



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, April 9, 2020

6:00 PM

Council Chambers

Mayor Tim Kabat, Presiding

Mayor Kabat called the meeting to order at 6:30 p.m.

Roll Call

Present: 14 - Tim Kabat, Andrea Richmond, Scott Neumeister, Barb Janssen, Larry Sleznikow, Justice Weaver, Chris Kahlow, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Pledge of Allegiance

Invocation

Moment of Silence.

Approval of Minutes

A motion was made by Kahlow, seconded by Richmond, that the Minutes of March 12, 2020, be APPROVED. The motion carried by voice vote.

Reports

[20-0520](#)

Report of the Director of Finance for the month of March 2020.

2020-04-001

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Notices and Discussions

COMMON COUNCIL MATTERS[20-0273](#)

Amended Resolution approving Certified Survey Map - The south half of Usher Street lying west of Hokah Street, the vacated La Crescent Street and alley lying south of Usher Street, Block 8 of Plat of West La Crosse and part of Government Lot 5 and Lot 6, all in Section 30, Township 16 North, Range 7 West, the Town of Campbell, La Crosse County, Wisconsin.

A motion was made by Medinger, seconded by Neumeister, that the Certified Survey Map be RECONSIDERED. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

A motion was made by Richmond, seconded by Olson, that the Resolution approving Certified Survey Map be AMENDED to approve the revised March 9, 2020 CSM. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

2020-03-016

A motion was made by Kahlow, seconded by Olson, that the Resolution approving the Certified Survey Map be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[20-0519](#)

Resolution approving 2020 Bills and Engineering Estimates paid in April 2020.

2020-04-002

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[20-0524](#)

Declaration of Emergency.

2020-04-003

A motion was made by Medinger, seconded by Gaul, that the Declaration of Emergency be APPROVED. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[20-0523](#)

Proclamation for local State of Emergency and reducing the number of polling locations for the April 7, 2020 election due to the COVID-19 pandemic.

2020-04-004

A motion was made by Ostrem, seconded by Sleznikow, that the Proclamation be APPROVED. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

COMMITTEE APPOINTMENTS BY THE MAYOR

[20-0534](#)

Emergency Management Appointments: First Emergency Interim Successor is the Fire Chief. Second Interim Successor is the Police Chief.

2020-04-005

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

SUSPENSION OF COUNCIL RULE VIII FOR THE FOLLOWING ITEMS:

(2/3 Vote Required)

A motion was made by Gaul, seconded by Kahlow, to APPROVE suspension of e VIII on Files 20-0491, 20-0493 and 20-0499. The motion carried by unanimous voice vote.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[20-0400](#)

A motion was made by Padesky, seconded by Richmond, that the Report of Bids & Resolution be AMENDED to correct funding. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

2020-04-006

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[20-0405](#)

Report of Bids & Amended Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$404,726.65 for the King Street Neighborhood Greenway-Phase II project.

A motion was made by Ostrem, seconded by Sleznikow, that the Report of Bids & Resolution be AMENDED based on updates provided by the Utilities Department. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

2020-04-007

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

[20-0407](#)

Report of Bids & Amended Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$458,626.35 for the King Street Neighborhood Greenway-Phase III project.

A motion was made by Ostrem, seconded by Sleznikow, that the Report of Bids & Resolution be AMENDED per updates from the Utilities Manager. The motion carried by the following vote:

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

2020-04-008

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

Yes: 13 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

A motion was made by Gaul, seconded by Medinger, to ADOPT the balance of Report of Bids & Resolutions. The motion carried by unanimous voice vote.

[20-0396](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$140,796.50 for the 2020 Miscellaneous Curb & Gutter project.

2020-04-009

[20-0397](#)

Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$67,154.80 for the 2020 Water Sidewalk Replacement.

2020-04-010

- [20-0399](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$45,668.40 for the IGA Court-City Pave project.
2020-04-011
- [20-0401](#) Report of Bids & Resolution awarding contract Visu-Sewer, Inc. in the amount of \$436,270.00 for the Valley Valley View Mall Storm Sewer Lining project.
2020-04-012
- [20-0402](#) Report of Bids & Resolution awarding contract to Dirt Monkey, LLC in the amount of \$44,800.00 for the Highland Park Improvements project.
2020-04-013
- [20-0404](#) Report of Bids & Resolution awarding contract to Wieser Brothers General Contractor, Inc. in the amount of \$260,875.00 for the Burns Park project with Alternates 1 & 2.
2020-04-014
- [20-0502](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$123,000.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Selective Demolition.
2020-04-015
- [20-0503](#) Report of Bids & Resolution awarding contract to Wieser Brothers General Contracting, Inc. in the amount of \$121,000.00 for the La Crosse Center Expansion-Renovation Bid Package #3-Concrete project.
2020-04-016
- [20-0504](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$154,000.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Masonry.
2020-04-017
- [20-0505](#) Report of Bids & Resolution awarding contract to Fowler & Hammer, Inc. in the amount of \$261,000.00 for the La Crosse Center Expansion & Renovation-Bid Package #3-Metal Railings.
2020-04-018
- [20-0506](#) Report of Bids & Resolution awarding contract to Wieser Brothers General Contracting, Inc. in the amount of \$2,223,700.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Carpentry project.
2020-04-019

- [20-0507](#) Report of Bids & Resolution awarding contract to Winona Heating & Ventilating, Inc. in the amount of \$2,479,774.00 for the La Crosse Center Expansion-Renovation Bid Package #3-Roofing/Metal Panels.
2020-04-020
- [20-0508](#) Report of Bids & Resolution awarding contract to Ford Metro, Inc. in the amount of \$544,760.00 for the La Crosse Center Expansion-Renovation-Entrances-Storefronts-Curtain Wall.
2020-04-021
- [20-0512](#) Report of Bids & Resolution awarding contract to HJ Martin & Son, Inc. in the amount of \$2,854,000.00 for the La Crosse Center Expansion & Renovation-Bid Package #3-CMF & Drywall.
2020-04-022
- [20-0513](#) Report of Bids & Resolution awarding contract to Grazzini Brothers & Company in the amount of \$430,400.00 for the La Crosse Center Expansion-Renovation Bid Package #3-Tile project.
2020-04-023
- [20-0514](#) Report of Bids & Resolution awarding contract to HJ Martin & Son, Inc. in the amount of \$574,708.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Ceilings project.
2020-04-024
- [20-0515](#) Report of Bids & Resolution awarding contract to Builders Flooring, Inc. in the amount of \$515,360.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Flooring project.
2020-04-025
- [20-0516](#) Report of Bids & Resolution awarding contract to Pine Valley Painting & Finishing, LLC in the amount of \$473,900.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Painting & Wall Coverings.
2020-04-026
- [20-0517](#) Report of Bids & Resolution awarding contract to Stafford Smith, Inc. in the amount of \$861,112.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Food Service.
2020-04-027

[20-0518](#)

Report of Bids & Resolution contract to G. Urban Companies, LLC in the amount of \$40,000.00 for the La Crosse Center Expansion-Renovation-Bid Package #3-Landscape.

2020-04-028

ITEMS TO BE VOTED ON OUTSIDE OF CONSENT AGENDA[20-0457](#)

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 Local Business District allowing parking for adjacent business at 612 Kane Street.

Ord. 5137. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Kahlow

[20-0459](#)

Resolution approving Application of Duane and Tonia Genz for a Conditional Use Permit allowing demolition of structure for parking at 612 Kane Street.

2020-04-029

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

Yes: 12 - Richmond, Neumeister, Janssen, Sleznikow, Weaver, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

No: 1 - Kahlow

[20-0499](#)

Resolution establishing the Small Business Relief Grant Program.

A motion was made by Richmond, seconded by Olson, that the Resolution be REFERRED for 30 days. The motion FAILED by the following vote:

Yes: 1 - Olson

No: 11 - Richmond, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

Recuse: 1 - Neumeister

2020-04-030

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

Yes: 12 - Richmond, Janssen, Sleznikow, Weaver, Kahlow, Padesky, Olson, Ostrem, Medinger, Gaul, Happel, Christians

Recuse: 1 - Neumeister

CONSENT AGENDA

A motion was made by Richmond, seconded by Medinger, that the Consent Agenda be ADOPTED. The motion carried by unanimous voice vote.

ITEMS RECOMMENDED TO BE REFERRED

[20-0256](#)

A SECOND 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 - General to the Planned Development District - General at 1325 St. Andrew Street.

Referred 30 days to May 2020 meetings

[20-0409](#)

AN AMENDED ORDINANCE to create Section 32-3(c) and (d) of the Code of Ordinance of the City of La Crosse relating to smoking and vaping in public places or on City property.

Referred 30 days to May 2020 meetings

[20-0450](#)

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 Multi-Family District allowing multi-family development at 207-213 Rose Street.

Referred 30 days to May 2020 meetings

ITEMS RECOMMENDED TO BE ADOPTED

[20-0453](#)

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 - General to the Planned Development District - Specific allowing multi-family housing development at 3950 Sunnyside Drive.

Ord. 5136. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[20-0271](#)

Resolution approving Application of Northside Molzahn LLC for a Conditional Use Permit allowing demolition of structure for green space at 421-423 West Ave. N.

2020-04-031

[20-0272](#)

Resolution approving Application of School House Properties LLC for a Conditional Use Permit allowing demolition of structure for green space at 417 West Ave. N.

2020-04-032

- [20-0296](#) Resolution authorizing the La Crosse Center to award a 5-year contract to Harter's Quick Clean Up for the Waste Service Agreement for La Crosse Center.
2020-04-034
- [20-0317](#) Amended Resolution authorizing 2020-2024 Consolidated Plan & 2020 Action Plan in connection with the CDBG and HOME Programs.
2020-04-035
- [20-0336](#) Resolution abolishing the City of La Crosse South Branch Library Steering Committee.
2020-04-036
- [20-0345](#) Resolution approving amendment to the Declaration of Protective Covenants for the International Business Park with respect to Lot 10 - 3090 Berlin Drive.
2020-04-037
- [20-0353](#) Resolution appropriating funds for private contractor(s) to assist with clearing snow from public sidewalks for the 2019-2020 season.
2020-04-038
- [20-0368](#) Resolution approving Request of State Street Delicatessen dba Schuby's Neighborhood Butcher to Amend Premise Description at 321 State Street adding patio area on north side of building.
2020-04-039
- [20-0421](#) Resolution approving a "BUILD" grant application for multiple project components.
2020-04-040
- [20-0449](#) Resolution approving Request for Exception to Standards for Commercial Design by DBS Group allowing for exception to parking requirement for project at 2946 Darling Court.
2020-04-041
- [20-0460](#) Resolution approving Investment Services agreement for the period of April 1, 2020 through March 31, 2021.
2020-04-042

- [20-0461](#) Resolution granting Application of Nutbush City Limits (Ginger Hillman) for a Conditional Use Permit allowing demolition of structure for parking and volleyball courts at 3264 George Street.
2020-04-043
- [20-0474](#) Resolution authorizing the Sanitary Sewer Utility to hire a design consultant for the Waste Water Treatment Facility Improvements, to obtain funding for the design via a short-term loan, and the appropriation of said funds
2020-04-044
- [20-0475](#) Resolution authorizing the City to enter into lease agreement contracts with Enterprise Fleet Management for those vehicles deemed eligible and where appropriate savings are identified.
2020-04-045
- [20-0476](#) Resolution appropriating funds for Powell Park from Tax Incremental District 14.
2020-04-046
- [20-0477](#) Resolution approving the purchase of Citrix software.
2020-04-047
- [20-0478](#) Resolution approving the carryover of unexpended appropriations from the 2019 Operating Budget to the 2020 Operating Budget.
2020-04-048
- [20-0479](#) Resolution approving Application of River Town Pedal Tours LLC for 2020 Pedal Cab License.
- [20-0490](#) 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 (April).
2020-04-050
- [20-0491](#) Amended Resolution authorizing Settlement Agreement and Release pertaining to Nathan Poke and the City of La Crosse.
2020-04-051

[20-0493](#)

Resolution authorizing the use of General Fund 2020 Operating Budget Contingency for COVID-19 expenses as they arise during the identified incident period and to the extent of available funds.

2020-04-052

Adjournment

A motion was made by Richmond, seconded by Padesky, to ADJOURN. The motion carried by voice vote.