

**Town of Onalaska Board Minutes
August 24, 2010**

Chairman Dave Paudler called the Town Board Meeting to order on Tuesday, August 24, 2010 at 7 pm at the Town of Onalaska Hall, W7052 Second St, Onalaska. Supervisors present were Paudler, Frank Fogel, Steve Michaels and Marc Schultz and Sandy Thompson. Clerk Sue Schultz was present.

Supervisor Thompson made a motion to approve the agenda with the ability to move around. Supervisor Michaels seconded the motion. Motion passed unanimously.

Supervisor Michaels made a motion to approve the board minutes of 7-27-10 and 7-31-10 with corrections. Supervisor Schultz seconded the motion. Motion passed 4 to 1 (Thompson).

Supervisor Schultz made a motion to approve the bills. Motion failed for lack of a second. When it was explained that no discussion on the bills could occur until there was a motion on the table, a new motion was made. Supervisor Thompson made a motion to approve the bills. Supervisor Michaels seconded the motion. Motion passed 4 to 1 (Thompson)

Citizen Concerns

Mark Witte, N6377 Johnson Coulee Rd., Holmen, submitted a petition with 47 signatures stating that they did not feel a speed limit on Johnson Coulee and Olson Road was necessary.

Mike Niles, N6070 Johnson Coulee Road said he was against a speed limit.

John Heighway, N6704 Johnson Coulee Road submitted a letter that was read into the record.

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To: Town of Onalaska – Attn: Sue Schultz/Town Clerk

Re: Consideration of Speed Limit for Johnson Coulee Road

It has been brought to my attention that finally there will be a discussion with the Town of Onalaska Supervisors to consider a speed limit for Johnson Coulee Road tonight August 24th. I am currently in Duluth on business and unable to attend your meeting which I very much would like to do however I ask that this statement be read in my stead.

It is my understanding that some of these ordinances, such as no speed limit on Johnson Coulee Road (hereafter JCR) are from the 1960's. I am sure that there were considerably fewer homes in the area. We built our home there in 1998. There was considerably less traffic then as there is now. I have never had a complaint and/or request for a speed limit until now, 12 years later. Look how much Holmen has grown in the very recent past. Things change.

That said I have tried to do things the right way. I initiated discussions with the Town asking for a speed limit sign. Before the little bridge just as you turn on JCR, there was a sign a couple of years ago that said 35 MPH. Then last year someone (I assume the Township) changed it to 25 MPH. This year it has been taken down and nothing in its place. It leads me to believe that the Town recognizes an issue with speed on this road.

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I am not proud by my recent actions but I had had enough one evening. I was outside at the end of my driveway when a young neighbor was coming down the road excessively fast. I put my hands up and down to indicate asking them to slow down. They then “kicked in the 4 barrels” and flew down the road nearing my house at estimated speeds of 65+ MPH. I lost my temper and flipped a cooler cup at the car. It created a bit of an issue and I was cited with a disorderly conduct ticket but because there is no speed limit on the ordinances here, they received absolutely nothing. It doesn't matter who the driver was and again, I am ashamed at my behavior but the point remains, there are numerous people that fly by at excessive speeds. If there was a posted speed limit, at least the County could then monitor it, as I was told by a County Officer.

In my discussions, I first spoke to the receptionist (please forgive me as I forgot her name) but she was very nice and definitely appreciated my concerns. She offered actions I could consider such as talking to Basil (I had asked him for at least a “Please drive friendly” sign to replace the speed limit sign that was taken down but nothing happened as of yet) but told me that it would be under consideration in the near future. That time is apparently now.

I have nine grandchildren, nieces and nephews that range from 1 year old to five years old that believe it or not still like to play outside and not sit in front of a TV. There have been cars that went by so fast that a child would not nearly have the time to react. Also recently, I was almost hit by a car mowing my lawn. I was on the edge of my lawn by the road but they were going so fast that obviously I alarmed them and they swerved, almost hitting me.

In closing, all I ask is that as the times have changed and more people live on Johnson Coulee Road, Ronnie and Olson Roads, that you please consider a reasonable speed limit. I am not asking for 25 MPH or anything like that. I could really live with 35 MPH which I think is fair.

Without a speed limit, there is so much to risk and that is precious life. It only takes one time for a family's life to change forever. How would those that may oppose this simple change feel if someone sped by their place and created a life altering action? If in theory the speed limit is 55 MPH without a speed limit, does 35 MPH really make that much difference on a road that is approximately 2 miles long at most for people to get home?

We all need to slow down and smell the roses today. Thank you for your consideration.

Kind regards, John Heighway, N6704 Johnson Coulee Road, Holmen, WI 54636

Joan Johnson, W7710 County ZB, Onalaska said the Board meetings were not a training session and that Supervisors should take training if they do not understand the budget reports.

Vicki Burke, W8349 N Shore Drive, Onalaska, spoke for the Ambulance Agreement. Burke also sits on the Assessment Committee for LaCrosse County and there is no goal in mind.

Jake Speed, W6779 Kramer Road, Onalaska, thanked Thompson for asking her questions.

Mark Witte spoke again responding to Heighway's letter.

Joe Schaller, N5946 County ZZ, Onalaska, spoke on port-a-potty payments.

Unfinished Business:

Supervisor Thompson made a motion to approve the content of the Development Review Procedures Guide and to move forward to develop an ordinance. Supervisor Schultz seconded the motion. Motion passes unanimously

New Business

Casey Moldenhauer, AFLAC Representative, spoke on short term disability insurance for town employees. Employees pay for this insurance through payroll deduction. Not all employees need to participate in the insurance. To participate would require a board action for a payroll deduction.

Clerk Schultz explained the computer problems on the town computers. Our current computer repair person, Kevin Sather, is not responsive to request for his services to repair problems. Since he started providing town service, he has started his own business and that is when our problems began. He does not respond to call for service. Calls were made daily for over a week and then one day last week, three calls in the morning were made because the clerk could not access her email or the internet. The Town needs operating computers. A quote was presented from Denney and Associates that was all inclusive.

Supervisor Thompson made a motion to do what is needed for now and proceed to obtain other bid estimates and do research. Supervisor Fogel seconded the motion. Thompson said she had contact information for IT providers she knows and will provide to the clerk. Motion passes unanimously.

Road opening for Gavaghan Development

Supervisor Schultz made a motion to accept the recommendation from the Plan Commission to allow the road through the front 80 acres to the back development of the Gavaghan Development off Highway D east of Holmen. Supervisor Michaels seconded the motion. Motion passes unanimously

Road opening for Pineview Dr off County OT as requested by the State Department of Transportation was discussed. The opening will be in two separate motions.

The Clerk read the proposed public notice for Road Opening to be held October 4, 2010 at a7 pm at the Town Hall for the East and West sides of Pineview Drive.

West Side:

**NOTICE OF PUBLIC HEARING AND
MEETING OF SUPERVISORS TO ACT UPON
HIGHWAY RESOLUTION RELATING TO PINEVIEW DRIVE**

A resolution having been introduced by the Town Board of the Town of Onalaska, LaCrosse County, Wisconsin, to consider the laying out a portion of Pineview Drive to be dedicated as a highway, and legally described as follows:

A parcel of land in the SW 1/4-NE 1/4, Section 19, Township 17 North, Range 7 West, LaCrosse County, Wisconsin and bounded as follows: on the north by the South line of Lake Forest Addition; on the east by the West right of way line of State Trunk Highway 35 and the East line of said SW 1/4-NE 1/4; on the south by the North line of Lot 11 of Pines Addition extended East; on the west by the East line of said Pines Addition.

Said parcel contains 0.42 acres, more or less.

A scale map depicting the portion of Pineview Drive to be laid out as a Town highway is attached hereto as Exhibit A.

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Onalaska will meet on October 4, 2010, at 7:00 o'clock p.m., at the Town Hall located at W7052 Second Street, Onalaska, Wisconsin, and decide upon the resolution relating to Pineview Drive.



Supervisor Thompson made a motion to adopt the resolution read into the record for the west side of Pineview Drive. Supervisor Schultz seconded the motion. Motion passed unanimously.

