



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, October 13, 2016

7:30 PM

Council Chambers

Mayor Tim Kabat, Presiding

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

Roll Call

Present: 16 - Tim Kabat, Andrea Richmond, Ryan Cornett, 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, Richard Swantz

Excused: 1 - Jai Johnson

Pledge of Allegiance

Invocation

Pastor Chuck Robinson of First Church of Christ offered the invocation.

Approval of Minutes

A motion was made by Richmond, seconded by Cornett, that the Minutes of the September 12, 2016 regular meeting be APPROVED. The motion carried unanimously.

Reports

[16-0995](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the month of September 2016.

2016-10-001

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

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

[16-1022](#)

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

2016-10-002

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

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

Notices and Discussions

None.

COMMON COUNCIL MATTERS

[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 Cornett, seconded by Swantz, that the Status Update be held 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: 15 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

Following discussion in closed session, a motion was made by Krump, seconded by Cornett, to reconvene in OPEN SESSION. The motion carried by voice vote.

[16-1020](#)

Resolution approving Engineering Estimates for October 2016.

2016-10-003

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

Yes: 14 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Gaul, Swantz

Absent: 1 - Happel

[16-1023](#)

Resolution approving 2016 bills paid in October.

2016-10-004

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

Yes: 14 - Richmond, Cornett, Anderson, Krump, Cherf, Seaquist, Padesky, Becker, Kader, Formanek, Ostrem, Medinger, Gaul, Swantz

Absent: 1 - Happel

APPOINTMENTS BY THE MAYOR

2016-10-005

[16-0976](#)

Aviation Board: Jeff Wrobel, 3633 Bentwood Pl. Citizen Board of Review: Mike Brown, 1906 Caledonia St. Economic Development Commission: Debbie McKenney, 3031 25th St. S. Chong Cher Lee, 509 S. 14th St. Heritage Preservation Commission: Daniel Manke, 1028 7th St. S. Joint Board of Harbor Commissioners: Adam Binsfeld, 1608 Nakomis Ave. Redevelopment Authority (4/5ths Council majority): John Kovari, 1532 Wood St.

A motion was made by Richmond, seconded by Cornett, that the Appointments be CONFIRMED.

A motion was made by Becker, seconded by Cherf, that the Appointments be DIVIDED to consider the Redevelopment Authority appointment, which requires a four-fifths vote of the council. The motion carried by the following vote:

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

A motion was made by Richmond, seconded by Becker, that the Appointment to the Redevelopment Authority be CONFIRMED. The motion carried by the following vote:

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

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

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

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

A motion was made by Cornett, seconded by Medinger, to SUSPEND Council Rule VIII for 16-1011, 16-0886, 16-0935 and 16-0957. The motion carried unanimously.

REPORT OF BIDS RECOMMENDED TO BE REJECTED

[16-0811](#)

Report of Bids for Municipal Well 22 and 26 Upgrades project.

2016-10-006

A motion was made by Richmond, seconded by Medinger, that the Bids be REJECTED. The motion carried by the following vote:

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

[16-0924](#)

Report of Bids for the Airport T-Hangar Roof Repairs.

2016-10-007

A motion was made by Richmond, seconded by Cornett, that the Bids be REJECTED. The motion carried by the following vote:

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

ITEMS RECOMMENDED TO BE ADOPTED

[16-0830](#)

AN ORDINANCE to amend various sections of Chapter 109 of the Code of Ordinances of the City of La Crosse relating to shoreland-wetland zoning.

Ord. 4955. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

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

[16-0863](#)

Resolution appropriating funds in connection with La Crosse River Marsh lead contamination project.

2016-10-008

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

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

[16-0883](#)

Resolution amending paragraph B of Council Rule VI regarding legislative items referred to the Council Planning Meeting.

2016-10-009

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

Yes: 4 - Richmond, Padesky, Becker, Kader

No: 11 - Cornett, Anderson, Krump, Cherf, Seaquist, Formanek, Ostrem, Medinger, Happel, Gaul, Swantz

[16-0963](#)

Amended Resolution authorizing the purchase of a replacement squad for the Police Department.

2016-10-010

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

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

[16-1011](#)

Resolution appointing Valerie Fenske as Director of Finance and Purchase/Treasurer.

NOTE: The Committee and/or Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(c) to discuss employment, promotions and performance evaluation data of a public employee. Following any closed session, the committee and/or Council may reconvene in open session.

2016-10-011

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

Yes: 12 - Richmond, Cornett, Anderson, Krump, Seaquist, Becker, Kader, Formanek, Ostrem, Medinger, Happel, Swantz

No: 2 - Padesky, Gaul

Abstain: 1 - Cherf

ITEM RECOMMENDED TO BE DIVIDED

[16-0943](#)

Various license applications pursuant to Chapters 4, 6 and/or 10 of the LaCrosse Municipal Code for the remainder of license period 2016-17 (October).

2016-10-012

A motion was made by Cornett, seconded by Cherf, that the Applications be DIVIDED. The motion carried by the following vote:

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

[16-1016](#) Resolution approving balance of 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 (October).

2016-10-013

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

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

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

A motion was made by Cherf, seconded by Cornett, to ADOPT.

A motion was made by Gaul, seconded by Cherf, that the Application be REFERRED 30 days. The motion carried by the following vote:

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

CONSENT AGENDA

A motion was made by Cherf, seconded by Kader, to APPROVE the Consent Agenda. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE ADOPTED

[16-0833](#) AN ORDINANCE to annex a parcel of land from the Town of Campbell to the City of La Crosse (1903 Nakomis Avenue - Delagrave).

Ord. 4956. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[16-0891](#) 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 continued use as green space / park at 1901 7th St. S.

Ord. 4957. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[16-0892](#) 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 to allow the combining of parcels for commercial use at 2419 George Pl., 2417 George Pl., 2421/2423 George St. and 2425 George St.

Ord. 4958. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [16-0893](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Floodway District to the Heavy Industrial District in order to combine vacant parcel 17-20251-80 (Copeland Ave) with adjoining parcel for continued use of auto body drive and parking.
Ord. 4959. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [16-0894](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Light Industrial District to the Commercial District in order to combine parcels for continued use of automotive services at 715, 803 807, 811, 817, 819, 827 3rd St. S.
Ord. 4960. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [16-0803](#) Resolution approving alley vacation for property located between Third Street, Fourth Street, Market Street and Ferry Street.
2016-10-014
- [16-0808](#) Resolution establishing and signing a regional route connecting the downtowns of La Crosse and Onalaska.
2016-10-015
- [16-0841](#) Resolution authorizing Human Resources to seek proposals and binding agreement for 2017 stop loss insurance.
2016-10-016
- [16-0844](#) Resolution authorizing the Mayor and City Clerk to sign the Revision #4 State/Municipal Agreement for the Reconstruction of the Northside Connector Trail From Gillette Street over BNSF Railroad Tracks to Oak Street (Project I.D. #5991-05-08/09; #5991-05-93/95; #5991-07-17/19).
2016-10-017
- [16-0847](#) Resolution approving Agreement between City of La Crosse and Official Payments Corporation for Online and Point of Sale services related to payment of invoices/bills.
2016-10-018
- [16-0848](#) Resolution approving use of 2016 Capital Improvement Funds - Carroll Park Redevelopment Plan.
2016-10-019
- [16-0852](#) Amended Resolution approving additional funds for the Reconstruction of 13th Street from Badger Street North to Dead End.
2016-10-020

- [16-0853](#) Resolution authorizing early replacement of Sanitary Sewer and Storm Water Utilities flusher truck.
2016-10-021
- [16-0857](#) Resolution appropriating funds from the 2015 Capital Improvement Budget for Placement of Fill for the Riverside Redevelopment Project.
2016-10-022
- [16-0858](#) Resolution approving a change to position titles.
2016-10-023
- [16-0860](#) Resolution amending the Fire Department Operating Budget to include funding for Wisconsin Retirement System due to long term military leave.
2016-10-024
- [16-0861](#) Resolution approving the reorganization to the table of positions and classifications in the Engineering Department.
2016-10-025
- [16-0864](#) Resolution authorizing the creation of a revolving fund for a Police Department Explorer Program.
2016-10-026
- [16-0865](#) Resolution authorizing the release of funds to replace exterior security doors in the Police Department.
2016-10-027
- [16-0866](#) Resolution authorizing funding for the application of a protective coating for the *Confluence* mural by John Pugh on the Pump House.
2016-10-028
- [16-0881](#) Resolution authorizing the property located at 28th & Jackson Street known as "Bluffview Park" to be dedicated as a public park.
2016-10-029
- [16-0886](#) Resolution appropriating additional funds to pay Ayres Associates for Engineering Design for an Eagle Viewing area as part of the I-90 Exit 3 Reconstruction.
2016-10-030

[16-0896](#) Application of 228 Fifth Avenue South LLC (George Keith Brown) for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor license at 228 5th Ave. S. and resolution approving same.

2016-10-031

[16-0897](#) Application of New State Bank of La Crosse for a Conditional Use Permit allowing for parking lot at 111 5th Ave. N. and resolution approving same.

2016-10-032

[16-0935](#) Resolution approving amended Payment for Municipal Services agreement regarding the Roosevelt School project.

2016-10-033

[16-0957](#) Amended Resolution authorizing the use of Tax Incremental Financing District 11 uncommitted funds for Stormwater Improvements in the alley between Main Street and Pearl Street and 3rd and 4th Avenues behind 123-125 3rd Street South.

2016-10-034

ITEMS RECOMMENDED TO BE NOT ADOPTED

[16-0895](#) Application of Ed O'Brien for a Conditional Use Permit allowing permission to apply for a Combination "Class B" Beer & Liquor license at 411 3rd St. S.

2016-10-035

ITEMS RECOMMENDED TO BE ACCEPTED AND FILED

[16-0831](#) Petition for Direct Annexation by Unanimous Approval pursuant to Sec. 66.0217(2), Wis. Stats. of land from the Town of Campbell (1903 Nakomis Ave - Delagrave).

2016-10-036

ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[16-0879](#) City of La Crosse, Wisconsin, Federal and State Single Audit Reports as of December 31, 2015.

2016-10-037

NEW ITEMS FOR REFERRAL

- [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.
- [16-0818](#) Resolution authorizing the Mayor to file application for Transit Operations and Capital Assistance for 2017 with the Federal Transit Administration.
- [16-0820](#) Resolution authorizing the Mayor to file for Transit Operations and Capital Assistance with the Wisconsin Department of Transportation.
- [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.
- [16-0939](#) Resolution authorizing use of capital equipment funds to renovate seven existing buses.
- [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.
- [16-0958](#) Resolution appropriating additional funds to the fiber optic conduit installation on Lang Drive.
- [16-0960](#) Resolution appropriating additional funds to the International Business Park Road Extension Project.
- [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).
- [16-0962](#) Resolution appropriating funds for private contractor(s) to assist with clearing snow from public sidewalks for the 2016-17 season.
- [16-0968](#) Resolution vacating a portion of a street by La Crosse Street and Seventh Street.
- [16-0970](#) Resolution requesting the release of funds from room tax to purchase a replacement water heater for the La Crosse Center.
- [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.

- [16-0979](#) Resolution authorizing the creation of a committed special revenue fund for the purpose of funding Human Rights Commission and Ethics Committee investigations.
- [16-0981](#) Amended Resolution approving 2017-2021 Capital Improvement Program Budget.
- [16-0983](#) Resolution approving lease with Skyrockers.
- [16-0986](#) Resolution requesting transfer of funds from the sale of fire department personal protective equipment.
- [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.
- [16-0989](#) Resolution appropriating funds to reimburse the Street Department Operating Budget for the pavement cost of three streets.
- [16-0992](#) Resolution levying Special Charges for Services performed in 2016.
- [16-0993](#) Memorial Pool Public Opinion Survey Results.
- [16-0999](#) Amended Resolution to procure a new Log Truck needed to complete ongoing ash tree removal due to the Emerald Ash Borer.
- [16-1001](#) Resolution authorizing the City Engineer to sign the Agreement for the Nondestructive Evaluation of Four (4) Bridges.
- [16-1002](#) Resolution approving Appendix C of the Municipal Code for the City of LaCrosse entitled "Fee Schedule" 2016.
- [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."
- [16-1004](#) Resolution authorizing the transfer of funds from Tax Incremental Financing District #9 to the City of La Crosse Redevelopment Authority.
- [16-1005](#) Resolution transferring funds from the Industrial Park Sinking Fund to the City of La Crosse Redevelopment Authority for economic development programs.
- [16-1008](#) Resolution approving an extension to TPA agreements for medical benefit plan.

- [16-1009](#) Amended Resolution recognizing the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide.
- [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.
- [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).
- [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.
- [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.

Adjournment

A motion was made by Richmond, seconded by Cornett, to ADJOURN at 9:25 p.m. The motion carried by voice vote.