

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, May 9, 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, Kathy Mitchell, David Strobel, Tim Tewalt, Terry Weld, and Andrew Werthmann. Absent: Council Members Bob Von Haden and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, May 9, 2017:

- Adopting the Consent Agenda.
- Approving the Minutes of the Organizational Meeting of Tuesday, April 18, 2017 and the Legislative Meeting of Tuesday, April 25, 2017.
- Granting new bartender licenses.
- Granting Change of Agent for the following Class A Beer licenses of Cenergy, LLC:
 - Mega Holiday #3704, 2119 Cameron Street, from Tiffany C. Goetz to Suzanne Chopper.
 - Mega Holiday #3719, 2940 N. Clairemont Avenue, from Marcie M. Pannell to Bethany Stovall.
 - Mega Holiday #3736, 2611 Birch Street, from Susan E. Miller to JoEllen Ives-Evjen.
- Granting Change of Agent for the Reserve Combination Class B Intoxicating Liquor and Fermented Malt Beverage license of Red Robin International Inc., d/b/a Red Robin America's Gourmet Burgers, 3005 Golf Road, from Nathan L. Johnson to Cassandra Smokowicz.
- Granting Change of Agent for the Combination Class A Fermented Malt Beverage and Intoxicating Liquor license of Wal-Mart Stores East, LP, d/b/a Walmart #1669, 3915 Gateway Drive, from Andrew R. Flenz to Phillip J. Hamm.
- Authorizing the following repeat special events:
 - Tangled Up in Hue Artist Market of Eau Claire on Saturdays from May 27 thru September 16, 2017 in Phoenix Park.
 - Chippewa Valley Blues Society Tuesday Night Blues on Tuesdays from May 30 thru August 29, 2017 in Owen Park and in Phoenix Park on Tuesday, August 1, 2017.
 - Eau Claire Municipal Band Concerts on Wednesdays from June 7 - July 26, 2017 in Owen Park.
 - L.E. Phillips Senior Center Water Street Mile and 5K on Saturday, July 8, 2017 along Water Street, city trails, and sidewalks.
- Proclaiming May 13, 2017 as International Migratory Bird Day in the City of Eau Claire.
- Accepting a donation from Festival Foods for the July 4, 2017 fireworks display.
- Approving Procurement No. 2017-20, City Wide Alley Improvements
- Approving Procurement No. 2017-22, City Wide Street & Utility Reconstruction.

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

PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, proclaimed May 7 – 13, 2017 as Economic Development Week in the City of Eau Claire to recognize the importance of the economic development profession in creating vibrant cities.

Council President Kincaid, on behalf of the City Council, proclaimed May 13 – 20, 2017 as Creative Economy Week in the City of Eau Claire to celebrate and promote the arts, creativity and vitality in and for the community.

Council President Kincaid, on behalf of the City Council, proclaimed May 15 – 21, 2017 as Police Week in the City of Eau Claire, and May 15 as Peace Officers Memorial Day.

Council President Kincaid, on behalf of the City Council, proclaimed May 21 – 27, 2017 as Emergency Medical Services Week in the City of Eau Claire, and recognized the week’s theme ‘EMS Strong. Always in Service’.

LICENSING

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Regis Catholic Schools, Inc., Mark Gobler, president, on June 23 and 24, 2017, at Regis Catholic School, 2100 Fenwick Avenue, for the Regis All Class Reunion. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld “to adopt the resolution”. Said motion passed by unanimous vote.

SPECIAL EVENTS

The Council considered a resolution authorizing the RCU Foundation, Inc. to conduct the revised RCU Charity Classic on Saturday, June 24, 2017 at Phoenix Park and along city trails and sidewalks. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

BUDGET AMENDMENTS

The City Council considered a resolution authorizing the re-appropriation of funds from the Library CIP Fund Balance to Library Building Repairs. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the 2017 Urban Mass Transit Operating Assistance Grant Agreement with the Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to adopt the resolution”. Said motion passed by unanimous vote.

