



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes Common Council

Thursday, February 14, 2013

7:30 PM

Council Chambers

Mayor Mathias Harter, Presiding

The meeting was called to order at 7:30 p.m. by Mayor Mathias Harter

Roll Call

Present: 13 - Andrea Richmond, Jai Johnson, Katherine Svitavsky, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Pledge of Allegiance

Invocation

Moment of Silence

Approval of Minutes

Motion by Andrea Richmond, second by Richard Swantz to approve the minutes of the January 10, 2013 Common Council meeting. The motion carried unanimously by voice vote.

Reports

[13-0088](#)

Annual Report of the Department of Building & Inspections for the year 2012.

2013-02-001

A motion was made by Andrea Richmond, seconded by Richard Swantz, that this Report be ACCEPTED AND FILED. The motion carried unanimously by voice vote.

[13-0089](#)

Report of the Department of Building & Inspections for the month of January 2013.

2013-02-002

A motion was made by Andrea Richmond, seconded by Richard Swantz, that this Report be ACCEPTED AND FILED. The motion carried unanimously by voice vote.

Notices and Discussions

Council Member Paul Medinger's voting card was missing; he used District 10 voting card. Council Member Doug Happel's vote card was not working; he recorded his votes by voice votes.

COMMON COUNCIL MATTERS

[12-0386](#)

Resolution authorizing the hiring of Ayres Associates for Engineering Feasibility Design for a Wildlife Viewing area as part of the I-90 Exit 3 Reconstruction and appropriation of funds.

2013-01-036

A motion was made by Richard Swantz, seconded by Andrea Richmond to reconsider. The motion carried unanimously by voice vote. A motion was made by Marilyn Wigdahl, seconded by Andrea Richmond, that the Resolution be ADOPTED. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0095](#)

Resolution approving 2012 and 2013 Bills paid in February.

2013-02-003

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

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0090](#)

Resolution approving Engineering Estimates paid in February 2013.

2013-02-004

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

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

APPOINTMENTS BY THE MAYOR

[13-0038](#)

EQUAL OPPORTUNITIES COMMISSION: Ashley Lacenski, 741 Losey Blvd. N. NEIGHBORHOOD REVITALIZATION COMMISSION: Phil Ostrem, 1104 6th St. S. Nicholas Breidel, 615 Caledonia St. Council Member Francis Formanek, 2118 13th Pl. S. Steve Link, 724 10th St. N. Andrew Londre, 1028 7th St. S. Janice Hauswirth, 714 Division St. Council Member Paul Medinger, 2508 26th St. S. Tim Skinner, 2004 King St. Council Member Sara Sullivan, 608 16th St. S. Jerry Swim, 733 Powell St. Charles Weeth, 122 17th St. S.

2013-02-005

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

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS RECOMMENDED TO BE ADOPTED (2/3 Vote)

Motion by Richard Becker to suspend Council Rule VIII for the following six items, second by Andrea Richmond. The motion carried unanimously by voice vote.

Marilyn Wigdahl read the following Resolutions and moved the committee recommendations. The motion carried by the following vote:

Aye: 15 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel and Marilyn Wigdahl

Non-Voting: 1 - Richard Swantz

[13-0014](#)

Resolution authorizing the creation of a Bicycle and Pedestrian Advisory Committee.

2013-02-006

This Resolution was ADOPTED

[13-0025](#) Resolution authorizing the appropriation of CDBG Planning funds for the Preparation of a Community Arts Plan. Suspension of Council Rule VIII required (2/3 vote)

2013-02-007

This Resolution was ADOPTED

[13-0018](#) Resolution authorizing City Engineer to hire consultant for Design and Construction Services of La Crosse Center HVAC Chiller & appropriation of funds.

2013-02-008

This Resolution was ADOPTED

[13-0036](#) Resolution approving agreement for investment services for 2013-2014.

2013-02-009

This Resolution was ADOPTED

[13-0039](#) Amended Resolution approving a revised DNR Ready for Re-Use Loan for the remediation, monitoring and closure activities on the former ALM Family Limited Partnership property.

2013-02-010

Marilyn Wigdahl read the Resolution and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0037](#) Resolution approving Stipulation with Gundersen Clinic, Ltd. regarding tax exemption dispute. (Note: The committee may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters, and Wis. Stat. 19.85 (1)(g) to confer with legal counsel. Following such closed session, the committee may reconvene in open session.) (2/3 vote by Council required)

2013-02-011

Douglas Happel read the Resolution and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 12 - Andrea Richmond, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Francis Formanek, Paul Medinger and Marilyn Wigdahl

Non-Voting: 4 - Al Wagner, Sara Sullivan, Douglas Happel and Richard Swantz

ORDINANCES RECOMMENDED TO BE ADOPTED

[13-0020](#)

AN ORDINANCE to create Section 8.01 (O)(1)(d) of the Code of Ordinances of the City of La Crosse to provide an exemption for condemnation of an unfit dwelling or dwelling unit.

Ord 4732

Douglas Happel read the Ordinance and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 15 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Marilyn Wigdahl and Richard Swantz

Non-Voting: 1 - Douglas Happel

[13-0008](#)

AN AMENDED ORDINANCE to amend Subsection 15.02(B) of the Code of Ordinances of the City of La Crosse transferring certain property from Commercial District to the Light Industrial District allowing for a light metal fabrication shop at 2919 East Ave S.

Ord 4733

Douglas Happel read the Ordinance and moved the committee recommendation to ADOPT. The motion carried on the following vote:

Aye: 13 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Richard Becker, Audrey Kader, Francis Formanek, Paul Medinger, Marilyn Wigdahl and Richard Swantz

No: 1 - Robert Seaquist

Non-Voting: 2 - Sara Sullivan and Douglas Happel

ORDINANCES RECOMMENDED TO BE RE-REFERRED

[12-0280](#)

A SECOND AMENDED ORDINANCE to create Section 2.23 of the Code of Ordinances of the City of La Crosse to create the Economic Development Commission and to establish standards for economic development incentives.

Douglas Happel read the Ordinance and moved the committee recommendation to REFER 90 days to the Judiciary & Administration Committee, due back on 4/30/2013. The motion carried by the following vote:

Aye: 14 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Paul Medinger, Marilyn Wigdahl and Richard Swantz

Non-Voting: 2 - Francis Formanek and Douglas Happel

[12-0322](#)

AN ORDINANCE to amend Subsection 17.03 (C), Paragraph 17.04 (B)(1), Paragraph 18.01(E) and Paragraph 19.03 (E)(2) of the Code of Ordinances of the City of La Crosse to change fees for Plumbing, Electrical and HVAC permits.

Chris Olson moved to amend the referral to direct staff to study all building fees when studying comparables, second by Andrea Richmond. The motion carried on the following vote: 13-3 (Kader, Formanek, Happel voted No). Douglas Happel read the Ordinance and moved the committee recommendation as amended to REFER 90 days to the Judiciary & Administration Committee, due back on 4/30/2013. The motion carried by the following vote:

Aye: 14 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Sara Sullivan, Francis Formanek, Paul Medinger, Marilyn Wigdahl and Richard Swantz

No: 2 - Audrey Kader and Douglas Happel

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[13-0085](#)

RECONSIDERATION - C. Member Cherf
Resolution awarding contract to Poellinger Electric, Inc. in the amount of \$3,033.00 for La Crosse Center Concourse Light Replacement.

2013-02-012

Paul Medinger read the Resolution and moved the committee recommendation to ADOPT. The motion carried on the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Paul Medinger read the following Resolutions and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0034](#)

Report of Bids & Resolution awarding contract to Olympic Builders General Contractors, Inc. in the amount of \$101,910.00 for La Crosse Center Bathroom Remodel.

2013-02-013

This Report of Bids was ADOPTED

[13-0033](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$152,390.80 for 2013 Sidewalk an Curb Ramp Replacement.

2013-02-014

This Report of Bids was ADOPTED

[13-0091](#) Report of Quotes & Resolution awarding contract to Poellinger, Inc. in the amount of \$2,677.00 for La Crosse Fire Department Station #4 (Gillette St) Flooring.

2013-02-015

This Report of Bids was ADOPTED

[13-0092](#) Report of Quotes & Resolution awarding contract to Air Tech Environmental Services, Inc. in the amount of \$3,785.00 for La Crosse Fire Department Station #4 (Gillette St) Asbestos Removal.

2013-02-016

This Report of Bids was ADOPTED

[13-0007](#) Application of Wells Fargo for a Conditional Use Permit at 1602 Market Street allowing for demolition of residential property and amended resolution approving same.

2013-02-017

Francis Formanek read the Resolution and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 15 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

No: 1 - John Satory

[13-0086](#) Report of Quotes & Resolution awarding contract to Les's Tree & Lawn Service in the amount of \$22,250.00 for Ash Tree Removal.

2013-02-018

Douglas Happel read the Resolution and moved the committee recommendation to ADOPT. The motion carried by the following vote:

Aye: 15 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

No: 1 - John Satory

Francis Formanek read the following Resolutions and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0032](#)

Report of Quotes & Resolution awarding contract to Kammel Custom Excavating, LLC in the amount of \$15,018.00 for Brickyard Pond Restoration .

2013-02-019

This Report of Bids was ADOPTED

ITEMS RECOMMENDED TO BE ADOPTED

[13-0029](#)

Various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2012-13 and resolution approving same.

2013-02-020

This Application was ADOPTED

[13-0011](#)

Application of David Ganschow to Own, Keep and/or Harbor Chickens at 1911 Sunset Lane for 2013 license year and resolution approving same.

2013-02-021

This Application was ADOPTED

Sara Sullivan read the following Resolutions and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0019](#)

Amended Resolution amending Council Rule VII regarding membership of the Executive Committee.

2013-02-022

This Resolution was ADOPTED

[12-0432](#) Resolution approving Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
2013-02-023

This Resolution was ADOPTED

[13-0002](#) Resolution authorizing the Aviation Board to approve Airline Operating Agreements.
2013-02-024

This Resolution was ADOPTED

[13-0009](#) Resolution granting authority to the Board of Public Works to negotiate a five-year Use Agreement with Coulee Region United Soccer Association and the City of La Crosse for the lands known as the Field for Kids.
2013-02-025

This Resolution was ADOPTED

[12-0431](#) Resolution authorizing the Board of Public Works to prepare plans, specifications and estimates, advertise for bids and report thereon to the Common Council for projects included in the approved 2013 Capital Improvement Budget
2013-02-026

This Resolution was ADOPTED

[13-0005](#) Resolution authorizing the purchase of multifunction printers and maintenance agreement for said printers.
2013-02-027

Audrey Kader read the Resolution and moved the committee recommendation to ADOPTED. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

Audrey Kader read the following Resolutions and moved the committee recommendations. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

[13-0003](#) Resolution authorizing Leibowitz Airport Management Consultants to prepare a rental car RFP and corresponding agreement effective August 1, 2013.

2013-02-028

This Resolution was ADOPTED

[13-0006](#) Resolution authorizing the acceptance of an Assistance to Firefighters Grant from FEMA, authorizing the reallocation of funds in connection with the required match and reallocation of funds for fire equipment.

2013-02-029

This Resolution was ADOPTED

[13-0004](#) Resolution authorizing acceptance of Phase I of Radio Study and approval for Phase II.

2013-02-030

This Resolution was ADOPTED

[12-0430](#) Amended Resolution authorizing the purchase of a replacement squad for the Police Department.

2013-02-031

This Resolution was ADOPTED

ITEMS RECOMMENDED TO BE RE-REFERRED

[13-0016](#) Amended Resolution authorizing the Neighborhood Revitalization Committee to solicit, accept and expend voluntary contributions.

Richard Becker read the Resolution and moved the committee recommendation to REFER 120 days to the Finance & Personnel Committee, due back on 6/6/2013. The motion carried by the following vote:

Aye: 16 - Andrea Richmond, Al Wagner, Chris Olson, Jai Johnson, Katherine Svitavsky, John Satory, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Francis Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl and Richard Swantz

New Items for Referral

