



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes Common Council

Thursday, January 8, 2015

7:30 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Tim Kabat called the meeting to order at 7:30 p.m.

Roll Call

Present: 15 - Tim Kabat, Andrea Richmond, Dempsey Miller, Ryan Cornett, Jai Johnson, David Krump, James Cherf, Robert Seaquist, Richard Becker, Audrey Kader, Sara Sullivan, Paul Medinger, Douglas Happel, Marilyn Wigdahl, Richard Swantz

Excused: 3 - Katherine Svitavsky, Peg Jerome, Francis J. Formanek

Pledge of Allegiance

Invocation

Tony Nickelatti, La Crosse Fire Department Chaplain, led the invocation.

Approval of Minutes

A motion was made by Medinger, seconded by Krump, that the minutes of December 11, 2014 meeting be APPROVED. The motion carried by voice vote.

Reports

[15-0034](#)

Report of Department of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of December 2014.

2015-01-001

A motion was made by Cherf, seconded by Cornett, that the Report be RECEIVED AND FILED. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

Notices and Discussions

Council Member Miller invited all to attend the Dr. Martin Luther King Jr. Community Celebration on January 19, 2015 at 7:00 p.m. at Viterbo University.

Council President Swantz asked for Council Member confirmation that they have read the Code of Ethics.

Mayor Kabat invited all to join him in wearing blue tomorrow in honor of Law Enforcement Appreciation Day.

State of the City Address - Mayor Kabat

Good evening. I want to talk about the state of our city as we embark on a new year. The state of our city is strong, lively, and forward-looking.

We know that we live in one of the most beautiful places anywhere. Our city has a strong economy, high-quality education, safe neighborhoods, parks, libraries, arts, and a vibrant nightlife. We also have an unmatched community spirit dedicated to service and compassion. Our goal is to be a place where everyone feels accepted and welcome.

This past year, La Crosse was recognized by Outdoor Magazine as one of the greatest places to live in America. We were also named a Wisconsin Main Street community, because we have one of the best downtowns anywhere.

2014 was a very good year for city hall and the list of accomplishments are many. It is impossible to name all of these in the time available, so here are some highlights:

We made significant progress for improving the safety and conditions in our most challenged neighborhoods including four new neighborhood police officers on the beat, eleven new city homes completed or under construction, new neighborhood groups, new garbage and recycling carts, and increased code enforcement.

In 2015 Pogue Park will get a dramatic facelift including a new playground, water feature, and greater access.

In 2015 we will be investing in our most challenged neighborhoods including over \$1.8 million in new spending in special projects, paint and fix-up, floodplain improvements, housing, and tree planting for Washburn, Powell-Pogue-Hamilton, and the Lower Northside Depot Neighbors.

Another exciting addition in 2015 will be the MTU circulator, which will enhance bus service in the central part of the city and provide 10 minute service during the day without raising fares.

In 2015 we hope to see the reuse of two of La Crosse's historic resources, the former Bakalars Sausage building and Roosevelt School. The plan is to turn these buildings into housing that will add vitality to these neighborhoods.

To improve the condition of the city's rental housing stock, we will introduce a new rental housing improvement program. The details of the program are yet to be finalized, but it should work like the city's housing rehabilitation loan program – which has helped improve over 1,000 of the city's single family homes.

2014 was a good year for La Crosse's economy – with nearly 1,300 more people employed versus 2013. Our average metro-wide unemployment rate is now the lowest it's been since 2008.

This year witnessed the start of two new downtown hotels, expansions to several manufacturing businesses, numerous start-ups, and major investments by our educational institutions including the first brand new school – Northside Elementary – in over twenty years. The happy faces of the Northside students and their families at the September dedication and the pride in their new school is one of my most favorite moments as Mayor.

This past year saw significant strides in improving our openness and transparency as an organization with the implementation of Legistar, a new municipal code, new voting system, and several community surveys.

In 2015 we will continue to push these efforts with a revamped city website, more on-line services, and automation as led by our staff.

Let me take a moment to congratulate and thank our dedicated city employees. We have a tremendous workforce and devoted group of people who come to work every day wanting to make La Crosse a better place. We simply couldn't do any of this without them. They continue to perform with creativity and professionalism. Hats off to them!

I take my hat off to you as well and to the reforms you approved this past year: reducing the size of the council, adding a monthly planning session, and eliminating committees – all with the goal of making city hall a more effective and responsive organization.

2015 will see a continuation of these efforts – with additional improvements to our committees and a serious look at reorganizing our departments to better share resources, better use technology, and ultimately save money.

In fact, due to our strong economy, our fiscal policies, reserve fund, and spending plan – the city's bond rating is the highest in our history.

This year also marks the start of the state's budget process and perhaps our biggest challenge yet. We must be firmly resolved to deal with potential reductions to personal property taxes and shared revenue. Combined, these represent over 20% of the city's \$71 million budget and if significant cuts are made – we will all have to work together to prioritize and solve the funding of our services and programs.

2015 will see the creation of the city's human rights commission – who will be charged with reaching out to our community, raising awareness about the challenges we face, and working in partnership to eliminate discrimination in this city. One of my favorite thoughts about diversity and why it's important is from Charleston's Mayor – Joe Riley. He states "You cannot have a great, successful city unless it's a just city." I totally agree.

To be a just city we also have to work with our neighbors and this year we will reach out to our neighboring communities and look for ways to improve and share services and save money.

A significant regional challenge we face in the coming months is what to do about our transportation network. On tonight's agenda you have the opportunity to approve a visioning process that will chart the course of the city's transportation well into the

future – a process that will engage our citizens and look at comprehensive solutions. It must look at all transportation options because cities exist for the people that live in them, not as a hodge-podge of highways, parking ramps and garages to accommodate only automobiles.

Our responsibility as stewards of this place we love is especially critical to all of the aforementioned programs, services, and successes. Without a clean and healthy environment – we have no future.

With the challenges we face caused by expanded railroads and highways – we must pledge resources in next year's capital budget to protect and improve the La Crosse River marsh and make sure that this resource and all of the benefits it provides including flood storage, clean water, wildlife habitat, and recreational opportunities is here and healthy for future generations.

The new year looks very promising indeed. Besides the projects and challenges already mentioned, we will see a renewed airport terminal, new emergency radio system, a stunning bluffland trail head, a bike/ped bridge over the BNSF rail yard, on-going beautification of city hall, and many other developments.

We have much to do and it will require all of us working together to get it done. And that's what the people want.

What our citizens want from government isn't self-important words, but tangible results. The people want us working together – solving problems and creating opportunities.

So...here's to a great 2015 and here's to working together!

Thank you!

COMMON COUNCIL MATTERS

[15-0038](#)

Resolution approving Monthly Engineering Estimates for January 2015.

2015-01-002

A motion was made by Krump, seconded by Cornett, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

[15-0042](#)

Resolution approving 2014 and 2015 bills paid in January 2015.

2015-01-003

A motion was made by Wigdahl, seconded by Cornett, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

APPOINTMENTS BY THE MAYOR**15-0033**

Board of Park Commissioners: Eileen Kirsch, 204 23rd St. N. (*Council majority required*). Bicycle and Pedestrian Advisory Committee: Jeff Fennie, 1802 King St. Human Rights Commission: James Parker, 1436 Madison St. Shaundel Spivey, 421 Division St. Ashley Lacenski, 741 Losey Blvd. N. Lu Lee Yang, 2112 Johnson St. Pastor Ellen Rasmussen, 721 King St. Municipal Transit Utility Board: Monkotee Slobert, 702 Franciscan Way.

2015-01-004

A motion was made by Miller, seconded by Cornett, that the Appointments be CONFIRMED. The motion carried by the following vote:

Yes: 13 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl

Excused: 3 - Svitavsky, Jerome, Formanek

Absent: 1 - Swantz

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

A motion was made by Medinger, seconded by Cornett, that Council Rule VIII be SUSPENDED on Files 14-1315, 14-1394, 14-1402, 14-1403, 14-1407 and 14-1431. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

**SUSPENSION OF COUNCIL RULE V (action of standing committees) FOR THE FOLLOWING ITEMS:
(2/3 Vote Required)**

A motion was made by Becker, seconded by Miller, that Council Rule V be SUSPENDED on Files 15-0040 and 15-0047. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

ITEMS WITH NO RECOMMENDATION

A motion was made by Cornett, seconded by Miller, to convene in closed session on Files 15-0040 and 15-0047 pursuant to Wis. Stat., sec. 19.85(1)(g) and (e) to confer with legal counsel and for negotiation strategies. The motion carried unanimously on roll call vote.

Council Member Happel and City Attorney Stephen Matty left the room for the discussion on File 15-0040.

A motion was made by Cornett, seconded by Kader, to reconvene in open session. The motion carried unanimously on roll call vote.

15-0040

Resolution approving Separation Agreement, Waiver, and Release between City of La Crosse and Matthew Geenen.

(Note: The Common Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel and pursuant to Wis. Stat. 19.85(1)(e) to formulate and update negotiation strategies and parameters. Following such closed session, the Council may reconvene in open session.)

2015-01-005

A motion was made by Krump, seconded by Medinger, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 13 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

Abstain: 1 - Happel

15-0047

Resolution appropriating funds in connection with purchase of property located at 3020 South 22nd Street.

(Note: The Common Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters and pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel. Following such closed session, the Council may reconvene in open session.)

2015-01-006

A motion was made by Cornett, seconded by Wigdahl, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 13 - Richmond, Miller, Cornett, Johnson, Krump, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

No: 1 - Cherf

Excused: 3 - Svitavsky, Jerome, Formanek

ITEM RECOMMENDED TO BE ADOPTED[14-1394](#)

Resolution authorizing purchase of 3 vehicles by the La Crosse Fire Department.

2015-01-007

A motion was made by Cornett, seconded by Sullivan, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: 12 - Richmond, Miller, Cornett, Johnson, Krump, Seaquist, Becker, Kader, Medinger, Happel, Wigdahl, Swantz

No: 1 - Cherf

Excused: 3 - Svitavsky, Jerome, Formanek

Absent: 1 - Sullivan

[14-1347](#)

Second Amended Resolution authorizing lease renewals for both Harry J. Olson Senior Center and Southside Senior Center for 2015.

Council Member Richmond left the room.

A motion was made by Becker, seconded by Cherf, that the Resolution be AMENDED to provide that when the leases expire, the renewal of leases must come back to Council.

A motion was made by Cherf, seconded by Swantz, that the Resolution be AMENDED to approve the lease with Harry J Olson Multipurpose Senior Citizen Center Inc. with the condition that all Wisconsin Department of Financial Institution reports are filed and a Certificate of Status has been issued as current within 30 days. The motion carried by the following vote:

Yes: 13 - Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

Recuse: 1 - Richmond

A motion was made by Seaquist, seconded by Kader, that the Resolution be AMENDED to amend the previous (Becker) amendment that the leases can come back at any time prior to expiration of the leases. The motion carried by the following vote:

Yes: 12 - Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

No: 1 - Becker

Excused: 3 - Svitavsky, Jerome, Formanek

Recuse: 1 - Richmond

On the motion made by Becker, seconded by Cherf, that the Resolution be AMENDED to provide that when the leases expire, the renewal of leases must come back to Council, as twice amended. The motion carried by the following

vote:

Yes: 12 - Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Swantz

No: 1 - Wigdahl

Excused: 3 - Svitavsky, Jerome, Formanek

Recuse: 1 - Richmond

A motion was made by Kader, seconded by Cherf, that the Resolution be AMENDED to provide that the signators of the leases must be city residents. The motion carried by the following vote:

Yes: 13 - Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

Recuse: 1 - Richmond

2015-01-008

A motion was made by Kader, seconded by Cornett, that the Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 12 - Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Swantz

No: 1 - Wigdahl

Excused: 3 - Svitavsky, Jerome, Formanek

Recuse: 1 - Richmond

CONSENT AGENDA

Actions by Single Vote

A motion was made by Swantz, seconded by Cornett, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 14 - Richmond, Miller, Cornett, Johnson, Krump, Cherf, Seaquist, Becker, Kader, Sullivan, Medinger, Happel, Wigdahl, Swantz

Excused: 3 - Svitavsky, Jerome, Formanek

ORDINANCES RECOMMENDED TO BE ADOPTED

[14-1364](#)

AN ORDINANCE to amend Subsection 46-40(b) of the Code of Ordinances of the City of La Crosse to amend the reference to the Wisconsin Administrative Code.

Ord. 4856. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[14-1368](#) AN AMENDED ORDINANCE to create Sec. 115-320 of the Code of Ordinances of the City of La Crosse to designate the Historic Overlay District known as the Downtown Commercial Local Historic District and to create the design review standards for the district.

Ord. 4857. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[14-1369](#) AN ORDINANCE to amend Sec. 115-470 of the Code of Ordinances of the City of La Crosse to provide restrictions for wireless facilities in the Local Business (C1), Commercial (C2) and Community Business (C3) zoning districts.

Ord. 4858. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[14-1370](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinances of the City of La Crosse by transferring certain property from the Public/Semi-Public District to the Community Business District to allow property to be used as student housing at 400 4th St. N.

Ord. 4859. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[14-1371](#) AN ORDINANCE to amend Section 115-110 of the Code of Ordinance of the City of La Crosse by transferring certain property from the Traditional Neighborhood Development District - General to the Traditional Neighborhood Development District - General allowing for a multi-family residential building at 2219 South Ave.

Ord. 4860. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

ITEMS RECOMMENDED TO BE ADOPTED

[14-1081](#) Communication from Margaret Ebner requesting the City of La Crosse accept Outlot 1 CSM Part of Government Lot 5, Section 15, T16N-R7W (west of Hwy 16 near 12th Ave) to be dedicated as a public street and resolution approving same.

2015-01-009

[14-1315](#) Resolution vacation a portion of an alley running north-south in the block bounded by Farnam Street, Tyler Street, 7th Street and 8th Street.

2015-01-010

[14-1323](#) Amended Resolution reappropriating existing La Crosse Fire Department bond funds for the repair of Rescue 2.

2015-01-011

[14-1326](#) Resolution appropriating money in connection with replacement of emergency warning siren located on Diagonal Road.

2015-01-012

- [14-1349](#) Resolution approving a building and land lease agreement with Dawson Oil, LTD.
2015-01-013
- [14-1350](#) Resolution approving negotiations and authorization for the Aviation Board to enter into a Fixed Base Operator agreement with TDM, Inc.
2015-01-014
- [14-1351](#) Resolution approving lease with City Brewery for truck parking on Isle La Plume.
2015-01-015
- [14-1352](#) Resolution approving Lease with Badger Corrugating for truck parking on Isle La Plume.
2015-01-016
- [14-1355](#) Resolution appropriating funds in connection with repair to City parking ramps.
2015-01-017
- [14-1359](#) Resolution of the City of La Crosse to form a boundary agreement taskforce for the purpose of pursuing boundary agreements with neighboring communities.
2015-01-018
- [14-1361](#) Resolution approving Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
2015-01-019
- [14-1365](#) Resolution approving the Term Sheet with MetroPlains Partners, LLC and MetroPlains, LLC.
2015-01-020
- [14-1366](#) Resolution directing Traffic Engineer to complete a traffic speed study on East Avenue and Pine Street and report findings back to Common Council.
2015-01-021
- [14-1375](#) Application of El Rodeo Mexican Restaurant LLC for a Conditional Use Permit at 115 5th Ave. S. allowing for a Combination "Class B" Beer and Liquor License and resolution approving same.
2015-01-022

- [14-1377](#) Resolution adopting the La Crosse County Multi-Hazards Mitigation Plan 2015-2019.
2015-01-023
- [14-1389](#) Resolution authorizing payment of bills relating to defense of employment matters.
(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.)
2015-01-024
- [14-1402](#) Resolution authorizing the renewal of the Pettibone Park Resort, Inc. for a second five (5) year term.
2015-01-025
- [14-1407](#) Resolution appropriating funds to hire Toole Design Group for the creation of a City of La Crosse Transportation Vision to develop ideas and recommendations to address transportation needs in the City.
2015-01-026
- [14-1411](#) 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 2014-15 (January).
2015-01-027
- [14-1431](#) Amended Resolution approving a wage increase effective January 2, 2015 and July 3, 2015 for specific positions covered under the Employee Handbook.
2015-01-028

ITEM RECOMMENDED TO BE RE-REFERRED

- [14-1362](#) Resolution approving five-year Agreement for Biosolids Management Program.

ITEM RECOMMENDED TO BE RECEIVED AND FILED

- [14-1403](#) Communication from Myrick Hixon EcoPark regarding 2014 PILOT.
2015-01-029

NEW ITEMS FOR REFERRAL

The ordinances and the remainder of the items are referred to the February 2015 meetings.

- [15-0003](#) An Ordinance to amend Section 10-49(8) of the Code of Ordinances of the City of La Crosse regarding Class "D" Beer Garden hours.
- [15-0013](#) Resolution approving the abolishment of the City of La Crosse Anti-Racism Task Force.
- [15-0032](#) Resolution appropriating funds to pay the 2014 Real Estate Tax Bill for 802 Rose St.
- [15-0005](#) Resolution authorizing 2015-2020 Consolidated Plan & 2015 Action Plan in connection with the Community Development Block Grant and HOME Programs.
- [15-0006](#) Amended Resolution amending the City of La Crosse Floodplain Advisory Committee to add one Council Member representing La Crosse's south side and two citizen members.
- [15-0022](#) Initial Resolution authorizing not exceeding \$1,975,000 bonds of the City of La Crosse for Airport purposes.
- [15-0023](#) Initial Resolution authorizing not exceeding \$925,000 general obligation bonds of the City of La Crosse for Street purposes.
- [15-0024](#) Initial Resolution authorizing not exceeding \$80,000 general obligation bonds of the City of La Crosse for Fire purposes.
- [15-0025](#) Initial Resolution authorizing not exceeding \$40,000 general obligation bonds of the City of La Crosse for Police purposes.
- [15-0026](#) Initial Resolution authorizing not exceeding \$400,000 general obligation bonds of the City of La Crosse for Park purposes.
- [15-0027](#) Initial Resolution authorizing not exceeding \$105,000 general obligation bonds of the City of La Crosse for Storm Sewer purposes.
- [15-0028](#) Initial Resolution authorizing not exceeding \$105,000 general obligation bonds of the City of La Crosse for Water purposes.
- [15-0029](#) Initial Resolution authorizing not exceeding \$750,000 general obligation bonds of the City of La Crosse for TID purposes.
- [15-0030](#) Resolution directing the advertisement and sale of approximately \$4,370,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2015, and approximately \$4,760,000 aggregate principal amount of General Obligation Promissory Notes, Series 2015 of the City of La Crosse, La Crosse County, Wisconsin.

[15-0031](#)

Resolution authorizing expenditures for the purchase of 2015 new equipment approved in the 2015-2019 Capital Improvement budget.

[15-0049](#)

Request for Exception to Standards for Commercial Design by 434 Holdings, Inc. for the hotel project at 434 3rd St. S. allowing for a waiver of parking lot design and standards.

Adjournment

**A motion was made by Wigdahl, seconded by, Swantz to adjourn at 8:46 p.m.
The motion carried on voice vote.**