

## **MINUTES**

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

**Tuesday, June 13, 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, June 13, 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.

#### **ARTWORK**

Council President Adler announced that there is new art work on display in the Council Chamber. The pieces were created by the following students at Manz Elementary School:

Miah Peterson	Robert Adams	Allison Dai
Jacob Weiss	Emily Dasher	Sarah Leppert
Liana Hrubesch	Megan Jungbluth	Sophie Ritsch
Jonathan Raney	Kaia Bien	Jacob Bresser

#### **LICENSES**

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license and Class B Cabaret license to Joshua A. Prock, d/b/a The Mousetrap, 311 S. Barstow Street. 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.

The Council considered a resolution amending the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Water Street Company 436 LLC., d/b/a Mogie's Pub, 436 Water Street, to include a 22 foot sidewalk café abutting the parcel. 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 amending the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Water Street 428 Corporation, d/b/a Mona Lisa's, 428 Water Street, to include a sidewalk café on the front of the building. 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.

### **GRANT ACCEPTANCE**

The City Council considered a resolution authorizing the Police Department to accept a \$2,000 Bicycle Safety Enforcement Grant funded by the Department of Transportation. 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.

### **LIBRARY IMPROVEMENTS**

The City Council considered a resolution supporting the L.E. Phillips Memorial Public Library Board of Trustees Library Building Expansion and Renovation Project, and authorizing the Library to reserve \$700,000 in Library Fund Balance toward the cost of the project. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

### **PLAT APPROVAL**

The City Council considered a resolution approving the final condo plat for AA Storage Condominiums located on Mondovi Road as shown on Planning File #P-11-06. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Biegel “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the final plat for South Point Shopping Center 2<sup>nd</sup> Addition located on the east side of Mall Drive as shown on Planning File #P-10-06. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

### **PRAIRIE CROSSING**

The City Council considered a resolution approving the final condo plat for Prairie Crossing located at the southeast corner of STH 312 (North Crossing) and Kane Road as shown on Planning File #P-7-06. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Hughes “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Davis, Duax, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: None. Abstain: Council Member Biegel.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Arrowhead Properties LLC, for utility improvements within Prairie Crossing. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Davis, Duax, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: None. Abstain: Council Member Biegel.

## **BULLIS FARM ROAD**

The City Council considered a resolution approving a Certified Survey Map with right-of-way dedication for Commonwealth Avenue to Bullis Farm Road, extending south of Keystone Crossing as shown on Planning File #CSM-04-06. 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.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Oakwood Business Park, LLC for street and utility improvements to Bullis Farm Road Phase I. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Biegel "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution indicating the location of required sidewalk construction along Commonwealth Avenue and Bullis Farm Road extending south from Keystone Crossing. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Kincaid "to adopt said resolution". Said motion passed by unanimous vote.

## **STREET CLOSURE**

The City Council considered a resolution authorizing the closing to vehicular traffic, that portion of Arbutus Drive, from Red Maple Ridge to 135 feet west. 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.

## **WASTEWATER TREATMENT PLANT REPORT**

The Council considered a resolution indicating receipt and review of the 2005 Compliance Maintenance Annual Report (CMAR) for the Wastewater Treatment Plant. 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.

## **ZONING**

The City Council considered an ordinance rezoning property located at the northwest corner of N. Clairemont Avenue and Truax Boulevard from I-1P to C-3P and to adopt the General Development Plan for United Bank as shown on Planning File #Z-1354-06. 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.

The City Council considered an ordinance rezoning property at 654/656 Ripley Avenue from R-1 and R-3 to R-3P and to adopt the General Development Plan for an existing duplex as shown on Planning File #Z-1355-06. 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.

The City Council considered an ordinance rezoning property along Craig Road, north of Clairemont Avenue, from C-3P, C-3H, and C-2H to C-3P and to adopt the General Development Plan for Marshfield Clinic expansion and parking as shown on Planning File #Z-1356-06. 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.

### **SALE OF FIREWORKS**

The City Council considered an ordinance amending Section 9.32.024 of the City Code of Ordinances, entitled (Fireworks and Firearms) “Sale to Minors”. 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.

### **BICYCLE / PEDESTRIAN ADVISORY COMMISSION**

The City Council considered an ordinance creating Chapter 2.66 of the City Code of Ordinances, entitled "Bicycle / Pedestrian Advisory Commission". Thereupon a motion was offered by Council Member Duax and seconded by Council Member Middleton “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Middleton “to amend said ordinance by adding the following phrase to the end of section 2.66.030 A after the words city council: ‘at least one should be a disabled person who uses motorized or non-motorized transportation on sidewalks and pathways’.” Said motion failed on the following vote: Aye: Council Members Adler, Duax, Kincaid and Middleton. Nay: Council Members Biegel, Buchanan, Davis, Hughes, Sheridan, Von Haden, and Vue. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Middleton “to amend said ordinance by adding an additional paragraph to Section 2.66.050 as follows: ‘K. Advise the City Council on ways to promote accessibility of bicycle and pedestrian pathways to persons with disabilities using motorized or non-motorized transportation’.” Said motion passed by unanimous vote. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Middleton “to amend said ordinance by adding an additional paragraph to Section 2.66.050 as follows: ‘L. Advise the City Council on other non-motorized transportation, such as, but not limited to, in-line skates and skateboards’.” Said motion passed by the following vote: Aye: Council Members Biegel, Buchanan, Duax, Hughes, Kincaid, Middleton, Sheridan, Von Haden, and Vue. Nay: Council Members Adler and Davis. The Council then voted on the ordinance as amended. Said motion to adopt the ordinance passed by unanimous vote.

### **DANGEROUS DOG - POSTPONED**

The City Council considered an ordinance creating Section 6.08.045 of the Code of City Ordinances entitled “Dangerous Dogs”. Thereupon a motion was offered by Council Member Sheridan and seconded by Council Member Hughes “to postpone consideration of said ordinance”. Said motion to postpone passed by a unanimous vote.

## **ZONING**

The City Council had first reading on an ordinance rezoning property located at 306 Garden Street from R-1 and R-1A to R-2 as shown on Planning File #Z-1357-06.

## **ZONING BOARD OF APPEALS**

The City Council had first reading on an ordinance amending the Zoning Code, Chapter 18.55 (Zoning Board of Appeals) changing the voting requirements for the board.

## **ADJOURNMENT**

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

Adjournment: June 13, 2006

Time: 6:28 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk