



City of La Crosse, Wisconsin

City Hall
400 La Crosse Street
La Crosse, WI 54601

Meeting Minutes - Final

Common Council

Thursday, July 9, 2020

6:00 PM

Council Chambers

Council President Martin Gaul, Presiding

Council President Gaul called the meeting to order at 6:00 p.m.

Roll Call

Present: 12 - Andrea Richmond, Scott Neumeister, Barb Janssen, Larry Sleznikow, Chris Kahlow, Gary Padesky, Jessica Olson, Phillip A. Ostrem, Paul Medinger, Martin Gaul, Douglas Happel, Roger Christians

Excused: 1 - Tim Kabat

Absent: 1 - Justice Weaver

Pledge of Allegiance

Invocation

Pastor Rufus Parker of Calvary Apostolic Church offered an invocation.

Approval of Minutes

A motion was made by Christians, seconded by Medinger, to APPROVE the minutes of June 11, 2020. The motion carried.

Reports

[20-0903](#)

Report of the Director of Finance for the Month of June 2020.

2020-07-001

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

Notices and Discussions

Council Member Richmond recognized Jason Gilman for his time serving as Director of Planning, Economic Development & Assessor for the City of La Crosse.

COMMON COUNCIL MATTERS

[20-0733](#)

Resolution approving Certified Survey Map - All of Lot 1 and Outlot 1 of Certified Survey Map Volume 9, Page 20, Located in the NW 1/4 of the SW 1/4 of Section 23, Township 14 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin, and request to waive requirement of plat.

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Kahlow, seconded by Richmond, that the Resolution be AMENDED to correct frontage measurement per proposed amendment. The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

2020-06-031

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

[20-0902](#)

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

2020-07-002

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

APPOINTMENTS BY THE MAYOR

[20-0906](#)

Building and Housing Appeals Board: Jim Webb, Barbara Benson. Housing Authority: Randall Brown. Police and Fire Commission: Nese Nasif.

2020-07-003

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

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

A motion was made by Richmond, seconded by Ostrem, to Suspend of Council Rule VIII on Files 20-0860 and 20-0894. The motion carried.

REPORT OF BIDS/QUOTES RECOMMENDED TO BE ADOPTED

[20-0647](#)

Report of Bids & Resolution awarding contract to Market & Johnson, Inc. in the amount of \$290,060.00 for the base bid with Alternate No. 1 for the Pump House Theater Renovation Project.

2020-07-004

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

ITEM WITHOUT RECOMMENDATION

[20-0894](#)

Resolution creating Declaration of Protective Covenants for International Business Park #2.

2020-07-005

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

ITEMS RECOMMENDED TO BE ADOPTED

[20-0571](#)

Amended Resolution supporting the Solutionary Rail Electrification Proposal and Northern Corridor Demonstration.

2020-07-006

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

Yes: 8 - Janssen, Sleznikow, Kahlow, Padesky, Medinger, Gaul, Happel, Christians

No: 3 - Neumeister, Olson, Ostrem

Excused: 1 - Kabat

Absent: 1 - Weaver

Abstain: 1 - Richmond

[20-0681](#)

Amended Resolution approving 2021-2025 Capital Improvement Program Budget.

A motion was made by Neumeister, seconded by Medinger, to ADOPT.

Unanimous consent to remove the following Line Items for separate vote due to the requirement of a 2/3 vote per Sec. 2-360(c): 8, 603, 646, 647, 648, 649, 650, 651, 652.

A motion was made by Olson, seconded by Kahlow, to AMEND Line Item 8 as proposed by Olson Amendment #1. The motion failed by the following vote:

Yes: 3 - Neumeister, Kahlow, Olson

No: 9 - Richmond, Janssen, Sleznikow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Kahlow to amend Line Item 8 deleting \$1,000,000.00 GOB funding for 2021. The motion failed due to lack of a second.

A motion was made to ADOPT Line Item 8 (2/3 vote required). The motion carried by the following vote:

Yes: 9 - Richmond, Janssen, Sleznikow, Padesky, Ostrem, Medinger, Gaul, Happel, Christians

No: 3 - Neumeister, Kahlow, Olson

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Richmond, seconded by Ostrem, to ADOPT the remaining items requiring a 2/3rds vote. The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

Council President Gaul relinquished the Chair to Andrea Richmond for the following motion.

A motion was made by Gaul, seconded by Padesky, to AMEND Line Items 104 and 160 and add new item in public safety for Fire Station #1 rehabilitation as proposed by Kabat/Gaul with a change deleting "Change the amount of past years funds to \$4,612,636, SOF, as existing bonds funds". The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Gaul, seconded by Medinger, to ADOPT AS AMENDED Lines 104 and 160 and new item added to public safety (2/3 vote required). The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Olson, seconded by Padesky, to AMEND Line Items 645, 272, 23, 443 and 552 as proposed per Olson Amendment #2.

A motion was made by Olson, seconded by Padesky, to AMEND the Olson Amendment #2 eliminating change to Lines 23 Myrick Park Playground and 552 Riverside Park Bathrooms and moving that \$750,000 back to Line 645 City Hall Lobby Renovation for 2021. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Medinger, Gaul, Happel, Christians

No: 1 - Ostrem

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Kahlow, seconded by Neumeister, to ADOPT the Amended Amendment. The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Medinger, Gaul, Happel, Christians

No: 1 - Ostrem

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Christians, seconded by Olson, to ADOPT AS AMENDED Lines 272 and 443 (2/3 vote required). The motion carried by the following vote:

Yes: 11 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Medinger, Gaul, Happel, Christians

No: 1 - Ostrem

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Olson, seconded by Padesky, to AMEND per Olson Amendment #3 with a friendly amendment to increase TIF #11 funds to \$1.8 million. The motion failed by the following vote:

Yes: 1 - Olson

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

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Kahlow, seconded by Neumeister, to AMEND Line 584 per Kahlow proposed amendment. The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Richmond, seconded by Janssen, to ADOPT AS AMENDED Line 584 (2/3 vote required). The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

2020-07-007

A motion was made by Janssen, seconded by Happel, to ADOPT AS AMENDED the balance of budget. The motion carried by the following vote:

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

Excused: 1 - Kabat

Absent: 1 - Weaver

[20-0713](#)

AN ORDINANCE to create Section 32-1(c) and to amend Section 32-163(a) of the Code of Ordinance for the City of La Crosse regarding the possession of marijuana.

A motion was made by Christians, seconded by Kahlow, to ADOPT.

A motion was made by Neumeister, seconded by Ostrem, to REFER 30 days. The motion failed by the following tie vote:

Yes: 6 - Richmond, Neumeister, Janssen, Olson, Ostrem, Happel

No: 6 - Sleznikow, Kahlow, Padesky, Medinger, Gaul, Christians

Excused: 1 - Kabat

Absent: 1 - Weaver

A motion was made by Richmond, seconded by Neumeister, that the Ordinance be TABLED. The motion failed by the following vote:

Yes: 5 - Richmond, Neumeister, Janssen, Olson, Gaul

No: 7 - Sleznikow, Kahlow, Padesky, Ostrem, Medinger, Happel, Christians

Excused: 1 - Kabat

Absent: 1 - Weaver

Ord. 5147. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

On the Christians/Kahlow motion to ADOPT, the motion carried by the following vote:.

Yes: 9 - Richmond, Neumeister, Janssen, Sleznikow, Kahlow, Padesky, Olson, Medinger, Christians

No: 3 - Ostrem, Gaul, Happel

Excused: 1 - Kabat

Absent: 1 - Weaver

[20-0741](#)

Resolution approving Settlement Agreement in the cases of *Sears Holdings Corporation v. City of La Crosse*, La Crosse County Circuit Court Case Nos. 15-CV-340 and 19-CV-368.

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

2020-07-008

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

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

Excused: 1 - Kabat

Absent: 1 - Weaver

ITEMS MOVED FROM CONSENT AGENDA

[20-0809](#)

Resolution Creating Tax Incremental District No. 18, Approving Its Project Plan and Establishing Its Boundaries.

2020-07-009

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

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

No: 1 - Olson

Excused: 1 - Kabat

Absent: 1 - Weaver

[20-0810](#)

Resolution Creating Tax Incremental District No. 19, Approving Its Project Plan and Establishing Its Boundaries.

2020-07-010

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

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

No: 1 - Olson

Excused: 1 - Kabat

Absent: 1 - Weaver

[20-0811](#)

Resolution Creating Tax Incremental District No. 20, Approving Its Project Plan and Establishing Its Boundaries.

2020-07-011

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

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

No: 1 - Olson

Excused: 1 - Kabat

Absent: 1 - Weaver

CONSENT AGENDA

A motion was made by Richmond, seconded by Christians, to ADOPT the Consent Agenda. The motion carried unanimously.

