

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, June 13, 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, Terry Weld, and Andrew Werthmann.

Absent: Council Members Catherine Emmanuelle and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, June 13, 2017:

- Adopting the Consent Agenda.
- Approving the Minutes of the May 23, 2017 Legislative Session.
- Granting New Bartender licenses.
- Granting Renewal of Bartender licenses for the 2017 – 2019 licensing period.
- 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.
- 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.
- 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.
- 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.
- Granting the renewal of the following licenses for the 2017-2018 licensing period:
 - Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage licenses.
 - Reserve Combination “Class B” Intoxicating Liquor & Fermented Malt Beverage licenses.
 - Class “B” Fermented Malt Beverage licenses.
 - Combination “Class A” Intoxicating Liquor & Fermented Malt Beverage licenses.
 - Class “A” Fermented Malt Beverage licenses.
 - Class “A” liquor (Cider Only) license.
 - Class “C” Wine licenses.
 - Class “A” Cabaret licenses.
 - Class “B” Cabaret licenses.

- 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.
- Granting a “Class A” Intoxicating Liquor License to Shopko Stores Operating Co., LLC, d/b/a Shopko #024, 955 W. Clairemont Avenue, Tom Henderson, agent.
- Granting a Combination “Class B” Intoxicating Liquor & 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.
- 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 11th Street, for the St. James Summer Fest.
- 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.
- 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.
- 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.
- 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.
- Approving the following bids and proposals:
 - Procurement No. 2017-17, City Hall Building Envelope Improvements.
 - Procurement No. 2017- 23, City Wide Street & Utility Reconstruction.
 - Procurement No. 2017- 40, 2017 LRIP – Hamilton Avenue Construction.
 - Procurement No. 2017- 41, City Wide Street Sealcoat Program.
 - Procurement No. 2017- 42, City Wide Street and Utility Reconstruction.

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

PROCLAMATION

Council President Kincaid, on behalf of the entire Council, proclaimed June 19 as Juneteenth Day in the City of Eau Claire. Juneteenth is the oldest known celebration commemorating the Emancipation Proclamation and the date when word of the Emancipation brought freedom to the last slaves in the country. Juneteenth has become a global celebration which encourages self-development and appreciation for all races and cultures.

LICENSING

The City Council considered a resolution granting a Combination “Class B” Intoxicating Liquor & 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. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a 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. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

SPECIAL EVENT

The City Council considered a resolution authorizing Downtown Eau Claire, Inc. to conduct the Family Day in Downtown on July 8, 2017 in Phoenix Park. 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.

FLYING EAGLES / MT. WASHINGTON SKI JUMP

The Council considered a resolution accepting the donation of land adjacent to Mt. Washington Park to allow the extension of a ski jumping hill for the Flying Eagles Ski Club. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution approving an amendment to the lease agreement with the Flying Eagles Ski Club for the Mt. Washington Ski Jump property. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

AGREEMENTS AND REPORTS

The City Council considered a resolution authorizing the renewal of the 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.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution indicating receipt and review of the 2016 Compliance Maintenance Annual Report (CMAR) for the Wastewater Treatment Plant and Collection System. 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 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. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Tewalt “to adopt the resolution”. Said motion passed by unanimous vote.

The City Council considered a 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. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the Intergovernmental Cooperative Agreement between the City of Eau Claire and Eau Claire County for 2017 Prill Road construction costs. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

ADVISORY COMMITTEE ON APPOINTMENTS

The City Council considered a resolution approving the following appointments to various Boards, Committees and Commissions:

Administrative Review Board

Aaron Brewster (appointment to a two-year term, to expire June 30, 2019)

Mildred Larson (reappointment to two-year term, to expire June 30, 2019)

Board of Heating Examiners

David Davis (reappointments to two-year terms, to expire June 30, 2019)

Steven Fox (reappointments to two-year terms, to expire June 30, 2019)

Library Board

Nancy Lynch (appointment to three year term, to expire June 30, 2020)

Revolving Loan Fund Committee

Maria DaCosta (appointments to three-year terms to expire June 30, 2020)

William Ogden (appointments to three-year terms to expire June 30, 2020)

Transit Commission

Elizabeth Sullivan (appointment to a three-year term to expire June 30, 2020)
Bob Schraufnagel (reappointment to a three-year term to expire June 30, 2020)
Joshua Clements (reappointment to a three-year term as the Altoona representative to expire June 30, 2020)

Waterways and Parks Commission

Megan Kremer (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 Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the Annual Work Plan of the Advisory Committee on Appointments. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

Council Member Beaton left the Council Chamber.

WESTOVER WOODS

The City Council considered a resolution approving the final plat for Westover Woods, as shown on Planning File P-8-16. 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.

Council Member Beaton returned to the Council Chamber.

The Council considered a 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. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution indicating the location of required sidewalk construction within the plat of Westover Woods. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the resolution “. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to amend the resolution to defer the construction of sidewalk on State Street, but not within the proposed cul-de-sac”. Said motion to amend passed by unanimous voice vote. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

HOYEM ACRES SEVENTH ADDITION

The Council considered a resolution approving the final plat of Hoyem Acres 7th Addition, as shown on Planning File P-1-17. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “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 Hoyem Family Partnership, LLC for street and utility improvements within the plat of Hoyem Acres 7th Addition. 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 City Council considered a resolution indicating the location of required sidewalk construction within the plat of Hoyem Acres 7th Addition. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

ASPEN RISING

The City Council considered a resolution authorizing the sale of Lots 6 & 7 of Statz Country Addition, Parcel 11-1429, located at 1929 Gooder Street. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “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 Aspen Rising, LLC & Hoss Bros., LLC for street and utility improvements for Gooder Street, south of Wildon Street. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to adopt the resolution”. Said motion passed by unanimous vote.

CONDOMINIUM PLATS

The City Council considered a resolution approving the final condominium plat for Haymarket Landing Condominiums, as shown on Planning File P-4-17. 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 approving the final condominium plat for 222 Water Street Condominiums, as shown on Planning File P-5-17. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

ZONING

The City Council considered an ordinance rezoning property located at 2622 Sessions Street from TR-1A to R-3P and adopting the General Development Plan for twin homes as shown on Planning File Z-1596-17. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property located south of the Mt. Washington Ski Jumping Hill from R-1A to P-Public and adopting the site plan for a new ski jump as shown on Planning Files Z-1598-17 and PZ-1701. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to adopt the ordinance”. Said motion passed by unanimous vote.

The Council considered an 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 adopting the General Development Plan for Hope Gospel Mission’s Men’s facility as shown on Planning File Z-1599-17. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld “to adopt the ordinance”. Said motion passed by unanimous vote.

The City Council considered an ordinance rezoning property at 3260 Birch Street from C-1AP to C-1P and adopting the General Development Plan for a day care facility as shown on Planning File Z-1600-17. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the ordinance”. Said motion passed by unanimous vote.

The City Council considered an ordinance rezoning property at 1807 N. Oxford Avenue from I-1 and I-2 to I-1P and adopting 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. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel “to adopt the ordinance”. Said motion passed by unanimous vote.

ANNEXATIONS

The Council had first reading on 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, 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).

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 11th Assessment Ward, 1st 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).

ADJOURNMENT

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

Adjournment: June 13, 2017

Time: 5:30 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk