



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Agenda Common Council

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Thursday, September 12, 2013

7:30 PM

Council Chambers

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**Mayor Tim Kabat, Presiding**

**Roll Call**

**Pledge of Allegiance**

**Invocation**

*Rev. Kael Clemmerson, New Beginnings Christian Fellowship*

**Approval of Minutes**

*Minutes of the August 8, 2013 Common Council meeting*

**Reports**

[13-0579](#) Report of the Director of Finance for the month of August 2013.

[13-0582](#) Report of the Department of Building & Inspections for the month of August 2013.

**Notices and Discussions**

**COMMON COUNCIL MATTERS**

[13-0583](#) Resolution approving Engineering Estimates paid in September 2013.

[13-0584](#) Resolution approving 2013 bills paid in September.

**APPOINTMENTS BY THE MAYOR**

[13-0560](#) Board of Zoning Appeals: Betty Woodruff (Second Alternate), 1600 Nakomis Ave. Douglas Farmer (Citizen Member), 321 21st St. S. International Committee: Nicole Gullekson, 2147 Jackson St. Jody Every, 1539 Wood St. Gale Kreibich, N1960 Wedgewood Dr. E. Todd Bye, 2315 Losey Blvd. Linda Pfaff, 1702 Jackson St. Redevelopment Authority (4/5ths vote req'd): Karen Dunn, 316 24th St. N.

Sponsors: Mayor Kabat

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

*13-0525, 13-0543, 13-0547, 13-0549, 13-0552, 13-0556, 13-0561, 13-0578, 13-0580*

**ITEMS WITH NO RECOMMENDATION**

[13-0368](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District - General to the Planned Development District - Specific to allow for a senior housing residential, rehabilitation, therapy, transitional care and recreational facility at 622 Bennora Lee Ct (Eagle Crest South). May convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.

[13-0479](#) Request of Bethany Lutheran Homes for waiver of the 2500 foot rule for a Community Based Residential Facility and 1% of population capacity limit in an aldermanic district for facility proposed at 622 Bennora Lee Ct. May convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.

[13-0502](#) Resolution approving partial release of covenants and restrictions included within Gundersen Lutheran Development Agreement. May convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.

**Sponsors:** Mayor Kabat

**ORDINANCES RECOMMENDED TO BE ADOPTED**

[13-0447](#) AN ORDINANCE to amend Section 4.19 of the Code of Ordinances of the City of La Crosse relating to Cross Connection Control.

**Sponsors:** Seaquist

[13-0448](#) AN ORDINANCE to amend Section 4.20 of the Code of Ordinances of the City of La Crosse relating to Private Well Abandonment.

**Sponsors:** Seaquist

[13-0458](#) A SECOND AMENDED ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Local Business District to the Commercial District allowing consolidation of parcels at 922 and 932 West Avenue South (Walgreens).

[13-0469](#) AN ORDINANCE to create Section 15.01(OOO) and 15.26(Z) and to repeal and recreate Section 15.42 of the Code of Ordinances of the City of La Crosse to regulate Community Living Arrangements (CLAs).

**Sponsors:** Seaquist

[13-0496](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District - Specific to the Planned Development District - Specific allowing for development of three lofted apartments at 2370 State Road 16.

### REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[13-0517](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$249,186.30 for East Avenue-Street Reconstruction-Adams St to Jackson St.

[13-0521](#) Report of Bids & Resolution awarding contract to Wieser Brothers General Contractors, Inc. in the amount of \$38,300.00 for Green Island Ice Arena-Interior & Exterior Doors.

[13-0531](#) Report of Quotes & Resolution awarding contract to Les Manske & Sons Excavating & Landscaping in the amount of \$3,695.00 for 1223 Market Street Demolition.

### REPORT OF BIDS/QUOTES RECOMMENDED TO BE NOT ADOPTED

[13-0518](#) Report of Bids for Wells 20 & 21 Exterior Chlorine Enclosures Replacement.

*City Engineer recommends rejecting the bid due to being over budget.*

### ITEMS RECOMMENDED TO BE ADOPTED

[13-0421](#) Resolution approving 2013 Communication from the City Assessor relative to additional corrections of prior year's assessment and tax rolls.

[13-0452](#) Resolution relocating polling place for Aldermanic District 1.

**Sponsors:** Richmond

[13-0455](#) Application of Ein Prosit, Inc. dba Sloopy's Bar & Grill for Expansion of Alcohol Beverage License at 163 Copeland Avenue for Special Event on September 28, 2013 and resolution approving same.

[13-0459](#) Resolution approving lease agreement and terms with Midwestern Wheels, Inc.

**Sponsors:** Richmond

- [13-0461](#) Application of Christopher Edward Olson dba The Sports Nut for Expansion of Alcohol Beverage License at 801 Rose Street for Special Event on September 14, 2013 and resolution approving same.
- [13-0462](#) Application of Christopher Edward Olson dba The Sports Nut for Expansion of Alcohol Beverage License at 801 Rose Street for Special Event on September 28, 2013 and resolution approving same.
- [13-0470](#) Amended Resolution approving contracts with CenturyLink for PRI and Internet Service.  
**Sponsors:** Richmond
- [13-0471](#) Preliminary Resolution declaring intent to exercise special assessment powers under Secs. 66.0829 and 66.0703 Wisconsin Statutes to levy special assessments for the cost of operating and maintaining the parking system in downtown La Crosse.  
**Sponsors:** Kader
- [13-0472](#) Resolution authorizing Information Systems & Technology Department to purchase additional Laserfische software licenses.  
**Sponsors:** Richmond
- [13-0473](#) Resolution approving the abolishment of the Joint Housing Task Force between the City of La Crosse and La Crosse County.  
**Sponsors:** Mayor Kabat
- [13-0474](#) Resolution accepting the 2013 National Endowment for the Arts (NEA) grant, releasing 2013 CIP funds and authorizing the City of La Crosse Arts Board to solicit funds to support a community engagement process, curricula in art making for local students, and completion of a mural(s) in the City of La Crosse.  
**Sponsors:** Krump and Mayor Kabat
- [13-0482](#) Resolution amending the effective date for the safe harbor in the determination of "full time employee" for health plan eligibility purposes as required under the Affordable Care Act.  
**Sponsors:** Happel
- [13-0484](#) Resolution delaying second phase of Sanitary Sewer rate increases.  
**Sponsors:** Mayor Kabat
- [13-0485](#) Resolution regarding Water Utility Financial Status.  
**Sponsors:** Mayor Kabat
- [13-0486](#) Resolution authorizing the Parks, Recreation and Forestry Department to purchase outdoor furnishings for new open air shelter at Black River Beach Neighborhood Center.  
**Sponsors:** Medinger

[13-0487](#) Resolution authorizing the Parks, Recreation and Forestry Department and the Park Board Commission to negotiate a long term use agreement with the Julia Belle Swain Foundation for use of a portion of the Riverside Park Levee and/or Jay Street Levee for the Julia Belle Swain steamboat.

**Sponsors:** Medinger

[13-0489](#) Resolution approving official newspaper.

**Sponsors:** Mayor Kabat

[13-0492](#) Application of Town & Country Cab for a 2013 Public Vehicle for Hire License and resolution approving same.

[13-0493](#) Request of GCR TireCenter for a waiver of paving requirements for parking lot south of 520 3rd St. S. and resolution approving same.

[13-0495](#) Application of English Lutheran Church for a Conditional Use Permit at 1509 King St. allowing for a bell tower and resolution approving same.

[13-0497](#) Application of Dr. Christopher Peck and Chau Nguyen for a Conditional Use Permit at 787 24th St. N. allowing for an in-home daycare and resolution approving same.

[13-0519](#) Resolution granting various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2013-14.

[13-0525](#) Resolution reimbursing Parks Department Operational Budget with Capital Improvement Funds for miscellaneous unbudgeted costs incurred and approval of Architectural Agreement with respect to Riverside Band Shell Structure.

**Sponsors:** Mayor Kabat

[13-0537](#) Application of Audrey K. Schmitt for a Beverage Operator's License and appeal of denial by the Police Department and resolution denying same.  
*(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee, Committee of the Whole and/or Council may reconvene in open session.)*

[13-0543](#) Resolution approving lump sum payment for eligible employees covered in the collective bargaining agreement of Service Employees International Union Local #180 or Terms and Conditions of Employment for Non-Represented Employees.  
(2/3 vote of Council req'd - Reserve Funds)

**Sponsors:** Mayor Kabat

[13-0547](#) Resolution authorizing extension of time for inactivity of alcohol license for premise located at 121 Third Street South (Ohana LLC dba Club Tucan).

**Sponsors:** Mayor Kabat

- [13-0549](#) Resolution authorizing payment of invoices relating to employee investigations.  
(2/3 vote req'd - Reserve Funds)  
(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)  
**Sponsors:** Mayor Kabat
- [13-0552](#) Resolution approving a contract between the City of La Crosse and Wisconsin Department of Transportation, Division of Motor Vehicles for access to the Public Abstract Request System (PARS).  
**Sponsors:** Mayor Kabat
- [13-0553](#) Resolution approving the inclusion of new positions to the 2014 draft budgets for review by the Board of Estimates.  
**Sponsors:** Mayor Kabat
- [13-0556](#) Resolution authorizing payment of bills relating to defense of employment matters.  
(2/3 vote req'd - Reserve Funds)  
(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)  
**Sponsors:** Mayor Kabat
- [13-0561](#) Amended Resolution to purchase street light equipment for neighborhood streetscape.  
**Sponsors:** Mayor Kabat
- [13-0578](#) Resolution approving a stipulation in Woodhouse v. City of La Crosse et al.  
(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)  
2/3 vote req'd for Surplus Funds  
**Sponsors:** Mayor Kabat
- [13-0580](#) Resolution approving Joint Facility Use Agreement between City of La Crosse and Board of Regents of University of Wisconsin.  
(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(e) for negotiation parameters. Following any closed session, the committee(s) and/or Council may reconvene in open session.)  
**Sponsors:** Mayor Kabat

**ITEMS RECOMMENDED TO BE RE-REFERRED**

[13-0446](#) Preliminary Plat of The Harbor Subdivision to the City of La Crosse, Wisconsin.

[13-0488](#) Resolution authorizing the Parks, Recreation and Forestry Department and the Park Board Commission to negotiate a long term use and development agreement with the Star of the Sea, LLC for use of a portion of Copeland Park for a docking facility and marina.

**Sponsors:** Medinger

### ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[13-0476](#) City of La Crosse, Wisconsin, Financial Statements with Independent Auditors' Report as of December 31, 2012.

**Sponsors:** Kader

[13-0477](#) City of La Crosse, Wisconsin, Federal and State Single Audit Reports as of December 31, 2012.

**Sponsors:** Kader

[13-0478](#) City of La Crosse, Wisconsin, Independent Auditors' Report on Communications with Those Charged With Governance as of December 31, 2012.

**Sponsors:** Kader

### NEW ITEMS FOR REFERRAL

[13-0574](#) A SECOND AMENDED ORDINANCE to repeal and recreate section 20.16 of the Code of Ordinances of the City of La Crosse regarding Public Vehicle for Hire Licenses.

**Sponsors:** Kader

J&A

[13-0575](#) AN AMENDED ORDINANCE to amend Subsection 15.02(B) of the Code of Ordinances of the City of La Crosse by changing the zoning for substantial portions of the city - Comprehensive Rezoning for areas within the Powell-Poage-Hamilton Neighborhood.

**Sponsors:** Formanek

*CPC J&A public hearing 10/01/2013, 7:30 p.m.*

[13-0576](#) AN AMENDED ORDINANCE to amend various ordinances and a portion of Section 25.01 of the Code of Ordinances of the City of La Crosse relating to fees for licenses and/or permits in Chapters 7, 8, 15 and 20.

**Sponsors:** Mayor Kabat

J&A

[13-0590](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District - General to the Planned Development District - Specific allowing for new wayfinding signs on the Gundersen Health System campus (1801 and 1901 7th St. S., 700, 701 and 617 Bennora Lee Ct., 2221, 2121, 2101, 2108, 1843 and 1827 Sims Pl.) .

*CPC J&A public hearing 10/01/2013, 7:30 p.m.*

[13-0591](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Local Business District to the Low Density Multiple District allowing for a four unit multi-family rental at 957 Hood Street.

*CPC J&A public hearing 10/01/2013, 7:30 p.m.*

[13-0592](#) AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Light Industrial District to the Multiple Dwelling District allowing for seven (7) multi-family duplexes on lots located at 2200, 2204 and 2222 Avon St.

*CPC J&A public hearing 10/01/2013, 7:30 p.m.*

[13-0439](#) Resolution approving the appropriation of additional capital improvement program funds for the Main Street Parking Facility Repairs project.

**Sponsors:** Kader

*BPW MPU F&P*

[13-0483](#) Resolution authorizing the purchase of Traffic Calming Speed Indicator Signs .

**Sponsors:** Swantz

*BPW F&P*

[13-0528](#) Resolution authorizing the preparation of a Request for Proposals, Notice to Contractors and advertising for proposals for a study on renovation, remodeling and/or expansion of the La Crosse Center.

**Sponsors:** Svitavsky

*F&P*

[13-0530](#) Resolution approving purchase of airport safety and operations compliance software and associated hardware.

**Sponsors:** Richmond

*Aviation Bd F&P*

[13-0532](#) Second Amended Resolution adjusting wage rates for part time, seasonal and casual city employees.

**Sponsors:** Happel

*F&P*



- [13-0533](#) Resolution rescinding reporting requirement of Mayoral departmental directives.  
**Sponsors:** Kader  
*F&P*
- [13-0540](#) Resolution approving a pay adjustment for the position of Airport Maintenance Person/Mechanic in the table of positions and classifications for the La Crosse Airport.  
**Sponsors:** Happel  
*F&P*
- [13-0546](#) Resolution authorizing the Police Department to accept a DHS/FEMA Port Security Grant and appropriation of funds to purchase a police patrol boat, security cameras, and necessary equipment and supplies to enhance port and river security in the City of La Crosse.  
**Sponsors:** Formanek and Wigdahl  
*F&P*
- [13-0550](#) Resolution authorizing appropriation of additional funds for the Parking Access & Revenue Control project.  
**Sponsors:** Kader  
*BPW MPU F&P*
- [13-0551](#) Resolution authorizing release of funds in connection with purchase of municipal utility tractor.  
**Sponsors:** Seaquist  
*BPW F&P*
- [13-0555](#) Resolution approving the abolishment of the City of La Crosse Apportionment Committee.  
**Sponsors:** Mayor Kabat  
*J&A*
- [13-0557](#) Resolution approving the abolishment of the City of La Crosse Reapportionment Committee.  
**Sponsors:** Mayor Kabat  
*J&A*
- [13-0558](#) Resolution approving the abolishment of the City of La Crosse Legislative Committee.  
**Sponsors:** Mayor Kabat  
*J&A*
- [13-0559](#) Amended Resolution authorizing an RFP for Refuse and Recycling Services for City Buildings and Facilities 2014-2020.  
**Sponsors:** Seaquist  
*BPW F&P*

- [13-0562](#) Resolution authorizing the La Crosse Center to adjust ticket price surcharge applicable minimums.  
**Sponsors:** Svitavsky  
*F&P*
- [13-0564](#) Resolution authorizing purchase of automatic transfer switch for emergency generator at Station 3.  
**Sponsors:** Cornett  
*F&P*
- [13-0565](#) Annual Report by Police Department regarding School Crossing Guard locations for the 2012-2013 Academic Year.  
**Sponsors:** Wigdahl  
*J&A*
- [13-0566](#) Resolution authorizing the Director of Human Resources to secure services with Delta Dental for the Union sponsored voluntary dental plan for the term January 1, 2014 through December 31, 2014.  
**Sponsors:** Happel  
*F&P*
- [13-0567](#) Amended Resolution appropriating funds for private contractor to assist with clearing snow from public sidewalks for the 2013-14 season.  
**Sponsors:** Seaquist  
*F&P*
- [13-0568](#) Resolution appropriating funds to include the International Business Park to the ecological and trail planning efforts with regard to the La Crosse County Landfill.  
**Sponsors:** Miller  
*F&P*
- [13-0569](#) Resolution authorizing Engineering Department to streamline the process of demolishing structures condemned by the Building & Inspections Department.  
**Sponsors:** Swantz  
*BPW F&P*
- [13-0570](#) Resolution authorizing the Mayor and City Clerk to sign a Relocation of Facilities Agreement with Xcel Energy for the Oak Street Bike/Pedestrian Bridge over the BNSF.  
**Sponsors:** Richmond  
*F&P*
- [13-0572](#) Resolution authorizing new drinking fountain at Gillette and Kane Sts.  
**Sponsors:** Miller  
*BPW F&P*

[13-0573](#) Amended Resolution re-appropriating funding sources for the preparation of the Bicycle-Pedestrian Master Plan.

**Sponsors:** Seaquist

F&P

[13-0577](#) La Crosse Fire Department 2014-2018 Strategic Plan.

**Sponsors:** Formanek

J&A

[13-0586](#) Amended Resolution authorizing legal proceedings to terminate the lease and eviction of La Crosse Municipal Boat Harbor, Inc. from the Isle La Plume Boat Harbor. *(Note: The committee(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)*

**Sponsors:** Mayor Kabat

F&P

[13-0589](#) Request for Exception to Multi-Family Housing Design for property located at 801 La Crosse Street relating to off-street parking and amended resolution approving same.

CPC J&A

## Adjournment