

(col-min-0609)

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, June 9, 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, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, Andrew Werthmann, and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, June 9, 2015:

- Approving Minutes of Regular Meeting of May 26, 2015.
- Granting new bartender licenses.
- Granting renewal of bartender licenses for the 2015-2017 licensing period.
- Granting the renewal of the following licenses for the 2015-2016 licensing period:
 - Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Reserve Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Class B Fermented Malt Beverage licenses.
 - Combination Class A Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Class A Fermented Malt Beverage licenses.
 - Class C Wine licenses.
 - Class A Cabaret licenses.
 - Class B Cabaret licenses.
- Granting a Class B Fermented Malt Beverage and Class C Wine license to Asia Palace, Inc., d/b/a Asia Palace, 4069 Commonwealth Ave., Binh Lin, agent.
- Authorizing the following repeat special events:
 - Maddy Moments to conduct the MadDash 5K Run on Wednesday, June 24, 2015 at Carson Park Pine Pavilion and on city trails and sidewalks.
 - Just Us For Justice to conduct the Just Us for Justice Run/Walk on Wednesday, July 22, 2015 at Carson Park and along city trails and sidewalks.
 - Indianhead Track Club to conduct the Tortoise and Hare 5K on Thursday, July 30, 2015 along city trails and sidewalks.
 - UW- Eau Claire to conduct the UW Meets Eau Claire on Friday, September 11, 2015 at Owen Park, Phoenix Park and along city trails and sidewalks.
 - Center Ice Club and Gordy's Market to conduct the Hops for Hockey on Saturday, September 12, 2015 at the Hobbs Municipal Ice Center.
 - Sherman Steering Committee to conduct the Sherman Star River Run on Friday, September 18, 2015 in Owen Park and along city trails and sidewalks.
 - American Cancer Society, Inc. to conduct the Making Strides Against Breast Cancer Walk

of Eau Claire on Saturday, October 17, 2015, beginning at the State Theatre and along city trails and sidewalks.

- Authorizing the Police Department to apply for a COPS Hiring Program (CHP) Grant funded by the Office of Community Oriented Policing Services, U.S. Department of Justice.
- Approving the following bids and proposals:
 - Procurement No. 2015-31, City Wide Street & Utility Construction.
 - Procurement No. 2015-32, Downtown Street Improvements.

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 on the entire City Council, proclaimed, Friday, June 19 as Juneteenth Day in the City of Eau Claire and encouraged all residents to join in recognizing the day of unity, freedom and opportunity and to honor the diversity of all racial and ethnic groups in the community.

SPECIAL EVENTS

The City Council considered a resolution authorizing the Huntington’s Disease Society of America to conduct the Team Hope Walk on Saturday, August 22, 2015 at the Carson Park Pine Pavilion and along city trails 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 St. Patrick’s Parish to conduct the St. Patrick’s Parish 150th Anniversary on Sunday, June 21, 2015 at St. Patrick’s Parish and along the 300 block of Fulton Street. 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.

LICENSING

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Regis Catholic Schools, Mark Gobler, president, on June 21, 2015, at 322 Fulton St. for a St. Patrick’s Parish 150th Anniversary at 322 Fulton Street. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Sports Commission, Ken Van Es, president, on July 2 – 5, 2015, at 3800 Starr Ave., for the Chippewa Valley Air Show. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to Ninja Eau Claire, Inc., d/b/a Ninja, 405 S. Barstow St., Feng

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

ALDERMANIC DISTRICT 1 APPOINTMENT

The City Council considered a resolution making an appointment to the vacant Aldermanic District 1 seat on the City Council. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Klinkhammer “to insert Tim Tewalt’s name in the resolution”. Council Members discussed both candidates and their qualifications. The Council then voted on the motion. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel and Xiong. Nay: Council Members Lewis, Von Haden, and Werthmann. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution appointing Tim Tewalt as the District 1 representative on the City Council”. Said motion passed by unanimous vote.

HAZ-MAT CONTRACT

The Council considered a resolution authorizing a Regional Hazardous Materials Response System Services Contract with the State of Wisconsin. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

GRANTS

The City Council considered a resolution authorizing the Fire Department to accept grant monies from the Department of Homeland Security for the purchase of Self-Contained Breathing Apparatus (SCBA). Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution accepting a Hometown Health grant from Mayo Health Systems for \$25,000 for the purchase of outdoor exercise equipment to be placed in Owen Park. 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.

CDBG & HOME GRANT FUNDING

The City Council considered a resolution approving the amendments and appropriations to the 2014 Community Development Block Grant (CDBG) program. 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 approving the 2015 Community Development Block Grant (CDBG) and HOME Grant Funding appropriations. 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.

#2719 STEAM LOCOMOTIVE

The Council considered a resolution authorizing the purchase of the 1927 ALCO Steam Train Locomotive #2719 and selling the locomotive to the Lake Superior Railroad Museum. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Mitchell “to adopt the resolution considered by the Council on May 12 which would have the City exercise its right to purchase the locomotive for \$1 and then sell it to the Lake Superior Railroad Museum for \$2”. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Larsen “to consider a substitute resolution which would have the City exercise its right to purchase the locomotive for \$1 and then negotiate a 3 to 5 year lease with Lake Superior Railroad Museum; if such a lease is not able to be negotiated, ownership of the locomotive would revert back to the Locomotive and Tower Preservation Fund Ltd”. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Klinkhammer “to postpone consideration of this item until the June 23, 2015 City Council meeting”. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to table consideration of the resolution (to allow time for the City Attorney to discuss the matter with the Lake Superior Railroad Museum)”. Said motion to table passed by a unanimous vote.

CARSON PARK FOOTBALL FIELD RECOMMENDATION

The City Council considered a resolution authorizing the purchase of artificial turf for the Carson Park Football Field. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

FIRE FIGHTERS LOCAL 487

The City Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Fire Fighters Local 487. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution modifying the plan design for group health insurance benefits. 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.

Council President Kincaid gave the gavel to Vice President Mitchell and left the Chamber.

AGREEMENTS

The City Council considered a resolution authorizing an agreement with Quarks, Inc. / Wisconsin Urban Wood to recycle city wood products to individuals for private use. 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 Members Larsen and Strobel left the Council Chamber.

The City Council considered a resolution approving the 2015 Urban Mass Transit Operating Assistance Grant Agreement with the State of Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

Council President Kincaid returned to the Chamber and received the gavel back from Vice President Mitchell.

Council Members Larsen and Strobel returned to the Council Chamber.

EDDY STREET BRIDGE REPLACEMENT

The City Council considered a resolution selecting a preferred preliminary alignment for the Eddy Street Bridge Replacement Project. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Emmanuelle “to amend the resolution by selecting Option #2 as the preferred option”. Said motion passed by unanimous vote. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

FISCAL POLICY ADVISORY COMMITTEE

The City Council considered a resolution accepting the Report of the Fiscal Policy Advisory Committee on the 2015 Committee’s Study and Recommendations. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

#2719 STEAM LOCOMOTIVE

A motion was offered by Council Member Lewis and seconded by Council Member Larsen “to remove from the table and take up consideration of the resolution dealing with the 1927 ALCO Steam Train Locomotive #2719.” Said motion passed by unanimous voice vote. The Council worked through the motions which had been offered earlier in the meeting. Council Member Larsen withdrew his motion to postpone consideration of the item until the June 23, 2015 City Council meeting. Council Member Strobel withdrew his motion to consider a substitute resolution. Thus the original resolution, earlier offered by Council Members Emmanuelle and Mitchell, which would have the City exercise its right to purchase the locomotive for \$1 and then sell it to the Lake Superior Railroad Museum for \$2, was before the Council for discussion and consideration. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to amend said resolution as follows: ‘In the final Be It Further Resolved Paragraph, after the words ‘the City of Eau Claire shall retain’, delete the phrase ‘an option for right of first refusal for a purchase price of \$4...’ and insert the phrase ‘an option to purchase for a price of \$4 for a period of three (3) years from the date of sale to the Lake Superior Railroad Museum and further, an indefinite option and right of first refusal for a purchase price of \$4...’”. Said motion to amend passed by a unanimous voice vote. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

Council Members Emmanuelle, Mitchell and Von Haden left the Council Chamber.

HIDDEN MEADOW - PHASE 1

The City Council considered a resolution approving the final plat for Phase 1 of Hidden Meadow subdivision located at the southeast corner of Harless Road and Drier Road as shown on Planning File # P-2-15. 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.

Council Members Emmanuelle and Mitchell returned to the Council Chamber.

Council Member Lewis left the Council Chamber.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with SW Land Holdings for street and utility improvements within the Plat of Hidden Meadow. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

Council Members Lewis and Von Haden returned to the Council Chamber.

ZONING

The Council considered an ordinance rezoning property at the southeast corner of Harless Road and Drier Road from TR-1A to R-1 as shown on Planning File # Z-1560-15. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Xiong “to adopt the ordinance”. Said motion passed by unanimous vote.

Council Members Mitchell and Werthmann left the Council Chamber.

The City Council considered an ordinance rezoning property on the east side of Western Avenue, north of Waller Street and through to N. Hastings Way from R-1 and R-3 to R-3P and to adopt the General Development Plan for a 4-plex development as shown on Planning File Z-1559-15. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Lewis “to adopt the ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property at the northwest corner of Folsom Street and Epiphany Lane from C-3P to C-2P and to adopt the General Development Plan for Hope Gospel Mission's House of Hope Men's facility as shown on Planning File # Z-1561-15. Council President Kincaid indicated that the applicant had withdrawn the rezoning request. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Strobel “to indefinitely postpone consideration of said ordinance”. Said motion passed by unanimous vote.

The City Council considered an ordinance rezoning property at 2624 S. Hastings Way from C-3 to C-3P and to adopt the General Development Plan for a reduced setback as shown on Planning File # Z-1562-15. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Larsen “to adopt the ordinance”. Said motion passed by unanimous vote.

Council Members Mitchell and Werthmann returned to the Council Chamber.

PAY PLAN AND BENEFITS & LEAVES PLAN

The City Council had first reading on the following ordinances:

- amending s. 2.72.010 of the City Code of Ordinances, entitled “City of Eau Claire Pay Plan - Adopted,” specifically that part thereof pertaining to Fire Fighters Local 487 employees.
- amending s. 2.72.020 of the City Code of Ordinances, entitled “City of Eau Claire Employee Benefits & Leaves Plan – Adopted”, specifically those parts pertaining to health insurance contributions for Fire Fighters Local 487 employees.
- amending Table VIII of the City Code of Ordinances, entitled "Parking Prohibited," by adding Short Street, south side, from the Chippewa River Bridge to the east 90 feet.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Lewis “to suspend the rules which interfere with the immediate consideration of the ordinances amending the Pay Plan and the Benefits & Leaves Plan.” Said motion to suspend passed by unanimous voice vote.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “to adopt the ordinance amending s. 2.72.010 of the City Code of Ordinances, entitled “City of Eau Claire Pay Plan - Adopted,” specifically that part thereof pertaining to Fire Fighters Local 487 employees.” Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchel “to adopt the ordinance amending s. 2.72.020 of the City Code of Ordinances, entitled “City of Eau Claire Employee Benefits & Leaves Plan – Adopted”, specifically those parts pertaining to health insurance contributions for Fire Fighters Local 487 employees.” Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: June 9, 2015:

Time: 7:16 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk