



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes

Common Council

Thursday, February 8, 2018

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

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

Roll Call

Present: 11 - Tim Kabat, Scott Neumeister, Barb Janssen, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Excused: 2 - Andrea Richmond, David D. Marshall

Pledge of Allegiance

Invocation

Minister Tim Trailer of Living Word Christian Church offered the invocation.

Approval of Minutes

A motion was made by Gaul, seconded by Christians, that the Minutes of January 11, 2018 be APPROVED. The motion carried by unanimously by roll call vote.

Reports

[18-0219](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of January, 2018.

2018-02-001

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

Notices and Discussions

COMMON COUNCIL MATTERS

[18-0216](#)

Appeal by Maria Norberg dba Grounded Specialty Coffee of the Heritage Preservation Commission denial of a Certificate of Appropriateness for the building located at 308 Main Street.

(Note: The Common Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel and Wis. Stats. 19.85(1)(a) to deliberate its decision. Following any closed session, the Council may reconvene in open session.)

A motion was made by Gaul, seconded by Padesky, for a PUBLIC HEARING. The motion carried by the following vote:

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Marshall, Richmond

Michael Sigman spoke in favor.

A motion was made by Gaul, seconded by Medinger, to close the PUBLIC HEARING. The motion carried by the following vote:

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

A motion was made by Christians, seconded by Medinger, to APPROVE granting the appeal.

A motion was made by Olson, seconded by Gaul, that the Claim/Appeal be REFERRED to the Common Council due back for a public hearing on 3/8/2018, with direction to Planning staff to send a notification of this appeal to Downtown Mainstreet and property owners within the Downtown Historic District and other stake-holders. The motion carried by the following vote:

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0222](#)

Resolution approving February 2018 Engineering Estimates.

2018-02-002

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0223](#)

Resolution approving 2017 and 2018 bills paid in February 2018.

2018-02-003

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

APPOINTMENTS BY THE MAYOR

[18-0215](#)

Board of Zoning Appeals: Carol Haefs, 2615 Ward Ave., Anastasia Gentry, 4310 Mariah Dr. S. Ethics Board: Taylor Haley, 1935 29th St. S., Jodi Widuch, 2555 Edgewood Pl. Floodplain Advisory Committee: Sara Strassman, 516 23rd St. N. Housing Authority: Tennille Spears, 4445 Mormon Coulee Rd. Apt. 106. Human Rights Commission: Julia McDermid, 1402 29th St. S. Library Board: Araysa Simpson, 1545 Travis St., Catherine Ellingson, 713 Charles St. Municipal Transit Utility: Gary Padesky, 825 20th St. S.

2018-02-004

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

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

A motion was made by Neumeister, seconded by Gaul, to APPROVE suspension of Council Rule VIII for Items 18-0066, 18-0075, 18-0169, 18-0170, 18-0181. The motion carried unanimously by roll call vote.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[18-0010](#)

Report of Bids & Resolution awarding contract with alternate to Poellinger Electric, Inc. in the amount of \$310,234.73 for the 2018 PPH Pedestrian Lighting project.

2018-02-005

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0026](#)

Report of Bids & Resolution awarding the contract to Steiger Construction, Inc. in the amount of \$40,967.50 for the Clinton Street Beacon project.

2018-02-006

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0027](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$181,976.50 for the Misc. Curb & Gutter & Pavement Replacement project.

2018-02-007

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0034](#)

Report of Bids & Resolution awarding contract to Water Works Docks & Boatlifts, Inc. in the amount of \$399,786.00 for the La Crosse Municipal Harbor Dock Replacement project.

2018-02-008

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0035](#)

Report of Bids & Resolution awarding contract to Poellinger Electric, Inc. in the amount of \$121,333.00 for the La Crosse City Hall Fire Alarm Project.

2018-02-009

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0036](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$79,135.00 for the 2018 ADA Ramp Replacement project.

2018-02-010

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0037](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$109,982.50 for the 2018 Sidewalk Replacement project.

2018-02-011

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0063](#)

Report of Bids & Resolution awarding contract to Gerke Excavating, Inc. in the amount of \$179,237.65 for the 2018 Miscellaneous Sanitary Sewer Repairs.

2018-02-012

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0064](#)

Report of Bids & Resolution awarding the contract to Kish & Sons Electric, Inc. in the amount of \$130,184.00 for the MSC Back-up Generator Replacement.

2018-02-013

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

ITEMS WITH NO RECOMMENDATION

[17-1056](#)

Resolution approving 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.

A motion was made by Christians, seconded by Medinger, that the Resolution be REFERRED to Judiciary & Administration Committee due back 5/1/2018. The motion carried by the following vote:

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

ITEMS REMOVED FROM CONSENT AGENDA

[18-0031](#)

Amended Resolution approving Terms and Conditions/Rules and Transient Multi-Slip Facility Agreement and determination on live-a-boards for the La Crosse Municipal Boat Harbor.

A motion was made by Medinger, seconded by Ostrem, that the Resolution be AMENDED to change the second line of the 4th paragraph from "shall approve" to "hereby approves" the documents. The motion carried by the following vote:

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

2018-02-014

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

Yes: 10 - Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 2 - Richmond, Marshall

[18-0009](#)

Resolution directing staff to research and analyze the recommendations of the La Crosse Fire Station Planning Task Force.

2018-02-015

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

Yes: 8 - Neumeister, Janssen, Marcou, Olson, Ostrem, Medinger, Happel, Christians

No: 1 - Gaul

Excused: 2 - Richmond, Marshall

Abstain: 1 - Padesky

CONSENT AGENDA

A motion was made by Gaul, seconded by Medinger, that the Consent Agenda be ADOPTED. The motion carried unanimously by roll call vote.

ITEMS RECOMMENDED TO BE ADOPTED

[18-0043](#)

AN ORDINANCE to amend repeal and recreate Section 4-172 and to repeal Sections 4-173 through 4-175 of the Code of Ordinances of the City of La Crosse regarding social hosting.

Ord. 5042. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[18-0051](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Light Industrial District to the Commercial District allowing a brewery/taproom at 83 Copeland Avenue.

Ord. 5043. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[17-1736](#)

Resolution approving a partial vacation of the alley located between Vine Street and 21st Street.

2018-02-016

[17-1768](#)

Resolution approving partial street vacation located by Kane Street and St. James Street.

2018-02-017

[18-0003](#)

Resolution appropriating funds for Tenant-Based Rental Assistance for Families Experiencing Homelessness.

2018-02-018

- [18-0011](#) Resolution approving the purchase of a permanent easement for flood protection from Xcel Energy and appropriation of funds.
2018-02-019

- [18-0013](#) Resolution approving the purchase of a permanent easement for Marsh Lane Overlook from Xcel Energy and appropriation of funds.
2018-02-020

- [18-0016](#) Resolution releasing funds from the 2017-2021 CIP for Gundersen/City of La Crosse Joint Neighborhood Development Corporation (JDC).
2018-02-021

- [18-0038](#) Resolution authorizing the release of Park Capital Improvement Funds for Badger/Hickey Park.
2018-02-022

- [18-0042](#) Resolution approving Easement Agreement for Pipe and HVAC for Third and Pine, LLC.
2018-02-023

- [18-0044](#) Resolution approving Request of Rivoli Theatre, Inc. dba Rivoli Theatre to modify address and premise description for Combination “Class B” Beer & Liquor License, Indoor Cabaret License and Theatre License at 117 4th St. N.
2018-02-024

- [18-0050](#) Resolution approving Application of 608 Brewing Company LLC for a Conditional Use Permit allowing for a brewery/taproom at 83 Copeland Avenue.
2018-02-025

- [18-0066](#) Resolution authorizing floor repairs at the Municipal Service Center and appropriation of funds.
2018-02-026

- [18-0075](#) Resolution authorizing the Police Department to accept a 2017 COPS Hiring Program grant to fund two (2) sworn officer positions.
2018-02-027

- [18-0077](#) Resolution approving the abolishment of the La Crosse Fire Station Planning Task Force.
2018-02-028
- [18-0120](#) Resolution granting 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 (February).
2018-02-029
- [18-0169](#) Resolution authorizing the Mayor to file application for Transit Operations and Capital Assistance for 2018 with the Federal Transit Administration.
2018-02-030
- [18-0170](#) Resolution authorizing the Mayor to file for 2018 Transit Operations and Capital Assistance with the Wisconsin Department of Transportation.
2018-02-031
- [18-0181](#) Resolution approving and ratifying a collective bargaining agreement between the City of La Crosse and the International Association of Firefighters, Local #127 for the term of 2018 through 2021.
2018-02-032

NEW ITEMS FOR REFERRAL

- [18-0070](#) Resolution releasing funds for apparatus pad replacement for the Fire Department.
- [18-0071](#) Resolution releasing funds for training grounds for the Fire Department.
- [18-0074](#) Resolution releasing funds for decontamination rooms for the Fire Department.
- [18-0076](#) Resolution releasing funds for ALS (Advanced Life Support) for the Fire Department.
- [18-0080](#) Resolution authorizing expenditures for the purchase of 2018 new equipment approved in the 2018-2022 Capital Improvement Budget.
- [18-0096](#) Resolution authorizing certain City officers to express official intent regarding capital expenditures to be reimbursed from the proceeds of obligations.
- [18-0128](#) Resolution clarifying purpose of committed special revenue fund for funding Human Rights Commission and Ethics Committee investigations.

- [18-0129](#) Resolution approving Certified Survey Map - Outlot 5, Arbor Meadows and part of the SE 1/4 of the SE 1/4 of Section 3, part of the NE 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4 of Section 10, all in T15N, R7W, Town of Shelby, La Crosse County, Wisconsin (Spencer Trust).
- [18-0140](#) Resolution approving a permanent Easement Deed for Drainage from La Crosse County and appropriation of funds.
- [18-0142](#) Amended Resolution approving a permanent Easement Deed for Parking Facility Access for Habitat For Humanity and appropriation of funds.
- [18-0143](#) Amended Resolution appropriating funds for the Ferry Street & 6th Street Storm Sewer Project contracted with A-1 Excavating, Inc.
- [18-0144](#) AN ORDINANCE to amend Sec. 10-425 and Sec. 10-426 of the Code of Ordinances of the City of La Crosse relating to Fire Prevention and Building Safety Inspections of Outdoor Food Stands and Mobile Food Units.
- [18-0145](#) Resolution amending Appendix C Fee Schedule to establish a Fire Prevention & Building Safety Inspection Fee for Outdoor Food Stand/Mobile Unit Licenses.
- [18-0147](#) Resolution approving a partial vacation of the alley located between George Street near Campbell and Salem.
- [18-0153](#) Resolution authorizing public improvement and levying special assessments against benefited property in La Crosse, Wisconsin - installation of Water Main and associated appurtenances on Shelby Road from East Ave to Kammel Road.
- [18-0180](#) Resolution approving First Amendment to the 2219 Lofts Development Agreement.
- [18-0182](#) Resolution approving amendment of scope for Airport Car Wash Facility.
- [18-0183](#) Resolution approving payment and release of additional funds for airport parking lot improvements.
- [18-0186](#) Resolution approving 2018 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
- [18-0187](#) Resolution denying Claim for excessive assessment on behalf of JJAWC LLC and JJAWC South LLC for properties located at 525 2nd St. N. and Vine St.
(Note: The Committee 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.)
- [18-0188](#) Resolution authorizing the reallocation of funds for Fire Vehicle Fleet Maintenance & Improvement Project.

- [18-0189](#) Resolution releasing funds for a new fire station for the Fire Department.
- [18-0190](#) Resolution authorizing Agreement for electrical design and construction services for upgrades to Municipal Well 14.
- [18-0191](#) Resolution approving Agreement for design services for rehabilitation of Digester #1 cover at Isle La Plume wastewater treatment plant.
- [18-0192](#) Resolution approving Application of Peter Gerrard dba Gerrard Corporation for a Conditional Use Permit allowing for demolition of structures for future development at 1002-1004-1006-1008 Vine Street and 1016-1018-1020 Vine Street.
- [18-0193](#) Resolution approving termination of the Water and Fire Service Agreement for the property located at 129 Clinton Street in the Town of Campbell.
- [18-0196](#) Amended Resolution approving Second Amendment to the Management Agreement between the City of La Crosse and KemperSports Management Inc.
- [18-0200](#) Resolution approving funds for door replacement work at wastewater treatment plant.
- [18-0201](#) Resolution approving Investment Services agreement for the period of April 1, 2018 through March 31, 2019.
- [18-0204](#) Resolution authorizing the acquisition of property interests for a street opening and infrastructure improvements for the Riverside North property and appropriation of funds.
- [18-0205](#) Initial Resolution authorizing not exceeding \$1,365,000 general obligation bonds of the City of La Crosse.
- [18-0206](#) Initial Resolution authorizing not exceeding \$55,000 general obligation bonds of the City of La Crosse.
- [18-0207](#) Initial Resolution authorizing not exceeding \$1,020,000 general obligation bonds of the City of La Crosse.
- [18-0208](#) Amended Initial Resolution authorizing not exceeding \$555,000 general obligation bonds of the City of La Crosse.
- [18-0209](#) Initial Resolution authorizing not exceeding \$410,000 general obligation bonds of the City of La Crosse.
- [18-0210](#) Initial Resolution authorizing not exceeding \$1,995,000 general obligation bonds of the City of La Crosse.

- [18-0211](#) Resolution directing the advertisement and sale of approximately \$5,400,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2018, and approximately \$2,500,000 aggregate principal amount of General Obligation Promissory Notes, Series 2018 of the City of La Crosse, La Crosse County, Wisconsin.
- [18-0214](#) Resolution releasing funds from the 2016-2020 and 2017-2021 CIP Budgets for the Paint & Fix Up Program located in TID #14.
- [18-0217](#) Resolution approving Preliminary & Final Plat of Waterview Subdivision to the City of La Crosse, LaCrosse County, Wisconsin.
- [18-0227](#) Resolution approving Certified Survey Map - All of Lot 1 & Outlot 1, CSM V.9, P.127, D.N.1267180; Outlot 2, CSM, V.10, P.89, D.N.1317049; also part of the NW-SE, NE-SE, Sec.12, T15N-R7W, Town of Shelby, La Crosse County, Wisconsin (Knobloch).

Adjournment

**A motion was made by Gaul, seconded by Padesky, to ADJOURN at 7:20 p.m.
The motion carried by voice vote.**