



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, December 13, 2018

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 6:00 p.m.

Roll Call

Present: 13 - Tim Kabat, Andrea Richmond, Scott Neumeister, David D. Marshall, Justice Weaver, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians
Absent: 1 - Barb Janssen

Pledge of Allegiance

Invocation

The invocation was offered by Rev. Jacob Eichers of Faith Lutheran Church.

Approval of Minutes

A motion was made by Richmond, seconded by Medinger, that the Minutes of November 8 regular and November 19 budget meetings be APPROVED. The motion carried by unanimous vote.

Reports

[18-1558](#)

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

2018-12-002

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

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

Absent: 1 - Janssen

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

[18-1667](#)

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

2018-12-003

A motion was made by Neumeister, seconded by Ostrem, 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

-Happel thanked Council Member Marcou for organizing Christmas gifts on behalf of Council, and reported that he has received many calls regarding leaf pick-up issues.

-Mayor addressed the leaf pick-up program.

-Marshall announced his notice of non-candidacy in 2019 for 4th District.

COMMON COUNCIL MATTERS

[18-1674](#)

Resolution approving December 2018 Engineering Estimates.

2018-12-004

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

[18-1709](#)

Resolution approving 2018 bills paid in December.

2018-12-005

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

SUSPENSION OF COUNCIL RULE V (Committee Action) FOR THE FOLLOWING ITEM (2/3 Vote Required):

A motion was made by Ostrem, seconded by Medinger, to SUSPEND Rule V for Item #18-1707. The motion carried unanimously.

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

A motion was made by Richmond, seconded by Ostrem, to SUSPEND Rule VIII for Item #18-1585, 18-1609 and 18-1707. The motion carried unanimously.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[18-1563](#)

Report of Bids & Resolution awarding contract to Midwest Liquidation, LLC in the amount of \$118,650.00 for the Weigent Park Play Equipment Replacement Re-Bid project.

2018-12-006

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

ITEM WITH NO RECOMMENDATION

[18-1707](#)

Resolution approving extension of sanitary sewer agreements with the Town of Shelby.

2018-12-007

A motion was made by Neumeister, 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 RECOMMENDED TO BE ADOPTED

[18-1509](#)

Amended Resolution approving lease with Gary Arneson for the property at 500 Rose Street (parcel #17-10040-40).

A motion was made by Gaul, seconded by Medinger to ADOPT.

A motion was made by Neumeister, seconded by Padesky, that the Resolution be AMENDED to provide for a three-year term. The motion carried by the following vote:

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

2018-12-008

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

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

[18-1580](#)

Resolution approving updated project descriptions in schedule of park improvements for 2019.

2018-12-009

A motion was made by Richmond, 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

[18-1585](#)

Resolution approving Application of Sinkoss USA LLC dba Bullet Cab for 2019 Public Vehicle for Hire License.

2018-12-010

A motion was made by Weaver, seconded by Gaul, 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 Medinger, that the Consent Agenda be ADOPTED. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

[18-1548](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Public and Semi-Public District to the Traditional Neighborhood District - General allowing multi-family, mixed use development at 1305 7th St. S.

Ord. 5072. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[18-1605](#)

AN ORDINANCE to create Section 44-79 of the Code of Ordinances of the City of La Crosse regarding school bus flashing lights.

Ord. 5073. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[18-1308](#)

Resolution approving Performance Contracting with Johnson Controls, Inc. for Project Development Agreement - Phase 1.

2018-12-011

[18-1454](#)

Resolution approving a one-year license agreement and five (5) one-year extensions of License Agreement between the City of La Crosse and La Crosse Queen, LLC.

2018-12-012

- [18-1462](#) Resolution approving Third Amendment to Gundersen Lutheran Development Agreement.
(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.)
2018-12-013
- [18-1547](#) Resolution approving Application of 10th & Vine LLC for a Conditional Use Permit allowing for demolition of structure for future development at 1010 Vine Street.
2018-12-014
- [18-1579](#) Resolution approving reorganization to the table of positions and classifications for the Parks, Recreation and Forestry Department.
2018-12-015
- [18-1581](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the LaCrosse Municipal Code for remainder of license period 2018-19 (December).
2018-12-016
- [18-1583](#) Resolution approving Application of Coulee Region Taxi LLC dba Coulee Region Taxi for 2019 Public Vehicle for Hire License.
2018-12-017
- [18-1584](#) Resolution approving Application of Bee Cab, Inc. dba Bee Cab for 2019 Public Vehicle for Hire License.
2018-12-018
- [18-1587](#) Resolution approving Application of Top Hat, Inc. dba CTS Taxi for 2019 Public Vehicle for Hire License.
2018-12-019
- [18-1588](#) Resolution approving Application of DJL, Inc. dba Luxury Limousines for 2019 Public Vehicle for Hire License.
2018-12-020
- [18-1589](#) Resolution approving Application of Cinderella Carriage LLC for 2019 Horse-Drawn Vehicle License.
2018-12-021

- [18-1591](#) Resolution approving a reorganization to the table of positions and classifications for the Utility Department- Sanitary and Storm.
2018-12-022
- [18-1609](#) Resolution authorizing a time extension of the Town of Medary Fire and Rescue Protection service contract.
2018-12-023
- [18-1615](#) Resolution authorizing the appointment of an interim Director of Parks, Recreation, Forestry, Facilities & Grounds effective December 29, 2018.
2018-12-024

ITEM RECOMMENDED TO BE RE-REFERRED

- [18-1255](#) Resolution approving Application of Tomah VA Medical Center for a Conditional Use Permit allowing Community Living Arrangement at 3120 Farnam Street.

ITEM IN CLOSED SESSION

- [18-1285](#) Appeal by Frank Schwarz of Impartial Hearing Officer Decision dated 6/8/2018.
(Note: The Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(f) to consider disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons. Following any closed session, the Council may reconvene in open session.)
- A motion was made by Richmond, seconded by Weaver, to convene in CLOSED SESSION pursuant to Wis. Stat., sec. 19.85(1)(f) to consider disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons. The motion carried by the following vote:**
- Yes:** 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians
- In closed session, a motion was made by Marshall, seconded by Christians to reconvene in OPEN SESSION. The motion carried by voice vote.**
- A motion was made by Gaul, seconded by Weaver, that the Claim/Appeal be REFERRED to a second Impartial Hearing Officer to review the record and make a recommendation to the Common Council. The motion carried by the following vote:**
- Yes:** 13 - Richmond, Neumeister, Janssen, Marshall, Weaver, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Adjournment

A motion was made by Padesky, seconded by Olson, to ADJOURN. The motion carried by voice vote.