East Side:

**NOTICE OF PUBLIC HEARING AND
MEETING OF SUPERVISORS TO ACT UPON
HIGHWAY RESOLUTION RELATING TO PINEVIEW DRIVE**

A resolution having been introduced by the Town Board of the Town of Onalaska, La Crosse County, Wisconsin, to consider the laying out a portion of Pineview Drive to be dedicated as a highway, and legally described as follows:

A parcel of land in the Southeast 1/4 of the Northeast 1/4 of Section 19, Township 17 North, Range 7 West, in La Crosse County, Wisconsin more particularly described as follows:

Commencing at the Northeasterly corner of Lot 8, Pines Addition to the Town of Onalaska; thence S 89° 40' W, 830.04 feet to the point of beginning of this description; thence continuing S 89° 40' W, 399.23 feet to the centerline of La Crosse County Trunk Highway OT; thence continuing Southwesterly along the centerline of La Crosse County Trunk Highway OT 57.52 feet; thence N 89° 40' E, 395.33 feet to the West line of the Pines Addition to the Town of Onalaska; thence N 1° 45' E, 60.91 feet to the point of beginning.

A scale map depicting the portion of Pineview Drive to be laid out as a Town highway is attached hereto as Exhibit A.



NOTICE IS HEREBY GIVEN that the Town Board of the Town of Onalaska will meet on October 4, 2010, at 7:00 o'clock p.m., at the Town Hall located at W7052 Second Street, Onalaska, Wisconsin, and decide upon the resolution relating to Pineview Drive.

Dated this 30 day of August , 2010.

Supervisor Schultz made a motion to approve the resolution as read into the minutes for the east side of Pineview Drive. Supervisor Thompson seconded the motion. Motion passes unanimously

No action was taken on the claim deed for Heritage Hills Well House Park as more research on the issue is needed.

The Town must adopt by reference La Crosse County ordinances for Stormwater on Illicit Discharge Detection and Elimination (which are required by WDNR).

Supervisor Thompson made a motion to adopt 2010-8-24-1. **ORDINANCE NO. 2010- 8-24-1 AN ORDINANCE TO CREATE A STORMWATER MANAGEMENT CODE FOR THE TOWN OF ONALASKA**

The Town Board of the Town of Onalaska does hereby ordain as follows:

1. Article III of Chapter 54 of the Onalaska Municipal Code is hereby created to read as follows:

“ARTICLE III

ONALASKA STORMWATER MANAGEMENT CODE

54-40 Code Adopted.

(a) Except as otherwise specifically provided in this section, all provisions of Chapter 29 of the LaCrosse County Code describing and defining regulations for stormwater management, including penalties to be imposed, are hereby adopted and by reference made a part of this Code as if fully set forth herein, including any amendments thereto that may be subsequently adopted into law. Any act required to be performed or prohibited in Chapter 29 of the

LaCrosse County Code incorporated herein by reference is required or prohibited by this section.

The provisions of Chapter 29 of the LaCrosse County Code adopted by reference and made a part of this Ordinance shall include the following:

LaCrosse County

Code Section Title

29.01 Authority

29.02 Findings of Fact

29.03 Purpose

29.04 Definitions

29.05 Applicability

29.06 Exemptions and Prohibitions

29.07 Preliminary Review Letter

29.08 Technical Standards

29.09 Stormwater Management Performance Standards

29.10 Permitting Requirements and Procedures

29.11 Storm Water Management Plan Requirements

29.12 Maintenance Agreement Create Stormwater Mgt Code

29.13 Financial Assurance

29.19 Severability

(b) Definitions. The following definitions shall modify terminology in Chapter 29 of the LaCrosse County Code:

(1) "LaCrosse County Board of Supervisors" or "County Board" shall mean the Onalaska Town Board.

(2) "Unincorporated areas of LaCrosse County" shall mean the Town of Onalaska.

(3) "Planning, resources and development committee" shall mean the Onalaska Town Plan Commission.

(c) Fees.

(1) Any land owner or other person or entity desiring a permit shall submit to the Town a permit accompanied by the fees required by the duly adopted fee schedule for such activities approved from time to time by the Town Board in Article II of Chapter 22 of this Code.

(2) Fee in lieu of on-site stormwater management practices. Where the Town waives all or any part of the minimum on site stormwater management requirements for a property or where a waiver is based upon the provision of adequate stormwater facilities provided by the Town downstream of the proposed land development, the applicant shall be required to pay a fee in an amount determined by the Town, considering and equitable distribution of the costs of administration, land, design, inspection, surveying and construction.

(3) Re-submittal fees will be assessed at a maximum of 25% of the original permit fee or the actual cost, whichever is less.

(4) After-the-fact-fees. When a permit is acquired only after work was begun without obtaining a permit, all fees other than fees under Section (c)(2), above, shall be two times the ordinary fee for the project." - 3 - 18587.101632-2leb-190810kka Create Stormwater Mgt Code

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Onalaska on the 24 th day of August, 2010.

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TOWN OF ONALASKA

By: David M. Paudler

ATTEST: Town Board Chairperson

Sue Schultz, Town Clerk

Vote: Yes: 5; No: 0; Adopted: 8-24-10

Supervisor Schultz seconded the motion. Motion passes unanimously

Supervisor Schultz made a motion to adopt 2010-8-24-2. **ORDINANCE NO. 2010- 8-24-2
AN ORDINANCE TO CREATE AN EROSION CONTROL CODE FOR THE TOWN OF
ONALASKA**

The Town Board of the Town of Onalaska does hereby ordain as follows:

1. Article IX of Chapter 10 of the Onalaska Municipal Code is hereby created to read as follows:

“ARTICLE IX

EROSION CONTROL

10-270 Code Adopted.

(a) Except as otherwise specifically provided in this section, all provisions of Chapter 21 of the LaCrosse County Code describing and defining regulations for erosion control and land disturbances, including penalties to be imposed, are hereby adopted and by reference made a part of this Code as if fully set forth herein, including any amendments thereto that may be subsequently adopted into law. Any act required to be performed or prohibited in Chapter 21 of the LaCrosse County Code incorporated herein by reference is required or prohibited by this section.

The provisions of Chapter 21 of the LaCrosse County Code adopted by reference and made a part of this Ordinance shall include the following:

LaCrosse County

Code Section Title

21.01 Authority

21.02 Findings and Purpose

21.03 Applicability

21.04 Definitions

21.05 Technical Standards

21.06 Performance Standards

21.07 Maintenance of Control Measures

21.08 Control of Erosion and Pollutants During Land Disturbance Activities

21.09 Stabilization

21.10 Approved Materials

21.11 Restricted Development Areas

21.12 Permits and Control Plans

21.13 Inspection

21.14 Enforcement and Penalties

Erosion Control Ord

(b) Definitions. The following definitions shall modify terminology in Chapter 21 of the LaCrosse County Code:

- (1) "LaCrosse County" or the "County of LaCrosse" shall mean the Town of Onalaska.
- (2) "Planning, resources and development committee" shall mean the Onalaska Town Plan Commission.

(c) Fees.

- (1) Any land owner or other person or entity desiring a permit shall submit to the Town a permit accompanied by the fees required by the duly adopted fee schedule for such activities approved from time to time by the Town Board in Article II of Chapter 22 of this Code.
- (2) Re-submittal fees will be assessed at a maximum of 25% of the original permit fee or the actual cost, whichever is less.
- (3) After-the-fact-fees. When a permit is acquired only after work was begun without obtaining a permit, all fees other than fees under Section (c)(2), above, shall be two times the ordinary fee for the project."

The above and foregoing Ordinance was duly adopted at a regular meeting of the Town Board of the Town of Onalaska on the 24 day of August, 2010.

TOWN OF ONALASKA

By: David M. Paudler, ATTEST: Town Board Chairperson

Sue Schultz, Town Clerk

Vote: Yes:5 ; No: 0; Adopted: 8-24-2010

Supervisor Michaels seconded the motion. Motion passes unanimously

Supervisor Thompson made a motion to accept Emergency Ambulance Services Agreement Authorization with LaCrosse County Joint City/County Emergency Medical Services Commission and Tri-State Ambulance, Inc. Supervisor Michaels seconded the motion. Motion passes unanimously

No action was taken on the speed limit on Johnson Coulee Road. The state is very specific on what can be done with speed limits. More research is needed. The residents present said they would accept a 35 MPH speed limit.

Town Shop Repairs are needed which include air handler on roof is not working and it is required by OSHA; Hot water heater does not work and needs to be fixed by election on September 14, 2010. The roof leaks and has an ice dam problem for several winters. This needs to be fixed before the EECBG grant for insulation can be installed. These items will be placed on next month's agenda.

There is erosion on the approach/walkway to the Marvin Garden Walking Bridge. The crew can repair this with rock and rip/rap. Supervisor Michaels made a motion to have the Town Crew repair the erosion problem on the approach to the Marvin Garden Walking Bridge. Supervisor Schultz seconded the motion. Motion passes unanimously

Supervisor Schultz will setting dates for Budget listening sessions and reserve Halfway Creek Church and the Brice Prairie First Responders building. The meetings will start at 6:30 PM, same as last year.

Committee Reports

a. Plan Commission

Supervisor Thompson made a motion to recommend rezoning of land in Gavaghan Subdivision where lots are Residential A & B. Supervisor Fogel seconded the motion. The legal description was emailed to Board members prior to this meeting.

Motion passed unanimously.

Supervisor Thompson made a motion to create easement and approve the request of Rob Ivens, N5412 Circle Drive, West, Onalaska, for septic system on right of way of the town road. Supervisor Fogel seconded the motion. Motion passed unanimously. Ivens is redoing his septic system. There is an agreement from several years ago with the town to allow this septic location on the road right of way. Ivens now needs to repair his septic system. LaCrosse County Zoning would like the town to approve and reaffirm this agreement Ivens needs to have a deed prepared indicating the easement. Cost of preparing this deed will be paid by the homeowner (Ivens). If any road repairs are needed in the future, the landowner will pay for that and this will be stated on the deed. Deed will then be signed by the Town and the landowner and filed with LaCrosse County.

b. Stormwater Utility

Joe Dorava met with the SW Utility Board before the Town board Meeting. He recommended the passage of adoption of LaCrosse County Ordinances for Stormwater on Illicit Discharge Detection and Elimination which is required by DNR. That was done earlier in this meeting.

c. Park Committee: The park Committee met on August 6th with Schrieber Anderson and Associates. There will be a public information meeting on 9-28-10 at 6 pm to review SAA recommendations for the Town Park Plan. Once there is a Town Park Plan, grants may be applied for.

Citizens Concerns:

Joe Schaller, N5946 County ZZ, Onalaska, spoke on previous repairs to Town Shop Roof and air exchange; Holmen Village Clerk is proposing Dog licenses renewals be done on line; suggests using the Towns' Association Attorney more.

Board Member Concerns:

Supervisor Schultz and Michaels along with Town Crew Wally Knudson and Ron Aldeman attended the training on use of Town Hall Generator. There needs to be batteries for computer backup when the generator is tested weekly on Thursday.

Supervisor Thompson went to LaCrosse County Assessment Reform Committee Meeting. She suggests the town obtain quotes and bids for a different assessor.

Chairman Paudler reported the town received the 2009 Tax settlement from LaCrosse County for \$219,426.25. There is a workshop on the Capx 2020 routes for \$20.

Supervisors need to provide comments on the newsletter to Sandy Thompson.

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Supervisor Schultz and Clerk Schultz attend the Wisconsin Municipal Clerks Association Conference. Content included SVRS and election updates, public records, speaking in an election year, email retention and understanding resolutions and ordinances (copies of this power point were placed in each supervisor's folder).

Supervisor Schultz made a motion to adjourn the meeting.
Supervisor Michaels seconded the motion. The meeting was adjourned at 9:35 PM.

Respectfully submitted by Clerk Sue Schultz.