

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, February 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, Berlye Middleton, Terry Sheridan, 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, February 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.

USE OF CITY FACILITIES – CARSON PARK

The City Council considered a resolution allowing the Chippewa Valley Predators, semi-pro football team, to sell concessions including food, alcohol and merchandise at the Carson Park Football stadium, in conjunction with their stadium use agreement. 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.

The Council considered a resolution allowing the Eau Claire Sports Management Group, aka Eau Claire Crush, semi-pro football team, to sell concessions including food, alcohol and merchandise at the Carson Park football stadium, in conjunction with their stadium use agreement. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the request from Eau Claire Baseball LLC, aka Eau Claire Express, to amend their lease at the Carson Park baseball stadium to allow additional advertising. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Hughes “to adopt said resolution”. Said motion passed by unanimous vote.

COOPERATIVE AGREEMENT

The City Council considered a resolution approving a cooperative agreement between the Parks and Recreation Department and the Eau Claire School District regarding summer school instruction programs. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Sheridan “to adopt said resolution”. Thereupon a motion was offered by Council Member Von Haden “to amend said resolution as follows: In the first

Therefore, Be It Resolved paragraph, add the phrase ‘or its designee’ after the words ‘Eau Claire School District’.” Said motion was accepted by the mover and seconder as a friendly amendment. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

TAX INCREMENTAL FINANCE DISTRICT #8

The Council considered a resolution initiating the process to amend Tax Incremental Finance (TIF) District #8, Downtown Development Area. 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.

PARATRANSIT SERVICES

The Council considered a resolution awarding a contract to Tender Care Transport of Chippewa Falls for Para-transit Services. 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.

Council Members Buchanan and Von Haden left the Council Chamber.

WASTEWATER TREATMENT PLANT IMPROVEMENTS

The City Council considered a resolution approving Supplemental Agreement No. 1 to Contract No. 2006 – 30, Wastewater Treatment Plant Improvements – Phase I, with Donohue Associates for design and construction related services. 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 Members Buchanan and Von Haden returned to the Council Chamber.

Council Member Davis left the Council Chamber.

STREET, SIDEWALK & UTILITY IMPROVEMENT PROJECTS

WESTERN AVENUE

The City Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on Western Avenue, 405 feet south of Laverne Street to 922 feet north of Waller Street (07-101). Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Hughes “to adopt said resolution”. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Buchanan “to amend said resolution to have the assessment for 2809 Western Avenue be based on 35 feet of frontage”.

Council Member Davis returned to the Council Chamber.

Said motion to amend failed on the following vote: Aye: Council Members Biegel, Buchanan, Hughes and Middleton. Nay: Council Members Adler, Duax, Kincaid, Sheridan, Von Haden and Vue. Abstain: Council Member Davis. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Duax “to postpone consideration of said resolution until the next City Council meeting. Staff is directed to bring the project back and to include a proposal for sidewalks”. Said motion passed by unanimous vote.

WOODRIDGE DRIVE / N BARSTOW STREET / THIRD AVENUE

The Council considered a Final Resolution approving the project and levying special assessments for street improvements on Woodridge Drive, Timber Trails Court to Commerce Valley Road (07-501). 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.

Council Members Biegel and Sheridan left the Council Chamber.

The Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on N. Barstow Street, Oak Street to 500 feet north of Elm Street (07-302). 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.

Council Members Biegel and Sheridan returned to the Council Chamber.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on N. Barstow Street, Oak Street to 500 feet north of Elm Street (07-302). Thereupon a motion was offered by Council Member Vue and seconded by Council Member Kincaid “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 and utility improvements on Third Avenue, Niagara Street to Lake Street (07-303). Thereupon a motion was offered by Council Member Duax and seconded by Council Member Hughes “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 Third Avenue, Niagara Street to Lake Street (07-303). Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

REDWOOD DRIVE

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

- Redwood Drive, Riverview Drive to Starr Avenue (07-402)
- Gateway Drive, Keystone Crossing to House Road (07-404)
- Keystone Crossing, Commonwealth Avenue to Gateway Drive (07-405).

By unanimous consent the Council agreed to divide the question and vote on the Redwood Drive project separately. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Biegel “to adopt said resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on Redwood Drive, Riverview Drive to Starr Avenue (07-402)”. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to amend said resolution to defer sidewalk along the entire project, as it would not serve the public interest, safety or convenience”. Said motion failed on the following vote: Aye: Council Members Buchanan, Duax, Middleton, Von Haden and Vue. Nay: Council Members Adler, Biegel, Davis, Hughes, Kincaid and Sheridan. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Sheridan “to amend said resolution to defer the construction of sidewalk on the south side of Redwood Drive, from Riverview Drive to Howard Avenue as it is not feasible or practical due to topographic constraints. A painted stripe indicating a pedestrian / bicycle pathway, such as currently exists on Riverview Drive, shall be continued along the south side of Redwood Drive from Riverview Drive to Howard Avenue”. Said motion passed by unanimous vote. The Council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Adler, Biegel, Davis, Hughes, Kincaid, Middleton, and Sheridan. Nay: Council Members Buchanan, Duax, Von Haden, and Vue.

GATEWAY DRIVE / KEYSTONE CROSSING

A motion was offered by Council Member Buchanan and seconded by Council Member Biegel “to adopt the resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on the following streets:

- Gateway Drive, Keystone Crossing to House Road (07-404)
- Keystone Crossing, Commonwealth Avenue to Gateway Drive (07-405)”.

Said motion passed by the following vote: Council Members Adler, Biegel, Buchanan, Duax, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: None. Abstain: Council Member Davis.

COLLECTIVE BARGAINING AGREEMENTS

The City Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Fire Fighters Local 487. 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.

The Council considered a resolution authorizing the City Manager to revise the compilation of agreements with Police Command – Local 39. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

GENERAL DEVELOPMENT PLAN

The City Council considered an ordinance amending the General Development Plan for C-3P zoned property located on the south side of W. Shorewood Lane, west of Shorewood Heights Parkway, for additional mini-warehouses as shown on Planning File #Z-914 Amd.-07. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Sheridan “to adopt said ordinance”. Said motion passed by unanimous vote.

STREET NAME

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 Kincaid and seconded by Council Member Buchanan “to adopt said ordinance”. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Adler “to amend said ordinance by deleting the reference to changing the name of that portion of Birch Street to McKinley Road”.

Council President Adler passed the gavel to Vice President Hughes and left the Council meeting.

Said motion to amend the ordinance failed on the following vote: Aye: Council Members Davis, Hughes and Middleton. Nay: Council Members Biegel, Buchanan, Duax, Kincaid, Sheridan, Von Haden, and Vue. The Council then voted on the original ordinance. Said motion passed by the following vote: Aye: Council Members Biegel, Buchanan, Davis, Duax, Hughes, Kincaid, Sheridan, Von Haden, and Vue. Nay: Council Member Middleton.

ZONING

The City Council had first reading on an ordinance rezoning property at the southeast corner of USH “12” and Mill Run Road from C-2P to R-3P and C-2P, and to adopt the General Development Plan for condominium and commercial development for the West Ridge Village Neighborhood Marketplace as shown on Planning File #Z-1379-07.

The Council had first reading on an ordinance rezoning property at the southwest corner of USH “12” and Mill Run Road, from R-3P and C-3P to C-2P and R-3P, and to adopt the General Development Plan for West Ridge Village Senior Campus with commercial development, and to allow special zoning permission for a 44-unit assisted living facility and a 24-unit CBRF memory care facility as shown on Planning File #Z-1380-07.

The Council had first reading on an ordinance amending Section 1.06.050 of the Code of City Ordinances entitled “Review of Administrative Determinations” regarding membership of the Board.

PAY PLAN AMENDMENTS

The City Council had first reading on an ordinance amending the Pay Plan for the City of Eau Claire, specifically those parts thereof pertaining to Fire Fighters Local 487 and Police Command - Local 39. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Buchanan “to suspend the rules which interfere with the immediate consideration of said ordinance”. Said motion to suspend the rules passed by unanimous vote. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Von Haden “to adopt said ordinance”. Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: February 27, 2007

Time: 6:37 p.m.

Raymond Hughes, Vice President

ATTEST:

Donna A. Austad, City Clerk