



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes Common Council

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Thursday, July 10, 2014

7:30 PM

Council Chambers

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### Mayor Tim Kabat, Presiding

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

### Roll Call

**Present:** 15 - Tim Kabat, Andrea Richmond, Dempsey Miller, Ryan Cornett, Jai Johnson, Katherine Svitavsky, David Krump, Robert Seaquist, Richard Becker, Peg Jerome, Sara Sullivan, Francis J. Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl

**Excused:** 3 - James Cherf, Audrey Kader, Richard Swantz

### Pledge of Allegiance

### Invocation

*Pastor Nancy Hatlevig of Connect Church led the invocation.*

### Approval of Minutes

**A motion was made by Cornett, seconded by Miller, that the minutes of the June 12, 2014 meeting be APPROVED. The motion carried unanimously.**

### Reports

#### [14-0839](#)

Report of the Interim Director of Finance for the month of June 2014.

2014-07-003

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0841](#)

Report of the Department of Building & Inspections for the month of June 2014.

2014-07-004

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

## Notices and Discussions

*Council Member Seaquist apologized for his behavior at the Committee of the Whole meeting.*

*Council Member Becker reminded others of the upcoming League of Wisconsin Municipalities Conference in Middleton, Wisconsin on October 15-17, 2014.*

## COMMON COUNCIL MATTERS

[14-0842](#)

Resolution approving 2014 bills paid in July.

2014-07-005

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0845](#)

Resolution approving Engineering Estimates for July 2014.

2014-07-006

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

## APPOINTMENTS BY THE MAYOR

[14-0799](#)

City Plan Commission: Scott Neumeister, 1521 Wood St. Information Technology Committee: James Cherf, 511 Main St. Scott Mell, 336 22nd St. S. Neighborhood Revitalization Commission: Nancy Stoll Caucutt, 908 5th Ave. S.

2014-07-007

**A motion was made by Svitavsky, seconded by Krump, that the Appointment be CONFIRMED. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

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

**A motion was made by Richmond, seconded by Cornett, that Council Rules be SUSPENDED for 14-0770, 14-0788, 14-0814. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

## ORDINANCES RECOMMENDED TO BE ADOPTED

[14-0698](#)

A SECOND AMENDED ORDINANCE to amend Paragraphs (B) and (E) of Section 20.10 of the Code of Ordinances of the City of La Crosse relating to prohibited and required acts of vendors licensed as an outdoor food stand or mobile food unit.

*Ord. 4826. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0739](#)

A CHARTER ORDINANCE to amend Section 2.02 of the Municipal Code of Ordinances of the City of La Crosse changing the number and term for Council Members.

*Ch. Ord. 35. For complete ordinance, see p. \_\_\_\_ of Volume 1 of Charter Ordinances.*

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0740](#)

AN ORDINANCE to repeal and recreate Section 1.02 of the Municipal Code of Ordinances of the City of La Crosse to reduce the number of aldermanic districts to thirteen (13).

*Ord. 4827. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

## REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[14-0746](#)

Report of Bids & Resolution awarding contract to Badger Environmental & Earthworks, inc. in the amount of \$273,625.00 for Washburn Neighborhood Lighting Improvements (HUD).

*2014-07-008*

**A motion was made by Cornett, seconded by Sullivan, that the Report of Bids be ADOPTED. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0747](#)

Report of Bids & Resolution awarding contract to Wapasha Construction Company, Inc. in the amount of \$96,000.00 for Cass Street By-Pass Chamber Rehabilitation Project.

2014-07-009

**A motion was made by Sullivan, seconded by Jerome, that the Report of Bids be ADOPTED. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0748](#)

Report of Bids & Resolution awarding contract to Ledegar Roofing Company, Inc. in the amount of \$398,645.00 for 2014 Roof Replacements at Four Locations.

2014-07-010

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0749](#)

Report of Bids & Resolution awarding contract to B & B Quality Restoration of Wisconsin, LLC in the amount of \$90,200.00 for Tuck Point Walls at La Crosse Visitors and Convention Bureau.

2014-07-011

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

## ITEMS RECOMMENDED TO BE ADOPTED

[14-0613](#)

Resolution appropriating money to purchase property located at 802 Rose Street.

2014-07-012

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

[14-0685](#)

Resolution appropriating \$17,917.90 for the creation of a Regional Bluffland Protection Plan.

2014-07-013

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

### ITEM RECOMMENDED TO BE DIVIDED

[14-0679](#)

Resolution authorizing change to Council Rules regarding the Common Council meeting dates and times and Council procedures.

2014-07-014

**A motion was made by Becker, seconded by Cornett, that the Resolution be DIVIDED. The motion carried by the following vote:**

**Yes:** 13 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**No:** 1 - Seaquist

**Excused:** 3 - Cherf, Kader, Swantz

[14-0847](#)

Resolution authorizing change to Council Rules regarding the Common Council meeting dates and times.

**A motion was made by Cornett, seconded by Becker, that the Resolution be ADOPTED. The motion failed by the following vote:**

**Yes:** 9 - Richmond, Miller, Cornett, Svitavsky, Krump, Becker, Sullivan, Medinger, Wigdahl

**No:** 5 - Johnson, Seaquist, Jerome, Formanek, Happel

**Excused:** 3 - Cherf, Kader, Swantz

**A motion was made by Seaquist, seconded by Johnson, that the Resolution be AMENDED with 7:00 p.m. meeting times. The motion failed by the following vote:**

**Yes:** 9 - Richmond, Johnson, Svitavsky, Seaquist, Jerome, Sullivan, Formanek, Medinger, Happel

**No:** 5 - Miller, Cornett, Krump, Becker, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

**A motion was made by Krump, seconded by Seaquist, that the Resolution be AMENDED strike language that no meetings will start before 6:30 p.m. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

2014-07-015

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

**Yes:** 11 - Richmond, Miller, Cornett, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Medinger, Wigdahl

**No:** 3 - Johnson, Formanek, Happel

**Excused:** 3 - Cherf, Kader, Swantz

[14-0848](#)

Resolution authorizing change to Council Rules regarding Council procedures.

**A motion was made by Krump, seconded by Richmond, that the Resolution be ADOPTED.**

**A motion was made by Richmond, seconded by Becker, that the Resolution be AMENDED adding "Effective April 2017, the Council President shall appoint seven (7) members to one standing committee and six (6) members to the other committee." The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

2014-07-016

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

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

**CONSENT AGENDA**

**Actions by Single Vote**

**A motion was made by Richmond, seconded by Cornett, to approve the Consent Agenda. The motion carried by the following vote:**

**Yes:** 14 - Richmond, Miller, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Sullivan, Formanek, Medinger, Happel, Wigdahl

**Excused:** 3 - Cherf, Kader, Swantz

*ITEMS RECOMMENDED TO BE ADOPTED*

- [13-0490](#) Amended Resolution approving the creation of a pilot program to allow the installation of up to five parklets.  
*2014-07-017*
- [14-0562](#) Resolution vacating a portion of an alley between Wood Street and Loomis Street from Hayes Street to previously vacated alley.  
*2014-07-018*
- [14-0609](#) Resolution approving contract with the La Crosse Tribune as the official newspaper for the City's council proceedings and legal notices.  
*2014-07-019*
- [14-0615](#) Application of S&T's Chances R LLC dba Chances R for an Expansion of Alcohol Beverage License & Street Privilege Permit for Special Event at 417 Jay Street on July 26, 2014 and resolution approving same.  
*2014-07-020*
- [14-0652](#) Resolution approving La Crosse Fire Department Standards of Coverage report and associated appendices.  
*2014-07-021*
- [14-0653](#) Resolution authorizing the La Crosse Police Department to accept donations for Community Policing programming and establishing a committed revolving fund for said donations.  
*2014-07-022*
- [14-0654](#) Amended Resolution approving a modification to the Employee Handbook allowing "on-call" eligibility for CSEs for maintenance of parking ramp gates.  
*2014-07-023*
- [14-0659](#) Resolution creating Ward 30.  
*2014-07-024*
- [14-0661](#) Resolution to replace the worn equipment used to clean the Ebner Coulee Flood Plain Drainage Channel.  
*2014-07-025*



- [14-0675](#) Resolution modifying the DNR Ready for Re-Use Loan for the remediation, monitoring and closure activities on the former ALM Family Limited Partnership property.  
*2014-07-026*
- [14-0676](#) Application of Chuck ODell Johnson for a 2014 Horse Drawn Vehicle License and resolution approving same.  
*2014-07-027*
- [14-0686](#) Resolution authorizing the Mayor and City Clerk to sign the Revised State/Municipal Agreement for the Reconstruction of Lang Drive from La Crosse Street to the bridge.  
*2014-07-028*
- [14-0691](#) Resolution providing for the reimbursement of expenditures for certain capital improvement projects from the proceeds of expected bond obligations.  
*2014-07-029*
- [14-0692](#) Resolution authorizing transfer of a parcel of land located at the intersection of County Road B and the old Medary Quarry Entrance from Mathy Construction to the City of La Crosse.  
*2014-07-030*
- [14-0693](#) Resolution authorizing additional guidelines for implementation of pay and class study.  
*2014-07-031*
- [14-0701](#) Resolution approving sale of land to Trueline Properties, LLC.  
*2014-07-032*
- [14-0703](#) Resolution authorizing a change to 80 hour bi-weekly rate for Chief of Police.  
*2014-07-033*
- [14-0710](#) Resolution authorizing the Parks & Recreation Department and the Street /Recycling Department to retain monies into special accounts from the sale of products related to tree and brush waste and actions for use of such monies.  
*2014-07-034*

- [14-0712](#) Resolution reallocating CDBG Planning Funds to the Municipal Code Corporation for finalization of the Unified Development Ordinance revision project.  
2014-07-035
- [14-0714](#) Resolution amending Part-time Wage Rate Schedule effective 7-11-14.  
2014-07-036
- [14-0715](#) Resolution transferring land from the City of La Crosse to the Redevelopment Authority as part of implementing the Charrette Final Plan for the Riverside North Project.  
2014-07-037
- [14-0726](#) Resolution approving various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the remainder of license period 2014-15 (July).  
2014-07-038
- [14-0737](#) Request for waiver of the extraterritorial jurisdiction platting requirements for subdivision called Barrewood in the Town of Barre, La Crosse County, Wisconsin and resolution denying same.  
2014-07-039
- [14-0770](#) Resolution approving Revision #2 State/Municipal Agreement For Dairyland Power Trail, Northside Connector Trail and Onalaska Oak Street Connector Trail (Project ID#5991-05-08/09; 5991-05-93/95; 5991-07017/19).  
2014-07-040
- [14-0788](#) Application of Paul Dahlby dba L&M Tavern for Expansion of Alcohol Beverage License at 631 Copeland Avenue for Special Event on July 19, 2014 and resolution approving same.  
2014-07-041
- [14-0814](#) Resolution authorizing addition of Equipment Operator III to pay and class study.  
2014-07-042

## **NEW ITEMS FOR REFERRAL**

*The Mayor offered for first reading the following ordinances. The ordinances and the remainder of the items are referred to the August 2014 meetings.*

- [14-0816](#) AN ORDINANCE to amend Subsection 15.02(B) of the Code of Ordinances of the City of La Crosse transferring certain property from the Washburn Residential and Multiple Dwelling Districts to the Public and Semi-Public District allowing for a community teen center and parking expansions serving the YMCA at 148 West Ave. S., 1105 King St. and 137 11th St. S.
- [14-0819](#) AN ORDINANCE to create Subsections 15.04(P) and 20.22(HH) of the Code of Ordinances of the City of La Crosse to permit beekeeping as an accessory use in residential, commercial district with residential uses, and public and semipublic districts.
- [14-0823](#) AN ORDINANCE to amend Subsections 14.18 of the Code of Ordinances of the City of La Crosse to bring the Extraterritorial Plat Approval Jurisdiction in compliance with State Statutes.
- [14-0824](#) AN ORDINANCE to amend a portion of Section 8.01(H)(8) of the Code of Ordinances of the City of La Crosse to grant the Chief of Police the authority to request secondary locking devices on dwelling unit entry doors.
- [14-0827](#) AN AMENDED ORDINANCE to amend Subsection 15.02(B) of the Code of Ordinances of the City of La Crosse transferring certain property from the Residence District to the Local Business District allowing for a theatre and salon at 1353 Avon Street.
- [14-0828](#) AN ORDINANCE adopting and enacting a new Code for the City of La Crosse, providing for the repeal of certain Ordinances not included therein, providing a penalty for the violation thereof, providing for the manner of amending such Code and providing when such Code and this Ordinance shall become effective.
- [14-0829](#) A CHARTER ORDINANCE adopting and enacting a new Charter Code for the City of La Crosse, providing for the repeal of certain Charter Ordinances not included therein, providing for the manner of amending such Charter Code and providing when such Charter Code and this Charter Ordinance shall become effective.
- [14-0832](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinances of the City of La Crosse by adding thereto new territory and making additions and corrections to the zoning map (1938 Nakomis Ave - Lakowske Property).
- [14-0833](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinances of the City of La Crosse by adding thereto new territory and making additions and corrections to the zoning map (1617 Nakomis Ave - Haines Property).
- [14-0836](#) AN AMENDED ORDINANCE to amend Subsection 15.02(B) 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 - General allowing for a residential development with marina at Park Plaza Dr., 601 Park Plaza Dr. and 621 Park Plaza Dr.

- [14-0696](#) Resolution reimbursing the Park & Recreation Department for Parking Lot, Trail and Landscaping Improvements at the Chad Erickson Memorial Park and appropriation of funds.
- [14-0754](#) Preliminary resolution declaring intent to exercise special assessment powers relating to operation and maintenance of a downtown parking system.
- [14-0762](#) Resolution approving Municipal Transit bus advertising agreement.
- [14-0767](#) Application of Our Corner Bar, Inc. dba Our Corner Bar for Expansion of Alcohol Beverage License at 2104 George Street for Special Event on August 23, 2014 and resolution approving same.
- [14-0768](#) Resolution authorizing the use MTU capital funds for current bus repairs.
- [14-0771](#) Resolution accepting a five hundred dollar monetary donation from Kwik Trip Inc. to the La Crosse Fire Department.
- [14-0777](#) Resolution converting alley between 11th Street and West Avenue from Farnam to Adams Street into a street.
- [14-0779](#) Resolution approving the purchase of Redundant Backup System for the IS&T Department.
- [14-0782](#) Resolution authorizing acceptance of 2013 AFG Grant and release of matching funds as required.
- [14-0792](#) Resolution authorizing purchase of IT hardware for Airport terminal systems.
- [14-0793](#) Resolution designating concessionaire for the La Crosse Regional Airport in regard to the "Class B" Intoxicating Liquor Permit.
- [14-0794](#) Resolution approving an agreement with the Federal Aviation Administration.
- [14-0795](#) Resolution approving a license agreement with R&R Development LLC.
- [14-0796](#) Resolution authorizing payment and release of funds for Terminal Rehabilitation Project.
- [14-0808](#) Petition for Neighborhood Quiet Zone in the blocks bounded by 19th St. S. & 20th St. S. on Farnam Street and Adams St. & Farnam St. on 20th St. S. and resolution approving same.
- [14-0809](#) Application of Central States Warehouse (Cliff LeCleur) for a Conditional Use Permit at 700 Gohres St. and 1720 Caledonia St. allowing for self-storage units and resolution approving same.

- [14-0810](#) Resolution approving release of funds for Fire Department Utility trailer.
- [14-0817](#) Amended Resolution declaring portion of former Park Plaza property located on Barron Island to be declared as surplus and authorizing sale of said property.
- [14-0821](#) Resolution authorizing an amendment to the Pay and Class Study.
- [14-0822](#) Resolution amending Employee Handbook provision for out of class pay.
- [14-0830](#) Resolution approving Appendix B of the Municipal Code for the City of La Crosse entitled Council Rules.
- [14-0831](#) Resolution approving Appendix C of the Municipal Code for the City of La Crosse entitled Fee Schedule.
- [14-0838](#) Application of William J. Hellerud dba Tri-State Taxi Co. for 2014 Public Vehicle for Hire License and resolution approving same.

### **Adjournment**

**A motion was made by Richmond, seconded by Cornett, that the meeting be adjourned at approximately 8:30 p.m.. The motion carried by voice vote.**