



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, June 14, 2018

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Roll Call

Present: 13 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Justice Weaver, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Excused: 1 - David D. Marshall

Pledge of Allegiance

Invocation

Father Patrick Augustine of Christ Episcopal Church offered an invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Neumeister, that the minutes of May 10, 2018 be APPROVED. The motion carried unanimously.

Reports

[18-0847](#)

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

2018-06-001

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, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

[18-0863](#)

Report of the Director of Finance for the month of January 2018.

2018-06-002

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

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

Excused: 1 - Marshall

[18-0874](#)

Report of the Director of Finance for the month of February 2018.

2018-06-003

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

Yes: 11 - Richmond, Neumeister, Janssen, Weaver, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Marcou

[18-0875](#)

Report of the Director of Finance for the month of March 2018.

2018-06-004

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

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

Excused: 1 - Marshall

[18-0876](#)

Report of the Director of Finance for the month of April 2018.

2018-06-005

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

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

Excused: 1 - Marshall

[18-0878](#)

Report of the Director of Finance for the month of May 2018.

2018-06-006

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

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

Excused: 1 - Marshall

COMMON COUNCIL MATTERS

[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.

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

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

Excused: 1 - Marshall

A motion was made by Ostrem, seconded by Gaul, that the Resolution be AMENDED making corrections to funding. The motion carried by the following vote:

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

Excused: 1 - Marshall

2018-05-008

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

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

Excused: 1 - Marshall

[18-0852](#)

Resolution approving June 2018 Engineering Estimates.

2018-06-008

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

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

Excused: 1 - Marshall

[18-0877](#)

Resolution approving 2018 bills paid in June.

2018-06-009

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

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

Excused: 1 - Marshall

APPOINTMENTS BY THE MAYOR

[18-0839](#)

Human Rights Commission: Dick Swantz.

2018-06-010

A motion was made by Richmond, seconded by Weaver, that the Appointment be CONFIRMED. The motion FAILED by the following vote:

Yes: 5 - Richmond, Weaver, Padesky, Happel, Christians

No: 7 - Neumeister, Janssen, Marcou, Olson, Ostrem, Medinger, Gaul

Excused: 1 - Marshall

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

A motion was made by Richmond, seconded by Ostrem, to SUSPEND Council Rule VIII for Files 18-0221, 18-0656, 18-0738 and 18-0787. The motion carried unanimously.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[18-0695](#)

Report of Bids & Resolution awarding contract to A-1 Excavating, Inc. in the amount of \$924,217.75 for the 2018 Curb & Gutter-Contract Paving project.

2018-06-011

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

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

Excused: 1 - Marshall

[18-0696](#)

Report of Bids & Resolution awarding contract to Mathy Construction Company in the amount \$416,246.68 for the Diagonal Road Neighborhood Porous Asphalt Paving-Phase I.

2018-06-012

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

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

Excused: 1 - Marshall

[18-0698](#)

Report of Bids & Resolution awarding contract to Market & Johnson, Inc. in the amount of \$327,817.00 for the Carroll Park North Ball Field Project.

2018-06-013

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

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

Excused: 1 - Marshall

[18-0712](#)

Report of Bids & Resolution awarding contact to All American Lumber, Inc., dba Americon in the amount of \$1,012,000.00 for the Construction of Police Department Secure Parking project.

2018-06-014

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

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

Excused: 1 - Marshall

[18-0848](#)

Report of Bids & Resolution awarding contract to Les Manske & Sons Excavating & Landscaping LLC in the amount of \$5,000.00 for the Jorgenson Flatts-Grading for Proper Drainage project.

2018-06-015

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, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

REPORT OF BIDS RECOMMENDED TO BE REJECTED

[18-0697](#)

Report of Bids for Forest Hills Driving Range Improvements.

2018-06-016

A motion was made by Richmond, seconded by Ostrem, that the Report of Bids be REJECTED . The motion carried by the following vote:

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

Excused: 1 - Marshall

[18-0850](#)

Report of Bids for Tuck Point Rail Works Memorial at Kane Street Gardens.

2018-06-017

A motion was made by Ostrem, seconded by Janssen, that the Report of Bids be REJECTED. The motion carried by the following vote:

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

Excused: 1 - Marshall

ITEM WITH NO RECOMMENDATION

[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.

A motion was made by Ostrem, seconded by Padesky, that this Ordinance be ADOPTED.

A motion was made by Padesky, seconded by Olson, that the Ordinance be AMENDED to add calendar year. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

Ord. 5054. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

A motion was made by Olson, seconded by Padesky, that the Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

ITEMS RECOMMENDED TO BE ADOPTED

[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.

A motion was made by Neumeister, seconded by Padesky, to REFER 30 days.

A motion was made by Richmond, seconded by Janssen, to AMEND the referral to the special meeting on June 25. The motion FAILED by the following vote:

No: 12 - Richmond, Neumeister, Janssen, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

On the motion to REFER 30 days, the motion FAILED by the following vote:

Yes: 3 - Richmond, Neumeister, Happel

No: 9 - Janssen, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Christians

Excused: 1 - Marshall

Ord. 5055. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

Yes: 10 - Richmond, Janssen, Weaver, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 2 - Neumeister, Padesky

Excused: 1 - Marshall

[18-0221](#)

Resolution selecting design concept "B1" for the La Crosse Center remodeling and expansion and appropriating additional funding for the project.

A motion was made by Happel, seconded by Neumeister, to REFER for 60 days with direction that concerns raised by Park Board be addressed and to look into naming rights to lower costs. The motion FAILED by the following vote:

Yes: 5 - Richmond, Neumeister, Ostrem, Medinger, Happel

No: 7 - Janssen, Weaver, Marcou, Padesky, Olson, Gaul, Christians

Excused: 1 - Marshall

A motion was made by Richmond, seconded by Neumeister, to REFER 30 days. The motion FAILED by the following vote:

Yes: 4 - Richmond, Neumeister, Medinger, Happel

No: 7 - Janssen, Weaver, Marcou, Padesky, Olson, Ostrem, Gaul

Excused: 2 - Marshall, Christians

2018-06-018

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

Yes: 7 - Janssen, Weaver, Marcou, Padesky, Olson, Gaul, Happel

No: 4 - Richmond, Neumeister, Ostrem, Medinger

Excused: 2 - Marshall, Christians

Roll Call

Council Members Olson and Christians left the meeting.

Present: 11 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Justice Weaver, Jacqueline Marcou, Gary Padesky, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel

Excused: 2 - David D. Marshall, Roger Christians

Absent: 1 - Jessica Olson

[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.

2018-06-019

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

Yes: 9 - Richmond, Neumeister, Janssen, Weaver, Padesky, Ostrem, Medinger, Gaul, Happel

No: 1 - Marcou

Excused: 2 - Marshall, Christians

Absent: 1 - Olson

[18-0752](#)

Resolution granting various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for license period 2018-19.

2018-06-020

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

Yes: 10 - Richmond, Neumeister, Janssen, Weaver, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel

Excused: 2 - Marshall, Christians

Absent: 1 - Olson

ITEM RECOMMENDED TO BE NOT ADOPTED

[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.

2018-06-021

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

Yes: 10 - Richmond, Neumeister, Janssen, Weaver, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel

Excused: 2 - Marshall, Christians

Absent: 1 - Olson

ITEM RECOMMENDED TO BE ADOPTED AND PULLED FROM CONSENT AGENDA

[18-0571](#)

Resolution approving airport car rental concessionaire agreements.

A motion was made by Richmond, seconded by Janssen, that the Resolution be AMENDED approving the revised 5-21-18 agreement adopted by Airport Board. The motion carried by the following vote:

Yes: 10 - Richmond, Neumeister, Janssen, Weaver, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel

Excused: 2 - Marshall, Christians

Absent: 1 - Olson

2018-06-022

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

Yes: 10 - Richmond, Neumeister, Janssen, Weaver, Marcou, Padesky, Ostrem, Medinger, Gaul, Happel

Excused: 2 - Marshall, Christians

Absent: 1 - Olson

CONSENT AGENDA

A motion was made by Richmond, seconded by Medinger, to ADOPT the Consent Agenda. The motion carried by voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

[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.

Ord. 5056. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[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.

Ord. 5057. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [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.
Ord. 5058. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [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.
2018-06-023
- [18-0527](#) Resolution amending the Declaration of Protective Covenants at the International Business Park regarding landscaping requirement on Lot 22 - 2970 Luoyang Drive.
2018-06-024
- [18-0572](#) Resolution declaring statement of project intentions for the La Crosse Regional Airport.
2018-06-025
- [18-0573](#) Resolution approving assignment of concession agreement with Midwest Car Corporation to Enterprise Rent-A-Car Company of Wisconsin, LLC.
2018-06-026
- [18-0574](#) Resolution petitioning the Secretary of Transportation for Airport Improvement Aid.
2018-06-027
- [18-0575](#) Resolution designating concessionaire for the La Crosse Regional Airport along with authorization to apply for "Class B" Intoxicating Liquor Permit.
2018-06-028
- [18-0576](#) Resolution authorizing payment and release of funds for airport project designs.
2018-06-029
- [18-0589](#) Resolution authorizing modifications to Information Technology (IT) policies.
2018-06-030

- [18-0613](#) Resolution approving contract with the La Crosse Tribune as the official newspaper for the City's council proceedings and legal notices.
2018-06-031
- [18-0627](#) Resolution approving 2017 annual stormwater permit report.
2018-06-032
- [18-0642](#) Resolution appropriating funds for the public market feasibility and site location study.
2018-06-033
- [18-0643](#) Resolution approving 2017 Compliance Maintenance Annual Report (CMAR) for the Isle La Plume wastewater treatment facility.
2018-06-034
- [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.
2018-06-035
- [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.
2018-06-036
- [18-0646](#) Resolution changing the source of funds for the 2018 Sidewalk Replacement Project from Revolving Assessment Account to 2018 Bond Issue.
2018-06-037
- [18-0654](#) Resolution relocating two polling places.
2018-06-038
- [18-0660](#) Resolution approving assignment of concession agreement and building and land lease with Midwestern Wheels, Inc. to Avis Budget Car Rental, LLC.
2018-06-039
- [18-0661](#) Resolution approving Airport Building and Land Lease Agreement with Avis Budget Car Rental, LLC.
2018-06-040

- [18-0662](#) Resolution authorizing payment and release of funds for terminal apron East expansion.
2018-06-041
- [18-0664](#) Resolution approving Pole Use License Agreement between the City of La Crosse and Wisconsin Technology Networking LLC.
2018-06-042
- [18-0666](#) Resolution approving Right of Way License Agreement between the City of La Crosse and Wisconsin Technology Networking LLC.
2018-06-043
- [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.
2018-06-044
- [18-0668](#) Amended Resolution approving a reorganization to the table of positions and classifications for certain Director positions within the City organizational structure.
2018-06-045
- [18-0703](#) 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 Water Utility Access Easement from Troy Hartman.
2018-06-046
- [18-0738](#) Resolution approving lease with City Brewing Company, LLC for parking spaces on land near Marco Drive on Isle La Plume.
2018-06-047
- [18-0751](#) 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 2017-18 (June).
2018-06-048
- [18-0787](#) Resolution approving a reorganization to the table of positions and classifications for the Fire Department - Fire Prevention & Building Safety Division.
2018-06-049

[18-0788](#)

Resolution denying Applications of Aroma Holdings LLC dba The Golden Tap for Combination "Class B" Beer & Liquor License and Indoor Cabaret License at 520 State Street for the license period 2018-19 (Notice of Intent to Not Renew).

(Note: The Judiciary & Administration Committee and/or Common Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee and/or Council may reconvene in open session.)

2018-06-050

ITEMS RECOMMENDED TO BE RE-REFERRED

[18-0656](#)

Amended Resolution approving Impact Seven, Inc. Development Agreement for Garden Terrace.

(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 Committee and/or Council may reconvene in open session.)

Referred to July 2018 meetings.

[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.

Referred to July 2018 meetings.

Adjournment

A motion was made by Padesky, seconded by Weaver, to ADJOURN at 8:03 p.m. The motion carried unanimously by voice vote.