



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, February 11, 2016

7:30 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 7:30 p.m.

Roll Call

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

Excused: 1 - Robert Seaquist

Pledge of Allegiance

Invocation

Pastor Patrick Augustine of Christ Episcopal Church offered the invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Gaul, that the Minutes of the January 14 regular and special meetings be APPROVED. The motion carried.

Reports

[16-0162](#)

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

2016-02-001

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

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

Excused: 1 - Seaquist

Notices and Discussions

Fire Chief Gregg Cleveland - Badge Presentation to Ryan Rushton.

Swantz spoke regarding the status of the vacant 2nd District Council Member position.

COMMON COUNCIL MATTERS

[15-1238](#)

Resolution to accept CB&I change order proposal for the former Patros Steel Supply site for the closure reporting and well abandonment activities and allocation of TID 12 funding.

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

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

Excused: 1 - Seaquist

A motion was made by Richmond, seconded by Anderson, that the Resolution be AMENDED to reflect the changes contained in the proposed amendment on file. The motion carried by the following vote:

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

Excused: 1 - Seaquist

2016-01-024

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

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

Excused: 1 - Seaquist

[16-0160](#)

Resolution approving Monthly Estimates for February 2016.

2016-02-002

A motion was made by Cornett, seconded by Richmond, 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

Excused: 1 - Seaquist

[16-0171](#)

Resolution approving 2015 and 2016 bills paid in February 2016.

2016-02-003

A motion was made by Medinger, seconded by Cornett, 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

Excused: 1 - Seaquist

APPOINTMENTS BY THE MAYOR

[16-0125](#)

Ethics Board: Donald Campbell, 1029 28th St. S. Human Rights Commission: Fabio Burgos, 433 19th St. S., Will Van Roosenbeek, 1236 Mississippi St. Library Board: Jodi Ehrenberger, 127 23rd St. S., Judy Bouffleur, 2575 Edgewood Pl. Municipal Parking Utility Board: Angie Manke, 1028 7th St. S., Captain Troy Nedegaard, 820 28th St. S. Municipal Transit Utility Board: CM Gary Padesky, 825 20th St. S.

2016-02-004

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

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

Excused: 1 - Seaquist

Abstain: 1 - Padesky

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

A motion was made by Richmond, seconded by Becker, that Council Rule VIII be SUSPENDED on File 15-1196. The motion carried by the following vote:

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

Excused: 1 - Seaquist

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[16-0063](#)

Report of Bids and Resolution awarding the contract to Fowler & Hammer, Inc. in the amount of \$141,230.56 for the 14th Street Curb & Gutter with Utilities project.

2016-02-005

A motion was made by Richmond, seconded by Cornett, that the Report of Bids & 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

Excused: 1 - Seaquist

[16-0064](#)

Report of Bids and Resolution awarding the contract to Fowler & Hammer, Inc. in the amount of \$188,681.07 for the Townsend Street Storm Sewer Project-Phase 2.

2016-02-006

A motion was made by Cornett, seconded by Richmond, that the Report of Bids & 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

Excused: 1 - Seaquist

[16-0065](#)

Report of Bids and Resolution for Caledonia Street Streetscaping awarding contract to Fowler & Hammer, Inc. in amount of \$35,045.33.

2016-02-007

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

Excused: 1 - Seaquist

[16-0066](#)

Report of Bids and Resolution awarding the contract for the Cameron Park Playground to Dresen Decks & Patios, Inc. in the amount of \$51,662.23.

2016-02-008

A motion was made by Johnson, seconded by Kader, that the Report of Bids & 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

Excused: 1 - Seaquist

[16-0067](#)

Report of Bids and Resolution awarding the contract to Augelli Concrete & Excavating, LLC in the amount of \$121,850.00 for the 2016 Sidewalk Replacement Program.

2016-02-009

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

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

No: 1 - Gaul

Excused: 1 - Seaquist

ITEMS RECOMMENDED TO BE ADOPTED

[15-1196](#)

Resolution authorizing the renaming of the South Side Neighborhood Center to the Maney Neighborhood Center.

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

A motion was made by Padesky, seconded by Becker, that the Resolution be AMENDED to include Donald Medinger's name on the Southside Neighborhood Center. The motion FAILED by the following vote:

Yes: 4 - Padesky, Becker, Formanek, Medinger

No: 11 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Kader, Ostrem, Happel, Gaul, Swantz

Excused: 1 - Seaquist

2016-02-010

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

Yes: 3 - Padesky, Formanek, Ostrem

No: 12 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Becker, Kader, Medinger, Happel, Gaul, Swantz

Excused: 1 - Seaquist

[16-0056](#)

Application of VSC Corporation for a Conditional Use Permit at 1503-1509 Losey Blvd. S. allowing for demolition of three commercial spaces to provide additional parking and resolution approving same.

2016-02-011

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

Yes: 11 - Richmond, Cornett, Cherf, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

No: 4 - Johnson, Anderson, Krump, Padesky

Excused: 1 - Seaquist

[16-0009](#)

Certified Survey Map Part of the Northwest Quarter of the Northeast Quarter of Section 34, and part of the Southwest Quarter of the Southeast Quarter of Section 27 all in Township 16 North, Range 7 West, Town of Medary, La Crosse County Wisconsin and resolution approving same.

(Note: The Common 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 Medinger, seconded by Cornett, to ADOPT.

A motion was made by Krump, seconded by Medinger, that the Resolution be AMENDED for conditional approval and to clarify the language for the Outlot. The motion carried by the following vote:

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

Excused: 1 - Seaquist

2016-02-012

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

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

Excused: 1 - Seaquist

[16-0034](#)

Resolution confirming the sale, determining rates of interest and other details and levying taxes in connection with the issuance of \$6,255,000 aggregate principal amount of General Obligation Promissory Notes, Series 2016-A, of the City of La Crosse, La Crosse County, Wisconsin.

A motion was made by Richmond, seconded by Krump, that the Resolution be ADOPTED.

A motion was made by Padesky, seconded by Becker, that the Resolution be AMENDED in accordance with the Proposed Final Amendment on file as recommended by bond counsel. The motion carried by the following vote:

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

Excused: 1 - Seaquist

Absent: 1 - Krump

2016-02-013

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

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

Excused: 1 - Seaquist

[16-0035](#)

Resolution confirming the sale, determining rates of interest and other details and levying taxes in connection with the issuance of \$9,625,000 aggregate principal amount of Taxable General Obligation Promissory Notes, Series 2016-B, of the City of La Crosse, La Crosse County, Wisconsin.

A motion was made by Kader, seconded by Johnson, that the Resolution be AMENDED to award to Fifth Third Securities Inc. in the amount of \$9,465,000 and the Final Proposed Amended Resolution as recommended by bond counsel. The motion carried by the following vote:

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

Excused: 1 - Seaquist

2016-02-014

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

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

Excused: 1 - Seaquist

[16-0050](#)

Second Amended Resolution approving Sewer Connection Fee Report and implementation of new sewer connection charges.

A motion was made by Gaul, seconded by Richmond, that the Resolution be REFERRED to Finance & Personnel Committee and Common Council in the March cycle of meetings. The motion carried by the following vote:

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

No: 2 - Cornett, Medinger

Excused: 1 - Seaquist

[16-0069](#)

Resolution to create a committee to negotiate a billboard lease at 604 Second Street South (aka Selrite lot) with Fairway Outdoor Advertising, LLC.

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

A motion was made by Swantz, seconded by Cherf, that the Resolution be AMENDED to add one member of the Board of Public Works to be appointed by the Mayor. The motion carried by the following vote:

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

Excused: 1 - Seaquist

2016-02-015

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

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

Excused: 1 - Seaquist

CONSENT AGENDA

Actions by Single Vote

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

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

Excused: 1 - Seaquist

ITEMS RECOMMENDED TO BE ADOPTED

- [15-1118](#) AN AMENDED 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.
Ord. 4914. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [16-0057](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Commercial District to the Washburn Residential District at 1021-1023 4th St. S. allowing for residential home.
Ord. 4915. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [16-0001](#) Resolution approving the purchase of four replacement data projectors for the La Crosse Center.
2016-02-016
- [16-0002](#) Resolution approving the purchase of four replacement screens, two flyware suspension brackets and two dress kits for the La Crosse Center.
2016-02-017
- [16-0003](#) Resolution approving the purchase of four AJA Boxes for the La Crosse Center.
2016-02-018
- [16-0008](#) Resolution authorizing the creation of a revolving restitution fund for police department repairs.
2016-02-019
- [16-0012](#) Resolution approving agreements with Gundersen Health System for medical services effective January 1, 2016.
2016-02-020
- [16-0013](#) Resolution approving the reorganization to the table of positions and classifications for the Water Utility effective February 16, 2016.
2016-02-021
- [16-0014](#) Resolution authorizing public improvement and levying special assessments against benefited property in La Crosse, Wisconsin - Sewer and Water Main installation on 14th Street from Mississippi Street to Market Street.
2016-02-022

[16-0021](#) Resolution approving the reorganization to the table of positions and classifications for the Planning and Development Department.

2016-02-023

[16-0022](#) Resolution approving a reorganization to the table of positions and classifications for the Human Resources Department.

2016-02-024

[16-0027](#) Resolution appropriating funds for the Radio System.

