

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, July 25, 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, July 25, 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.

PROCLAMATION

Council President Adler, on behalf of the City Council, proclaimed August 1, 2006 as "National Night Out 2006" in the City of Eau Claire.

BONDS

The City Council considered a resolution authorizing the issuance of \$5,125,000 aggregate principal amount of General Obligation Bonds, Series 2006, of the City of Eau Claire, Eau Claire and Chippewa Counties, providing details, prescribing the form of bond, awarding the bonds to the best bidder and levying taxes for street improvements, storm sewer improvements and fire station design. 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.

LIQUOR LICENSES

The City Council considered a resolution granting a Class B Fermented Malt Beverage license and Class C Wine license to Racy D' Lenes Coffee Lounge, Inc., d/b/a The Nucleus Café, 405 Water Street, Jeremy Kachmar, agent. 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 granting a Reserve Combination Class B Intoxicating Liquor and Fermented Malt Beverage license and Class A Cabaret license to J & L Corporation of Eau Claire, Inc., 341 Water Street, Jared J. Reichert-Hart, agent. 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 Duax “to divide the question and take a separate vote on the liquor license and the cabaret license”. Said motion did not require a second. The Council voted on the motion to divide the question. Said motion lost by the following vote: Aye: Council Member Duax. Nay: Council Members Adler, Biegel, Buchanan, Davis, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. The Council then voted on the original motion to adopt the resolution. Said resolution was adopted by the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: Council Member Buchanan.

Council Members Davis and Hughes left the Council Chamber.

TELEPHONE SYSTEM

The City Council considered a resolution approving the purchase of a new telephone system for the City and Library. 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.

Council Member Hughes returned to the Council Chamber.

PURCHASE OF AMBULANCE

The City considered a resolution awarding a contract and appropriating funds for a new ambulance. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Davis returned to the Council Chamber.

Council Member Biegel left the Council Chamber.

BUDGET ADJUSTMENTS

The City Council considered a resolution authorizing appropriation adjustments to the 2006 Program of Services for grants, donations, and service adjustments. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Biegel returned to the Council Chamber.

The Council considered a resolution appropriating funds and approving payment to Transit System employees as required by the Wisconsin Employment Relations Commission (WERC) Decision No. 29346-D, issued on June 30, 2006. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Adler “to amend said resolution by adding the phase ‘after nine years of costly hearings and

deliberations” at the end of the first Whereas clause. Said motion to amend passed by the following vote: Aye: Council Members Adler, Biegel, Buchanan, Duax, Middleton, Von Haden, and Vue. Nay: Council Members Davis, Hughes, Kincaid and Sheridan. The council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

Council Member Buchanan left the Council Chamber.

AGREEMENTS

The City Council considered a resolution authorizing the City to enter into an Access Agreement with Verizon Wireless to evaluate the structural limits of the communications tower at Mt. Tom. 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.

Council Member Buchanan returned to the Council Chamber.

The Council considered a resolution approving the 2006 State Urban Mass Transit Operating Assistance Contract with the Wisconsin Department of Transportation. 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.

EASEMENTS AND ENCROACHMENTS

The City Council considered a resolution consenting to the use of a portion of City utility easement for the permanent installation of non-city utilities to the owners of Parcel No. 14-1285 (Prairie Crossing Condominium Plat). 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 resolution granting a permanent encroachment to the property owner at 209 Graham Avenue for a Mansard Overhang. 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.

BULLIS FARM ADDITION

The City Council considered a resolution approving the final plat for Bullis Farm Addition at the southwest corner of Keystone Crossing and Commonwealth Avenue as shown on Planning File #P-12-06. 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 City Manager to amend an existing development agreement with Oakwood Business Park, LLC for street and utility improvements to Bullis Farm Road Phase I to include Phase II. 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.

The Council considered a resolution indicating the location of required sidewalk construction within the plat of Bullis Farm Addition. 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.

DANGEROUS DOGS

The City Council considered an ordinance creating Section 6.08.045 of the Code of City Ordinances entitled “Dangerous Dogs”. The Council had postponed consideration of this ordinance at its June 13, 2006. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to indefinitely postpone consideration said ordinance”. Said motion passed by unanimous vote.

REZONING

The City Council had first reading on an ordinance rezoning property at 1602 Hogeboom Avenue from R-2 to C-2 as shown on Planning File #Z-1359-06.

The Council had first reading on an ordinance rezoning property at 655 Putnam Drive from R-3 to R-1 as shown on Planning File #Z-1360-06.

URBAN SEWER SERVICE BOUNDARY

The City Council had first reading on an ordinance amending the Eau Claire Comprehensive Plan for changes in the Urban Sewer Service Boundary.

STREET NAME

The Council had first reading on an ordinance naming a private street Kane Court, from Kane Road (CTH ‘TT’) to the east end.

DANGEROUS DOGS

The City Council had first reading on an ordinance creating Section 6.08.045 of the Code of City Ordinances entitled “Dangerous Dogs” and amending Section 6.08.050 entitled “Mad, Vicious, Suspicion of Rabies – Quarantine and/or Destruction”

ADJOURNMENT

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

Adjournment: July 25, 2006

Time: 6:52 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk