

## **MINUTES**

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

**Tuesday, November 22, 2005**

**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, Kerry Kincaid, Berlye Middleton, Dallas Neville, Terri Stanley, Bob Von Haden and Thomas Vue. Absent: Council Member Raymond Hughes.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, November 22, 2005. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Vue "to adopt the consent resolution". Said motion passed by unanimous vote.

#### **ARTWORK IN THE COUNCIL**

Council President Adler announced that the artwork on display in the Council Chambers was created by area third grade students for the Fire Prevention Week poster contest. This year's theme was "Use Candles with Care - When you go out, blow out". The two contest winners were Will Casperson from Robbins School and Paige Huth from Northwoods School.

#### **LIQUOR LICENSE**

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to 302 East Madison Street, LLC., d/b/a Stella's Red Room, 302 E. Madison St., (former Wolfe's Den) John Mogensen, agent. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

#### **BONDS**

The City Council considered a resolution authorizing the issuance of \$3,000,000 aggregate principal amount of General Obligation Corporate Purpose Bonds, Series 2005B, of the City of Eau Claire, Eau Claire and Chippewa Counties, Wisconsin, providing details, prescribing the form of the bond, awarding the bonds to the best bidder and levying taxes. 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.

## **FEES AND LICENSES**

The City Council considered a resolution approving the revised Schedule of Fees and Licenses. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Biegel "to adopt said resolution". Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Kincaid, Middleton, Stanley, Von Haden, and Vue. Nay: Council Member Neville.

## **RECONSIDERATION OF REZONING**

The issue of reconsideration of the vote taken on November 8, 2005 on Ordinance No. 6646, rezoning property located at 1717 Birney Street from R-1 to C-1AP and adopting the General Development Plan for an office, as shown on Planning File Z-1337-05 came to the floor. Information provided by the property owner indicated that he and the applicant wanted to move forward with the project. The motion to reconsider was not moved; the rezoning as approved on November 8 stands.

## **REZONING**

The City Council had first reading on an ordinance rezoning property located on the west side of Third Street, between Walnut Street and Maple Street, from C-2 to R-3P and to adopt the General Development Plan (with a conditional use permit) to allow the existing single-family homes on the property and to allow a single-family home on the vacant lot within the property, as shown on Planning File #Z-1339-05.

## **CHARTER ORDINANCE**

The City Council had first reading on a Charter Ordinance enacted pursuant to the provisions of S. 66.0101, Wisconsin Statutes, electing not to be governed by Chapter 64, Wisconsin Statutes, to reorganize under Chapter 62, Wisconsin Statutes, to amend S. 2.04.010, Eau Claire Ordinances to create the position of Mayor, and the repeal of all Code provisions conflicting with a Mayoral Form of Local Government. A motion was offered by Council Member Davis and seconded by Council Member Middleton "to suspend the rules which interfere with the immediate consideration of said ordinance". Said motion to suspend the rules passed by the following vote: Aye: Council Members Adler, Davis, Kincaid, Middleton, Neville, Von Haden, and Vue. Nay: Council Members Biegel, Duax and Stanley. After discussion, a motion was offered by Council Member Duax and seconded by Council Biegel "to postpone consideration of said ordinance to the December 12 and 13 City Council meeting". Said motion to postpone failed on the following vote: Aye: Council Members Biegel, Duax, Neville and Stanley. Nay: Council Members Adler, Davis, Kincaid, Middleton, Von Haden, and Vue. After further discussion, a motion was offered by Council Member Duax and seconded by Council Member Stanley "to indefinitely postpone consideration of said ordinance". Said motion passed by unanimous vote.

Council Member Stanley left the meeting.

**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: November 22, 2005  
Time: 5:03 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk