

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION**

**Tuesday, November 28, 2006**

**City Council Chamber**

**4:00 p.m.**

#### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

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

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for November 28, 2006 for selected items of routine business. 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.

#### **GRANT ACCEPTANCE**

The City Council considered a resolution authorizing the Police Department to accept Transfer Technology Program equipment awarded by the Office of National Drug Control Police – Counter Drug Technology Assessment Center. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

#### **HUMANE ASSOCIATION CONTRACT**

The Council considered a resolution approving the renewal of the Municipal Animal Control Agreement with the Eau Claire County Humane Association, Inc. for 2007 – 2009. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Sheridan “to adopt said resolution”. Said motion passed by unanimous vote.

#### **STREET VACATION**

The City Council considered a resolution vacating Chestnut Street, from Whipple Street to twelve feet east of the easterly line of Lot 6 Block 17 of the Plat of Babcock, Bellinger, & Mappa's Addition, approximately 142 feet west of Fifth Avenue. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Davis “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Biegel, Buchanan, Davis, Duax, Hughes, Sheridan, and Von Haden. Nay: None. Abstain: Council Member Kincaid.

Council Member Middleton arrived in the Council Chamber.

### **EASEMENTS**

The City Council considered resolutions releasing utility easements in the following rights-of-way:

- Chestnut Street, from Whipple Street to twelve feet east of the easterly line of Lot 6 Block 17 of the Plat of Babcock, Bellinger, & Mappa's Addition.
- vacated Bellinger Street from Chestnut Street to the vacated Beach Street.
- vacated Babcock Street from Chestnut Street to the vacated Beach Street.
- vacated Spruce Street from the vacated Bellinger Street to Fifth Avenue.

Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Biegel "to adopt said resolutions". Said motion passed by the following vote: Aye: Council Members Biegel, Buchanan, Davis, Duax, Hughes, Sheridan, and Von Haden. Nay: None. Abstain: Council Members Kincaid and Middleton.

### **COMMUNITY BASED RESIDENTIAL FACILITIES**

The City Council considered a resolution approving an exception to the 2,500' rule to allow a Community Based Residential Facility (CBRF) for 4 developmentally disabled persons, ages 15-22, to be located at 1801 Deblene Lane as shown on Planning File #CBRF-01-06. 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.

The Council considered a resolution approving an exception to the 2,500' rule to allow a Community Based Residential Facility (CBRF) for 6 terminally ill persons at 622 Wisconsin Street as shown on Planning File #CBRF-02-06. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt said resolution". Said motion to postpone passed by unanimous vote.

### **REZONING**

The City Council considered an ordinance rezoning property at 1010 W. Clairemont Avenue from C-2H to C-3P and to approve the General Development Plan for an off-premise sign as shown on Planning File Z-1371-06. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Buchanan "to postpone consideration of said ordinance until such time as a recommendation comes forward from the Plan Commission". Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property located at 344 and 402 Folsom Street from C-2 to R-2 as shown on Planning File #Z-1374-06. 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.

## **NON-CONFORMING STRUCTURES**

The City Council considered a Charter Ordinance amending Chapter 18.40 of the City Code of Ordinances relating to review provisions and procedures for nonconforming structures, as shown on Planning File #Z-1376-06. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Middleton "to adopt said ordinance". Said motion passed by unanimous vote.

## **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 11<sup>th</sup> Assessment Ward, 1<sup>st</sup> Aldermanic District, that part of Highway 312, located in Section 10-27-9 and 11-27-9, Town of Seymour, Eau Claire County, as shown on Planning Drawing No. 06-3A (DOT Petition).

## **REZONING**

The Council had first reading on 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.

## **FLOODPLAIN DISTRICT**

The City Council had first reading on 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.

## **TRAFFIC & PARKING**

The City Council had first reading on 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.

The Council had first reading on 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.

The Council had first reading on 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.

### **SEWER & WATER CONNECTION**

The City Council had first reading on 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.

The Council had first reading on an ordinance amending Section 14.04.025, entitled "Rules and regulations--General," with respect to the requirement for mandatory connection to the water system.

### **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 the Clerical, Technical & Supervisory Employees Association (CTSEA) and Department Heads, Division Heads and Confidential employees. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Sheridan "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 Von Haden and seconded by Council Member Sheridan "to adopt said ordinance". Said motion passed by unanimous vote.

### **ADJOURNMENT**

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

Adjournment: November 28, 2006

Time: 4:50 p.m.

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Raymond Hughes, Vice President

ATTEST:

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Donna A. Austad, City Clerk