

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, March 27, 2007

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, Toby Biegel, Brandon Buchanan, Hal Davis, David Duax, Raymond Hughes, Kerry Kincaid, Terry Sheridan, Bob Von Haden and Thomas Vue. Absent: Council Member Berlye Middleton.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, March 27, 2007. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt the consent resolution". Said motion passed by unanimous vote.

PROCLAMATION

Council President Adler, on behalf of the City Council, read a proclamation thanking the Chippewa Valley area businesses that support and mentor Work-Based Learning students.

Council Member Buchanan left the Council Chamber.

USE OF CITY FACILITIES

The City Council considered a resolution approving the use of Boyd Park in conjunction with the Longfellow "Puddle Jump" 5K Fun Run, sponsored by Longfellow Elementary School, on Saturday, April 21, 2007. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Buchanan returned to the Council Chamber.

Council Member Middleton arrived in the Council Chamber.

The City Council considered a resolution approving the sale of food and merchandise and the use of Owen Park in conjunction with Spring into Mom's Day 5K, sponsored by Girls on the Run Eau Claire, Inc., on Saturday, May 12, 2007. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Von Haden "to adopt said resolution, with the contingency that the event be approved by the Waterways and Parks Commission". Said motion passed by unanimous vote.

HOBBS ICE CENTER

The City Council considered a resolution approving the proposed fees and charges for the Hobbs Municipal Ice Center for the 2007-2008 season. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Buchanan, Davis, Duax, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: Council Member Hughes.

HAZ MAT CONTRACT

The Council considered a resolution approving a Level B Hazardous Materials Response Contract with Eau Claire County. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Sheridan “to adopt said resolution”. Said motion passed by unanimous vote.

STREET IMPROVEMENTS

The City Council considered a final resolution approving the project and levying special assessments for street and utility improvements on N. Barstow Street, Riverfront Terrace to Madison Street E. (07-301). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Middleton “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 N. Barstow Street, Riverfront Terrace to Madison Street E. (07-301). 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 final resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on the following streets:

- Rowe Street, Cornell Street to Severson Street (07-407)
- Severson Street, Cornell Street to Rowe Street (07-408)
- O’Brien Street, Cornell Street to Welsh Drive (07-409)
- Cornell Street, O’Brien Street to Ruby Lane (07-410)
- Plante Street, Cornell Street to Rowe Street (07-411).

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.

PHOENIX PARK

The City Council considered an ordinance amending Section 9.76.165 of the City Code of Ordinances, entitled “Parks – Intoxicants”, regarding the consumption of alcohol in Phoenix Park. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Adler “to adopt said ordinance”. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to amend said ordinance and offer a

substitute ordinance for consideration.” Thereupon a motion was offered by Council Member Buchanan to “delete the words ‘concert or music’ from line four in paragraph C of the substitute ordinance’.” Said motion was accepted as a friendly amendment. Thereupon a motion was offered by Council Member Biegel to add the words ‘Farmer’s Market Pavilion’ to line three of paragraph C between the words ‘amphitheater and labyrinth’ of the substitute ordinance.” Said motion was also accepted as a friendly amendment. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Duax “to postpone consideration of said ordinance until the first meeting in April”. Said motion to postpone passed by the following vote: Aye: Council Members Biegel, Davis, Duax, Hughes Sheridan and Von Haden. Nay: Council Members Adler, Buchanan, Kincaid, Middleton and Vue.

COMMISSION MEMBERSHIP

The City Council considered an ordinance amending Section 2.64.030 of the City Code of Ordinances entitled “Composition of the City Waterways and Parks Commission”, and Section 2.65.030 entitled “Landmarks Commission–Composition and Terms”. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Adler “to adopt said ordinance”. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Davis “to postpone consideration of said ordinance until such time as the Council is able to have a work session on the issue.” Said motion passed on the following vote: Aye: Council Members Adler, Biegel, Buchanan, Davis, Hughes, Kincaid, Middleton, Sheridan, and Von Haden. Nay: Council Members Duax and Vue.

The City Council considered a Charter Ordinance enacted pursuant to the provisions of Section 66.0101, Wisconsin Statutes, electing not to be governed by that portion of Section 62.23(1), Wisconsin Statutes, to amend Section 2.56.020 of the City Code of Ordinances entitled “Plan Commission–Composition”. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Adler “to adopt said ordinance”. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Davis “to postpone consideration of said ordinance until such time as the Council is able to have a work session on the issue.” Said motion passed by unanimous vote.

ZONING

The City Council had first reading on an ordinance amending the zoning code to allow a catering business in a church as a conditional use, as shown on Planning File #Z-1381-07.

ADJOURNMENT

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

Adjournment: March 27, 2007

Time: 6:30 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk