

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, May 22, 2018

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 Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Catherine Emmanuelle, Jeremy Gragert, Kerry Kincaid, David Strobel, Terry Weld, 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, May 22, 2018:

- Adopting the Consent Agenda.
- Approving the Minutes of the May 8, 2018 Council Legislative Session.
- Authorizing the L.E. Phillips Memorial Public Library to conduct Dabble Day on Saturday, June 2, 2018, on Eau Claire Street.
- Authorizing the Clear Water Kiwanis to conduct the Doll & Pet Parade on Saturday, June 30, 2018, along First Avenue.
- Authorizing the Mehara Shrine Club to conduct the Mehara Shrine Circus on Tuesday and Wednesday, June 12-13, 2018, at Carson Park Baseball Stadium.
- Authorizing Downtown Eau Claire, Inc. to conduct the Family Day in Downtown on Saturday, June 30, 2018, in Phoenix Park and on city streets, sidewalks and boulevards.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2018-2020 licensing period.
- Granting a new Secondhand Article Dealer license to The Broom & Crow, LLC, d/b/a The Broom & Crow at 106 E. Grand Avenue.
- Granting a Change of Agent for the Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage license of Central Florida Restaurant, Inc., d/b/a TGI Fridays, 4800 Golf Road, from John L. Hartnell Jr. to Justin P. Cornford.
- Granting a Change of Agent for the Combination “Class B” Intoxicating Liquor and Fermented Malt Beverage license of VFW Club 305, Inc., d/b/a VFW Post 305, 1300 Starr Avenue, from Ronald L. Goss to Richard A. Anderson.
- Granting a Change of Agent for the Combination “Class A” Intoxicating Liquor and Fermented Malt Beverage license of Dolgencorp, LLC, d/b/a Dollar General Store #9936, 2109 Cameron Street, from Aaron E. Tagwerker to Whitney Michaelis.
- Approving an update to the Chippewa Valley Regional Computer Forensic Laboratory (CVRCFL) Agreement.
- Proclaiming May 12, 2018 as International Migratory Bird Day in Eau Claire.

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

PROCLAMATIONS

President Kincaid read a proclamation proclaiming the week of June 2 through June 9, 2018 as Wisconsin Bike Week in the City of Eau Claire, and encouraged residents of the City to get out and ride their bicycles for fitness, recreation and transportation as often as possible.

President Kincaid read a proclamation proclaiming the community's appreciation for 20 years of service by the Eau Claire Community Foundation and calling upon the people of Eau Claire to celebrate philanthropy improving the quality of life for individuals and families in the Chippewa Valley.

LICENSES

The City Council considered a resolution granting a permanent expansion of the Combination Class B Intoxicating Liquor and Fermented Malt Beverage licensed premise of VFW Club 305, Inc., d/b/a VFW Post 305, 1300 Starr Avenue, to include a 1,164 square foot deck. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson "to adopt the resolution." Said motion passed by unanimous vote.

The City Council considered a resolution granting a Combination Class A Intoxicating Liquor and Fermented Malt Beverage license to EC&S Groceries, LLC, d/b/a Gordy's Market, 1031 W. Clairemont Avenue, Jeff Schafer, agent. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson "to adopt the resolution." Said motion passed by unanimous vote.

MARSTON AVENUE

The City Council considered a resolution vacating a portion of Marston Avenue, from Dodge Street to the East End. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld "to adopt the resolution." Said motion passed by unanimous vote.

The City Council considered a resolution releasing the utility easements within Marston Avenue, from Dodge Street to the East End. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Xiong "to adopt the resolution." Said motion passed by unanimous vote.

AGREEMENTS

The City Council considered a resolution approving a Memorandum of Understanding between the City of Eau Claire and the University of Wisconsin-Eau Claire for the cooperative use of each other's facilities. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert "to adopt the resolution." Said motion passed by unanimous vote.

