

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, February 28, 2012

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 Larry Balow, David Duax, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, Mark Olson, Bob Von Haden, Thomas Vue, Dana Wachs and Andrew Werthmann. Absent: Council Member Jackie Pavelski.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, February 28, 2012. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow "to adopt the consent resolution". Said motion passed by unanimous vote.

PARATRANSIT SERVICES

The City Council considered a resolution approving the bid and proposal for Procurement No. 2011-76 - Paratransit Services and awarding a contract to Abby Vans of Neillsville, Wisconsin. The Council had postponed consideration of this item at its previous meeting and a public comment session was held on February 27 to allow citizens to express any concerns. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

EXECUTIVE SEARCH FIRM

The Council considered a resolution awarding a contract for Procurement No. 2012-15, Executive Search Services - City Manager to Springsted, Inc., of St. Paul Minnesota. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Duax "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Mitchell, Von Haden, Vue, Wachs and Werthmann. Nay: Council Members Balow and Olson.

STREET VACATION & RELEASE OF EASEMENT

The City Council considered a resolution vacating the remnant of the cul-de-sac lying west of the projected westerly right-of-way line of Statz Avenue at Declaration Drive. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution releasing the utility easements within the remnant of the vacated cul-de-sac lying west of the projected westerly right-of-way line of Statz Avenue at

Declaration Drive. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer “to adopt said resolution”. Said motion passed by unanimous vote.

STREET, UTILITY & SIDEWALK IMPROVEMENTS

The City Council considered a final resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Whipple Street, Randall Street to W. Madison Street (12-408)
- Randall Street, Whipple Street to Charles Street (12-109).

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

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

- Whipple Street, Randall Street to W. Madison Street (12-408)
- Randall Street, Whipple Street to Charles Street (12-109).

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

The Council considered a final resolution approving the project and levying special assessments for street and utility improvements on First Avenue, Lake Street to 200 feet south of W. Grand Avenue (12-105). Thereupon a motion was offered by Council Member Balow and seconded by Council Member Vue “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Olson “to add a paragraph #9 to the resolution to read: ‘The lighting plan for this project shall come back to Council for approval at a later date’.” Said amendment was accepted by the mover and seconder of the resolution as a friendly amendment. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on First Avenue, Lake Street to 200 feet south of W. Grand Avenue (12-105). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

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

- Shady Grove Road, Western Avenue to N. Hastings Way Frontage Rd. (12-112)
- Galloway Street, N. Dewey Street to 975 feet east of Putnam Street (12-106)
- Badger Avenue, Chauncey Street to Margaret Street (12-101)
- Beverly Hills Drive, E. Lexington Boulevard to Henry Avenue (12-102)
- E. Fillmore Avenue, State Street to Patton Street (12-104)
- Stein Boulevard, W. MacArthur Avenue to W. Hamilton Avenue (12-113)
- Seventh Street, Marshall Street to Mead Street (12-111)
- Seventh Avenue, Market Street to Menomonie Street (12-210)
- Menomonie Street, Fifth Avenue to Seventh Avenue (12-208)

Council Members requested separate votes on the following streets:

- Shady Grove Road, Western Avenue to N. Hastings Way Frontage Rd. (12-112)
- Badger Avenue, Chauncey Street to Margaret Street (12-101)
- Stein Boulevard, W. MacArthur Avenue to W. Hamilton Avenue (12-113)

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt the remainder of the resolution”. Said motion passed by unanimous vote.

The City Council considered a Final Resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on Shady Grove Road, Western Avenue to N. Hastings Way Frontage Rd. (12-112). Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden “to approve the project, but to defer the construction of sidewalk on both sides of Shady Grove Road as said construction is not in the public interest”. Said motion passed by unanimous vote.

The City Council considered a Final Resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on Badger Avenue, Chauncey Street to Margaret Street (12-101). Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Wachs “to approve the project, but to defer the construction of sidewalk and any related retaining walls, on the south side of Badger Avenue, from Chauncey Street to Roderick Street, due to topographical reasons and that said construction would not be in the public interest”. Said motion passed by unanimous vote.

The City Council considered a Final Resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on Stein Boulevard, W. MacArthur Avenue to W. Hamilton Avenue (12-113). Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

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

- Galloway Street, N. Dewey Street to 975 feet east of Putnam Street (12-106)
- Badger Avenue, Chauncey Street to Margaret Street (12-101)
- Beverly Hills Drive, E. Lexington Boulevard to Henry Avenue (12-102)
- E. Fillmore Avenue, State Street to Patton Street (12-104)
- Stein Boulevard, W. MacArthur Avenue to W. Hamilton Avenue (12-113)
- Seventh Street, Marshall Street to Mead Street (12-111)
- Seventh Avenue, Market Street to Menomonie Street (12-210)
- Menomonie Street, Fifth Avenue to Seventh Avenue (12-208)

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

ZONING

The City Council considered an ordinance rezoning property at Prairie Park Drive, west of Southern Way, from TR-1A to R-2P and to adopt the General Development Plan for duplex development as shown on Planning File #Z-1499-12. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Balow “to adopt said ordinance”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Mitchell, Olson, Von Haden, Vue and Wachs. Nay: Council Member Werthmann.

MASSAGE THERAPY

The Council considered an ordinance amending Chapter 5.56 of the Code of Ordinances of the City of Eau Claire entitled “Massage Therapy Facilities, Massage Therapists, Massage Practitioners, and the Practice of Massage Therapy”. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden “to adopt said ordinance”. Said motion passed by unanimous vote.

SUBDIVISION CODE & COMPREHENSIVE PLAN AMENDMENTS

The Council had first reading on ordinances:

- amending the Subdivision Code adding provisions for non-residential land divisions in the Town of Union as shown on Planning File #Z-1500-12.
- amending the Eau Claire Comprehensive Plan, changing provision for non-residential land divisions in the Town of Union.

ADJOURNMENT

A motion was offered by Council Member Olson and seconded by Council Member Mitchell “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: February 28, 2012

Time: 5:25 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk