

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, May 12, 2015

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Kathy Mitchell, David Strobel, Bob Von Haden, and Andrew Werthmann. Absent: Council Members Monica Lewis and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, May 12, 2015:

- Approving Minutes of Organizational Meeting of April 27, 2015 and Regular Meeting of April 28, 2015.
- Granting new bartender licenses.
- Authorizing the submission of an application to the Department of Natural Resources for a Stewardship Grant for the development of a multiuse trail between the Barstow Street Bridge and the Lake Street Bridge.
- Authorizing St. Olaf Church to conduct the St. Olaf Fun Fest 5K on Saturday, May 16, 2015 at St. Olaf Church and along city trails and sidewalks.
- Authorizing Eau Claire Patriotic Council to conduct the Eau Claire Patriotic Council Memorial Day Parade and Program on Monday, May 25, 2015 along city streets and sidewalks.
- Authorizing Volume One Events, LLC to conduct the Sounds Like Summer Concert Series on Thursdays beginning June 4 – August 27, 2015 at Phoenix Park.
- Authorizing Eau Claire Municipal Band, Inc. to conduct the Eau Claire Municipal Band Concerts on Wednesdays from June 10 - July 29, 2015 at Owen Park.
- Authorizing Northern Wisconsin Hosta Society to conduct the Northern Wisconsin Hosta Society Sale on Sunday, June 14, 2015 in Phoenix Park.
- Authorizing Mehara Shrine Club to conduct the Mehara Shrine Circus on June 16-17, 2015 in the Carson Park Baseball Stadium.
- Authorizing the City to conduct the Juneteenth Celebration 2015 on Friday, June 19, 2015 at the Carson Park Pine Pavilion.
- Authorizing Royal Credit Union to conduct the RCU Charity Classic on Saturday, June 27, 2015 at Phoenix Park and along city trails and sidewalks.
- Approving Procurement No. 2015-09, Remodel Upper Viewing Area at Hobbs Ice Center.
- Approving Procurement No. 2015-13, RFP Water Treatment Plant Filter Rehabilitation and New Production Wells.
- Approving Procurement No. 2015-26, Newell Park Basketball Court Rehabilitation.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Larsen “to adopt the consent resolution”. Said motion passed by unanimous vote.

PROCLAMATION

Council President Kincaid, on behalf of the City Council, proclaimed April 7, as National Service Recognition Day, as a way to acknowledge the positive impact that volunteers with groups such as AmeriCorps and Senior Corps have.

Council President Kincaid, on behalf of the City Council, proclaimed May 17 – 23 as Emergency Medical Services (EMS) Week.

Council President Kincaid, on behalf of the City Council, proclaimed May 15 as National Bike To Work Day and June 7 – 13 as Wisconsin Bike Week.

Council President Kincaid, on behalf of the Council, proclaimed May as Historic Preservation Month.

SPECIAL EVENTS

The City Council considered a resolution authorizing First Congregational UCC to conduct the Historic Randall Park Neighborhood Carnival on Sunday, May 17, 2015 at Randall Park and along city streets and sidewalks. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing Chippewa Valley LGBT to conduct the Chippewa Valley PRIDE event on Saturday, June 13, 2015 at the Carson Park Birch Pavilion. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the Game Day Competitions LLC to conduct the Benchmark Brawl Eau Claire on Saturday, June 27, 2015 at Hobbs Municipal Ice Center. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

2719 STEAM LOCOMOTIVE

The City Council considered a resolution authorizing the purchase of the 1927 ALCO Steam Train Locomotive #2719 and sale of said locomotive to the Lake Superior Railroad Museum. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution”. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Strobel “to amend the resolution as follows:

Delete the last Whereas paragraph (Whereas, the City of Eau Claire does not have resources available for moving the engine to Eau Claire and constructing a shelter for the locomotive for static display.)

and

Insert the following Whereas paragraphs:

Whereas, Locomotive #2719 was given and housed in the City of Eau Claire for 50 years and painstakingly restored to running order by Eau Claire residents, and as such it is deemed a valuable and historic asset to the City; and

Whereas, the City should keep its ownership and interests of the locomotive intact, thereby allowing future councils and citizens the opportunity to continue exploring options for an eventual return of the Locomotive #2719 to the area, either as a running engine or a static display.

and

Delete the two Be It Further Resolved paragraphs at the end of the resolution”.

Said motion to amend failed on the following tie vote: Aye: Council Members Larsen, Strobel, Von Haden and Werthmann. Nay: Council Members Emmanuelle, Kincaid, Klinkhammer, and Mitchell. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Mitchell “to amend the resolution by adding the following paragraph at the end of the resolution:

Be It Further Resolved that the City of Eau Claire shall retain an option for right of first refusal for a purchase price of \$4 should the Lake Superior Railroad Museum sell, lease to a third party, convert to an alternate fuel source or transfer ownership of said locomotive”.

Said motion to amend was adopted by unanimous vote. The Council then voted on the resolution as amended. Said resolution did not receive the six votes necessary for passage and failed on the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen and Mitchell. Nay: Council Members Strobel, Von Haden and Werthmann.

PEDESTRIAN ACCOMMODATIONS

The City Council considered a resolution authorizing an “Absence of Need” exemption for pedestrian accommodations on Short Street, from Wisconsin Hwy 37 to the Chippewa River Bridge. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an “Absence of Need” exemption for pedestrian accommodations on Melby Street, from Victor Street to 115th Street. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Stobel “to adopt the resolution”. Said motion passed by unanimous vote.

97 WEST MADISON STREET

The Council considered a resolution granting a permanent encroachment to Parcel No. 09-0390 (97 W. Madison Street) for the existing building. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution declaring a portion of 97 West Madison Street to be excess land and authorizing the sale to Rodinny Pivovar, LLC. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Von Haden left the Council Chamber.

COLLECTIVE BARGAINING AGREEMENT

The City Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Police Patrol Local 9. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Von Haden returned to the Council Chamber.

HEALTH INSURANCE

The City Council considered a resolution extending the current health insurance plan with Group Health for one year. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

COUNCIL VACANCY

The Council considered a resolution approving the process to fill an existing vacancy on the City Council. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Werthmann left the Council Chamber.

ZONING

The Council considered an ordinance rezoning property which is part of the West Riverside District Neighborhood Plan located generally north of Madison Street and Cameron Street, east of and along Seventh Street, south of Cedar Street and Fountain Street and west of First Street and Oxford Avenue;

from

R-3 (Low-Rise Multiple-Family District) and R-4 (High-Rise Multiple-Family District)

to

R-2 (One- and Two-Family District),

and

from

R-3 (Low-rise Multiple-Family District) and

R-4 (High-Rise Multiple-Family District) and

P-Public Property District and I-1 (Light Industrial District) and

C-2 (Neighborhood Shopping District)

to

RM-P (Mixed Residential – Planned Development)

and to adopt the General Development Plan for the area as shown on Planning File # Z-1558-15. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the ordinance”. Said motion passed by unanimous vote.

Council Member Werthmann returned to the Council Chamber.

REMOTE ATTENDANCE

The Council considered a Charter Ordinance amending Chapter 2.04 of the City Code of Ordinances entitled “City Government” and specifically creating Section 2.04.055 entitled “Board and Commission Remote Attendance”. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Emmanuelle “to adopt the ordinance”. Said motion failed by the following vote: Aye: None. Nay: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden and Werthmann.

The Council considered a Charter Ordinance amending Chapter 2.08 of the City Code of Ordinances entitled “City Council” by specifically creating Section 2.08.065 entitled “Meetings—Attendance From Remote Location”. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Larsen “to adopt the ordinance”. Said motion passed by unanimous vote.

BOW HUNTING

The Council considered an ordinance amending Section 9.32.030 of the City Code of Ordinances, entitled “Discharging Firearms” to reflect changes to municipal bans on bow hunting. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the ordinance”. Said ordinance did not receive the six votes necessary for passage and failed on the following vote: Aye: Council Members Klinkhammer, Larsen, Mitchell, Strobel and Von Haden. Nay: Council Members Emmanuelle, Kincaid and Werthmann.

PARKING

The City Council had first reading on an ordinance amending Table IX of the City Code of Ordinances, entitled "Parking During Specified Hours - Six a.m. to six p.m.," by deleting Summer Street, east side, from Main Street to Barland Street.

PAY PLAN AND BENEFITS & LEAVES PLAN

The City Council had first reading on an ordinance amending the Pay Plan for the City of Eau Claire, specifically that part thereof pertaining to Police Patrol Union, Local 9.

The Council had first reading on an ordinance amending s. 2.72.020 of the City Code of Ordinances, entitled “City of Eau Claire Employee Benefits and Leaves Plan – Adopted”,

specifically those parts pertaining to health insurance contributions for Police Patrol Local 9 and Fire Fighters Local 487 employees.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Klinkhammer “to suspend the rules which interfere with the immediate consideration of said ordinances”. Said motion to suspend the rules passed by unanimous voice vote. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the ordinance amending the Pay Plan for the City of Eau Claire, specifically that part thereof pertaining to Police Patrol Union, Local 9”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Larsen “to adopt the ordinance amending the City Employee Benefits and Leaves Plan, specifically those parts pertaining to health insurance contributions for Police Patrol Local 9 and Fire Fighters Local 487 employees”. Said motion passed by unanimous vote.

ADJOURNMENT

A motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: May 12, 2015

Time: 7:16 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk