

**Village of Holmen
Board Proceedings
February 8, 2024**

President Barlow called the Holmen Village Board meeting to order at 7:00 pm on February 8, 2024, at the Holmen Village Hall.

Board members present: Patrick Barlow, Doug Jorstad, Micah Wyss, Rich Anderson, Rod Stanek, Dawn Kulcinski and Travis Elam. Also present were Lisa Kind, Lindsay Kolasa, Jenny Woyick, Matt Odegaard, Rod Steiger, Joann Bredemann, Rich Bredemann, Rhonda Hesselberg, Brad Booth, Chad McCathie, Karen McCathie, Jeremy Teeter, Donna Stanek, Dave Betsinger, Randy Johnson, Rebecca Blank, County Supervisor Pam Viner, Park & Recreation Director Geary, Administrator Heinig, Clerk/Treasurer Hornberg, Public Works Director Mezera, Chief Collins, Engineer Dahl and Attorney Weber. There were many others in the audience that choose not to sign in.

Public Hearing

At 7:01 pm, Dawn Kulcinski/Doug Jorstad motioned to open the public hearing for Ordinance 1-2024, All-Terrain Vehicle and Utility Terrain Vehicle Routes and Regulations. The motion carried 7-0.

President Barlow requested that Administrator Heinig explain the process to create this proposed ordinance.

Jen Woyick, 112 Mill St., stated that she and her spouse were in favor of the proposed ordinance.

Rhonda Hesselberg, 406 Lilly Ct., spoke in opposition of the proposed ordinance due to street maintenance, noise, protective services and safety concerns.

Richard Bredemenn, N7960 Flaten Rd., spoke in favor of the proposed ordinance due to gas mileage savings and being able to go to Rudy's.

President Barlow asked for a show of hands of people opposed to the proposed ordinance; one person raised their hand. The remaining people in attendance raised their hands in favor.

Lindsay Kolasa, 503 Russell Dr. W, spoke in favor of the proposed ordinance due to gas mileage savings and access to trails.

Chad McCathie, W5548 Olson Rd., as a business owner in the community, spoke in favor of the proposed ordinance for potential increased spending in the community. He stated that his Bronco was basically an oversized UTV.

Matt Odegaard, 603 Russell Dr. N, spoke in favor of the proposed ordinance to be able to connect to trails and to go for rides with his family.

President Barlow requested that Clerk/Treasurer Hornberg read into the record several electronically received correspondences.

Hornberg read email correspondence from Kevin Morgenthaler, W7050 Lake Forest Dr., who is in favor of the proposed ordinance as a reason to visit and support the community. He commented that he feels the speed limit on the proposed ordinance should be increased, he feels there is little risk and that the positives outweigh the negatives.

Hornberg read email correspondence from Mike Paulson, 811 Main St. S, who is in favor of the proposed ordinance to gain access from his home to the rest of the trail routes. He doesn't think Holmen wants the reputation among the sport as "the only town you cannot get through." Paulson doesn't feel that there will be any burden on protective services from ATV/UTV use.

Hornberg read email correspondence from Betty DeBoer, W7941 County Rd. ZB, who requested that the proposed ordinance be posed as a question to the residents in an April referendum; she commented that most residents are unaware of the ATV/UTV question being discussed this evening. She expressed concerns such as young riders, increased traffic, increased noise pollution and increased air pollution. DeBoer also mentioned that businesses may actually lose customers since some people may not want to deal with ATV/UTV traffic in the Holmen area.

President Barlow called for order due to many outside comments and jeering from the crowd.

Hornberg read email correspondence from Edward J. O'Brien, 112 State St.; O'Brien is a local business owner and is in favor of the proposed ordinance. He feels safety and noise concerns can be addressed by state, county and municipal laws. O'Brien remarked that his \$50,000 UTV is expensive, as are most, and that people that own these vehicles have money to spend in the community.

Administrator Heinig shared that he had received two phone contacts from a concerned group of five separate neighbors who live in the McGilvray Park Subdivision around Prairie Pl. and Rotterdam Ave., who have witnessed 'underage youth already illegally ripping through their subdivision roads on ATVs, never even with supervision.' They don't support any ordinance that may bring more ATVs to their neighborhood and especially want the illegal activities to end.

Rod Stanek/Micah Wyss motioned to close the public hearing at 7:17 pm. The motion carried 7-0.

Public Comment

None.

President Barlow requested that Ordinance 1-2024, All-Terrain Vehicle and Utility Terrain Vehicle Routes and Regulations, be moved up in the agenda for consideration.

Doug Jorstad/Rich Anderson motioned to address Ordinance 1-2024, All-Terrain Vehicle and Utility Terrain Vehicle Routes and Regulations, at this time. The motion carried 7-0.

Law Enforcement Committee

Trustee Anderson asked Village of Holmen residents in the crowd this evening to raise their hands; the majority of the crowd were not Village of Holmen residents. He stated that he had canvassed the community and he felt that most residents he spoke with were not in favor of the proposed ordinance; he stated that he is opposed in support of those residents.

Trustee Jorstad mentioned that the Village of Holmen began this process over a year ago, has done a lot of research and had many discussions on the option. He stated that as the fastest growing community in western Wisconsin he feels that there is a high volume of traffic and pedestrians, and that ATV/UTV traffic would cause safety issues. Jorstad commented that the majority of Holmen residents that he discussed the proposed ordinance with were not in support of its approval. He stated for that reason he would not support the ordinance and he thanked the audience for attending.

Trustee Kulcinski stated that she had spoke with the public and that they were all in favor of ATV/UTV routes in Holmen. She remarked that she will be supporting the proposed ordinance in support of local businesses.

Trustee Stanek commented that he has many years of experience riding ATV/UTVs and most of the concerns that have been expressed he has not personally experienced. He feels that riders are a self-governing group and he will support the proposed ordinance.

Trustee Wyss stated that he has not taken this ATV/UTV decision lightly; he has been researching and trying to understand pros/cons of allowing this option in the community. He remarked that his greatest concern is as Holmen grows, how does this ordinance look in 5, 10, 15 years; he finds it hard to see how this proposed ordinance fits into our community for the future.

Trustee Elam stated that he has researched this issue from DNR regulations to fatal deaths on ATV/UTVs trying to decide if allowing these makes sense in Holmen. He compared noise issues to motorcycles and stated that those in opposition, as well as in support, were simply choosing their bias to use as an argument for their view. Elam mentioned the recent Westby ATV/UTV accident and his concerns in his research regarding penalty for intoxicated use of the vehicles, as well as allowing drivers as young as twelve years old to operate a vehicle. Elam stated that years ago this ordinance made sense in this community; however, it does not for this rapidly growing community.

President Barlow commented that while Holmen does its best to support the business community, he has concerns over police/staff issues, nuisance calls, as well as the fact that operating under the influence penalty falls under DNR rules rather than DOT rules. He remarked that from his understanding, the Village of Holmen cannot write an ordinance that is more restrictive than DNR requirements so there isn't a way to restrict age or require that operators hold a valid driver license which results in very young people operating these vehicles. Barlow feels that in this ever-growing community, the benefits to the adoption of this proposed ordinance do not outweigh the issues that it would potentially cause. He asked Administrator Heinig for confirmation on his understanding of the proposed ordinance language.

Administrator Heinig affirmed that it would be unconstitutional for the Village's ordinance to put an age or license requirement that would be more restrictive than the DNR laws for ATV/UTVs.

Trustee Elam mentioned that it was his understanding that hours of operation could be implemented by the Village ordinance.

Administrator Heinig reiterated that the ordinance cannot be more restrictive than the DNR's rules; only speed, hours of operation and locations can be set by local ordinance.

Rod Stanek/Dawn Kulcinski motioned to approve Ordinance 1-2024, Village of Holmen, La Crosse County, State of Wisconsin; All-Terrain Vehicle and Utility Terrain Vehicle Routes and Regulations. The motion failed with Stanek and Kulcinski in favor; Barlow, Elam, Jorstad, Anderson and Wyss opposed.

Minutes

Rich Anderson/Doug Jorstad motioned to approve the minutes of the January 11, 2024 Board meeting as presented. The motion carried 7-0.

Planning Commission

No meeting was held.

Park, Recreation and Library Committee

Informational items only.

Law Enforcement Committee

Rod Stanek/Doug Jorstad motioned to approve purchase of a 2024 Chevrolet Tahoe from Ewald Automotive Group in the amount of \$50,349.00. The motion carried 7-0.

Rod Stanek/Doug Jorstad motioned to approve the purchase of body cameras from Axon Enterprise Inc. in the amount of \$66,999.98. The motion carried 7-0.

Public Works Committee

Rich Anderson/Rod Stanek motioned to approve the 2024 street reconstruction project bid from Gerke Excavating Inc. in the amount of \$451,812.27. The motion carried 7-0.

Rich Anderson/Travis Elam motioned to approve the bid for Holmen Dr. & McHugh Rd. stoplight modifications with Poellinger Electric in the amount of \$10,012.00. The motion carried 7-0.

Rich Anderson/Travis Elam motioned to approve the bid for Ponderosa emergency warning siren replacement from Federal Signal Corporation in the amount of \$24,885.00. The motion carried 7-0.

Rich Anderson/Travis Elam motioned to approve engineering plans for Cole Addition Phase 5. The motion carried 7-0.

Rich Anderson/Rod Stanek motioned to approve bid for Deerwood Park west retention pond clean out from Dave Rybold in an amount not to exceed \$20,000. Trustee Wyss inquired as to the reason for the options listed on the bid; Director Mezera stated that the necessary work will depend on what they find when the job begins. The motion carried 7-0.

Rich Anderson/Rod Stanek motioned to approve the purchase of a spare mixer for the WWTP from Xylem in the amount of \$34,484.70. The motion carried 7-0.

Finance and Personnel Committee

Doug Jorstad/Micah Wyss motioned to approve payment of the claims as presented in the amount of \$4,816,267.25. The motion carried 7-0.

Doug Jorstad/Rich Anderson motioned to deny Operator's License for Stevie Dutka, Features Sports Bar & Grill, with a 90-day waiting period from application date before re-application of Operator's License can occur. The motion carried 7-0.

Doug Jorstad/Micah Wyss motioned to recommend denial of Tricia Blum, Get N Go, LLC., with a 6-month waiting period from application date before re-application of Operator's License can occur. Trustee Elam inquired as to the reason for the reduction of time for re-application as the Police Chief recommended a one-year waiting period. Trustee Wyss and Jorstad explained that Blum had attended the Finance & Personnel meeting and after a lengthy discussion, the Committee decided that a reduction would be recommended. The motion carried 7-0.

Shared Ride Committee

No meeting was held.

Municipal Court Update

Heinig stated that the group has directed City of Onalaska staff to put together options and costs for future review of adding security personnel for Municipal Court.

Fire Board Report

Doug Jorstad/Rod Stanek motioned to approve the amended Fire Association Agreement to Recognize the Creation of a Fire Commission as presented. The motion carried 7-0.

Bluffland Coalition Report

Informational items only.

County Supervisor's Report

Supervisor Viner reported that the County is postponing application review for ATV/UTV routes due to the need for additional public notification of proposed routes. She mentioned that the County is considering a civilian review board for policing in the County; she stated that the County has no authority of any police department in the County so it doesn't make sense.

President's Report

Rich Anderson/Travis Elam motioned to approve President Barlow's recommendation of Andrew Truscott for the Police Commission to replace Ron Bertelsen who has requested to step down. The motion carried 7-0.

Other Items before the Board

Chief Collins stated that his review of Operator's License denials are only recommendations and could be changed at the Board's discretion.

Clerk/Treasurer Hornberg gave thanks for her staff and their hard work during the very busy tax season.

President Barlow commented that he appreciated the time and effort of all in attendance.

Doug Jorstad/Travis Elam motioned to adjourn the meeting at 8:23 pm. The motion carried 7-0.

Angela A. Hornberg, Village Clerk/Treasurer