



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, August 10, 2017

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 6:02 p.m.

Roll Call

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

Pledge of Allegiance

Invocation

Rev. Kevin Knack of Living Word Christian Church offered the invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Brever, that the Minutes of July 13, 2017 be APPROVED. The motion carried unanimously.

Reports

[17-1082](#)

Report of the Director of Finance for the month of July 2017.

2017-08-002

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

Notices and Discussions

Council Member Janssen announced Food Forest Work Night on August 23, 2017 at 6:00 p.m.

COMMON COUNCIL MATTERS

[17-1074](#)

Resolution approving Engineering Estimates from August 2017.

2017-08-003

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-1081](#)

Resolution approving 2017 bills paid in August.

2017-08-004

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

APPOINTMENTS BY THE MAYOR

[17-1062](#)

City of La Crosse Arts Board: Barry McKnight, 424 20th St. S. Fire Station Planning Task Force: Jessica Olson, 1219 Madison St., Doug Happel, 3103 31st St. S., Adam Hatfield, 521 Ferry St., Steven McConaghy, 3020 Ebner Coulee Rd., Ron Tischer, 2541 Edgewood Pl., Leeland (Ken) Gilliam, 2404 30th St. S., Jason Gilman, 316 24th St. N. International Committee: Emelee Volden, 2028 State St. Joint Board of Harbor Commissioners: Curt Wall, 208 19th St. S., Scott Neumeister, 1521 Wood St. Sustainable La Crosse Commission: Cathy Van Maren, 2815 Highland St.

2017-08-005

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

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

A motion was made by Gaul, seconded by Richmond, to SUSPEND Council Rule VIII on File 17-0893, 17-0909, 17-0950, 17-0951, 17-0952, 17-0954, 17-1009, 17-1064, 17-1065, 17-1066, 17-1078 and 17-1079. The motion carried unanimously.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[17-0944](#)

Report of Bids and Resolution awarding contract to McHugh Excavating & Plumbing, Inc. in the amount of \$1,318,157.00 for the 17th Street-Neighborhood Greenway (Farnam to State Street) project.

2017-08-006

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-1080](#)

Report of Quotes & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$14,968.00 for the Losey & Pine Crosswalk (Quote) Project.

2017-08-007

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

**ITEMS WITHOUT RECOMMENDATION pending special F&P meeting 8/10/17,
5:15p**

[17-0893](#)

Resolution approving agreement with Assessment Technologies of WI, LLC (Market Drive).

A motion was made by Medinger, seconded by Gaul, that the Resolution be AMENDED to insert in the Proposed Statement of Work at the top of page 4 the following sentence: The cost to license the Market Drive Large Municipal Edition in years 2 and beyond will be the lowest rate offered to any other Market Drive user of similar size. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

2017-08-008

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-1064](#)

Resolution approving the reorganization to the table of positions and classifications to merge the Assessors Department functions into the Planning & Development Department.

2017-08-009

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-1065](#)

Resolution approving the reorganization to the table of positions and classifications to merge the Human Resources (HR) Department functions into the Finance Department.

2017-08-010

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

Yes: 10 - Richmond, Neumeister, Marshall, Brever, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 2 - Janssen, Marcou

Excused: 1 - Padesky

[17-1066](#)

Amended Resolution selecting vendor for administration of employee/retiree Health Risk Assessments for the period of August 1, 2017 through July 31, 2020.

2017-08-011

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-1078](#)

Resolution releasing the remainder of funds budgeted for the Fire Prevention & Building Safety Office Remodel project.

2017-08-012

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

ITEMS RECOMMENDED TO BE ADOPTED

[17-0908](#)

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 to the Public and Semi-Public District allowing for a garden to be used by Hamilton school at 807 Johnson Street.

Council Member Marcou recused herself and left the Council Chambers. Following the vote, she returned to her seat.

Ord. 5012. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

Yes: 11 - Richmond, Neumeister, Janssen, Marshall, Brever, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

Recuse: 1 - Marcou

[17-0912](#)

AN AMENDED ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Multiple Dwelling District to the Public and Semi-Public District allowing new development for Coulee Council on Addictions at 923, 927, 929, 935 and 939 Ferry Street.

A motion was made by Gaul, seconded by Richmond, that the Ordinance be REFERRED to the September Council cycle of meetings, with direction to republish the Notice of Public Hearing. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-0922](#)

A CHARTER ORDINANCE to amend Section 1 and to repeal and recreate Section 5 of the Municipal Code of Ordinances of the City of La Crosse changing the position of City Clerk from an elected position to a position appointed by the Mayor.

Ch. Ord. 39. For complete ordinance, see p. ____ of Volume 1 of Charter Ordinances.

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

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-0900](#)

Resolution approving City of La Crosse restated Fund Balance Policy.

2017-08-013

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

Yes: 9 - Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel

No: 3 - Richmond, Neumeister, Christians

Excused: 1 - Padesky

[17-0982](#)

Resolution approving 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 (August).

A motion was made by Richmond, seconded by Neumeister, that the Resolution be DIVIDED to separate the license applications for Snuffy's Bar LLC from the balance of the applications. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

A motion was made by Richmond, seconded by Neumeister, that the Resolution as divided relating to Snuffy's Bar LLC be REFERRED to the Judiciary and Administration Committee due back 9/5/2017. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

2017-08-014

A motion was made by Richmond, seconded by Gaul, that the Resolution approving the balance of license applications be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

[17-0916](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Commercial District to the Multiple Dwelling District allowing for a new development consisting of five townhomes at 1300 State Road 16.

A motion was made by Neumeister, seconded by Richmond, that the Ordinance be REFERRED to the September cycle of meetings. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

CONSENT AGENDA

A motion was made by Richmond, seconded by Gaul, to ADOPT the consent agenda. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

[17-0768](#)

AN ORDINANCE to repeal and recreate Sec. 34-144 of the Code of Ordinances of the City of La Crosse regarding regulations for planting and care of trees.

Ord. 5013. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[17-0814](#)

AN ORDINANCE to annex a parcel of land from the Town of Campbell to the City of La Crosse (1350 Nakomis Ave - Uhls).

Ord. 5011. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[17-0845](#)

AN ORDINANCE to create Section 115-353(a)(3) of the Code of Ordinances of the City of La Crosse regarding off-premise parking lots.

Ord. 5014. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[17-0865](#)

AN ORDINANCE to amend Section 8-21 of the Code of Ordinances of the City of La Crosse regarding the Aviation Board membership.

Ord. 5015. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [17-0917](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Special Multiple District to the Special Multiple District requesting removal of a pre-existing restrictive covenant at 2415 Cass St.
Ord. 5016. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [17-0918](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Low Density Multiple District to the Planned Development District allowing for owner-occupied windos at 1002 5th Ave. S.
Ord. 5017. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [17-0923](#) AN ORDINANCE to repeal Sections 2-77 and 2-78 of the Code of Ordinances of the City of La Crosse regarding the position of City Clerk.
Ord. 5018. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [17-0383](#) Resolution authorizing sale of Lot 8 in the La Crosse International Business Park to Werner Electric.
2017-08-015
- [17-0488](#) Resolution approving the Parks, Recreation and Forestry Department Environmental Leadership Forum's (ELF) ten-year Land Management Plan for the City owned bluff and marshland-Stage 1.
2017-08-016
- [17-0733](#) Resolution approving release of 2016-2020 CIP funds for bicycle and pedestrian plan implementation projects.
2017-08-017
- [17-0767](#) Resolution to submit and accept a DNR Recreational Trails Aids matching grant for trail maintenance and rehabilitation.
2017-08-018
- [17-0802](#) Resolution amending Appendix C Fee Schedule to include a fee for Junk Dealer - Waiver of 1,000 foot requirement.
2017-08-019
- [17-0831](#) Resolution approving the purchase of a dump box and snow plow hitch for the Street Department.
2017-08-020

- [17-0847](#) Resolution approving Application of Lori A Volden dba Cannon Valley Percherons and Carriages for a Horse Drawn Vehicle License for the remainder of 2017 license year.
2017-08-021
- [17-0850](#) Resolution approving Tax Incremental Financing application for The Hub on 6th.
(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.)
2017-08-022
- [17-0860](#) Resolution authorizing Airport lease agreement with the General Services Administration.
2017-08-023
- [17-0867](#) Resolution accepting the donation of a framed painting for the airport terminal military lounge.
2017-08-024
- [17-0876](#) Resolution authorizing the City Engineer to purchase and install four (4) indicator signs on Losey Boulevard and appropriation of funds.
2017-08-025
- [17-0878](#) Resolution appropriating additional funds to the City of La Crosse Highway Department's Concrete (Cement) Account in order to reconstruct additional streets in 2017.
2017-08-026
- [17-0888](#) Resolution approving the development of an engineering plan for the King Street Neighborhood Greenway based on the Bicycle-Pedestrian Advisory Committee's concept plan recommendation.
2017-08-027
- [17-0891](#) Resolution authorizing Water Utility to submit water rate review to Wisconsin Public Service Commission.
2017-08-028
- [17-0892](#) Resolution authorizing the appropriation of funds to continue the Trail Management Program.
2017-08-029

- [17-0894](#) Resolution appropriating funds for the continued land acquisition and development program.
2017-08-030
- [17-0895](#) Amended Resolution approving 2017 Communication from the City Assessor relative to corrections of prior year's assessment and tax rolls.
2017-08-031
- [17-0896](#) Resolution authorizing public improvement and levying special assessments against benefited property for the construction of watermain and all appurtenances on 17th Street between Jackson Street and Winnebago Street as well as between Market Street and Ferry Street in La Crosse, Wisconsin.
2017-08-032
- [17-0906](#) Resolution approving Application of The Charmant Hotel LLC for an Expansion of Alcohol Beverage License & Street Privilege Permit for special event at 101 State Street on August 18, 2017.
2017-08-033
- [17-0909](#) Amended Resolution and report of the Board of Public Works on the costs of operating and maintaining the parking system in downtown La Crosse.
2017-08-034
- [17-0924](#) Resolution approving Pipeline Easement with Northern Natural Gas Company.
2017-08-035
- [17-0934](#) Resolution amending Appendix C Fee Schedule to increase various fees as a result of charges incurred to the Police Department in conducting background checks.
2017-08-036
- [17-0943](#) Initial Resolution authorizing not exceeding \$15,600,000 general obligation bonds of the City of La Crosse.
2017-08-037
- [17-0950](#) Resolution approving agreements for third party administrators of the City's medical benefit plan for 2018.
2017-08-038

[17-0951](#) Resolution approving a reclassification for the position of Courtesy and Information Representative.

2017-08-039

[17-0952](#) Resolution authorizing new positions to the 2018 operating budget.

2017-08-040

[17-0954](#) Resolution directing the advertisement and sale of approximately \$15,600,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2017-D, of the City of La Crosse, La Crosse County, Wisconsin.

2017-08-041

[17-1009](#) Resolution authorizing the Engineering Department to purchase TID #11 2018 Streetscaping Lighting Equipment and appropriation of funds.

2017-08-042

ITEMS RECOMMENDED TO BE NOT ADOPTED

[17-0445](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Commercial District to the Heavy Industrial District allowing for a vehicle storage lot at 410 Wood Street.

2017-08-043

ITEMS RECOMMENDED TO BE ACCEPTED AND FILED

[17-0813](#) Petition for Direct Annexation by Unanimous Approval pursuant to Sec. 66.0217(2), Wis. Stats. of land from the Town of Campbell to the City of La Crosse (1350 Nakomis Ave - UHls).

2017-08-044

ITEM WITHOUT RECOMMENDATION FROM STANDING COMMITTEE

[17-1079](#) Status of La Crosse Municipal Harbor, Inc. f/k/a La Crosse Municipal Boat Harbor, Inc. agreement defaults.

(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)

A motion was made by Richmond, seconded by Medinger, that the Status Update be held in CLOSED SESSION, pursuant to Wis. Stat., sec. 19.85(1)(g) to confer with legal counsel. The motion carried by the following vote:

Yes: 12 - Richmond, Neumeister, Janssen, Marshall, Brever, Marcou, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Padesky

Following discussion in closed session, a motion was made by Richmond, seconded by Janssen, to reconvene in OPEN SESSION. The motion carried by voice vote.

NEW ITEMS FOR REFERRAL

- [17-0857](#) AN ORDINANCE to amend Sections 4-75(7)a. and 4-144(6)a. of the Code of Ordinances of the City of La Crosse regarding alcohol beverage licensed premises with delinquencies owed to the City.
- [17-0941](#) AN ORDINANCE to amend Section 44-107 of the Code of Ordinances of the City of La Crosse regarding night parking alternate sides of street.
- [17-0953](#) Resolution authorizing the City of La Crosse to: (1) Partner with The Western Wisconsin Workforce Development Board, Inc and the Coulee Region Business Center to apply for a Local Technical Assistance Program grant to the U.S. Department of Commerce - Economic Development Administration to fund the preparation of a feasibility study that analyzes future business development service alternatives including workforce training in the Coulee Region Business Center, and (2) Provide \$15,000 in unencumbered, unrestricted non-federal cash match for the application.
- [17-0966](#) Resolution approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 7, City of La Crosse, Wisconsin.
- [17-0987](#) Resolution authorizing the City of La Crosse to submit an application to Wisconsin Economic Development Corporation (WEDC) for the Community Development Investment (CDI) Grant Program.
- [17-0994](#) AN ORDINANCE to create Secs. 4-50 and 4-115 of the Code of Ordinances of the City of La Crosse regarding Provisional Retail Licenses.
- [17-0995](#) Resolution amending Appendix C Fee Schedule to establish fee for Provisional Retail License.
- [17-1022](#) Resolution authorizing the Police Department Parking Utility to purchase a snow removal machine for Parking Ramps.
- [17-1040](#) AN ORDINANCE to amend Section 115-398(d) of the Code of Ordinances of the City of La Crosse allowing fences regulated under Section 10-49(2)(b) to be exempt from this section.
- [17-1041](#) City of La Crosse, Wisconsin Federal and State Single Audit Report as of December 31, 2016.

- [17-1042](#) Financial Statements with Independent Auditors Report as of December 31, 2016.
- [17-1045](#) Resolution approving a hazardous materials training agreement between the City of La Crosse Fire Department and La Crosse County Hazardous Waste Site.
- [17-1053](#) Resolution authorizing Human Resources to seek proposals and obtain a binding agreement for 2018 stop loss insurance.
- [17-1054](#) Resolution approving request to have City release restriction on warehousing at 3089-3101 Airport Rd, previously known as Lot 4 in the Airport Industrial Park.
- [17-1056](#) Application of Western Technical College for a Conditional Use Permit allowing for demolition of structures to create green space at 314 and 320-322 8th St. N.
- [17-1057](#) Resolution amending previous Resolution authorizing floodplain relief funding.
- [17-1059](#) Resolution releasing funds related to Trane All Abilities Park.
- [17-1060](#) Resolution authorizing amendments to \$6,660,000 City of La Crosse, Wisconsin Industrial Development Revenue Bonds, Series 2017 (DuraTech Industries, Inc. Project) issued on April 7, 2017.
- [17-1061](#) Resolution approving a partial alley vacation located between 21st Street and Vine Street.
- [17-1063](#) Amended Resolution appropriating funds related to the severe storm event of July 19, 2017.
- [17-1071](#) Resolution granting Application of Diana Hobson dba DnA Vintners for a Conditional Use Permit (amendment) at 1223 and 1229 Caledonia Street allowing for a winery with tasting room.

Adjournment

At 8:02 p.m., a motion was made by Richmond, seconded by Olson, to ADJOURN. The motion carried by voice vote.