

## **MINUTES**

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

**Tuesday, August 22, 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, 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, August 22, 2006. Council Members requested that Item No. 4, granting the renewal of bartender licenses for the 2006-2008 licensing period, and Item No. 10, receiving a petition for street and utility improvements to Broadway Street, from Fifth Avenue to Sixth Avenue, be removed from the Consent Agenda and voted upon separately. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt the remainder of the consent agenda". Said motion passed by unanimous vote.

#### **BARTENDER LICENSES**

The City Council considered a resolution granting the renewal of bartender licenses for the 2006 – 2008 licensing period. 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.

#### **IMPROVEMENT PETITION**

The Council considered a resolution receiving a petition and directing the City Engineer to prepare a report in accordance with s. 66.0703, Wis. Stats., for street and utility improvements to Broadway Street, from Fifth Avenue to Sixth Avenue. 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.

#### **LICENSES**

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license and Class A Cabaret license to MarSteiner Hospitality, LLC., d/b/a Stones Throw Bar, 304 Eau Claire St., Jonathan Marlier, agent. 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 TO BOARDS, COMMISSIONS, AND COMMITTEES**

The Council considered a resolution approving the following appointments to various Boards, Commissions, and Committees:

Affirmative Action Committee

(three-year term to expire June 30, 2009)

Virginia Wolf – new appointment

Development Zone Advisory Board

(five-year term to expire April 30, 2011)

Debra Leslie – new appointment

Library Board

(County Representatives to serve three-year terms to expire June 30, 2009)

John Luehrsen – new appointment

Cindy McCluskey – new appointment

Revolving Loan Fund Committee

Julie Bollinger – new appointment to fill unexpired term to expire June 30, 2007

Bicycle-Pedestrian Advisory Committee

(Initially appointed to one-year, two-year, and three-year terms; three-year terms upon reappointment.)

One-year term to expire 12/31/2007

William Barry

Gene Enders

Brad Henderson

Ann Hoffman

Two-year term to expire 12/31/2008

Christine Kondrasuk

Jeff Lorentz

Mike Mills

Three-year term to expire 12/31/2009

Christopher Quinlan

Susan Sveda-Uncapher

Owen Wahlstrand

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Middleton “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax “to amend said resolution by adding the following paragraph: Be It Further Resolved, that those persons appointed to the Bicycle-Pedestrian Advisory Committee for initial terms of less than three years, shall be eligible for two additional three-year appointments”. Said motion was accepted as a friendly amendment by the mover and seconder. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

## **TRANSIT SERVICE AGREEMENT**

The City Council considered a resolution approving the 2006 Purchase of Service Agreement between the City of Eau Claire Transit and the City of Altoona. 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.

## **EASEMENT**

The Council considered a resolution granting an easement to AT&T-Wisconsin for telephone equipment on City owned property at the intersection of Ferry Street and Crescent Avenue. 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.

## **JAYCEES PAYMENT**

The City Council considered a resolution accepting a payment of \$4,837 from the Eau Claire Jaycees for city services at the 2002 Upward Air Show. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Kincaid “to adopt said resolution”. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Biegel “to amend said resolution to add the following as a second paragraph: Be It Further Resolved, that the Jaycees shall work with the City Manager to identify one project related to city enhancement each year for the next five years in which the Jaycees can be involved.”. Said motion was accepted as a friendly amendment by the mover and seconder. The Council then voted on the resolution as amended. Said motion to adopt passed by following vote: Aye: Council Members Adler, Biegel, Buchanan, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Sheridan.

Council Member Middleton left the Council Chamber.

## **TREE REMOVAL**

The Council considered a final resolution levying special assessments for tree removal at 23 locations. 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 Member Middleton returned to the Council Chamber.

## **DEVELOPMENT PLAN**

The City Council considered a resolution approving a General Site Development Plan in a P-Public district for a parking lot expansion for the Chippewa Valley Technical College on University Drive as shown on Planning File #PZ-0602. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Buchanan, Davis,

Duax, Hughes, Kincaid, Sheridan, Von Haden, and Vue. Nay: None. Abstain: Council Member Middleton.

### **RECONSIDERATION – IMPROVEMENTS ON RUBY LANE**

A motion was offered by Council Member Hughes and seconded by Council Member Davis “that the Council reconsider the vote taken on August 8, 2006 adopting a resolution postponing for one year the entire improvement project on Ruby Lane, from Loken Lane to Riverview Drive”. Said motion to reconsider passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Hughes, Kincaid, and Sheridan. Nay: Council Members Buchanan, Duax, Middleton, Von Haden and Vue. The Council then discussed the resolution adopted on August 8. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Buchanan “to amend said resolution by deleting the Now Therefore Be It Resolved paragraph and inserting the following two paragraphs:

Now, Therefore, Be It Resolved that the City Council of the City of Eau Claire hereby directs that the sidewalk ordered to be constructed on the west side of Ruby Lane from Cornell Street to Welsh Drive is hereby postponed for one year.

Be It Further Resolved that construction of the street project on Ruby Lane as approved and bid shall proceed in 2006, including concrete driveways and sidewalk sections through the driveways at the appropriate elevation to accommodate a possible future sidewalk in accordance with Chapter 13.04.025(D)(1) of the City Code of Ordinances.”

Said motion to amend failed by the following vote: Aye: Council Members Buchanan, Duax, Middleton, Von Haden and Vue. Nay: Council Members Adler, Biegel, Davis, Hughes, Kincaid, and Sheridan. The Council then voted on the resolution as adopted on August 8, 2006 postponing the entire project for one year. Said motion failed by the following vote. Aye: Council Members Buchanan, Duax, Middleton, Von Haden and Vue. Nay: Council Members Adler, Biegel, Davis, Hughes, Kincaid, and Sheridan.

### **ANNEXATION**

The City Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15<sup>th</sup> Assessment Ward, 2<sup>nd</sup> Aldermanic District, that part of the SW ¼ - SW ¼ of Section 26-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 06-5A (Blaisdell Petition, 4202 E. Hamilton Avenue). Thereupon a motion was offered by Council Member Vue and seconded by Council Member Kincaid “to adopt said ordinance”. Said motion passed by unanimous vote.

### **REZONING**

The Council considered an ordinance rezoning property located on the south side of Echo Valley Drive (Lots 373 & 374, Oakwood Hills 6<sup>th</sup>) from R-1 to R-2P and to adopt the General Development Plan for two duplexes as shown on Planning File #Z-1361-06. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Hughes “to adopt said ordinance”. Said motion passed by unanimous vote.

## **SIDEWALK VENDORS**

The City Council considered an ordinance amending Section 13.12.065 of the City Code of Ordinances entitled "Sidewalk Cart Food Vendors" to allow extended hours of operation. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Biegel "to adopt said ordinance". Said motion passed by unanimous vote.

## **REZONING**

The City Council had first reading on an ordinance rezoning property located on the south side of Chestnut Street, between Fifth Avenue and Whipple Street, from RM and R-4P to CBDP and to adopt the General Development Plan for the existing Luther Hospital uses as shown on Planning File #Z-1362-06).

The Council had first reading on an ordinance rezoning property located on the south side of Cameron Street, between Sixth Street and Kendall Street, from I-1 and C-3 to CBDP and to adopt the General Development Plan for Luther Hospital's existing parking lot as shown on Planning File #Z-1363-06.

## **STREET NAME**

The City Council had first reading on an ordinance naming the private street within the Waterford Condominium Plat as Pinnacle Way.

## **PARKING**

The City Council had first reading on an ordinance amending Table VIII of the City Code of Ordinances, entitled "Parking Prohibited," by adding Craig Road, west side, from 170 feet north of Lasker Drive to 115 feet south of Lasker Drive, and by adding Craig Road, east side, from Lasker Drive to 115 feet south.

The Council had first reading on an ordinance amending Table IX of the City Code of Ordinances, entitled "Parking during specified hours" by removing the two-hour parking restrictions on Lake Street, between Farwell Street and Dewey Street.

## **ADJOURNMENT**

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

Adjournment: August 22, 2006

Time: 6:05 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk