



Meeting Minutes  
Committee of the Whole

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Tuesday, November 12, 2013

7:30 PM

Council Chambers

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**Call to Order, Pledge of Allegiance, Roll Call**

*The meeting was called to order by Council President Richard Swantz at 7:30 p.m.*

- Present** 15 - Andrea Richmond, Ryan Cornett, Jai Johnson, Katherine Svitavsky, David J. Krump, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Francis J. Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl, and Richard Swantz
- Excused** 2 - Dempsey Miller, and Sara Sullivan

**Judiciary and Administration Committee**

*Robert Seaquist, Chair, presiding.*

[13-0703](#)

Resolution authorizing the waiver of a Restrictive Covenant regarding the property located at 2010 State Road in regard to the remodeling of interior walls.

**A motion was made by Becker, seconded by Medinger, that the Resolution be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 11/14/2013. The motion carried by the following vote:**

**Aye:** 15 - Richmond, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Formanek, Medinger, Happel, Wigdahl and Swantz

**Excused:** 2 - Miller and Sullivan

[13-0446](#)

Preliminary Plat of The Harbor Subdivision to the City of La Crosse, Wisconsin.

**A motion was made by Audrey Kader, seconded by Richard Becker, that this Application be RECOMMENDED TO BE TABLED to the Common Council, due back by 11/14/2013. The motion carried unanimously by voice vote.**

**Aye:** 15 - Richmond, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Formanek, Medinger, Happel, Wigdahl and Swantz

**Excused:** 2 - Miller and Sullivan

[13-0645](#)

AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Multiple Dwelling District to the Special Multiple District allowing for an 18-unit apartment building on the properties located at 1216, 1228, 1230 Pine St. and 319 13th St. N.

*A motion by Kader, seconded by Krump, to open public hearing; carried unanimously on voice vote. The following persons spoke in FAVOR: Brian Benson. A motion by Krump, seconded by Richmond, to close public hearing; carried unanimously on voice vote.*

**A motion was made by Richmond, seconded by Cornett, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Common Council, due back on 11/14/2013. The motion carried by the following vote:**

**Aye:** 15 - Richmond, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Formanek, Medinger, Happel, Wigdahl and Swantz

**Excused:** 2 - Miller and Sullivan

[13-0649](#)

Application of Tolzmann Investments LLC for a Conditional Use Permit allowing for a Combination "Class B" Beer and Liquor License at 326 Pearl Street.

*A motion by Richmond, seconded by Becker, to open public hearing; carried unanimously on voice vote. The following person spoke in FAVOR: Alan Tolzmann. A motion by Cherf, seconded by Becker, to close public hearing; carried unanimously on voice vote.*

**A motion was made by Krump, seconded by Becker, that the Application be RECOMMENDED TO BE RE-REFERRED FOR 30 DAYS to the Common Council, due back on 11/14/2013. The motion carried by the following vote:**

**Aye:** 14 - Richmond, Cornett, Johnson, Svitavsky, Krump, Seaquist, Becker, Jerome, Kader, Formanek, Medinger, Happel, Wigdahl and Swantz

**Excused:** 2 - Miller and Sullivan

**Abstain:** 1 - Cherf

[13-0643](#)

Application of Free Beer Tomorrow LLC for a Conditional Use Permit allowing for a Combination "Class B" Beer and Liquor License at 214-218 Main Street.

*A motion by Cherf, seconded by Krump, to open public hearing; carried unanimously on voice vote. The following persons spoke in FAVOR: Phil Addis, Rebecca Wise. A motion by Krump, seconded by Cherf, to close public hearing; carried unanimously on voice vote.*

**A motion by Krump to refer for 30 days. The motion failed due to lack of second. A motion was made by Cherf, seconded by Becker, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Common Council, due back on 11/14/2013. The motion carried by the following vote:**

**Aye:** 11 - Richmond, Cornett, Johnson, Svitavsky, Krump, Cherf, Becker, Jerome, Medinger, Happel and Wigdahl

**No:** 2 - Seaquist and Formanek

**Excused:** 2 - Miller and Sullivan

**Abstain:** 1 - Kader

**Non-Voting:** 1 - Swantz

[13-0585](#)

AN ORDINANCE to create Subsection 2.05(C) and Section 2.51 and to amend Section 2.47 and Subsection 2.04(C) of the Municipal Code of the City of La Crosse regarding the salary and fringe benefits of the elected offices of Mayor, Council Member, City Clerk and Municipal Judge.

*A motion by Kader, seconded by Cherf, to open public hearing; carried unanimously on voice vote. There was no one present to speak. A motion by Krump, seconded by Svitavsky, to close public hearing; carried unanimously on voice vote.*

*A motion by Richmond, seconded by Becker, to amend to go back to current salary of \$37,264.50. The motion carried 12-3 (Jerome, Formanek and Swantz voting No).*

**A motion was made by Richmond, seconded by Becker, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council, due back on 11/14/2013. The motion carried by the following vote:**

**Aye:** 13 - Richmond, Cornett, Johnson, Svitavsky, Krump, Cherf, Seaquist, Becker, Jerome, Kader, Medinger, Happel and Wigdahl

**No:** 2 - Formanek and Swantz

**Excused:** 2 - Miller and Sullivan

### **Actions by Single Vote**

**Unanimous consent to refer 13-0368 and 13-0479 to the end of the meeting, to correct 13-0660 to reflect J&A action to refer 60 days and to approve the balance of J&A items as follows:**

[13-0581](#)

AN ORDINANCE to amend Section 15.04(G)(5) of the Code of Ordinances of the City of La Crosse to reduce the required minimum size of parking spaces.

**RECOMMENDED TO BE ADOPTED to the Common Council**

[13-0624](#)

Resolution approving the abolishment of the City of La Crosse Ad hoc Copeland Park Lease Negotiating Committee.

**RECOMMENDED TO BE ADOPTED to the Common Council**

[13-0625](#)

Resolution approving the abolishment of the City of La Crosse Ad hoc Alcohol Oversight Committee.

**RECOMMENDED TO BE ADOPTED to the Common Council**

[13-0626](#)

An Ordinance to rescind the Sign Ordinance Review Committee established by Council Ordinance in June 2011.

**RECOMMENDED TO BE ADOPTED to the Common Council**

- [13-0627](#) Resolution approving the abolishment of the City of La Crosse Ad hoc Economic Development Strategic Plan Blue Ribbon Committee.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0628](#) Resolution approving the abolishment of the City of La Crosse Ad hoc Intergovernmental Committee Solid Waste and Recycling Evaluation.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0644](#) Application of Gregory Starch for a Conditional Use Permit allowing for demolition of single family home to green space for future commercial development at 3511 Mormon Coulee Road.  
**RECOMMENDED RESOLUTION APPROVING THE SAME to the Common Council**
- [13-0650](#) AN ORDINANCE to amend Subsection 9.06(D) of the Code of Ordinances of the City of La Crosse regarding the parking of vehicles over 12,000 pounds or eighteen (18) feet restricted.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0660](#) AN ORDINANCE to create a portion of Section 25.01 of the Code of Ordinances of the City of La Crosse relating to Single Family Rental Registration under Section 8.07 (C).  
**RECOMMENDED TO BE RE-REFERRED 60 DAYS to the Common Council**
- [13-0661](#) AN ORDINANCE to amend Section 8.07 (C) of the Code of Ordinances of the City of La Crosse to improve the single family rental registration process and establishing an escalating renewal fees.  
**RECOMMENDED TO BE RE-REFERRED 60 DAYS to the Common Council**
- [13-0666](#) Various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2013-14 (November).  
**RECOMMENDED TO BE DIVIDED to the Common Council as follows:**  
**Kessler dba La Crosse Goods & More - Recommended to be Denied.**  
**Balance of Various Licenses - Recommended to be Approved subject to compliance.**

## Finance and Personnel Committee

*Audrey Kader, Chair, presiding.*

## Actions by Single Vote

**Unanimous consent refer 13-0502 and 13-0632 to the end of the meeting and to approve the balance of the F&P items as follows:**

- [13-0601](#) Resolution authorizing the filing of an application for 2014 transit operating and capital assistance with the Federal Transit Administration.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0602](#) Resolution authorizing Mayor to file application for transit operating and capital assistance for 2014 with the Wisconsin Department of Transportation.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0614](#) Resolution authorizing Mayor & City Clerk to sign Revision #1 State/Municipal Agreement for the reconstruction of 33rd Street from Bentwood Place to Solaris Lane (Project I.D. #5991-05-07, 77).  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0615](#) Resolution authorizing Mayor and City Clerk to sign Revision #2 State/Municipal Agreement for the reconstruction of Oak Street from Palace Street to Enterprise Avenue (Project I.D. #5991-05-03, 78).  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0616](#) Resolution authorizing release of funds for Radio System Phase III.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0620](#) Resolution approving service agreement with Standard Parking Corporation.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0621](#) Resolution authorizing purchase of hardware and software for Airport systems.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0622](#) Resolution approving contract with Westbrook Associated Engineers, Inc. to inspect old railroad bridge over La Crosse River from Riverside Park to Mobil Oil Site.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0630](#) Resolution authorizing the Human Resources Department to seek proposals from qualified vendors for the purchase of Stop Loss Insurance and attain a binding agreement for the term January 1, 2014 through December 31, 2014.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0631](#) Resolution approving pay adjustment for Fire management.  
(2/3 vote of Council required for Reserve Funds)  
**RECOMMENDED TO BE ADOPTED to the Common Council**

- [13-0633](#) Resolution approving the 2014-2018 Capital Improvement Budget.  
**RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council**
- [13-0635](#) Resolution authorizing release of funds for La Crosse Fire Department Video Conferencing Project.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0637](#) Resolution providing for the reimbursement of expenditures for certain capital improvement projects from the proceeds of expected bond obligations.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0638](#) Resolution approving an Agreement for Organizational Assessment Services with Reinvention, LLC.  
(2/3 vote of Council required for Reserve Funds)  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0639](#) Resolution approving First Amendment to the Building and Land Lease Agreement with Flight Service GSE, LLC.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0641](#) Resolution approving finance audit services agreement.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0648](#) Resolution levying Special Charges for Services performed in 2013.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0657](#) Resolution approving a change to Article 18 - Clothing Allowance within the Fire collective bargaining agreement.  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0669](#) Resolution authorizing early procurement of vehicle for Engineering Department.  
(2/3 vote of Council required for Reserve Funds)  
**RECOMMENDED TO BE ADOPTED to the Common Council**
- [13-0680](#) Resolution to release 2013 CIP funds associated with La Crosse Fire department burn room refurbishment.  
**RECOMMENDED TO BE ADOPTED AS AMENDED to the Common Council**

## Actions by Single Vote

*A motion by Becker, seconded by Formanek, to convene in closed session; carried unanimously on voice vote. A motion by Becker, seconded by Richmond to reconvene in open session; carried unanimously on voice vote.*

**Motion by Swantz, seconded by Richmond, to refer the following items 13-0368, 13-0479, 13-0522 and 13-0632 to Thursday night with direction that agreements represent concerns made by Council this evening. The motion carried 13-0 (Miller, Johnson, Cherf and Sullivan were Excused).**

### [13-0368](#)

AN ORDINANCE to amend Section 15.02(B) of the Code of Ordinance of the City of La Crosse by transferring certain property from the Planned Development District - General to the Planned Development District - Specific to allow for a senior housing residential, rehabilitation, therapy, transitional care and recreational facility at 622 Bennora Lee Ct (Eagle Crest South).

*(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)*

**RECOMMENDED TO BE RE-REFERRED WITH NO RECOMMENDATION to the Common Council**

### [13-0479](#)

Request of Bethany Lutheran Homes for waiver of the 2500 foot rule for a Community Based Residential Facility and 1% of population capacity limit in an aldermanic district for facility proposed at 622 Bennora Lee Ct.

*(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)*

**RECOMMENDED TO BE RE-REFERRED WITH NO RECOMMENDATION to the Common Council**

### [13-0502](#)

Resolution approving partial release of covenants and restrictions included within Gundersen Lutheran Development Agreement.

*(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)*

**RECOMMENDED TO BE RE-REFERRED WITH NO RECOMMENDATION to the Common Council**

[13-0632](#)

Resolution approving Agreement Concerning Payment for Municipal Services with Bethany Lutheran Homes, Inc.

*(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Committees and/or Council may reconvene in open session.)*

**RECOMMENDED TO BE RE-REFERRED WITH NO RECOMMENDATION to the Common Council**

## Adjournment

*Motion by Becker, seconded by Jerome, to adjourn at approximately 8:59 p.m. The motion carried unanimously on voice vote.*