



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, May 10, 2018

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order.

Roll Call

Present: 14 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, David D. Marshall, Justice Weaver, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Pledge of Allegiance

Invocation

The invocation was offered by Sister Helen Elsbernd, Franciscan Sisters of Perpetual Adoration.

Approval of Minutes

A motion was made by Richmond, seconded by Marcou, that the Minutes of April 12, 2018 regular meeting be APPROVED. The motion carried unanimously.

Reports

[18-0674](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of April 2018.

2018-05-001

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Notices and Discussions

Ostrem offered thanks to those who organized and attended the Family Fun Night today and the grand opening of Powell Park.

COMMON COUNCIL MATTERS

[18-0692](#)

Resolution approving 2018 bills paid in May.

2018-05-002

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0693](#)

Resolution approving May 2018 Engineering Estimates.

2018-05-003

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

APPOINTMENTS BY THE MAYOR

[18-0682](#)

Bicycle and Pedestrian Advisory Committee: Jason Melby. EMS Contract Negotiating Committee: Jeff Murphy. Human Rights Commission: Jonathan Maye-Cates.

2018-05-004

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

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

A motion was made by Gaul, seconded by Olson, to SUSPEND Council Rule VIII on File #18-0570 and 18-0638. The motion carried unanimously with Marcou absent.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED[18-0561](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$1,123,907.28 for Cass Street (7th Street to West Avenue) project.

2018-05-005

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0562](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$217,107.70 for the 2018 Curb & Gutter (City Pave) contract.

2018-05-006

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0563](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$255,561.54 for the 2018 Alleys project.

A motion was made by Richmond, seconded by Ostrem, to ADOPT. A motion was then made by Padesky, seconded by Marcou, for a PUBLIC HEARING. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

The following persons spoke in OPPOSITION to alley 2: Sara Gilman, 917 25th St. S., Maria Italiano, 929 25th St. S.

The following persons spoke in FAVOR to alley 2: Jan Grapes, 916 25th St. S. (speaking for 2512 Jackson St.).

A motion was made by Padesky, seconded by Medinger, to close the PUBLIC HEARING. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

2018-05-007

On the motion made by Richmond, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 8 - Neumeister, Janssen, Weaver, Marcou, Ostrem, Medinger, Gaul, Happel

No: 5 - Richmond, Marshall, Padesky, Olson, Christians

[18-0564](#)

Report of Bids & Resolution awarding contract to to McHugh Excavating & Plumbing, Inc. in the amount of \$58,865.00 for the Storm Sewer Outfall Repairs contract.

2018-05-008

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0565](#)

Report of Bids & Resolution awarding contract to McHugh Excavating & Plumbing, Inc. in the amount of \$168,156.00 for La Crosse Municipal Boat Harbor Plumbing Systems project.

2018-05-009

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0566](#)

Report of Bids & Resolution awarding contract to Kish & Sons Electric, Inc. in the amount of \$139,124.00 Well 14-Electrical & Controls Upgrade.

2018-05-010

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0567](#)

Report of Bids & Resolution awarding contract to McHugh Excavating & Plumbing, Inc. in the amount of \$32,893.00 for the re-bid of Springbrook Park Splash Pad Project.

2018-05-011

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

ITEMS WITH NO RECOMMENDATION[17-1056](#)

Resolution approving Application of Western Technical College for a Conditional Use Permit allowing for demolition of structures to create green space at 314 and 320-322 8th St. N.

A motion was made by Medinger, seconded by Neumeister, that the Resolution be RE-REFERRED 60 days. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0362](#)

Resolution approving Application of Kwik Trip, Inc. for a Conditional Use Permit allowing demolition of structure for green space at 1003 Losey Blvd. S.

A motion was made by Richmond, seconded by Ostrem, to ADOPT. A motion was then made by Gaul, seconded by Medinger, that the Application be RE-REFERRED 30 days. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Olson

ITEMS RECOMMENDED TO BE ADOPTED[18-0435](#)

Resolution amending Council Rule VIII regarding legislation.

2018-05-012

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[18-0502](#)

Resolution approving Amendment No. 3 to Ayres Associates for Construction Oversight for the Eagle Viewing Area as part of the Interstate 90 Exit 3 Reconstruction and appropriation of funds.

2018-05-013

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

Yes: 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

CONSENT AGENDA

A motion was made by Richmond, seconded by Gaul, that the Consent Agenda be APPROVED. The motion carried by unanimous vote.

ITEMS RECOMMENDED TO BE ADOPTED

- [18-0523](#) AN ORDINANCE to amend Section 30-2(a) and (b) of the Code of Ordinances of the City of La Crosse regarding storage of personalty.
Ord. 5052. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [18-0526](#) AN AMENDED 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 to the Planned Development District granting release from irrigation violation per restrictive covenants at 2970 Luoyang Ave (Lot 22).
Ord. 5053. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [18-0359](#) Amended Resolution to explore options for two Senior Center locations in La Crosse - one on the north side and one on the south side.
2018-05-014
- [18-0386](#) Resolution electing to self-insure for worker's compensation liability in accordance with Wisconsin Administrative Code, Department of Workforce Development (DWD) Section 80.60(3).
2018-05-015
- [18-0406](#) Resolution approving the abolishment of the City of La Crosse senior center sub-committee.
2018-05-016
- [18-0413](#) Resolution approving the abolishment of the City of La Crosse South Avenue Steering Committee.
2018-05-017
- [18-0457](#) 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.
2018-05-018

- [18-0468](#) Resolution approving La Crosse Municipal Harbor's Three-Year Statement of Intention - 2019 to 2021.
2018-05-019
- [18-0476](#) Resolution approving Application of Pump House Regional Arts Center for Expansion of Alcohol Beverage License at 119 King Street for Special Event on June 8 and 9, 2018.
2018-05-020
- [18-0477](#) Resolution approving Application of A&S Foster LLC dba Bottoms Up for an Expansion of Alcohol Beverage License & Street Privilege Permit for special event at 500 Copeland Avenue on June 2, 2018.
2018-05-021
- [18-0478](#) Resolution approving Certified Survey Map - All of Lot 1, CSM V. 15, P. 146, D.N.1628248; also part of the SW-SE, Section 14, T15N-R7W, Town of Shelby, La Crosse County, Wisconsin (Kendhammer).
2018-05-022
- [18-0499](#) Resolution approving Design Agreement with Ayres Associates, Inc. for Veterans Memorial Pool Replacement and Bathhouse Rehabilitation project and appropriation of funds.
2018-05-023
- [18-0503](#) Resolution designating the La Crosse County Convention Bureau, Inc. as the concessionaire for the La Crosse Center along with authorization for "Class B" Intoxicating Liquor Permit.
2018-05-024
- [18-0512](#) Resolution adopting the Hwy 53 Corridor Master Plan (Rose St/Copeland Ave from the City Limits near Exit 3 to the La Crosse River) and abolishing the steering committee.
2018-05-025
- [18-0522](#) Resolution approving the abolishment of the City of La Crosse Field for Kids Negotiating Committee.
2018-05-026
- [18-0524](#) Amended Resolution approving a reorganization to the table of positions and classifications for the Parks and Recreation Department-Administrative and Grounds & Buildings Divisions.
2018-05-027

[18-0570](#) Resolution appropriating funds for the completion of the La Crosse Municipal Boat Harbor at 1500 Joseph Houska Drive.

2018-05-028

[18-0586](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the LaCrosse Municipal Code for the remainder of license period 2017-18 (June).

2018-05-029

[18-0638](#) Amended Resolution appropriating additional funds for the maintenance and repairs of City maintained bridges.

2018-05-030

ITEMS RECOMMENDED TO BE DIVIDED

[18-0358](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - 2018 Concrete Alley Paving:

- Alley 1 - Jackson to E/W Alley, between 20th & 21st
- Alley 2 - Jackson to Cottage Grove, between 25th & 26th
- Alley 3 - 26th to 27th, between King & Main
- Alley 4 - 15th to 16th, between Madison & Ferry

2018-05-031

[18-0690](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - 2018 Concrete Alley Paving:

- Alley 1 - Jackson to E/W Alley, between 20th & 21st
- Alley 2 - Jackson to Cottage Grove, between 25th & 26th
- Alley 3 - 26th to 27th, between King & Main

2018-05-032

[18-0691](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - 2018 Concrete Alley Paving:

- Alley 4 - 15th to 16th, between Madison & Ferry

2018-05-033

ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[18-0448](#) Report of the South Avenue Steering Committee.

2018-05-034

[18-0515](#) 2017 La Crosse Police Department Annual Report.

2018-05-035

NEW ITEMS FOR REFERRAL

[18-0510](#) Amended Resolution authorizing a land swap of property between Impact Seven, Inc. and the City of La Crosse for land near the Kane Street Garden.

[18-0527](#) Resolution amending the Declaration of Protective Covenants at the International Business Park regarding landscaping requirement on Lot 22 - 2970 Luoyang Drive.

[18-0540](#) AN ORDINANCE to amend Section 44-1(b)(1) and the Parking Violation Table and to repeal Section 44-1(b)(5) of the Code of Ordinances of the City of La Crosse regarding forfeitures and penalties for parking violations.

[18-0541](#) AN ORDINANCE to repeal and recreate Section 44-107 of the Code of Ordinances of the City of La Crosse regarding parking on City streets and property.

[18-0543](#) AN ORDINANCE to repeal and recreate Section 44-111 of the Code of Ordinances of the City of La Crosse regarding snow emergency night parking.

[18-0571](#) Resolution approving airport car rental concessionaire agreements.

[18-0572](#) Resolution declaring statement of project intentions for the La Crosse Regional Airport.

[18-0573](#) Resolution approving assignment of concession agreement with Midwest Car Corporation to Enterprise Rent-A-Car Company of Wisconsin, LLC.

[18-0574](#) Resolution petitioning the Secretary of Transportation for Airport Improvement Aid.

[18-0575](#) Resolution designating concessionaire for the La Crosse Regional Airport along with authorization to apply for "Class B" Intoxicating Liquor Permit.

[18-0576](#) Resolution authorizing payment and release of funds for airport project designs.

- [18-0589](#) Resolution authorizing modifications to Information Technology (IT) policies.
- [18-0592](#) AN ORDINANCE to amend Section 44-38 of the Code of Ordinances of the City of La Crosse regarding parking during heavy snow fall.
- [18-0613](#) Resolution approving contract with the La Crosse Tribune as the official newspaper for the City's council proceedings and legal notices.
- [18-0627](#) Resolution approving 2017 annual stormwater permit report.
- [18-0642](#) Resolution appropriating funds for the public market feasibility and site location study.
- [18-0643](#) Resolution approving 2017 Compliance Maintenance Annual Report (CMAR) for the Isle La Plume wastewater treatment facility.
- [18-0644](#) Resolution authorizing the Mayor and City Clerk to sign Easement Deed for Public Utilities (Storm) and to accept on behalf of the Storm Sewer Utility a Bill of Sale of Storm Sewer Infrastructure from Kwik Trip, Inc.
- [18-0645](#) Resolution authorizing the Mayor and City Clerk to sign Easement Deed for Public Utilities (Water) and to accept on behalf of the Water Utility a Bill of Sale of Watermain Infrastructure from Kwik Trip, Inc.
- [18-0646](#) Resolution changing the source of funds for the 2018 Sidewalk Replacement Project from Revolving Assessment Account to 2018 Bond Issue.
- [18-0654](#) Resolution relocating two polling places.
- [18-0660](#) Resolution approving assignment of concession agreement and building and land lease with Midwestern Wheels, Inc. to Avis Budget Car Rental, LLC.
- [18-0661](#) Resolution approving Airport Building and Land Lease Agreement with Avis Budget Car Rental, LLC.
- [18-0662](#) Resolution authorizing payment and release of funds for terminal apron East expansion.
- [18-0664](#) Resolution approving Pole Use License Agreement between the City of La Crosse and Wisconsin Technology Networking LLC.
- [18-0666](#) Resolution approving Right of Way License Agreement between the City of La Crosse and Wisconsin Technology Networking LLC.
- [18-0667](#) Resolution approving Application of Maluna LLC (Sheldon Scott Hoyt) for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor License at 411 3rd St. S.

- [18-0668](#) Amended Resolution approving a reorganization to the table of positions and classifications for certain Director positions within the City organizational structure.
- [18-0684](#) AN AMENDED 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 and Public and Semi-Public District to the Planned Development District - Specific allowing multi-family residential housing and community center at 733 and 833 Kane Street.
- [18-0685](#) 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 a second multi-family residential apartment building at 1114 and 1120 5th Ave. S.
- [18-0686](#) AN AMENDED 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 Light Industrial District allowing combining of lots with adjacent parcel and business expansion at 812 and 814 Copeland Avenue.

Adjournment

A motion was made by Richmond, seconded by Weaver, to ADJOURN at 6:38 p.m. The motion carried by voice vote.