# City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

## Meeting Agenda - Final

## Judiciary & Administration Committee

**Thursday, June 8, 2023** | **5:30 PM** | **Council Chambers**
**City Hall, First Floor**

**Special Meeting**

This meeting is open for in-person attendance and will also be available through video conferencing. The meeting can be viewed (no participation) by visiting the Legislative Information Center Meetings calendar (https://cityoflacrosse.legistar.com/Calendar.aspx) - find the scheduled meeting and click on the "In Progress" video link to the far right in the meeting list.

Public comment is limited to agenda items; statements shall be restricted to the subject matter. If you wish to speak on an agenda item, please register in advance:

- Register online at https://www.cityoflacrosse.org/city-services/meeting-registration
- Contact the City Clerk's Office no later than 4:00p on the day of the meeting, with the following information: name, municipality of residence, if you are representing an organization or a person other than yourself at the meeting, and if you are speaking in favor, opposition or neutral.
- Sign up in person no less than ten (10) minutes before the start of the meeting.

If attending virtual and you wish to speak, contact the City Clerk's Office and we will provide you with the information necessary to join the meeting. Call 608-789-7510 or email cityclerk@cityoflacrosse.org.

*Public hearings shall be limited to 30 minutes when there are opposing viewpoints from the public. In the absence of opposing viewpoints, public hearings are limited to 15 minutes. Individual speakers shall speak no more than three (3) minutes unless waived by the Chair or a majority of the committee.*

*Members of the public who would like to provide written comments on any agenda may do so by emailing cityclerk@cityoflacrosse.org, using a drop box outside of City Hall or mailing to City Clerk, 400 La Crosse Street, La Crosse WI 54601.*

### Call To Order

### Roll Call

### Agenda Items:

23-0658 Application of LAX Food Hall LLC dba LAX Food Hall for a Reserve Combination "Class B" Beer & Liquor license at 201 5th Ave. S. for the license period 2023-24 (Notice of Intent for Non-Renewal).
*(Note: The Committee and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to deliberate its decision. Following such closed session, the Committees and/or Council may reconvene in open session.)*

23-0673 AN ORDINANCE to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property.

*Short-circuited by Council Members Woodard, Kahlow, Sleznikow, Dickinson, Hameister 6.5.2023*

## Adjournment

*Notice is further given that members of other governmental bodies may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility.*

*NOTICE TO PERSONS WITH A DISABILITY*
*Requests from persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (608) 789-7510 or send an email to ADAcityclerk@cityoflacrosse.org, with as much advance notice as possible.*

**Judiciary & Administration Committee Members:**
**Chris Kahlow, Tamra Dickinson, Jenasea Hameister, Mac Kiel, Mackenzie Mindel, Chris Woodard, Jennifer Trost**

# City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

## Text File

### File Number: 23-0658

**Agenda Date:** 6/8/2023 **Version:** 1 **Status:** Agenda Ready

**In Control:** Judiciary & Administration Committee **File Type:** Application

**Agenda Number:**

# STIPULATION REGARDING THE CITY OF LA CROSSE'S INITIATION OF ALCOHOL NONRENEWAL LICENSE(S) PROCEEDINGS WITH LAX FOOD HALL LLC, D/B/A LAX FOOD HALL

***Background and Context***

In May 2023, the City of La Crosse sought the nonrenewal of the LAX Food Hall LLC., d/b/a LAX Food Hall's alcohol license(s) for failure to comply with La Crosse Municipal Code Sections 4-43 and 4-108. Both code provisions require that upon receiving either a "Class A," "Class B," Class "B," or Class "A," license, the licensee "shall be open for business with stock and equipment" within 90 days of the license being granted.

LAX Food Hall LLC was granted its license(s) in December 2022 and has not opened for business as of June 1, 2023.

On May 30, 2023, the La Crosse Judiciary & Administration Committee heard this issue and referred this matter for a nonrenewal hearing.

LAX Food Hall LLC has requested a nonrenewal hearing.

***Agreement***

The City of La Crosse ("The City") and LAX Food Hall LLC, d/b/a LAX Food Hall ("LAX Food Hall") agree to the following:

1. The City's Legal Department will cease its May and June 2023 nonrenewal efforts as it relates to LAX Food Hall's alcohol license(s).

2. The City's Legal Department will recommend that LAX Food Hall's alcohol license(s) be renewed.

3. If LAX Food Hall is not open for business within six (6) months of July 1, 2023, LAX Food Hall will agree to an automatic revocation of its alcohol license(s).
   *Open for business means that LAX Food Hall has passed all inspections necessary to allow the public to enter and occupy the premise, has been issued its license from the City Clerk, and is actively selling alcoholic products consistent with its license.

4. LAX Food Hall acknowledges that it was in violation of Sections 4-43 and 4-108.

5. By signing this stipulation, LAX Food Hall voluntarily ***waives any right to a hearing on the revocation of its license(s)*** and understands that it would ***have to wait to reapply for a period of one year from the date of revocation*** pursuant to Code Section 4-75(2).

6. Although LAX Food Hall waives any right to a hearing, the Common Council would still have final approval of the license revocation.

*[Signature Page to Follow]*

*Signature of Parties*

**Signing on Behalf of the City's Legal Department:**

Ellen R. Atterbury
La Crosse Assistant City Attorney

6/1/23
Date

**Signing on Behalf of LAX Food Hall:**

Zachary Jon Switzer
LAX Food Hall LLC

6/2/23
Date

# Renewal Alcohol Beverage License Application

*(Submit to municipal clerk.* **Read instructions on page 3.)**

For the license period beginning: 7/1/2023 (mm dd yyyy) ending: 6/30/2024 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } La Crosse

County of La Crosse

Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☒ Limited Liability Company ☐ Partnership ☐ Corporation/Nonprofit Organization

| Applicant's Wisconsin Seller's Permit Number 456-1030866933-04 | |
|---|---|
| FEIN Number 874245022 | |
| **TYPE OF LICENSE REQUESTED** | **FEE** |
| ☐ Class A beer | $ |
| ☒ Class B beer | $ 100.00 |
| ☐ Class C wine | $ |
| ☐ Class A liquor | $ |
| ☐ Class A liquor (cider only) | $ N/A |
| ☒ Class B liquor | $ 500.00 |
| ☐ Reserve Class B liquor | $ |
| ☐ Class B (wine only) winery | $ |
| Publication fee | $ 20.00 |
| TOTAL FEE | $ 620.00 |

**Complete A or B. All must complete C.**

**A. Individual or Partnership:**

| Full Name (Last) | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
|---|---|---|---|
| Full Name (Last) | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
| Full Name (Last) | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |

**B. LLC or Corporation (and Agent):**

| Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company | Address of Corporation / Limited Liability Company (if different from licensed premises) |
|---|---|
| LAX FOOD HALL LLC | 201 5TH AVE S<br>LA CROSSE, WI 54601 |

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

| Agent Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
|---|---|---|---|
| SWITZER | ZACHARY | JON | 617 14TH ST S<br>LA CROSSE, WI 54601 |

**All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:**

| President / Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
|---|---|---|---|
| Switzer | Zachary | Jon | 617 14th St S La Crosse WI 54601 |
| Vice President / Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
| Secretary / Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
| Treasurer / Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
| Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |
| Member Last Name | (First) | (Middle Name) | Home Address (Street, City or Post Office, & Zip Code) |

**C. Business Information**

1. Trade Name LAX FOOD HALL Business Phone Number 608-790-7666
2. Address of Premises 201 5TH AVE S Post Office & Zip Code LA CROSSE, WI 54601
3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? . . . . . Yes ☒ ☐ No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

   LOWER AND MEZZANINE LEVELS OF EXCHANGE BUILDING.(Storage: ALCOHOL WILL BE LOCKED AND STORED IN CABINETS WHEN BAR IS NOT OPEN, ACCESS TO OTHER FLOORS IS LOCKED SO ALCOHOL MAY NOT LEAVE LICENSES PREMISES.)

5. Legal description (omit if street address is given on previous page): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been **convicted of any offenses** (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? **If yes, complete page 3** ..... ☐ Yes ☒ No

   b. Are **charges** for **any offenses** presently **pending** (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? **If yes, explain fully on page 3.** ..... ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? **If yes, explain** ..... ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? **If not, explain** ..... ☐ Yes ☒ No
   We have not opened yet due to Permitting delays.

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? ..... ☒ Yes ☐ No
   [phone (608) 266-2776]

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? ..... ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? ..... ☐ Yes ☒ No

12. Does the applicant owe municipal property taxes, assessments, or other fees? ..... ☐ Yes ☒ No
    (**Note:** Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

| Contact Person's Name (Last, First, M.I.) | Title / Member | Date |
|---|---|---|
| Switzer, Zachery, J | Owner | 5/22/23 |
| **Signature** | **Phone Number** | **Email Address** |
| Zachery Switzer | 313-318-2811 | Switzer@laxFoodhall.com |

**TO BE COMPLETED BY CLERK**

| Date received and filed with municipal clerk | Date reported to council / board | Date license granted |
|---|---|---|
| License number issued | Date license issued | Signature of Clerk / Deputy Clerk |

# Instructions for Renewal Alcohol Beverage License Application

**THIS RENEWAL FORM CANNOT BE USED IF:**

1. There is a change in business entity (i.e., individual has changed to partnership or corporation/limited liability company; partnership changed to individual or corporation/limited liability company; corporation changed to individual, partnership or limited liability company) and if limited liability company has been dissolved.
2. Partners are added or dropped.
3. Application is made in a different municipality.

**PARTNERSHIPS:**

Indicate full name and home address of each partner. One partner must sign application. **Reminder**: If partners have been added or dropped since your last application, you must use Form AT-106 (Original Beverage License Application).

**CORPORATIONS:**

One officer must sign application. Be sure to answer Question No. 7 by indicating any change of officers, directors, and/or changes in home address. If there are any changes in officers and/or directors each must complete Form AT-103 (Auxiliary Questionnaire). If there has been a change in agent since your last approved agent, he/she must complete Forms AT-104 (Schedule for Appointment of Agent) **AND** AT-103 (Auxiliary Questionnaire) in addition to this (AT-115) form.

**LIMITED LIABILITY COMPANY:**

One member/manager must sign application. Follow procedure under Corporations for any change of members or agent.

**NOTE:** Use ink or typewriter when filling in applications. Be sure to answer all questions fully and accurately. Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

**DISCRIMINATION CLAUSE** – (City of Milwaukee only)

The applicant shall not willfully refuse to provide those services offered under this license or refuse to employ or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry, the applicant shall not seek information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion solely on the basis of such information. The applicant also shall not discriminate against any member of the military service dressed in uniform by willfully refusing services offered under this license.

Complete, sign and return this form to the clerk.

If answer to Questions No. 6a and/or 6b on page 2 are "YES," outline details below:

## CONVICTIONS

1. NAME N/A STATUTE NO./LOCAL ORDINANCE _____
   CHARGE _____ WHERE CONVICTED _____
   DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY
2. NAME _____ STATUTE NO./LOCAL ORDINANCE _____
   CHARGE _____ WHERE CONVICTED _____
   DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY
3. NAME _____ STATUTE NO./LOCAL ORDINANCE _____
   CHARGE _____ WHERE CONVICTED _____
   DATE _____ PENALTY _____ ☐ MISDEMEANOR ☐ FELONY

## PENDING CHARGE

1. NAME N/A STATUTE NO./LOCAL ORDINANCE _____
   PENDING CHARGE _____ DATE _____

## NOTICE OF INTENT TO NOT RENEW LICENSE

**Zachary Jon Switzer Member/Agent for LAX Food Hall LLC dba LAX Food Hall:**

*Basis for Intent to Not Renew*

This letter is to notify you that the City of La Crosse intends not to renew your Combination "Class B" Beer and Liquor License for license year July 1, 2023, through June 30, 2024.

Pursuant to Wis. Stats. sec. 125.12(3), a municipality may refuse to renew a license for certain enumerated violations listed in sec. 125.12(2)(ag), which includes certain violations of municipal code. The City alleges that you have violated La Crosse Municipal Code secs. 4-43 and 4-108 Commencing operations.

Both provisions require that upon granting of an alcohol beverage license, the licensee "shall be open for business with stock and equipment" within 90 days of the license being granted.

You were granted your license on December 8, 2022, for the remainder of license year expiring June 30, 2023. As of today's date, you have not opened for business, well beyond the 90-day requirement. The City bases this assertion on the fact that you have not had your final inspection and have not been issued your alcohol license.

*Your Rights as a License Holder*

You do have the right to request a hearing to contest the nonrenewal of your license. Additionally, you have the right to be represented by an attorney at your own expense, the right to present evidence and testimony, and cross examine any witnesses produced by the City.

If you would like to request a hearing, you must do **so in writing by 12:00 noon on Tuesday, May 30, 2023**. Please submit any request to the La Crosser City Clerk's Office, 400 La Crosse Street, La Crosse WI 54601. Please include your name, contact information, and explanation why you believe the City should renew your license.

As an alternative, you may also voluntarily surrender your licensee and reapply in the future. Please contact the City Clerk's Office on how to do this.

Thank you for your time and cooperation.

Regards,

Mackenzie Mindel
Judiciary & Administration Chair

Cc: Nikki Elsen, City Clerk
City Attorney Stephen F. Matty
Erik Coaty, Wisconsin Department of Revenue

La Crosse City Clerk's Office

This is a written notice that I am requesting a hearing with City Council to contest the nonrenewal of the liquor license for LAX Food Hall LLC. Due to unforeseen issues with permitting delays, the timeline for this project has been significantly delayed. Since these factors have been out of our control and we have been acting in good faith and doing all that is possible to get this project moving, I believe the city should renew our liquor license. In addition, this project will be of great benefit to the community, giving restaurateurs a more accessible path to starting a business and providing new dining options for community members.

Thank you,

Zachary Switzer

LAX Food Hall

Switzer@laxfoodhall.com

313-318-2811

# City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

## Text File

### File Number: 23-0673

**Agenda Date:** 6/8/2023 **Version:** 1 **Status:** Agenda Ready

**In Control:** Judiciary & Administration Committee **File Type:** Ordinance

**Agenda Number:**

ORDINANCE NO.: _____

AN ORDINANCE to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Subsection 32-5 is hereby amended to read as follows:

*Definitions*

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*"To camp"* or *"camping"* means to set up or to remain in or at a campsite, including the storage of personal belongings or camping materials.

*"Campsite"* means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire, is placed, established, maintained, whether or not such place incorporates the use of any tent, lean-to, shack, or any other structure, or any vehicle or part thereof.

*"Camping Materials"* means, but is not limited to, tents, tarps, umbrellas, metal sheeting, pallets, canopies, hammock, hunting blind, boxes, huts, temporary shelters, or vehicles.

*"To store" or "storage"* means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

(a) It shall be unlawful for any person to camp ~~as defined herein~~ on City-owned property where signs prohibit it or upon receiving a warning to leave. ~~Camping means to establish or maintain at any time during the day or night, a temporary or permanent place for cooking or sleeping with the intent to remain in that location overnight.~~

(b) ~~The Board of Public Works of the City of La Crosse may from time to time, in order to ensure the safety or preservation of the City's lands or recreational areas, establish areas of City-owned property upon which camping is prohibited. Such areas shall be designated by "no camping~~" Signs must be at least 11 inches square and must be placed in at least two conspicuous places of the area prohibiting camping.

(c) ~~No person shall be cited for violating this subsection section unless such person shall continue to camp more than one hour after receiving a warning to leave. Such warning shall be given by a police officer or other authorized City officer or employee.~~ If signs are not posted and a person receives a warning to leave, they shall not be cited for violating this section unless such person continues to camp more than one hour after receiving the warning to leave. Such warning shall be given by a police officer or other authorized City officer or employee.

SECTION II: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

_____
Mitch Reynolds, Mayor

_____
Nikki M. Elsen, City Clerk

Passed:
Approved:
Published:

## SHORT-CIRCUIT BY COUNCIL

**23-0673 AN ORDINANCE to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property.**

Whereas, the attached legislation was not properly submitted and approved pursuant to Council Rule XV; and

Whereas, the Mayor has refused to approve the submission of the attached legislation to the appropriate governmental body/bodies at their next meeting.

We, the undersigned, being duly elected members of the Common Council of the City of La Crosse, do hereby approve the submission of the attached legislation to the **Judiciary & Administration Committee** to be considered by the members thereof at a special meeting to be held on **Thursday, June 8, 2023, at 5:30 p.m.** and to the **Common Council** to be considered by the members thereof at its regular meeting. This approval is given due to the time element necessitating consideration of the attached legislation at the earliest possible date.

| | COMMON COUNCIL MEMBERS | DISTRICT |
|---|---|---|
| 1. | Chris Woodard | 9 |
| 2. | [illegible] | 6 |
| 3. | [illegible] | 4 |
| 4. | [illegible] | 1 |
| 5. | Jenasea Hamelister per attached | 5 |

Dated this 5th day of June, 2023.

* * * * * * * * * * *

Filed in the City Clerk's office this 5th day of June, 2023.

Nikki M. Elsen, City Clerk

NOTE: Pursuant to Common Council Rule II(4) & XV. In addition, pursuant to Common Council Rule II(4), the Mayor, Chair or majority of a Committee may call special meetings of a standing committee.

## Elsen, Nikki

**From:** Hameister, Jenasea
**Sent:** Friday, June 2, 2023 4:39 PM
**To:** Elsen, Nikki
**Subject:** Re: Special J&A - June 8

Hi Nikki,

I'm unsure if you still need J&A members to sign on for approval of 23-0673, but I support signing the consent form.

Thank you,
Jenasea

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*"Camping Materials"* means, but is not limited to, tents, tarps, umbrellas, metal sheeting, pallets, canopies, hammock, hunting blind, boxes, huts, temporary shelters, or vehicles.

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(b) ~~The Board of Public Works of the City of La Crosse may from time to time, in order to ensure the safety or preservation of the City's lands or recreational areas, establish areas of City-owned property upon which camping is prohibited. Such areas shall be designated by "no camping~~" Signs must be at least 11 inches square and must be placed in at least two conspicuous places of the area prohibiting camping.

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SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

_____
Mitch Reynolds, Mayor

_____
Nikki M. Elsen, City Clerk

Passed:
Approved:
Published:

# CITY OF LA CROSSE

**400 La Crosse Street**
**La Crosse, Wisconsin 54601**
**(608) 789-CITY**
**www.cityoflacrosse.org**

LEGISLATION STAFF REPORT FOR COUNCIL

File ID 23-673 Caption AN ORDINANCE to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property.

Staff/Department Responsible for Legislation

Parks/Police

Requestor of Legislation

Dan Trussoni - Parks Lt. Joe Smith -Police

Location, if applicable

All City Owned Property

Summary/Purpose

To provide updates and definitions to the existing camping ordinance under Sec 32-5. Some items used for camping are not identified in the existing ordinance. The proposed amendments also change the notification from signage and one hour warning to signage or one hour warning.

Background

Camping intent per the existing ordinance can be difficult to decipher. Additionally, No Camping signs are continuously being ripped down or vandalized costing the Parks/Police staff time and resources to replace.

Fiscal Impact

Staff Recommendation

Recommned to approve

## Elsen, Nikki

**From:** Morgan Farmer <morgan.farmer@parkbank.bank>
**Sent:** Monday, June 5, 2023 1:18 PM
**To:** ZZ Council Members
**Cc:** Todd Holtz
**Subject:** J&A Committee Meeting (6/8 at 5:30) - Support change to City camping ordinance.



To Whom It May Concern -

From what I understand, a change to the city's camping ordinance is being proposed at a meeting of the Judiciary and Administration Committee at 5:30 on Thursday evening.

Park Bank shares a city block with Burns Park and our staff and customers have had negative experiences with the homeless. We couldn't agree more with this effort to support our Police Department and Parks staff as they work to address the homeless problem.

Our staff and customers would appreciate your support for the proposed change that will be discussed on Thursday.

Morgan.

Morgan C. Farmer
Executive Vice President
phone 608-793-5510
morgan.farmer@parkbank.bank
La Crosse Office 700 State St. La Crosse, WI 54601
main phone 608-782-BANK (2265) - fax: 608-782-2171
NMLS: 466018. Bank NMLS: 405996.



Message by iPad. Typos by Farmer.

## Craig, Sondra

**From:** Kevin Hundt <kevinhundt0@gmail.com>
**Sent:** Wednesday, June 7, 2023 11:10 AM
**To:** ZZ City Clerk External
**Subject:** Opposing 23-0673



I am writing in opposition to agenda item 23-0673, "AN ORDINANCE to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property."

This proposal is as absurd as it is cruel.

As we all heard at the Council Planning Meeting on Tuesday, there are currently *zero* shelter beds available. The clearance of Cameron and Burns parks left dozens of people scattered across the city, on sidewalks, in parking ramps, and on private property. Clearing camps does *nothing*. If the goal is to make homeless people go away, all that clearances do is make them someone else's problem. Is that good governance?

Furthermore, this proposal is already rejected by federal caselaw. *Martin v Boise* (summary and full text: https://en.wikipedia.org/wiki/Martin_v._Boise) is a 2018 US Circuit Court ruling which states "...the Cruel and Unusual Punishments Clause of the Eighth Amendment preclude[s] the enforcement of a statute prohibiting sleeping outside against homeless individuals with no access to alternative shelter. ...As long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter."

Although this was for a different federal circuit court than our own and does not directly have jurisdiction, in 2019 the US Supreme Court declined to hear an appeal, leaving *Martin v Boise* intact as precedent. We on the left as our friends on the other side of the political spectrum, but were this to end up in court it would last about five minutes.

I invite you to read the full ruling or longer summaries, but what it boils down to is this: where, exactly, do you expect them to go? This is the basis of *Martin v Boise*. If someone has nowhere they can be legally, then you have criminalized their *existence*. Simply, that doesn't work. The people who have been sleeping in the parks exist and they will continue to exist. Implementing this ordinance change is essentially making it illegal to be poor.

Camp clearances don't work for their intended purpose and only make survival, much less escape from homelessness, less likely for individuals experiencing homelessness. I encourage you to read stories and data from the Los Angeles Echo Park Lake clearance in 2021 https://escholarship.org/uc/item/70r0p7q4 . Even when promised housing by the city, fewer than 10% had housing a year later and fewer than one in three were even in shelters. There was apparently almost no outreach to Cameron and Burns residents, according to the several people there I spoke with on Tuesday, May 30th and the morning of the 31st. There were rumors of some barebones outreach on the previous Saturday and one organization, WINN, distributed emergency supplies on Tuesday and Wednesday. That's it. I find it hard to believe that the outcomes for Cameron Park campers were better than those of Echo Park Lake.

When camps are cleared, the residents scatter. They may lose personal documentation, identification, records, and medications. They will be more difficult for social workers to stay in touch with. They will be more vulnerable to theft, malicious destruction of their belongings, and assault. They don't stop having addictions, or mental health issues, or disabilities, or suddenly get jobs. If they are disruptive individuals, they will be disruptive in a different neighborhood. If they have addictions, they'll still have the addiction, but now they'll be far away from anyone who might be able to help them if they overdose. If the goal is murder, I can think of few more effective ways to get away with it than to clear a homeless camp.

I have asked many people who would likely support this ordinance where exactly unhoused people are supposed to go. The only consistent response is "your house" which is a good illustration of the childish unseriousness of supporters of camping bans.

Although I haven't gotten many serious answers to that question, I have seen some other choice comments in the replies to the posts about the park closures on the City, Parks, and various local news Facebook pages. A sample:

> "they got water, power and a [explicative]HOUSE to shoot up in."
> "The mess made by irresponsible pigs."
> "they are the ones making an unsafe situation with drugs and assaults."
> "They are going to be doing drugs and committing crimes no matter where they get put."
> "drugs are always a choice... They've made their choice. They choose drugs over housing."
> "yep, trust the drunks and druggies, let me know how that works out."
> "the homeless who are trashing the city parks disgust me. They are not decent humans. If they were decent homeless or not they WOULD NOT DESTORY [sic] PROPERTY."
> "All night parties, bonfires in the street with booze and drugs along with thefts and vandalism."
> "Just keep kicking them out. Eventually they will get the point"
> "Kick them out, kick them out at night from all parks. Put BRIGHT night lights in all parks and they will finally get that it's time to clean themselves up and off drugs get a job or move along."

This is the hateful, irresponsible, dehumanizing attitude that motivates this ordinance change. Vote it down accordingly.

This proposal is especially insulting coming during the same week as the highly promising start of creating a long-term housing plan. There is only one effective way to solve homelessness: provide actual housing. Milwaukee achieved the *lowest per capita unsheltered population in the entire country* because of their Housing First program started in 2015 https://county.milwaukee.gov/EN/County-Executive/News/Press-Releases/Milwaukee-Recognized-with-Nations-Lowest-Unsheltered-Homeless-Population

It was very encouraging to see Housing First being put on the table for La Crosse as part of a serious long-term plan to address homelessness, although it's not an immediate solution as it will likely take months or even years to get started. Furthermore, any implementation that depends on private landlords is going to be sabotaged from the start- landlords are overwhelmingly hostile to renting to people with histories with evictions, homelessness, or felonies; landlords will be loath to rent to people whose ability to pay is dependent on a government program; landlords could choose to end participation at the end of any lease period; landlords are routinely neglectful or abusive to tenants, particularly ones who are in a highly vulnerable housing situation or are less able to stand up for themselves, etc. Instead, the City (and County and other government entities, if they like) should consider direct construction, ownership, and operation of housing as part of a larger Social Housing and densification plan. Building new housing is especially critical because of our rising housing prices and housing shortage; the housing that's currently getting built seems to be insufficient in quantity and mostly at the higher end of price, not targeted at people who are housing insecure.

The other half of Housing First, social workers, is something that La Crosse can implement much more quickly. If we have nearly 300 people experiencing homelessness in some form or another, and if each one needs an average of one hour per week of outreach and other assistance (a number which I invented out of

whole cloth solely for this explanation), then we should hire ten full-time social workers. That's something that can be done immediately. If the goal of this ordinance change is to merely manage the encampment locations of homeless people, where's the proposal for more social workers, who would be able to build trust with individuals and encourage them to camp in more manageable locations?

The fact that this proposal to ban necessary life-saving activities is on the table before sufficient outreach worker staffing and emergency shelter acquisition, much less real housing or any actual plan, says a lot about what its supporters think about homeless people- that they're not people, but debris.

## Craig, Sondra

**From:** Siena Muehlfeld <siena.muehlfeld@gmail.com>
**Sent:** Wednesday, June 7, 2023 10:57 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** 6/8/23 mtg item 23-0673

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Hello,

I am writing to oppose the item 23-0673 making it more difficult for homeless people to sleep and survive on La Crosse public property. Without alternative housing options and support resources for these people, this type of rule change is not only cruel but also has no net benefit. Where are these people supposed to go? They'll suffer more under enforcement of these rules, but will still need to go somewhere else nearby because they need to go somewhere! In the new place there will be the same problems. The proposed item is no solution and will only make life worse for already suffering people.

I am a privileged middle class white woman and have had only bad experiences renting in La Crosse. While renting, I had a full-time job that required a college degree and I could not comfortably afford my rent. I love this area, but debated leaving because finding good housing here as a young professional was so stressful and harmful. I only stayed after I bought a house, which was somehow cheaper than renting here, God knows why.

People here need compassion and help, not to be shooed from unsafe place to unsafe place like they aren't even human. It is so unacceptable for La Crosse to have a homeless problem this severe, especially at its population size and tax rate. I'm embarrassed for our city on this matter. Vote no on this and find a real solution that actually helps people, doesn't cause undue suffering, and doesn't just push the problem onto some other people/place. Human life is more important on the triage than property.

Thank you for reading my thoughts.

Sincerely,

Siena Muehlfeld
La Crosse Resident

## Craig, Sondra

**From:** Lillian Jacqueline Herling <lherling@wisc.edu>
**Sent:** Wednesday, June 7, 2023 10:31 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** 6/8/23 Council meeting written comment



Dear La Crosse City Council,

I am writing to express my opposition to Ordinance 23-0673. Criminalizing the survival strategies of struggling community members is inhumane and fails to address the long-term, root issues. At the least, the city must first address the housing affordability and low wages that can force some into the situation of being unhoused.

Thank you for listening,

Lily Herling
1516 Ferry St
La Crosse, WI 54601

## Craig, Sondra

**From:** margy <margyfrazier1991@gmail.com>
**Sent:** Wednesday, June 7, 2023 4:59 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Ordinance 23-0673



City Council Members,

My name is Margy Krogman. I have lived in the City of La Crosse since 2015 - I currently live less than one block from Cameron Park. I am writing today in stark opposition to Ordinance 23-0673, which will effectively criminalize the act of being homeless in the City of La Crosse. To reduce the survival tactic of sleeping in a public space to "camping" is laughable at best, deeply, cruelly problematic at worst.

I would be interested in hearing from those council members in support of the Ordinance how they believe that adding a criminal charge to those struggling is meant to move these individuals towards success (and, of course, where exactly these individuals are allowed to exist). I ask you to imagine the barriers of not having a warm place to sleep, not having access to a shower (crucial for preparing for a job interview or a day at work) or a permanent address (vital for holding a bank account and getting a paycheck), and then - instead of being offered opportunities for success - to be cited for trespassing while trying to catch a few hours of rest.

Instead of attempting to sweep human beings under the proverbial rug, we must focus on providing spaces for these individuals to call home. I hear complaints that those who are unhoused are addicts, mentally ill or uninterested in help, thus being less worthy of our attention and care. I would remind the Council Members that addiction and mental illness are not issues that can be solved overnight. Additionally, requiring individuals to reach sobriety or balance their mental health before offering them services such as a safe place to live (thus increasing their chances of success in all areas of life) is ableist - and sets all parties up for failure.

This ordinance proposes (magically?) spiriting away some of our most vulnerable neighbors instead of doing the hard work of providing resources. Those who struggle with addiction, mental illness, and a lack of resources deserve love and care. To vilify individuals who have no safe space to call home (which the city has been gleefully doing lately, fencing off parks and hiring security detail for the Farmer's Market, reminding those who are unhoused that they are not welcome in our community) is inhumane. I am disappointed in this proposition, and hope that you will recognize how harmful it is to propose a half-baked solution to the problem of comfort for those more privileged individuals (who have not historically had any realistic threats posed by our unhoused communities) instead of addressing the root cause and ongoing ways to care for all of those who make up the City of La Crosse.

Above all else, our unhoused neighbors are human beings who have a right to exist peacefully. Please, do the right thing and honor the humanity of every person in the community - not just those who are fortunate enough to have a place to live.

mk
--
Margy Krogman (she/her)
815-214-4782

## Craig, Sondra

**From:** Anna Sprague <sprague.anna@gmail.com>
**Sent:** Wednesday, June 7, 2023 8:48 PM
**To:** ZZ City Clerk External; ZZ Council Members
**Subject:** Objection to item 23-0673



Dear city council members,

My name is Anna Sprague and I live at 130 19th St S, La Crosse, WI 54601. I'm emailing to share my disgust and opposition to Item 23-0673 which you will be voting on tomorrow, June 8th. Criminalizing poverty is not a helpful or sustainable solution. Please direct these efforts into better housing solutions and fewer restrictions to social services.

I hope you will stand with your constituents and oppose this course of action.

Thank you,
Anna

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 8:40 AM
**To:** Craig, Sondra
**Subject:** FW: Homeless situation.

**From:** Robert Weeth <bobaloodj@hotmail.com>
**Sent:** Wednesday, June 7, 2023 7:44 PM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Homeless situation.



To the La Crosse Common Council,

I am out of town and can't make the meeting. My family & I live at 812 Caledonia St. The 4 of us are united in the opinion that being homeless should NEVER be a crime. It is OUR job to take care of each other. We need affordable housing in La Crosse. Ways for younger and single people to be able to buy a house. Too many people tell me they are paying $1200 a month rent and can't get a loan for a house with a mortgage payment of $900.

Too many homeless have behavioral health issues. The waiting period for getting seen is over 6 months. Few can afford to pay the Doctor or the meds. We need more behavioral health professionals!!! I hear this at 12 step meetings everytime.

Filing the county jail with homeless in NOT a solution. How can we help be a part of the solution?

Robert Weeth
Sandra Weeth
Ian & Gage Weeth

## Craig, Sondra

**From:** Amber West <amberwest312@gmail.com>
**Sent:** Thursday, June 8, 2023 9:12 AM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** oppose item 23-0673

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Hello, my name is Amber West and i'm a citizen or the city of La Crosse. This is a public comment. I'm writing to the city council demanding you to oppose item 23-0673 which criminalizes poverty, vilifies our unhoused neighbors, and fails to provide substantive support for the systemic issues of housing unaffordability. The city of La Crosse should be ashamed and embarrassed for how we treat houseless people in this city. Our houseless community members deserve support and respect, regardless of their living situation. Any member of this council could face homelessness due to an emergency like a house fire or flooding. Please oppose this item and instead, invest time and dollars into actually helping our house less community members.

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 8:55 AM
**To:** Craig, Sondra
**Subject:** FW: Thoughts on 23-0673

**From:** Jess Thill <thill.jess@gmail.com>
**Sent:** Thursday, June 8, 2023 8:24 AM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Thoughts on 23-0673



Members of the Common Council,

I watched the Council Planning meeting on 6/6 virtually – I'll take a moment here to say that the new A/V equipment is pretty great for those of us who cannot easily attend in person – as our community's response to homelessness is an issue of deep personal interest to me. I was relieved that the focus of the session was on helping members of the public and our elected bodies learn more about the effectiveness of humane, successful Housing First policies. Rather than providing another open mic for people without lived experience of homelessness to share their unfiltered views about the moral failings of our city's poorest and most vulnerable residents, the session's focus was on helping people overcome their objections to the Housing First approach. This was encouraging.

I was also encouraged to hear that representatives of the city and county intend to work more closely together to solve the complex and pervasive problems of poverty and homelessness in La Crosse. On the other hand, this kind of long term solution does nothing to assist people without homes now. Regardless of where they were born, when they moved to La Crosse, or what circumstances led to their homelessness, they're here *now*. They need a safe place to exist *now*.

That's why I am so dismayed to see item 23-0673 slated for review by the Judiciary and Administration committee at the 6/8 special meeting. Less than 48 hours after our city's Homelessness Coordinator made a compelling case for the necessity of compassionate, data-driven decision making, our Council president has introduced an agenda item outlawing sleeping in parks. Even worse, there has been very little time for the public to learn about this item in order to register public opinion on it before its consideration, due to it being short-circuited. Although the intention behind this may come from a place of wanting to help, the effect of this legislation is criminalizing homelessness in a community that has failed to provide an adequate number of reasonable alternatives.

I recognize the precarious position that city staff and council members are in, balancing the often loud objections of city residents and business owners, as well as people from outside the city, whose usual use of the parks has been disrupted against the needs of people who aren't able to advocate strongly for themselves and who often aren't behaving in ways that make sense to those of us without their struggles. However, I think that most of you would agree that the people with the most to lose in this situation are our city's homeless, who risk their lives and the loss of their only possessions daily… and those are the people I hope you will keep in mind as you consider your vote on this proposed ordinance. Our public spaces can and should be places of rest and refuge.

Prohibiting anyone from camping in a public park is an inadequate response to this public health and housing crisis, and it seems especially short-sighted and cruel when we cannot point people to other options. The enforcement mechanism of this ordinance is also unclear to me as it seems to be written in an overly broad way that would make bringing a blanket, setting up a hammock, or taking a snooze an offense. It is also unclear what happens if people do not (or cannot) vacate the park within an hour of being asked to leave. Will they be issued citations and fines? Arrested and jailed? At the very least, a decision with such an outsized impact on residents deserves to go through the usual council cycle to allow time for adequate discussion and research about the effects of ordinances like these on other communities and their members, as well as any procedural questions staff may raise with more time.

Thank you for your service and for the seriousness with which you all deliberate and make decisions. I look forward to seeing how you proceed.

Jessica Thill
1417 Mississippi Street
608-792-5920

## Craig, Sondra

**From:** Laura Abellera <laura.abellera@gmail.com>
**Sent:** Thursday, June 8, 2023 11:46 AM
**To:** ZZ City Clerk External; ZZ Council Members
**Subject:** Opposition Letter - Item 23-0673



Hello,

My name is Laura Abellera and I live in the city of La Crosse. I'm writing in vehement opposition to the inhumane, unsustainable, and reactive "solutions" proposed in Item 23-0673. Aside from the horrific disregard for human life that this legislation embodies, it also lacks any meaningful substance for addressing the systemic issue of homelessness and the lack of affordable housing in this city. This legislation does not address homelessness and only serves to further criminalize poverty, shame our neighbors, and completely ignores the root causes of homelessness. The rhetoric I continue to hear about our homeless neighbors is absurd, insulting, and based on utter ignorance and hate. I am hoping, especially given the recent pledge to collaborate and end homelessness locally, that this legislation is swiftly dismissed as the harmful distraction that it is.

Please redirect effort, energy, and resources toward preventative and direct solutions like quality, (actually) affordable housing, and removing barriers to accessing social services locally.

I hope the committee and council will focus on and center the needs of those most impacted and harmed by homelessness and oppose this legislation.

--
***with love & rage,***

**laura abellera** *(she/her)*

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 11:54 AM
**To:** Craig, Sondra
**Subject:** FW: New proposed statute regarding making camping illegal in parks

-----Original Message-----
From: Dorothy Corrigan <dmcorrigan@juno.com>
Sent: Thursday, June 8, 2023 11:45 AM
To: ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
Subject: New proposed statute regarding making camping illegal in parks

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Dear LaCrosse Council:

I SUPPORT the new proposed statute. This does not criminalize homelessness but it does tell the percentage of socio/psychopaths who terrorize other homeless and sell drugs, as well as demanding camp "protection fees" to move along.

Illegal campers can be given a choice to move along, get ticketed/arrested, or give their name and needs for services. This would also assist in identifying pedophiles/criminal sexual offenders from other states who do not report. There is a reason people resist services aside from mental health and addiction issues.

It is illegal to park in certain areas of LaCrosse but we don't criminalize the car owners- we ticket or tow them. Same principal with homeless. You don't have a right to park your car anywhere you want in LaCrosse, same should hold for tents and camping equipment.

We should also pass and *enforce* pan-handling statutes.
See the evidence-based research on this.

By the way, I have *years* of providing health services to the unhoused and slogans like "criminalizing the homeless" do NOTHING to provide them with the services they need.

We shouldn't be distracted by do-gooders who immediately play the shame card. They are usually clueless about the operational culture of homelessness and the subdynamics of this population.

Evidenced-based practice is always the bottom line in providing care to this difficult population. I support the new efforts between county and city, although I think that the homeless coordinator should be responsible for convening the various agencies each week to do case review and evaluate efforts.

Dorothy M. Corrigan, D.Min., APRN, CNP

## Craig, Sondra

**From:** Mark Schimpf <mschimpf01@gmail.com>
**Sent:** Thursday, June 8, 2023 10:48 AM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Opposition to Item 23-0673



Hello,

My name is Mark Schimpf and I live at 1223 Adams Street.

I spent the better part of 7 years working with our homeless neighbors in various roles, and I have the privilege of knowing many of them on a personal level.

I would like to state my opposition to the proposed amendments to Ordinance 32-5 regarding camping on City property. Camping in parks by our unhoused neighbors is already an act for which they can receive a ticket, effectively criminalizing basic acts of survival. That alone should be a mark of shame for our City.

I'm not here to marginalize or minimize the disruption and costs related to having so many people sleeping in parks and other public areas. However, what are the proposed alternatives? There are no shelter beds available in La Crosse. Sleeping outside is the only option for them. Increased enforcement of camping bans will drive people to more desperate situations and locations. Camping is already illegal, yet people have kept camping despite the tickets, so I would propose this ordinance is already an ineffective mechanism to begin with. Sharpening the language of it doesn't change that.

What are the actual alternatives that the Council has in mind here? Where should people go?

This is a challenging situation for our entire community, but let's not mince words. The real victims in this situation are our neighbors who are living and dying while sleeping outside in parks, parking ramps, and sidewalks in unsanitary conditions with poor access to the most basic services like clean water, clean and dry clothing, bathrooms, showers, and food. They're not debris to be rounded up and thrown away, they're people. We need to center our discourse, public and otherwise, around the inherent worth and personhood of our homeless neighbors.

Thank you for your time and consideration.

--
Mark Schimpf

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 12:13 PM
**To:** Craig, Sondra
**Subject:** FW: Camping Ordinance

**From:** Kahya Fox <kahya@habitatlacrosse.org>
**Sent:** Thursday, June 8, 2023 12:04 PM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Camping Ordinance



Habitat for Humanity La Crosse Area asks the council to consider allocating resources to caring for our community members experiencing homelessness, rather than additional monitoring and policing. The lack of ample shelter space and the persistence of the affordable housing crisis in our community mean that people removed from public parks have nowhere else to go. The public health problems, safety concerns, and need for emergency services will persist, regardless of where people experiencing homelessness sleep.

**Kahya Fox**
Executive Director
3181 Berlin Drive
La Crosse, WI 54601
Phone: 608-785-2373, ext. 105
Cell: 608-797-8086
www.habitatlacrosse.org

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 12:28 PM
**To:** Craig, Sondra
**Subject:** FW: Opposition to Ordinance 23-0673

**From:** Natalie Heneghan <natalie.heneghan@gmail.com>
**Sent:** Thursday, June 8, 2023 12:20 PM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Opposition to Ordinance 23-0673



La Crosse City Council,

My name is Natalie Heneghan. I am a La Crosse resident writing to oppose ordinance 23-0673.

If boosting safety in downtown La Crosse is one of the goals of this ordinance, I propose that council members focus their energies elsewhere.

In my time living in La Crosse, I have felt more fearful for my life while biking through downtown than while walking through Burns or Cameron Park. I have been harassed by intoxicated college-aged boys, but never by those seeking shelter in our parks with nowhere else to go.

I ask the committee to consider if support of this ordinance is driven by a desire to quell discomfort and outrage over the existence of homelessness or by actual, tangible needs our community members face.

When they are pushed out of our public parks, there is nowhere else to go. Veterans, children, and people suffering from mental health issues they did not choose to suffer from, are further removed from services they need, people they know, and social workers who know where to find them.

I encourage you to think about the long-term and unintended consequences. If unhoused people are cited, fined, and jailed as a result of this decision, they are far less likely to pass their future landlord's background check and secure affordable housing. We are creating more barriers, making it more difficult for the unhoused to find long-term shelter and ultimately create a full, healthy, thriving life.

Please oppose this ordinance. Put the energy and resources that would go into enforcing it into services that our neighbors really need.

Thank you for your consideration.

Natalie Heneghan

## Craig, Sondra

**From:** Joella Striebel <joellastriebel@gmail.com>
**Sent:** Thursday, June 8, 2023 12:56 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** 23-0673 Opposition



Members of J&A & City Council,

After watching Tuesday evening's meeting to update the community on the City and County governments' plans to work together to provide true Housing First solutions to our homelessness crisis, I felt hopeful about this issue for the first time in a long time. It was refreshing to finally hear someone (my thanks to Mr. Sampson) effectively speak about Housing First solutions in clear, firm, evidence-based ways. The failures on this issue under Mayor Reynolds have been incredible and unacceptable, and while meaningful solutions are still a few years off, it felt as though there was finally a path forward that cares for our most vulnerable neighbors.

Unfortunately, this feeling of hope was short-lived when just a few hours later, I noticed the short-circuited legislation, agenda item 23-0763, rushing to criminalize homelessness (and…napping in a hammock in a park, as many of our neighbors with homes regularly do) in our community. This ordinance is cruel and inhumane.

Our neighbors residing in parks are living through one of the most profound traumas humans can experience. Lacking safe housing leads to hunger, sleep deprivation, poor access to hygiene. These folks aren't "camping." They are surviving, and many of them, just barely. We learned in Tuesday night's meeting that there is literally nowhere for them to go. The shelter is full. Those of all economic circumstances who experience long bouts of hunger and sleep deprivation behave in ways that are considered impolite by many of us. They are rightfully angry, their nervous systems are constantly activated in Fight or Flight mode, and they may experience symptoms of psychosis, not necessarily related to a mental health condition, but due to hunger and sleep deprivation. They live their lives in danger while being cruelly mocked and harassed by community members, business owners, and police.

The refrain from many who have not themselves experienced homelessness, and have not taken the time to truly get to know and listen to people who have, is a chorus of "they don't want help" and "they like being homeless." While this may be true for a tiny minority of folks living in parks, the vast majority do not want to live out their lives in unsafe, dirty conditions constantly subjected to violence and danger. "They choose homelessness" is a story we tell ourselves to protect us from the reality that like 1 in 25 of our fellow Americans, we, too, could one day be in their shoes. If we make homelessness an individual moral failing, rather than a failing of our society as a whole and our community specifically, we can believe it could never happen to us.

Forcing people trying to survive in public spaces to be constantly on the move doesn't make the problem better, it makes it worse. Historically, those residing in parks have been violently awakened in the middle of the night and made to move along, only adding to their sleep deprivation and exacerbating their trauma. Further, if there is to be effective enforcement of this ordinance, which I can hardly fathom, it will serve only to erect additional barriers to future efforts to secure housing and employment, leaving people with criminal records and fines they have no means to pay.

Without first implementing the Housing First solutions referenced on Tuesday evening, this ordinance is simply cruel and inhumane. There is a popular saying along the lines of "those who need the most love ask for it in the most unloving ways." Those of us with safe roofs over our heads and food in our bellies have an opportunity here to love our neighbors who need it the most, despite the apparently unloving ways they are asking for it. I ask you to vote on this as though you or someone you love may one day be forced to survive in public without a safe place to call home.

Thank you for your service to our city and for your careful deliberation on this complex topic.

Sincerely,

Joella Striebel
District 2 Resident
District 9 Business Owner

## Craig, Sondra

**From:** JGLA Rice <ricegirliesj@gmail.com>
**Sent:** Thursday, June 8, 2023 1:14 PM
**To:** ZZ City Clerk External
**Subject:** Support 32-5 (6/8/23)

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Dear City Council members,

I am writing to express my support of ordinance 32–5 regarding camping on city owned property. I am a renter in downtown city of La Crosse, fairly new to the area, having lived here for about two years. I have experienced situation's here in the city of La Crosse, that I never experienced in the city of Madison, from where I moved and lived for 27 years. I often walk the beautiful Marsh trail system, in particular the Jim Asfoor trail near the Friendship garden. Over the two years, sadly, I've come across homeless men, living in tents in the woods and often times in the area, seeing many drug needles surrounding the tents. On numerous occasions I've had to turn around and go the opposite direction due to men, either mentally ill or on drugs, or both, acting erratically, screaming and swearing angrily on the path, making me feel very unsafe. Just this week, on June 7, as I walked on the path under the bridge near the Oktoberfest grounds, there was a person openly doing drugs as I walked by. The city parks and beautiful nature trails are for citizens to enjoy the outdoors and to get exercise and should not be used as a campground or even worse, a place to do drugs.
There's no doubt there's a serious drug addicted homeless problem in the city of La Crosse that needs attention, but I hope La Crosse will not make a bad situation even worse. Please consider this as a voice in support of this ordinance.

Thank you for your service to the City of La Crosse.

Sincerely,
Jenny Rice

Couleecap
your local community action program

June 8, 2023

Re: Opposition to Agenda Item 23-0673 regarding camping

To the La Crosse City Council:

I am writing to state Couleecap's opposition to proposed changes to the ordinance concerning camping on public property. The proposed changes will not only be ineffective at addressing homelessness but will be counterproductive to our efforts to house people who are currently without.

Couleecap shares many of the community's concerns about people sleeping outdoors and in city parks. The lack of affordable housing, healthcare, and other resources has left many of our neighbors with no other option. Living outdoors can be dangerous and unhealthy for those forced to do so and places strain on our emergency response and other community resources.

As a supportive housing provider for more than 35 years, Couleecap works to provide housing and supportive case management to people currently living outdoors. In fact, Couleecap operated the first "Housing First" program in the state. This model works by relying on the private rental market. So, we speak from experience when we say that ordinances like the one being considered only exacerbate the issue and make it more difficult to move people into housing.

A 'nuisance housing' citation can quickly escalate to an arrest warrant, criminal history, and increasing fees and penalties if left unpaid. This produces insurmountable barriers to housing, jobs, and other opportunities for people to become financially and housing stable, leading to continued homelessness. These tactics also push people to seek spaces that may conflict with local business owners and property owners, or may require people to seek housing with others, risking that host's housing due to lease violations.

Mayor Reynolds and his administration recently joined forces with La Crosse County to develop a comprehensive strategic plan to address homelessness. In a presentation to the City Council earlier this week, city and county officials outlined a pathway to 'functional homeless zero'. Increased enforcement and the criminalization of homelessness was not presented as part of their plan. The proposed ordinance changes contradict that plan, undermining the city-county initiative and the efforts by nonprofit organizations working to move people to housing.

Please vote 'no' on proposed changes to nuisance camping ordinances and, instead, work on building solutions that enable people to enter and be successful in their housing. Thank you for your consideration,

Sincerely,

Hetti Brown

Hetti Brown
Executive Director

700 N. 3rd Street, Suite 202B., La Crosse, WI 54601 • Phone 608.782.4877 • Fax 608.782.4822 • www.couleecap.org

## Craig, Sondra

**From:** William Ives <anderson.will26@gmail.com>
**Sent:** Thursday, June 8, 2023 1:33 PM
**To:** Schwarz, Rebecca; ZZ Council Members; ZZ City Clerk External
**Subject:** Opposition to Item 23-0673



To the La Crosse City Council,

I am writing to express my strong opposition to Item No. 23-0673, which seeks to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property. As a member of the community and an individual who has closely worked with the unhoused population, I believe this ordinance fails to address the pressing needs of the unhoused community members.

Before I begin, I want to emphasize that the opinions expressed in this letter are solely my own and do not represent the views of the organization I work for.

Over the past year, I have witnessed firsthand the struggles and hardships faced by the unhoused members of our community. My experiences and interactions with the unhoused population in my role on the Patron Relations team at the La Crosse Public Library have given me an understanding of their challenges. It has become evident that the City of La Crosse and our broader community have not done enough to support and assist them. We must acknowledge that the existing resources and infrastructure are insufficient to meet their needs, resulting in a lack of support and services.

As a library team member, I work diligently to help all library users connect with the resources they require. Unfortunately, there are limitations to the assistance we can provide. Too often, I inform unhoused community members that the help they desperately need does not exist within the City of La Crosse. The local shelters, although vital, cannot accommodate every unhoused person due to limited space, resources, and funding. Witnessing some individuals being turned away based on factors such as addiction, mental health struggles, or a prior criminal record is disheartening. Consequently, our shelters are not operating at total capacity and leave many individuals with no alternative but to camp in public parks. This ordinance fails to address the underlying issues of homelessness and exacerbates the problem by further limiting their options.

Moreover, the mental health resources provided by the City and County are strained and unable to assist everyone in need adequately. This situation leaves us with no choice but to involve the police, which often escalates the situation further. Our unhoused community members have shared their negative experiences with law enforcement, highlighting the lack of proper training and

empathy. The City must allocate more funding and resources to enhance mental health services and ensure timely and compassionate responses.

In light of these concerns, I urge you to reconsider the proposed amendment to Subsection 32-5 of the Code of Ordinances. We must approach the issue of homelessness with compassion, understanding, and a commitment to addressing the root causes. I encourage the City to engage in meaningful dialogue with advocacy groups, homeless shelters, mental health organizations, and other stakeholders to develop comprehensive solutions that prioritize the well-being and dignity of all residents of La Crosse.

Thank you for your attention to this matter. I implore you to carefully consider the opposition and alternative perspectives concerned citizens present and take the necessary steps to create a more compassionate and inclusive approach to addressing the concerns surrounding camping on City-owned property.

Yours in Community,

**William Ives**
[He/Him/His]
(847) 354-1158
anderson.will26@gmail.com
*"Just because someone stumbles and loses their way, doesn't mean they're lost forever." - Prof. Charles Xavier*

## Craig, Sondra

**From:** Lily Wagner <catsareawesome010@gmail.com>
**Sent:** Wednesday, June 7, 2023 4:02 PM
**To:** ZZ City Clerk External; ZZ Council Members
**Subject:** In regards to ordinance 23-0673

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I am Lily Wagner, I am a La Crosse resident and attend Logan High School. Today I am urging you to protect our un housed citizens and vote against this violently classist and anti-houseless ordinance. Please expand on programs that seek to help un housed people find shelter and support instead of using bandaid solutions to problems that run much deeper. Instead of criminalizing the use of spaces by the unhoused, let us reflect as a community on why these people can't find housing. A deteriorating economy, rising costs of living and loss of personal documents can be attributed as some of myriad problems our unhoused citizens face. Let us not kick these people while they're down, but lend a helping hand to give them access to stability and community. There is no one solution to fixing homelessness in our county, however this is just rubbing salt in the wound of systemic classism. I am urging you to expand on programs that would increase substance abuse support, access to affordable food, affordable housing as well as adequate shelters. Please do not let this be yet another punch in the face to La Crosse citizens, please vote against this ordinance.

## Craig, Sondra

**From:** matthew Stevenson <matthewsteve000@gmail.com>
**Sent:** Thursday, June 8, 2023 1:38 PM
**To:** ZZ City Clerk External; ZZ Council Members
**Subject:** oppose item 23-0673



Hello, my name is Matthew Stevenson and i'm a citizen or the city of La Crosse. This is a public comment. I'm writing to the city council demanding you to oppose item 23-0673. Homeless individuals often have nowhere else to go, and banning them from parks denies them access to public spaces that can provide basic necessities like shelter, water, and bathroom facilities. It perpetuates the cycle of homelessness: Banning people from parks does not address the root causes of homelessness, such as lack of affordable housing, job opportunities, and mental health services. Instead, it can push vulnerable individuals further into poverty and isolation. It violates human rights: According to the United Nations, access to public spaces is a basic human right. Banning homeless people from parks can be seen as a violation of this right. It is not a solution: Banning homeless people from parks does not solve the problem of homelessness. Instead, it simply displaces individuals and can exacerbate the issue by making it more difficult for them to access resources and services.
Banning homeless people from parks can result in criminalization of poverty, where individuals are punished for being poor and homeless. This can lead to arrests, fines, and imprisonment, further entrenching individuals in poverty.

## Craig, Sondra

**From:** Forrest Humphrey <forrestahumphrey@gmail.com>
**Sent:** Thursday, June 8, 2023 1:27 PM
**To:** ZZ City Clerk External; ZZ Council Members
**Subject:** Opposition to Item 23 - 0673

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Hello,

My name is Forrest Humphrey, I live in downtown La Crosse and I am writing to express my opposition to item 23-0673 This proposed item will be costly, difficult to enforce, and profoundly inhumane.

I am deeply concerned that this will mean greater police presence in our downtown and increased negative interactions between our community members and the police. This proposal will create an atmosphere of surveillance and intimidation in our parks. It may sweep the problem under the rug for now, but it will not make any of us safer in the long run.

Our community members need housing and they need healthcare, not unnecessary fines and harassment.

I urge the council to vote against this short-sighted and cruel proposal.

Sincerely,

--

Forrest Humphrey
He/Him/His

## Craig, Sondra

**From:** Garrett Denning <denninggarrett@gmail.com>
**Sent:** Thursday, June 8, 2023 2:24 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** La Crosse Camping Ban (Ordinance 23-0673)



To whom it may concern,

My name is Garrett Denning and as a citizen of La Crosse, I write to you today to vehemently oppose this measure. This ordinance does nothing but criminalize unhoused humans who are doing nothing but trying to survive. Further, this provides no measure of actually addressing the issues that unhoused people face nor does it do anything to prevent the systemic issues that lead to homelessness to exist.

These individuals do not simply disappear when you criminalize camping as Ordinance 23-0673 tries to do. Instead it takes up critical public resources in asking police to interact with people who are doing nothing wrong but trying to survive. This proposal condemns these humans to criminalization and likely even death.

We could be putting this energy into providing real potential solutions to the ongoing issue of homelessness should the concern about camping be so great. Instead, La Crosse proposes to further harm and criminalize an already vulnerable population. I am ashamed of my city and ask that you provide me and so many others some hope back in voting to oppose this measure.

Thank you,
Garrett Denning

## Craig, Sondra

**From:** Laurie Logan <laurie.logan64@gmail.com>
**Sent:** Thursday, June 8, 2023 2:26 PM
**To:** ZZ Council Members; ZZ City Clerk External



Dear City Council Members,

I am writing to express my opposition to the proposed ordinance making it illegal to set up a campsite on city property.

I am a resident of the city of La Crosse, medical director of the St. Clare Health Mission, former Director of Addiction Medicine for Mayo Clinic Health System-La Crosse, and current physician member of the La Crosse County Health and Human Services Committee. I have a broad perspective of this issue, and a deep understanding of the root causes, and possible solutions.

I understand why both the citizens of La Crosse and the city council members would like to have our parks no longer be places where people must live. A promising plan to help people move from parks to homes was presented to the council on Tuesday, June 6th.

Increasing attempts to penalize people for camping in the parks just amounts to chasing them from one place to another when they really have no good place to go. And while being chased around the city, their health worsens. Many of the people living in parks are ill, elderly and disabled. Can you imagine having to move from place to place keeping track of your medications, your wound care supplies, your insulin? And to what end? So that others do not have to see them?

St. Clare Health Mission provides healthcare weekly in a mobile unit, which many in the community were compassionate enough to help provide funding for. We have patients we follow regularly. Forcing the homeless to scatter defeats the purpose of providing healthcare. When we can't find our patients, they are more likely to end up in the emergency room, hospitalized, or dead.

I know the city council members are pressured by community members to "fix this", but your job is to look at the situation clearly and think about all the outcomes of what you do. Please have the courage, wisdom and patience to do the right thing, not just take fast action that causes great harm, without fixing anything.

Sincerely,

Laurie Logan,M.D.
147 13th St. S
La Crosse, WI

## Craig, Sondra

**From:** cvm <cvanmaren@protonmail.com>
**Sent:** Thursday, June 8, 2023 2:33 PM
**To:** ZZ City Clerk External
**Cc:** ZZ Council Members
**Subject:** Oppose 23-0673



Dear Council members,

I am emailing to urge you to oppose item 23-0673. I personally would have been in violation of such an ordinance at many times during my life of being in public parks with my family, children, and friends and in various times of employment and unemployment.

This ordinance is probably not meant to apply to those of us who are currently fortunate enough to have a bed in a room somewhere, and maybe a "car-suit," too, so that "camping" in a park is just an optional leisure activity. But, unfortunately, for those with no room or car, there is only "out there," including parks to live in, and that includes sleeping. If not there, where?

I am not happy, either, that the inequality and cruelty of our current systems and priorities have pushed people out of living spaces and into the only space left, parks, libraries, and other public space. It's easy to ignore reality and hold onto the thought that everything's going fine until we are forced to see that it isn't. In some ways this ordinance proposal is similar to the bans some states are enacting against history books and medical facts. The truth is, our system does not work for many people and it needs to change.

Possibly an ordinance requiring that any time our city subsidizes (through TIF districts, tax breaks, and other benefits programs) the building of high-end housing to help developers and landlords make money, we also require a certain "housing equity fee" be paid by them to help build or buy space to provide services and places for people with no housing and no money for housing. The fee could increase the greater the difference between developments' rental rates and 30% of the annual income of someone working a full time minimum wage job (that would be a monthly rent of about $377).

After all, we spend millions every year ensuring people's cars have nice places to sleep.

I have not had a chance to read through the Capital Improvements budget, but I wonder if there are any improvements for helping those without homes find a place to sleep in there. Could there be?

I know it's a hard issue and I appreciate the effort, but I think it is misdirected. Definitely, something has to change, but I don't think it's the definition of camping in city parks.

Please oppose this bandaid and support a treatment that will work to cure the chronic condition.

Thank you.

Cathy Van Maren
2815 Highland St.
La Crosse

## Craig, Sondra

**From:** Peter Gorski <peter.k.gorski@gmail.com>
**Sent:** Thursday, June 8, 2023 2:35 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Public comment on item 23-0673



I am writing to voice my strong opposition to the proposed changes about camping on public property. As a member of our community and frequent user of our public parks, I understand and share the concerns of keeping them safe, clean, open, and inviting to everyone. However, the solution to this problem is not to criminalize homelessness, but to solve the underlying issues. This ordinance will lead to greater tension between the unhoused population and police and city officials. That tension and animosity can easily spill over and cause people to lose trust in the non-profit employees and volunteers who are doing the difficult work of trying to alleviate the plight of homelessness.

I applaud the city and county's recent joint efforts to provide housing to those in need. Given time, this new initiative can end homelessness in our community. However, implementation will take time, and our community does not currently have the shelter available to take in everyone currently in need. Further marginalizing this population is a mistake and a step in the wrong direction.

I strongly urge you all to vote no on this ordinance.

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 2:30 PM
**To:** Craig, Sondra
**Subject:** FW: Camping restrictions in city parks

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**From:** Thomas Link <dakota.link3@gmail.com>
**Sent:** Thursday, June 8, 2023 2:29 PM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Camping restrictions in city parks

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City council members,

I'm writing to encourage you to vote for more restrictions on camping in city parks.

Thank you,
Thomas Link

## Craig, Sondra

**From:** Zachary DeGroot <degroot8105@uwlax.edu>
**Sent:** Thursday, June 8, 2023 2:50 PM
**To:** ZZ City Clerk External
**Subject:** Agenda item 23-0673



Good afternoon,

I am writing in opposition of agenda item 23-0673 as a concerned citizen. I am currently attending the University of La Crosse-Wisconsin, and I have lived in this area my entire life. I think that we have some tremendous parks that are unable to be used by children or families because there are homeless individuals there. However, they have no other place to go. If there were adequate measures in place to house or place these individuals, this would be a different story, but there are none. I think that expanding the definition of "camping" to more easily displace individuals, fine them, and dispose of their belongings is unbelievably absurd. The beds at the local shelter are always full, and there is no other place for them to go beyond parks, parking garages, and sidewalls. On top of that, fining them will only make their position more precarious. I find it hard to believe that this is even in the question of a decision that is being made in our city.

Respectfully,

Zach DeGroot

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 2:46 PM
**To:** Craig, Sondra
**Subject:** FW: Ordinance 23-0673 Homeless ban

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**From:** Norah Fimple <fimplenorah@gmail.com>
**Sent:** Thursday, June 8, 2023 2:44 PM
**To:** ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
**Subject:** Ordinance 23-0673 Homeless ban

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Members of City Council,

My name is Norah Fimple. I am writing to you to oppose ordinance 23-0673 that criminalizes homelessness in public spaces. Being houseless does not make a person evil or a threat. What makes a person evil is criminalizing an issue without addressing the root of the problem. The homeless crisis in La Crosse should *not* be an issue swept under the rug. This ordinance fixes literally nothing. If you take the time to listen, there are great ideas to solve this issue. There are revenue-generating events like the WIAA track, Riverfest, Oktoberfest, etc. That money can and *should* be invested into the community.

The fact is that no one wants to be homeless. It should not be criminal for a person to be in a situation that they cannot help.

Thank you for taking the time to read this.
Norah Fimple

## Craig, Sondra

**From:** James Szymalak <jszymalak@uwlax.edu>
**Sent:** Thursday, June 8, 2023 2:56 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Legal opposition to J&A Agenda Item 23-0673



Dear Council Members:

As a city resident, I share the same opposition as others to the proposal to amend Subsection 32-5 of the Code of Ordinances of the City of La Crosse regarding camping on City-owned property. I write separately to question the prudence and legality of proceeding with such measure.

The Ninth Circuit in *Martin v. City of Boise*, 920 F.3d 584 (2019) concluded that the Eighth Amendment prohibited the imposition of criminal penalties for sitting, sleeping, or lying outside on public property on homeless individuals who could not obtain shelter. Though not requiring cities to provide sufficient shelter for the homeless, as long as there were a greater number of homeless individuals in city than the number of available beds in shelters, the city could not prosecute homeless individuals for involuntarily sitting, lying, and sleeping in public on the false premise they had some choice in the matter. The Supreme Court was given the opportunity to review, but declined (140 S.Ct. 674 (2019)).

In exceptionally compelling language, the *Martin* court stated:

> As Jones reasoned, "[w]hether sitting, lying, and sleeping are defined as acts or conditions, they are universal and unavoidable consequences of being human." Moreover, any "conduct at issue here is involuntary and inseparable from status — they are one and the same, given that human beings are biologically compelled to rest, whether by sitting, lying, or sleeping." As a result, just as the state may not criminalize the state of being "homeless in public places," the state may not "criminalize conduct that is an unavoidable consequence of being homeless — namely sitting, lying, or sleeping on the streets."

If this were to pass as written, the City of La Crosse would be exposed to potentially costly and protracted litigation to determine the state of the law here in the Seventh Circuit. If not abandoned on humanitarian grounds, I strongly recommend redrafting to exclude from coverage those with no alternative shelter. If the proposal proceeds as written, I would expect the Council to waive any privilege to allow the City Attorney to share their analysis of the proposal's legality under the Eighth Amendment.

Thank you for your thoughtful consideration of this matter.

Respectfully,

Jim Szymalak

James N. Szymalak, JD, PhD
Director, Legal Studies
Dep't of Political Sci. & Public Administration
University of Wisconsin-La Crosse
https://www.uwlax.edu/profile/jszymalak/

Independent Living Resources
4439 Mormon Coulee Road
La Crosse, WI 54601
(608) 787-1111

To whom it may concern:

The intent of this letter is to provide opposition to the proposed amendment of Subsection 22-5. I have worked as a Homeless Outreach Specialist with Independent Living Resources for just over two and a half years, and through this work, I have developed many relationships with unsheltered citizens in the La Crosse community. My work as an outreach worker can include, but is not limited to, assisting with helping individuals access the Coordinated Entry System, helping individuals access medical care, assisting individuals with locating and maintaining stability in permanent, sustainable and affordable housing, providing resources in the realm of harm reduction, and working in depth in a one on one setting with unsheltered citizens to assist them in achieving any goals they establish for themselves. I feel as though the proposed ordinance, as it stands currently and if passed, would directly criminalize homelessness, and discriminate against individuals living with disabilities who are unable to access shelter due to their disabilities.

Similar laws have been challenged nationally as unfairly punishing individuals who have no options for shelter. For example, in the 2019 Martin v. Boise case which was regarding camping in public spaces, it was ruled by the 9th District Court that cities cannot enforce anti-camping ordinances if the community does not have enough shelter beds available to meet needs. This holds true for La Crosse – our numbers of unsheltered individuals are substantially higher than what shelter beds we do have.

When we talk about homelessness in our area, we often discuss barriers. Barriers can be things like a lack of income, an eviction, or things on a person's criminal record. Being outside without a stable place to stay is also a significant barrier. When we look towards finding solutions that work to assist with ending homelessness, the elimination of barriers that prevent individuals from accessing housing is always on the table of topics to discuss doing better about. If the Council does move forward with passing this amendment, this means that people will be ticketed simply for trying to find a place to sleep when there is nowhere else to go. As most unsheltered people have extremely limited or no income, tickets would remain unpaid and this would ultimately lead to items on people's records that could then be used to deny them for housing opportunities by landlords and rental companies. The proposed amendment does not address the core causes of homelessness and it would only create more barriers, worsening the challenges that individuals face in looking for sustainable housing and potentially creating additional trauma on some of the most vulnerable members of our community.

In addition, it is no secret that individuals living with a disability have a higher likelihood of experiencing homelessness, and it is also no secret that an extremely high percentage of our current unsheltered population are living with disabilities. Nationally, it is estimated that at least 40% of individuals experiencing chronic or extended homelessness are living with a disability. In La Crosse, we are extremely limited in shelter space. Our area's current shelter system has multiple barriers for people living with disabilities, and many individuals have shared stories with the Outreach team of being denied entry into a shelter due to having a disability and the perception that the shelter would not be able to accommodate their needs. People within this

**Website:** www.ilresources.org • **E-Mail:** advocacy@ilresources.org • **FAX:** (608) 787-1114
**TDD/TTY:** (608) 787-1148 • **Toll Free Voice:** (888) 474-5745 • **Toll Free TTY:** (888) 378-2198

Independent Living Resources
4439 Mormon Coulee Road
La Crosse, WI 54601
(608) 787-1111

population would be directly and disproportionately affected by this amendment if it passes. As the amendment stands right now, a situation where someone cannot access shelter based upon their disability would then be ticketed and criminalized for being in a public space. It is my belief that this amendment, if passed, could create a substantial disproportionality of individuals with disabilities being fined and ticketed for sleeping outdoors. This could be perceived as being discriminatory against individuals with disabilities, as they would be at higher risk of receiving a citation because they could not access the same resources that someone without a disability was able to access.

In addition, there are many concerning factors about this amendment and how it would be equally enforced to all populations and the message that it sends regarding providing support to our unsheltered community members. Many communities who begin enacting legislation that targets unsheltered individuals enact further legislation limiting the rights of those who are unsheltered in order to discourage them from congregating in parks or shared public spaces. For instance, many communities have begun making it illegal to provide food and supplies to unsheltered individuals in a city park or anywhere except a designated shelter. It is also unclear how the amendment would be equally enforced across our community- could someone napping on the beach or a family lingering after a picnic too long in a park be found in violation? If not, why not? Expanding the definition of what constitutes camping in our parks must be applied unilaterally to all community members in order to be fair and equitable.

I ask all members of City Council to look towards the negative impacts this would have on our community and vote no against this amendment. There are much better ways to assist this population, and that begins with building knowledge, being open minded to learn about struggles you may not have any personal connection to, and treating all citizens, regardless of their housing status, with not only dignity and respect, but by resisting legislation that unfairly penalizes the most vulnerable members of our community. I implore all of you to vote no on this legislation.

Sincerely,

Michael Fitzpatrick

Michael Fitzpatrick
Homeless Outreach Specialist
Independent Living Resources

**Website:** www.ilresources.org • **E-Mail:** advocacy@ilresources.org • **FAX:** (608) 787-1114
**TDD/TTY:** (608) 787-1148 • **Toll Free Voice:** (888) 474-5745 • **Toll Free TTY:** (888) 378-2198

## Craig, Sondra

**From:** Ben Iuro <europa.iuro@gmail.com>
**Sent:** Thursday, June 8, 2023 3:19 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Ordinance 23-0673



Good afternoon,

My name is Ben Mitchell and I live and work in La Crosse. I'm strongly opposed to City Ordinance 23-0673, which would criminalize homelessness in this city. I believe that this is an irresponsible misallocation of resources that could be used to alleviate the causes of homelessness, rather than punishing the symptoms of it. It is a quick band-aid on a deeper structural problem, one that the Mayor and the City Council have the power to address properly. La Crosse needs more affordable housing, social workers, and safe injection sites, not punitive measures for our unhoused neighbors who have already suffered enough. I plan to be in attendance tonight for the Council meeting discussing this ordinance and voicing my opposition vocally.

Thank you,
Benjamin Mitchell

## Craig, Sondra

**From:** Kevin Hundt <kevinhundt0@gmail.com>
**Sent:** Thursday, June 8, 2023 3:21 PM
**To:** ZZ Council Members; ZZ City Clerk External
**Subject:** Testimony in opposition to 23-0673



Notes dictated by Kevin Hundt from testimony by a gentleman going by the name of Bozz, 6/8/2023

I had housing but had it taken away because of "too many visitors" which is bogus because some of them were homeless and hadn't taken a shower or eaten in a couple days.

This ordinance is bogus because where are you going to put everybody? They write people a ticket for $124 or whatever it is and then the tickets keep piling up and then they're going to jail because they can't pay their tickets. Homeless people have no place to go and if you get caught sleeping somewhere you're not supposed to you're gonna get ticket after ticket and there's no way to survive.

The city is screwed up because they're not doing nothing, they say they are, they have meetings with Julie [McDermid] and they say they're going to do something but they never do. Then they turn around and write ordinances like this to keep people out of parks. I understand about Cameron because there are families there but Houska was good because hardly anyone went there except for the dog parks. Of course there are going to be problems when you have 90 or so people there but there were fewer violent calls there than in the rest of the city but they want to shut it down. Only two incidents where the police were involved and had to use force, some guy fighting with the cops but you can't judge the whole group by the individual.

I don't believe the city is being fair because they have no place to put the homeless people and it's just getting worse. People are getting worse, two people had a fight today and cops got called because they were fighting over a razor. When people get stressed out they get like that.

Every place I've been you see cops kicking people out of that area, where are we supposed to go?

You've got some people helping, Couleecap has helped me, but they can only do so much. Answer I've got for you, buy the Kmart, it's been vacant for years, nobody's done shit with it. I know for a fact that WERA and Couleecap have offered to buy Kmart and another building on the south side but have been denied both times, they had the money. Even a hospital, Gundersen was willing to put in over $2 million, $4.2 million with WERA and the city turned them down, voted against it. Kmart's been vacant and now all of a sudden they want to put houses there, a lot of what it is is that residential people don't want homeless in their area because they're afraid crime's going to go up in their area, in some cases they're right, some are dumpster divers or whatever, but only one in 20 or 30.

In this country people get homeless and they just don't want to work with them.

I became homeless in 2018, got kicked out because too many people were coming over who just needed to relax or take a shower, get something to eat. That's why I'm homeless because of that, they said well there's a law that you can only have two people over at a time, well maybe it's a law since 1800s, they don't enforce it I guarantee there are other people but they enforced it against me, just because I had people over to eat chill take a shower, some of them hadn't

taken a shower in days.

They don't understand because they've never been homeless. So it seems like the community doesn't care about us, they keep putting up roadblocks.

Now they're trying to pass this ordinance banning homeless in parks, that's just going to create more problems. We ask for help, we get it to a certain extent but the thing is you gotta understand we're not just all homeless, a lot of us have had jobs, military service, we come from all walks of life, it's sad, nobody wants to listen to anybody else talk about, him [gesturing to another unhoused person] he's been trying to get a caseworker for a minute, when you can't get a caseworker you can't get nothing, a lot of people getting stressed out there.

I believe the city does not give a shit, if they did they would have gone out for a couple offers, $4.2 million is nothing to sneeze at.

It's a vicious cycle for last two three years been going to council meetings, every time something comes up there's opposition to it, I'm 60 years old, I've got cancer, I'm dying, I can't work, I've only got one lung. Some people don't want to work, maybe they're lazy, but again you're using that against everyone else.

What it's gonna turn out to be is they're going to come up with a new ordinance, we're already fighting with the police, that's why when they come they come three four deep, it's going to hurt a lot of people, not just mentally but physically too, you can only push people so far, some people are going to be fighting with the cops because at least they'll go to jail, you know, three hot and a cot,

They're talking about writing tickets to homeless people just for sitting in a park, if they know who I am they're gonna write me a ticket, even if I'm just in a park for being homeless, that's discrimination. It's not fair at all. What they don't understand is there are some people among us talking about taking it to another step, and if that happens it's just going to get nuts, and then what's the mayor going to do?

But to pass an ordinance that we can't even be in a park, just to visit, what's that tell you?

I ran into a cop the other night, he woke me up and talked to me normal, didn't write me a ticket just told me where I could go so I wouldn't get in any trouble, because there was someone else who was playing music loud and the neighbors complained, so I got kicked out because of what he was doing.

For homeless people it's a no-win situation. What are we supposed to do?

Houska worked out because even if someone wasn't there then someone else could tell them someone came looking for them so they could at least pass the word along.

People are already upset, there's no reason to close Houska part down, it was away from the public really except for the people who drove through the park.

# YWCA IS ON A MISSION

June 8, 2023

Re: Opposition to Agenda Item 23-0673

To the La Crosse City Council:

I am writing to express YWCA's opposition to the proposed changes to the ordinance regarding camping on public property. While we share a number of the City's concerns, we believe the proposed changes will be both ineffective and counterproductive. Attempts to criminalize homelessness through 'nuisance housing' citations often produce outcomes that perpetuate housing insecurity, and what's more, they cost taxpayer dollars to enforce. We believe the City's resources would be best spent investing in housing and shelter options.

The lack of adequate resources, shelter space, and affordable and safe housing in our community ensures that the proposed changes to this ordinance will increase barriers for our unhoused neighbors. We encourage the City to reach out to organizations providing direct services to our unsheltered population so we may find solutions that ensure the safety and wellbeing of all. **We can and must do better.**

Best,

Laurie Cooper Stoll, Ph.D.
Executive Director
YWCA La Crosse

eliminating racism
empowering women
ywca

**YWCA of La Crosse**
212 11th St S La Crosse, WI 54603
**P** (608) 781-2783 **F** (608) 781-2906
**ywcalax.org**

## Craig, Sondra

**From:** Daniella Nelles <daniellanelles@gmail.com>
**Sent:** Thursday, June 8, 2023 3:27 PM
**To:** ZZ City Clerk External
**Cc:** Dickinson, Tamra; Goggin, Erin; Janssen, Barb; Sleznikow, Larry; Hameister, Jenasea; Kahlow, Chris; Kiel, Mac; Mindel, Mackenzie; Woodard, Chris; Schwarz, Rebecca; Trost, Jennifer; Happel, Douglas; Neumann, Mark
**Subject:** Item 23 - 0673



Dear City Council Members,

I am writing to you in opposition of item 23-0673.

I have worked with our unhoused community members for the past 5 years as a social worker. In that time I have got to know some of the most amazing people, and their stories of struggle, survival, and triumph. I have also watched resources dwindle for these folx. They no longer have a place to go during the day to shower, do their laundry, eat, rest, and recuperate. Our local shelter is working hard and at capacity, therefore there is no where for them to lay their head at night.

My friends, there is no where for our unhoused neighbors to go.

I make contacts weekly with property owners hoping to find units for my clients. Most of the time the housing is unaffordable and/or the property owners are unwilling to rent to those who once were or who are currently unhoused. Passing this ordinance would further solidify the stigma attached to being unhoused. The folx I serve face discrimination due to their class status on a daily basis. Until we have fair, affordable, equitable housing people are going to need the parks.

Forcing people out of the parks without a solution or place to go, is not the answer. Giving citations to folx for surviving, is awful and I know we can do better as a community. I can work hard and advocate until my face turns blue, but it does not make a difference if our community members, county, and city officials do not see the value in all human lives.

I ask that you vote no to this ordinance, and move forward working on policy that pushes for affordable housing options for all.

Thank you for taking the time to read my thoughts,

--
**Daniella Nelles, BSW**
**She/Her/Hers**

608-386-7895
"Give, even if you only have a little." - Buddha

## Craig, Sondra

**From:** Elsen, Nikki
**Sent:** Thursday, June 8, 2023 3:43 PM
**To:** Craig, Sondra
**Subject:** FW: Parks

-----Original Message-----
From: Jan Kroll <jan.kroll35@icloud.com>
Sent: Thursday, June 8, 2023 3:41 PM
To: ZZ Council Members <zzcouncilmembers@cityoflacrosse.org>
Subject: Parks

Vote yes to strengthen regulations of city parks.

Sent from my iPhone

## Craig, Sondra

**From:** Allie Rice <rice2288@uwlax.edu>
**Sent:** Thursday, June 8, 2023 3:59 PM
**To:** ZZ City Clerk External
**Subject:** Support 6/8/23



Hello city council members,

My name is Allison Rice and I am a student at UW La Crosse. I am in support of ordinance 32-5 because of the ongoing event that I have faced due to the homeless specifically drug addicted epidemic in La Crosse. One event that took place was when I worked at the Courtyard Marriott. There was a homeless man in Riverside Park that chased me back into the Courtyard Marriott building when I was taking the trash out. It was around 11 PM, and because I do not have a car, I had to walk back to my apartment in fear that I may stumble across him again. Another occurrence was recently in my old apartment, the Hive on state. It was late on a Thursday night, and I was in my apartment alone as all of my roommates went out. I heard a noise coming from the staircase and looked to see what it was. A homeless man was camping out in the staircase of my apartment that needs a fab for access. He chased me down the hall back into my apartment, where I panicked to call the police. He waited outside my door for a few minutes then left. He received no punishment. As a 20-year-old woman I do not feel safe anymore walking downtown or in the parks, at work, and now it has gotten to be where I don't feel safe in my apartment. Thank you for your time and for your service to the city of La Crosse. I love this city so much; I do not want to see it decay.
Thank you,
Allison R

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