2016-02-025

[16-0037](#) Resolution appropriating funds to pay for temporary alley repairs.

2016-02-026

[16-0055](#) Application of La Crosse County for a Conditional Use Permit at W5151 State Highway 16 allowing for demolition of abandoned residential single family home and resolution approving same.

2016-02-027

[16-0109](#) 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 (February).

2016-02-028

ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[16-0028](#) City of La Crosse, WI Tax Incremental Financing District #4 Financial Statements with Independent Auditors' Report from Date of Creation through June 11, 2015.

2016-02-029

NEW ITEMS FOR REFERRAL

[16-0031](#) Resolution designating La Crosse Convention and Visitor Bureau, Inc. as concessionaire for the La Crosse Center along with authorization for application for "Class B" Intoxicating Liquor Permit.

- [16-0094](#) Resolution considering a TIF application for a loan and grant submitted by Doerflingers Second Century, Inc, 400 Main Street, for exterior transom, egress stairs, HVAC and other building improvements.
(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.)
- [16-0103](#) Amended Resolution appropriating funds to pay for items for the Grandview Emerson Neighborhood.
- [16-0108](#) Resolution amending the agreement between the City of La Crosse and La Crosse Professional Police Supervisory Association for 2015 - 2017 regarding Police Sergeant premium.
- [16-0112](#) Resolution authorizing the Board of Public Works to take steps necessary to acquire real estate for a Pedestrian Walk to be constructed from the end of 26th Street cul-de-sac to State Road.
- [16-0116](#) Resolution amending Council Rule V(d) regarding matters referred to the Finance & Personnel Committee.
- [16-0118](#) Resolution authorizing the Engineering Department to retain a licensed land surveyor to acquire elevation data on specific floodplain structures and appropriation of funds.
- [16-0119](#) Resolution appropriating funds to purchase civil engineering software for the Engineering Department.
- [16-0121](#) Resolution for replacement of Parks and Recreation landscape loader to maintain park property.
- [16-0122](#) Resolution approving Architectural Services for the Programming and Schematic phases to develop Trane Park.
- [16-0126](#) Resolution approving 2016 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
- [16-0128](#) Resolution authorizing 2016 Action Plan and funding allocations in connection with CDBG and HOME programs.
- [16-0129](#) Resolution approving lease with North La Crosse Business Association (NLBA) for a sign located at Clinton and George Streets.
- [16-0130](#) Amended Resolution approving carryover list of unexpended appropriations from the 2015 operating budget to the 2016 operating budget.

- [16-0131](#) Resolution authorizing expenditures for the purchase of 2016 new equipment approved in the 2016-2020 Capital Improvement Budget.
- [16-0132](#) Resolution authorizing the creation of a revolving alternative fuel fund for the Police Department.
- [16-0134](#) Resolution approving Investment Services agreement for the period April 1, 2016 through March 31, 2017.
- [16-0135](#) Resolution approving an agreement with MSDSONline.
- [16-0138](#) Resolution approving the reorganization to the table of positions and classifications for the City Clerk's office.
- [16-0140](#) AN ORDINANCE to amend Section 2-636(a) of the Code of Ordinances of the City of La Crosse regarding membership of the International Committee.
- [16-0142](#) AN ORDINANCE to amend Subsection Section 115-343(6) of the Code of Ordinances of the City of La Crosse allowing Bed and Breakfasts establishments in the R1-Single Family zoning district by a Conditional Use Permit.
- [16-0143](#) Resolution releasing funds from the 2015-2019 and 2016-2020 CIP Budget for Property Acquisition for Gundersen/City of La Crosse Neighborhood Development Corporation (JDC).
- [16-0144](#) AN ORDINANCE to amend Subsection Section 4-114(b)(2) of the Code of Ordinances of the City of La Crosse to include Green Island Park as a City park that may obtain a temporary Class "B" license.
- [16-0145](#) Amended Resolution appropriating funds to reimburse the Parks Department for charges incurred as a result of emerald ash borer eradication and continued operation of expanded facilities and maintenance.
- [16-0156](#) AN AMENDED ORDINANCE to amend various sections of Chapter 30 and to create Section 30-61 of the Code of Ordinances of the City of La Crosse to improve and protect neighborhoods.
- [16-0172](#) Application of RLR Properties of La Crosse for a Conditional Use Permit at 143-149 8th St. S. allowing for the operation of a bed and breakfast and resolution approving same.
- [16-0173](#) Preliminary Plat of Maple Ridge Addition to the Town of Medary, Wisconsin and resolution approving same.

Adjournment

A motion was made by Richmond, seconded by Cornett, to ADJOURN at 8:43 p.m. The motion carried by voice vote.