

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, May 23, 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, May 23, 2006. Council Members requested that two items be removed from the consent agenda and voted upon separately.

Item No. 5 - Resolution granting the renewal of Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses for the 2006-2007 licensing period.

Item No. 12 - Resolution granting the renewal of Class A Cabaret licenses for the 2006-2007 licensing period.

Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt the remainder of the consent resolution". Said motion passed by unanimous vote.

LICENSES

The City Council considered a resolution granting the renewal of Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses for the 2006-2007 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.

The Council considered a resolution granting the renewal of Class A Cabaret licenses for the 2006-2007 licensing period. 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.

GRANTS

The City Council considered a resolution authorizing the Police Department to accept a grant from the Wisconsin Department of Transportation, Bureau of Transportation Safety for the Click It or Ticket It Program. 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 accepting State/Municipal Project Agreement for a Traffic Signing and Marking Enhancement Grant (TSMEG) from the Wisconsin Department of Transportation for Safe Route to School Signage (SRTS) and appropriating the funding as part of the 2006 Capital Improvement Program. 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.

The Council considered a resolution authorizing Eau Claire Transit to apply for a Federal Transit Assistance Grant to replace the coin counting equipment and approve a budget amendment for the required matching local share. 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.

CDBG & HOME PROGRAMS

The City Council considered a resolution approving the 2006 Community Development Block Grant and HOME Programs and an amendment to Community Development Block Grant and HOME Grant Prior Years. 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.

NANORITE PROJECT

The Council considered a resolution approving a grant for the CVTC NanoRite Project - Center for Innovation. 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.

PLAT APPROVAL

The City Council considered a resolution approving the final condo plat for the 1st Addendum to Southvilla Condominium, located at the northeast corner of Damon Street and Boardwalk Street as shown on Planning File P-3-06. 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 approving the final plat for Village Terrace, located south of Golf Road, east of Oakwood Hills Parkway as shown on Planning File P-4-06. 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.

The Council considered a resolution approving the final condo plat for Village Terrace Condominium, located south of Golf Road, east of Oakwood Hills Parkway as shown on Planning File P-5-06. 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.

ALLEY VACATION

The City Council considered a resolution vacating the alley east of S. Dewey Street, from Main Street to Gray 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 releasing the utility easements within the alley east of S. Dewey Street, from Main Street to Gray Street. 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.

STREET CLOSURE

The City Council considered a resolution calling for a public hearing to consider closing a portion of Arbutus Drive, lying west of Red Maple Ridge, to vehicular traffic. 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.

OFF-STREET PARKING REQUIREMENTS

The Council considered an ordinance amending the following sections of the City Code of Ordinances regarding off-street parking as shown on Planning File Z-1350-06:

- Section 16.36.080 - Parking Lot and Driveway Surfaces - regarding standards for parking surface permits
- Section 18.04.040 - Residential Districts Design and Dimensional Standards- setting standards for maximum lot coverage for improved surfaces in residential districts
- Section 18.25.050 - Residential Off-Street Parking - amending standards for residential off-street parking in front yards

Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Davis “to adopt said ordinance”. Said motion passed by unanimous vote.

STREET NAMES

The City Council considered an ordinance to name the public street located west of the Highway 53 Freeway, from LaSalle Street to Lassek Court, as Woodhaven Road. 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.

The Council considered an ordinance to name the public street located east of the Highway 53 Freeway, from Eastwind Drive northwesterly to the cul-de-sac, as Northwinds Drive. 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.

DANGEROUS DOGS

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 Duax and seconded by Council Member Hughes “to adopt said ordinance”. Thereupon a motion was offered by Council Member Biegel “to change the leash length referenced in paragraph E-7 from three feet to six feet”. Both the mover and seconder accepted that change as a friendly amendment. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Kincaid “to amend said ordinance by inserting the following paragraphs as a new Section F.

F. Duration of Dangerous Dog Status. If there are no additional instances of the behavior described in the definition of a dangerous dog within a 36-month period from the date of designation as a dangerous dog, the owner may request that the dog be removed from the list of dangerous dogs.

The dog may, but is not required to be removed from the list of dangerous dogs prior to the expiration of the 36-month period if the owner or keeper of the dog demonstrates to the department that changes in circumstances or measures taken by the owner or keeper, such as training of the dog, have mitigated the risk to the public safety.

The original paragraph F becomes G and all subsequent paragraphs are re-named.”. Said motion to amend passed by the following vote: Aye: Council Members Adler, Biegel, Buchanan, Duax, Hughes, Kincaid, Von Haden, and Vue. Nay: Council Members Davis, Middleton, and Sheridan. After discussion, a motion was offered by Council Member Sheridan and seconded by Council Member Hughes “to postpone consideration of said ordinance until the next City Council meeting”. Said motion passed by unanimous vote.

REZONING

The City Council had first reading on ordinances rezoning the following parcels:

- property located at the northwest corner of N. Clairemont Avenue from I-1P to C-3P and to adopt the General Development Plan for United Bank as shown on Planning File Z-1354-06.
- 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.
- 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.

CODE AMENDMENTS

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

The Council had first reading on an ordinance creating Chapter 2.66 of the City Code of Ordinances, entitled “Bicycle/ Pedestrian Advisory Commission”.

ADJOURNMENT

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

Adjournment: May 23, 2006

Time: 5:52 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk