



# City of La Crosse, Wisconsin

City Hall  
400 La Crosse Street  
La Crosse, WI 54601

## Meeting Minutes - Final Common Council

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Thursday, January 9, 2014

7:30 PM

Council Chambers

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### Mayor Tim Kabat, Presiding

### Roll Call

*Mayor Kabat called the meeting to order at 7:45 p.m.*

**Present:** 16 - Andrea Richmond, Dempsey Miller, Ryan Cornett, Jai Johnson, Katherine Svitavsky, James Cherf, Robert Seaquist, Richard Becker, Peg Jerome, Audrey Kader, Sara Sullivan, Francis J. Formanek, Paul Medinger, Douglas Happel, Marilyn Wigdahl, Richard Swantz

**Excused:** 1 - David J. Krump

### Pledge of Allegiance

### Invocation

*Pastor Paul Munding, Faith Lutheran Church*

### Approval of Minutes

*Motion by Richmond, seconded by Cornett, to approve the minutes; the motion carried unanimously.*

### Reports

#### [14-0047](#)

Report of the Department of Building & Inspections for the month of December 2013.

2014-01-035

**A motion was made by Richmond, seconded by Cornett, that this Report be RECEIVED AND FILED. The motion carried unanimously by voice vote.**

## Notices and Discussions

*Director of Finance Wayne Delagrave announced:*

*Capital Improvement Budget packets were placed on all Council Member desk.  
His retirement effective May 30, 2014 after 35 years of service.*

*CM Sullivan announced the Neighborhood Revitalization Commission and Grandview Emerson Neighborhood Assoc will have their 2nd Annual neighborhood celebration on February 10, 2014 from 6 - 8 p.m. at Sons of Abraham Church.*

*CM Miller announced the celebration of Martin Luther King, Jr. on January 20, 2014 at 7 p.m. at the Viterbo Fine Arts Center.*

*Mayor Kabat invited all to the next Coffee with Kabat on January 23, 2014 from 5 - 6:30 p.m. at the Southside Neighborhood Center.*

### 2013 State of the City - Mayor Kabat

*Good evening and thank you. I would like to take a few minutes to reflect on 2013 as well as outline what's to come in 2014.*

*First and foremost, I must congratulate our departments and staff for providing excellent service to La Crosse's residents, workers, and visitors. This service continues despite the resource challenges we face and is a testament to the staff's creativity and problem solving abilities. I look forward to 2014 and in pushing our service to even higher levels.*

*The staff recognition included national awards for the Granddad Bluff restoration project and being recognized as one of America's most walkable cities. La Crosse also received a recycling award from the state of Wisconsin – and I know we all look forward to increasing our recycling rates once we implement the new solid waste and recycling system later this year. It is clear that our staff continues to be innovative and resilient.*

*I also want to acknowledge the Common Council, accomplishing much and doing so with an atmosphere of civility and collaboration. The number of agreements that were approved this past year is phenomenal – especially considering how contentious and difficult these negotiations were at times. These include the Myrick Hixon Eco Park, La Crosse Loggers, UW-La Crosse, CRUSA, Pettibone Boat Club, Eagle Crest South, Joint Development Corp. with Gundersen and the Municipal Boat Harbor.*

*The City also was a strong partner in several major economic development projects that will add hundreds of jobs, over \$23 million in tax base, including Chart's 100,000 square foot addition and Trane's re-tool of Plant 7 to keep 1700 jobs in La Crosse for the future.*

*We reached labor agreements that recognize our employees and insures affordability for our taxpayers into the future. For 2014 we are providing our City employees with a 3% cost of living pay increase.*

*The Council also pushed forward an organizational assessment for the City which will offer an independent assessment and compare us to world class organizations. This effort will improve our operations and will save taxpayer dollars. The City continues to improve the transparency of our decisions and this will only get stronger through the Legistar program, recodification, and more on-line services in 2014.*

*The safety of our neighborhoods has been and will continue to be a top priority in 2014. The City will add three new community focused police officers who will work in the Washburn Neighborhood thanks to the partnership between the City, the La Crosse Community Foundation, Viterbo University, and Mayo Clinic.*

*And we will accomplish all of that and more with a budget for 2014 that lowers the mill rate without major program or staff cuts and without tapping into reserve funds to balance the budget. Our bond rating remains strong and our reserve fund enables us to be prepared for the future. And we look to develop even stronger partnerships with our regional neighbors for metro police, fire, and transportation services.*

*But we have much more work to do in 2014 – especially in our neighborhoods.*

*We must address the significant backlog of street repairs and maintenance needs through our next capital improvement budget. I pledge to work with our citizens, the Council, and staff to devote every dollar we can to paving streets, new curb and gutter, sidewalks, boulevard trees, and utilities.*

*We need to address housing issues including pushing the construction of many more new homes, the sale of more lots to private housing developers, more paint and fix-up grants, fully implementing Reinvest La Crosse, and addressing the City's floodplain houses. We will also work with area non-profits to create a transitional housing project and work with the Housing Authority – all to further the goal of providing more affordable housing in the City.*

*We must address the long-term health of our branch libraries and I look forward to the work of the Branch Library Task Force this year.*

*2014 will see significant park improvement projects honoring two of our most famous citizens – including an update and upgrade of historic Riverside Park and the Wendell B. Andersen band shell and a re-do of Poague Park to honor George C. Poague.*

*The City must continue our focus on sustainability and efforts to conserve energy. We must re-charge our work to reduce our energy needs by 25% by the year 2025 and of those needs, make sure that at least 25% of that energy is from renewable resources. 2014 is the five year anniversary of the adoption of the City-County Strategic Plan for Sustainability and we can reach our goals by working with our citizens to develop incentives for more sustainable energy projects.*

*We look forward to a number of development projects in 2014 including the Naval Reserve, Riverside Center IV, Trane Plant 6, and the Charmont Hotel. We will come together to help plan the former Mobil Oil site – which offers a once-in-a-generation opportunity to remake our City.*

*In 2014 we will continue plans to re-do the La Crosse Center to insure that it remains the best venue for conferences and conventions on the Mississippi River. We will also see a significant upgrade to the La Crosse Airport terminal and increased air service to enhance the customer experience.*

*We should make sure that City government sets the right example and becomes a model by passing a resolution endorsing the Compassionate City project, establishing La Crosse as a compassionate place. And we should pass a more comprehensive anti-discrimination ordinance to make sure all La Crosse citizens have equal opportunities in housing, use of City facilities, public accommodations, and employment – La Crosse can lead the way.*

*The road won't be easy, especially as we must continue dealing with the cuts and measures from the State that further reduce local control.*

*But we are very fortunate to live where we do. In fact we know that it's exciting living in La Crosse. And I feel very lucky and honored to be Mayor of this exciting City.*

*So here's to a job well done in 2013 and to much more on the way in 2014. Thank you.*

*Lights Over Copeland Park Recognition*

*Council Member Cornett presented Brian Hemp and Mike Kearns with an award and recognition for their work with the Lights Over Copeland Park.*

**COMMON COUNCIL MATTERS**[13-0646](#)

Resolution vacating fifteen (15) feet on each side of 8th Street between La Crosse Street and Vine Street.

2013-12-048

**Motion by Richmond, seconded by Kader, to reconsider; motion carried unanimously. Motion by Cherf, seconded by Cornett, to amend to add condition of pedestrian and snow easement in addition to utility easements; motion carried unanimously. A motion was made by Kader, seconded by Cornett, that the Resolution be ADOPT AS AMENDED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**Actions by Single Vote**

**A motion was made by Richmond, seconded by Kader, to approve the following items. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[14-0046](#)

Resolution approving Engineering Estimates for January 2014.

2014-01-013

**ADOPTED**

[14-0051](#)

Resolution approving 2013 and 2014 bills paid in January 2014.

2014-01-014

**ADOPTED**

**SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS:  
(2/3 vote required)**

*Motion by Richmond, seconded by Becker, to suspend CR VIII; motion carried unanimously.*

**ITEM WITH NO RECOMMENDATION**

[14-0050](#)

AN ORDINANCE to amend Subsection 8.07(I)(3) of the Code of Ordinances of the City of La Crosse to extend the moratorium regarding the conversion of single-family homes into rentals in the (R-1) Single Family Residence District and Washburn Residential District.

4793

**Motion by Richmond, seconded by Chef, to not adopt. The motion failed 7-9 (Miller, Cornett, Cherf, Kader, Sullivan, Medinger, Happel voted yes). A motion was made by Svitavsky, seconded by Formanek, that the Ordinance be ADOPTED. The motion carried by the following vote:**

**Aye:** 12 - Richmond, Miller, Cornett, Johnson, Svitavsky, Seaquist, Becker, Jerome, Sullivan, Formanek, Wigdahl, Swantz

**No:** 4 - Cherf, Kader, Medinger, Happel

**Excused:** 1 - Krump

**ORDINANCES RECOMMENDED TO BE ADOPTED**

[13-0803](#)

AN AMENDED ORDINANCE to amend Subsection 2.51 of the Code of Ordinances of the City of La Crosse regarding salary and fringe benefits of Council Members.

4794

**Miller read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0843](#)

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 Commercial District to the Special Multiple District to allow a multi-family apartment building at 1231, 1241 and 1247 La Crosse St.

4795

**Miller read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0846](#)

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 Heavy Industrial District to the Traditional Neighborhood District to allow for a multi-family residential building at 2219 South Ave.

4796

**Miller read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0851](#)

AN ORDINANCE to amend Section 15.17(A) of the Code of Ordinances of the City of La Crosse to allow restaurants and concessions as a permitted use on City park land in the Public and Semi Public Zoning District.

4797

**Miller read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0854](#)

AN ORDINANCE to amend Section 10.03(R) of the Code of Ordinances of the City of La Crosse regarding consumption of alcoholic beverages under the jurisdiction of the Board of Park Commissioners.

4798

**Miller read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0864](#)

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 Floodway Overlay District and Light Industrial District to the Public/Semi-Public District providing for consistent zoning of park land and allowing for proper enforcement of restrictions on properties located at 301, 617, 700 Pettibone Dr. and 333 Park Plaza Dr.

4799

**Cornett read the Ordinance and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**ORDINANCES RECOMMENDED TO BE NOT ADOPTED**

[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).

2014-01-015

**Cornett read the Ordinance and moved the committee recommendation to be NOT ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[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.

2014-01-016

**Cornett read the Ordinance and moved the committee recommendation to be NOT ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump



[13-0769](#)

AN ORDINANCE to amend Paragraph 20.22(E)(1) of the Code of Ordinances of the City of La Crosse regarding the number of dogs and cats allowed per household.

2014-01-017

**Cornett read the Ordinance and moved the committee recommendation to be NOT ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**ITEMS RECOMMENDED TO BE ADOPTED**

[13-0802](#)

Second Amended Resolution to renew lease for Harry J Olson Senior Center for 2014.

2014-01-018

**Cornett read the Resolution and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 15 - Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**Abstain:** 1 - Richmond

**Actions by Single Vote**

**Johnson read the following items and moved the committee recommendations to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0804](#)

Second Amended Resolution approving South Side Senior Center lease renewal for 2014.

2014-01-019

**ADOPTED**

[13-0831](#)

Resolution approving purchase of a new or used Airport Operations vehicle.

2014-01-020

**ADOPTED**

[13-0833](#) Resolution approving the installation of an electric vehicle charging station at the airport.

2014-01-021

**ADOPTED**

[13-0834](#) Resolution authorizing a Terminal Project Improvement Account.

2014-01-022

**ADOPTED**

[13-0835](#) Resolution approving 2014 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.

2014-01-023

**ADOPTED**

[13-0838](#) Resolution approving a wage increase for Non-Represented Employees effective January 3, 2014.

2014-01-024

**Svitavsky read the Resolution and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 15 - Richmond, Miller, Cornett, Johnson, Svitavsky, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**No:** 1 - Cherf

**Excused:** 1 - Krump

### **Actions by Single Vote**

**Svitavsky read the following items and moved the committee recommendations to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0844](#) Resolution approving land lease between City of La Crosse and Dahl Ford.

2014-01-025

**ADOPTED**

[13-0848](#) Application of Ronald Dean Stahr for a Conditional Use Permit allowing for a 2-unit family dwelling in the Washburn Residential District at 322 9th St. S. and resolution approving same.

2014-01-026

**ADOPTED**

[13-0850](#) Amended Resolution approving the Single Family Conversion Ad Hoc Committee Recommendations for Neighborhood Livability.

2014-01-027

**ADOPTED**

[13-0853](#) Second Amended Resolution creating the La Crosse Branch Library Ad Hoc Task Force.

2014-01-028

**ADOPTED**

### **Actions by Single Vote**

**Cherf read the following items and moved the committee recommendations to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

[13-0867](#) Resolution authorizing increase in court costs for municipal citations.

2014-01-029

**ADOPTED**

[14-0018](#) Resolution approving sale of land to Trueline, Inc.

2014-01-030

**ADOPTED**

[14-0020](#) Resolution deferring LIPCO loan payment.

2014-01-031

**ADOPTED**

**ITEMS RECOMMENDED TO BE DIVIDED**

[13-0892](#)

Resolution approving various license applications pursuant to Chapter 20 of the La Crosse Municipal Code for the license period 2013-14 (January).

2014-01-032

**DIVIDED AS FOLLOWS:**

[14-0065](#)

Resolution approving Applications of Tolzmann Investments LLC Pearl Street Lounge for a Combination "Class B" Beer and Liquor License and Indoor Cabaret License at 326 Pearl Street for reminder of license period 2013-14.

2014-01-033

**Cherf read the Resolution and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 13 - Richmond, Miller, Cornett, Johnson, Svitavsky, Seaquist, Jerome, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

**No:** 3 - Cherf, Becker, Formanek

**Excused:** 1 - Krump

[14-0066](#)

Resolution approving various license applications pursuant to Chapter 20 of the la Crosse Municipal Code for the remainder of license period 2013-14 (Vick's Lounge LLC and 2013-15 beverage operators).

2014-01-034

**Cherf read the Resolution and moved the committee recommendation to be ADOPTED. The motion carried by the following vote:**

**Aye:** 16 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**ITEMS RECOMMENDED TO BE RE-REFERRED**[13-0071](#)

Resolution approving license agreement with the 4000 Foundation.  
*(Note: The committee, Committee of the Whole and/or Common Council may convene in closed session pursuant to Wis. Stats. sec. 19.85(1)(e) to update and formulate negotiation strategies and parameters. Following the closed session, the committees and/or Council may reconvene in open session.)*

**Seaquist read the Resolution and moved the committee recommendation to REFER to the Board of Park Commissioners and regular February 2014 Finance & Personnel Committee. The motion carried by the following vote:**

**Aye:** 15 - Richmond, Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**No:** 1 - Jerome

**Excused:** 1 - Krump

[13-0849](#)

Neighborhood/Community/Senior Centers Facility and Programs Report.

**Seaquist read the Resolution and moved the committee recommendation to REFER to the Board of Public Works and Board of Park Commissioners and regular March 2014 Finance & Personnel Committee. The motion carried by the following vote:**

**Aye:** 15 - Miller, Cornett, Johnson, Svitavsky, Cherf, Seaquist, Becker, Jerome, Kader, Sullivan, Formanek, Medinger, Happel, Wigdahl, Swantz

**Excused:** 1 - Krump

**Abstain:** 1 - Richmond

**NEW ITEMS FOR REFERRAL**

*The following items were referred to the February 2014 cycle of meetings.*

[14-0001](#)

Resolution appropriating additional funds for the reconstruction of Oak Street from Palace Street to Enterprise Avenue (#5991-05-78, 03).

[14-0015](#)

Resolution authorizing lease with Davy Engineering Co.

[14-0017](#)

Resolution authorizing the Board of Public Works to prepare plans, specifications and estimates, advertise for bids and report thereo to the Common Council for projects included in the approved 2014 Budget.

[14-0023](#)

Initial Resolution authorizing not exceeding \$550,000 general obligation bonds of the City of La Crosse for street purposes.

- [14-0024](#) Initial Resolution authorizing not exceeding \$1,050,000 bonds of the City of La Crosse for Park purposes.
- [14-0025](#) Initial Resolution authorizing not exceeding \$10,000 bonds of the City of La Crosse for Library purposes.
- [14-0026](#) Initial Resolution authorizing not exceeding \$850,000 general obligation bonds of the City of La Crosse for TID Projects.
- [14-0027](#) Initial Resolution authorizing not exceeding \$60,000 general obligation bonds of the City of La Crosse for Public Building purposes.
- [14-0028](#) Resolution directing the advertisement and sale of approximately \$2,520,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2014-A, and approximately \$5,830,000 aggregate principal amount of General Obligation Promissory Notes, Series 2014-B of the City of La Crosse, La Crosse County, Wisconsin.
- [14-0029](#) Resolution authorizing expenditures for the purchase of 2014 new equipment approved in the 2014-2018 Capital Improvement budget.
- [14-0037](#) Resolution appropriating money for additional hard drive storage for library.

### **Adjournment**

*Motion by Richmond, seconded by Cornett, to adjourn at approximately 9:45 p.m., motion carried unanimously.*