The City Council considered a resolution authorizing execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement through the Safe Drinking Water Loan Program. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution approving the 2018 Paratransit Aids Contract with the Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

PARK, OPEN SPACE, & RECREATION FACILITIES PLAN

The City Council considered a resolution approving the City of Eau Claire 2018-2022 Park, Open Space, and Recreation Facilities Plan. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.”

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Anderson “to amend the City of Eau Claire 2018-2022 Park, Open Space, and Recreation Facilities Plan” by adding on page 34, 2018-2022 Listing of Proposed Projects, after item 32, the following item: “Facility: Recreation Trail. Project: Study the feasibility of trail connections and park space north of Harding Avenue, south of Forest Hill Cemetery and west of the Flynn School property.” Said motion passed by unanimous vote.

A vote was then taken “to adopt the resolution” with amended plan. Said motion passed by unanimous vote.

STORM WATER ANNUAL REPORT

The City Council considered a resolution accepting the Storm Water 2017 Annual Report. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Xiong “to adopt the resolution.” Said motion passed by unanimous vote.

DONATION

The City Council considered a resolution authorizing the acceptance of a donation from Zach Halmstad for aesthetic lighting on the Haymarket Plaza pedestrian bridge. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

APPOINTMENTS

President Kincaid requested that the Police and Fire Commission reappointment be separated from the other appointments and reappointments. No objection was voiced.

The City Council considered a resolution, with the Police and Fire Commission separated, approving appointments and reappointments to various Boards, Committees and Commissions. 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 City Council considered a resolution approving reappointment to the Police and Fire Commission. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Strobel, Weld, Werthmann and Xiong. Abstained: Council Member Kincaid.

ZONING

The Council considered an ordinance rezoning property located on the northwest corner of LaSalle Street and East Princeton Avenue from R-1A to R-1 (File Z-1627-18). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the ordinance.” Said motion passed by the following vote:

Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Kincaid, Strobel, Weld and Xiong. Absent: Council Member Werthmann.

MOBILE FOOD VENDORS

The Council considered an ordinance amending the City Code of Ordinances relating to Restaurants, Sidewalk Cart Food Vendors and Mobile Food Establishments operating in the City of Eau Claire. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Xiong “to adopt the ordinance.”

Thereupon a motion was offered by Council Member Weld and seconded by Council Member Strobel “to amend the ordinance” by changing subsection P.6. to the following:

6. No mobile food establishment shall operate on any public street within 200 feet of any business holding a valid restaurant license from the City-County Health Department and a valid restaurant license from the city, unless:
 - A. all restaurants within 200 feet of the proposed operation site are under common ownership or control; and
 - B. the mobile food establishment obtains a written invitation from all restaurant license holders within 200 feet of the proposed operation site and retains such written invitation within the mobile food establishment.

Said motion failed by the following vote: Aye: Council Members Kincaid, Strobel, Weld and Xiong. Nay: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert and Werthmann.

Thereupon a motion was offered by Council Member Weld and seconded by Council Member Strobel “to amend the ordinance” by striking “Schlegelmilch Parking Lot” as a designated location from s.13.12.066, P.5.b. Said motion passed by the following vote:

Aye: Council Members Berge, Christopherson, Gragert, Kincaid, Strobel, Weld and Xiong.

Nay: Council Members Anderson, Beaton, Emmanuelle and Werthmann.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Werthmann “to amend the ordinance” by striking “one night per week, on a day and” from s.13.12.066, P.5.c. Said motion passed by the following vote:

Aye: Council Members Anderson, Beaton, Berge, Emmanuelle, Gragert and Werthmann.

Nay: Council Members Christopherson, Kincaid, Strobel, Weld and Xiong.

A vote was then taken “to adopt the ordinance as amended.” Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: May 22, 2018

Time: 6:37 p.m.

ATTEST:

/s/ Andrew F. Werthmann, Vice President

/s/ Carrie L. Riepl, City Clerk