



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, July 14, 2016

7:30 PM

Council Chambers

Council President Richard Swantz, Presiding

Council President Dick Swantz called the meeting to order at 7:30 p.m.

Roll Call

Present: 16 - Andrea Richmond, Ryan Cornett, Jai Johnson, Elaine Anderson, David Krump, James Cherf, Robert Seaquist, Gary Padesky, Richard Becker, Audrey Kader, Francis J. Formanek, Phillip A. Ostrem, Paul Medinger, Douglas Happel, Martin Gaul, Richard Swantz

Excused: 1 - Tim Kabat

Pledge of Allegiance

Invocation

Moment of Silence

Approval of Minutes

A motion was made by Cherf, seconded by Krump, that the Minutes of June 9 regular and June 27 special meetings be APPROVED. The motion carried.

Reports

[16-0658](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the month of June 2016.

2016-07-001

A motion was made by Cornett, seconded by Richmond, that the Report be RECEIVED AND FILED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0691](#)

Report of the Director of Finance for the month of June 2016.

2016-07-002

A motion was made by Richmond, seconded by Padesky, that the Report be RECEIVED AND FILED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Notices and Discussions

*Cornett announced Pokeman in Riverside Park this Saturday from 5-7:30 p.m.
Chief Gregg Cleveland - badge presentation - Chase Mahner.*

COMMON COUNCIL MATTERS

[16-0475](#)

Amended Resolution amending Council Rule V (h) regarding speakers at public hearings.

A motion was made by Richmond, seconded by Cornett, that the Resolution be RECONSIDERED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

2016-06-011

A motion was made by Richmond, seconded by Johnson, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 13 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Swantz

No: 3 - Seaquist, Happel, Gaul

[16-0690](#)

Resolution approving July 2016 Engineering Estimates.

2016-07-003

A motion was made by Richmond, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0704](#)

Resolution approving 2016 bills paid in July.

2016-07-004

A motion was made by Richmond, seconded by Becker, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

APPOINTMENTS BY THE MAYOR

[16-0655](#)

Building & Housing Appeals Board: Charles Weeth, 122 17th St. S.
Municipal Transit Utility Board: Steven Johnson, 1481 Redfield St., Charles Marx, 2620 Hoeschler Dr.

2016-07-005

A motion was made by Medinger, seconded by Anderson, that the Appointments be CONFIRMED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Excused: 1 - Kabat

REPORT OF BIDS RECOMMENDED TO BE ADOPTED

[16-0594](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$63,701.18 for the Sidewalk In-Fill (Windsor Street to Island Street) project.

2016-07-006

A motion was made by Richmond, seconded by Padesky, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0595](#)

Report of Bids & Resolution Awarding Contract to Les Manske & Sons Excavating & Landscaping in the amount of \$59,967.50 for the International Business Park Trail Work-2016 project.

2016-07-007

A motion was made by Richmond, seconded by Anderson, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0596](#)

Report of Bids & Resolution awarding contract to Badger Environmental & Earthworks, Inc. in the amount of \$207,225.00 for the Cathodic Protection System-CTH B project.

2016-07-008

A motion was made by Richmond, seconded by Ostrem, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0597](#)

Report of Bids & Resolution awarding contract to Winona Welding & Sandblasting, Inc. in the amount of \$359,000.00 for the Digester No. 3 Cover Rehabilitation project.

2016-07-009

A motion was made by Padesky, seconded by Richmond, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0598](#)

Report of Bids & Resolution awarding contract to Klich Electric, Inc. in the amount of \$51,665.00 for the Fire Station #2 Generator Project.

2016-07-010

A motion was made by Richmond, seconded by Ostrem, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0637](#)

Report of Bids & Resolution awarding contract to Poellinger Electric, Inc. in the amount of \$24,392.00 for the Lang Drive Conduit project.

2016-07-011

A motion was made by Anderson, seconded by Becker, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

ITEMS RECOMMENDED TO BE ADOPTED[16-0412](#)

AN ORDINANCE to amend Sections 8-1(2), 8-51, 8-51(a) and (b), 8-54 and 8-54(c)(1), and 44-3 and 44-3(d) to update the title of Airport Director; to amend Section 8-21 regarding the Aviation Board membership and to amend Section 8-23(2) regarding the powers and duties of the Aviation Board of the Code of Ordinances of the City of La Crosse.

A motion was made by Richmond, seconded by Padesky to ADOPT.

A motion was made by Richmond, seconded by Krump, to AMEND Section 8-21 regarding membership of the Aviation Board.

A motion was made by Krump, seconded by Kader, that the Ordinance be REFERRED 30 days back to Aviation Board, Judiciary & Administration Committee and Common Council. The motion carried by the following vote:

Yes: 14 - Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Happel, Gaul, Swantz

No: 2 - Richmond, Medinger

[16-0535](#)

Amended Resolution creating Council Rule IX regarding election procedure for Executive Committee and Standing Committee Members.

A motion was made by Ostrem, seconded by Cornett, to ADOPT.

A motion was made by Richmond, seconded by Padesky, that the Resolution be REFERRED to the April 2017 organizational meeting. The motion FAILED by the following vote:

Yes: 7 - Richmond, Padesky, Becker, Kader, Medinger, Happel, Swantz

No: 9 - Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Formanek, Ostrem, Gaul

2016-07-012

A motion was made by Johnson, seconded by Krump, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0571](#)

Resolution authorizing the Hwy 53 Master Plan Steering Committee to enter into a Professional Services Agreement with Perkins & Will for the preparation of a Master Plan for the Hwy 53/Rose St/Copeland Ave Corridor.

2016-07-013

A motion was made by Richmond, seconded by Cornett, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 13 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Swantz

No: 3 - Johnson, Padesky, Gaul

[16-0575](#)

Application of Greg Wendling for a Conditional Use Permit at 2631 South Avenue allowing for an auto diagnostic and electrical repair shop and resolution approving same.

2016-07-014

A motion was made by Padesky, seconded by Gaul, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

No: 1 - Seaquist

ITEMS RECOMMENDED TO BE RE-REFERRED

[16-0413](#)

AN ORDINANCE to amend Section 8-82 through 8-171 of the Code of Ordinances of the City of La Crosse - Airport Overlay Zoning District Ordinance for the City of La Crosse, Wisconsin.

A motion was made by Kader, seconded by Ostrem, that the Ordinance be REFERRED for 30 days. The motion FAILED by the following vote:

No: 15 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Abstain: 1 - Johnson

Ord. 4943. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

A motion was made by Richmond, seconded by Cornett, that the Ordinance be ADOPTED. The motion carried by the following vote:

Yes: 15 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Abstain: 1 - Johnson

[16-0579](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Local Business District to the Planned Unit Development District - General allowing for development of multi-unit apartment complexes at 2306 State Road 16.

A motion was made by Cornett, seconded by Ostrem, that the Ordinance be REFERRED 30 days back to the City Plan Commission, Judiciary & Administration Committee and Common Council. The motion carried by the following vote:

Yes: 15 - Richmond, Cornett, Johnson, Anderson, Krump, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Abstain: 1 - Cherf

ITEM RECOMMENDED TO BE ADOPTED

[16-0567](#)

Amended Resolution establishing a Floodplain Relief Program.

2016-07-015

A motion was made by Gaul, seconded by Cornett, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 16 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Excused: 1 - Kabat

CONSENT AGENDA

Actions by Single Vote

A motion was made by Cornett, seconded by Becker, to approve the Consent Agenda. The motion carried by the following vote:

ITEMS RECOMMENDED TO BE ADOPTED

[16-0559](#)

AN ORDINANCE to amend Sec. 4-73(c) and delete Sec. 4-73(d) of the Code of Ordinances of the City of La Crosse regarding the provisions for an economic development grant for "Class B" licenses to comply with Wisconsin State Statutes.

Ord. 4944. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[16-0640](#)

AN ORDINANCE to amend Section 44-114 of the Code of Ordinances of the City of La Crosse regarding parking restrictions.

Ord. 4945. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[16-0405](#)

Resolution vacating a portion of a Rublee Street, Fairview Drive and Elm Street east of Kramer Street.

2016-07-016

[16-0493](#)

Preliminary resolution declaring intent to exercise special assessment powers under sections 66.0829 and 66.0703, Wisconsin Statutes, relating to the operation and maintenance of a downtown parking system.

2016-07-017

- [16-0498](#) Resolution approving the abolishment of the City of La Crosse German International Relations Committee and the La Crosse Epinal Committee.
2016-07-018
- [16-0506](#) Resolution approving the abolishment of the City of La Crosse Information Technology Committee.
2016-07-019
- [16-0524](#) Resolution requesting reallocation of previous funds for the purpose of purchasing a Truck Vault and updated lighting for fire department apparatus-Squad.
2016-07-020
- [16-0538](#) Resolution approving the reorganization to the table of positions and classifications for the Public Works Department, Parking Utility - Grounds, Police Department and Parking Utility - Police.
2016-07-021
- [16-0539](#) Application of L & M Tap LLC dba L & M Tap for Expansion of Alcohol Beverage License at 631 Copeland Avenue for Special Event on July 30, 2016 and resolution approving same.
2016-07-022
- [16-0549](#) Amended Resolution authorizing a short term loan of \$82,900 for the installation of water and sewer mains at 2226 Green Bay Street, the former Navy Reserve Training Center site.
2016-07-023
- [16-0560](#) Resolution approving the reorganization to the table of positions and classifications for the Engineering Department effective July 15, 2016.
2016-07-024
- [16-0563](#) Resolution authorizing the appropriation of unobligated parking ramp funds to the Police Department Parking Utility and Grounds to purchase parking equipment and services.
2016-07-025
- [16-0566](#) Resolution approving the reorganization to the table of positions and classifications for the Finance Department effective July 15, 2016.
2016-07-026

[16-0583](#) Application of L & M Tap LLC dba L & M Tap for Expansion of Alcohol Beverage License at 631 Copeland Avenue for Special Event on August 6, 2016 and resolution approving same.

2016-07-027

[16-0620](#) Various license applications pursuant to Chapters 4, 6 and/or 10 of the LaCrosse Municipal Code for the remainder of license period 2016-17 (July) and resolution approving same.

2016-07-028

[16-0638](#) Resolution to replace one of the current Parks Department pickup trucks and one Parks Department utility vehicle.

2016-07-029

ITEMS RECOMMENDED TO BE NOT ADOPTED

[16-0573](#) Resolution authorizing the Park Department to procure two replacement pickup trucks and appropriation of funds.

2016-07-030

ITEMS RECOMMENDED TO BE RE-REFERRED

[16-0467](#) Resolution approving a loan request from TID # 16 with the Fenigor Group, LLC for the renovation of the Historic Rubber Mills Building at 1501 St. Andrew Street.

NEW ITEMS FOR REFERRAL

[16-0297](#) Resolution authorizing Donation Agreement to accept a tank car for training purposes from BNSF railway.

[16-0614](#) Resolution to accept Radiological Field Team contract between State of Wisconsin and the City of La Crosse from July 1, 2016 through June 30, 2019.

[16-0624](#) Resolution approving release of funds for ergonomic improvements.

[16-0627](#) AN ORDINANCE to amend Section 34-66 of the Code of Ordinances of the City of La Crosse regarding consumption of alcoholic beverages under the jurisdiction of the Board of Park Commissioners.

[16-0633](#) Resolution authorizing the purchase of two municipal tractors.

- [16-0639](#) AN ORDINANCE to amend Secs. 10-756 and 10-757(10) of the Code of Ordinances of the City of La Crosse relating to charitable organization exemptions from a Direct Sellers Permit.
- [16-0650](#) Resolution authorizing payment and release of funds for airport lightning protection system.
- [16-0651](#) Resolution authorizing payment and release of funds for airport nursing mothers room conversion.
- [16-0652](#) AN ORDINANCE to create Section 6-18 of the Code of Ordinances of the City of La Crosse regarding pigeon control.
- [16-0653](#) Resolution approving Application of Generous Earth Pottery LLC for a Conditional Use Permit at 313-315 Pearl Street allowing permission to apply for a Combination "Class B" Beer & Liquor license.
- [16-0654](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Residence District to the Multiple Dwelling District allowing for higher density residential developments at 5221 and 5233 33rd St. S.
- [16-0656](#) Resolution approving establishment of Pool Committee regarding Memorial Swimming Pool Facility.
- [16-0657](#) Amended Resolution authorizing a reclassification for the position of Meter Reader II and Human Resources Assistant.
- [16-0659](#) Amended Resolution authorizing the City Engineer to sign "Conveyance Of Rights In Land" as requested by the Wisconsin Department of Transportation for the Reconstruction of Rose Street from Livingston Street to West George Street (Project #1071-06-10, 82).
- [16-0660](#) Resolution approving Certified Survey Map located in Part of SE-NW, NE-SW, Section 6, T15N-R6W, Town of Shelby, La Crosse County, Wisconsin.
- [16-0661](#) Resolution approving 2016 Communication from the City Assessor relative to corrections of prior year's assessment and tax rolls.
- [16-0662](#) Resolution appropriating additional funds in connection with insurance consultation services.
- [16-0663](#) Resolution authorizing the City Engineer and Utilities Manager to sign a Professional Services Agreement with Process Equipment Repair Services, Inc. for the Digester No. 3 Rehabilitation project.

- [16-0666](#) Amended Resolution approving the reorganization to the table of positions and classifications for various departments effective January 3, 2017, subject to the Board of Estimates budget recommendation.
- [16-0670](#) Amended Resolution authorizing the Engineering Department to retain a licensed land surveyor to acquire elevation data on specific floodplain structures and appropriation of funds.
- [16-0671](#) Resolution authorizing new positions to the 2017 operating budget.
- [16-0676](#) Resolution requesting the release of funds associated with approved Fire Department 2016 Capital Improvement Project- Fire Department Storage Building.
- [16-0677](#) Resolution authorizing the Director of Human Resources to enter into an agreement with ICMA Retirement Corporation to offer IRA's as an additional voluntary employee benefit.
- [16-0678](#) AN ORDINANCE to amend Section 44-112 of the Code of Ordinances of the City of La Crosse for parking adjacent to certain schools.
- [16-0685](#) Resolution vacating a portion of the service road of the Plat of Hoeschler's Park Plaza Addition.
- [16-0692](#) Resolution approving Application of Howie's On La Crosse, LLC dba Howie's for Expansion of Alcohol Beverage License at 1128 La Crosse Street for Special Event on September 10, 2016.
- [16-0693](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Traditional Neighborhood District - General to the Traditional Neighborhood District - Specific at 330 Adams Street allowing for a drive through coffee shop.
- [16-0694](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Planned Development District - General to the Planned Development District - Specific at 529, 601 and 621 Park Plaza Drive allowing for a mixed use residential development.
- [16-0695](#) Application of The Fenigor Group LLC for a Conditional Use Permit at 1407/1501 St. Andrew Street modifying conditions of approval allowing separation of Buildings A & B and occupancy of Building B subject to inspection and compliance and resolution approving same.
- [16-0696](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Local Business District to the Commercial Business District at 2127 and 2135 George Street allowing operation of a motorcycle sales and service dealership.

- 16-0707** ~~Application of Pump House Regional Arts Center for Expansion of Alcohol Beverage License at 119 King Street for Special Event on Saturday, September 3, 2016.~~
Note: Event cancelled and applications withdrawn 7-26-16.

Adjournment

A motion was made by Richmond, seconded by Formanek, to ADJOURN at 9:00 p.m. The motion carried by voice vote.