



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, March 8, 2018

6:00 PM

Council Chambers

Council President Martin Gaul, Presiding

Council President Martin Gaul called the meeting to order at 6:00 p.m. as chair in the excused absence of Mayor Tim Kabat.

Roll Call

Present: 11 - Andrea Richmond, Scott Neumeister, Barb Janssen, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians
Excused: 1 - David D. Marshall

Pledge of Allegiance

Invocation

Pastor Rufus Parker of Calvary Apostolic Church offered an invocation.

Appointment of District 5 Council Member

A motion was made by Padesky, seconded by Olson, to CONFIRM the appointment of Justice Weaver as District 5 Council Member. The motion carried unanimously by roll call vote.

Roll Call

Present: 12 - Andrea Richmond, Scott Neumeister, Barb Janssen, Justice Weaver, Jacqueline Marcou, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians
Excused: 1 - David D. Marshall

Approval of Minutes

A motion was made by Richmond, seconded by Ostrem, that the minutes of the February 8, 2018 regular meeting be APPROVED. The motion carried.

Reports

[18-0344](#)

Report of the Fire Department - Division of Fire Prevention and Building Safety on Inspections & Permit Revenue for the Month of February 2018.

2018-03-001

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

Notices and Discussions

President Gaul spoke regarding presiding this month's meeting.

COMMON COUNCIL MATTERS

[18-0216](#)

Appeal by Maria Norberg dba Grounded Specialty Coffee of the Heritage Preservation Commission denial of a Certificate of Appropriateness for the building located at 308 Main Street.

(Note: The Common Council may convene in closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel and Wis. Stats. 19.85(1)(a) to deliberate its decision. Following any closed session, the Council may reconvene in open session.)

A motion was made by Padesky, seconded by Christians, to open public hearing. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

The following persons spoke in FAVOR: Maria Norberg, Michael Sigman.

A motion was made by Olson, seconded by Medinger, to close public hearing. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

2018-03-002

A motion was made by Marcou, seconded by Medinger, that the Appeal be APPROVED with the modified (compromise) plan, which reverses the January 18, 2018 decision of Heritage Preservation Commission. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

[18-0369](#)

Resolution approving March 2018 Engineering Estimates.

2018-03-003

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

[18-0373](#)

Resolution approving 2017 and 2018 bills paid in March 2018.

2018-03-004

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

APPOINTMENTS BY THE MAYOR

[18-0323](#)

Aviation Board: Tonya Townsell City Plan Commission: Corliss Tischer
Housing Authority: Judy Carpenter Human Rights Commission: Steven Johnson, A Xiong La Crosse Historic and Cultural Museum Task Force: Gary Padesky, Denise Christy-Moss, Josephine Lee, Sam Scinta, Pat Stephens, Sister Mary Ann Gschwind, Angela Erdenberger, Dr. Sigurd Gundersen III, Sandy Cleary, Tony Yang Library Board: Kathlyn Ivey Municipal Transit Utility Board: Ralph Geary Police and Fire Commission: Roger Christians Board of Park Commissioners: Sandy Cleary.

2018-03-005

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

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

A motion was made by Richmond, seconded by Olson, to SUSPEND Council Rule VIII on Files 18-0213, 18-0221, 18-0225, 18-0248, 18-0250, 18-0281, 18-0331, 18-0333, 18-0335. The motion carried.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[18-0307](#)

Report of Bids & Resolution awarding contract to Steiger Construction Company in the amount of \$70,056.75 for the 2018 Water Utility Sidewalk Contract.

2018-03-006

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

[18-0308](#)

Report of Bids & Resolution awarding contract to Mathy Construction Company in the amount of \$657,577.00 for the Losey Boulevard Overlay project.

2018-03-007

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

[18-0309](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$198,846.65 for the 2018 Streetscaping (Market Street & 4th Street) project.

2018-03-008

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

[18-0310](#)

Report of Bids & Resolution awarding contract to T2 Contracting LLC in the amount of \$27,960.00 for the Schuh Lift Station Roof Replacement project.

2018-03-009

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

ITEM RECOMMENDED TO BE ADOPTED

[18-0333](#)

Resolution approving Settlement Agreement in the case of *Macy's Retail Holdings, Inc. v. City of La Crosse*, La Crosse County Circuit Court Case No. 15-CV-339.

(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.)

2018-03-010

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

Yes: 11 - Richmond, Neumeister, Janssen, Marcou, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Marshall

Non-Voting: 1 - Weaver

CONSENT AGENDA

A motion was made by Richmond, seconded by Ostrem, that the Consent Agenda be APPROVED. The motion carried unanimously by voice vote (Weaver was Non-voting).

ITEMS RECOMMENDED TO BE ADOPTED

- [18-0144](#) AN ORDINANCE to amend Sec. 10-425 and Sec. 10-426 of the Code of Ordinances of the City of La Crosse relating to Fire Prevention and Building Safety Inspections of Outdoor Food Stands and Mobile Food Units.
Ord. 5044. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [18-0213](#) AN ORDINANCE to amend Sec. 40-1 through 40-4 and Sec. 2-2 and 2-3, repeal and recreate Sec. 40-3, repeal Sec. 40-4(a)(2), 40-4(b)(6)&(14), and 40-4(c)&(d), and renumber Sec. 40-4(b)(7) through (15) of the Code of Ordinances of the City of La Crosse relating to sidewalk, driveways and their respective standards and permits.
Ord. 5045. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [18-0281](#) AN ORDINANCE to amend Section 2-359(a) of the Code of Ordinances of the City of La Crosse regarding implementation of the Capital Improvement Budget.
Ord. 5046. For complete ordinance, see p. ____ of Volume 11 of Ordinances.
- [18-0070](#) Resolution releasing funds for apparatus pad replacement for the Fire Department.
2018-03-011
- [18-0071](#) Resolution releasing funds for training grounds for the Fire Department.
2018-03-012
- [18-0074](#) Resolution releasing funds for decontamination rooms for the Fire Department.
2018-03-013
- [18-0076](#) Resolution releasing funds for ALS (Advanced Life Support) for the Fire Department.
2018-03-014

- [18-0080](#) Resolution authorizing expenditures for the purchase of 2018 new equipment approved in the 2018-2022 Capital Improvement Budget.
2018-03-015
- [18-0096](#) Resolution authorizing certain City officers to express official intent regarding capital expenditures to be reimbursed from the proceeds of obligations.
2018-03-016
- [18-0128](#) Resolution clarifying purpose of committed special revenue fund for funding Human Rights Commission and Ethics Committee investigations.
2018-03-017
- [18-0129](#) Resolution approving Certified Survey Map - Outlot 5, Arbor Meadows and part of the SE 1/4 of the SE 1/4 of Section 3, part of the NE 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4 of Section 10, all in T15N, R7W, Town of Shelby, La Crosse County, Wisconsin (Spencer Trust).
2018-03-018
- [18-0140](#) Resolution approving a permanent Easement Deed for Drainage from La Crosse County and appropriation of funds.
2018-03-019
- [18-0142](#) Amended Resolution approving a permanent Easement Deed for Parking Facility Access for Habitat For Humanity and appropriation of funds.
2018-03-020
- [18-0143](#) Amended Resolution appropriating funds for the Ferry Street & 6th Street Storm Sewer Project contracted with A-1 Excavating, Inc.
2018-03-021
- [18-0145](#) Resolution amending Appendix C Fee Schedule to establish a Fire Prevention & Building Safety Inspection Fee for Outdoor Food Stand/Mobile Unit Licenses.
2018-03-022
- [18-0153](#) Resolution authorizing public improvement and levying special assessments against benefited property in La Crosse, Wisconsin - installation of Water Main and associated appurtenances on Shelby Road from East Ave to Kammel Road.
2018-03-023

