



# 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, November 14, 2019

6:00 PM

Council Chambers

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#### Mayor Tim Kabat, Presiding

*Mayor Kabat called the meeting to order followed by a moment of silence in memory of former Council President Richard Swantz.*

#### Roll Call

**Present:** 12 - Tim Kabat, Scott Neumeister, Barb Janssen, Larry Sleznikow, Justice Weaver, Chris Kahlow, Gary Padesky, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

**Excused:** 2 - Andrea Richmond, Jessica Olson

#### Pledge of Allegiance

#### Invocation

*Pastor Kael Clemmerson of New Beginnings Christian Fellowship offered an invocation.*

#### Approval of Minutes

**A motion was made by Weaver, seconded by Medinger, to APPROVE the minutes of October 3 regular and October 10 regular meetings. The motion carried.**

#### Reports

##### [19-1630](#)

Report of Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the month of October 2019.

2019-11-004

**A motion was made by Ostrem, seconded by Neumeister, to RECEIVE AND FILE. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1691](#)

Report of the Director of Finance for the month of October 2019.

2019-11-005

**A motion was made by Weaver, seconded by Padesky, to RECEIVE AND FILE. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**Notices and Discussions**

*Council Member Janssen announced the success of a recent meatball fundraiser held by the Apartment Associations of the La Crosse Area for the Police K-9 unit. A check was then awarded by AALA to Officer Jelinski and K-9 Thor in the amount of \$5,750.00.*

*Mayor Kabat introduced Peter Fletcher as the Director of the Metropolitan Plan Organization (MPO) - La Crosse Area Planning Committee. Mr. Fletcher addressed the Council with an introduction of himself and summary of MPO and upcoming initiatives.*

*Council President Gaul updated the Council on repayment of funds on the Municipal Boat Harbor project. Director of Park, Recreation & Forestry Jay Odegaard offered a memo to the Mayor and Council Members providing an update on project and repayment of the money borrowed to the General Fund.*

**COMMON COUNCIL MATTERS**

[19-1098](#)

Resolution approving right of way vacation located at Decorah Place.

**A motion was made by Padesky, seconded by Ostrem, that the Resolution be RECONSIDERED. The motion carried by the following vote:**

**Yes:** 10 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Christians

**Excused:** 2 - Richmond, Olson

**Non-Voting:** 1 - Happel

**A motion was made by Gaul, seconded by Janssen, that the Resolution be AMENDED correcting the legal description. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

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

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1690](#)

Resolution approving 2019 Bills and Engineering Estimates paid in November 2019.

2019-11-006

**A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**APPOINTMENTS BY THE MAYOR**

[19-1677](#)

Aviation Board: Bruce Mathew. Building and Housing Appeals Board: Nicholas Koudelka-Raap. Delores Spies. Board of Zoning Appeals: James Cherf, Delores Spies, George Kimmet. Citizens Board of Review: Susan Dillenbeck. City Plan Commission: James Cherf. Economic Development Commission: David Morrision. Public Safety Communications Board: Shawn Kudron.

2019-11-007

**A motion was made by Ostrem, seconded by Neumeister, that the Appointments be CONFIRMED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

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

**A motion was made by Gaul, seconded by Padesky, to SUSPEND Council Rule VIII on File 19-1621. The motion carried by the following vote:**

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

[19-1639](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$285,000.00 for La Crosse Center Expansion-Temporary Barriers/Enclosures/Egress.

2019-11-008

**A motion was made by Neumeister, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1640](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$922,000.00 for La Crosse Center Expansion-Building Demolition.

2019-11-009

**A motion was made by Gaul, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1641](#)

Report of Bids & Resolution awarding contract to Wieser Brothers General Contracting, Inc. in the amount of \$1,486,280.00 for La Crosse Center Expansion-CIP Concrete.

2019-11-010

**A motion was made by Ostrem, seconded by Neumeister, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 10 - Neumeister, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**Non-Voting:** 1 - Janssen

[19-1642](#)

Report of Bids & Resolution awarding contract to Wells Concrete Products Company in the amount of \$470,745.00 for La Crosse Center Expansion-Precast Concrete.

2019-11-011

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

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1643](#)

Report of Bids & Resolution awarding contract to David Berger Masonry, Inc. in the amount of \$506,000.00 for La Crosse Center Expansion-Masonry.

2019-11-012

**A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1644](#)

Report of Bids & Resolution awarding contract to Ted Mannstedt & Sons, Inc. in the amount of \$2,510,800.00 for La Crosse Center Expansion-Structural Steel Supply.

2019-11-013

**A motion was made by Padesky, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1645](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$920,000.00 for La Crosse Center Expansion-Structural Steel Erection.

2019-11-014

**A motion was made by Weaver, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1651](#)

Report of Bids & Resolution awarding contract to KONE, Inc. in the amount of \$640,000.00 for La Crosse Center Expansion-Elevators.

2019-11-015

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

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1656](#)

Report of Bids & Resolution awarding contract to project to KONE, Inc. in the amount of \$345,000.00 for La Crosse Center Expansion-Escalators.

2019-11-016

**A motion was made by Ostrem, seconded by Padesky, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1662](#)

Report of Bids & Resolution awarding contract to Viking Automatic Sprinkler Company in the amount of \$39,600.00 for La Crosse Center Expansion-Fire Protection Demolition.

2019-11-017

**A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 10 - Neumeister, Janssen, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**Non-Voting:** 1 - Sleznikow

[19-1663](#)

Report of Bids & Resolution awarding contract to Coulee Region Mechanical in the amount of \$14,900.00 for La Crosse Center Expansion-Plumbing Demolition/Underground Plumbing.

2019-11-018

**A motion was made by Ostrem, seconded by Padesky, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1665](#)

Report of Bids & Resolution awarding contract to Coulee Region Mechanical in the amount of \$104,200.00 for La Crosse Center Expansion-HVAC Demolition.

2019-11-019

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

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1666](#)

Report of Bids & Resolution awarding contract to Kish & Sons Electric, Inc. in the amount of \$55,653.00 for La Crosse Center Expansion-Electrical Demolition-Site Electrical.

2019-11-020

**A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1667](#)

Report of Bids & Resolution awarding contract to Strupp Trucking in the amount of \$438,000.00 for La Crosse Center Expansion-Site Demolition and Excavation.

2019-11-021

**A motion was made by Ostrem, seconded by Kahlow, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1670](#)

Report of Bids & Resolution awarding contract to Mathy Construction Company in the amount of \$59,550.00 for La Crosse Center Expansion-Asphalt Pavement.

2019-11-022

**A motion was made by Ostrem, seconded by Christians, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

[19-1671](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$226,600.00 for La Crosse Center Expansion-Site Concrete.

2019-11-023

**A motion was made by Gaul, seconded by Ostrem, that the Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**REPORT OF BIDS RECOMMENDED TO BE REJECTED**

[19-1511](#)

Report of Bids for Green Island Park Tennis Courts.

2019-11-024

**A motion was made by Padesky, seconded by Ostrem, that the Report of Bids be REJECTED. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**ITEM RECOMMENDED TO BE ADOPTED**

[19-1053](#)

Amended Resolution approving 2020-2024 Capital Improvement Program Budget.

**A motion was made by Neumeister, seconded by Medinger, that the Resolution be ADOPTED.**

**A motion was made by Gaul, seconded by Sleznikow, that the Resolution be AMENDED moving Item 257 Greenhouse Gas Emissions Inventory, Sustainable Energy and Climate Action Plan Planning and Development from 2022 to 2020-2021. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**A motion was made by Gaul, seconded by Medinger, that the Resolution be AMENDED changing source of fund for Item 475 from WWU Equipment Replacement Funds to Sanitary Sewer Utility Funds. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

*2019-11-025*

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

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

**ITEMS REMOVED FROM THE CONSENT AGENDA**

[19-1531](#)

AN AMENDED ORDINANCE to repeal and recreate sec. 10-589(c), create sec. 10-591(b), create sec. 10-594(i) and create sec. 10-622(d) of the Code of Ordinances of the City of La Crosse regarding vehicles for public conveyance.

**A motion was made by Padesky, seconded by Neumeister, that the Ordinance be REFER 30 days to the December 2019 meetings. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson



[19-1113](#)

Amended Resolution amending Appendix C Fee Schedule adding fees for special event, march and public assembly permits; deleting fees for special event outdoor cabaret licenses and parade permits and amending fees for carnival, circus or menageries.

2019-11-026

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

**Yes:** 9 - Janssen, Sleznikow, Weaver, Kahlow, Ostrem, Medinger, Gaul, Happel, Christians

**No:** 2 - Neumeister, Padesky

**Excused:** 2 - Richmond, Olson

**CONSENT AGENDA**

**A motion was made by Medinger, seconded by Neumeister, to ADOPT the Consent Agenda. The motion carried by unanimous voice vote.**

*ITEMS RECOMMENDED TO BE ADOPTED*

[19-0906](#)

AN AMENDED ORDINANCE to create Division 6 of Ch. 115, Art. VII of the Code of Ordinances of the City of La Crosse regarding Solar Energy Systems.

*Ord. 5117. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

[19-1519](#)

AN ORDINANCE to amend Subsection 115-110 of the Code of Ordinances of the City of La Crosse transferring certain property from the Multiple Dwelling District to the Public and Semi Public District to closer match the existing use and future use of the parcel at 3501 Park Lane Drive.

*Ord. 5118. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

[19-1540](#)

AN ORDINANCE to create Sections 103-138(e)(5), 103-169(d)(2), (3) and (4) and 103-229(e) of the Code of Ordinances of the City of La Crosse relating to mechanical fees.

*Ord. 5119. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

[19-1545](#)

AN ORDINANCE to amend Sections 48-27 and 34-71 of the Code of Ordinances of the City of La Crosse regarding boat launching and parking fees for boat ramp parking lots.

*Ord. 5120. For complete ordinance, see p. \_\_\_\_ of Volume 11 of Ordinances.*

- [19-1451](#) Resolution approving Certified Survey Map - All of Lots 3, 4 & 5, Block 1, Maryvale Addition; Located in the NW - NE, Section 16, T15N-R7W, Town of Shelby, La Crosse County, Wisconsin (2600 & 2606 Ward Avenue, Tax Parcel Nos. 11-1434-0, 11-1433-1, 11-1432-0).  
2019-11-027
- [19-1509](#) Resolution levying Special Charges for Services performed in 2019.  
2019-11-028
- [19-1522](#) Resolution approving the purchase of a minivan for the La Crosse Center and appropriation of funds.  
2019-11-029
- [19-1546](#) Resolution approving Settlement Agreement in the cases of *Wal-Mart Real Estate Business Trust v. City of La Crosse*, La Crosse County Circuit Court Case Nos. 18-CV-413 and 19-CV-361.  
*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 Committee and/or Council may reconvene in open session.*  
2019-11-030
- [19-1556](#) Resolution authorizing the Mayor to file application for Transit Operations and Capital Assistance for 2020 with the Federal Transit Administration.  
2019-11-031
- [19-1557](#) Resolution authorizing the Mayor to file for 2020 Transit Operations and Capital Assistance with the Wisconsin Department of Transportation.  
2019-11-032
- [19-1575](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for the remainder of license period 2019-20 (November).  
2019-11-033
- [19-1578](#) Resolution appropriating utility funds to pay for the water and sanitary sewer design for La Crosse Street from Losey Boulevard to Oakland Street.  
2019-11-034
- [19-1579](#) Resolution appropriating utility funds to pay for the water and sanitary sewer design for South Avenue from Green Bay Street to Ward Avenue.  
2019-11-035

- [19-1621](#) Resolution authorizing the execution and delivery of certain agreements for the acquisition, financing, refinancing and leasing of certain equipment for the public benefit within the terms herein provided; authorizing the execution and delivery of other documents required in connection therewith; and authorizing all other actions necessary to the consummation of the transactions contemplated by this resolution.

2019-11-036

#### ITEMS RECOMMENDED TO BE RECEIVED AND FILED

- [19-1445](#) Financial Statements with Independent Auditors Report as of December 31, 2018.

2019-11-037

- [19-1446](#) City of La Crosse, Wisconsin Federal and State Single Audit Report as of December 31, 2018.

2019-11-038

#### ITEMS MOVED TO THE END OF THE AGENDA

- [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.)*

**A motion was made by Kahlow, seconded by Medinger, to convene in CLOSED SESSION pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters. The motion carried by the following vote:**

**Yes:** 11 - Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

- [19-1628](#) Sewer Contract Negotiations.

*(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.)*

**A motion was made by Kahlow, seconded by Medinger, to convene in CLOSED SESSION pursuant to Wis. Stat. 19.85(1)(e) to formulate & update negotiation strategies and parameters. The motion carried by the following vote:**

**Yes:** 12 - Kabat, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

**Excused:** 2 - Richmond, Olson

A motion was made by Gaul, seconded by Medinger, to reconvene in OPEN SESSION. The motion carried by unanimous voice vote.

### **Adjournment**

A motion was made by Weaver, seconded by Padesky, to ADJOURN at 7:22 p.m. The motion carried by unanimous voice vote.