



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes - Final Common Council

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Thursday, November 12, 2015

7:30 PM

Council Chambers

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### Mayor Tim Kabat, Presiding

*Mayor Tim Kabat called the meeting to order at 7:40 p.m.*

### Roll Call

**Present:** 17 - Tim Kabat, Andrea Richmond, Dempsey Miller, 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

**Excused:** 1 - Richard Swantz

### Pledge of Allegiance

### Invocation

*Father Patrick Augustine of Christ Episcopal Church offered the invocation.*

### Approval of Minutes

**A motion was made by Gaul, seconded by Krump, that the Minutes of October 8, 2015 regular meeting be APPROVED. The motion carried.**

### Reports

#### [15-1156](#)

Report of the Director of Finance for the month of October 2015.

*2015-11-001*

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

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

**Excused:** 1 - Swantz

[15-1162](#)

Report of the Department of Fire Protection and Building Safety on Inspections & Permit Revenue for the Month of October 2015.

2015-11-002

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

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

**Excused:** 1 - Swantz

### Notices and Discussions

#### \* Fire Department Badge Presentation

*Fire Chief Gregg Cleveland presented Troy Glasel with his badge.*

*Council Member Miller submitted resignation as 2nd District Council Member effective January 1, 2016.*

*Council Member Cherf invited all to attend Downtown Holiday Open House Celebration tomorrow night, and to the Library for the 13th Annual Give A Gift. There is a parade on the November 27th and the Lighting of Rotary Lights.*

*Council Member Kader offered comments regarding attendance at recent League of Wisconsin Municipalities Conference.*

### COMMON COUNCIL MATTERS

[15-1067](#)

Resolution approving a Loan and Affordable Housing Development Agreement with 2219 Lofts Limited Partnership.

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

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

**Excused:** 1 - Swantz

2015-10-013

**A motion was made by Kader, seconded by Cornett, that the Resolution be ADOPTED with updated documents. The motion carried by the following vote:**

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

**Excused:** 1 - Swantz

[15-0925](#)

Amended Resolution approving the 2016-2020 Capital Improvement Budget.

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

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

**Excused:** 1 - Swantz

**A motion was made by Becker, seconded by Padesky, that the Resolution be AMENDED to provide the \$193,000 that was previously deleted for council renovation be used for three additional street projects as presented. The motion carried by the following vote:**

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

**Excused:** 1 - Swantz

*2015-10-008*

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

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

**Excused:** 1 - Swantz

[15-1030](#)

Resolution denying Application of Ying Min Lin dba Sushi Pirate for an Indoor Cabaret License at 200 Main Street for 2015-16 license year.

**A motion was made by Becker, seconded by Cherf, that the Application be RECONSIDERED. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Anderson, Cherf, Seaquist, Padesky, Becker, Kader, Ostrem, Medinger, Happel, Gaul

**No:** 1 - Formanek

**Excused:** 1 - Swantz

**Absent:** 1 - Krump

**A motion was made by Becker, seconded by Medinger, that the Application be REFERRED to the December cycle. The motion carried by the following vote:**

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

**Excused:** 1 - Swantz

[15-1159](#)

Resolution approving Engineering Estimates for November 2015.

2015-11-003

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

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

**Excused:** 1 - Swantz

[15-1174](#)

Resolution approving 2015 bills paid in November.

2015-11-004

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

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

**Excused:** 1 - Swantz

**APPOINTMENTS BY THE MAYOR**

[15-1111](#)

Building & Housing Appeals Board: Jeremy Riley, 1505 Market St. Heritage Preservation Commission: Ariel Beaujot, 801 Main St. Apt. #207. La Crosse County Convention & Visitors Bureau: Jeff Johnson, 3310 Bayside Ct., Laurie Pfaff, W763 East Mohawk Ln., Phil Ostrem, 1104 6th St. S., Municipal Transit Utility Board: Brady Gross, 220 11th St. N. Neighborhood Revitalization Commission: Nancy Stoll Caucutt, 908 5th Ave. S., Steven Larrabee, 1837 George St.

2015-11-005

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

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

**Excused:** 1 - Swantz

## REPORT OF BIDS RECOMMENDED TO BE ADOPTED

### [15-1080](#)

Report of Bids & Resolution awarding contract to Robinson Brothers Environmental, Inc. in the amount of \$220,000.00 for the 7th & Cass Building Demolitions project.

2015-11-006

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

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

**Excused:** 1 - Swantz

## ITEMS RECOMMENDED TO BE ADOPTED

### [15-1000](#)

AN ORDINANCE to amend Section 2-58 of the Code of Ordinances of the City of La Crosse regarding salary for the office of Mayor.

*This ordinance was vetoed by Mayor Kabat 11/17/2015.*

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

**Yes:** 12 - Richmond, Miller, Cornett, Anderson, Krump, Seaquist, Padesky, Formanek, Ostrem, Medinger, Happel, Gaul

**No:** 2 - Cherf, Becker

**Excused:** 1 - Swantz

**Abstain:** 2 - Johnson, Kader

### [15-1041](#)

Final Plat of Willow Heights to the Town of Shelby, Wisconsin and resolution approving same.

2015-11-007

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

**Yes:** 11 - Richmond, Miller, Cornett, Johnson, Anderson, Cherf, Padesky, Becker, Kader, Medinger, Happel

**No:** 5 - Krump, Seaquist, Formanek, Ostrem, Gaul

**Excused:** 1 - Swantz

**ITEM RECOMMENDED TO BE NOT ADOPTED**

[15-1039](#)

AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Local Business District to the Multiple Dwelling District 1023-1025 Caledonia Street allowing for a 4-unit residential building.

2015-11-008

**A motion was made by Richmond, seconded by Gaul, that the Ordinance be NOT ADOPTED. The motion carried by the following vote:**

**Yes:** 12 - Richmond, Miller, Cornett, Johnson, Anderson, Krump, Seaquist, Kader, Formanek, Medinger, Happel, Gaul

**No:** 4 - Cherf, Padesky, Becker, Ostrem

**Excused:** 1 - Swantz

**ITEM RECOMMENDED TO BE RE-REFERRED**

[15-1068](#)

Resolution approving Development Agreement with 2219 Lofts Limited Partnership.

**A motion was made by Kader, seconded by Krump, that the Resolution be REFERRED. The motion failed by the following vote:**

**No:** 16 - Richmond, Miller, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

2015-11-009

**A motion was made by Kader, seconded by Formanek, that the Resolution be ADOPTED (Updated and Amended Version). The motion carried by the following vote:**

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

**Excused:** 1 - Swantz

**ITEM RECOMMENDED TO BE ADOPTED**

[15-1032](#)

Resolution approving Architectural Services for the Programming and Schematic phases to develop Powell Park.

2015-11-010

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

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

**Excused:** 1 - Swantz

[15-1043](#)

Certified Survey Map Part of Lot 4 CSM (v.15, p.131, Doc. No. 1620644) located in the NE 1/4 of the SW 1/4, Section 14, T16N-R7W to the City of La Crosse, La Crosse County, Wisconsin and waiver of sec. 113-1 Subdivision platting requirements and resolution approving same.

2015-11-011

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

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

**Excused:** 1 - Swantz

### **Actions by Single Vote**

**A motion was made by Krump, seconded by Gaul, to approve the Consent Agenda. The motion carried by the following vote:**

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

**Excused:** 1 - Swantz

### **CONSENT AGENDA**

#### *ITEMS RECOMMENDED TO BE ADOPTED*

[15-1008](#)

AN ORDINANCE to repeal Section 115-142(a)(3)c of the Code of Ordinances of the City of La Crosse regarding non-conforming uses in conformance with state law.

*Ord. 4897. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

[15-1040](#)

AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Traditional Neighborhood District - General to the Traditional Neighborhood District - Specific at 2219 South Avenue allowing for a multifamily housing development.

*Ord. 4898. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

[15-0510](#)

Resolution approving First Amendment to Kwik Trip Development Agreement (Dairy and Freezer-Bakery Expansion Projects) and First Amendment to Land-Lease Freezer-Bakery Project.

2015-11-012

- [15-0814](#) Resolution authorizing the Board of Public Works to hire a Parking Ramp Design Consultant to design two additional floors for the Riverside Ramp and appropriation of funds.  
*2015-11-013*
- [15-0937](#) Resolution denying Request for Exception to Standards for Commercial Design by VEH Properties LLC for a two-tenant commercial building at 707, 713, 717 and 721 La Crosse Streets allowing for a waiver of parking lot placement.  
*2015-11-014*
- [15-0950](#) Resolution appropriating funds for the Radio System.  
*2015-11-015*
- [15-1006](#) Application of Mary Mother of the Church Parish for a Conditional Use Permit at 2006 Weston Street allowing for demolition of former school building and replacing with green space for future addition to existing church/rectory and resolution approving same.  
*2015-11-016*
- [15-1007](#) Resolution levying Special Charges for Services performed in 2015.  
*2015-11-017*
- [15-1013](#) Application of John and Joyce Boysen for a Conditional Use Permit at 340 29th St. S. to allow a fence greater than 6 feet in height and resolution approving same.  
*2015-11-018*
- [15-1016](#) Amended Resolution approving the acceptance of land for an alley bound by East Avenue, 19th Street, Adams Street and Jackson Street.  
*2015-11-019*
- [15-1019](#) Resolution approving an agreement between the City of La Crosse and The Horton Group effective January 1, 2016 for technical and compliance support in the administration of the City's self funded health plan.  
*2015-11-020*
- [15-1021](#) Resolution approving Agreement for Sanitary Sewage Conveyance and Treatment between the City of La Crosse and the Town of Campbell.  
*2015-11-021*



- [15-1022](#) Resolution creating Wards 31-34.  
2015-11-022
- [15-1031](#) Amended Resolution authorizing the Parks, Recreation and Forestry Department to apply for and accept a Wisconsin Department of Natural Resources Urban Forestry Grant.  
2015-11-023
- [15-1035](#) Resolution allocating funds for the redevelopment of 800 and 802 Rose Street.  
2015-11-024
- [15-1042](#) Application of La Crosse Community Housing Development Organization for a Conditional Use Permit at 421 Mississippi Street to demolish current residential structure leaving a vacant lot for future development and resolution approving same.  
2015-11-025
- [15-1053](#) Resolution appropriating funds from TID #6 to buy lighting equipment for 2016 Streetscaping.  
2015-11-026
- [15-1057](#) 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 2015-16 (November).  
2015-11-027

*ITEMS RECOMMENDED TO BE NOT ADOPTED*

- [15-1014](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Single Family District to the Residence District 411/415 13th St. S. allowing for an owner-occupied duplex.  
2015-11-028

**NEW ITEMS FOR REFERRAL**

- [15-0964](#) Resolution appropriating funds for private contractor(s) to assist with clearing snow from public sidewalks for the 2015-16 season.

- [15-1054](#) AN ORDINANCE to amend Sec. 44-105 of the Code of Ordinances of the City of La Crosse regarding parking within the Business District at night.
- [15-1064](#) Resolution approving Humana as the Dental Carrier for Plan Year 2016.
- [15-1074](#) Resolution approving Appendix C of the Municipal Code for the City of LaCrosse entitled "Fee Schedule".
- [15-1076](#) Resolution approving an increase to the On-Call Pay for positions identified in the Employee Handbook effective January 1, 2016.
- [15-1077](#) Resolution approving Superior Vision Insurance Plan of Wisconsin, Inc. as the provider for a voluntary employee paid vision plan effective January 1, 2016.
- [15-1078](#) Resolution amending part-time wage rate schedule for Crossing Guards effective December 18, 2015.
- [15-1081](#) AN ORDINANCE to amend Sections 2-2(b)(12), 103-134 and 103-137 through 103-141 and to repeal Section 103-136 of the Code of Ordinances of the City of La Crosse regarding the electrical code.
- [15-1082](#) Resolution approving Application of Neighborhood Rentals LLC for a Conditional Use Permit at 2929 W. Fairchild Street allowing demolition of rental home leaving vacant land for future rebuild.
- [15-1085](#) Resolution approving a wage increase effective January 1, 2016 for specific positions covered under the Employee Handbook.
- [15-1089](#) Resolution approving a proposed change to Water Utility tariff on billing.
- [15-1090](#) AN ORDINANCE to amend Section 32-104(b) of the Code of Ordinances of the City of La Crosse regarding loitering.
- [15-1091](#) AN ORDINANCE to amend Sections 46-152 and 46-178 of the Code of Ordinances of the City of La Crosse regarding sewer and stormwater charges.
- [15-1092](#) Resolution vacating the entire remainder of Shiftar Road in City of La Crosse.
- [15-1097](#) Resolution approving a retroactive wage adjustment and overtime calculations to the incumbent Airport Operations Coordinator.
- [15-1105](#) Resolution approving purchase of Motor Grader.
- [15-1106](#) Resolution authorizing payment for the paving of State Street between Front and 2nd from TID 11 funds.

- [15-1108](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Local Business District to the Commercial District at 2631 South Avenue allowing for an automotive diagnostics and drivability repair shop.
- [15-1112](#) Initial Resolution Regarding Industrial Development Revenue Bond Financing for S&S Cycle, Inc.  
*"Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for S&S Cycle, Inc. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution."*
- [15-1113](#) AN AMENDED ORDINANCE to amend Section 2-78 of the Code of Ordinances of the City of La Crosse regarding the salary of the City Clerk.
- [15-1116](#) Resolution adopting the 2016 Council Meeting Calendar.
- [15-1117](#) Resolution approving commemorative terminal remodel dedication plaque.
- [15-1118](#) AN ORDINANCE to amend the Parking Violation Table in Section 44-1 of the Code of Ordinances of the City of La Crosse regarding City lots and ramps.
- [15-1120](#) Resolution approving Application of Rahn Pischke for a Conditional Use Permit at 303 Cass Street to demolish a portion of an existing structure allowing space for a sales lot.
- [15-1121](#) Resolution appropriating additional funds to pay A-1 Excavating, Inc. for added work on the North Industrial Park Storm Water Capacity Improvements project.
- [15-1122](#) Initial Resolution authorizing not exceeding \$1,895,000 general obligation bonds of the City of La Crosse.
- [15-1123](#) Initial Resolution authorizing not exceeding \$405,000 general obligation bonds of the City of La Crosse.
- [15-1124](#) Initial Resolution authorizing not exceeding \$525,000 general obligation bonds of the City of La Crosse.
- [15-1125](#) Initial Resolution authorizing not exceeding \$175,000 general obligation bonds of the City of La Crosse.
- [15-1126](#) Initial Resolution authorizing not exceeding \$330,000 general obligation bonds of the City of La Crosse.
- [15-1127](#) Initial Resolution authorizing not exceeding \$545,000 general obligation bonds of the City of La Crosse.

- [15-1128](#) Amended Resolution directing the advertisement and sale of approximately \$3,875,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2016, approximately \$3,105,000 aggregate principal amount of General Obligation Promissory Notes, Series 2016 of the City of La Crosse, La Crosse County, Wisconsin, and approximately \$1,905,000 aggregate principal amount of Taxable General Obligation Corporate Purpose Bonds, Series 2016 of the City of La Crosse, La Crosse County, Wisconsin.
- [15-1129](#) Resolution requesting balance of Unappropriated Bonds Funds be designated for the Riverside Park Fountain Design.
- [15-1133](#) Resolution authorizing reimbursement to the Parks and Recreation Department Contractual Services Account from Unappropriated Bond Funds for design work on Poage Park.
- [15-1134](#) Resolution authorizing reimbursement to the Parks and Recreation Department Contractual Services Account from the Subdivision Fees Fund for work on Clayton E. Johnson Park.
- [15-1135](#) Resolution to update Parks and Recreation Departments Special Accounts.
- [15-1136](#) Resolution providing for the reimbursement of expenditures for certain capital improvement projects from the proceeds of expected 2017 bond obligations.
- [15-1137](#) AN ORDINANCE to amend Section 2-324(d) of the Code of Ordinances of the City of La Crosse regarding overspending and underspending from salaries, employee benefits and equipment.
- [15-1138](#) Resolution authorizing the Redevelopment Authority to take steps necessary to acquire real estate for the redevelopment of Riverside North.
- [15-1139](#) AN ORDINANCE to amend Sec. 44-107 (c) of the Code of Ordinances of the City of La Crosse regarding night parking on alternate sides of the street.
- [15-1140](#) Resolution declaring previously opened public streets as named roadways.
- [15-1148](#) Resolution approving Application of DJL, Inc. dba Luxury Limousines for 2016 Public Vehicle for Hire License.
- [15-1149](#) Amended Resolution to receive and file the draft City-County Cooperation and Overlap Study.
- [15-1150](#) Resolution approving Application of NSDA Services LLC for 2016 Public Vehicle for Hire License.
- [15-1151](#) Resolution approving Application of Cinderella Carriage LLC for 2016 Horse-Drawn Vehicle License.

- [15-1152](#) Resolution approving Application of Bee Cab, Inc. for 2016 Public Vehicle for Hire License.
- [15-1153](#) Resolution approving Application of Top Hat, Inc. dba CTS Taxi for 2016 Public Vehicle for Hire License.
- [15-1154](#) Resolution approving Application of Caring Hearts Home Care & Transportation LLC for 2016 Public Vehicle for Hire.
- [15-1157](#) Resolution approving Application of A-1 Taxi Service Inc. for 2016 Public Vehicle for Hire License.
- [15-1172](#) Amended Resolution to terminate coverage with Local Government Property Insurance Fund (LGPIF).
- [15-1173](#) Resolution approving the Agreement to Purchase Upon Completion (Lot C Parking Ramp).  
*(Note: The Committee and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters. Following such closed session, the Committees and/or Council may reconvene in open session.)*
- [15-1175](#) Resolution approving Application of Sinkoss USA LLC dba Bullet Cab for 2016 Public Vehicle for Hire License.
- [15-1176](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Local Business District to the Light Manufacturing District at 1339 Interchange Place allowing for consistent zoning with adjacent parcel necessary to combine parcels.

## Adjournment

**A motion was made by Richmond, seconded by Gaul, to ADJOURN at 8:53 p.m. The motion carried by voice vote.**