

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, March 25, 2008

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Adler called the meeting to order. The following members were present: Council Members David Adler, Brandon Buchanan, Hal Davis, David Duax, Raymond Hughes, Thomas Kemp, Kerry Kincaid, David Klinkhammer, Berlye Middleton, Bob Von Haden and Thomas Vue.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, March 25, 2008. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton "to adopt the consent resolution". Said motion passed by unanimous vote.

APPOINTMENTS

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

Administrative Review Board (two-year terms to expire June 30, 2010)

Denny Denk – new appointment

Danielle Claesges – new appointment

Ardelle Brown – First Alternate

Joshua Dalton – Second Alternate

Affirmative Action Committee

Michael Hess – new appointment, as Citizen Representative, to fill unexpired term to expire June 30, 2010

Downtown BID Board (three-year terms to expire December 31, 2010)

Bill Anderson – reappointment

Ernest Chambers – reappointment

Dave Ottosen – reappointment

Lisa Strobel – reappointment

Benny Haas – new appointment

Brady Nagel – new appointment

Senior Center Board

Jodie Stoughton – new appointment to fill unexpired term to expire December 31, 2008

Transit Commission

Wayne Mortenson – new appointment to fill unexpired term to expire June 30, 2008

Utility Appeals Board

Joshua Dalton – new appointment to fill unexpired term to expire April 30, 2010

Roger Hansen – new appointment to fill unexpired term to expire April 30, 2010

Water Street BID Board (two-year term to expire December 31, 2009).
Sandra O'Connell - new appointment; and that

The term expirations of the North Barstow/Medical Business Improvement District Board shall be amended from June 30 to December 31 to coincide with the other Business Improvement District Boards.” Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

LIQUOR LICENSE

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license and Class A Cabaret license to Phoenix Rising, L.L.C., d/b/a Diversions, 202 Gibson St., Timothy S. Romans, agent. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

GRANT ACCEPTANCE

The City Council considered a resolution authorizing the Police Department to accept \$45,000 in grant funds from the State of Wisconsin, Department of Transportation, for implementation of TraCS electronic citation writing and accident reporting. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Hughes “to adopt said resolution”. Said motion passed by unanimous vote.

EMS AGREEMENT

The Council considered a resolution approving an agreement with the Town of Spring Brook regarding the City of Eau Claire Fire Department providing Emergency Medical Services to the residents of the Town. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

SHARED SERVICES

The City Council considered a resolution authorizing the continuation of the City/County Joint Commission on Shared Services Initiatives. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

ECONOMIC DEVELOPMENT PROPOSAL

The Council considered a resolution approving economic development proposals to Idexx. Thereupon a motion was offered by Council Member Vue and seconded by Council Member

Klinkhammer “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Davis, Duax, Hughes, Kemp, Klinkhammer, Middleton, Von Haden, and Vue. Nay: None. Abstain: Council Member Kincaid.

PARK & OPEN SPACE PLAN

The City Council considered a resolution approving the proposed City of Eau Claire 2008-2012 Park and Open Space Plan. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Davis “to adopt said resolution”. Said motion passed by unanimous vote.

FAIRFAX PARK BALL FIELD

The Council considered a resolution approving a General Site Development Plan in a P-Public District for a Little League field at Fairfax Park as shown on Planning File #PZ-0802. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Davis “to adopt said resolution”. Said motion passed by unanimous vote.

COOPERATIVE AGREEMENT

The City Council considered a resolution authorizing the City Manager to renew a cooperative agreement with Eau Claire County and Chippewa County for Storm Water Management Public Education and Outreach. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

ALLEY IMPROVEMENTS

The Council considered a Final Resolution approving the project and levying special assessments for alley improvements on the following alleys:

- Alley North of Birch Street, Franklin Street to Putnam Street (08-501)
- Alley East of Putnam Street, Summit Street to Birch Street (08-502)
- Alley East of Forest Street, Oak Street to Elm Street (08-503)
- Alley East of Forest Street, Elm Street to Huysen Street (08-504)
- Alley East of Doty Street, Earl Street to Emery Street (08-505)
- Alley East of Doty Street, Marston Avenue to Newton Street (08-506)
- Alley East of Second Avenue, Amelia Street to Beach Street (08-508)
- Alley North of Hudson Street, Third Avenue to Second Avenue (08-509)
- Alley East of Babcock Street, Cameron Street to Maxon Street (08-510)
- Alley East of Babcock Street, Maxon Street to Platt Street (08-511).

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid “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, utility, and sidewalk improvements on Southridge Court, 320 feet east of Southridge Drive to Gateway Drive (08-308). Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

ZONING

The Council considered an ordinance amending the conditions of approval for a C-1A zoned property at 2215 E. Clairemont Avenue to change the screening requirement as shown on Planning File #Z-384-76 Amended. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Klinkhammer “to adopt said ordinance”. Said motion passed by unanimous vote.

SMOKING PROHIBITED

The Council considered an ordinance repealing Chapter 8.05 of the City Code of Ordinances entitled “Smoking Prohibited in Indoor Areas of Restaurants” and recreating Chapter 8.05 entitled “Smoking Prohibited” to prohibit smoking in public places, workplaces, and certain outdoor areas in the City of Eau Claire. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Duax “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax “to amend section 8.05.050 as follows:

In Paragraph A, delete the phrase “not to exceed twenty (20) feet,;” and

Amend Paragraph C to read ‘Those portions of city parks temporarily posted as no smoking areas by the parks and recreation department at the request of a park permit holder or park facility lessee or when necessary for the public health and safety.’

Said motion was accepted by the seconder as a friendly amendment.

Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Klinkhammer “to amend section 8.05.060 by adding paragraph E to read:

Designated Smoking Taverns & Bars in which 100% of the patrons and employees are smokers and in which sufficient signage exists to make patrons and employees aware of such designation.”

Said motion failed on the following vote: Aye: Council Members Adler, Kincaid and Middleton. Nay: Council Members Buchanan, Davis, Duax, Hughes, Kemp, Klinkhammer, Von Haden and Vue. The Council then voted on the ordinance. Said ordinance was adopted by the following vote: Aye: Council Members Buchanan, Davis, Duax, Kemp, Klinkhammer, Von Haden and Vue. Nay: Council Members Adler, Hughes, Kincaid and Middleton.

ANNEXATION

The Council had first reading on an ordinance in accordance with s. 66.0217, Wis. Stats., annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District, that part of Lot 2 and Lot 3 of Eau Claire County Certified Survey Map, Document #955067, and part of London Road right-of-way, all located in the SE ¼ - NW ¼ of Section 34-27-9, 3656 Mall Drive, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 08-03A (Kulig petition, former Athletic Club site).

Council Member Von Haden left the Council meeting.

ZONING

The City Council had first reading on an ordinance rezoning property on the south side of Cameron Street, west of the City trail, off the west end of Randall Street, from I-1 to CBDP, and to adopt the General Development Plan for a parking lot as shown on Planning File Z-1409-08.

The Council had first reading on an ordinance rezoning property along the south side of STH 312, west of Mill Run Road, from R-3P to C-2P and R-3P, and to adopt the General Development Plan for a senior housing campus and commercial development as shown on Planning File Z-1410-08.

The Council had first reading on an ordinance rezoning property at 2729 Vine Street from TR-1A to R-1 as shown on Planning File #Z-1411-08.

ADJOURNMENT

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

Adjournment: March 25, 2008

Time: 6:21 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk