

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, February 14, 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, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Kathy Mitchell, David Strobel, Tim Tewalt, 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, February 14, 2017:

- Adopting the Consent Agenda.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Sacred Heart of Jesus - St. Patrick Parish, Pastor: Rev. George T. Thayilkuzhithottu, on February 19, 2017, at 322 Fulton Street, for A Taste of India event.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Sacred Heart of Jesus - St. Patrick Parish, Pastor: Rev. George T. Thayilkuzhithottu, on March 12, 2017, at 322 Fulton Street, for St. Patrick's Day Celebration.
- Authorizing Here We Grow Again, LLC to conduct the Here We Grow Again Children's Consignment Sale April 21, 2017 through April 23, 2017 and September 15, 2017 through September 17, 2017 at the Hobbs Municipal Ice Center.
- 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 27, 2017, on the following streets:
 - Cass Street, Emery Street to North 132 feet (17-101)
 - Emery Street, Dodge Street to Huebsch Boulevard (17-107)
 - Drier Road, Clay Street to Harless Road (17-105)
 - Harless Road, Drier Road East to Cul De Sac (17-116)
 - London Road, Damon Street to Sessions Street (17-120)
 - Sessions Street, 350 feet West of Sessions Court to London Road (17-121)
 - Fourth Street, Bolles Street to Mead Street (17-112)
 - Hamilton Avenue W., Craig Road to STH 37 (17-201)
 - Golf Road, Bridge West Ramp to West 530 feet (17-301)
 - Prill Road, Bridge East Ramp to East 1,425 feet (17-302)
 - State Street, 294 feet South of Hamilton Avenue to Westover Road (17-204)
 - Westover Road, 180 feet West of State Street to State Street (17-205)
 - Clairemont West Frontage Road North, Craig Road to Northwest 1,632 feet (15-306)
 - Craig Road, Clairemont Avenue to Oakridge Drive (17-104)
 - Menomonie Street, Clairemont Avenue North to Race Street (17-202).

- Exempting the City of Eau Claire from the Chippewa County tax levy for library purposes.
- Authorizing a request to the Wisconsin Department of Administration to remit the school tax, lottery and gaming and first dollar credits directly to the City.

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 Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Eau Claire Mixed Martial Arts Club, Josh McHenry, President, on March 4, 2017, at 3456 Craig Road, Eau Claire Indoor Sports Center, for the Victory One Championship event. 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.

GRANT

The City Council considered a resolution accepting and appropriating a \$5,000 grant from the State of Wisconsin Department of Natural Resources for Urban Wildlife Damage Abatement and Control. 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.

ENCROACHMENT – SCULPTURE TOUR

The Council considered a resolution granting a permanent encroachment to Sculpture Tour of Eau Claire for the “Sculpture Tour” exhibits for Spring 2017 thru Spring 2020. 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.

ALLEY IMPROVEMENTS

The City Council considered a Final Resolution approving the projects and levying special assessments for alley improvements. Council Member Werthmann requested a division of the question and a separate vote on projects 17-502 (Alley South of Emery Street, Summer Street to Chauncey Street) and 17-507 (Alley South of Emery Street, Chauncey Street to Roderick Street).

The City Council considered a Final Resolution approving the project and levying special assessments for improvements on the following alleys:

- Alley South of Emery Street, Fleming Avenue to Summer Street (17-501)
- 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 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).

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.

The City Council considered a Final Resolution approving the project and levying special assessments for improvements on:

- Alley South of Emery Street, Summer Street to Chauncey Street (17-502)
- Alley South of Emery Street, Chauncey Street to Roderick Street (17-507)

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Tewalt, Von Haden, and Xiong. Nay: None. Abstain: Council Member Werthmann.

STREET IMPROVEMENTS

The City Council considered a Final Resolutions approving the projects and levying special assessments for street and utility improvements 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).

Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution for Short Street, Chippewa River Bridge to STH 37 (17-203)”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to amend the resolution by adding the following paragraph: The assessments for all properties along the west limits of Short Street, from STH 37 to the Chippewa River, shall be deferred until such time as those properties are able to be developed”. Said motion to amend passed by unanimous voice vote. The Council then voted on the motion to approve the amended project. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Larsen “to adopt the resolution for Maiden Lane, Mt. Nemo Avenue to Wedgewood Avenue (17-119)”. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Werthmann “to amend the resolution to defer the construction of sidewalk due to topographic constraints and to encourage green space”. Said motion passed on a voice vote, with Council Member Klinkhammer voting nay. The Council then voted on the motion to approve the amended project. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt the resolution for Isabel Street, Emery Street to Sherwin Avenue (17-118)”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Von Haden “to amend the resolution to indicate that sidewalk shall be installed at a width of five (5) feet. Sidewalk may be installed at either back of curb or with boulevard, whichever is mutually agreed upon by city staff and the individual property owners”. Said motion passed by unanimous voice vote. The Council then voted on the motion to approve the amended project. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution for Emery Street, Margaret Street to Agnes Street (17-108)”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Stroel “to adopt the resolution for W. Fillmore Avenue, S. Lexington Boulevard to Ellis Street (17-111)”. Said motion passed by unanimous vote.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- 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).

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.

The Council considered Final Resolutions approving the projects and levying special assessments for street and utility improvements 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).

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Werthmann “to adopt the resolution for Cedar Street, Third Street to 209 feet west of Sixth Street (17-102)”. Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Member Werthmann.

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt the resolution for Fifth Street, Maple Street to 320 feet north of Marshall Street (17-110)”. Said motion passed by unanimous vote.

Council Member Von Haden left the Council Chamber.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the resolution for Eleventh Street, Cameron Street to Vine Street (17-106)”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Beaton “to adopt the resolution for Hawthorne Street, Twelfth Street to Fourteenth Street (17-117)”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Larsen “to adopt the resolution for Fall Street, Summit Street to Birch Street (17-109)”. Said motion passed by unanimous vote.

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- Fall Street, Summit Street to Birch Street (17-109).

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.

Council Member Von Haden returned to the Council Chamber.

SIGN CODE

The Council considered an ordinance amending Chapter 16.16 of the City Code of Ordinances entitled “On-premise Signs” relating to allowances for projecting signs as shown on Planning File Z-1591-17. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the ordinance”. Said motion passed by unanimous vote.

ZONING

The Council had first reading on an ordinance rezoning property located at the southwest corner of W. Frank Street and Preston Road from TR-1A to R-1 as shown on Planning File Z-1592-17.

The Council had first reading on an ordinance rezoning property located at 2279 Omaha Street from I-1 to R-2 as shown on Planning File Z-1593-17.

ANNOUNCEMENT

Council Member Larsen announced his resignation from the City Council, due to a conflict arising with his new employment.

ADJOURNMENT

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

Adjournment: February 14, 2017

Time: 5:11 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk