



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes Judiciary & Administration Committee

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Tuesday, September 3, 2013

7:30 PM

Council Chambers

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### Call To Order, Roll Call

**Present:** 8 - Robert Seaquist, Andrea Richmond, James Cherf, Richard Becker, Francis Formanek, Jai Johnson, David Krump and Sara Sullivan

**Excused:** 1 - Dempsey Miller

### Committee

**13-0537** Application of Audrey K. Schmitt for a Beverage Operator's License and appeal of denial by the Police Department and resolution denying same.

(Note: The Committee, Committee of the Whole and/or Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee, Committee of the Whole and/or Council may reconvene in open session.)

**A motion was made by Richard Becker, seconded by Francis Formanek, that the Claim/Appeal be RECOMMENDED RESOLUTION DENYING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 7 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson and Krump

**Absent:** 2 - Miller and Sullivan

**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(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)

*Refer to Common Council Meeting with direction to appropriate City staff for clarification of tax exempt status and, among other things, payment of municipal services.*

**A motion was made that the Application be RECOMMENDED TO BE RE-REFERRED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 6 - Seaquist, Richmond, Becker, Formanek, Krump and Sullivan

**Absent:** 1 - Miller

**Recused:** 2 - Cherf and Johnson

**13-0446** Preliminary Plat of The Harbor Subdivision to the City of La Crosse, Wisconsin.

*Refer for 60 days*

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Application be RECOMMENDED TO BE RE-REFERRED 60 DAYS to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

**13-0447** AN ORDINANCE to amend Section 4.19 of the Code of Ordinances of the City of La Crosse relating to Cross Connection Control.

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

**13-0448** AN ORDINANCE to amend Section 4.20 of the Code of Ordinances of the City of La Crosse relating to Private Well Abandonment.

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

**13-0452** Resolution relocating polling place for Aldermanic District 1.

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Resolution be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

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

**A motion was made by Andrea Richmond, seconded by Richard Becker, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

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

*Conditionally rezoned - must be in compliance with City's Sign Code. Direction to Planning Department to complete comprehensive rezoning at City's expense.*

**A motion was made by Andrea Richmond, seconded by Richard Becker, that the Ordinance be RECOMMENDED TO BE ADOPTED AS AMENDED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

**13-0461** Application of Christopher Edward Olson dba The Sports Nut for Expansion of Alcohol Beverage License at 801 Rose Street for Special Event on September 14, 2013 and resolution approving same.

**A motion was made by Francis Formanek, seconded by Andrea Richmond, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Absent:** 1 - Miller

**13-0462** Application of Christopher Edward Olson dba The Sports Nut for Expansion of Alcohol Beverage License at 801 Rose Street for Special Event on September 28, 2013 and resolution approving same.

**A motion was made by Andrea Richmond, seconded by Sara Sullivan, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

**13-0473** Resolution approving the abolishment of the Joint Housing Task Force between the City of La Crosse and La Crosse County.

**A motion was made by Andrea Richmond, seconded by Richard Becker, that the Resolution be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

**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(s) and/or Common Council may convene in closed session pursuant to sec. 19.85(1)(g) to confer with legal counsel. Following any closed session, the committee(s) and/or Council may reconvene in open session.)

*Refer to Common Council Meeting with direction to appropriate City staff for clarification of tax exempt status and, among other things, payment of municipal services.*

**A motion was made that the Application be RECOMMENDED TO BE RE-REFERRED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 6 - Seaquist, Richmond, Becker, Formanek, Krump and Sullivan

**Excused:** 1 - Miller

**Recused:** 2 - Cherf and Johnson

**13-0492** Application of Town & Country Cab for a 2013 Public Vehicle for Hire License and resolution approving same.

*Approve subject to compliance*

**A motion was made by Andrea Richmond, seconded by Richard Becker, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

**A motion was made by Richard Becker, seconded by Sara Sullivan, that the Communication be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

**A motion was made by Richard Becker, seconded by James Cherf, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

**A motion was made by Richard Becker, seconded by Andrea Richmond, that the Ordinance be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

*Approved with the following conditions: Center must provide proof of Wisconsin Family Child Care License; structure and facility shall not be detrimental to surrounding properties and additional screening from adjacent properties may be required; applicant must provide two off-street parking spaces; no signage permitted; Conditional Use Permit shall be reviewed within first 6 months and bi-annually thereafter to make sure all conditions are met and maintained.*

**A motion was made by Andrea Richmond, seconded by Richard Becker, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

**13-0519** Resolution granting various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2013-14.

*Subject to compliance*

**A motion was made by Richard Becker, seconded by David Krump, that the Application be RECOMMENDED RESOLUTION APPROVING THE SAME to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

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

**A motion was made by Richard Becker, seconded by David Krump, that the Resolution be RECOMMENDED TO BE ADOPTED to the Committee of the Whole, due back on 9/10/2013. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0513](#)

Request of Michael Tooley for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 1721 Johnson St. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to providing evidence of a land contract and verification that any fees or taxes due are paid by October 1, 2013.*

2013-09-001

**This Communication was APPROVED**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0512](#)

Request of Karolanne Hoffman Foley and Andy Foley for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 135 20th St. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes and fees due to the City.*

2013-09-002

**A motion was made by Jai Johnson, seconded by Sara Sullivan, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0515](#)

Request of Rosanne A. Anderson for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 511 Jackson St. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-003

**This Communication was APPROVED**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0520](#)

Request of Kevin Mack and Curtis Story for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 1415 30th St. S. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-004

**A motion was made by Andrea Richmond, seconded by James Cherf, that the Communication be APPROVED. The motion carried by the following vote:**



**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0522](#)

Request of Ezra and Jennifer Musselman for a waiver of restrictions provided in 8.07(I) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 2543 14th St. S. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-005

**A motion was made by Jai Johnson, seconded by Richard Becker, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0523](#)

Request of Richard and Susan Lunenschloss for a waiver of restrictions provided in 8.07(I) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 620 9th St. S. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-006

**This Communication was APPROVED**

[13-0524](#)

Request of Mark & Amanda Christianson for a waiver of restrictions provided in 8.07(I) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 917 Division St. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-007

**A motion was made by Jai Johnson, seconded by Andrea Richmond, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0535](#)

Request of Mark & Amanda Christianson for a waiver of restrictions provided in 8.07(I) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 403 9th St. S. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-008

**A motion was made by Jai Johnson, seconded by Richard Becker, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0536](#)

Request of Thong Lee for a waiver of restrictions provided in 8.07(I) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 922 6th St. S. J&A Only

(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)

*Subject to being current with any taxes or fees due to the City.*

2013-09-009

**A motion was made by Jai Johnson, seconded by Richard Becker, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0539](#)

Request of Stephen and Bonnie Murray for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 218 20th St. N. J&A Only  
(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)  
*Subject to being current with any taxes or fees due to the City.*

2013-09-010

**A motion was made by Francis Formanek, seconded by Sara Sullivan, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0542](#)

Request of John and Judy Graf for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 2837 Harvey St. J&A Only  
(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)  
*Subject to being current with any taxes or fees due to the City.*

2013-09-011

**A motion was made by Francis Formanek, seconded by Andrea Richmond, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

[13-0548](#)

Request of Daniel and Shirley Abts for a waiver of restrictions provided in 8.07(l) of the Municipal Code establishing a moratorium regarding the conversion of single-family home into a rental for property at 514 Mississippi St. J&A Only  
(Note: The Committee may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(a) to deliberate its decision. Following any closed session, the Committee may reconvene in open session.)  
*Subject to being current with any taxes or fees due to the City.*

2013-09-012

**A motion was made by Francis Formanek, seconded by Andrea Richmond, that the Communication be APPROVED. The motion carried by the following vote:**

**Aye:** 8 - Seaquist, Richmond, Cherf, Becker, Formanek, Johnson, Krump and Sullivan

**Excused:** 1 - Miller

### **Rental Inspections Report and Discussions**

### **Future J&A agenda items without written legislation**

### **Adjournment**