

**EAU CLAIRE CITY COUNCIL AGENDA**

**TUESDAY, JUNE 13, 2017**

**CITY HALL COUNCIL CHAMBER**

**4:00 P.M.**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

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**CONSENT AGENDA**

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The following matters may be acted upon by the City Council utilizing a single vote. Individual items, which any member wishes to address in greater detail or as a separate item on the regular agenda, may be removed from the Consent Agenda upon the request of any Council Member.

**CONSENT RESOLUTION**

1. Resolution adopting the Consent Agenda. (Page 12)

**COMMENDATIONS AND PROCLAMATIONS**

2. Consideration of Commendations and Proclamations and Recognitions. (Page 13)

**MINUTES**

3. Resolution approving Minutes of Regular Meeting of Tuesday, May 23, 2017. (Page 14)

**LICENSES**

4. Resolution granting new bartender licenses. (Page 20)
5. Resolution granting the renewal of bartender licenses for the 2017-2019 licensing period. (Page 21)
6. Resolution granting Change of Agent for the Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage license of Eau Claire Regional Arts Council Inc., d/b/a Eau Claire Regional Arts Council, 316 Eau Claire Street, from Benjamin M. Richgruber to Lucas LaBerge. (Page 22)
7. Resolution granting Change of Agent for the Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage license of VFW Club 305, Inc., d/b/a VFW Post 305 Inc., 1300 Starr Avenue, from David R. Lamb to Ronald L. Goss. (Page 23)
8. Resolution granting Change of Agent for the Combination “Class A” Intoxicating Liquor & Fermented Malt Beverage license of Skogen’s Foodliner, Inc., d/b/a Festival Foods, 3007 Mall Drive, from Ryan A. Jones to Michael L. Siakpere. (Page 24)

**CITY OF EAU CLAIRE MISSION STATEMENT**

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9. Resolution granting Change of Agent for the Combination “Class A” Intoxicating Liquor & Fermented Malt Beverage license of Dolgencorp LLC, d/b/a Dollar General Store #9836, 2109 Cameron Street, from Ron Borgerding to Aaron Tagwerker. (Page 25)
10. Resolutions granting the renewal of the following licenses for the 2017-2018 licensing period:
- Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage licenses. (Page 26)
  - Reserve Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage licenses. (Page 31)
  - Class “B” Fermented Malt Beverage licenses. (Page 35)
  - Combination “Class A” Intoxicating Liquor and Fermented Malt Beverage licenses. (Page 37)
  - Class “A” Fermented Malt Beverage licenses. (Page 39)
  - Class “A” liquor (Cider Only) license. (Page 41)
  - Class “C” Wine licenses. (Page 42)
  - Class A Cabaret licenses. (Page 44)
  - Class B Cabaret licenses. (Page 47)
11. Resolution granting a “Class A” liquor (Cider Only) license to the following:
- Cenergy, LLC, Joellen M. Ives-Evjen, 2611 Birch Street, d/b/a Mega Holiday #3736
  - Cenergy, LLC, Bethany J. Stovall, 2940 N Clairemont Avenue, d/b/a Mega Holiday #3719
  - Cenergy, LLC, Matthew R. Hell, 4304 Jeffers Road, d/b/a Mega Holiday #3710
  - Cenergy, LLC, Joellen M. Ives-Evjen, 2230 Birch Street, d/b/a Mega Holiday #3718
  - Cenergy, LLC, Carrie A. Geist, 539 Water Street, d/b/a Mega Holiday #3720
  - Cenergy, LLC, Anthony R. Romanowski, 3314 E Hamilton Avenue, d/b/a Mega Holiday #3734
  - Cenergy, LLC, Christina M. Meckley, 2308 E. Clairemont Avenue, d/b/a Mega Holiday #3712
  - Cenergy, LLC, Marilyn K. Zipfel, 2109 Highland Avenue, d/b/a Mega Holiday #3702
  - Cenergy, LLC, Jason R. Otto, 5511 Hwy 93, d/b/a Mega Holiday #3709
  - Cenergy, LLC, Michelle J. Smokowicz, 2943 Western Avenue, d/b/a Mega Holiday #3707
  - Cenergy, LLC, Kristel M. Flick, 2920 Craig Road, d/b/a Mega Holiday #3706
  - Cenergy, LLC, Suzanne M. Chopper, 2119 Cameron Street, d/b/a Mega Holiday #3704
  - Cenergy, LLC, Timothy W. Griner, 3702 Gateway Drive, d/b/a Mega Holiday #3713
  - Cenergy, LLC, Jennifer L. Peery, 2806 Golf Road, d/b/a Mega Holiday #3715
  - Cenergy, LLC, Julianne R. Zurek, 1731 Brackett Avenue, d/b/a Mega Holiday #3717. (Page 48)
12. Resolution granting a “Class A” Intoxicating Liquor License of Shopko Stores Operating Co., LLC, d/b/a Shopko #024, 955 W. Clairemont Avenue, Tom Henderson, agent. (Page 49)
13. Resolution granting a Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage license to Girolamo’s Court N House, LLC, d/b/a Girolamo’s Court N House, 113 W. Grand Avenue, Laura Girolamo, agent. (Page 50)

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14. Resolution granting a Temporary Class B Fermented Malt Beverage license to St. James the Greater Catholic Church, Father Thomas Krieg, on August 12 &13, 2017, at 2502 11<sup>th</sup> Street, for the St. James Summer Fest. (Page 51)
15. Resolution approving an expansion of the Class A Cabaret licensed premise of Chase Collins, d/b/a The Local Lounge, 2106 N. Clairemont Avenue, for an outdoor area. (Page 52)

### **SPECIAL EVENTS**

16. Resolution authorizing Fierce Freedom to conduct the Just Us for Justice Run/Walk on Wednesday, July 19, 2017 in Carson Park and along city trails and sidewalks. (Page 53)
17. Resolution authorizing the Indianhead Track Club to conduct the Tortoise and Hare 5K on Sunday, July 30, 2017 in Phoenix Park and along city trails and sidewalks. (Page 63)
18. Resolution authorizing Mayo Clinic Health System to conduct the Half Moon Dragon Boat Festival on Saturday, August 5, 2017 at Half Moon Lake Beach on Half Moon Lake. (Page 69)

### **BIDS AND PROPOSALS**

19. Resolutions approving the following bids and proposals:
  - Procurement No. 2017-17, City Hall Building Envelope Improvements. (Page 79)
  - Procurement No. 2017- 23, City Wide Street & Utility Reconstruction. (Page 83)
  - Procurement No. 2017- 40, 2017 LRIP – Hamilton Avenue Construction. (Page 85)
  - Procurement No. 2017- 41, City Wide Street Sealcoat Program. (Page 87)
  - Procurement No. 2017- 42, City Wide Street and Utility Reconstruction. (Page 89)

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## **BUSINESS AGENDA**

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### **LICENSING**

20. Resolution granting a Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage and Class A Cabaret license to MLCM 1997 LLC, d/b/a Maple Lounge, 2507 S. Hastings Way, to Susan Wright, personal representative/agent.  
(Doug Hoffer) (Page 92)
21. Resolution granting a Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage license and a Class B Cabaret license to Fuji Inc., d/b/a Fuji Steakhouse, 4864 Keystone Crossing, Nian Bin Wang, agent.  
(Doug Hoffer) (Page 100)

### **SPECIAL EVENT**

22. Resolution authorizing Downtown Eau Claire, Inc. to conduct the Family Day in Downtown on July 8, 2017 in Phoenix Park.  
(Todd Chwala) (Page 106)

### **FLYING EAGLES / MT. WASHINGTON SKI JUMP**

23. Resolution accepting the donation of land adjacent to Mt. Washington Park to extend a ski jumping hill for the Flying Eagles Ski Club.  
(Todd Chwala) (Page 115)
24. Resolution approving an amendment to the lease agreement with the Flying Eagles Ski Club for the Mt. Washington Ski Jump property.  
(Todd Chwala) (Page 119)

### **AGREEMENTS AND REPORTS**

25. Resolution authorizing a Regional Hazardous Materials Response System Services Contract with the State of Wisconsin and a Labor Agreement for the Hazardous Materials Response Team with Firefighters Local 487.  
(Chief Bell) (Page 125)
26. Resolution indicating receipt and review of the 2016 Compliance Maintenance Annual Report (CMAR) for the Wastewater Treatment Plant and Collection System.  
(Lane Berg) (Page 166)

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- 27. Resolution approving the Memo of Understanding between the City and the Eau Claire Babe Ruth Inc. in regards to expansions and renovations to Mt. Simon Park baseball facilities through the addition of a batting cage, concession building and bathrooms.  
(Todd Chwala) (Page 195)
- 28. Resolution approving the Memo of Understanding between the City and United Way of the Greater Chippewa Valley in regards to the installation of a Born Learning Trail in Lakeshore Park.  
(Todd Chwala) (Page 200)
- 29. Resolution approving the Intergovernmental Cooperative Agreement between the City of Eau Claire and Eau Claire County for 2017 Prill Road Construction Costs.  
(Dave Solberg) (Page 205)

**ADVISORY COMMITTEE ON APPOINTMENTS**

- 30. Resolution approving appointments to various Boards, Committees and Commissions.  
(Advisory Committee on Appointments) (Page 212)
- 31. Resolution approving the Annual Work Plan of the Advisory Committee on Appointments.  
(Dale Peters) (Page 214)

**WESTOVER WOODS**

- 32. Resolution approving the final plat for Westover Woods, as shown on Planning File P-8-16.  
(Darryl Tufte) (Page 217)
- 33. Resolution authorizing the City Manager to enter into a development agreement with Westover Holdings, LLC for street and utility improvements within the plat of Westover Woods.  
(John Genskow) (Page 225)
- 34. Resolution indicating the location of required sidewalk construction within the plat of Westover Woods.  
(John Genskow) (Page 244)

**HOYEM ACRES SEVENTH ADDITION**

- 35. Resolution approving the final plat of Hoyem Acres 7<sup>th</sup> Addition, as shown on Planning File P-1-17.  
(Darryl Tufte) (Page 248)
- 36. Resolution authorizing the City Manager to enter into a development agreement with Hoyem Family Partnership, LLC for street and utility improvements within the plat of Hoyem Acres 7<sup>th</sup> Addition.  
(John Genskow) (Page 256)

37. Resolution indicating the location of required sidewalk construction within the plat of Hoyem Acres 7<sup>th</sup> Addition.  
(John Genskow) (Page 275)

### **ASPEN RISING**

38. Resolution authorizing the sale of Lots 6 & 7 of Statz Country Addition, Parcel 11-1429, located at 1929 Gooder Street.  
(Kristine Basom) (Page 279)
39. Resolution authorizing the City Manager to enter into a development agreement with Aspen Rising, LLC & Hoss Bros., LLC for street and utility improvements for Gooder Street, south of Wildon Street.  
(John Genskow) (Page 287)

### **CONDOMINIUM PLATS**

40. Resolution approving the final condominium plat for Haymarket Landing Condominiums, as shown on Planning File P-4-17.  
(Darryl Tufte) (Page 306)
41. Resolution approving the final condominium plat of 222 Water Street Condominiums, as shown on Planning File P-5-17.  
(Darryl Tufte) (Page 314)

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## ORDINANCES FOR ACTION

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### ZONING

42. Ordinance rezoning property located at 2622 Sessions Street from TR-1A to R-3P and to adopt the General Development Plan for twin homes as shown on Planning File Z-1596-17.  
(Darryl Tufte) (Page 322)
43. Ordinance rezoning property located south of the Mt. Washington Ski Jumping Hill from R-1A to P-Public and to adopt the site plan for a new ski jump as shown on Planning Files Z-1598-17 and PZ-1701.  
(Darryl Tufte) (Page 325)
44. Ordinance rezoning properties on the west side of N. Clairemont Avenue, north of Kohlhepp Road from C-2P and TR-1A to C-2P and to adopt the General Development Plan for Hope Gospel Mission's Men's facility as shown on Planning File Z-1599-17.  
(Darryl Tufte) (Page 329)
45. Ordinance rezoning property at 3260 Birch Street from C-1AP to C-1P and to adopt the General Development Plan for a day care facility as shown on Planning File Z-1600-17.  
(Darryl Tufte) (Page 332)
46. Ordinance rezoning property at 1807 N. Oxford Avenue from I-1 and I-2 to I-1P and to adopt the General Development Plan for the Brewing Projekt, as shown on Planning File Z-1601-17 with right-of-way dedication for Oxford Avenue shown on Certified Survey Map #7-17.  
(Darryl Tufte) (Page 335)

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## ORDINANCES FOR INTRODUCTION

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### ANNEXATIONS

47. 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, part of Parcel F of Certified Survey Map Number 42, recorded in Volume 1 of Certified Survey Maps, Pages 41 through 48, and also part of State Highway 93 right-of-way, part of Old Town Hall Road right-of-way and part of Interstate Highway 94 right-of-way, all being in part of the NE ¼ - SW ¼, the SE ¼ - NW ¼, the SW ¼ - NE ¼, the SE ¼ - NE ¼ and the NW ¼ - SE/4, Section 3-26-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 17-2A (ECE, LLC Mega Co-op Petition, located south of I-94 and east of Hwy 93).  
(Per Wisconsin Statutes 66.0217(8), an annexation ordinance requires a two-thirds (2/3) vote “of the elected members of the governing body”. Therefore, eight (8) affirmative votes of the eleven (11) elected Council members are required for adoption of an annexation ordinance.)  
(Darryl Tufte) (Page 338)
48. Ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 11th Assessment Ward, 1<sup>st</sup> Aldermanic District, being a part of the NW ¼ - NE ¼, the NE ¼ - NW ¼ and the SE ¼ - NW ¼, Section 10-27-9, Town of Seymour, Eau Claire County, Wisconsin, as shown on Planning Drawing No. 17-3A (Bechard Petition, located north of LaSalle, east of Abbe Hill Drive).  
(Per Wisconsin Statutes 66.0217(8), an annexation ordinance requires a two-thirds (2/3) vote “of the elected members of the governing body”. Therefore, eight (8) affirmative votes of the eleven (11) elected Council members are required for adoption of an annexation ordinance.)  
(Darryl Tufte) (Page 342)

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### ANNOUNCEMENTS

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Announcements by the City Manager and City Council.

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### ADJOURNMENT

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The next City Council Legislative Meeting is scheduled to be held at 4 p.m. on June 27, 2017.

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## **NOTICE TO CITIZENS**

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Due to requirements contained in the Wisconsin Open Meetings Law, only those matters placed on this agenda may be considered by the City Council at this meeting. If any member of the public desires that the City Council consider a matter not included on this agenda, he or she should contact a City Council Member or the City Manager to have the matter considered for placement on a future City Council agenda.

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