



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes - Final

### Judiciary & Administration Committee

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Tuesday, April 4, 2017

7:30 PM

Council Chambers

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#### Call To Order, Roll Call

*Chair Richard Becker called the meeting to order at 7:30 p.m.*

**Present:** 8 - Jai Johnson, Richard Becker, Andrea Richmond, Francis J. Formanek, Robert Seaquist, James Cherf, David Krump, Gary Padesky

#### Agenda Items:

##### [17-0265](#)

AN ORDINANCE create Sec. 2-3(15) and to repeal and recreate Article XVII of Chapter 10 of the Code of Ordinances of the City of La Crosse regulating Pawnbrokers, Secondhand Article Dealers, Secondhand Jewelry, Precious Metal and Gems Dealers and Secondhand Article Dealer Mall/Flea Market.

**On motion, unanimous consent to open public hearing. The following spoke in OPPOSITION: Scott Manthe, Ann Nelson, Lois McElhiney, David Nelson. On motion, unanimous consent to close public hearing.**

A motion was made by Cherf, seconded by Krump, to approve.

A motion was made by Cherf to change the word item to article in holding period and photographs section for consistency. Ordered by Chair Becker as housekeeping changes and there was no objection by the body.

A motion was made by Cherf, seconded by Becker, to amend holding period from 21 days to 7 days for items electronically reported. The motion carried unanimously.

A motion was made by Cherf, seconded by Padesky, to amend the definition of article to match the articles defined in state statutes. Padesky requested to withdraw his second; no objection by the body. Upon withdrawal, seconded by Becker. The motion failed 2-6 (Cherf and Becker voted yes).

A motion was made by Seaquist, seconded by Krump, to refer for 30 days. The motion failed on tie vote (Richmond, Cherf, Becker, Formanek voted no).

A motion was made by Seaquist, seconded by Krump, that the Ordinance be **RECOMMENDED TO BE ADOPTED AS AMENDED** to the Common Council on 4/13/2017. The motion failed by the following tie vote:

**Yes:** 4 - Becker, Richmond, Formanek, Cherf

**No:** 4 - Johnson, Seaquist, Krump, Padesky

[17-0273](#)

Application of Tushar Patel dba Noble Hotels LLC for a Conditional Use Permit allowing for a manager apartment within hotel at 1906 Rose Street.

**A motion was made by Richmond, seconded by Cherf, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME (approve CPC Recommendation Report with three conditions) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0308](#)

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 Planned Development District - Specific five units of owner-occupied housing at 918-920-922 5th Ave. S., 926-928-930 5th Ave. S. and 421 Mississippi St.

**A motion was made by Richmond, seconded by Formanek, that the Ordinance be RECOMMENDED TO BE ADOPTED (CPC Recommendation Report) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0321](#)

AN ORDINANCE to amend Section 115-320(e)(2)(b) of the Code of Ordinances of the City of La Crosse regulating window openings on commercial facades in the Downtown Commercial Historic District.

**A motion was made by Cherf, seconded by Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED (as proposed per CPC Recommendation Report) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0302](#)

AN ORDINANCE to create Section 4-19 of the Code of Ordinances of the City of La Crosse regarding restrictions on sale, service and dispensing of alcohol beverages.

**A motion was made by Seaquist to amend 4-19(b) changing the words "the price of one" to "a fixed price". Ordered by the Chair Becker as housekeeping changes and there was no objection by the body.**

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Ed Kondracki, Jeremy Arney, Katherine Ebert. The following spoke in OPPOSITION: Patrick Brever, Michael Brown. The following spoke and remains NEUTRAL: Catherine Kolkmeier. On motion, unanimous consent to close public hearing.**

**A motion was made by Padesky, seconded by Richmond, that the Resolution be RECOMMENDED TO BE TABLED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 5 - Becker, Richmond, Cherf, Krump, Padesky

**No:** 3 - Johnson, Formanek, Seaquist

[17-0303](#)

Resolution establishing a list of best practices for operators of a Temporary Class B Alcohol License.

**A motion was made by Padesky, seconded by Richmond, that the Resolution be RECOMMENDED TO BE TABLED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 5 - Becker, Richmond, Cherf, Krump, Padesky

**No:** 3 - Johnson, Formanek, Seaquist

[17-0372](#)

Resolution approving Waterway Marker Application and permit of Black River Water-Ski Club to install a slalom course on the Black River.

**A motion was made by Richmond, seconded by Cherf, that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0237](#)

Certified Survey Map Lot 1, C.S.M., Volume 14, Pg. 37, D.N. 1511295, Located in the SW-NE, Section 19, T16N-R6W, Town of Barre, La Crosse County, Wisconsin.

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Stan Tauscher. On motion, unanimous consent to close public hearing.**

**A motion was made by Cherf, seconded by Richmond, that the Certified Survey Map be RECOMMENDED RESOLUTION APPROVING THE SAME (approving revised CSM) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 6 - Johnson, Becker, Richmond, Cherf, Krump, Padesky

**No:** 2 - Formanek, Seaquist

[17-0326](#)

Applications of Ora's, Inc. dba Jack's for a Combination "Class B" Beer & Liquor License and Indoor Cabaret License at 318 Pearl Street for remainder of license period 2016-17.

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Scott Curtis, Matthew Riffe. On motion, unanimous consent to close public hearing.**

**A motion was made by Krump, seconded by Seaquist, that the Application be RECOMMENDED TO BE RE-REFERRED for 30 days to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 6 - Johnson, Becker, Richmond, Formanek, Seaquist, Krump

**No:** 2 - Cherf, Padesky

[17-0245](#)

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 Special Residence District allowing for a multi-family rental (tri-plex) at 1541 Wood Street.

**A motion was made by Richmond, seconded by Cherf, that the Ordinance be RECOMMENDED TO BE ADOPTED (approve CPC Recommendation Report with condition) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 6 - Johnson, Becker, Richmond, Cherf, Krump, Padesky

**No:** 2 - Formanek, Seaquist

[17-0305](#)

Application of Katherine Soper for a Conditional Use Permit allowing for a yoga studio at 1924 14th St. S.

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Gordon Webb, Katherine Soper. On motion, unanimous consent to close public hearing.**

**A motion was made by Formanek, seconded by Cherf, that the Application be RECOMMENDED TO BE RE-REFERRED 60 days (per CPC Recommendation Report) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0089](#)

AN ORDINANCE to amend Section 6-1 and to create Section 6-18 of the Code of Ordinances of the City of La Crosse to allow beekeeping.

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Robert Hoffman, Oscar Carlson, Pam Hartwell. On motion, unanimous consent to close public hearing.**

**A motion was made by Johnson, seconded by Padesky, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED (licensing requirements) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0294](#)

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 Multi-Family District allowing construction of a multi-family development on the vacant property at Charles and Kane Streets.

**A motion was made by Cherf, seconded by Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED (CPC Recommendation Report) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0269](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Heavy Industrial District and Multiple Dwelling District to the Heavy Industrial District and Multiple Dwelling District allowing all parcels to have compatible zoning in order to reconfigure parcel lot lines at 1, 3, 5, 7, 9, 101 and 103 Buchner Place.

**On motion, unanimous consent to open public hearing. The following spoke in FAVOR: Mary Jo Hill, Randy Viner. On motion, unanimous consent to close public hearing.**

**A motion was made by Padesky, seconded by Krump, to approve.**

**A motion was made by Krump, seconded by Padesky, to divide. The motion carried unanimously.**

**A motion was made by Krump, seconded by Padesky, to approve rezoning Parcels A, B, D. The motion carried unanimously.**

**A motion was made by Krump, seconded by Padesky, to deny the rezoning of Parcel C. The motion carried unanimously.**

[17-0271](#)

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 Local Business District allowing a storefront at 1649 Kane St/1026 Rublee St.

**A motion was made by Krump, seconded by Becker, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED (approve CPC Recommendation Report with condition) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0106](#)

AN ORDINANCE to amend Section 6-8 of the Code of Ordinances of the City of La Crosse regarding animals and species prohibited within the City.

**A motion was made by Johnson, seconded by Krump, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED (as proposed re-inserting prohibited species in (a)) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0110](#)

AN ORDINANCE to amend Section 2-663(a)(6), to create Section 2-663(a)(7) and to create Section 2-663(c) of the Code of Ordinances of the City of La Crosse concerning auxiliary citizen members of the Sustainable La Crosse Commission.

**A motion was made by Johnson, seconded by Krump, to approve.**

**A motion was made by Johnson, seconded by Becker, to amend as proposed reducing the number of Council Members. The motion carried.**

**A motion was made by Johnson, seconded by Krump, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0162](#)

AN ORDINANCE to create Section 115-347(8) of the Code of Ordinances of the City of La Crosse allowing distilleries in the C-1 Local Business, C-2 Commercial, and C-3 Community Business zoning districts by a Conditional Use Permit.

**A motion was made by Cherf, seconded by Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED (as proposed per CPC Recommendation Report) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0238](#)

AN ORDINANCE to amend Section 103-63 of the Code of Ordinances of the City of La Crosse regarding the State Code adopted defining regulations with respect to one- and two-family dwellings.

**A motion was made by Krump, seconded by Padesky, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0242](#)

Resolution approving the abolishment of the City of La Crosse Billboard Lease Negotiating Committee.

**A motion was made by Richmond, seconded by Johnson, that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 7 - Johnson, Becker, Richmond, Formanek, Cherf, Krump, Padesky

**No:** 1 - Seaquist

[17-0246](#)

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 3, 2017.

**A motion was made by Krump, seconded by Padesky, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME (subject to compliance) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0287](#)

Resolution urging the Governor and the Legislature to protect homeowners and main street businesses from additional property tax burden.

**A motion was made by Cherf, seconded by Becker, that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0319](#)

AN ORDINANCE to amend Sec. 10-397(b)(10) the Code of Ordinances of the City of La Crosse relating to Outdoor Food Stands and Mobile Food Units vending in the same location.

**A motion was made by Cherf, seconded by Becker, to approve.**

**A motion was made by Cherf, seconded by Becker, to amend allowing vending in public parks beyond five hours with Park Board approval. The motion carried.**

**A motion was made by Cherf, seconded by Becker, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0335](#)

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 2016-17 (April).

**A motion was made by Krump, seconded by Padesky, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME (subject to compliance) to the Common Council on 4/13/2017. The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

[17-0376](#)

Resolution amending EMS contract negotiating committee to add citizen member.

**A motion was made by Richmond, seconded by Padesky, that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council on 4/13/2017.**

**The motion carried by the following vote:**

**Yes:** 8 - Johnson, Becker, Richmond, Formanek, Seaquist, Cherf, Krump, Padesky

## **Adjournment**

**On motion, unanimous consent to adjourn at approximately 9:45 p.m.**