



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, December 12, 2019

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 6:00 p.m.

Roll Call

Present: 12 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Larry Sleznikow, Chris Kahlow, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Martin Gaul, Douglas Happel, Roger Christians

Excused: 2 - Justice Weaver, Paul Medinger

Pledge of Allegiance

Invocation

The invocation was led by Chaplain Bob Bott, La Crosse Area Law Enforcement Chaplaincy.

Approval of Minutes

A motion was made by Richmond, seconded by Janssen, that the Minutes of November 12, 2019 and November 14, 2019 meetings be APPROVED. The motion carried by unanimous vote.

Reports

[19-1806](#)

Report of the Fire Department - Division of Fire Prevention and Building Safety on Inspections for the Month of November 2019.

2019-12-001

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

[19-1811](#)

Report of the Director of Finance for the month of November 2019.

2019-12-002

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

Notices and Discussions

Chief Shawn Kudron presented Life Saving Awards to Lieutenant Phillip Martin and Officer Joshua Rollins. He also recognized the retirement of K-9 Zaback (Handler Officer Trenton Bowe).

Council Member Sleznikow thanked Mayor Kabat for his testimony in Washington DC regarding Climate Change.

Council Member Neumeister announced the La Crosse Center Expansion groundbreaking scheduled for 10 am on Friday, December 13, 2019.

COMMON COUNCIL MATTERS

[19-1053](#)

Amended Resolution approving 2020-2024 Capital Improvement Program Budget.

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

A motion was made by Richmond, seconded by Padesky, to ADOPT.

A motion was made by Gaul, seconded by Richmond, that the Resolution be AMENDED to provide that the State Road Adams to Losey Water Main, Sanitary and Storm Sewer Replacements Project be moved from 2021 to 2020. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-11-025

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

[19-1810](#)

Resolution approving 2019 Bills and Engineering Estimates paid in December 2019.

2019-12-003

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

Yes: 11 - Richmond, Neumeister, Janssen, Slezniak, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

APPOINTMENTS BY THE MAYOR

[19-1809](#)

Board of Zoning Appeals: James Cherf. City Vision 2040 Steering Committee: Christine Kahlow, Courtney Lokken, Dani Peterslie, Casey Meehan, Mike Keil, Will Kratt, Charlie Handy, Mary Larson, Chad Staehly, Jamie Dahl. MTU Board: Dale Anderson.

2019-12-004

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

Yes: 11 - Richmond, Neumeister, Janssen, Slezniak, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

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

A motion was made by Gaul, seconded by Christians, to SUSPEND Council Rule VIII for Files 19-1758, 19-1769, 19-1783 and 19-1812. The motion carried unanimously by roll call vote.

ITEMS WITH NO RECOMMENDATION

[19-1783](#)

Resolution altering timeframe for wholesale wastewater treatment agreements and determination of sewer service area to be included in the Final Wastewater Treatment Plant Facility Plan and the approving the extension of sanitary sewer agreements with Shelby, Campbell and Onalaska.

(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 Committees and/or Council may reconvene in open session.)

A motion was made by Richmond, seconded by Gaul to ADOPT.

A motion was made by Ostrem, seconded by Gaul, that the Resolution be AMENDED to change the year in the first WHEREAS clause from 2020 to 2019. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-12-005

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

Yes: 11 - Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians, Richmond

Excused: 2 - Weaver, Medinger

19-1812

Resolution approving Termination of Development Agreement for CenturyTel Project (333 Front St), Development Agreement for 333 Front Street and Right of First Refusal - East Parking Parcel.

(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 Committees and/or Council may reconvene in open session.)

A motion was made by Richmond, seconded by Neumeister to ADOPT.

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

Speaker In Favor: Don Weber

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-12-006

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

ITEM RECOMMENDED TO BE ADOPTED

[19-1686](#)

AN AMENDED 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 property to be rented as a duplex at 1452 George St.

Ord. 5121. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

Yes: 9 - Richmond, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Happel, Christians

No: 1 - Gaul

Excused: 2 - Weaver, Medinger

Abstain: 1 - Neumeister

ITEMS REMOVED FROM CONSENT AGENDA

ITEMS RECOMMENDED TO BE ADOPTED

[19-1531](#)

AN AMENDED ORDINANCE to repeal and recreate sec. 10-589(c), create sec. 10-591(b), create sec. 10-594(i) and create sec. 10-622(d) of the Code of Ordinances of the City of La Crosse regarding vehicles for public conveyance.

A motion was made by Ostrem, seconded by Gaul, to ADOPT.

A motion was made by Ostrem, seconded by Gaul, that the Ordinance be AMENDED to delete references to certain surcharges, and to comply with the federal Americans with Disabilities Act concerning service animals and equipment, as posted on Legistar. The motion carried by the following vote:

Yes: 10 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel

Excused: 2 - Weaver, Medinger

Non-Voting: 1 - Christians

Ord. 5122. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

[19-1746](#)

Resolution approving Application of Coulee Region Taxi LLC dba Coulee Region Taxi for 2020 Public Vehicle for Hire License.

A motion was made by Christians, seconded by Neumeister, to ADOPT.

A motion was made by Ostrem, seconded by Gaul, that the Resolution be AMENDED to delete the surcharge for wheelchair rides. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-12-007

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

[19-1758](#)

Resolution to participate in the negotiation and arbitration process for the siting of a proposed expansion of the La Crosse County Landfill and appointing local committee members.

A motion was made by Richmond, seconded by Ostrem, to ADOPT.

A motion was made by Christians, seconded by Ostrem, that the Resolution be AMENDED to appoint three members on the committee. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-12-008

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

ITEM RECOMMENDED TO BE RE-REFERRED

[19-1676](#)

Application of James Buchner for a Conditional Use Permit allowing demolition of structure for future construction at 2522 7th St. S.

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

No: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

2019-12-009

A motion was made by Gaul, seconded by Christians, that the Resolution be ADOPTED with City Plan Commission recommendation of not requiring a PILOT agreement. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

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

[19-1675](#)

AN 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 Commercial District allowing convenience store with fuel sales and car wash at 3305 Mormon Coulee Road (Kwik Trip).

Ord. 5123. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1692](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Traditional Neighborhood Development District to the Public/Semi-Public District allowing fire station at 5248 33rd St. S.

Ord. 5124. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[19-1745](#)

AN ORDINANCE to create Section 4-153 of the Code of Ordinances of the City of La Crosse regarding Secondary Retail Sales for Brewers.

Ord. 5125. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [19-1584](#) Resolution authorizing acceptance of a Forest Fire Protection Grant and release of associated matching funds.
2019-12-010
- [19-1586](#) Resolution to install ADA pushbutton and pedestrian countdown traffic signal equipment at West Avenue intersections with Jackson and Market Streets.
2019-12-011
- [19-1587](#) Resolution approving the acquisition of property interests for Highway Safety Improvement Projects (HSIP - 5220-04-04 and 1641-03-04).
2019-12-012
- [19-1588](#) Resolution approving Agreement for Fire Protection, First Responder, Rescue and Inspection Services between the City of La Crosse and the Town of Medary.
2019-12-013
- [19-1589](#) Resolution authorizing the Mayor and City Clerk to sign Easement Deed For Public Utilities (Storm) to the Town of Campbell for Del Ray Avenue Drainage.
2019-12-014
- [19-1618](#) Amended Resolution approving Election Officials for 2020-2021.
2019-12-015
- [19-1624](#) Resolution authorizing acceptance of Department of Transportation - Transportation Alternative Program grant funding.
2019-12-016
- [19-1627](#) Resolution approving a reclassification of the Property Appraiser position in the department of Planning, Development and Assessment.
2019-12-017
- [19-1700](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 11, City of La Crosse, Wisconsin.
2019-12-018
- [19-1701](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 13, City of La Crosse, Wisconsin.
2019-12-019

- [19-1702](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 14, City of La Crosse, Wisconsin.
2019-12-020
- [19-1703](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 15, City of La Crosse, Wisconsin.
2019-12-021
- [19-1704](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 16, City of La Crosse, Wisconsin.
2019-12-022
- [19-1705](#) Resolution approving an Amendment to the Project Plan of Tax Incremental District No. 17, City of La Crosse, Wisconsin.
2019-12-023
- [19-1717](#) Resolution declaring certain property located at 5215 Creekside Place (parcel 17-50363-20) as surplus property.
2019-12-024
- [19-1718](#) Resolution declaring certain property located at 5235 Creekside Place (parcel 17-50363-30) as surplus property.
2019-12-025
- [19-1722](#) Amended Resolution approving Real Estate Purchase Agreement with Scannell Properties, LLC for a portion of Lot 27 in the International Business Park.
(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 Committees and/or Council may reconvene in open session.)
2019-12-026
- [19-1723](#) Resolution creating the Committee for Citizens with Disabilities.
2019-12-027
- [19-1747](#) Resolution approving Application of Bee Cab, Inc. dba Bee Cab for 2020 Public Vehicle for Hire License.
2019-12-028

- [19-1748](#) Resolution approving Application of Sinkoss USA LLC dba Bullet Cab for 2020 Public Vehicle for Hire License.
2019-12-029
- [19-1749](#) Resolution approving Application of Top Hat, Inc. dba CTS Taxi for 2020 Public Vehicle for Hire License.
2019-12-030
- [19-1750](#) Resolution approving Application of Luxury Limos, LLC dba Luxury Limos for 2020 Public Vehicle for Hire License.
2019-12-031
- [19-1751](#) Resolution approving Application of Cinderella Carriage LLC for 2020 Horse-Drawn Vehicle License.
2019-12-032
- [19-1754](#) 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 2019-20 (December).
2019-12-033
- [19-1769](#) Resolution re-appropriating funds for the 2019 RRFBs Re-Bid Project.
2019-12-034

ITEMS FOR CLOSED SESSION

- [15-1240](#) Intergovernmental boundary agreement terms with neighboring municipalities pursuant chapter 66 of the Wisconsin Statutes.
(Note: The 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 Council may reconvene in open session.)
- A motion was made by Richmond, seconded by Gaul, to convene in CLOSED SESSION pursuant to Wis. Stat., sec. 19.85(1)(e), to formulate & update negotiation strategies and parameters. The motion carried by the following vote:**
- Yes:** 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians
- Excused:** 2 - Weaver, Medinger

[19-1628](#)

Sewer Contract Negotiations.

(Note: The 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 Council may reconvene in open session.)

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

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Ostrem, Gaul, Happel, Christians

Excused: 2 - Weaver, Medinger

Non-Voting: 1 - Kabat

In closed session, a motion was made by Ostrem, seconded by Christians, to reconvene in OPEN SESSION. The motion carried by voice vote.

Adjournment

A motion was made by Padesky, seconded by Richmond, to ADJOURN. The motion carried by voice vote.