

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, April 24, 2007

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

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

Council Member Von Haden nominated Raymond Hughes as President Pro-Tem for the meeting. Council Member Buchanan seconded the nomination. The nomination was approved by unanimous vote.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, April 24, 2007. Council Member Duax requested that Item No. 9, Resolution authorizing UW – Madison Intercollegiate Athletics to conduct the Badger Days Tailgate Party in Carson Park on Thursday, May 31, 2007, be removed from the Consent Agenda and voted upon separately. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt the remainder of the consent resolution”. Said motion passed by unanimous vote.

BADGER DAYS TAILGATE PARTY

The City Council considered a resolution authorizing UW – Madison Intercollegiate Athletics to conduct the Badger Days Tailgate Party in Carson Park on Thursday, May 31, 2007. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Buchanan, Davis, Hughes, Kemp, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Duax.

COMMENDATIONS AND PROCLAMATIONS

President Pro Tem Hughes, on behalf of the City Council, proclaimed April 27 as Arbor Day in the City of Eau Claire.

President Pro Tem Hughes, on behalf of the City Council, read a resolution expressing appreciation to Toby Biegel for his service as District Three City Council Member from 2001 to 2007.

BONDS

The City Council considered a resolution authorizing the issuance of \$10,940,000 aggregate principal amount of General Obligation Bonds Series 2007A, of the City of Eau Claire, Eau Claire and Chippewa Counties, providing details, prescribing the form of the bond awarding the bonds to the best bidder and levying taxes. 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.

The Council considered a resolution authorizing the issuance of \$12,210,000 aggregate principal amount of General Obligation Refunding Bonds Series 2007B, of the City of Eau Claire, Eau Claire and Chippewa Counties, providing details, prescribing the form of the bond awarding the bonds to the best bidder and levying taxes. 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.

The Council considered a resolution authorizing the issuance of \$2,000,000 aggregate principal amount of Waterworks System Mortgage Revenue Bonds Series 2007C, of the City of Eau Claire, Eau Claire and Chippewa Counties, providing details, prescribing the form of the bond awarding the bonds to the best bidder and levying taxes. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Klinkhammer "to adopt said resolution". Said motion passed by unanimous vote.

LIBRARY LEVY

The City Council considered a resolution exempting the City from the Chippewa County Tax Levy for Library purposes. 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.

LICENSE

The Council considered a resolution amending the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Clearwater Diversions, L.L.C., d/b/a Haymarket Grill, 101 Graham Avenue to include a sidewalk café abutting Parcel No. 02-0001 on Graham Avenue and Eau Claire Street. 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.

COMMUNITY DEVELOPMENT BLOCK GRANT

The City Council considered a resolution approving amendments and appropriations to the Community Development Block Grant (CDBG) program and site approval for Homeownership units at 2044 12th Street, 2807 South Slope Terrace and 317 Ferry Street. 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.

HISTORIC PROPERTIES

The Council considered a resolution approving an agreement with the Wisconsin Historical Society to permit the City to make determinations pertaining to HUD-related programs regarding the effect on historic properties. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by unanimous vote.

LOWES CREEK VILLAGE CONDOMINIUMS

The City Council considered a resolution approving the Lowes Creek Village condominium plat on E. Lowes Creek Road as shown on Planning File #P-01-07. 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.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Lowes Creek Village, LLC for street and utility improvements to Lowes Creek Village. 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.

VIDEO FRANCHISING LEGISLATION

The City Council considered a resolution opposing Assembly Bill 207 / Senate Bill 107, Video Franchise Legislation without amendments to preserve Community Television and local control of rights-of-way, and directing staff to forward a copy of said resolution to area legislators and the governor. 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.

STREET NAME CHANGE

The Council considered an ordinance changing the name of a portion of Birch Street to McKinley Road and designating a new street as River Prairie Drive. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Von Haden “to adopt said ordinance”. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Von Haden “to amend said ordinance by deleting the section which reads as follows: ‘Public street located from the Birch Street/River Prairie Drive/Galloway Street intersection north to Tower Drive to be named “McKinley Road”’. Said motion failed by the following vote: Aye: Council Members Davis, Hughes, Von Haden and Vue. Nay: Council Members Buchanan, Duax, Kemp, Klinkhammer and Middleton. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Duax “to postpone consideration of said ordinance until the next City Council meeting”. Said motion to postpone failed by the following vote: Aye: Council Members Duax and Kemp. Nay: Council Members Buchanan, Davis, Hughes, Klinkhammer, Middleton, Von Haden and Vue. The Council then voted on the original motion to adopt the ordinance. Said motion did not receive the required six votes for adoption and failed on the following vote: Aye: Council Members Buchanan, Davis, Duax, Kemp, and Klinkhammer. Nay: Council Members Hughes, Middleton, Von Haden and Vue.

ANNEXATION

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 15th Assessment Ward, 2nd Aldermanic District, that part of NW ¼ - NE ¼, Section 35-27-9, west of Gateway Drive, north of Prill Road, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 07-02A (Pabich petition).

ZONING

The Council had first reading on an ordinance rezoning property on the south side of Madison Street from N. Barstow Street to Riverfront Terrace from CBD to CBD-P, and to approve the General Development Plan for the Phoenix Parkside development with a reduced setback as shown on Planning File #Z-1382-07.

The City Council had first reading on an ordinance rezoning 1814 Oxford Avenue from I-1 to CBDP, and to approve the General Development Plan for a theater as shown on Planning File #Z-1383-07.

RECYCLING COLLECTION

The City Council had first reading on an ordinance amending Chapter 8.32 of the Code of City Ordinances entitled "Refuse Collection and Disposal" regarding the collection of recyclables and signage on refuse collection vehicles.

ADJOURNMENT

A motion was offered by Council Member Kemp and seconded by Council Member Duax "that this meeting does now adjourn." Said motion passed by unanimous vote.

Adjournment: April 24, 2007

Time: 5:47 p.m.

Raymond Hughes, President Pro Tem

ATTEST:

Donna A. Austad, City Clerk