

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, February 28, 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, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Andrew Werthmann, and Michael Xiong. Absent: Council Member David Klinkhammer.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, February 28, 2017:

- Approving Minutes of Regular Meeting of Tuesday, February 14, 2017.
- Granting new bartender licenses.
- Granting a Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage license to Pine Meadow Golf Club & Dining, Inc., d/b/a Pine Meadow Golf Club, 4324 Fairfax Park Drive, Mark Held agent.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Boys & Girls Club of the Greater Chippewa Valley, Trevor Bohland, president, on May 13, 2017, at HOM Furniture, 2921 Mall Drive, for the Annual Wine & Cheese Tasting Fundraiser.
- Authorizing the UW-Eau Claire Athletics to conduct the UW-Eau Claire Home Football Games on September 9, October 21, and October 28, 2017 in Carson Park.

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 Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage license to Princeton Valley, LLC, d/b/a Princeton Valley, 2300 W. Princeton Avenue, Joe Kuehn, 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.

The Council considered a resolution granting a Class “A” Fermented Malt Beverage license to Sandoval Latino Market LLC, d/b/a Sandoval Latino Market, 2742 Mall Drive, Efrain Sandoval, agent. The services of a Language Line interpreter were utilized to ensure the applicant was able to understand the proceedings. Council discussed the application. Council Members expressed concerns about issues at the market’s previous location in the Town of Washington and Sandoval’s lack of experience with alcohol sales and licensing. Council Members indicated that if Sandoval was not granted a license at this time, he could re-apply in the future if there were no problems at

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

APPOINTMENTS

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

Bicycle/Pedestrian Advisory Committee

Eric Nelson - (new appointment to unexpired three-year term to expire December 31, 2017)

North Barstow/Medical Business Improvement District

Blayne Midthun - (new appointment to three-year term to expire December 31, 2019)

Senior Center Board

Steve Anderson - (new appointment to two-year term to expire December 31, 2018)

Transit Commission

Nick Webber - (new appointment to unexpired one-year term to expire August 31, 2017)

Zoning Board of Appeals

Katrinka Bourne - (new appointment to unexpired three-year term to expire December 31, 2019)

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.

SUSTAINABILITY ADVISORY COMMITTEE - WORK PLAN

The City Council considered a resolution approving the Sustainability Advisory Committee’s Annual Work Plan. 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.

STREET IMPROVEMENTS

The Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Cass Street, Emery Street to 132 feet north (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)
- W. Hamilton Avenue, 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)
- W. Clairemont Avenue North Frontage Road, Craig Road to northwest 1,632 feet (15-306)
- Craig Road, Clairemont Avenue to Oakridge Drive (17-104)
- Menomonie Street, N. Clairemont Avenue to Race Street (17-202).

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Beaton “to adopt the resolution for street and utility improvements on Cass Street, Emery Street to 132 feet north (17-101) and Emery Street, Dodge Street to Huebsch Boulevard (17-107)”. Said motion passed by unanimous vote.

A motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution for street and utility improvements on Drier Road, Clay Street to Harless Road (17-105) and Harless Road, Drier Road east to cul-de-sac (17-116).” Said motion passed by unanimous vote.

A motion was offered by Council Member Von Haden and seconded by Council Member Strobel “to adopt the resolution for street and utility improvements on London Road, Damon Street to Sessions Street (17-120) and Sessions Street, 350 feet west of Sessions Court to London Road (17-121)”. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Tewalt “to amend the resolution regarding London Road to defer the special assessments for City Parcel No. 15-3095 and Town of Washington Parcel No. 024-1251-01 until such time as the parcels are developed”. Said motion to amend was approved by unanimous vote. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Werthmann “to amend the resolution to have the City maintain the sidewalk along that section of London Road where sidewalk would be constructed at back of curb”. Said motion to amend failed on the following vote: Aye: Council Members Kincaid, Tewalt, Werthmann, and Xiong. Nay: Council Members Beaton, Emmanuelle, Mitchell, Strobel and Von Haden. The Council then voted on the resolution as amended. Said resolution was approved by a unanimous vote.

A motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution for street and utility improvements on Fourth Street, Bolles Street to Mead Street (17-112)”. Said motion passed by unanimous vote.

Council Member Tewalt left the Council Chamber.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Mitchell “to adopt the resolution for street and utility improvements on W. Hamilton Avenue, Craig Road to STH 37 (17-201)”. Said motion passed by unanimous vote.

Council Member Tewalt returned to the Council Chamber.

A motion was offered by Council Member Emmanuelle and seconded by Council Member Tewalt “to adopt the resolution for street and utility improvements on Golf Road, Bridge West Ramp to west 530 feet (17-301) and Prill Road, Bridge East Ramp to east 1,425 feet (17-302)”. Said motion passed by unanimous vote.

The Council considered the proposed projects on State Street, 294 feet south of Hamilton Avenue to Westover Road (17-204) and Westover Road, 180 feet west of State Street to State Street (17-205). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Strobel “to postpone consideration of the projects until such time as the Development Agreement for the property on the west side of State Street is brought forward for Council consideration”. Said motion to postpone passed by unanimous voice vote.

A motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution for street and utility improvements on W. Clairemont Avenue North Frontage Road, Craig Road to northwest 1,632 feet (15-306) and Craig Road, Clairemont Avenue to Oakridge Drive (17-104)”. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Emmanuelle “to amend the resolution to add access to the frontage road via curb cuts from the multi-use trail by Parcel No. 15-1062-F (Pizza Hut)”. Said motion to amend failed by the following vote: Aye: Council Members Beaton, Emmanuelle, Werthmann and Xiong. Nay: Council Members Kincaid, Mitchell, Strobel, Tewalt and Von Haden. The Council then voted on the original motion to approve the project. Said motion passed by unanimous vote.

Council Member Emmanuelle left the Council Chamber.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Mitchell “to adopt the resolution for street and utility improvements on Menomonie Street, N. Clairemont Avenue to Race Street (17-202)”. Said motion passed by unanimous vote.

Council Member Werthmann left the Council Chamber.

SIDEWALK REPAIR

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

- Cass Street, Emery Street to 132 feet north (17-101)
- Emery Street, Dodge Street to Huebsch Boulevard (17-107).
- 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)
- W. Hamilton Avenue, 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)
- Craig Road, Clairemont Avenue to Oakridge Drive (17-104)
- Menomonie Street, N. Clairemont Avenue to Race Street (17-202).

Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Von Haden “to adopt the resolution”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Von Haden “to amend the resolution regarding

sidewalk repair on Cass Street, Emery Street to 132 feet north (17-101), to defer sidewalk repair but to include installation / repair of carriage walks”. Said motion to amend passed by unanimous voice vote.

Council Member Emmanuelle returned to the Council Chamber.

The Council then voted on the resolution ordering sidewalk repair as amended. Said motion passed by unanimous vote.

Council Member Werthmann returned to the Council Chamber.

EXCESS PROPERTY

The City Council considered a resolution declaring 1008 First Avenue excess land and not required for a public use. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Beaton “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Kincaid, Mitchell, Strobel, Tewalt, Von Haden, and Xiong. Nay: None. Abstain: Council Member Werthmann.

Council Member Beaton left the Council Chamber.

JEFFERS ROAD TOWNHOMES II - FINAL PLAT & DEVELOPMENT AGREEMENT

The City Council considered a resolution approving the final plat for Jeffers Road Townhomes II located east of Jeffers Road and south of Shorewood Drive, as shown on Planning File P-4-12. 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.

The Council considered a resolution authorizing the City Manager to amend the development agreement with SW Properties and Investments, LLC for street and utility improvements for the plat of Jeffers Road Townhomes to include Jeffers Road Townhomes II. 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 Beaton returned to the Council Chamber.

DEVELOPMENT AGREEMENT – MARSHFIELD CLINIC / HOSPITAL

The Council considered a resolution authorizing the City Manager to enter into a development agreement with MCHS Hospitals, Inc. for Marshfield Clinic Hospital Street and Utility Improvements. 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.

COUNCIL VACANCY

The Council considered a resolution approving the process to fill the existing vacancy for an at-large position on the City Council created by the resignation of Eric Larsen. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Beaton “to adopt the resolution”. Council Members discussed the process and proposed timeline. The Council then voted on the motion to adopt the resolution. Said motion passed by unanimous vote.

Council Member Emmanuelle left the Council Chamber.

ZONING

The Council considered 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. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the ordinance”. Said motion passed by unanimous vote.

The City Council considered an ordinance rezoning property located at 2279 Omaha Street from I-1 to R-2 as shown on Planning File Z-1593-17. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Tewalt “to adopt the ordinance”. Said motion passed by unanimous vote.

The City Council had first reading on an ordinance rezoning property located at 3520 Seymour Road from TR-1A and R-1 to R-2P and to adopt the General Development Plan for 2 duplexes as shown on Planning File Z-1594-17.

Council Member Emmanuelle returned to the Council Chamber.

ADJOURNMENT

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

Adjournment: February 28, 2017

Time: 6:42 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk

WORK SESSION – LIVING WAGE ORDINANCE

Following the Legislative Session, the City Council convened in the North Conference Room for a Work Session to discuss a possible Living Wage Ordinance.