

The Meeting of the Common Council was called to order at 7:00 p.m. on Tuesday, November 8, 2005. It was noted that the meeting had been announced and a notice posted at City Hall.

Roll call was taken, with the following members present: Mayor Jim Bialecki, Ald. Mike Giese, Ald. Diane Oldani Wulf, Ald. Jim Olson, Ald. Kim Smith, and Ald. Bill Leathen. Ald. Gary Gonczy was excused absent. Also present were: City Clerk Cari Burmaster, Financial Services Director Fred Buehler, City Attorney Gerard O'Flaherty, Human Resources Specialist Liz Green, Land Use & Development Director Jason Gilman, and Public Works Director Ron Lund.

Item 2 - Pledge of Allegiance

The Pledge of Allegiance was declared.

Item 3 – Amend and Approval of minutes from previous meeting.

It was noted that the minutes of the previous meeting should be amended as follows: Line 8: add: Financial Services Director Fred Buehler present. Line 1260: delete Ald. Gonczy and add “On voice vote, motion carried.”

Motion by Ald. Olson, second by Ald. Leathen, to approve the minutes from the previous meeting as amended, printed and on file in the City Clerk's Office. On voice vote, motion carried.

Item 4 - PUBLIC INPUT: (limited to 3 minutes/individual)

Mayor Bialecki called three times for anyone wishing to address the Common Council. Hearing none, Mayor Bialecki continued on with the agenda.

Item 5 - REPORT FROM THE MAYOR.

A. Award from CVMIC.

Human Resources Specialist Liz Green reported that every other year – in odd-numbered years – the City undergoes a risk management assessment. The assessment was last performed in July 2005.

Liz explained that the risk management assessment is a tool that the City can use for improvement. The City is rated on different practices to minimize loss with respect to insurance and the products provided by CVMIC.

Liz reported that the City of Onalaska has received an award in 2005 for improving over its 2003

score. Liz noted that the City has improved at each of the four risk assessments performed. Liz reported that the City received the Silver Award, which is one step higher than received in the past (bronze).

Liz said, "This represents a lot of hard work that department heads in a lot of areas put in with improving policies and procedures to make us minimize our loss and our risk. It reflects well on the City".

B. Resolution 32-2005 – Urban Forestry Grant Program.

RESOLUTION 32-2005

Resolution for Urban Forestry Grant Program

WHEREAS, the City of Onalaska is interested in planning or developing urban forestry management activities as described in the Wisconsin Urban Forestry grant application; and

WHEREAS, financial aid is required to carry out the project;

THEREFORE, BE IT RESOLVED, that the City of Onalaska shall budget a sum sufficient to complete the entire project; and

HEREBY AUTHORIZES the Land use & Development Director to act on behalf of the City of Onalaska to submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available; sign documents; and take necessary actions to undertake, direct, and complete the approved project.

BE IT FURTHER RESOLVED THAT the City of Onalaska will comply with State and Federal rules for the programs; may perform force account work; will provide or be responsible for 100% of updating plans or ongoing operations and will obtain for the State of Wisconsin Department of Natural Resources approval in writing before any changes are made in the proposed project.

Dated this ____ day of November, 2005

CITY OF ONALASKA

BY: -----

James S. Bialecki, Mayor

Caroline Burmaster, City Clerk

Passed:

Approved:

Motion by Ald. Giese, second by Ald. Leathen, to approve **Resolution 32-2005**.

Under discussion, Mayor Bialecki asked if there were sufficient funds budgeted for participation in the program. Land Use & Development Director Jason Gilman responded, "Yes we do, Your Honor. Every year the Department of Natural Resources evaluates what we use our urban forestry money for and they've found us to be in compliance every year".

On roll call vote: Ald. Wulf – aye; Ald. Olson – aye; Ald. Giese – aye; Ald. Leathen – aye; Ald. Smith – aye. Resolution passes.

C. Leaf Collection Extension.

Jason requested authorization to extend the Leaf Collection Program for a period of time not to exceed two weeks. Jason reported that a number of residents have called his department regarding the significant number of leaves still on the trees.

Jason reported that last year at this time there had been discussion regarding whether or not the program had been started too early in the season. Jason reported that this year he drove through the City during the first week of the program to determine if the program had been started too early. Jason said, "My conclusion is that we didn't. There were a lot of leaves on the curb the first week we started the program. It's just one of those things that from year to year the leaves dropping off the trees varies".

In response to a question from Mayor Bialecki, Fred reported that there are sufficient funds to extend the program for an additional two weeks.

Motion by Ald. Wulf, second by Ald. Leathen, to extend the Leaf Collection Program for a period of two weeks.

Under discussion, Mayor Bialecki asked what would be the cutoff date for collection. Jason recommended "playing it by ear" week to week. Jason suggested that the program would conclude the end of the week of November 18, 2005 or November 25, 2005 if necessary.

On voice vote, motion carried.

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

Item 6 – FINANCE COMMITTEE:

A. Vouchers.

Motion by Ald. Smith, second by Ald. Olson, to approve Vouchers No. 2455 through No. 2667, expended since the last Common Council meeting of October 11, 2005 in the amount of \$944,902.18. On voice vote, motion carried.

B. Scoreboard agreement at the J. Olson fields with the Onalaska Girls Softball Booster Club.

Ald. Smith noted that the members had been provided with copies of a letter regarding the scoreboard lease. Ald. Smith reported that this item comes forward from the Parks & Recreation Board with a recommendation to approve in spirit. Ald. Smith noted that at the time of the Parks & Recreation Board meeting, the written agreement had not yet been drafted. Ald. Smith added that no action had been taken at the Finance & Personnel Committee meeting as no written agreement had yet been drafted.

Motion by Ald. Smith, second by Ald. Leathen, to approve the written agreement with the Onalaska Girls Softball Booster Club regarding the scoreboard at the West Jimmy Olson fields.

Mayor Bialecki asked if legal counsel had reviewed the document. City Attorney Gerry O’Flaherty stated that the document had been reviewed. Gerry said, “The format that was used put it in the context of a lease, that fits the characteristics the best. We’ve reviewed it and helped develop it and I think it legally adequate”.

Ald. Leathen asked if there were any provisions regarding liability should, for example, an injury occur through the maintenance of the scoreboard. Fred reported that it would be the City’s responsibility to maintain the scoreboard (i.e. changing of light bulbs) and that any injury would be covered under Workers Compensation.

Ald. Giese noted that copies of the document had been distributed to the Council members’ mailbox on the date of this Common Council meeting. Ald. Giese noted that he had not been able to collect his copy until just prior to the Common Council meeting. Ald. Giese said, “Whenever that happens, it puts any of the Council members at a disadvantage as to their opportunity to review in any kind of detail. I’m still trying to figure out at this point who’s the lessor and who’s

the lessee. So, I will in good faith vote for this, but ask consideration of staff and any consultants that they get stuff to us in enough time that we can reasonably be expected to review the material”.

On voice vote, motion carried.

C. Amendment to the City’s Section 125 Cafeteria/Flex Plan.

Motion by Ald. Smith, second by Ald. Olson, to extend the City’s Section 125 Cafeteria Flex Plan by two and a half months, per the recommendation of the Plan managers. On voice vote, motion carried.

Item 7 – PERSONNEL COMMITTEE:

A. Safety Programs:

1. Powered Industrial Truck Program.

Motion by Ald. Smith, second by Ald. Wulf, to approve the Powered Industrial Truck Safety Program. On voice vote, motion carried.

B. 2005 – 2006 Police Sergeants Contract.

- Motion by Ald. Smith, second by Ald. Olson, to approve the 2005 – 2006 Police Sergeants Contract. On voice vote, motion carried.

- C. Human Resources Specialist.

Ald. Smith noted that this item had not been presented to the Finance & Personnel Committee.

1. Job Description.

Ald. Smith stated that it is her understanding that the job description in the members’ packets is the original version and that copies of an amended version were distributed to the members’ mailboxes. Liz indicated that is correct.

Motion by Ald. Smith, second by Ald. Wulf, to approve the revised Job Description for Human Resources Specialist.

Under discussion, Mayor Bialecki reported that the significant change to the job description is that the Human Resources Specialist would have responsibilities relating to payroll tasks. Mayor Bialecki noted that currently most payroll tasks are accomplished by the City Clerk. The revision to the Human Resources Specialist job description would provide for a backup in the event of the City Clerk's absence.

In response to a question from Ald. Wulf, Fred reported that currently the Deputy Finance Director does the Community Development Authority payroll with the City Clerk's review and the City Clerk does the City Payroll with the Deputy Finance Director's review.

Ald. Giese noted that the City currently is considering a compensation study, which potentially could result in added, ongoing responsibilities for the position of Human Resources Specialist. Ald. Giese suggested that those responsibilities should be added to the job description.

Liz read from "Essential Duties & Responsibilities" 4) "... Develops and administers employee compensation program".

On voice vote, motion carried.

2. Compensation.

In response to a question from Mayor Bialecki, Liz reported that in March 2003, the Common Council set the salary for Human Resources Specialist at \$28,000 with \$1,000 steps at the first and second anniversaries, and Cost of Living increases.

In response to a question from Ald. Smith, Liz stated that it is her recollection that the survey average was higher than the City of Onalaska wage.

Motion by Ald. Smith, second by Ald. Olson, to retain the established wage for Human Resources Specialist, which is \$28,000 per year, with \$1,000 steps at the first and second anniversaries.

Under discussion, Ald. Giese said, "We're in an unusual situation where we have somebody who's familiar with the market for this type of a position". Ald. Giese asked Liz what she feels the compensation should be.

Liz responded, "I think for the level of experience for this position, the compensation is fairly in line. It could be a little low, but it's hard to say".

Ald. Wulf noted that the wage and step increase figures stated in the motion reflects the advertised figures in March 2003. Ald. Wulf asked what is the current wage of the Human Resources Specialist. Liz reported that the current wage is \$31,735.20.

Ald. Wulf asked if it has been the City's past practice when filling a vacated position to advertise at the previously established wage, or to advertise at the wage of the incumbent.

Liz responded, "We've done different things depending on the position... (The) Building & Grounds Superintendent, we didn't make any changes to compensation. That was over about a three-year period. Recreation Coordinator, we brought it up to the new minimum required by law, which ended up being a minimal increase".

Ald. Wulf asked Liz if it is her opinion that the City would be able to "attract people of quality at that starting of \$28,000".

Liz responded, "That's hard to say, honestly".

On voice vote, motion carried four to one with Ald. Wulf voting no.

3. Post and Advertise.

Motion by Ald. Smith, second by Ald. Giese, to post and advertise for the position of Human Resources Specialist.

Under discussion, Ald. Smith said, "I do think that we need to take the opportunity whenever a person is voluntarily leaving – or involuntarily leaving – the service of the City, to evaluate whether we feel the position is vital and necessary. And in this case, I believe that it is and we should post and advertise to fill the position. I don't think the duties can be taken on by any other member of the staff, or divided up or restructured in any way that would serve us more efficiently".

On voice vote, motion carried.

D. Proposal from WPPA (Wisconsin Professional Police Association).

Motion by Ald. Smith, second by Ald. Leathen, to deny the proposal from the Wisconsin Professional Police Association. On voice vote, motion carried.

Fred requested further discussion of Agenda Item 7B. There was no objection.

Fred reported that at the time the 2005 – 2006 Police Sergeants Contract was considered by the Finance & Personnel Committee, it had not been known whether or not there was a ratification by the sergeants. Fred reported that the sergeants have in fact ratified the contract.

Mayor Bialecki recognized Ald. Leathen. Ald. Leathen said, “There probably is a better time to say this, but I personally want to thank Liz for the fantastic work she’s done here and I personally have enjoyed working with her. And I think the City will be hard pressed to find – I hope we can find – somebody of equal quality. So thank you, Liz”.

Item 8 - ADMINISTRATIVE COMMITTEE:

A. Approval of Operator’s Licenses

<u>Name</u>	<u>Location</u>	<u>Type of Application</u>
Jacqueline M. Deaver	The Wharf	Renewal
Jodi L. Gibbons	Kwik Trip	New
Melissa L. Netwal	Lakeview Restaurant	New/Provisional

Motion by Ald. Leathen, second by Ald. Wulf, to approve the Operator’s Licenses per the memo attached to the agenda of the last Administrative & Judiciary Committee meeting. On voice vote, motion carried.

Item - BOARD OF PUBLIC WORKS:

A. CenturyTel request to bury underground cable on Greens Coulee Road and County Highway OS.

Motion by Ald. Leathen, second by Ald. Giese, to approve the request from CenturyTel to install buried cable on Greens Coulee Road and County Highway OS. On voice vote, motion carried.

B. Final assessment costs – 2005 sidewalk.

Motion by Ald. Leathen, second by Ald. Smith, to approve the Final 2005 Sidewalk Assessment Costs. On voice vote, motion carried.

C. Request for access to Theater Road by Mike Hoppens.

Motion by Ald. Leathen, second by Ald. Giese, to approve the request by Mike Hoppens for access to Theater Road.

Under discussion, Ald. Giese stated that it is his recollection that the recommendation for approval comes forward from the Board of Public Works with no restrictions. Ald. Leathen stated that is correct. Ald. Leathen noted that none of the other driveways on that road have any restrictions (i.e. ingress/egress). Ald. Leathen added that if it is determined that there are concerns with the use of the driveway, those concerns would be addressed at a later date.

Ald. Giese reported that he had visited the site and had had conversations with Mr. Hoppens and with Ron Lund. Ald. Giese said, "I think we could do better than this in terms of placing some kind of restriction without having a adverse impact on the use of the property. So I'll be voting no on this motion".

Mayor Bialecki asked what change would Ald. Giese suggest. Ald. Giese reported that Ron Lund has offered ideas for change and the developer has indicated which ideas would be acceptable to him. Ald. Giese said, "I think that we just need to be more sensitive to the traffic flow out there, especially as we get into the holiday season, it really does back up".

Ald. Leathen reported that Ron Lund had suggested that the best solution was to allow the drive for egress only. Ald. Leathen said, "That really didn't meet the needs of Mr. Hoppens very well. He was planning to use that as an entrance to this property and not just an exit. And so there really was no common agreement on that. And considering the fact that we haven't placed any restrictions on any other businesses in that regard, why we felt that it was inappropriate to do that at this time".

Ald. Smith asked if delay of action on this item would cause hardship to the developer.

Mayor Bialecki noted that the Board of Public Works already had made its recommendation on the item and suggested that any changes could be made at the Common Council level.

Ald. Wulf recalled that the proposed drawing for the driveway had been presented two months ago to the Board of Public Works and a similar drawing was presented at the last Board of Public Works meeting. Ald. Wulf asked if there had in fact been any change in the driveway drawing from one Board of Public Works meeting to the next.

Mayor Bialecki stated that it is his understanding that the item was deferred for 30 days to allow the members to visit the site.

Ald. Wulf said, "My understanding was that I thought two months ago that the Board of Public Works was looking for possibly some kind of a change and that there wasn't really a change earlier this month. So I'm siding with Mike that I was looking to vote against this this evening".

Ald. Smith asked again if delay of action on this item would cause a hardship to the developer.

Mike Hoppens stated that it would have been preferable to have done the work in October, due to the effects of weather on pouring concrete and laying asphalt.

Mayor Bialecki asked if the motion were to fail, would there be an acceptable alternative.

Mr. Hoppens said, “We proposed early on that it was an ingress only... but Ron felt it was more beneficial for an exit there...” (remaining comments could not be heard well enough to be transcribed”.

Motion by Ald. Giese, second by Ald. Wulf, to amend the motion to allow ingress only. On voice vote, motion carried to amend.

Mayor Bialecki called for the vote on the motion as amended. On voice vote, motion carried.

D. Speed reduction on East Main Street between Theater Road and US Highway 16.

Ald. Leathen reported that at a past Board of Public Works meeting a request had been received to review the speed on East Main Street between Theater Road and US Highway 16. That review was performed by the Police Department. Ald. Leathen reported that Police Chief Randy Williams issued a report stating that the majority of the officers felt that a speed reduction is not required on that stretch of East Main Street.

Motion by Ald. Leathen, second by Ald. Wulf, to deny the request for speed reduction on East Main Street between Theater Road and US Highway 16.

Under discussion, Mayor Bialecki commended the officers for providing their recommendation.

In response to a question from Ald. Giese, Jason said, “I concur with what the police officers said. I think that road can support that kind of speed limit given the placement of the signal lights. I know there is one entrance, but that entrance in the future was planned for another signal light and the City has money set aside from the old TIF District for that. So, at some point in the future, if that should become a problem, we have a plan in place to deal with it”.

Ald. Giese said, “It has been brought to our attention the concern for pedestrian safety and the unusual configuration of the sidewalks relative to the four lanes of travel at that location. I will vote for this, however I still am very anxious about the risk we’re placing pedestrians at in that area. And it seems logical that some sort of traffic calming or modification is going to be needed

in the near future, so we don't have an unfortunate situation".

On voice vote, motion carried.

E. Final assessment costs – 2005 Alley.

Ald. Leathen reported that final alley assessment costs were \$17.65/lineal foot.

Motion by Ald. Leathen, second by Ald. Smith, to approve the Final 2005 Alley Assessment Costs. On voice vote, motion carried.

F. Utility approval for proposed cul de sac off Germann Court.

Motion by Ald. Leathen, second by Ald. Wulf, to approve the Utility Plans for the proposed cul de sac off Germann Court. On voice vote, motion carried.

G. Resolution 33-2005 – 12th Avenue South Extension to Medary Lane.

RESOLUTION 33-2005

A RESOLUTION DEDICATING LAND TO THE STATE OF WISCONSIN TO FACILITATE THE EXTENTION OF 12TH AVENUE FOR THE PURPOSE OF IMPROVING ACCESS TO THE CITY OF ONALASKA

WHEREAS, the State of Wisconsin desire to extend and improve 12th Avenue south in Onalaska, Wisconsin.

WHEREAS, the City of Onalaska desires to cooperate with extension by transferring land necessary for such extension in the State of Wisconsin.

NOW, THEREFORE BE I FURTHER RESOLVED, the City of Onalaska hereby dedicates the following real property to the State of Wisconsin to facilitate the 12th Avenue South Extension:

Part of the Northeast ¼ of the Southwest ¼ and the Southeast ¼ of the Northwest ¼, all in Section 15, Town 16 North, Range 7 West, in the City of Onalaska and the City of La Crosse, La Crosse County, Wisconsin, further described as:

Commencing at a concrete monument with brass cap at the Southwest corner of aforesaid Section 15; thence North 00 ° 02'23" East along the west line of the Southwest ¼ of Section

15, 2632.84 feet to the West ¼ corner of Section 15; thence North 00 ° 02'23" East along the west line of the Northwest ¼ of Section 15, 39.88 feet; thence North 88 ° 11'07" East, 1021.22 feet to the beginning of a 3819.72 foot curve to the right; thence easterly, 578.61 feet along the arc said curve (the chord bears South 87 ° 28'31" East, 578.05 feet) to the easterly right-of-way line of STH 16 and the point of beginning; thence North 12 ° 11'00" East along said easterly line, 110.46 feet; thence South 81 ° 37'13" East, 187.39 feet to the southwesterly right-of-way line of Medary Lane and a point on a non-tangent curve to the left having a radius of 422.88 feet; thence southeasterly along said right-of-way line, 359.27 feet along the arc said curve (the chord bears South 55 ° 58'21" East, 348.56 feet); thence North 89 ° 52'57" West, 73.06 feet; thence North 79 ° 14'26" West, 129.87 feet; thence South 26 ° 07'50" West 179.16 feet; thence South 51 ° 06'03" West, 186.98 feet; thence South 81 ° 06'07" West, 159.25 feet to the aforesaid easterly right-of-way line of STH 16; thence North 12 ° 11'00" East along said easterly line, 401.94 feet to the point of beginning.

This parcel contains 2.90 acres, more or less.

Dated this ____ day of _____, 2005

CITY OF ONALASKA

BY: -----

James S. Bialecki, Mayor

Caroline Burmaster, City Clerk

Motion by Ald. Leathen, second by Ald. Wulf, to approve **Resolution 33-2005**. On roll call vote: Ald. Smith – aye; Ald. Leathen – aye; Ald. Olson – aye; Ald. Giese – aye; Ald. Wulf – aye. Motion carried.

H. Consideration of vacation of 17th Avenue South right-of-way at Onalaska Care Center.

Motion by Ald. Leathen, second by Ald. Smith, to approve the vacation of the 17th Avenue South Right-of-way at the Onalaska Care Center. On voice vote, motion carried.

I. La Crosse County proposal requesting funds for improvements at intersection of Krause

Road, County Road “S”, and Hauser Road/Moos Road.

Ald. Leathen reported that the County has requested that the City pay \$25,000 towards a project on Hauser Road (land), and additional for improvements.

Motion by Ald. Leathen, second by Ald. Smith, to deny the proposal from La Crosse County requesting funds for improvements at the intersection of Krause Road, County Road “S” and Hauser Road/Moos Road. On voice vote, motion carried.

Item 10 - PLAN COMMISSION:

A. Regarding a Conditional Use Permit application filed by Dick Rogers, Cingular Collocation, 100 West Henry Clay Stree, Whitefish Bay, WI 53217. For an antenna on the existing telecommunication tower (flag pole) located at 255 Riders Club Road (Parcel #18-2096-50).

1. CUP Fee of \$150.00.
2. Owner shall provide City with a photo and drawings of proposed equipment on both flagpole and proposed shelter.
3. All equipment shall be fully screened from view.
4. All lighting shall be shielded down.
5. Architecture for building shall match existing.
6. Flagpole dimensions shall not change.
7. Owner shall abide by all conditions of the original Conditional Use Permit for flagpole.
8. Site Plan Permit required for equipment building.
9. Owner/developer must pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to the issuance of occupancy permit.
10. Owner/developer must notify the City prior to any utility connection to

public utilities.

11. All conditions run with the land and are binding upon the original developer and all heirs, successors, and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.

12. Any omissions of any conditions not listed in the Plan Commission Minutes shall not release the developer/property owner from abiding by the City's Subdivision Ordinance and Zoning Code requirements.

Ald. Giese reported that at the Plan Commission meeting, the applicant had requested withdrawal of the item.

B. Regarding a Conditional Use Permit application filed by Jim Weinmann, N4556 Puls Road, Shiocton, WI 54170 for a new light pole and telecommunication antenna and ground equipment at 9348 State Highway 16 (Ciatti's) for US Cellular (Parcel #18-3530-10).

1. CUP Fee of \$150.00.
2. All equipment shall be shielded from view.
3. Architecture at ground structure shall match Ciatti's. All equipment; cable trays, cable, etc. shall be screened from view by public.
4. All lighting shall be shielded down.
5. Site Plan Permit required for accessory structure.
6. Light pole color and fixtures shall match existing. Luminaries shall be placed at same mounting height as existing lights.
7. Height and diameter maximums shall be limited to the approved quantities by the City.
8. Exterior storage is prohibited.
9. Waive PCID amendment.
10. Owner/developer must pay all fees and have all plans reviewed and approved

by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to the issuance of occupancy permit.

11. Owner/developer must notify the City prior to any utility connection to public utilities.
12. All conditions run with the land and are binding upon the original developer and all heirs, successors, and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
13. Any omissions of any conditions not listed in the Plan Commission Minutes shall not release the developer/property owner from abiding by the City's Subdivision Ordinance and Zoning Code requirements.

Motion by Ald. Giese, second by Ald. Leathen, to approve with 13 conditions the Conditional Use Permit application filed by Jim Weinmann, for a new light pole and telecommunication antenna and ground equipment at 9348 State Highway 16 (Ciatti's) for US Cellular. On voice vote, motion carried.

Ald. Giese referred back to Agenda Item 9A and reported that the Plan Commission has recommended that the item should be sent back to subcommittee for consideration of the wording of the ordinance as it relates to stealth poles and collocation.

Ald. Giese explained that in this case, the current owner of the pole has reserved the second highest of three antenna positions, and the question arose at Plan Commission as to whether the ordinance were adequate to address such situations.

C. Annexation request filed by John Towner for the property located at N4608 French Road and a portion of French Road .85 acres (Parcel #s 9-15-7 & 9-15-8).

1. ACT 317 Fees due.
2. Park Fee of \$1,120.00 x 2 = \$2,240.00.
3. Storm Sewer Fee – waived due to developer installing storm sewer.
4. Sanitary Sewer Fee of \$662.00 per acre x .85 = \$562.70.

5. Topo Fee of \$10.00 per acre x .85 = \$8.50.
6. Owner shall inform Town of improvements/connection to Town road.
7. Owner/developer must pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to the issuance of occupancy permit.
8. Owner/developer must notify the City prior to any utility connection to public utilities.
9. All conditions run with the land and are binding upon the original developer and all heirs, successors, and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
10. Any omissions of any conditions not listed in the Plan Commission Minutes shall not release the developer/property owner from abiding by the City's Subdivision Ordinance and Zoning Code requirements.
11. Owner shall leave no remnant of land along south and east of property. Map to show full annexation abutting City's corporate limits.

Motion by Ald. Giese, second by Ald. Leathen, to approve with eleven conditions the annexation request filed by John Towner for the property located at N4608 French Road and a portion of French Road, consisting of .85 acres. On voice vote, motion carried.

D. Consideration of a policy for street signage needed for new developments.

Ald. Giese reported that at the Plan Commission a motion had been made to draft an ordinance regarding a policy for street signage needed for new developments. That motion was withdrawn and no further action was taken.

E. Consideration of performance bonds for erosion control damage to public/private property if measures fail.

Ald. Giese reported that no action had been taken on this item by the Plan Commission. The consensus of the Plan Commission members was that a draft document should be presented to the Plan Commission for consideration at the December 2005 meeting.

F. Unified Development Code – Charrette Results for Downtown Area Form Districts.

Jason reported that the City Planning Department held a Design Charrette (a condensed public design forum). There were 16 participants from the downtown neighborhoods and business area. Jason reported that the results of the charrette are available at cityofonalaska.com Jason noted that the results include a PowerPoint presentation of the visual preference survey.

Jason said, “What we were really trying to extract is how people prefer development to occur in our downtown and downtown neighborhoods because those areas are traditionally built differently than new developments. And this will help us draft, ultimately, the Form District portion of the new Unified Development Code, which we’re working on now”.

Jason invited the members to contact him with any questions.

G. Consideration of a PUD Amendment for an increased front yard setback for Nathan Hills Estates filed by Mike Hoppens.

Motion by Ald. Giese, second by Ald. Wulf, to approve the Planned Unit Development amendment filed by Mike Hoppens for an increased front yard setback for Nation Hills Estates. On voice vote, motion carried.

Item 11 - JUDICIARY COMMITTEE:

A. Ordinance No. 1238-2005 – to amend Section 8-4-3(b)(c) of the Code of Ordinances of the City of Onalaska relating to purchase of cemetery lots and grave openings (Third and Final Reading).

Motion by Ald. Wulf, second by Ald. Smith, to give **Ordinance No. 1238-2005** its Third and Final Reading. On voice vote, motion carried.

B. Ordinance No. 1240-2005 – to rezone the property located in Section 11, Township 16, Range 7, in the City of Onalaska, La Crosse County, Wisconsin from R-1 Single-family Residential to R-4 Multi-family (Third and Final Reading).

Motion by Ald. Wulf, second by Ald. Smith, to give **Ordinance No. 1240-2005** its Third and Final Reading. On voice vote, motion carried.

C. Ordinance No. 1241-2005 – to rezone the property located in Section 8, Township 16, Range 7, in the City of Onalaska, La Crosse County, Wisconsin from B-1 Neighborhood Business

District to B-2 Community Business District (Third and Final Reading).

Motion by Ald. Wulf, second by Ald. Smith, to give **Ordinance No. 1241-2005** its Third and Final Reading. On voice vote, motion carried.

D. **Ordinance No. 1242-2005** – to rezone property located in Section 9, Township 16, Range 7, in the City of Onalaska, La Crosse County, Wisconsin from M-1 Light Industrial to B-2 Community Business District (Third and Final Reading).

Motion by Ald. Wulf, second by Ald. Leathen, to give **Ordinance No. 1242-2005** its Third and Final Reading. On voice vote, motion carried.

E. **Ordinance No. 1243-2005** – to amend Section 10-1-37(f)(4)-(10) of the Code of Ordinances of the City of Onalaska relating to parking (First and Second Reading).

Ald. Wulf reported that there had been discussion regarding this item at the Administrative & Judiciary Committee and the recommendation was to suspend the rules on ordinances that would result in the installation of signs so that the signs might be installed before the ground freezes.

Ald. Wulf asked if it would be appropriate to suspend the rules to give Ordinances 1243-, 1244-, 1245-, and 1247-2005 their First, Second and Third Readings at once. City Attorney Gerry O'Flaherty stated that would be appropriate.

Motion by Ald. Wulf, second by Ald. Giese to suspend the rules to give **Ordinance No. 1243-2005; Ordinance No. 1244-2005; Ordinance No. 1245-2005; and Ordinance No. 1247-2005** their First, Second and Third Readings. On voice vote, motion carried.

Motion by Ald. Wulf, second Ald. Leathen, to give **Ordinance No. 1243-2005; Ordinance No. 1244-2005; Ordinance No. 1245-2005; and Ordinance No. 1247-2005** their First, Second and Third Readings. On voice vote, motion carried.

F. **Ordinance No. 1244-2005** – to amend Section 10-1-27(hh)(2) of the Code of Ordinances of the City of Onalaska relating to parking (First and Second Reading).

G. **Ordinance No. 1245-2005** – to amend Title 10, Chapter 3, of the Code of Ordinances of the City of Onalaska relating to snowmobiles (First and Second Reading).

H. **Ordinance No. 1247-2005** – to amend Section 10-1-27(ll)(1) of the Code of Ordinances of the City of Onalaska relating to parking (First and Second Reading).

Item 12 - LONG RANGE PLANNING COMMITTEE:

No meeting this month.

Item 13 - UTILITIES COMMITTEE

No report.

Item 14 - MASS TRANSIT:

A. Onalaska/Holmen Public Transit.

1. Financials for September 2005.

Ald. Giese reviewed the Financials as presented at the meeting by Richard Running:

- 7% increase in ridership from September 2004 to September 2005
- September 2005 total trips = 6,346
- September 2004 total trips = 5,928
- September 2005 Holmen trips = 871 (up more than 230 rides)
- September 2005 Onalaska trips = 1,379 (up 42 rides)
- September 2005 MTU passes = 252

Motion by Ald. Giese, second by Ald. Smith, to receive and place on record the Onalaska/Holmen Public Transit Financials for September 2005. On voice vote, motion carried four to zero with Ald. Wulf being absent for the vote.

Ald. Giese observed that the financials are on budget for the year and all accounts are in balance.

Item 15 - PARKS & RECREATION BOARD:

A. Request from Onalaska High School Booster Club to install scoreboards at Jimmy Olson West Fields (discussed under Finance Item B-).

B. Change Order #1 for Manske & Sons for \$4,964.52 for work on Greens Coulee Community Park.

Motion by Ald. Smith, second by Ald. Leathen, to approve Change Order #1 for Manske & sons for \$4,964.52 for work on Greens Coulee Community Park. On voice vote, motion carried.

Item 16 – SWIMMING POOL BUILDING COMMITTEE:

A. Status on Swim Pool Punch List/recap.

Ald. Wulf said, “I just wanted to thank everyone who has served on the Swimming Pool Building Committee for their time commitment, all the decisions that they have made on the Onalaska Aquatic Center. I think – even in light of the situations that we’ve had, and some of the problems – I think if we could have all personally been out there and built it ourselves, we would have. All in all I think it was a very enjoyable experience. And I’d like to think that we did pretty good in the end. So I do want to thank everyone and all the private citizens also. There were a handful of them and I think we did a pretty good job and in the end it all came together. So I want to thank them for all their hard work and their time commitment”.

Parks & Recreation Director Dan Wick reviewed the punch list:

- Splashtacular (slide manufacturer) is paid in full.
- R.J. Jurowski has completed the punch list. The final walk-through has been completed. The final check has been issued.
- Badger Swim Pools corrected errors and on Wednesday, November 2, 2005 the State of Wisconsin issued approval of the pool.
- Awaiting waivers from Badger Swim Pools. A final walk-through should be complete in the upcoming three weeks.

Dan reported that the pool currently is empty and winterization was to have been completed by 5:00 p.m. on November 8, 2005.

In response to a question from Ald. Wulf, Fred stated that it is his recollection that there is approximately \$2,000 left over from the project.

Fred reminded that at the October 2005 meeting of the Common Council, action was taken regarding issues with Bill Rollins/Aquatica Design. Fred said, “However he’s (Rollins) not responding back to us and so Sean (Attorney O’Flaherty) feels it’s necessary to take some additional action”.

Fred referred the members to copies of an email dated November 8, 2005, from Sean O’Flaherty to Fred. Fred suggested that Gerry O’Flaherty summarize the email.

Gerry said, “The proposal – the settlement agreement and mutual release – that was approved by the Council last month was sent out about a month ago, and it wasn’t until today that Bill Rollins responded and asked for three changes. The first change he requested was with respect to insurance; maintaining his insurance. He contends that his current insurance is paid through

November 2007 and Onalaska is named as an additional insured. He says he will not agree to maintain insurance after that time if he is not involved with doing design work because of the cost. He says he will agree that if he continues in business and has insurance that then he will continue to name Onalaska as additional insured.

“It’s our opinion that that’s probably a modification that we can accept. In reviewing it with Fred, I think he concurred in that, that that modification would not be a material change.

“... We had put in a stipulation that he had to agree to testify at no cost and to participate in discovery procedures and whatnot at no cost in the event there were claims with various contractors such as Splashtacular, Badger and RS (sic) Jurowski. It’s sounding like a couple of them are being taking care of from the report I just heard. Two people are being paid and you’re getting pretty close with RS Jurowski. In any event, we’re going to modify that. He was saying he’d only be involved with respect to Splashtacular. And we thought that the key ones from our evaluation were Splashtacular, Badger Pools, and RS Jurowski”.

Fred reported as a result of conversations with Sean O’Flaherty, Fred believes that all three of the contractors should be listed under the stipulation for Mr. Rollins to testify at no cost.

Gerry responded, “The recommendation is to go back with all three – with the three large ones – and drop the requirement that he participate for free in some smaller disputes. And right now we’re really not aware of those smaller disputes, evidently.

“And the third item is to the extent that he will be held liable for additional charges, he wants the ability to defend or intervene in the legal action. That’s fairly common under leases and whatnot. And if you’re going to be responsible for an obligation, you’re given notice and given a change to help resist it. So we thought that addition would be okay.

“... It is our recommendation that we go back to Bill and make two of the changes that he wants... and still require that he agree to testify at no cost in the three major contracts”.

Motion by Ald. Smith, second by Ald. Wulf, to accept the report from the City Attorney. On voice vote, motion carried.

Item 17 - TOURISM COMMISSION

A. Room Occupancy.

Ald. Olson reviewed the Room Occupancy report:

- September 2005 Room Occupancy Rate = 64.68%
- 1,440 more rooms were sold in September 2005 than in September 2004.

B. Photo Contest.

Ald. Olson reported that Jean had referred the Tourism Commission members to a newspaper clipping from the Onalaska Community Life regarding the photo contest. Ken Brekke has organized the information. Submitted photos would be used in the publication.

Ald. Olson that prizes already have been donated by Stoney Creek Inn, Baymont Inn, Sue Kolve, Personal Touch Monogramming and Traditions Restaurant. 21 photographs have been submitted to date.

C. OmniCenter Donation.

Ald. Olson reported that the Tourism Commission approved a \$10,000 donation to the Community Development Authority for their 2005 budget.

Motion by Ald. Giese, second by Ald. Olson, to approve a donation from Tourism to the Community Development Authority in the amount of \$10,000. On voice vote, motion carried.

Item 18 - JOINT COOPERATIVE COMMISSION:

No meeting this month.

Item 19 - SENIORS COALITION:

No meeting this month.

Item 20 - REPORT FROM LIBRARY COMMISSION:

No meeting this month.

Item 21 - REPORT FROM TECHNOLOGY COMMITTEE:

No meeting this month.

Item 22 - REPORT FROM COMMUNITY DEVELOPMENT AUTHORITY:

A. Report on Events.

Ald. Leathen reported that since the last Common Council meeting, the OmniCenter has hosted: a Department of Natural Resources public hearing, the Be Free From Smoking Teen Dance, an Ultimate Combat sports event, a three-day circus, the Minnesota Department of Revenue

Training Session, Gundersen Lutheran Health Plan seminars and “another successful rotary breakfast”. Both ice rinks have been installed and are in operation. Upcoming events include: Gundersen Lutheran Health Plan, Ashley Furniture Job Fair, Bankers Life & Casualty Seminar & Luncheon, numerous group meetings, skating, birthday parties, go-cart swap meeting.

Ald. Leathen said, “Ice skating is in full swing now as the Park & Rec. skating programs have begun as well as the boys’, girls’ and adult hockey programs”.

Ald. Leathen reported that the Assistant Maintenance position has been filled. It is hoped that the new maintenance person’s name will be announced at the next Community Development Authority meeting along with the new Event Coordinator’s name.

Ald. Leathen reported that the fundraising campaign is continuing to move forward and the steering committee has reorganized and has just begun the major solicitation phase. To date over \$280,000 in donations and pledges have been received – mainly from the committee members and from the September mailing. Ald. Leathen said, “Citizens are encouraged to complete the brochures and mail them to the OmniCenter or City Hall before the end of 2005 to take advantage of tax break incentives that are available”.

Item 23 - REPORT FROM POLICE AND FIRE DEPARTMENT LIAISON:

No report.

Item 24 – REPORT FROM ONALASKA SCHOOL DISTRICT LIAISON:

A. Onalaska School District Surveys.

Ald. Wulf reported that the School District recently distributed a survey. Ald. Wulf urged citizens to complete the survey if they have not already done so. The surveys must be returned by Thursday, November 10, 2005. The School Board will report the results at the next meeting.

Ald. Wulf said, “It’s imperative that the Onalaska School Board gets your feedback so they know the direction that the need to go for the future of the schools in Onalaska”.

Item 25 - REPORT FROM THE SHOP RELOCATION COMMITTEE:

No meeting this month.

Item 26 – SAFETY COMMITTEE:

No report.

Item 27 - REPORT FROM LAND USE AND DEVELOPMENT DIRECTOR:

A. **Resolution 31-2005 – Cooperative Recycling Efficiency.**

RESOLUTION 31-2005

To: The Honorable Mayor and Council Members, Onalaska, Wisconsin

WHEREAS, the City of Onalaska desires to promote and enhance recycling education for its residents; and

WHEREAS, the City of La Crosse may apply for a grant from the Wisconsin Department of Natural Resources for entering into a cooperative recycling agreement with another municipality; and

WHEREAS, joint education efforts will decrease the overall cost of sending brochures to all City residents; and

WHEREAS, a unified recycling message between the two municipalities will eliminate some confusion from residents who move between the two municipalities and gain recognition of recycling educational brochures throughout the two municipalities.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of La Crosse that the attached Cooperative Recycling Efficiency Agreement between the City of La Crosse and the City of Onalaska is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to take execute said agreement.

BE IT FURTHER RESOLVED that the City of Onalaska Planner is authorized to take any and all steps necessary to effectuate said agreement.

Dated this 8th day of November, 2005

CITY OF ONALASKA

BY: -----

James S. Bialecki, Mayor

Caroline Burmaster, City Clerk

Passed:

Approved:

-
Jason reported that the purpose of the resolution is to enter into an agreement with the City of La Crosse to do a joint recycling brochure. Jason said, "We're accomplishing two things by doing that. One is we're going to decrease costs for the mailings that we do. In typical years we do four mailings – quarterly. We're able to do a much nicer brochure in working with the City of La Crosse – one that's consistent with other counties in the State and has become somewhat recognizable in Western Wisconsin. And then we have aligned our recycling message too so that there's less confusion from one community to the next; for instance what you do with a tin can – do you have to take the label off. Just little things like that. So this is accomplishing a number of things.

"... One of the reasons for the resolution is that that's part of the requirement for the Recycling Efficiency Grant Program, which the Wisconsin DNR administers. And this will qualify us for that grant working with the City of La Crosse and we'll actually get some money that we can put toward the rest of the recycling contract".

Jason estimated that the savings would be at least \$4,500 annually, and likely more if the grant is awarded.

Motion by Ald. Smith, second by Ald. Olson, to approve **Resolution 31-2005**. On roll call vote: Ald. Leathen – aye; Ald. Wulf – aye; Ald. Giese – aye; Ald. Smith – aye; Ald. Olson – aye.
Resolution passes.

-
B. Cooperative Recycling Efficiency Agreement.

Jason reported that Requests for Proposals already have been sent out. Jason stated that he would report the bid price at the December 2005 Common Council meeting. Jason reported that the intent is to mail out the new brochure in January 2006.

Motion by Ald. Olson, second by Ald. Wulf, to approve the Cooperative Recycling Efficiency Agreement. On voice vote, motion carried.

Item 28 - REPORT FROM THE ALDERPERSONS:

A. Onalaska's Schools Food Pantry December 2005 Distributions - Ald. Wulf.

Ald. Wulf reported that the Onalaska's Schools Food Pantry would have food distributions on Friday, December 2, 2005 and Friday, December 16, 2005.

Mayor Bialecki asked what has been the percentage increase, if any, in use of the food pantry from the last year at this time.

Ald. Wulf reported that the pantry started in February 2003 with an average of 13 families per distribution. From September 2005 through November 4, 2005, the average was 27 families per distribution. Ald. Wulf reported that the pantry serves on average five new families each month. Ald. Wulf noted that the same families do not use the pantry each month.

Mayor Bialecki noted that the La Crosse food pantry also has seen an increase in use.

Ald. Wulf reported that users of the food pantry need only provide their Family Food Account Number, which is issued to students in the School District. Ald. Wulf said, "We wanted it to be very anonymous so they could feel very comfortable coming to us". Ald. Wulf noted that the pantry serves all of Onalaska's school children, including those attending public schools, private schools and those being home schooled.

Item 29 - REPORT FROM THE FINANCIAL SERVICES DIRECTOR:

Item 30 - REPORT FROM THE CITY CLERK:

A. Final Estimate of 2005 Population.

Cari reported that the Wisconsin Department of Administration issued the Final 2005 population estimate, which is 15,953. 11,965 of those are eligible to vote.

Item - REPORT FROM THE CITY ATTORNEY:

Item - Closed Session - To consider a motion to convene in Closed Session under Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering compensation/negotiations of any public employee over which the governmental body has jurisdiction or exercises responsibility (Local 150 and IAFF). If any action is required in Open Session, as a result of the Closed Session, the Committee will convene in Open Session to take the necessary action and/or continue on with the printed agenda.

Mayor Bialecki asked if it would be appropriate to make a comment regarding the IAFF. Gerry

stated that it would be appropriate if the comment were a comment in general and not related to a specific negotiation.

Mayor Bialecki reported that he had received a letter from IAFF, which addressed recent challenges in the 2006 budget. Mayor Bialecki said, "They were very quick to cite the fact that in the past three years that they've worked very hard, along with Chief Menches, in all three of those budget years, striving for efficiencies. And that's a very true statement. I want to reiterate here, that department, when the original budget came in - \$1.5 million over last year, and that is over a \$7 million budget. And I believe the Chief, his Deputy Chief, along with the firefighters came back with about \$123,000 in changes. So I appreciate their letter".

Mayor Bialecki noted that only the Local 150 items would be addressed in Closed Session.

Motion by Ald. Olson, second by Ald. Wulf, to convene in Closed Session as is stated in the agenda. On roll call vote: Ald. Smith – aye; Ald. Wulf - aye; Ald. Olson – aye; Ald. Giese – aye; Ald. Leathen – aye. Motion carried to convene in Closed Session.

Motion by Ald. Giese, second by Ald. Olson to adjourn at 8:25 p.m. from closed session. On roll call vote: Ald. Smith – aye; Ald. Leathen – aye; Ald. Olson – aye; Ald. Giese – aye; and Ald. Wulf – aye.

Recorded by:

Holly Traffas