ITEMS RECOMMENDED TO BE ADOPTED

[20-0796](#)

AN ORDINANCE to amend Sec. 101-3 of the Code of Ordinances of the City of La Crosse regarding Lot Splits or Alterations.

Ord. 5148. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[20-0797](#)

AN ORDINANCE to amend Sec. 46-31(b)(4) of the Code of Ordinances of the City of La Crosse regarding Water Meter Installation.

Ord. 5149. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

[20-0827](#)

AN 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, Special Multiple District and Floodway District to the Public/Semi-Public District to allow combining of parcels for consistency with surrounding park lands at 410 Veterans Memorial Dr. and 201 Front St. N.

Ord. 5150. For complete ordinance, see p. ____ of Volume 11 of Ordinances.

- [20-0745](#) Resolution re-appropriating funds for Sidewalk and Streetscaping funded in 2020 by the General Fund and providing funding for Neighborhood Standard Lighting Review, a new project.
2020-07-012
- [20-0762](#) Resolution approving Application of A&S Foster LLC dba Bottoms Up for an Expansion of Alcohol Beverage License & Street Privilege Permit for special event at 500 Copeland Avenue on August 8, 2020.
2020-07-013
- [20-0799](#) Resolution authorizing the La Crosse Regional Airport to accept Federal funds under the Coronavirus Aid, Relief, and Economic Security Act (H.R. 478, Public Law 116-36).
2020-07-014
- [20-0800](#) Resolution approving a Memorandum of Understanding between the La Crosse Regional Airport and La Crosse County for installation of an electric vehicle charging station.
2020-07-015
- [20-0813](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 11, City of La Crosse, Wisconsin.
2020-07-016
- [20-0814](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 13, City of La Crosse, Wisconsin.
2020-07-017
- [20-0815](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 14, City of La Crosse, Wisconsin.
2020-07-018
- [20-0816](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 15, City of La Crosse, Wisconsin.
2020-07-019
- [20-0817](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 16, City of La Crosse, Wisconsin.
2020-07-020

- [20-0818](#) Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 17, City of La Crosse, Wisconsin.
2020-07-021
- [20-0820](#) Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 13, City of La Crosse, Wisconsin.
2020-07-022
- [20-0828](#) Resolution changing the title of the plan coordinator of the agreement with the ICMA Retirement Corp to Deputy Director of Human Resources.
2020-07-023
- [20-0839](#) Resolution authorizing City Clerk to apply for and accept Wisconsin Elections Commission CARES Subgrant.
2020-07-024
- [20-0840](#) Initial Resolution authorizing not exceeding \$3,025,000 general obligation bonds of the City of La Crosse.
2020-07-025
- [20-0841](#) Initial Resolution authorizing not exceeding \$3,100,000 general obligation bonds of the City of La Crosse.
2020-07-026
- [20-0842](#) Initial Resolution authorizing not exceeding \$655,000 general obligation bonds of the City of La Crosse.
2020-07-027
- [20-0843](#) Initial Resolution authorizing not exceeding \$35,000,000 general obligation bonds of the City of La Crosse.
2020-07-028
- [20-0844](#) Initial Resolution authorizing not exceeding \$7,280,000 general obligation bonds of the City of La Crosse.
2020-07-029
- [20-0845](#) Resolution approving Request of La Crosse Baseball LLC for permission to apply for a Combination Class "B" Beer & Liquor license at 800 Copeland Park Drive for license year 2020-21.
2020-07-030

[20-0854](#) Resolution authorizing the Board of Public Works to approve a Temporary Construction Easement from the Moorings Homeowners Association, Inc. for Curb & Gutter & Rip Rap project.

2020-07-031

[20-0856](#) Resolution approving various license applications pursuant to Chapters 4, 6 and/or 10 of the La Crosse Municipal Code for license period 2020-21 (July).

2020-07-032

[20-0860](#) Resolution authorizing the City of La Crosse to apply for and accept additional funds to supplement a fiscal year 2018 disaster recovery program disaster supplemental grant from the U.S. Department of Commerce - Economic Development Administration to fund the construction of storm water flooding mitigation projects.

2020-07-033

ITEMS RECOMMENDED TO BE RECEIVED AND FILED

[20-0727](#) La Crosse Fire Department 2019 Annual Community Report.

2020-07-034

Adjournment

A motion was made by Kahlow, seconded by Christians, to ADJOURN. The motion carried.