



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, September 12, 2019

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 6:00 p.m.

Roll Call

Present: 13 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Larry Sleznikow, Justice Weaver, Chris Kahlow, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Douglas Happel, Roger Christians
Excused: 1 - Martin Gaul

Pledge of Allegiance

Invocation

Pastor Jacob Eichers of Faith Lutheran Church led the invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Weaver, to APPROVE the minutes of August 8, 2019 meeting. The motion carried by unanimous vote.

Reports

[19-1309](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the month of August 2019.

2019-09-001

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1346](#)

Report of the Director of Finance for the month of July 2019.

2019-09-002

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1351](#)

Report of the Director of Finance for the month of August 2019.

2019-09-003

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

Notices and Discussions

- Council Member Olson announced the Apartment Association fundraiser for the La Crosse Canine Unit on October 19 at the American Legion from 11 a.m. - 6 p.m.
- Mayor Kabat announced the Neighborhood Expo on October 19 from 8 a.m. - noon at the Black River Beach Neighborhood Center.

COMMON COUNCIL MATTERS

[19-1343](#)

Resolution approving September 2019 Engineering Estimates.

2019-09-004

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1348](#)

Resolution approving 2019 bills paid in September 2019.

2019-09-005

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

APPOINTMENTS BY THE MAYOR

[19-1312](#)

Complete Count Committee: Hetti Brown, Julie McDermid, Tiffany Olson, Scott Rada, Leah Hoover, Michael Slevin, Mark Solyst, Tony Yang, Pamela Strittmater, Phillip Ostrem. Economic Development Commission: Angela Seeger. Heritage Preservation Commission: Janet Allen, John Satory, Laura Godden, David Riel. Safe Routes to School Steering Committee: Thomas Walsh.

2019-09-006

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS: (2/3 Vote Required)

A motion was made by Richmond, seconded by Padesky, to SUSPEND Council Rule VIII for Items 19-1188, 19-1285, 19-1308, and 19-1310. The motion carried unanimously.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[19-1035](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$137,734.98 for the 2019 Alley Paving project.

2019-09-007

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1229](#)

Report of Bids & Resolution awarding contract to A-1 Excavating, Inc. in the amount of \$124,725.00 for the Vista Del Rio Storm Sewer Repair & Restoration.

2019-09-008

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1230](#)

Report of Bids & Resolution awarding contract to Olympic Builders General Contractors in the amount of \$963,071.00 for the Myrick Park Water Utility Storage Building.

2019-09-009

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

ITEMS WITH NO RECOMMENDATION

[19-1310](#)

Application of Boys & Girls Club of Greater La Crosse for a Special Event Outdoor Cabaret License for the Glow in the Deke event at Myrick Park Shelter on October 5, 2019.

2019-09-010

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

[19-1227](#)

Resolution authorizing public improvement and levying special assessments against benefited property in La Crosse, Wisconsin for Storm Water Conveyance System at 4451 El Camino Real Drive.

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

A motion was made by Christians, seconded by Medinger, that the Resolution be AMENDED in the first WHEREAS to change the date of Board of Public Works approval of the Report from August 26 to September 3, and further amend to provide funding from existing cash in the Special Assessments Fund and Storm Water Utility instead of assessing the property owners. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

2019-09-011

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

ITEM REMOVED FROM CONSENT

[19-1242](#)

Resolution authorizing the Board of Public Works to approve and accept a Temporary Construction Easement and Permanent Storm Sewer Utility Easement and Fee Title for a portion of El Camino Real Drive from Vista Del Rio Homeowners and Homeowner's Association for the Construction of Storm Sewer Conveyance System.

A motion was made by Sleznikow, seconded by Padesky, that the Resolution be AMENDED in the last WHEREAS clause to fix the Storm Sewer Conveyance System at the expense of the City. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

2019-09-012

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

CONSENT AGENDA

A motion was made by Padesky, seconded by Weaver, that the Consent Agenda be ADOPTED. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

[19-0574](#)

A SECOND AMENDED ORDINANCE to amend various sections of Ch. 10, Article X of the Code of Ordinances of the City of La Crosse regarding Outdoor Food Stands and Mobile Food Units.

Ord. 5104. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-0825](#)

AN ORDINANCE to create Section 115-185 of the Code of Ordinances of the City of La Crosse establishing the Bridgeview Neighborhood Center Zone Overlay District.

Ord. 5105. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1156](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Traditional Neighborhood District - General allowing mixed-use or multi-family at 1222 Denton St.

Ord. 5106. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1157](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Planned Development District - General to the Public/Semi-Public District allowing the combining of lots for continued use of community garden at 1109 St. James St. and 901 George St.

Ord. 5107 For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1158](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District and Residence District to the Traditional Neighborhood District - General allowing use as commercial, mixed-use or multi-family development at 618 Jackson St. and 1004 7th St. S.

Ord. 5108 For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1175](#)

AN ORDINANCE to amend Table 111-13(1) of the Code of Ordinances of the City of La Crosse regarding allowed sign characteristics.

Ord. 5109 For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [19-1176](#) AN ORDINANCE to amend Section 44-71 of the Code of Ordinances of the City of La Crosse concerning the speed limits on connecting highways.
Ord. 5110. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [19-1032](#) Amended Resolution authorizing the La Crosse Historic and Cultural Museum Planning Task Force to enter into a Professional Services Contract with the UW-La Crosse Tourism Research Institute for the preparation of a La Crosse Historical and Cultural Museum Feasibility Study.
2019-09-013
- [19-1048](#) Resolution authorizing the Board of Public Works to approve a Temporary Construction Easement to Xcel Energy for a transmission line in Riverside Park.
2019-09-014
- [19-1159](#) Resolution approving Application of MJA1 Hospitality LLC dba Kramer's Bar & Grill for Expansion of Alcohol Beverage License for Special Event at 1123 3rd St. S. on September 27, 2019.
2019-09-015
- [19-1060](#) Amended Resolution authorizing the Board of Public Works hire a Geotechnical Consultant to design soil stabilization in areas of the City that are currently eroding.
2019-09-016
- [19-1069](#) Resolution approving Proposal for Professional Services for Feasibility Study, Design and Construction Service for La Crosse Fire Station - North.
2019-09-017
- [19-1102](#) Resolution declaring certain property located at 732 George St. (parcel #17-10290-10) as surplus property.
2019-09-018
- [19-1130](#) Resolution authorizing the Police Department to accept a Wisconsin Department of Justice Assistance (JAG) Grant.
2019-09-019
- [19-1134](#) Resolution approving Application of Uno Venti LLC for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor License at 122 King Street.
2019-09-020

- [19-1155](#) Resolution approving Request of Gerrard Corporation for an Exception to Multi-Family Housing Design Standards allowing a waiver of driveway and landscape buffer standards for new development project at 1002-08, 1010 and 1016-20 Vine St. and 234, 226-228 10th St. N.
2019-09-021
- [19-1188](#) Amended Resolution approving the purchase and release of Airport Operating funds for an industrial forklift not stated in the 2019 Capital Equipment Budget.
2019-09-022
- [19-1195](#) Resolution approving proposed water rate changes as determined by the Wisconsin Public Service Commission (PSC).
2019-09-023
- [19-1215](#) Amended Resolution authorizing submittal of letter of interest regarding the acquisition of United States Postal Service property located at 425 State St and allocation of associated funds.
2019-09-024
- [19-1224](#) Resolution approving a reclassification of the position of Clerk Steno III in the department of Fire Protection and Building Safety.
2019-09-025
- [19-1233](#) Resolution authorizing the Mayor and City Clerk to sign State/Municipal Agreement for Safety Improvements on West Avenue at the intersections of King Street and Badger Street (Project I.D. #5220-04-04/74).
2019-09-026
- [19-1234](#) Resolution authorizing the Mayor and City Clerk to sign State/Municipal Agreement for Safety Improvements at Various Traffic Signals on Connecting Highways (Project I.D.s #1641-03-75, 7575-07-70, and 5120-02-70).
2019-09-027
- [19-1239](#) Resolution approving 2019 Communication from the City Assessor relative to corrections of prior year's assessment and tax rolls.
2019-09-028

[19-1241](#) Amended Resolution authorizing public improvement and levying special assessments against benefited property in La Crosse, Wisconsin for 2019 Concrete Alley Paving:
Alley 1 - between 6th & 7th, from Adams to Johnson.
Alley 2 - between 6th & 7th, from Vine to southern terminus.
Alley 3 - between Ferry & Madison, from 14th to the western terminus.
2019-09-029

[19-1251](#) Resolution approving position of Program Specialist be added to the Wage Rate Schedule for Part time, Seasonal and Casual Employees.
2019-09-030

[19-1254](#) Resolution granting various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for the remainder of license period 2019-20 (September).
2019-09-031

[19-1285](#) Resolution approving a revised amendment to the Project Plan and boundaries of Tax Incremental District No. 6, City of La Crosse, Wisconsin.
2019-09-032

[19-1308](#) Resolution approving first change order to the Performance Contract with Johnson Controls, Inc.
2019-09-033

ITEMS RECOMMENDED TO BE RE-REFERRED

[19-0906](#) AN ORDINANCE to create Division 6 of Ch. 115, Art. VII of the Code of Ordinances of the City of La Crosse regarding Solar Energy Systems.
Referred 60 days to the November 2019 meetings

ITEM FOR CLOSED SESSION

[19-1350](#)

Update on City of La Crosse v. Kriemelmeyer litigation, Case No. 19-CV-459.
(Note: The Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Council may reconvene in open session.)

A motion was made by Weaver, seconded by Ostrem, to convene in CLOSED SESSION pursuant to Wis. Stat., sec. 19.85(1)(g). The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Happel, Christians

Excused: 1 - Gaul

In closed session, a motion was made by Richmond, seconded by Christians, to reconvene in OPEN SESSION. The motion carried by voice vote.

Adjournment

A motion was made by Richmond, seconded by Olson, to ADJOURN. The motion carried by voice vote.