

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, January 22, 2019

Eau Claire County Board Room

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council Vice President/Acting President Werthmann called the meeting to order. The following members were present: Council Members Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Catherine Emmanuelle, Jeremy Gragert, David Strobel, Terry Weld, Andrew Werthmann and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, January 22, 2019:

- Adopting the Consent Agenda.
- Approving the Minutes of the January 8, 2019 Council Legislative Session.
- Granting new bartender licenses.
- Granting a Reserve Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to JaMi Development, LLC, d/b/a Monks Bar & Grill of Eau Claire, 3560 Oakwood Mall Drive, Michael J. McMurry Agent.
- Granting a Class B Fermented Malt Beverage license, Class C Wine license, and a Class B Cabaret licenses to Skill Shot LLC, d/b/a Skill Shot, 1106 Mondovi Road, Julia Johnson, Agent.
- Granting a Temporary Class B Fermented Malt Beverage license and Temporary Class B Wine license to Chippewa Valley Home Builders Association, Becki Rockow, President, on February 22, 2019, at the YMCA Indoor Sports Center, 3456 Craig Road, for a Home & Garden Show.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to United Way of the Greater Chippewa Valley, Bruce Ommen, President, at 320 Putnam Street, for a United Way Emerging Leaders Friendraiser: Up your Cooking Game event on January 24, 2019.
- Granting a Change of Agent for the Combination Class A Fermented Malt Beverage and Intoxicating Liquor license of Mills Fleet Farm Group, LLC, d/b/a Fleet Farm, 3165 Old Town Hall Road, from Christopher V. Nedland to Jason Balk be approved.
- Awarding a contract for Procurement No. 2019-17, Purchase of One Sewer Vac Truck.
- Authorizing the purchase of land located along Acorn Drive, parcel nos. 15-3600 and 15-3600-A.
- Approving the Revolving Loan Fund Plan and Semi-Annual Report for the EDA-Funded Revolving Loan Fund.
- Approving the renewal of a parking agreement between the City and QBE Americas, Inc., for the use of available parking stalls in the City's North Barstow Parking Ramp.

- Authorizing the City of Eau Claire Community Services Department to apply for Wisconsin Department of Natural Resources (DNR) grant monies for Water Quality Improvements (Lakes Protection Grant).
- Declaring the City’s intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for February 11, 2019, on the following streets:
 - Grant Avenue West, Ellis Street to State Street (19-104);
 - Lincoln Avenue, State Street to Wilson Avenue (19-107);
 - East Lake Street, South Farwell Street to South Dewey Street (19-106);
 - Spring Street, Summit Street to the North End (19-110);
 - Dorret Road, West Frank Street to Kohlhepp Road (19-101);
 - James Street, Ninth Street to Eleventh Street (19-105);
 - Water Street, First Avenue to Second Avenue (19-302);
 - Water Street, Sixth Avenue to Ninth Avenue (19-303);
 - East Riverview Drive, Airport Road to 2,700 Feet West (19-301).

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the consent resolution.” Said motion passed by unanimous vote.

PROCLAMATION

Vice President/Acting President Werthmann read a proclamation designating January 31, 2019 as Big Brothers Big Sisters “Thank Your Mentor” Day and urging everyone in Eau Claire to thank their mentors and those who made a positive impact on them while growing up.

ALLEY IMPROVEMENTS

The City Council considered a final resolution approving the project and levying special assessments for improvements on the following alleys:

- Alley South of Woodland Avenue, Margaret Street to Agnes Street (19-501);
- Alley South of Emery Street, Margaret Street to Isabel Street (19-502);
- Alley South of Hogeboom Avenue, Roderick Street to Lee Street (19-503);
- Alley South of Hogeboom Avenue, Lee Street to Margaret Street (19-504);
- Alley South of Hogeboom Avenue, Margaret Street to Isabel Street (19-505);
- Alley South of Altoona Avenue, Margaret Street to Isabel Street (19-506);
- Alley South of Highland Avenue, Chauncey Street to Roderick Street (19-507);
- Alley South of Highland Avenue, Lee Street to Margaret Street (19-508);
- Alley South of Brackett Avenue, Agnes Street to Keith Street (19-509);
- Alley South of Lake Street, Third Avenue to Hudson Street (19-510);
- Alley South of Hudson Street, Second Avenue to Third Avenue (19-511);
- Alley South of Hudson Street, Fourth Avenue to Fifth Avenue (19-512);
- Alley East of Rust Street, Gilbert Avenue to 140 Feet North (19-513).

The Alley East of Rust Street, Gilbert Avenue to 140 Feet North (19-513) was divided for separate consideration without objection. Council Member Weld abstained and left Council Chambers.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Beaton “to adopt the final resolution” with regard to the Alley East of Rust Street, Gilbert Avenue to 140 Feet North (19-513). Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Strobel, Werthmann and Xiong. Abstained: Council Member Weld.

Council Member Weld returned to Council Chambers.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Gragert “to adopt the final resolution” with regard to the remaining alleys for consideration (19-501 to 19-512). Said motion passed by unanimous vote.

PROPERTY TRANSACTIONS

The City Council considered a resolution vacating a portion of the Alley East of South Barstow Street from Emery Street to 79 feet south of Seaver Street. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to postpone” until after Plan Commission takes action. Said motion passed by unanimous vote.

The City Council considered a resolution releasing the utility easements within the Alley East of South Barstow Street from Emery Street to 79 feet south of Seaver Street. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to postpone” until after Plan Commission takes action. Said motion passed by unanimous vote.

MILL RUN

The City Council considered a resolution approving the final re-plat for Mill Run located east of N. Town Hall Road (File P-1-19). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the City Manager to enter into a development agreement with Investment Realtors for street and utility improvements within CTH EE (N. Town Hall Road) adjacent to the Re-Plat of Mill Run. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to adopt the resolution.”

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Anderson “to amend” the development agreement, “Special Condition I. Sidewalks,” by replacing DWG NO. 2019-05 with DWG NO. 2019-05R deferring sidewalks until there is a project to construct sidewalks within the Mill Run Subdivision at which time sidewalks will be constructed and special assessed to the adjacent parcels in accordance with the Special Assessment Policy in effect at the time of construction. Said motion passed by unanimous vote.

A vote was then taken “to adopt the resolution with amended development plan.” Said motion passed by unanimous vote.

CERTIFIED SURVEY MAP

The City Council considered a resolution approving a Certified Survey Map with right-of-way dedication for Galloway Street (File CSM-1-19). Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

FEES & LICENSES

The City Council considered a resolution amending the City of Eau Claire Schedule of Fees and Licenses regarding Keeping of Honey Bees and Keeping of Poultry. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Xiong “to adopt the resolution.”

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to amend” the resolution by changing the Annual License Fee for Keeping of Poultry Program Fees and Keeping of Honey Bees Program Fees to \$0, unless there is a substantial change including location and/or number of hives/coops in which case the Initial License Fee shall be charged. Said motion failed by the following vote: Aye: Council Members Anderson, Beaton, Werthmann and Xiong. Nay: Council Members Berge, Christopherson, Emmanuelle, Gragert, Strobel and Weld.

A vote was then taken “to adopt the resolution.” Said motion passed by unanimous vote.

BUDGET AMENDMENT

The City Council considered a resolution amending the 2019 Budget by transferring funds from City Equipment Rental to Miscellaneous Contractual Services for portable restrooms. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Werthmann “to adopt the resolution.”

Thereupon a motion was offered by Council Member Strobel “to amend” by removing the first Whereas clause and replacing it with the following: Whereas the 2019 budget presented to the City Council by City staff included \$175,300 for contractual services, which included money for port-a-potties; Whereas that funding was removed by a budget amendment brought forth by two Council Members and supported by the majority of the Council; and Whereas, the funding from contractual services was then transferred to pay for two unrequested Library employees. Said motion died for lack of a second.

A vote was then taken “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Emmanuelle, Gragert, Weld, Werthmann and Xiong. Nay: Council Member Strobel.

APPOINTMENTS

The City Council considered a resolution appointing City Council Representatives to the Renewable Energy Action Plan Steering Committee. Vice President/Acting President Werthmann called for any volunteers or nominations for appointment to the Committee. Council Member Beaton volunteered to be appointed. Council Member Gragert nominated Vice President/Acting President Werthmann for appointment. No objections were voiced. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Beaton “to adopt the resolution” with Council Members Beaton and Werthmann inserted as the Council Representatives. Said motion passed by unanimous vote.

KEEPING OF HONEY BEES

The Council considered an ordinance amending Chapter 6.14, entitled “Keeping of Honey Bees” of the Code of Ordinances of the City of Eau Claire. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Gragert “to postpone” to the February 25 & 26, 2019 Council meetings. Said motion passed by unanimous vote.

ZONING

Council Member Berge left Council Chambers.

The Council considered an ordinance rezoning properties located at 708, 718 & 720 S. Farwell Street; 316 Emery Street; and 707, 709 & 715 S. Barstow Street from CBD to CBD-P and to approve the general development plan for an apartment with a reduced setback (File Z-1637-19). Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Strobel “to postpone” until after Plan Commission takes action. Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Christopherson, Emmanuelle, Gragert, Strobel, Weld, Werthmann and Xiong. Absent: Council Member Berge.

The Council considered an ordinance rezoning property located at 318 Elm Street from I-2 to RM (File Z-1638-19). Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the ordinance.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Christopherson, Emmanuelle, Gragert, Strobel, Weld, Werthmann and Xiong. Absent: Council Member Berge.

Council Member Berge returned to Council Chambers.

The Council considered an ordinance rezoning a property located on the west side of Oxford Avenue, between Maxon Street and Cameron Street from I-1 to CBDP and to approve the general development plan for an apartment with a reduced setback. (File Z-1639-19). Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Xiong “to adopt the ordinance.” Said motion passed by unanimous vote.

INDUSTRIAL PARK ZONING

The City Council had first reading on an ordinance amending the Zoning Code of the City of Eau Claire by amending the General Development Plan for the sign standards for Gateway Northwest Industrial Park (File Z-1640-19).

The City Council had first reading on an ordinance amending the Zoning Code of the City of Eau Claire by amending the General Development Plan for the sign standards for Gateway West Industrial Park (File Z-853-92 Amd).

SPECIAL ASSESSMENTS

The City Council had first reading on an ordinance amending Chapter 3.16 entitled “Special Assessments” of the Code of Ordinances of the City of Eau Claire and the Special Assessment Policy to amend sidewalk repair assessments to be consistent with current residential corner lot policies.

ADJOURNMENT

A motion was offered by Council Member Gragert and seconded by Council Member Berge “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: January 22, 2019

Time: 6:20 p.m.

ATTEST:

/s/ Andrew F. Werthmann
Vice President/Acting President

/s/ Carrie L. Riepl
City Clerk