- [18-0180](#) Resolution approving First Amendment to the 2219 Lofts Development Agreement.
2018-03-024
- [18-0182](#) Resolution approving amendment of scope for Airport Car Wash Facility.
2018-03-025
- [18-0183](#) Resolution approving payment and release of additional funds for airport parking lot improvements.
2018-03-026
- [18-0186](#) Resolution approving 2018 Joint Powers Agreement - County 9-1-1 Emergency System between the City and County of La Crosse.
2018-03-027
- [18-0187](#) Resolution denying Claim for excessive assessment on behalf of JJAWC LLC and JJAWC South LLC for properties located at 525 2nd St. N. and Vine St.
(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.)
2018-03-028
- [18-0188](#) Resolution authorizing the reallocation of funds for Fire Vehicle Fleet Maintenance & Improvement Project.
2018-03-029
- [18-0189](#) Resolution releasing funds for a new fire station for the Fire Department.
2018-03-030
- [18-0190](#) Resolution authorizing Agreement for electrical design and construction services for upgrades to Municipal Well 14.
2018-03-031
- [18-0191](#) Resolution approving Agreement for design services for rehabilitation of Digester #1 cover at Isle La Plume wastewater treatment plant.
2018-03-032

- [18-0192](#) Resolution approving Application of Peter Gerrard dba Gerrard Corporation for a Conditional Use Permit allowing for demolition of structures for future development at 1002-1004-1006-1008 Vine Street and 1016-1018-1020 Vine Street.
2018-03-033
- [18-0193](#) Resolution approving termination of the Water and Fire Service Agreement for the property located at 129 Clinton Street in the Town of Campbell.
2018-03-034
- [18-0196](#) Amended Resolution approving Second Amendment to the Management Agreement between the City of La Crosse and KemperSports Management Inc.
2018-03-035
- [18-0200](#) Resolution approving funds for door replacement work at wastewater treatment plant.
2018-03-036
- [18-0201](#) Resolution approving Investment Services agreement for the period of April 1, 2018 through March 31, 2019.
2018-03-037
- [18-0204](#) Resolution authorizing the acquisition of property interests for a street opening and infrastructure improvements for the Riverside North property and appropriation of funds.
2018-03-038
- [18-0205](#) Initial Resolution authorizing not exceeding \$1,365,000 general obligation bonds of the City of La Crosse.
2018-03-039
- [18-0206](#) Initial Resolution authorizing not exceeding \$55,000 general obligation bonds of the City of La Crosse.
2018-03-040
- [18-0207](#) Initial Resolution authorizing not exceeding \$1,020,000 general obligation bonds of the City of La Crosse.
2018-03-041

- [18-0208](#) Amended Initial Resolution authorizing not exceeding \$555,000 general obligation bonds of the City of La Crosse.
2018-03-042
- [18-0209](#) Initial Resolution authorizing not exceeding \$410,000 general obligation bonds of the City of La Crosse.
2018-03-043
- [18-0210](#) Initial Resolution authorizing not exceeding \$1,995,000 general obligation bonds of the City of La Crosse.
2018-03-044
- [18-0211](#) Resolution directing the advertisement and sale of approximately \$5,400,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2018, and approximately \$2,500,000 aggregate principal amount of General Obligation Promissory Notes, Series 2018 of the City of La Crosse, La Crosse County, Wisconsin.
2018-03-045
- [18-0214](#) Resolution releasing funds from the 2016-2020 and 2017-2021 CIP Budgets for the Paint & Fix Up Program located in TID #14.
2018-03-046
- [18-0217](#) Resolution approving Preliminary & Final Plat of Waterview Subdivision to the City of La Crosse, LaCrosse County, Wisconsin.
2018-03-047
- [18-0225](#) Resolution appropriating additional funding for work related to Moorings Drive.
2018-03-048
- [18-0227](#) Resolution approving Certified Survey Map - All of Lot 1 & Outlot 1, CSM V.9, P.127, D.N.1267180; Outlot 2, CSM, V.10, P.89, D.N.1317049; also part of the NW-SE, NE-SE, Sec.12, T15N-R7W, Town of Shelby, La Crosse County, Wisconsin (Knobloch).
2018-03-049
- [18-0248](#) Resolution appropriating funds for the purchase of a vehicle to be used as a pop-up library for the La Crosse Public Library.
2018-03-050

- [18-0250](#) Resolution approving carryover of unexpended appropriations from the 2017 Operating Budget to the 2018 Operating Budget.
2018-03-051
- [18-0266](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the LaCrosse Municipal Code for the remainder of license period 2017-18 (March).
2018-03-052
- [18-0331](#) Resolution authorizing WIPFLI to conduct an Agreed-Upon Procedure of the Park & Recreation Department for seven park projects for the period of January 1, 2015 through December 31, 2017.
2018-03-053
- [18-0335](#) Resolution approving Agreement for Fire Protection, First Responder, Rescue and Inspection Services between the City of La Crosse Fire Department and the Town of Medary.
2018-03-054

ITEM RECOMMENDED TO BE NOT ADOPTED

- [17-1599](#) Resolution approving the sale of City-owned land to Steve and Barbara Rendler.
2018-03-055

ITEM RECOMMENDED TO BE RE-REFERRED

- [18-0221](#) Resolution selecting design concept "B1" for the La Crosse Center remodeling and expansion and appropriating additional funding for the project.

NEW ITEMS FOR REFERRAL

- 18-0299** Resolution appropriating funds for permits and soil boring connected to the 2018 Capital Improvement Program. WITHDRAWN by sponsor 3-23-18 no longer needed with recent ordinance change.
- [18-0314](#) Resolution amending the Bicycle and Pedestrian Advisory Committee membership.
- [18-0315](#) Amended Resolution approving Development Agreement with Spies Construction for development of the former Navy Reserve site.

- [18-0328](#) Resolution authorizing 2018 Action Plan and funding allocation in connection with CDBG and HOME programs.
- [18-0337](#) Resolution releasing funds for the Northside Facade Renovation Program.
- [18-0346](#) Resolution releasing funds for Burns Park improvements.
- [18-0347](#) AN ORDINANCE to amend Section 2-324 of the Code of Ordinances of the City of La Crosse regarding carrying over of unexpended funds.
- [18-0352](#) Resolution approving Agreement between City of La Crosse and Automated Merchant Services for Online and Point of Sale services related to payment of invoices and bills.
- [18-0355](#) AN ORDINANCE to amend Section 111-1 and Section 111-94 of the Code of Ordinances of the City of La Crosse allowing for wall signs to extend above the roof line of a building.
- [18-0356](#) AN ORDINANCE to amend Section 2-422 of the Code of Ordinances of the City of La Crosse regarding residency requirements for boards, commissions and committees.
- [18-0357](#) Amended Resolution to create a City of La Crosse Concessionaire Corporation.
- [18-0360](#) Resolution confirming the sale, determining rates of interest and other details and levying taxes in connection with the issuance of \$2,500,000 aggregate principal amount of General Obligation Promissory Notes, Series 2018-B, of the City of La Crosse, La Crosse County, Wisconsin.
- [18-0361](#) Resolution confirming sale, determining rates of interest and other details and levying taxes in connection with \$5,410,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2018-A, of the City of La Crosse, La Crosse County, Wisconsin.
- [18-0362](#) Application of Kwik Trip, Inc. for a Conditional Use Permit allowing demolition of structure for green space at 1003 Losey Blvd. S.
- [18-0363](#) Resolution approving Application of Gundersen/City of La Crosse Joint Neighborhood Development Corp. for a Conditional Use Permit allowing demolition of structure for future development at 708 Hood St.
- [18-0364](#) Resolution approving Application of JRD, Ltd. for a Conditional Use Permit allowing demolition of structure for parking 222 Vine St.
- [18-0365](#) Resolution approving Application of Bethany Lutheran Homes, Inc. for a Conditional Use Permit allowing a community living arrangement at 622 Bennora Lee Ct.

[18-0366](#) Resolution approving Application of Our Corner Bar, Inc. dba Our Corner Bar for Expansion of Alcohol Beverage License at 2104 George Street for Special Event on May 19, 2018.

[18-0367](#) 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 Residence District allowing construction of twin home at 1710 Hagar St.

[18-0368](#) AN AMENDED 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 - Specific to the Planned Development District - Specific to amend previous master plan to include the proposed Eagle Crest South expansion at 622 Bennora Lee Ct.

Adjournment

A motion was made by Richmond, seconded by Padesky, to ADJOURN at 6:32 p.m. The motion carried by unanimous voice vote.