

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, December 12, 2006

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, Kerry Kincaid, Berlye Middleton, Terry Sheridan, and Bob Von Haden. Absent: Council Members Toby Biegel and Thomas Vue.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, December 12, 2006. 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.

PARKLAND ACQUISITION

The City Council considered a resolution authorizing the acceptance and appropriation of a Department of Natural Resources Urban Rivers grant and matching donations for the purchase of 3537 Old Wells Road. 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 authorizing the acquisition of future parkland on Old Wells Road and the execution of all documents associated therewith. 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.

APPOINTMENTS

The City Council considered a resolution approving appointments and reappointments to various Boards, Commissions and Committees. 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 approving the reappointment of the City Manager to the Redevelopment Authority. 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.

LIQUOR LICENSE

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to Hilltop Corp., d/b/a Hilltop, 924 E. Madison St., Denise R. Vik, agent. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kincaid "to adopt said resolution". Said motion passed by unanimous vote.

BUDGET ADJUSTMENTS

The Council considered a resolution authorizing appropriation adjustments to the 2006 and 2007 Programs of Services for grants, donations and service adjustments. 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.

AGREEMENT

The City Council considered a resolution amending the agreement with T-Mobile for placement of antennas on the Oakwood Hills Water Tower on Oak Knoll Drive. 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.

HISTORICAL SOCIETY

The Council considered a resolution concurring with the National Register regarding the eligibility of the properties and districts to be considered by the Wisconsin Historical Society for listing on the National Register of Historic Places. 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.

REVOLVING LOAN FUND

The City Council considered a resolution approving guideline amendments to the Revolving Loan Fund Program. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kincaid "to adopt said resolution". Said motion passed by unanimous vote.

DRUG-FREE WORKPLACE

The Council considered a resolution adopting the revised Drug-Free Workplace Policy. 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.

135th CITY CHARTER CELEBRATION

The City Council considered a resolution requesting that the City Council President appoint an ad hoc committee regarding the City's 135th charter celebration on March 19, 2007. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Buchanan "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Davis, Duax, Kincaid, Sheridan, and Von Haden. Nay: Council Members Hughes and Middleton.

ANNEXATION

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 11th Assessment Ward, 1st Aldermanic District, that part of Highway 312, located in Sections 10-27-9 and 11-27-09, Town of Seymour, Eau Claire County, as shown on Planning Drawing No. 06-3A (DOT petition). Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax "to adopt said ordinance". Said motion passed by unanimous vote.

REZONING

The City Council considered an ordinance rezoning properties within the North Riverfronts neighborhood from R-3, R-4, R-4P, CBD, I-1 and I-2 to RM-P and to adopt the General Development Plan for development within the neighborhood as shown on Planning File #Z-1372-06. 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.

FLOODPLAIN OVERLAY DISTRICT

The Council considered an ordinance amending (updating) the City's Floodplain Overlay District in accordance with FEMA and DNR requirements as shown on Planning File #Z-1375-06. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Von Haden "to adopt said ordinance". Said motion passed by unanimous vote.

TRAFFIC & PARKING

The City Council considered an ordinance amending Table II of the City Code of Ordinances, entitled "Through Streets," by adding Folsom Street, from N. Clairemont Avenue to Fourteenth Street. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Middleton "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table III of the City Code of Ordinances, entitled "Stop Intersections," by adding Damon Street and Boardwalk Street, when entering from the north on Boardwalk Street. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table VIII of the City Code of Ordinances, entitled "Parking Prohibited," by adding:

- Truax Boulevard, both sides, from N. Clairemont Avenue to Fourteenth Street.
- McKinley Road, both sides, from LaSalle Street to 70 feet south.
- LaSalle Street, both sides, from McKinley Road to 90 feet east.

Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax "to adopt said ordinance". Said motion passed by unanimous vote.

SEWER & WATER CONNECTION

The City Council considered an ordinance amending Section 15.08.040 of the City Code of Ordinances, entitled "Connection to sanitary sewer," with respect to the requirement for mandatory connection to the sanitary sewer system. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Hughes "to adopt said ordinance". Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid "to amend said ordinance to add an Implementation Date Section: The initial application of this ordinance to conditions existing prior to the enactment thereof, the period provided in section 15.08.040 (A) shall be one year from the date the sanitary sewer is deemed available, or one year from the effective date of this ordinance, whichever is later.". Said motion to amend passed by the following vote: Aye: Council Members Buchanan, Davis, Duax, Hughes, Kincaid, Middleton, Sheridan, and Von Haden. Nay: Council Member Adler. The Council then voted on the ordinance as amended. Said ordinance passed by unanimous vote.

The Council considered an ordinance amending Section 14.04.025 of the City Code of Ordinances, entitled "Rules and regulations--General," with respect to the requirement for mandatory connection to the water system. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Middleton "to adopt said ordinance". Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Davis, Hughes, Kincaid, Middleton, Sheridan, and Von Haden. Nay: Council Member Duax.

Council Member Von Haden left the Council Chamber.

REZONING

The City Council had first reading on an ordinance rezoning properties at the former Lowes Creek Elementary School site from TR-1, TR-1A and P-Public to R-1 and R-1P and to adopt the General Development Plan for a single-family condominium project as shown on Planning File #Z-1376-07.

The Council had first reading on an ordinance rezoning properties at 1709 and 1733 Black Avenue from TR-1A to R-1A as shown on Planning File #Z-1377-07.

TRAFFIC CONTROL

The City Council had first reading on an ordinance amending Table III of the City Code of Ordinances entitled "Stop Intersections," by adding Lincoln Avenue and Rust Street, when entering from the north and south on Rust Street.

PHOENIX PARK

The Council had first reading on an ordinance amending Chapter 9.76 of the City Code of Ordinances, entitled "Parks - Public Grounds", regarding the use of Phoenix Park.

COMMENDATION

Council President Adler, on behalf of the City Council, presented a plaque to Darlene Cornell for her 26 years of service to the City. Cornell, Executive Assistant to the City Manager, is retiring on December 29.

ADJOURNMENT

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

Adjournment: December 12, 2006

Time: 5:18 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk