



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, May 9, 2019

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Roll Call

Present: 14 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Larry Sleznikow, Justice Weaver, Chris Kahlow, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Pledge of Allegiance

Invocation

Pastor Kael Clemmerson of New Beginnings Christian Fellowship offered the invocation.

Council Member Appointment to the Executive Committee

Olson nominated Janssen to serve on the Executive Committee. Seconded by Gaul. No other nominations.

A motion was made by Gaul that the Appointment of Barb Janssen to the Executive Committee be APPROVED. The motion carried unanimously.

Approval of Minutes

A motion was made by Richmond, seconded by Weaver, that the Minutes of April 11 regular meeting and April 16 adjourned and organizational meeting be APPROVED. The motion carried unanimously.

Notices and Discussions

-Ostrem thanked Caroline Gregerson and the Planning Department for their work on the Family Fun Night in Poage Park. Farmer's Market will be at 6th and Farnam every Thursday from 3-6 p.m. beginning in June.

-Richmond introduced Interim Airport Director Bob O'Brien.

-Kabat announced invitation to the Public Works Open House at the Municipal Service Center on May 22 from 8 a.m. - 2 p.m.

COMMON COUNCIL MATTERS[19-0312](#)

Resolution authorizing 2019 Action Plan and funding allocation in connection with CDBG and HOME programs.

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

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

A motion was made by Richmond, seconded by Weaver, that the Resolution be AMENDED to change the funding from \$395,000 to \$300,000 and delete the reference to the Commonbond Red Cloud Park project. The motion carried by the following vote:

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

2019-04-018

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

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

[19-0454](#)

Amended Resolution approving a reclassification of the Director of the La Crosse Regional Airport position.

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

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

A motion was made by Richmond, seconded by Ostrem, that the Resolution be AMENDED to correct the salary range to \$102,069.16-\$133,879.11. The motion carried by the following vote:

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

2019-04-036

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

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

[19-0667](#)

Resolution approving April 2019 Engineering Estimates.

2019-05-001

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

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

[19-0666](#)

Resolution approving May 2019 Engineering Estimates.

2019-05-002

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

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

[19-0681](#)

Resolution approving 2019 bills paid in May 2019.

2019-05-003

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

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

APPOINTMENTS BY THE MAYOR

[19-0674](#)

Animal Control Governing Board: Scott Neumeister. Aviation Board: Andrea Richmond. Bicycle and Pedestrian Advisory Committee: Larry Sleznikow, Jeff Fennie, Virginia Loehr, Jill Miller, Robert Young, Jason Melby. Boundary Agreement Task Force: Phillip Ostrem, Martin Gaul, Douglas Happel. City of La Crosse Arts Board: Roger Christians. City Plan Commission: Scott Neumeister, Christine Kahlow. Community Development Committee: Phillip Ostrem, Barb Janssen, Mike Lemmon, Linda Lee, Adam Hatfield, Elaine Yager. EMS Contract Negotiating Committee: Andrea Richmond, Phillip Ostrem. Floodplain Advisory Committee: Richard Becker. Heritage Preservation Committee: Christine Kahlow. Housing Authority: Peter Sayner. International Committee: Gary Padesky. Joint Board of Harbor Commissioners: Scott Neumeister, Jerome Gundersen. La Crosse County Convention and Visitors Bureau: Scott Neumeister. La Crosse Center Board: Scott Neumeister, Phillip Addis, Nancy Flottmeyer, Danielle Peterslie. La Crosse Historic and Cultural Museum Planning Task Force: Gary Padesky. Library Board: Gary Padesky. Municipal Transit Utility Board: Justice Weaver. Neighborhood Revitalization Commission: Larry Sleznikow, Linda Lee, Janet Allen, Christopher Woodard. Public Safety Communications Board: Douglas Happel. Redevelopment Authority: Andrea Richmond. Room Tax Commission: Gary Padesky, Nick Weber. South Branch Library Senior

Center Steering Committee: Paul Medinger, Phillip Ostrem. Sustainable La Crosse Commission: Larry Sleznikow.

2019-05-004

A motion was made by Padesky, seconded by Weaver, that the Appointments, except the Redevelopment Authority, be CONFIRMED. The motion carried by the following vote:

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

2019-05-004

A motion was made by Neumeister, seconded by Ostrem, that the Appointment to the Redevelopment Authority be CONFIRMED (four-fifths vote required). The motion carried by the following vote:

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

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

A motion was made by Gaul, seconded by Weaver, to SUSPEND Council Rule VIII for Items 19-0606, 19-0607, 19-0647 and 19-0688. The motion carried unanimously.

REPORT OF BIDS RECOMMENDED TO BE ADOPTED

19-0358

Report of Bids & Resolution awarding contract to Pember Companies, Inc. in the amount of \$379,468.00 for Badger/Hickey Park project.

2019-05-005

A motion was made by Weaver, seconded by Richmond, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

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

19-0547

Report of Bids & Resolution awarding contract to Gerke Excavating, Inc. in the amount of \$155,009.75 for 2019 Misc. Sewer Repairs.

2019-05-006

A motion was made by Richmond, seconded by Janssen, that the Report of Bids & Resolution be ADOPTED. The motion carried by the following vote:

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

REPORT OF BIDS TO BE REJECTED[19-0546](#)

Report of Bids for 2019 RRFBS - Re-Bid project.

2019-05-007

A motion was made by Ostrem, seconded by Weaver, that the Bids be REJECTED. The motion carried by the following vote:**Yes:** 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians[19-0549](#)

Report of Bids for the La Crosse Municipal Boat Harbor Toilet & Shower Building.

2019-05-008

A motion was made by Ostrem, seconded by Neumeister, that the Bids be REJECTED. The motion carried by the following vote:**Yes:** 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians**ITEMS RECOMMENDED TO BE ADOPTED**[19-0611](#)

AN ORDINANCE to create Section 34-73 of the Code of Ordinances of the City of La Crosse prohibiting smoking in City Parks.

*Ord. 5089. For complete ordinance, see p. ____ of Volume 11 of Ordinances.***A motion was made by Ostrem, seconded by Weaver, that the Resolution be ADOPTED. The motion carried by the following vote:****Yes:** 9 - Richmond, Janssen, Sleznikow, Weaver, Olson, Ostrem, Medinger, Happel, Christians**No:** 4 - Neumeister, Kahlow, Padesky, Gaul[19-0584](#)

Resolution appropriating additional funds for the La Crosse River Marsh Lead Contamination project.

2019-05-009

A motion was made by Janssen, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:**Yes:** 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

ITEM REMOVED FROM CONSENT AGENDA[19-0574](#)

AN AMENDED ORDINANCE to amend various sections of Ch. 10, Article X of the Code of Ordinances of the City of La Crosse regarding Outdoor Food Stands and Mobile Food Units.

A motion was made by Kahlow, seconded by Weaver, that the Ordinance be REFERRED to the Common Council, due back 6/13/2019. The motion carried by the following vote:

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

CONSENT AGENDA

A motion was made by Richmond, seconded by Olson, that the Consent Agenda be ADOPTED. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE ADOPTED[19-0437](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse by changing the zoning for substantial portions of the City - comprehensive rezoning transferring certain property from Floodway District to the Single Family District (1000 US Hwy 14/61 17-20272-10) and Heavy Industrial District (2601 Conoco Rd 17-10254-63, 2707 Conoco Rd 17-10254-63, 2631 Conoco Rd 17-10254-63, Conoco Rd 17-10254-63).

Ord. 5090. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-0519](#)

AN AMENDED ORDINANCE to amend Section 115-1 and Section 115-149(a) (1) and create Section 115-347(9) of the Code of Ordinances of the City of La Crosse defining Veterinary Clinics, Animal Hospitals and kennels and permitting them in the C1-Local Business and C2-Commerical Districts by a Conditional Use Permit.

Ord. 5091. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-0525](#)

AN 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 Multiple Dwelling District allowing single family home at 1027 Caledonia St.

Ord. 5092. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-0542](#)

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 Traditional Neighborhood District - Specific allowing for student housing and office at 316, 312, 304 and 326 West Ave. N. and 1225 Vine St.

Ord. 5093. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [19-0573](#) AN ORDINANCE to amend Sec. 34-23(c), to create 34-23(d) and renumber (d) of the Code of Ordinances of the City of La Crosse regarding sales of food and beverage on premises on public property near La Crosse Center.
Ord. 5094. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [19-0426](#) Resolution approving Application of Craig's Towing for a Conditional Use Permit at 410 Wood Street allowing an off-premise parking lot for storage of vehicles (amendment).
2019-05-010
- [19-0475](#) Resolution authorizing the closure and/or consolidation of Special Revenue Funds within the City's ERP Financial System.
2019-05-011
- [19-0480](#) Resolution approving Application of Pump House Regional Arts Center for Expansion of Alcohol Beverage License at 119 King Street for Special Event on June 7 and 8, 2019.
2019-05-012
- [19-0521](#) Resolution approving Request for Exception to Standards for Multi-Family Housing Design by Housing Authority of the City of La Crosse allowing for exception of on-premise parking for new duplex development at 428 7th St. S.
2019-05-013
- [19-0536](#) Resolution authorizing the Police Department to accept a Wisconsin Department of Justice Drug Trafficking Response Grant.
2019-05-014
- [19-0537](#) Resolution approving a reorganization to the table of positions and classifications for the Utility Department - Water.
2019-05-015
- [19-0540](#) Resolution authorizing acceptance of a La Crosse Area Planning Committee grant for the purpose of updating the City of La Crosse Safe Routes to School plan.
2019-05-016
- [19-0543](#) Resolution approving Request for Exception to Standards for Commercial Design by St. James Catholic Church allowing for exception of on-premise parking for new building addition at 1032 Caledonia St.
2019-05-017

- [19-0544](#) Resolution approving Request for Exception to Standards for Multi-Family Housing Design and Commercial Design by Marcus J. Zettler allowing for exception of off-street parking requirement and landscape buffer requirement for RMD Development LLC rehabilitation project at 800-802 Rose St.
2019-05-018
- [19-0545](#) Resolution approving Application of The Driftless Axe, LLC (Toby Farley) for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor License at 300 4th St. S. (suites 100 & 101).
2019-05-019
- [19-0562](#) Resolution endorsing the signing of the Mississippi River Trail (MRT) through La Crosse, Wisconsin.
2019-05-020
- [19-0575](#) Preliminary Resolution declaring intent to exercise special assessment powers under Secs. 66.0829 and 66.0703, Wisconsin Statutes, relating to the operation and maintenance of a downtown parking system.
2019-05-021
- [19-0576](#) Resolution approving Harbor's Three-Year Statement of Intention to Wisconsin Department of Transportation 2020-2022.
2019-05-022
- [19-0577](#) Resolution endorsing La Crosse's annual application as a Bird City and for the High Flyer Award from Bird City Wisconsin in 2019 and supporting the annual International Migratory Bird Day (IMBD) at Myrick Park.
2019-05-023
- [19-0579](#) Resolution authorizing the reallocation of library funds for updated technology and other enhancements for the Northside Library.
2019-05-024
- [19-0598](#) Resolution approving a request from Kwik Trip to build in the north eight (8) feet of Utility Easement created February 7, 2012 with the vacation of Palace Street from Commerce Street to Larson Street.
2019-05-025
- [19-0599](#) Resolution approving an amendment to the Project Plan of Tax Incremental District No. 15, City of La Crosse, Wisconsin.
2019-05-026

[19-0615](#) Resolution approving Various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for remainder of license period 2018-19 (May).
2019-05-027

ITEM RECOMMENDED TO BE NOT ADOPTED

[18-1196](#) Amended Resolution declaring Wittenberg Park as surplus property and authorizing a request for proposals process for development of the parcel.
2019-05-028

ITEMS RECOMMENDED TO BE RE-REFERRED

[19-0471](#) Resolution adopting sustainability goals transitioning to carbon neutrality and 100% renewable energy by 2050.
Referred 60 days to the July 2019 meetings

[19-0613](#) Resolution confirming the debt structure for the La Crosse Center renovation and remodel.
Referred 30 days to the June 2019 meetings

ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[19-0606](#) La Crosse Fire Department 2018 Annual Community Report.
2019-05-029

[19-0607](#) La Crosse Fire Department 2019 Strategic Plan.
2019-05-030

[19-0647](#) La Crosse Fire Department 2019 Standards of Cover Report.
2019-05-031

ITEM IN CLOSED SESSION[19-0688](#)

Resolution approving Separation Agreement, Waiver and Release between City of La Crosse and Frank Devine.

(Note: The Finance & Personnel Committee and/or Common Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85 (1)(c) for personnel issues. Following such closed session, the Common Council may reconvene in open session.)

A motion was made by Gaul, seconded by Ostrem, that the Resolution be discussed in CLOSED SESSION pursuant to Wis. Stat., sec. 19.85(1)(c) for personnel issues. The motion carried by the following roll call vote:

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

2019-05-032

In closed session, a motion was made by Gaul, seconded by Padesky, to reconvene in OPEN SESSION.

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

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

Adjournment

A motion was made by Olson, seconded by Weaver, to ADJOURN at 6:37 p.m.. The motion carried by voice vote.