

City of La Crosse, Wisconsin

City Hall 400 La Crosse Street La Crosse. WI 54601

Meeting Minutes Common Council

Thursday, June 13, 2013 7:30 PM Council Chambers

Mayor Tim Kabat, Presiding

The meeting was called to order at 7:30 p.m. by Mayor Tim Kabat.

Roll Call

Present: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,

David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,

Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

Pledge of Allegiance

Invocation

Deacon Frank O'Laughlin, Living Word Christian Church

Approval of Minutes

Motion by Andrea Richmond, second by Francis Formanek to approve Minutes of May 2, May 9 and May 16, 2013. The motion carried unanimously by voice vote.

Reports

13-0373 Report of the Director of Finance for the month May 2013.

2013-06-001

A motion was made by Council Member Andrea Richmond, seconded by Council Member James Cherf, that this Report be RECEIVED AND FILED. The motion carried unanimously by voice vote.

13-0375 Report for the Department of Building & Inspections for the month of May 2013.

2013-06-002

A motion was made by Council Member Andrea Richmond, seconded by Council Member Ryan Cornett, that this Report be RECEIVED AND FILED. The motion carried unanimously by voice vote.

Notices and Discussions

Council Member Seaquist extended an invitation to the Amateur Radio Field Daysi in Holmen. Council Member Medinger extended an invitation to the 2nd Annual Ice Cream Social in Poage Park. Fire Department Badge Presentation: Beau Liebma.

COMMON COUNCIL MATTERS

Actions by Single Vote

Council Member Swantz read the following items and moved they be adopted. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

<u>13-0335</u> Resolution approving Engineering Estimates paid in June 2013.

2013-06-003

ADOPTED

13-0378 Resolution approving 2013 bills paid in June.

2013-06-004

APPOINTMENTS BY THE MAYOR

13-0350

Ad hoc German International Relations Committee: CM Peg Jerome, 1220 14th St. S. Ad hoc Information Technology Committee: CM Andrea Richmond, 1312 Cunningham St. Ad hoc Public Safety Communications Board: CM Andrea Richmond, 1312 Cunningham St. Aviation Board: CM David Krump, 120 11th St. N. CM Andrea Richmond, 1312 Cunningham St. Bicycle and Pedestrian Advisory Committee: CM David Krump, 120 11th St. N. City Traffic Engineer, Matt Gallager, 400 La Crosse St. Lt. Pat Hogan, 400 La Crosse St. Virginia Loehr, 1800 Madison St. Jill Miller, 420 24th St. Ross Seymour, 907 King St. Robert Young, 234 23rd St. S. City of La Crosse Arts Board: Eva Marie Restel, 227 Losey Blvd. N. CM David Krump, 120 11th St. N. City Plan Commission: Karen Ringstrom, 2545 Edgewood Pl. City Contribution Committee: CM Marilyn Wigdahl, 2938 Leonard St. Heritage Preservation Commission: CM David Krump, 120 11th St. N. CM Ryan Cornett, 920 Wall St. International Committee: Dean Bloch, 605 Cardinal Ave, Rockland. CM Andrea Richmond, 1312 Cunningham St. La Crosse Area Convention and Visitors Bureau: CM Paul Medinger, 2508 26th St. S. CM Audrey Kader, 715 7th St. S. La Crosse Housing Rehabilitation Committee: CM Dempsey Miller, 1927 George St. Library Board: CM James Cherf, 511 Main St. Jodi Ehrenberger, 127 23rd St. S. Municipal Parking Utility Board: CM James Cherf, 511 Main St. CM Audrey Kader, 715 7th St. S. CM Dick Swantz, 4115 Verchota St. Room Tax Commission: CM Marilyn Wigdahl, 2938 Leonard St. CM Peg Jerome, 1220 14th St. S. Jim Hill, 2142 Johnson St. Andrew Londre, 1028 7th St. S. Sustainable La Crosse Commission: CM Sara Sullivan, 608 16th St. S. CM Jai Johnson, 928 Island St. Board of Park Commissioners: CM Paul Medinger, 2508 26th St. S. CM Ryan Cornett, 920 Wall St. Redevelopment Authority (4/5 vote of Council reg'd): CM Audrey Kader, 715 7th St. S. Karen Dunn, 316 24th St. N.

2013-06-005

Richard Swantz read the Appointments and moved they be CONFIRMED. The motion carried by the following vote (4/5 vote required for RDA appointment):

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

ITEM WITH NO RECOMMENDATION

13-0100

Resolution amending the first paragraph of Council Rule V deleting the position of secretary and directing City staff to take minutes.

(2/3 vote reg'd by Council - Council Rule)

2013-06-006

A motion was made by Douglas Happel, seconded by Richard Becker, that the Resolution be ADOPTED. The motion carried by the following vote (2/3 vote regired for Council Rule):

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS RECOMMENDED TO BE ADOPTED (2/3 Vote)

Motion by Richard Becker, second by Andrea Richmond to suspend Council Rule VIII. The motion carried unanimously.

ORDINANCES RECOMMENDED TO BE ADOPTED

13-0288

AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District to the Planned Development District - General to allow for a multi-family development with small amount of commercial office space at 529 Park Plaza Drive.

4760

Richard Swantz read the following Ordinance and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

Actions by Single Vote

Council Member Wigdgahl read the following items and moved they be adopted. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

13-0337 Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$111,929.85 for Johnson Street Watermain & Curb & Gutter Replacement.

2013-06-007

ADOPTED

13-0338 Report of Bids & Resolution awarding contract to McHugh Excavating & Plumbing, Inc. in the amount of \$243,167.50 for Flood Levee Reconstruction.

2013-06-008

ADOPTED

13-0339 Report of Bids & Resolution awarding contract to DataPark USA, Inc. in the amount of \$233,145.00 for Airport Parking Access & Revenue Control Systems.

2013-06-009

ADOPTED

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$9,800.00 for Police Shower Room Remodel.

2013-06-010

ADOPTED

Report of Bids & Resolution awarding contract to Pember Companies, Inc. in the amount of \$77,849.00 for 2013 Sidewalk In-Fill & Railroad Crossings.

2013-06-011

Actions by Single Vote

Council Member Happel read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

Report of Bids & Resolution awarding contract to Poellinger, Inc. in the amount of \$55,381.12 for Installation of Rubber Flooring at Green Island Ice Arena.

2013-06-012

ADOPTED

ITEMS RECOMMENDED TO BE ADOPTED

Amended Resolution approving Second Intergovernmental Agreement for Park Plaza Property between the City of La Crosse and the County of La Crosse.

(Note: The committee, Committee of the Whole and/or Common Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(e) to update and formulate negotiation strategies and parameters. Following the closed session, the committees and/or Council may reconvene in open session.)

2013-06-013

ADOPTED

13-0196 Resolution authorizing Mayor and City Clerk to sign State/Municipal Agreement for reconstruction of Lang Drive from La Crosse St to Bridge (Project ID #52221-03-01, 71).

2013-06-014

ADOPTED

Resolution reallocating new equipment funds for purchase of Ice machine/maker for Fire Station One.

2013-06-015

13-0236 Resolution reallocating funds for repairs of Rescue Two.

2013-06-016

ADOPTED

Actions by Single Vote

Council Member Medinger read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,

Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

13-0238 Resolution to use existing new equipment funds for purchase of Automatic External Defibrillators.

2013-06-017

ADOPTED

<u>13-0248</u> Application of Nou Xiong for a Conditional Use Permit allowing for a

duplex at 816 5th Ave. S. and amended resolution approving same.

2013-06-018

ADOPTED

13-0249 Resolution supporting Clean Energy Choice for Wisconsin.

2013-06-019

ADOPTED

13-0251 Resolution approving medical benefit premiums for employees

classified as "full time" under Affordable Care Act.

2013-06-020

ADOPTED

13-0252 Resolution designating concessionaire for the La Crosse Municipal

Airport in regard to the "Class B" Intoxicating Liquor Permit.

2013-06-021

Actions by Single Vote

Council Member Formanek read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

Resolution authorizing the procurement of a snow blower for the Street Department.

2013-06-022

ADOPTED

<u>13-0256</u> Amended Resolution establishing the 2014-2018 Capital Equipment

Budget.

2013-06-023

ADOPTED

13-0263 Resolution authorizing La Crosse Center Software Purchase for

concessions stand monitors.

2013-06-024

ADOPTED

13-0273 Resolution authorizing the use of left over Capital Equipment money

for the procurement of a scrubber for the Green Island Ice Arena.

2013-06-025

ADOPTED

13-0274 Resolution authorizing the purchase of beverage cart for Forest Hills.

2013-06-026

Actions by Single Vote

Council Member Sullivan read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

13-0275 Resolution authorizing the Ad Hoc Consultant Committee to solicit proposals for completion of an Organizational Assessment and a Strategic Plan and Process.

2013-06-027

ADOPTED

13-0276

Resolution approving a programmatic agreement between the City of
La Crosse Housing and Urban Development Community Development
Block Grant Program and the Wisconsin Historical Society State
Historic Preservation Officer.

2013-06-028

ADOPTED

Resolution approving 2012 Compliance Maintenance Annual Report for the Isle La Plume wastewater treatment plant.

2013-06-029

ADOPTED

Resolution approving lease agreement and terms with Flight Service GSE, LLC.

2013-06-030

ADOPTED

13-0281 Resolution approving pay adjustments for Police management.

(2/3 vote req'd by Council - Reserve Fund)

2013-06-031

Council Member Sullivan read the following item and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

13-0292

Resolution approving the reorganization of the table of positions and classifications for the Mayor's Office and Human Resources Department.

(2/3 vote req'd by Council - Reserve Fund)

2013-06-032

Council Member Kader read the following item and moved the committee recommendation to ADOPT. The motion carried by the following vote (2/3 vote required for Reserve Fund):

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

Actions by Single Vote

Council Member Kader read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

13-0286

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.

2013-06-033

ADOPTED

<u>13-0287</u>

Resolution authorizing funds from the Legal Department Salaries Account be used to pay for outside prosecution services.

2013-06-034

13-0310 Resolution approving the renaming of park property located on Hood Street between 5th Avenue South and 6th Street South to George C. Poage Park.

2013-06-035

ADOPTED

Various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2012-13 and resolution approving same.

2013-06-036

ADOPTED

Actions by Single Vote

Council Member Jerome read the following items and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky, David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

Various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2013-14 and resolution approving same.

2013-06-037

ADOPTED

Resolution authorizing the Police Department to accept a Wisconsin Department of Justice Assistance JAG Grant.

2013-06-038

ADOPTED

ITEMS RECOMMENDED TO BE RE-REFERRED

<u>13-0016</u> Amended Resolution authorizing the Neighborhood Revitalization Committee to solicit, accept and expend voluntary contributions.

REFER 30 days

13-0069

Resolution approving Development Agreement between the City of La Crosse and Chart Energy & Chemicals, Inc.

(Note: The committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(e) to update and formulate negotiation strategies and parameters. Following the closed session, the committee may reconvene in open session.)

REFER 60 days

13-0071 Resolution approving license agreement with the 4000 Foundation.

(Note: The committee, Committee of the Whole and/or Common Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(e) to update and formulate negotiation strategies and parameters. Following the closed session, the committees and/or Council may reconvene in open session.)

REFER 120 days

ITEMS RECOMMENDED TO BE ACCEPTED AND FILED

13-0239 La Crosse Fire Department 2012 Community Report.

2013-06-039

A motion was made by Richard Becker that the Report be ACCEPTED AND FILED. The motion carried by the following vote:

Aye: 9 - Andrea Richmond, Dempsey Miller, James Cherf, Robert Seaquist, Richard Becker, Sara Sullivan, Paul Medinger, Marilyn Wigdahl and Richard Swantz

No: 7 - Ryan Cornett, Katherine Svitavsky, David Krump, Peg Jerome, Audrey Kader, Francis Formanek and Douglas Happel

Absent: 1 - Jai Johnson

13-0372

Resolution delegating the authority to waive an evidentiary privilege to the Executive Committee.

The resolution was not listed on the agenda; however, proper open meeting law notice was given with the J&A meeting notice. The Resolution was recommended to be adopted by the Committee of the Whole on June 11, 2013.

2013-06-040

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

Aye: 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Katherine Svitavsky,
David Krump, James Cherf, Robert Seaquist, Richard Becker, Peg
Jerome, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger,
Douglas Happel, Marilyn Wigdahl and Richard Swantz

Absent: 1 - Jai Johnson

New Items for Referral

13-0356 AN ORDINANCE to amend Subsection 2.24(B) of the Code of

Ordinances of the City of La Crosse to add one member from the Apartment Association of the La Crosse Area as a member on the

Neighborhood Revitalization Commission.

J&A

13-0366 AN AMENDED ORDINANCE to amend Section 15.02(B) of the Code

of Ordinances of the City of La Crosse by changing the zoning for substantial portions of the city. (Comprehensive Rezoning for Replacement Housing Program, Housing Replacement Program and

Housing RENEW Program Properties - areas of North and South La Crosse).

CPC J&A

13-0368 AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance

of the City of La Crosse by transferring certain property from the Planned Development District - General to the Planned Development District - Specific to allow for a senior housing residential.

rehabilitation, therapy, transitional care and recreational facility at 622

Bennora Lee Ct (Eagle Crest South).

(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or

Council may reconvene in open session.)

CPC J&A

13-0369 AN ORDINANCE to amend Section 15.02(B) of the Code of

Ordinance of the City of La Crosse by transferring certain property from the Parking Lot District to the Local Business District to for a recreational beer garden at 3330 26th St. S. (parcel to be combined

with South Lanes).

CPC J&A

<u>13-0370</u>	AN AMENDED ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District - Specific to the Planned Development District - Specific allowing for development of additional 2-story building containing 20 apartments at 3715 Mormon Coulee Road (Bluffview Apartments) and waiver of multi-family design standards. CPC J&A
<u>13-0379</u>	A SECOND AMENDED ordinance to create Subsection 8.07(I) of the Code of Ordinances of the City of La Crosse to establish a moratorium regarding the conversion of single-family homes into rentals in the (R-1) Single Family Residence District and Washburn Residential District. CPC J&A
<u>13-0311</u>	La Crosse MTU System Management Performance Report.
	F&P
<u>13-0314</u>	2012 MTU Annual Report.
	F&P
<u>13-0318</u>	Resolution authorizing an amendment for a two year extension of the Grand River Station Security Agreement with G4S Secure Solutions (USA) Inc. MTU F&P
<u>13-0328</u>	Resolution approving Application of S&T's Chances R LLC dba Chances R for an Expansion of Alcohol Beverage License & Street Privilege Permit for Special Event at 417 Jay Street on July 20, 2013. J&A
<u>13-0329</u>	Resolution authorizing purchase of equipment for IS&T Training Room. IST F&P
<u>13-0330</u>	Amended Resolution approving lease with La Crosse Skyrockers, Inc.
	BPW CPC F&P

<u>13-0331</u>	Resolution approving funding for Video Conferencing monitors, brackets and equipment. F&P
<u>13-0332</u>	Resolution approving purchase of atmospheric monitoring meters. F&P
<u>13-0343</u>	Resolution approving Application of Cannon Valley Percherons and Carriages for a 2013 Horse Drawn Vehicle License. J&A
<u>13-0345</u>	Resolution appropriating funds to fill property known as Trane Plant 6 in order to remove said property from the flood plain. BPW F&P
<u>13-0346</u>	Resolution to approve State of Wisconsin Hazardous Materials agreement with the La Crosse Fire Department Hazardous Materials team through June 30, 2015. J&A
<u>13-0347</u>	Resolution approving a revised training agreement to provide hazardous materials training to organizations. J&A
<u>13-0349</u>	Resolution approving Easement Agreement with Joseph U. Nduka & Ngozi A. Nduka (Waterford Valley Drainage Easement). BPW F&P
<u>13-0351</u>	Resolution designating funds for the Conservation Reserve Program (CRP) and property clean up under the Wisconsin Department of Natural Resources (DNR) Land Management Contract. F&P
<u>13-0354</u>	Resolution endorsing the 2013 City of La Crosse Arts Board Plan. Arts Bd J&A

13-0358	Amended Resolution extending the life of TIF District #4 for one year to implement affordable housing and market rate housing programs. (2/3 vote req'd for Reserve Fund) NRA CPC F&P
<u>13-0359</u>	Resolution approving release of funds for election equipment. F&P
<u>13-0360</u>	Resolution releasing funds for the City-Wide Housing RENEW Program. (2/3 vote req'd for Reserve Fund) NRA F&P
13-0362	Resolution re-appropriating previous Capital Equipment funds for new equipment for the Planning and Development Department. IST F&P
13-0365	Resolution approving Use Agreement with La Crosse Baseball LLC and the Northwoods League, Inc for use of Copeland Field. (Note: The committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(e) to update and formulate negotiation strategies and parameters. Following the closed session, the committee may reconvene in open session.) BPC F&P
13-0367	Resolution approving Application of Our Corner Bar, Inc. dba Our Corner Bar for Expansion of Alcohol Beverage License at 2104 George Street for Special Event on September 14, 2013. **J&A**
13-0371	Application of Harter's Quick Clean Up for a Conditional Use Permit allowing for construction of a cold storage building to be used as a material recovery facility at 2828 and 2814 Larson Street. CPC J&A

Adjournment

On motion, unanimous consent to adjourn at approximately 8:20 p.m.