AGREEMENT – VETERANS’ TRIBUTE TRAIL

The Council considered a resolution approving the Memo of Understanding between the City and the Eau Claire Veterans Tribute Foundation in regards to a veterans’ tribute trail on the Forest Street Greenway. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld “to adopt the resolution”. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Emmanuelle “to amend the resolution by adding sub-section 3 to Paragraph 3 - Responsibilities of the City - to read as follows:

Seek input on design and project implementation for the Veterans Tribute Trail from users of the Forest Street Greenway, including, but not limited to Eau Claire veterans organizations, the North Riverfronts Neighborhood, Forest Street Community Garden, with the objective of creating the Veterans Tribute Trail in a manner that considers the mutual benefits of all users of the Forest Street Greenway and is consistent with City planning documents and operational considerations for the use and maintenance of this public space.”

Said motion to amend passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Kincaid, Mitchell, Strobel, Weld and Werthmann. Nay: Council Members Klinkhammer and Tewalt. The Council then voted on the motion to approve the agreement as amended. Said resolution passed by unanimous vote.

AGREEMENT – CARSON PARK ROUND-OUT

The City Council considered a resolution approving the Memo of Understanding between the City and the Eau Claire Marathon, LLC in regards to a pick-up and drop-off area (round out) near the Carson Park Baseball Stadium. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

FINAL PLAT

The City Council considered a resolution approving the final plat named ‘Western Avenue’ located on the east side of Western Avenue, north of Waller Street, as shown on Planning File P-1-16. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

VACANT LAND

The Council considered a resolution declaring vacant land on E. Madison Street (Parcel 01-0064) adjacent to 705 Division Street, to be excess land. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution declaring vacant land on Fairfax Street (15-3929-A) located north of 3435 and 3439 Fairfax Street, to be excess land. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution declaring vacant land at 318 Elm Street (Parcel 08-0333) to be excess land. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell "to adopt the resolution". Said motion passed by unanimous vote.

FIRE STATION #10

The Council considered a resolution authorizing the City Manager to proceed with final design, development of construction bidding documents, and solicitation of bids for the replacement of Fire Station #10. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann "to adopt the resolution". Said motion passed by unanimous vote.

Council Member Emmanuelle left the Council Chamber.

ANNEXATION

The City Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District, that part of Lot 53 of Blakeley's Addition of all located in the SE ¼ - NW ¼ of Section 34-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 17-1A (Lechner Petition, 2622 Sessions Street). Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Tewalt "to adopt the ordinance". Said motion passed by unanimous vote.

Council Member Emmanuelle returned to the Council Chamber.

SPEED LIMITS

The City Council considered an ordinance amending Table I of the City Code of Ordinances entitled "Speed Limits," by changing the speed limit in various locations throughout the City. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer "to adopt the ordinance". Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann "to amend the Table I to keep the section of Harding Avenue from Washington Street to Brackett Avenue at 30 miles per hour". Said motion to amend failed on the following vote: Aye: Council Members Beaton, Weld and Werthmann. Nay: Council Member Emmanuelle, Kincaid, Klinkhammer, Mitchell, Strobel and Tewalt. The Council then voted on the original motion to adopt the ordinance. Said motion passed by the following vote. Aye: Council Members Beaton, Emmanuelle, Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt and Weld. Nay: Council Member Werthmann.

RIGHT-OF-WAY REGULATIONS

The Council considered an ordinance amending Chapter 13.10 of the Code of Ordinances of the City of Eau Claire, entitled “Street Excavations and Openings” to include right-of-way use regulations. This item was postponed by the Council at its April 25 meeting. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Emmanuelle “to adopt the substitute ordinance presented by staff”. Said motion to adopt the ordinance passed by unanimous vote.

ZONING

The Council had first reading on an ordinance rezoning property located at the northwest corner of Clairemont Avenue and Craig Road from C-3H to C-3P and to adopt the General Development Plan for a hospital with addition and clinic, and to amend the General Development Plan for property at 2116 Craig Road for a building addition and to amend the General Development Plan for property to the west for loading areas, access drive and accessory facilities as shown on Planning File Z-1597-17.

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 consent.

Adjournment: May 9, 2017

Time: 5:46 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk