



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Agenda - Final

### Common Council

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Thursday, March 9, 2017

7:30 PM

Council Chambers

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**Mayor Tim Kabat, Presiding**

**Roll Call**

**Pledge of Allegiance**

**Invocation**

*Pastor Rufus Parker, Calvary Apostolic Church*

**Approval of Minutes**

*Minutes of February 9, 2017 Common Council meeting.*

**Reports**

[17-0274](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of February 2017.

**Notices and Discussions**

**COMMON COUNCIL MATTERS**

[15-1240](#)

Intergovernmental boundary agreement terms with neighboring municipalities pursuant chapter 66 of the Wisconsin Statutes.

*(Note: The Council may convene in closed session pursuant to Wis. Stat.*

*19.85(1)(e) to formulate & update negotiation strategies and parameters.*

*Following such closed session, the Council may reconvene in open session.)*

[17-0307](#)

Resolution approving March 2017 Engineering Estimates.

[17-0315](#)

Resolution approving 2016 and 2017 bills paid in March 2017.

**APPOINTMENTS BY THE MAYOR**

[17-0250](#) Board of Zoning Appeals: Joe Konradt, 1931 Cherokee Ave. City Plan Commission: Scott Neumeister, 1521 Wood St. Human Rights Commission: Rose Reinert, 2215 Mississippi St. Neighborhood Revitalization Commission: Will Kratt, 504 28th St. S., Jennifer Trost, 1503 Park Ave., Charles Welch, 421 23rd St. S. Board of Park Commissioners: Mark Terpstra, 1315 State St., Ashley Skoczynski, 3346 East Ave. S.

**SUSPENSION OF COUNCIL RULE V (Action by standing committee) FOR THE FOLLOWING ITEMS (2/3 Vote Required):**

17-0312

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

17-0184, 17-0202, 17-0243, 17-0312

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

- [17-0186](#) Report of Bids & Resolution awarding contract to Poellinger Electric, Inc. in the amount of \$503,301.29 for the 2017 Lighting Installation: 5th-7th-Vine Streets project.
- [17-0193](#) Report of Bids & Resolution awarding contract to A-1 Excavating, Inc. in the amount of \$417,240.00 for the Utilities with Curb & Gutter Replacement on Milwaukee & St. Andrew Streets project.
- [17-0194](#) Report of Bids & Resolution awarding contract to Gerke Excavating, Inc. in the amount of \$2,176,304.77 for the International Business Park Expansion project.
- [17-0195](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$138,376.00 for the 2017 Miscellaneous Curb & Gutter and Pavement Replacement project.
- [17-0196](#) Report of Bids & Resolution awarding contract to Winona Welding & Sandblasting, Inc. in the amount of \$523,000.00 for the WWTP Digester No. 2 Rehabilitation project.
- [17-0197](#) Report of Bids & Resolution awarding contract to Brickl Brothers, Inc. in the amount of \$631,800.00 for the Fire Storage Building-Training Grounds.
- [17-0198](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$626,390.00 for Municipal Wells 22 & 26 Upgrades.
- [17-0314](#) Report of Bids & Quote awarding contract to Fahrner Asphalt Sealers, Inc. in the amount of \$164,100.00 for the Gillette Street Crack Sealing project.

**ITEM WITHOUT RECOMMENDATION FROM STANDING COMMITTEE**

- [17-0312](#) Status Update and Report on Field for Kids and Rush WI West Soccer Club's request for new lease.  
*Note: The Board and/or Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters and Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Board and/or Council may reconvene in open session.*

**ITEMS RECOMMENDED TO BE ADOPTED**

*Note: Letter to Withdraw received 03/08/2017*

- [17-0157](#) Resolution approving Application of Nesnah Ventures LLC for a Conditional Use Permit allowing demolition of building on the north side of property for construction of a senior living community at 2415 Cass Street.
- [17-0158](#) AN AMENDED ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Special Multiple District to the Special Multiple District releasing a deed restriction for property at 2415 Cass Street.

**CONSENT AGENDA**

*The following consent agenda will be approved with a single voice vote, based on the recommended actions, unless an item is removed at the request of the Mayor or a Council Member.*

**ITEMS RECOMMENDED TO BE ADOPTED**

- [17-0086](#) AN ORDINANCE to amend Section 103-34(d)(1) of the Code of Ordinances of the City of La Crosse removing language regarding conditional permits, amend Section 103-98(a)(14) regarding fire limits regulations and Section 103-101(a) regarding the razing of structures.
- [17-0105](#) AN ORDINANCE to amend Section 2-636(a) of the Code of Ordinances of the City of La Crosse regarding membership of the International Committee.
- [17-0110](#) AN ORDINANCE to amend Section 2-663(a)(6), to create Section 2-663(7) and to create Section 2-663(c) of the Code of Ordinances of the City of La Crosse concerning auxiliary citizen members of the Sustainable La Crosse Commission.
- [17-0161](#) AN AMENDED ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Public/Semi-Public District allowing the combining of parcels and construction of a storage building at 1710 Losey Blvd., 2300 Green Bay St. and 2310 Green Bay St.
- [17-0184](#) AN AMENDED ORDINANCE to amend Section 8-21 of the Code of Ordinances of the City of La Crosse regarding the Aviation Board membership.

- [17-0057](#) Resolution authorizing funding of signs for a regional bicycle route connecting downtown La Crosse and downtown Onalaska.
- [17-0084](#) Resolution approving Billboard Lease (604 Second Street South) with Fairway Outdoor Advertising LLC.
- [17-0091](#) Resolution authorizing payment and release of funds for airfield lighting rehabilitation project.
- [17-0092](#) Resolution amending 2017 Airport Operating Budget to accommodate the quantity of de-ice and anti-ice material needed to maintain runway conditions.
- [17-0093](#) Resolution authorizing payment and release of funds for Airport consolidated car rental servicing facility.
- [17-0094](#) Resolution authorizing payment and release of funds for airport chemical application truck equipment.
- [17-0095](#) Resolution authorizing payment and release of funds for Airport master plan update.
- [17-0096](#) Resolution authorizing payment and release of funds for airport parking system improvements.
- [17-0097](#) Resolution authorizing payment and release of funds for Airport snow removal equipment building roof replacement.
- [17-0098](#) Resolution authorizing payment and release of funds for Airport terminal apron expansion and rehabilitation.
- [17-0099](#) Resolution approving Memorandum of Agreement with the Federal Aviation Administration for navigation aids.
- [17-0114](#) Resolution approving Application of City of La Crosse (on behalf of Scott & Mary Rathgaber) for a Conditional Use Permit to combine two undeveloped residential lots creating one single lot for the construction of a single family home at 1208 5th Ave. and 1212 5th Ave.
- [17-0122](#) Resolution approving Application of Pump House Regional Arts Center for Expansion of Alcohol Beverage License at 119 King Street for Special Event on June 9 and 10, 2017.
- [17-0136](#) Resolution approving Request of Bee Cab, Inc. to amend their application for 2017 Public Vehicle for Hire License changing business address to 1320 St. Andrew Street.
- [17-0140](#) Resolution Approving Amendment 5 to the Project Plan and Boundaries of Tax Incremental District No. 13, City of La Crosse, Wisconsin.
- [17-0141](#) Resolution Approving Amendment 2 to the Project Plan and Boundaries of Tax Incremental District No. 14, City of La Crosse, Wisconsin.

- [17-0144](#) Resolution authorizing the Engineering Department to complete preliminary analysis of the Ebner Coulee Flood Plain Model and to coordinate the feasibility of future full remodel and revision of the floodway.
- [17-0145](#) Resolution approving Amendment No. 2 to Ayres Associates for construction oversight for the Eagle Viewing Area as part of the Interstate 90 Exit 3 Reconstruction and appropriation of funds.
- [17-0146](#) Resolution approving a Memorandum of Understanding regarding the hiring of Police Officer candidates.
- [17-0147](#) Resolution approving step 9 for the finalist for the position of Electrical Inspector.
- [17-0152](#) Amended Resolution authorizing changes to the funding and authority for ergonomic improvements.
- [17-0153](#) Amended Resolution authorizing Human Resources to conduct a RFP for employee health risk assessments.
- [17-0155](#) Resolution approving 2017 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
- [17-0156](#) Resolution denying Claim for excessive assessment on behalf of The Bon-Ton Stores, Inc. for property located at 4000 State Road 16 (Tax Parcel 17-10315-400).  
*(Note: The Committee 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.)*
- [17-0159](#) Resolution appropriating funds for Architectural Services and Marketing Services for Construction of Trane Park.
- [17-0163](#) Consideration of Final Resolution Regarding Industrial Development Revenue Bond Financing for DuraTech Industries, Inc. Project.
- [17-0165](#) Amended Resolution approving carryover list of unexpended appropriations from the 2016 operating budget to the 2017 operating budget.
- [17-0166](#) Resolution approving Investment Services agreement for the period April 1, 2017 through March 31, 2018.
- [17-0167](#) Resolution approving Third Amendment to Use Agreement between City of La Crosse, Northwoods League, Inc. and La Crosse Baseball, LLC.
- [17-0176](#) Resolution authorizing expenditures for the purchase of 2017 new equipment approved in the 2017-2021 Capital Improvement Budget.
- [17-0178](#) Resolution approving Request of Jimmy's North Star, Inc. dba Jimmy's North Star to amend premise description for Combination "Class B" Beer & Liquor License to expanded beer garden area at 1732 George Street.
- [17-0202](#) Amended Resolution appropriating funds to purchase equipment for 2017 Streetscape projects.

[17-0203](#) Resolution denying Application of Kevin T. O'Brien for a Beverage Operator's License and appeal of denial by the Police Department.  
*(Note: The Committee 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 Committees and/or Council may reconvene in open session.)*

[17-0233](#) Resolution granting various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for the remainder of license period 2016-17 (March).

[17-0234](#) Resolution denying Application of Tyrone Harris for a Public Vehicle Driver License and appeal of denial by the Police Department.  
*(Note: The Committee 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 Committees and/or Council may reconvene in open session.)*

[17-0243](#) Resolution approving contract to design the International Business Park signs and appropriation of funds.

*ITEM RECOMMENDED TO BE NOT ADOPTED*

[17-0175](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Local Business District to the Commercial District allowing a used vehicle dealership at 722 Rose Street.

*ITEM RECOMMENDED TO BE RECEIVED AND FILED*

[17-0117](#) Report of Neighborhood Revitalization Commission parking statement.

*ITEM RECOMMENDED TO BE TABLED*

[17-0080](#) AN ORDINANCE to amend Sec. 10-589(c) of Article XIII of the Code of Ordinances of the City of La Crosse regarding condition of vehicles for public conveyance.

*ITEMS RECOMMENDED TO BE RE-REFERRED*

[16-1017](#) Application of Craig's River City Towing for a Junk Dealer's license for remainder of license year 2016-17.  
*Referred 120 days to the July 2017 meetings.*

[17-0100](#) Resolution approving Airport consultant for ground transportation consulting services.  
*Referred 60 days to the May 2017 meetings.*

[17-0149](#) Resolution approving Architectural and Construction Design Services (Phase 1) proposal from ISG/Gensler for the expansion and remodeling of the La Crosse Center and appropriation of funds.  
*Referred 30 days to the April 2017 meetings.*

[17-0150](#) Resolution approving Project Manager Proposal from Kraus Anderson for the Expansion and Remodeling of the La Crosse Center and the appropriation of funds.

*Referred 30 days to the April 2017 meetings.*

[17-0160](#) Resolution approving lease with Davy Engineering Co.

*Referred 60 days to the May 2017 meetings.*

[17-0162](#) AN ORDINANCE to create Section 115-347(8) of the Code of Ordinances of the City of La Crosse allowing distilleries in the C-1 Local Business, C-2 Commercial, and C-3 Community Business zoning districts by a Conditional Use Permit.

*Referred 30 days to the April 2017 meetings.*

## NEW ITEMS FOR REFERRAL

[17-0088](#) AN ORDINANCE to amend Section 6-16 of the Code of Ordinances of the City of La Crosse regarding the keeping of chickens.

*J&A*

[17-0089](#) AN ORDINANCE to amend Section 6-1 and to create Section 6-18 of the Code of Ordinances of the City of La Crosse to allow beekeeping.

*J&A*

[17-0106](#) AN ORDINANCE to amend Section 6-8 of the Code of Ordinances of the City of La Crosse regarding animals and species prohibited within the City.

*J&A*

[17-0113](#) AN ORDINANCE to repeal and recreate Section 6-14 of the Code of Ordinances of the City of La Crosse regarding keeping of livestock.

*J&A*

[17-0204](#) Resolution releasing funds for the Elevate Downtown Facade Program.

*EDC F&P*

[17-0227](#) Resolution releasing funds for Generator Project - Station 4 for the Fire Department.

*F&P*

[17-0228](#) Resolution releasing funds for Personal Protective Equipment (PPE) Gear Rack Systems for the Fire Department.

*F&P*

[17-0229](#) Resolution releasing funds for a New Fire Station and Land Acquisition project for the Fire Department.

*F&P*

[17-0230](#) Resolution releasing funds for a Training Grounds Update project for the Fire Department.

*F&P*

- [17-0231](#) Resolution releasing funds for a Video Security System project for the Fire Department.  
*F&P*
- [17-0237](#) Certified Survey Map Lot 1, C.S.M., Volume 14, Pg. 37, D.N. 1511295, Located in the SW-NE, Section 19, T16N-R6W, Town of Barre, La Crosse County, Wisconsin.  
*CPC J&A*
- [17-0238](#) AN ORDINANCE to amend Section 103-63 of the Code of Ordinances of the City of La Crosse regarding the State Code adopted defining regulations with respect to one- and two-family dwellings.  
*J&A*
- [17-0239](#) Resolution approving the City of La Crosse and Dairyland Power Cooperative Services Agreement for confined space and technical rescue services.  
*F&P*
- [17-0240](#) Resolution approving Amendment No. 1 to the Official Payments Corporation Agreement for Online and Point of Sale Services related to payment of invoices/bills.  
*F&P*
- [17-0242](#) Resolution approving the abolishment of the City of La Crosse Billboard Lease Negotiating Committee.  
*J&A*
- [17-0244](#) Request of Great Dane On Third Street Properties LLC appealing the decision of the Heritage Preservation Commission denying the Application for a Certificate of Appropriateness for the property located at 111-115 3rd St. S.  
*Common Council only per 115-320(h), public hearing 4/13/2017*
- [17-0245](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to Special Residence District allowing for a multi-family rental (tri-plex) at 1541 Wood Street.  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0246](#) Application of A&S Foster LLC dba Bottoms Up for an Expansion of Alcohol Beverage License & Street Privilege Permit for special event at 500 Copeland Avenue on June 3, 2017.  
*J&A*
- [17-0249](#) Resolution authorizing 2017 Action Plan and funding allocations in connection with CDBG and HOME programs.  
*F&P*
- [17-0251](#) Resolution reimbursing the 2017 Sanitary Sewer Utility Operating Budget for Cold Storage Overhead Door Replacement project.  
*BPW F&P*



- [17-0252](#) Resolution approving agreement with Process Equipment Repair Services, Inc. for project management services for 2017 digester rehabilitation project.  
*BPW F&P*
- [17-0265](#) AN ORDINANCE create Sec. 2-3(15) and to repeal and recreate Article XVII of Chapter 10 of the Code of Ordinances of the City of La Crosse regulating Pawnbrokers, Secondhand Article Dealers, Secondhand Jewelry, Precious Metal and Gems Dealers and Secondhand Article Dealer Mall/Flea Market.  
*J&A*
- [17-0267](#) Resolution approving extension of utilities on the International Business Park Expansion Project and the acceptance of payment for the cost.  
  
*F&P*
- [17-0268](#) Resolution appropriating funds for Bridge Inspection and Management Program for the City of La Crosse Bridge Maintenance.  
  
*F&P*
- [17-0269](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Heavy Industrial District and Multiple Dwelling District to the Heavy Industrial District and Multiple Dwelling District allowing all parcels to have compatible zoning in order to reconfigure parcel lot lines at 1, 3, 5, 7, 9, 101 and 103 Buchner Place.  
  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0270](#) Resolution approving the reorganization to the table of positions and classifications in the Planning and Development Department effective April 14, 2017.  
  
*F&P*
- [17-0271](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Residence District to the Local Business District allowing a storefront at 1649 Kane St/1026 Rublee St.  
  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0272](#) Resolution approving purchase of a Hot Box Patcher for the Street Department.  
  
*BPW F&P*
- [17-0273](#) Application of Tushar Patel dba Noble Hotels LLC for a Conditional Use Permit allowing for a manager apartment within hotel at 1906 Rose Street.  
  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0275](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - Water Main on 22nd Street between Jackson Street and Johnson Street.  
  
*F&P*

- [17-0276](#) Resolution appropriating funds in connection with road replacement in the northbound lane of Losey Boulevard between State Road and Johnson Street.  
*F&P*
- [17-0277](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - Sanitary Sewer Main on Milwaukee and St. Andrew Streets.  
*F&P*
- [17-0287](#) Resolution urging the Governor and the Legislature to protect homeowners and main street businesses from additional property tax burden.  
*J&A*
- [17-0288](#) Resolution approving Application for State Trust Fund Loan for the purpose of financing neighborhood capital improvements and the Upper Floor Loan Program.  
*F&P*
- [17-0291](#) Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in La Crosse, Wisconsin - Sanitary Sewer Main at 415, 419-421 and 422 Ferry Street.  
*F&P*
- [17-0293](#) Resolution appropriating funds in conjunction with final adjustments to the 2016 operating budget.  
*F&P*
- [17-0294](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Single Family District to the Multi-Family District allowing construction of a multi-family development on the vacant property at Charles and Kane Streets.  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0295](#) Resolution approving the reorganization to the table of positions and classifications to transfer the Weed Commissioner from Parks, Recreation and Forestry to Fire Prevention & Building Safety.  
*F&P*
- [17-0296](#) Resolution releasing funds for Copeland Park Improvements.  
*F&P*
- [17-0297](#) Resolution authorizing installation of neighborhood safety street lighting in the 1700 block of 14th Street South.  
*BPW F&P*
- [17-0298](#) Resolution authorizing installation of neighborhood safety street lighting in the 2500 block of Hass Street.  
*BPW F&P*

- [17-0299](#) Resolution amending the Fee Schedule pertaining to Pawnbroker, Secondhand Article Dealer, Secondhand Jewelry, Precious Metal and Gems Dealer and Secondhand Article Dealer Mall/Flea Market.  
*F&P*
- [17-0302](#) AN ORDINANCE to create Section 4-19 of the Code of Ordinances of the City of La Crosse regarding restrictions on sale, service and dispensing of alcohol beverages.  
*J&A*
- [17-0303](#) Resolution establishing a list of best practices for operators of a Temporary Class B Alcohol License.  
*J&A*
- [17-0304](#) Request of Peggy Heinz appealing the decision of the Heritage Preservation Commission denying the Application for a Certificate of Appropriateness for the property located at 417 Jay St.  
*Common Council only per 115-320(h), public hearing 4/13/2017*
- [17-0305](#) Application of Katherine Soper for a Conditional Use Permit allowing for a yoga studio at 1924 14th St. S.  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*
- [17-0308](#) AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Planned Development District - General to the Planned Development District - Specific five units of owner-occupied housing at 918-920-922 5th Ave. S., 926-928-930 5th Ave. S. and 421 Mississippi St.  
*CPC J&A, public hearing 04/04/17, 7:30 p.m.*

## Adjournment

### *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.*

**Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council will not endorse the religious beliefs or views of this, or any other speaker.”**