



Meeting Minutes
Committee of the Whole

Tuesday, May 7, 2013

7:30 PM

Council Chambers

Call to Order, Pledge of Allegiance, Roll Call

Present 17 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Jai Johnson, 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

Judiciary and Administration Committee

Robert Seaquist, Chair, presiding

[13-0101](#)

Amended Resolution amending Council Rule I and VI regarding meeting times of the Committee of the Whole and Common Council.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 9 - Richmond, Johnson, Seaquist, Becker, Jerome, Formanek, Medinger, Happel and Swantz

No: 8 - Miller, Cornett, Svitavsky, Krump, Cherf, Kader, Sullivan and Wigdahl

[13-0242](#)

Second Amended Resolution awarding contract for the 2014-2020 residential refuse and recycling collection services to Harter's Quick Clean-up.

Richmond moved to pen public hearing, second by Becker; carried unanimously on voice vote. the following persons spoke in FAVOR: Gary Harter, Bill Ties, Nick Nichols, Wayne Olson. The following persons spoke in OPPOSITION: Gary Hougom, Jason Dillaber, Brett Sawyer. Richmond moved to close public hearing, second by Swantz; carried unanimously on voice vote.

Johnson moved to amend to delete the second to last paragraph of resolution regarding direction to City Attorney's Office and to add umbrella liability insurance, update standard terms and conditions, second by Svitavsky; carried unanimously on voice vote. A motion was made by Richard Swantz, seconded by Douglas Happel, that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

No: 1 - Becker

[13-0237](#)

Second Amended Resolution authorizing the placement of an airplane on the City of La Crosse's official City seal.

Becker moved to open public hearing, second by Medinger; carried unanimously on voice vote. The following person spoke in FAVOR: John Satory. Richmond moved to close public hearing, second by Becker; carried unanimously on voice vote.

Johnson moved to amend that final design is subject to Council approval, second by Becker; carried unanimously on voice vote. A motion was made by Andrea Richmond, seconded by Marilyn Wigdahl, that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0217](#)

Application of Jansen C. Dahl (Member of Automotive Enterprises LLC) for a Conditional Use Permit at 810 4th St. S. allowing for demolition of hotel for vehicle parking lot for Dahl Automotive and future expansion (no easement) and Amended Resolution approving same.

A motion was made by Richard Becker, seconded by Andrea Richmond, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0215](#)

AN ORDINANCE to amend Subsection 15.02(B) of the Code of Ordinances of the City of La Crosse transferring certain property from Traditional Neighborhood District - General to the Traditional Neighborhood District - Specific allowing for a rental duplex at 714 Cass Street.

A motion was made by Andrea Richmond, seconded by Marilyn Wigdahl, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0220](#)

Application of ABCCCDE LLC dba The Root Note for a Conditional Use Permit at 115-117 4th St. S. allowing for a Combination "Class B" Beer & Liquor License and resolution approving same.

A motion was made by Andrea Richmond, seconded by Marilyn Wigdahl, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0265](#)

Divided Question - Application of Walleser Estates LLC dba Cass Bar for a Special Event Outdoor Cabaret License and Amended Resolution approving same.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

No: 1 - Kader

[13-0223](#)

Application of Walleser Estates LLC dba Cass Bar for an Expansion of Alcohol Beverage License for Special Event at 620 Cass Street on May 11, 2013 and Amended Resolution approving same.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

No: 1 - Kader

Motion by Wigdahl, second by Richmond to approve the balance of the J&A items as follows:

[12-0280](#)

A SECOND AMENDED ORDINANCE to create Section 2.23 of the Code of Ordinances of the City of La Crosse to create the Economic Development Commission and to establish standards for economic development incentives.

A motion was made that the Ordinance be RECOMMENDED TO BE ADOPTED AS ANEBDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

12-0322 AN ORDINANCE to amend Subsection 17.03 (C), Paragraph 17.04 (B)(1), Paragraph 18.01(E) and Paragraph 19.03 (E)(2) of the Code of Ordinances of the City of La Crosse to change fees for Plumbing, Electrical and HVAC permits.

A motion was made that the Ordinance be RECOMMENDED TO BE RE-REFERRED 90 days to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0028](#) Application of Western Technical College for a Conditional Use Permit at 532 8th St. N. to demolish residential structure allowing for green space and parking and resolution approving same.

A motion was made that the Application be NOT ADOPTED (withdrawn) to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 9 - Richmond, Johnson, Seaquist, Becker, Jerome, Formanek, Medinger, Happel and Swantz

No: 8 - Miller, Cornett, Svitavsky, Krump, Cherf, Kader, Sullivan and Wigdahl

[13-0169](#) Resolution converting alley between Liberty Street and Bridgview Plaza Service Road from Hayes Street to Palace Street into a street.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0213](#) Request of Daniel J. Schmitz dba Stateside LLC for permission to apply for a Combination Class "B" Beer & Liquor license at 1810 State Street and resolution approving same.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0228](#)

Application of Ruckus Entertainment LLC dba The Recovery Room a Combination "Class B" Beer & Liquor License and Class "A" Beer Garden License pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2012-13 and resolution approving same.

A motion was made that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

13-0250

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

A motion was made that the Application be RECOMMENDED TO BE DIVIDED (13-0265 and 13-0266) to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0266](#)

Resolution granting balance of various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2012-13 (except Walleser).

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

Finance and Personnel Committee

Audrey Kader, Chair, presiding

[13-0198](#)

Resolution designating funds for the design and construction of a Bluffland trail head facility.

Richmond moved to open public hearing, second by Becker; carried unanimously on voice vote. The following persons spoke in FAVOR: George Arimond, Marvin Wanders, Mike Charron, Gene Roberts, Fred Skemp. The following person spoke in OPPOSITION: Randy Magno. Richmond moved to close public hearing, second by Cornett; carried unanimously on voice vote.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0203](#)

Amended Resolution approving license agreement with the Myrick Hixon EcoPark.

Richmond moved to open public hearing, second by Becker; carried unanimously on voice vote. The following persons spoke in FAVOR: Jean Chromey, Kathie Tyser. The following person spoke in OPPOSITION: Cathy Van Maren. Becker moved to close public hearing, second by Jerome; carried unanimously on voice vote.

Richmond moved to open public hearing a second time following amendment, second by Cornett; carried unanimously on voice vote. The following person spoke in FAVOR: Paul Borsheim. Wigdahl moved to close public hearing, second by Richmond; carried unanimously on voice vote.

Motion by Richard Swantz, second by Robert Sequist to approve. Motion by Richard Becker to amend paragraph 4(D) to add "subject to annual appropriation" regarding repairs to roof and mechanicals, second by Medinger; carried unanimously on voice vote. A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 15 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel and Swantz

No: 1 - Wigdahl

Non-Voting: 1 - Krump

[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.)

A motion was made by Andrea Richmond, seconded by Marilyn Wigdahl, that this Resolution be RECOMMENDED TO BE RE-REFERRED for 30 days to the Common Council, due back by 5/9/2013. The motion carried unanimously by voice vote.

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

13-0163 Resolution approving Second Intergovernment 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.)

A motion was made that the Resolution be RECOMMENDED TO BE RE-REFERRED 30 days to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

Motion by Wigdahl, second by Swantz to approve the balance of the F&P items as follows:

[13-0151](#) Amended Resolution authorizing acquisition of property from the Company Store Factory Inc. in the Airport Industrial Park, in accordance with the Purchase Agreement, and appropriation of funds.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0181](#) Resolution authorizing Public Improvement and Levying Special Assessments against benefited property in the City of La Crosse, Wisconsin: Concrete alley paving from 15th Street to 16th Street between Jackson Street and Johnson Street.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0182](#) Resolution approving the reorganization of the table of positions and classifications for the Sanitary Sewer Utility.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0183](#)

Resolution for Portland Cement Concrete Paving of Alley Between Winnebago St and Mississippi St from 17th St to East Avenue.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0184](#)

Resolution appropriating funds to hire firm to prepare soil boring report for BNSF RR Storm Sewer Crossing Permit on Townsend Street Storm Sewer Project.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0186](#)

Resolution appropriating funds to pay incidental project costs for Niedbalski Bridge Deck Replacing Project.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0191](#)

Resolution appropriating funds to hire Westbrook Associated Engineers, Inc. to inspect old railroad bridge over La Crosse River from Riverside Park to Mobil Oil Site.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0193](#)

Resolution authorizing Board of Public Works to take steps necessary to acquire real estate for reconstruction of Cass St (Hwy 16) from 7th Street to 4th Street.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0197](#)

Resolution approving and ratifying a Stop Loss Insurance contract between the City of La Crosse and QBE A&H, LLC effective January 1st, 2013.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0199](#)

Resolution authorizing payment and release of funds for airport projects.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0200](#)

Resolution authorizing small community air service development grant program.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0201](#)

Resolution authorizing the procurement of a trade-in vehicle for the Park Department.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0202](#)

Amended Resolution releasing 2013 CIP Funds of \$20,000 for the purchase of banners, poetry stamps, mural, public art repair/removal, construct greenspace or other necessary projects to further the establishment of a downtown Arts District.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0205](#)

Amended Resolution accepting funding from the La Crosse Area Planning Committee and other local organizations and businesses for the preparation of a bicycle sharing feasibility study and appropriation of funds.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0207](#)

Resolution approving the reorganization of the table of positions and classifications of the Parks, Recreation and Forestry Department.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

[13-0261](#)

Resolution approving and ratifying a collective bargaining agreement between the City of La Crosse and the LA CROSSE PROFESSIONAL POLICE SUPERVISORY ASSOCIATION, LOCAL #91 for the term of 2012 through 2014.

A motion was made that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 5/9/2013. The motion carried by the following vote:

Aye: 17 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl and Swantz

Adjournment

Unanimous consent to adjourn at approximately 9:50 p.m.