

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, January 24, 2017

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 Kate Beaton, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Andrew Werthmann, and Michael Xiong. Absent: Council Members Catherine Emmanuelle and Eric Larsen.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, January 24, 2017:

- Adopting the Consent Agenda.
- Approving Minutes of Regular Meeting of Tuesday, January 10, 2017.
- Resolution granting new bartender licenses.
- Granting a new Secondhand Article and Secondhand Jewelry Dealer license to General Coin and Jewelry, Inc., d/b/a General Coin and Gun Exchange at 2221 S. Hastings Way.
- Granting a Temporary Class B Fermented Malt Beverage license to Cedar creek Community Church, Rob Gerber, president, on March 28, 2017, at 3520 Eastwind Drive, for Cedar creek Sportsman's Banquet.
- Approving a Preliminary Resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for alley improvements, and directing the City Clerk to give notice of a hearing scheduled for February 13, 2017, on the following alleys:
 - Alley South of Emery Street, Fleming Avenue to Summer Street (17-501)
 - Alley South of Emery Street, Summer Street to Chauncey Street (17-502)
 - Alley West of Summer Street, Huebsch Boulevard to Belmont Avenue (17-503)
 - Alley East of Fleming Avenue, Belmont Avenue North to E/W Alley (17-504)
 - Alley East of Summer Street, Belmont Avenue to Huebsch Boulevard (17-505)
 - Alley East of Summer Street, Belmont Avenue North to E/W Alley (17-506)
 - Alley South of Emery Street, Chauncey Street to Roderick Street (17-507)
 - Alley East of Second Avenue, Catherine Street to Fulton Street (17-508)
 - Alley East of Third Avenue, Grand Avenue to Central Street (17-509)
 - Alley South of Chippewa Street, Second Avenue to Third Avenue (17-510)
 - Alley East of Ninth Street, Cameron Trail to Platt Street (17-511)
 - Alley East of Tenth Street, Platt Street to Vine Street (17-512)
 - Alley East of Charles Street, Maxon Street to Platt Street (17-513)
 - Alley West of Whipple Street, Madison Street to Cameron Street (17-514)
- Approving a Preliminary Resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for February 13, 2017, on the following streets:

- Short Street, Chippewa River Bridge to STH 37 (17-203)
- Maiden Lane, Mt. Nemo Avenue to Wedgewood Avenue (17-119)
- Isabel Street, Emery Street to Sherwin Avenue (17-118)
- Emery Street, Margaret Street to Agnes Street (17-108)
- W. Fillmore Avenue, S. Lexington Boulevard to Ellis Street (17-111)
- Approving a Preliminary Resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for February 13, 2017, on the following streets:
 - Cedar Street, Third Street to 209 feet west of Sixth Street (17-102)
 - Fifth Street, Maple Street to 320 feet north of Marshall Street (17-110)
 - Eleventh Street, Cameron Street to Vine Street (17-106)
 - Hawthorne Street, Twelfth Street to Fourteenth Street (17-117)
 - Fall Street, Summit Street to Birch Street (17-109)
- Authorizing the Department of Community Services to apply for a Lake Protection Grant from the Department of Natural Resources to continue managing and monitoring the water quality in Half Moon Lake.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Strobel "to adopt the consent resolution". Said motion passed by unanimous vote.

LICENSING

The City Council considered a resolution granting a Combination "Class B" Intoxicating Liquor & Fermented Malt Beverage license to G-Bear One, LLC, d/b/a Pine Meadow Golf & Dining, 4324 Fairfax Park Drive, Mark S. Wingad agent. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann "to adopt the resolution". Said motion passed by unanimous vote.

Council Member Larsen arrived in the Council Chamber.

EXCESS LAND

The Council considered a resolution declaring vacant land on the corner of Preston Road and West Frank Street (Parcel 09-1699-E) to be excess property and authorizing the sale of said land to the abutting property owner. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Larsen "to adopt the resolution". Said motion passed by unanimous vote.

AUTUMN BIRCH (CLEARWATER RIDGE) CONDOMINIUMS

(The following three items were postponed by the Council at its meeting on January 10, 2017.)

The City Council considered a resolution approving the final condo plat for Autumn Birch Condominiums (formerly known as Clearwater Ridge Condominiums) located west of Brookline Avenue and north of Clearwater Ridge Drive, to approve the Certified Survey Map for the project and to approve the street name for the private drive (Autumn Birch Trail) as shown on

Planning File P-4-16 and CSM-7-16. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Janke Premier Properties, LLC, for utility improvements within Autumn Birch Condominiums (formerly known as Clearwater Ridge Condominiums). Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution deferring sidewalk adjacent to Autumn Birch Condominiums (formerly known as Clearwater Ridge Condominiums). Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Beaton “to adopt the resolution”. Said motion passed by unanimous vote.

Council President Kincaid passed the gavel to Council Vice President Mitchell.

DONATION

The Council considered a resolution accepting a donation from the Eau Claire Public Spirit Fund for a \$10,000 contribution to the Parks CIP for an accessible fishing pier. Council President Kincaid spoke on the Public Spirit Fund. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by unanimous vote.

Council President Kincaid took the gavel back from Council Vice President Mitchell.

BOARDS, COMMITTEES, COMMISSIONS

The Council considered an ordinance amending two chapters of the Code of Ordinances of the City of Eau Claire: Chapter 2.06, entitled “Advisory Commission on Sustainability” and Chapter 2.66, entitled “Bicycle / Pedestrian Advisory Commission”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to adopt the substitute ordinance which was distributed at the beginning of the meeting”. Council members discussed the ordinance. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to postpone consideration of the ordinance until the first City Council meeting in July, with a directive to the Advisory Committee on Appointments to draft a new ordinance making the Advisory Commission on Sustainability and the Bicycle/Pedestrian Advisory Commission into non-advisory or regular Commissions. Further, both afore-mentioned Commissions, in ordinance redraft, be afforded similar charge, structure and rights as other City Council Commissions, including Council representation on both. Additionally, the Advisory Committee on Appointments is encouraged to work with both Commissions, community members and the City Council to identify mandates for both Commissions, such as, street project review for BPAC or new building project review for ACS”.

After discussion, Council voted on the proposed motion to postpone. Said motion failed by the following vote: Aye: Council Members Beaton and Werthmann. Nay: Council Members Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Tewalt, Von Haden and Xiong. Council discussion returned to the substitute ordinance. Thereupon the Council voted on the motion to adopt the ordinance. Said motion to adopt the ordinance passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Members Beaton and Werthmann.

SIGN CODE

The City Council had first reading on an ordinance amending Chapter 16.16 of the City of Eau Claire Code of Ordinances entitled “On-premise Signs” relating to allowances for projecting signs as shown on Planning File Z-1591-17.

ADJOURNMENT

A motion was offered by Council Member Xiong and seconded by Council Member Larsen “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: January 24, 2017

Time: 5:23 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk