

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, March 22, 2016

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, Tim Tewalt, Bob Von Haden, Andrew Werthmann, and Michael Xiong. Absent: Council Member Monica Lewis.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, March 22, 2016:

- Approving Minutes of Regular Meeting of March 8, 2016.
- Granting new bartender licenses.
- Granting the renewal of the six-month Class B Fermented Malt Beverage license of Gary D. Martin, Carson Park Concession Plaza, Hobbs and Gelein Softball Fields and football field.
- Authorizing the Water Street Merchants to conduct the Doll & Pet Parade on May 14, 2016 along Water Street.
- Authorizing the U.S. National Kubb Championship to conduct the U.S. National Kubb Championship Tournament on July 7-10, 2016 at the Eau Claire Soccer Park.

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

PROCLAMATION – TRIO DAY

Council President Kincaid, on behalf of the entire City Council, proclaimed April 12 as TRIO Day, recognizing outreach and student services programs at UW-EC that work with individuals from disadvantaged backgrounds, students whose parents have not graduated from college, students from low-income households, and students with disabilities, in an effort to motivate, assist, retain and graduate these students.

LICENSING

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage and Class A Cabaret license to C & W Tailgates, LLC, d/b/a Tailgates Sports Bar, 1505 N. Clairemont Ave., Wendy K. Tubbs, 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.

SPECIAL EVENTS

The Council considered a resolution authorizing Eau Claire Jazz, Inc. to conduct the 52nd Street Eau Claire Jazz Festival on April 22, 2016 along Barstow Street. 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.

VISIT EAU CLAIRE – EAU CLAIRE MARATHON POST RACE EVENT

The City Council considered resolutions authorizing Visit Eau Claire to conduct a Post Race Celebration on May 1, 2016 in the Water Street Municipal Parking Lot and a resolution granting a Temporary Class B Fermented Malt Beverage license to Visit Eau Claire, Colleen Weber, president, for the event.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the resolution authorizing Visit Eau Claire to conduct the Post Race Celebration on May 1, 2016 in the Water Street Municipal Parking Lot”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Klinkhammer, Larsen, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Members Kincaid, Mitchell and Werthmann.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution granting Visit Eau Claire, Colleen Weber, president, a Temporary Class B Fermented Malt Beverage license for May 1, 2016, at the Water Street Municipal parking lot, for the Post-Race Celebration.” Said motion passed by the following vote: Aye: Council Members Emmanuelle, Klinkhammer, Larsen, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Members Kincaid, Mitchell and Werthmann.

GRANTS

The City Council considered a resolution authorizing the L. E. Phillips Memorial Public Library to accept \$55,000 in grant monies from the Otto Bremer Foundation and to appropriate the funds. 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.

The Council considered a resolution authorizing the Fire Department to apply for and accept \$56,000 in grant monies from the Wisconsin Division of Emergency Management (WEM) for the purchase of hazardous materials radiological equipment and to approve an appropriation in the 2016 Program of Services. 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.

APPOINTMENTS

The City Council considered a resolution approving the following appointments to boards, commissions and committees:

Advisory Commission on Sustainability (three-year terms, to expire April 1, 2019)

James Boulter - reappointment Kate Hartsel - reappointment

Gina Keenan - reappointment

Housing Advisory Board (three-year term, to expire April 30, 2019)

Paul Canfield - reappointment

Housing Authority (five-year term, to expire April 30, 2021)

William Prindle – reappointment

Plan Commission (three-year term, to expire April 30, 2019)

Jamie Radabaugh - reappointment

Transit Commission (unexpired one-year term to expire August 31, 2016 as Student Rep.)

Samuel Milewsky – new appointment

Utility Appeals Board (three-year terms, to expire April 30, 2019)

Terry Weld – new appointment Joe Luginbill - reappointment

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

GARFIELD AVENUE CORRIDOR - STREET VACATIONS, EASEMENTS & SITE PLAN

The City Council considered resolutions authorizing the vacation of a portion of Garfield Avenue from Park Avenue to the Chippewa River and a portion of Roosevelt Avenue from Park Avenue to its westerly terminus.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution vacating said portion of Garfield Avenue from Park Avenue to the Chippewa River”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution vacating said portion of Roosevelt Avenue from Park Avenue to its westerly terminus”. Said motion passed by unanimous vote.

The City Council considered a resolution releasing the utility easements within Roosevelt Avenue, from Park Avenue to its westerly terminus. 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 City Council considered a resolution approving a site plan in a P-Public District for the UW - EC Garfield Avenue Corridor project as shown on Planning File PZ-1602. 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.

CONFLUENCE PROJECT - ENCROACHMENTS

The Council considered resolutions granting four permanent encroachments to the Confluence Arts Council, owner of Parcel No. 02-0365 (128 Graham Avenue) along Graham Avenue and Gibson Street.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Klinkhammer “to adopt the resolution granting a permanent encroachment for a canopy on Graham Avenue”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Larsen “to adopt the resolution granting a permanent encroachment for an emergency electrical generator on Gibson Street”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “to adopt the resolution granting a permanent encroachment for a loading dock on Gibson Street”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution granting a permanent encroachment for trash facilities on Gibson Street”. Said motion passed by unanimous vote.

INTERGOVERNMENTAL AGREEMENT

The Council considered a resolution authorizing the City Manager to renew an intergovernmental agreement for storm water education and outreach coordination by Rain to Rivers of Western Wisconsin with Eau Claire County and Chippewa County. 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.

TAX CREDITS

The Council considered a resolution promoting the Earned Income Tax Credit and the Child Tax Credit. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Tewalt, Von Haden, Werthmann, and Xiong. Nay: Council Members Larsen, Mitchell and Strobel.

ZONING

The City Council considered an ordinance rezoning property on the north side of Westover Road, west of State Street from TR-1A to R-1 for single-family development as shown on Planning File Z-1575-16. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the ordinance”. Said motion passed by unanimous vote.

Council Member Tewalt left the Council Chamber.

CONFLUENCE PROJECT

The City Council considered an ordinance amending the General Development Plan for the Confluence Project with the rezoning of property to the north of the Community Arts Facility from P-Public to CBDP as shown on Planning File Z-1510-12 Amd. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the ordinance”. Said motion passed by unanimous vote.

Council Member Tewalt returned to the Council Chamber.

MOBILE FOOD BUSINESSES

The Council considered an ordinance creating section 13.12.066 entitled “Mobile Food Establishments” and amending Section 9.76.100 entitled “Parks—Commercial Enterprises” and Section 13.12.060 entitled “Sale of Goods” of the City Code of Ordinances. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Von Haden “to adopt the ordinance”. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Larsen “to amend Section 13.12.066, Paragraph O. to read:

O. No mobile food establishment shall operate before 8:00 a.m. or after 11:00 p.m.”

Said motion to amend passed by the unanimous voice vote. The Council then voted on the motion to adopt the ordinance as amended. Said ordinance was adopted by unanimous vote.

ZONING

The City Council had first reading on an ordinance rezoning properties north of E. Madison Street, west of Putnam Street and south of Fay Street from C-2 and C-3 to R-2 and CBDP and to adopt the General Development Plan for the existing uses on the property as shown on Planning File Z-1576-16.

ADJOURNMENT

A motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “that this meeting does now adjourn without objection.” Said motion passed by unanimous voice vote.

Adjournment: March 22, 2016

Time: 5:45 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk