

**EAU CLAIRE CITY COUNCIL AGENDA**

**TUESDAY, NOVEMBER 13, 2018**

**EAU CLAIRE COUNTY BOARD ROOM  
721 OXFORD AVENUE 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 8)

**COMMENDATIONS AND PROCLAMATIONS**

2. Consideration of Commendations and Proclamations and Recognitions.

**MINUTES**

3. Resolution approving Minutes of Regular Meeting of Tuesday, October 23, 2018. (Page 9)

**SPECIAL EVENTS**

4. Resolution authorizing Downtown Eau Claire, Inc. to conduct their annual holiday celebration on Saturday, December 1, 2018, in downtown Eau Claire at the Haymarket Plaza and on city streets and sidewalks. (Page 16)

**LICENSES**

5. Resolution granting new bartender licenses. (Page 21)
6. Resolution granting a Change of Agent for the Combination Class A Fermented Malt Beverage and Intoxicating Liquor license of Wal-Mart Stores East, LP, d/b/a Wal-Mart #1669, 3915 Gateway Drive, from Phillip J. Hamm to William J. Clark be approved. (Page 23)
7. Resolution granting a Change of Agent for the Class A Fermented Malt Beverage license of Just Local Food Cooperative, d/b/a Just Local Food CO-OP, 1117 South Farwell Street, from Maria L. Bamonti to Mark Wirz be approved. (Page 24)

**CITY OF EAU CLAIRE MISSION STATEMENT**

IT IS OUR MISSION TO ASSURE THE COMMON GOOD THROUGH SERVICES ESSENTIAL  
FOR A SAFE, SUSTAINABLE, ENGAGED AND HEALTHY COMMUNITY.

8. Resolution granting a Change of Agent for the Combination Class B Fermented Malt beverage and Intoxicating Liquor license of Confluence Council, Inc., d/b/a Pablo Center at the Confluence, 128 Graham Avenue, from Amy O'Conner to Derek L. Brehm be approved. (Page 25)
9. Resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Catholic Charities, Father William Dhein, on Friday, November 30, 2018, at 900 Clairemont Avenue, for the Evening in the Chippewa Valley. (Page 26)

#### **ALLEY IMPROVEMENT**

10. Resolution receiving a petition and directing the City Engineer to prepare a report in accordance with s. 66.0703, Wis. Stats., for grading, graveling, and bituminous paving on the alley east of Fifth Avenue from Congress Street to Fulton Street. (Page 33)

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## BUSINESS AGENDA

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### BUDGET APPROPRIATIONS

11. Resolution authorizing program to program re-appropriation adjustments to the 2014, 2015 and 2016 bus replacement accounts in the transit capital budget. (Because this item amends the budget, a 2/3 vote of the elected members, or eight affirmative votes, is required for adoption.)  
(Rose Adams) (Page 35)

### AGREEMENTS

12. Resolution approving the memo of understanding between the City of Eau Claire and the Northern Light Cowboys amateur football team for use of the Carson Park Football Stadium.  
(Jeff Pippenger) (Page 37)
13. Resolution approving the agreement extension between the City of Eau Claire and the Chippewa Valley Railroad Association for lease of space in Carson Park and the maintenance and operation of a ¼ scale railroad.  
(Jeff Pippenger) (Page 44)

### CERTIFIED SURVEY MAP

14. Resolution approving a Certified Survey Map with right-of-way dedication located on the southwest corner of County Line Road and Venture Drive (File CSM-5-18).  
(Scott Allen) (Page 50)

### VOTING WARDS

15. Resolution creating a new voting ward within the City of Eau Claire.  
(Carrie Riepl) (Page 58)

### SCHEDULE OF FEES & LICENSES

16. Resolution amending the City of Eau Claire Schedule of Fees and Licenses effective January 1, 2019.  
(Jay Winzenz) (Page 61)

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## ORDINANCES FOR ACTION

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### SEWERAGE SERVICE CHARGE

17. Ordinance amending Chapter 15.04 of the Code of Ordinances of the City of Eau Claire entitled “Sewerage Service Charge” to increase the sewer user charges as proposed in the 2019 Operating Budget.  
(Jay Winzenz) (Page 64)

### PAY PLAN & PRACTICES

18. Ordinance amending the City of Eau Claire Pay Plan and Practices.  
(Vicki Seltun) (Page 67)

### PARKS-PUBLIC GROUNDS

19. Ordinance amending Chapter 9.76 entitled “Parks-Public Grounds” of the City Code of Ordinances.  
(Jeff Pippenger) (Page 70)

### ANNEXATION

20. Ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 6th Assessment Ward, 4<sup>th</sup> Aldermanic District, being a part of the Southeast ¼ of the Northwest ¼ of Section 24-27-10, Town of Union, Eau Claire County, as shown on Planning Drawing No. 18-4A (Schreiner Petition). (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.)  
(Scott Allen) (Page 73)

### ALDERMANIC DISTRICTS

21. Charter ordinance relating to the City Council and the reapportionment of the Aldermanic Districts of the City of Eau Claire. (Adoption of a Charter Ordinance requires a two-thirds (2/3) vote “of the elected members of the governing body”. Therefore, eight (8) affirmative votes are required of the eleven (11) elected Council members for adoption.)  
(Carrie Riepl) (Page 77)

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## ORDINANCES FOR INTRODUCTION

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### ZONING

22. Ordinance rezoning a portion of property located at 2857 Western Avenue from R-1 & R-3 to R-3 (File Z-1634-18).  
(Scott Allen) (Page 80)

### KEEPING OF POULTRY

23. Ordinance creating Chapter 6.15 entitled “Keeping of Poultry” of the Code of Ordinances of the City of Eau Claire.  
(Vice President/Acting President Werthmann) (Page 83)

### PENALTIES FOR POSSESSION OF MARIJUANA

24. Ordinance amending Section 9.37.020 entitled “Penalties” of Chapter 9.37 “Possession of Marijuana” and Section 1.24.030 entitled “Deposit schedule.”  
(Vice President/Acting President Werthmann) (Page 89)

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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 Nov. 27, 2018.

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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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