



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes - Final

### Common Council

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Thursday, November 10, 2016

7:30 PM

Council Chambers

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#### Mayor Tim Kabat, Presiding

*Mayor Tim Kabat called the meeting to order at 7:30 p.m.*

#### Roll Call

**Present:** 16 - Tim Kabat, Andrea Richmond, Ryan Cornett, Jai Johnson, Elaine Anderson, David Krump, James Cherf, Robert Seaquist, Gary Padesky, Richard Becker, Audrey Kader, Francis J. Formanek, Phillip A. Ostrem, Paul Medinger, Douglas Happel, Martin Gaul

**Excused:** 1 - Richard Swantz

#### Pledge of Allegiance

#### Invocation

*Pastor Anthony Schindler of Three Rivers Fellowship Church offered an invocation.*

#### Approval of Minutes

**A motion was made by Richmond, seconded by Krump, that the minutes of October 13, 2016 be APPROVED. The motion carried unanimously.**

#### Reports

##### [16-1095](#)

Report of the Director of Finance for the month of October 2016.

2016-11-001

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

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

## Notices and Discussions

*Johnson spoke of her attendance at the Wisconsin Association for Floodplain, Stormwater and Coastal Management recently held in La Crosse, Wisconsin.*

*Cherf recognized Veterans Day and invited all to the Annual Library Give a Gift event as well as the Downtown Holiday Open House.*

*Kader spoke of her attendance at two recent events: League of Wisconsin League Municipalities Conference and the LADCO breakfast - Human Resources and Economic Development.*

## COMMON COUNCIL MATTERS

### [15-1240](#)

Intergovernmental boundary agreement terms with neighboring municipalities pursuant chapter 66 of the Wisconsin Statutes.

**A motion was made by Johnson, seconded by Cornett, to convene in CLOSED SESSION pursuant to Wis. Stats. 19.85(1)(e) to formulate & update negotiation strategies and parameters. The motion carried by the following vote:**

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

**Following the closed session, a motion was made by Krump, seconded by Kader, to reconvene in open session. The motion carried unanimously on voice vote.**

### [16-1094](#)

Resolution approving November 2016 Engineering Estimates.

2016-11-002

**A motion was made by Krump, seconded by Anderson, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

[16-1118](#)

Resolution approving 2016 bills paid in November.

2016-11-003

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

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

**APPOINTMENTS BY THE MAYOR**

[16-1066](#)

City of La Crosse Arts Board: Jennifer Terpstra, 1315 State St., Kate Parker, 1117 13th St. S.. International Committee: Nicole Gullekson, 3000 Baier Ln., Art Marson, 717 19th St. S. La Crosse County Convention & Visitors Bureau: Laurie Pfaff, W763 E. Mohawk Ln., Jeff Johnson, 3310 Bayside Ct. Municipal Transit Utility Board: Paul Reeck, 14521 Genesis Rd. Room Tax Commission: Marilyn Wigdahl, 2938 Leonard St., Jim Hill, 2124 Johnson St.

2016-11-004

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

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

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

**A motion was made by Cornett, seconded by Richmond, that Council Rule VIII be SUSPENDED for Files 16-0780, 16-1033, 16-1034, 16-1051. The motion carried by the following vote:**

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

## REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[16-1041](#)

Report of Bids & Resolution awarding the contract to Fowler & Hammer, Inc. in the amount of \$192,291.00 for the Re-Bid: Pettibone Park Canoe-Kayak Storage Shelter project.

2016-11-005

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

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

[16-1042](#)

Report of Bids & Resolution awarding contract with Alternate A, B, C to Fowler & Hammer, Inc. in the amount of \$372,000.00 for the Powell Park Renovations (HUD).

2016-11-006

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

**Yes:** 15 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

## ITEMS RECOMMENDED TO BE ADOPTED

[16-0979](#)

Resolution authorizing the creation of a committed special revenue fund for the purpose of funding Human Rights Commission and Ethics Committee investigations.

2016-11-007

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

**Yes:** 14 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

**Absent:** 1 - Formanek

[16-0999](#)

Amended Resolution to procure a new Log Truck needed to complete ongoing ash tree removal due to the Emerald Ash Borer.

2016-11-008

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

**Yes:** 14 - Richmond, Cornett, Johnson, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

**Absent:** 1 - Formanek

[16-1025](#)

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 Residence District allowing for duplex at 1527 Loomis Street.

*Ord. 4961. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

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

**Yes:** 13 - Richmond, Cornett, Johnson, Anderson, Krump, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**No:** 2 - Cherf, Seaquist

**Excused:** 1 - Swantz

[16-1028](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Planned Development District- General to the Planned Development District - Specific allowing for 16-unit apartment complex at 2306 State Road 16.

*Ord. 4962. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

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

**Yes:** 14 - Richmond, Cornett, Johnson, Anderson, Krump, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul

**Excused:** 1 - Swantz

**Abstain:** 1 - Cherf

## CONSENT AGENDA

**A motion was made by Gaul, seconded by Formanek, that the Consent Agenda be ADOPTED. The motion carried unanimously by voice vote.**

### *ITEMS RECOMMENDED TO BE ADOPTED*

- [16-1027](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Public/Semi-Public District to the Commercial District allowing for combining of parcels at 618 Tyler St (17-30080-120), South Ave (17-30080-152) and 710 Denton St (17-30084-90).  
*Ord. 4963. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*
- [16-0780](#) Resolution removing the park land designation of the east half of the block bounded by Kane St., Hagar St., Charles St. and St. Cloud St. (733 Kane St) which was adopted by the Common Council of the City of La Crosse on April 12, 2001.  
*2016-11-009*
- [16-0818](#) Resolution authorizing the Mayor to file application for Transit Operations and Capital Assistance for 2017 with the Federal Transit Administration.  
*2016-11-010*
- [16-0820](#) Resolution authorizing the Mayor to file for Transit Operations and Capital Assistance with the Wisconsin Department of Transportation.  
*2016-11-011*
- [16-0845](#) Resolution authorizing Board of Public Works to take steps necessary to acquire real estate for the Construction of VIP Trail and Appropriation of Funds.  
*2016-11-012*
- [16-0939](#) Resolution authorizing use of capital equipment funds to renovate seven existing buses.  
*2016-11-013*
- [16-0955](#) Resolution re-appropriating funds for reimbursing the Parks & Recreation Department and Street Department Operating Budgets and for purchasing materials and work related to the final Washburn Neighborhood CIP Project at 6th and Market.  
*2016-11-014*

- [16-0958](#) Resolution appropriating additional funds to the fiber optic conduit installation on Lang Drive.  
*2016-11-015*
  
- [16-0960](#) Resolution appropriating additional funds to the International Business Park Road Extension Project.  
*2016-11-016*
  
- [16-0961](#) Resolution authorizing the Mayor and City Clerk to sign State/Municipal Agreement for the reconstruction of Jackson Street from 3rd Street to 23rd Street (Revision #1-Dated 08-05-16) (Project I.D. #5120-03-02,72).  
*2016-11-017*
  
- [16-0962](#) Resolution appropriating funds for private contractor(s) to assist with clearing snow from public sidewalks for the 2016-17 season.  
*2016-11-018*
  
- [16-0970](#) Resolution requesting the release of funds from room tax to purchase a replacement water heater for the La Crosse Center.  
*2016-11-019*
  
- [16-0972](#) Resolution requesting the release of funds from the La Crosse Center Food and Beverage (Soda) Account to purchase a 4-tap handle "Bottoms Up" draft beer dispenser.  
*2016-11-020*
  
- [16-0981](#) Amended Resolution approving 2017-2021 Capital Improvement Program Budget.  
*2016-11-021*
  
- [16-0983](#) Resolution approving lease with Skyrockers.  
*2016-11-022*
  
- [16-0986](#) Resolution requesting transfer of funds from the sale of fire department personal protective equipment.  
*2016-11-023*

- [16-0987](#) Resolution requesting the release of funds from the La Crosse Center Food and Beverage (Soda) account to purchase a Point of Sale System for the La Crosse Center.  
2016-11-024
- [16-0989](#) Resolution appropriating funds to reimburse the Street Department Operating Budget for the pavement cost of three streets.  
2016-11-025
- [16-0992](#) Resolution levying Special Charges for Services performed in 2016.  
2016-11-026
- [16-1001](#) Resolution authorizing the City Engineer to sign the Agreement for the Nondestructive Evaluation of Four (4) Bridges.  
2016-11-027
- [16-1003](#) Initial Resolution Regarding Industrial Development Revenue Bond Financing for DuraTech Industries, Inc.  
*“Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for DuraTech Industries, Inc. Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.”*  
2016-11-028
- [16-1004](#) Resolution authorizing the transfer of funds from Tax Incremental Financing District #9 to the City of La Crosse Redevelopment Authority.  
2016-11-029
- [16-1005](#) Resolution transferring funds from the Industrial Park Sinking Fund to the City of La Crosse Redevelopment Authority for economic development programs.  
2016-11-030
- [16-1008](#) Resolution approving an extension to TPA agreements for medical benefit plan.  
2016-11-031
- [16-1009](#) Amended Resolution recognizing the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide.  
2016-11-032



[16-1031](#) Request for Exception to Standards for Commercial Design by Automotive Enterprises LLC for allowing for an exception to the parking lot design and parking standards and visual relief screen for the improvement project at 811 3rd St. S. (803, 807, 811, 817, 819, 827 3rd St. S. and 804, 810, 830 4th St. S. and 321 Market St.) and resolution approving same.

2016-11-033

[16-1033](#) Resolution authorizing an amended pay rate for Civilian Service Aides for hours worked during the 2016 Oktoberfest.

2016-11-034

[16-1034](#) Resolution amending the Schedules of Benefits within the Medical Benefit Plan Master Plan Document effective January 1, 2017.

2016-11-035

[16-1055](#) Various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for the remainder of license period 2016-17 (November) and resolution approving same.

2016-11-036

*ITEMS RECOMMENDED TO BE RE-REFERRED*

[16-1002](#) Resolution approving Appendix C of the Municipal Code for the City of LaCrosse entitled "Fee Schedule" 2016.

[16-1017](#) Application of Craig's River City Towing for a Junk Dealer's license for remainder of license year 2016-17.

[16-1051](#) Memorial Pool Report and Executive Summary.

*ITEMS RECOMMENDED TO BE RECEIVED AND FILED*

[16-0993](#) Memorial Pool Public Opinion Survey Results.

2016-11-037

**NEW ITEMS FOR REFERRAL**

- [16-0887](#) AN AMENDED ORDINANCE to amend Section 10-460 of the Code of Ordinances of the City of La Crosse relating to junk dealers.
- [16-1000](#) Amended Resolution approving use of 2016 Capital Improvement Funds - Powell Park Renovations.
- [16-1059](#) Resolution approving a partial vacation of George Place.
- [16-1060](#) Resolution approving the second sale of City owned land to Courtesy Corporation for construction of a new McDonalds Restaurant.
- [16-1062](#) Resolution adopting the 2017 Council Meeting Calendar.
- [16-1064](#) Resolution authorizing compression pay for Police Captains.
- [16-1067](#) Resolution amending Section 125 Plan to increase the employees annual maximum election limit.
- [16-1068](#) Resolution approving a wage increase effective January 1, 2017 for non-represented positions covered under the Employee Handbook and Library positions.
- [16-1070](#) Resolution authorizing the Director of Human Resources to submit an application form to secure services with Delta Dental for the Union sponsored voluntary dental plan for the term January 1, 2017.
- [16-1071](#) Resolution transferring section of storm sewer to owner of property at 1930 Rose Street.
- [16-1073](#) Resolution extending Financial Advisor agreement for a two year period.
- [16-1074](#) Resolution extending Bond Counsel Services agreement for a two year period.
- [16-1075](#) Resolution accepting Water Connection Fee Report and approving implementation of Policy for application of new water connection charges.
- [16-1076](#) Resolution appropriating funds to pay for items for the Goosetown-Campus Neighborhood.
- [16-1077](#) Resolution to create a committee to negotiate a contract for emergency medical services with Tri-State Ambulance.

- [16-1079](#) Resolution approving funds in connection with the La Crosse Municipal Boat Harbor, Inc.  
*(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.)*
- [16-1080](#) Resolution approving the addition to the Veterans Point Marina as seen in the 2016- 2020 Strategic Plan.
- [16-1082](#) Initial Resolution authorizing not exceeding \$3,520,000 general obligation bonds of the City of La Crosse.
- [16-1083](#) Initial Resolution authorizing not exceeding \$180,000 general obligation bonds of the City of La Crosse.
- [16-1085](#) Initial Resolution authorizing not exceeding \$870,000 general obligation bonds of the City of La Crosse.
- [16-1086](#) Initial Resolution authorizing not exceeding \$1,100,000 general obligation bonds of the City of La Crosse.
- [16-1087](#) Initial Resolution authorizing not exceeding \$3,645,000 general obligation bonds of the City of La Crosse.
- [16-1089](#) Initial Resolution authorizing not exceeding \$220,000 general obligation bonds of the City of La Crosse.
- [16-1090](#) Amended Resolution directing the advertisement and sale of approximately \$27,135,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2017, and approximately \$2,815,000 aggregate principal amount of General Obligation Promissory Notes, Series 2017 of the City of La Crosse, La Crosse County, Wisconsin.
- [16-1096](#) Application of Immanuel Lutheran Church for a Conditional Use Permit to demolish structure allowing for green space at 1118 Avon Street and resolution approving same.
- [16-1097](#) Application of Gundersen Health System for a Conditional Use Permit to demolish structure allowing for parking at 1502 9th St. S. and resolution approving same.
- [16-1098](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Residential District to the ~~Planned Development~~ Traditional Neighborhood Development District - General allowing for an addition of a coffee shop/deli at 1514-1516 Market Street.

- [16-1099](#) 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 and Multiple Dwelling District to the Public/Semi-Public District allowing for parking at 812 Tyler St., 1501 8th St. S., 1507 8th St. S., 1511 8th St. S., 1517 8th St. S., 1502 9th St. S., 1508 9th St. S., 1514 9th St. S., 1518 9th St. S., 1524 9th St. S., 817-819 Denton St.
- [16-1100](#) 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 Planned Development District - General allowing for development of multifamily housing development at 707, 713 and 721 La Crosse Street.
- [16-1101](#) 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 and Multiple Dwelling District to the Planned Development District - General allowing for development of multifamily housing development at 733 Kane St., 1109 St. James St. and 901 George St.
- [16-1102](#) 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 Local Business District allowing for rebuild of McDonald's restaurant on property behind 2417 George Place (City owned surplus land).
- [16-1103](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Washburn Residential District to the Planned Development District - General allowing for single-family residential homeownership townhomes at 421 Mississippi St., 926-930 5th Ave. S. and 918-922 5th Ave. S.
- [16-1107](#) Request for Exception to Standards for Commercial Design by Wiebke Fur Co., Inc. for an exception to parking lot design and parking standards with construction of new facility at 100, 110 and 122 Rose St.
- [16-1108](#) Application of Desmond Investments II LLC for a Conditional Use Permit to demolish structure allowing for vehicle turnaround, drop off and temporary parking at 312-316 7th St. S. and resolution approving same.
- [16-1109](#) Application of Rick Lommen dba Courtesy Corporation for a Conditional Use Permit to demolish current structures allowing construction of a new McDonald's restaurant at 2419 George Pl., 2417 George Pl., 2425 George St. and 2421-2423 George St. and resolution approving same.
- [16-1110](#) Application of Gundersen Health System for a Conditional Use Permit to demolish structures allowing green space at 1420 9th St. S. and resolution approving same.

- [16-1111](#) Application of Gundersen/City of La Crosse Neighborhood Development Corp. for a Conditional Use Permit to demolish structures allowing green space at 512-514 Farnam St. and resolution approving same.
- [16-1112](#) Application of A-1 Taxi Service Inc. for 2017 Public Vehicle for Hire License and resolution approving same.
- [16-1113](#) Application of Sinkoss USA LLC dba Bullet Cab for 2017 Public Vehicle for Hire License and resolution approving same.
- [16-1114](#) Application of Top Hat, Inc. dba CTS Taxi for 2017 Public Vehicle for Hire License and resolution approving same.
- [16-1115](#) Application of DJL, Inc. dba Luxury Limousines for 2017 Public Vehicle for Hire License and resolution approving same.
- [16-1116](#) Application of Coulee Region Taxi LLC dba Coulee Region Taxi for 2017 Public Vehicle for Hire License and resolution approving same.
- [16-1117](#) Application of Cinderella Carriage LLC for 2017 Horse-Drawn Vehicle License and resolution approving same.

### **Adjournment**

**A motion was made by Richmond, seconded by Cornett, to ADJOURN at 9:11 p.m. The motion carried unanimously by voice vote.**