

## MINUTES

### EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, January 10, 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, Hal Davis, David Duax, Raymond Hughes, Kerry Kincaid, Berlye Middleton, Terri Stanley, 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, January 10, 2006. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt the consent resolution". Said motion passed by unanimous vote.

#### APPOINTMENTS

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

##### City -County Board of Health

(5 year terms expire December 31, 2010)  
Wilhelmina Fischer - reappointment  
Karen Witt - reappointment

##### Zoning Board of Appeals

(3 year terms expire December 31, 2008)  
Gary Nowak - reappointment  
Garry Sherwood - reappointment

##### Waterways and Parks Commission

(3 year terms expire December 31, 2008)  
Jim Olson - reappointment  
Virginia Brandvold - new appointment  
Bob Schneider - new appointment  
Oscar Brandser - new appointment

##### Water Street BID Board

(2 year terms expire December 31, 2007)  
Sarah Baer - reappointment  
Mickey Judkins - reappointment  
Pat Lokken - reappointment  
Mark Stone - reappointment  
Mike Walker - reappointment

##### West Grand Avenue BID Board

(2 year terms expire December 31, 2007)  
Marty Fisher-Blakeley - reappointment  
Brad Linn - reappointment  
Dan Retallic - reappointment

##### Landmarks Commission

(3 year term expire December 31, 2008)  
Jenny Ebert - new appointment

Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Stanley "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution approving the reappointment of Ted Barr to the Redevelopment Authority. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Middleton "to adopt said resolution". Said motion passed by unanimous vote.

## **GRANTS**

The City Council considered a resolution accepting a \$10,000 Wisconsin Department of Natural Resources Lake Planning Grant for the purpose of conducting research on Half Moon Lake. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Stanley "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution accepting a \$61,000 "Beat Patrol Program" 2006 grant from the State Office of Justice Assistance. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Davis "to adopt said resolution". Said motion passed by unanimous vote.

## **CONDOMINIUM PLAT**

The City Council considered a resolution approving the final condominium plat for Fortuity Business Park located on the east side of N. Michaud Street, south of Sundet Drive, as shown on Planning File P-07-05. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

## **CITY COUNCIL DISTRICT TWO VACANCY**

The Council considered the process to be used for filling the vacancy brought about by the resignation of District Two Alderperson Dallas Neville. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Davis "to adopt the process as outlined in the Council Packet with the following revisions:

- Advertisement seeking interested applicants should run in the Leader Telegram newspaper on January 14, 15, 21 and 22.
- Interested persons should submit a letter to the City Clerk by February 3.
- Council members will vote by open, public ballot at their February 14 meeting.
- The candidate receiving the lowest number of votes will be eliminated after each round of voting, until such time as one candidate receives a majority of six votes".

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid "to amend said motion to include the following point: Candidates shall be invited to make a brief (5 minute) presentation to the Council at the Monday, February 13 meeting, followed by questions from the Council". After discussion, a motion was offered by Council Member Kincaid "to delete the phrase 'followed by questions from the Council'". Said motion was accepted by the mover as a friendly amendment. The Council then voted on the motion to amend. Said motion to amend passed by the following vote: Aye: Council Members Adler, Duax, Hughes, Kincaid, Stanley, Von Haden, and Vue. Nay: Council Members Biegel, Davis and Middleton. The Council then voted on the original motion to approve the process, as amended. Said motion passed by unanimous vote.

## **REZONING**

The City Council considered an ordinance rezoning property located on the east side of Jeffers Road, south of the North Crossing from R-1A to C-2P and to adopt the General Development Plan for an office building as shown on Planning File Z-1340-06. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Vue "to adopt said ordinance". Said motion passed by unanimous vote.

## **PARKING - THIRD WARD**

The City Council considered an ordinance creating Section 10.24.025 of the City Code of Ordinances entitled "Third Ward - University Parking District Restrictions" to establish parking clearances from fire hydrants and entrances to private roads and driveways, which are greater than required by Wis. Statutes s. 346.53(3)(4). Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Stanley "to adopt said ordinance". Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Kincaid "to remove line #A 1 - Within 20 feet of a fire hydrant." Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Stanley "to add the requirement that signs be placed to designate the statutory distance of 10 feet from a fire hydrant." After discussion, said motion was withdrawn. The Council then voted on the motion to amend the ordinance. Said motion failed by the following vote: Aye: Council Members Kincaid, Middleton and Von Haden. Nay: Council Members Adler, Biegel, Davis, Duax, Hughes, Stanley, and Vue. The Council then voted on the original motion to adopt the ordinance. Said motion passed by unanimous vote.

The Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited," by adding various streets in the Third Ward - University Parking District to increase the parking clearance from the near limits of a crosswalk, which is greater than required by Wis. Statutes s. 346.53(5). Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Biegel "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table IX of the City Code of Ordinances entitled "Parking During Specified Hours," by deleting the 2-hour parking restrictions on Garfield Avenue, McKinley Avenue, Roosevelt Avenue, Wilson Street, and Lincoln Avenue within the Third Ward - University Parking District. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Biegel "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance repealing Sections 10.24.010 (F) & (G) of the City Code of Ordinances entitled "Parking prohibited in specific places, (F) McKinley Avenue Parking, (G) Park Avenue Parking." Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited," by adding State Street, from Marston Avenue to Lexington Blvd., and correcting typographical errors and omissions on Thorp Drive and Wilson Street. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Biegel "to adopt said ordinance". Said motion passed the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Stanley.

#### **PARKING & TRAFFIC - KENNEY AVENUE**

The City Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited," by adding Kenney Avenue, south side, from 50 feet west of Thomas Drive to 30 feet east of Thomas Drive. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table III of the City Code of Ordinances entitled "Stop Intersections," by adding Kenney Avenue and Thomas Drive when entering from the south on Thomas Drive. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Hughes "to adopt said ordinance". Said motion passed by unanimous vote.

#### **PARKING - EMERY STREET**

The City Council considered an ordinance amending Table IX of the City Code of Ordinances entitled "Parking During Specified Hours - Two hours--Between 9:00 a.m. and 6:00 p.m., except Saturdays, Sundays and holidays," by deleting Emery Street, both sides, from Farwell Street to Graham Avenue. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Biegel "to adopt said ordinance". Said motion passed by unanimous vote.

#### **STOP INTERSECTIONS**

The City Council considered an ordinance amending Table III of the City Code of Ordinances entitled "Stop Intersections," by adding Peebles Street and Zephyr Hill Avenue when entering from the west on Peebles Street. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance amending Table III of the City Code of Ordinances entitled "Stop Intersections," by adding Alpine Road and Losan Avenue when entering from the east on Alpine Road. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Von Haden "to adopt said ordinance". Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Members Duax and Stanley.

### **REZONING**

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

- Property located at the south end of Statz Avenue from TR-1A to R-1 as shown on Planning File Z-1341-06.
- 2719 W. Vine Street from TR-1A to R-1 as shown on Planning File Z-1342-06.

### **ADJOURNMENT**

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

Adjournment: January 10, 2006

Time: 6:15 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk