldermanic District Council Member
7. **Resolution 23-2020** –Resolution reducing the 2020 liquor license fees as a result of COVID-19

### **NOTICES MAILED TO:**

*Mayor Kim Smith	_____	_____
*Ald. Tom Smith	_____	_____
*Ald. Jim Olson	_____	_____
*Ald. Dan Stevens	_____	_____
*Ald. Diane Wulf	_____	_____
*Ald. Steven Nott	_____	_____
*Vacant	_____	_____
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: 4-24-2020

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

8. Review and Consideration of changes to Fire Chief job description
9. Review and consideration of a stipend for Assistant Fire Chief Gudie for performing additional duties of the Fire Chief

10. **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 required a closed session:

- IAFF, International Association of Firefighters, Local 127 Union Negotiations

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



# CITY OF ONALASKA

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## ATTORNEY'S OFFICE

415 Main Street | Onalaska, WI 54650 | p: (608) 392-0235 | www.cityofonalaska.com

## MEMO

Date: April 23, 2020  
To: Common Council  
From: City Attorney, Amanda Jackson  
Re: Vacancy in the 3<sup>rd</sup> District

With the acceptance of her elected role as Mayor, a vacancy was created in the 3<sup>rd</sup> Aldermanic District to which she was also elected. I would note that since last November when we filled the 3<sup>rd</sup> Aldermanic District vacancy created by Ms. Iyer's relocation, the statutes were updated. Pursuant to Wis. Statute 17.23 (1)(am) the following options are available to fill the term in the 3<sup>rd</sup> Aldermanic District:

1. **Appoint an individual for the remainder of the term.** If the Council decides to appoint an individual for the remainder of the term, the Mayor will officially announce the vacancy pursuant to City Ordinance 2-2-24 and seek letters of interest and resumes from individuals wishing to be considered for the appointment. The timeframe for letters of interest and resumes will remain open for 21 days following this meeting. The Council may also direct how they would like the vacancy advertised (i.e. newspaper, City website, Facebook etc.) Letters and resumes will be submitted to the City Clerk. After the 21 days, the City Clerk will make the letters of interest and resumes available for the Common Council and Mayor to review. At the regularly scheduled June meeting, the Mayor shall recommend an individual to fill the vacancy and the Common Council shall vote in a public ballot on the approval of the appointment. If the Common Council does not approve the appointment, the Mayor shall recommend a different person and the process will continue until an individual is appointed and approved by the Council. That person would then take office for the remainder of the term (2022).
2. **Appoint an individual until the November Election.** The Council can decide to appoint an individual using the process outlined in Section 1 above but also elect to have a November Election. The appointment would then only be until the November Election and the November Election would then fill the remainder of the term.
3. **Leave the position vacant and have a November Election.** The Council can elect to have the position remain vacant and have a November Election to fill the vacancy. In the event a primary was needed, the primary would be held on August 11, 2020 with the general primary. If the Council does this, the election would be ordered at this meeting and individuals would have until late May to circulate papers. The City would know on June 1<sup>st</sup> whether or not a primary would be needed or whether it would go straight to a

general election in November.

4. **Have a Special Election Outside of a Regularly Scheduled Election.** The Council can decide to have a special election at any time. Due to the statutory blackouts caused by the fact that this is a general election year, the election would need to occur prior to August 1<sup>st</sup>. Due to the time needed to circulate papers and prepare for the election, there is a very limited timeframe in July the City could hold a special election. Further, the City would bear the entire cost of an unbudgeted special election as opposed to the General Election where the increased costs of having this would be minimal.

While this is largely a policy decision, there are some ramifications for certain options that I think are worth pointing out. The first is that special elections are costly. Additionally due to the blackout rules and limited timeframe, having a special election in July would be cumbersome. Further, in light of the most recent election and fluctuating response to the pandemic, I would highly advise against having a special election in July right now as it would likely open the City up to challenges. Having a November election would add minimal cost to the City and would also still preserve the regular terms of our candidates and not cause the confusion that we were concerned about last year as this would be the only local election on the ballot. It would also allow a traditional amount of time for the third district candidates to campaign based on the statutory timelines.

If the Council were to appoint an individual to this position, both the representatives of the third district would have been appointed as opposed to elected. Consequently, given that this is an entire term the City is looking to fill, I would encourage the Council to consider an election to allow the individuals of third district to select their representative. While having to wait until a November is not ideal, it still allows the individual to serve the majority of the term and given the timeline for appointing an individual, it is only a few months difference.

## **Sec. 2-2-24 Vacancy in the office of the Common Council**

In the event of a vacancy in the office of the Common Council such vacancy shall be filled pursuant to Wisconsin Statute Sec. §17.23 if the vacancy occurs with more than 100 (one hundred) days remaining on the term. Where the Common Council appoints a successor, the procedure for appointment of a successor shall be as follows:

- (a) The Mayor shall provide notice to the Common Council that a vacancy has occurred at the first regularly scheduled meeting after the Mayor is informed or provided notice of the vacancy. The Council may direct the medium used to publicize the vacancy. Upon providing notice to the Common Council the Mayor will announce that resumes and letters of interest from individuals interested in filling the vacancy shall be accepted in the office of the City Clerk for 21 days following the meeting.
- (b) Following the 22<sup>nd</sup> day after the Mayor's announcement of the vacancy, the City Clerk shall make all resumes received from individuals interested in the vacancy available to the Common Council and the Mayor following the closure of the period for individuals to submit letters of interest and resumes.
- (c) The Mayor shall recommend an individual to fill the vacancy in the Common Council at the first regularly scheduled Common Council meeting after a vacancy has been announced by the Mayor.
- (d) The Common Council shall vote in a public ballot on the approval of the appointment of the individual recommended by the Mayor.
- (e) If the Common Council does not approve the appointment of the individual recommended by the Mayor, the Mayor shall recommend an alternate candidate. This process shall continue until a successor is approved by majority vote.
- (f) At the time of the appointment of a successor to fill a vacancy in the Common Council, the Common Council shall determine whether the appointed successor shall serve until the end of the current term or whether a special election shall occur pursuant to Wis. Stat. §17.23. The special election shall be on the first Tuesday of April after the vacancy occurs if the vacancy occurs between the 1<sup>st</sup> Wednesday after the 1<sup>st</sup> Tuesday of April and December 1<sup>st</sup> of the initial year of the term. A special election shall occur on the Tuesday after the first Monday in November if the vacancy occurs between December 2<sup>nd</sup> and May 31<sup>st</sup> of any term.



## RESOLUTION NO. 23-2020

### A RESOLUTION TO AMEND THE CITY OF ONALASKA FEE SCHEDULE AS IT RELATES TO LIQUOR LICENSE FEES

**WHEREAS**, a novel strain of the coronavirus, named COVID-19 has spread throughout numerous countries including the United States; and

**WHEREAS**, on March 24, 2020, Wisconsin Department of Health Services Secretary-Designee Andrea Palm, at the direction of Wisconsin Governor Tony Evers, issued Health Order #12 ordering all individuals in Wisconsin to stay at home with the exception of essential services, travel and activities to mitigate the spread of COVID-19; and

**WHEREAS**, pursuant to Health Order #12, all bars and restaurants were ordered to remain closed with limited exceptions for curbside and delivery services; and

**WHEREAS**, on April 16, 2020, Wisconsin Department of Health Services Secretary-Designee Andrea Palm, at the direction of Wisconsin Governor Tony Evers, issued Health Order #28 extending the Safer at Home Order #12 until May 26, 2020 thereby extending the period of time for which bars and restaurants must remain closed; and

**WHEREAS**, the City of Onalaska declared a public health emergency on March 19, 2020 under Resolution 20-2020 pursuant to the emergency power of the governing body and Chief Executive Officer conferred under Wisconsin Statute Sections 323.11 and 323.14(4), Chapter 323, Onalaska Code of Ordinances Sections 2-2-3, and all other applicable and/or pertinent provisions of state, federal, and/or law, which includes the general authority to order, by ordinance, resolution, and/or proclamation whatever is necessary and expedient for the health, safety, peace, tranquility welfare and good order of the city; and

**WHEREAS**, the City of Onalaska is focused on protecting the welfare and good order of the City of Onalaska community, which includes the businesses that form our community and drive our local economy; and

**WHEREAS**, the current public health emergencies, and especially the closures and operational directives ordered by Health Order #12 and Health Order #28 pose a substantial threat to the welfare and good order of the City of Onalaska business community and local economy; and

**WHEREAS**, to protect the Onalaska community, including its local businesses, the City of Onalaska seeks to amend its fee schedule for the Renewal Liquor License Fees for 2020-2021 license year as indicated herein and amend the City's Fee Schedule for this time period.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Onalaska establishes the following fee schedule with respect to Renewal Liquor License Fees for 2020-2021 license year:

Class A Beer	\$10.00
Class A Liquor	\$50.00
Class B Beer	\$10.00
Class B Liquor	\$50.00



Dated this \_\_\_\_ day of April, 2020.

**CITY OF ONALASKA**

**BY:** \_\_\_\_\_  
Kim Smith, Mayor

\_\_\_\_\_  
Caroline Burmaster, City Clerk

Passed:  
Approved:  
Published:

To Whom it may concern,

As you all are aware The Restaurants, Bars and Supper Clubs in your municipality have been shut down since 5pm on March 17<sup>th</sup>. Governor Evers latest Extension will put us closed until May 26<sup>th</sup> the Tuesday **AFTER** Memorial Day. That will be a total of 70days, including St. Patrick's Day, Easter, Mother's Day and the season starting Memorial Day weekend. Some of us have been able to do Carryout orders, but this is nowhere near enough revenue to keep our businesses going. Unfortunately, not all liquor license holders have food forcing them to be shut down completely.

Considering these issues, I am asking on behalf of your small business community that your municipality consider placing on an upcoming agenda the following items:

- Lowering the renewal of existing class b liquor license to \$50 the lowest amount allowed by state statute.
- Lowering restaurant food license fee's for existing license holders to \$50
- Waive the renewal fee for class b beer license
- Waive the renewal fee for any amusement license that your municipality may have.
- Waive renewal fees for existing operators license
- Waive the renewal fee for any municipal business or cabaret license
- Waive license holds due to monies owed to municipalities

This may not seem like a lot of money to you, but every little bit helps to our small struggling businesses in Wisconsin. Thank you for your time, if you have any questions please feel free to contact me.

Sincerely, Michael J Brown: President Lacrosse city/county tavern league



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## CITY OF ONALASKA

415 Main Street • Onalaska, WI 54650 • (608) 781-9530 • fax (608) 781-9534 • www.cityofonalaska.com

To: Finance and Personnel Committee  
Common Council  
Eric Rindfleisch

From: Hope Burchell, PHR, SHRM-CP  
Human Resources Director

Date: April 24, 2020

Re: Assistant Fire Chief Additional Duties

I am requesting your approval of the plan for the Assistant Fire Chief to receive additional compensation due to turnover in the fire department for the Fire Chief duties until the position is filled.

During this time, I recommend Troy Gudie, Assistant Fire Chief (Acting Chief) be responsible for the Fire Chief duties listed in his job description that pertain to performing Fire Chief responsibilities in the absence of the Chief.

As a result of the additional responsibilities, some of the many things Troy will be responsible for include:

- Reviewing/approving timesheets and requests for time off from department staff.
- Reviewing/approving Department expenditures.
- Attending the weekly department head meetings, representing the departments and responding to the Mayor and other department heads on matters requested of the Police department.
- Attending meetings including the Common Council, sub-committee meetings, and other meetings as the need arises.
- Responding to questions/budget related matters on behalf of the department.
- Handling questions on grants and other event related projects.
- Serving as supervisor for the department staff including times when staff has questions about what direction to head on a project or with an issue, times when customers/citizens request to speak with the Chief, and other situations where the department head serves as a mediator/establishes direction for difficult situations.
- Priority for items will be established based on deadlines and items of higher importance based on recommendations from Troy, Mayor, City Administrator and/or other department heads.

For taking on these additional duties, I am recommending that Troy be given an additional \$750.00 per pay period from April 28, 2020 until the Fire Chief position starts employment with the City of Onalaska.

If you have any questions regarding this please contact me.