

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, September 13, 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, Raymond Hughes, Kerry Kincaid, Berlye Middleton, Dallas Neville, 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, September 13, 2005. Council Member Neville requested that Item No. 4, Resolution allowing the Parks, Recreation and Forestry Department to apply for a \$25,000 grant from the Department of Natural Resources for conducting a street tree inventory, be removed from the Consent Agenda and voted upon separately. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Vue "to adopt the remainder of the consent resolution". Said motion passed by unanimous vote.

GRANT APPLICATION

The Council considered a resolution allowing the Parks, Recreation and Forestry Department to apply for a \$25,000 grant from the Department of Natural Resources for conducting a street tree inventory. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax "to adopt the resolution". Said motion passed by unanimous vote.

APPOINTMENT

The City Council considered a resolution appointing Janine Wildenberg 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 the following vote: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Neville, Von Haden, and Vue. Nay: Council Member Stanley.

GRANT ACCEPTANCE

The City Council considered a resolution authorizing the Police Department to accept a \$7,590 Office of Justice Assistance grant for the replacement of body armor. 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 authorizing the Fire Department to accept a \$67,330 grant under the FY05 Assistance to Firefighters Grant Program from the Department of Homeland Security to purchase vehicle extrication equipment. 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.

The Council considered a resolution authorizing the Fire Department to accept a \$110,000 grant from the Department of Homeland Security for the purchase of equipment to be used by the Department in its role as a Collapse Rescue Task Force for the State. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

USE OF CITY ATHLETIC FIELDS

The City Council considered a resolution allowing the Parks, Recreation and Forestry Department to charge users for services associated with lining, dragging, lighting and cleaning athletic fields. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Davis "to adopt said resolution". Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Von Haden "to postpone consideration of said resolution until the first Council meeting in October and to hold a public discussion at that time to allow any affected users the opportunity to comment on the proposal". Said motion to postpone passed by unanimous vote.

SEASONAL LIGHTING IN WILSON PARK

The Council considered a resolution allowing the Parks, Recreation and Forestry Department to solicit price quotes for the purchase of seasonal outdoor lighting / decorations to be installed in Wilson Park. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Middleton "to adopt said resolution". Said motion passed by the following vote: Council Members Adler, Biegel, Davis, Hughes, Kincaid, Middleton, Stanley, Von Haden, and Vue. Nay: Council Members Duax and Neville.

SHOREWOOD DRIVE IMPROVEMENTS

The City Council considered a final resolution approving the project and levying special assessments for street, utility and sidewalk improvements on W. & S. Shorewood Drive, Jeffers Road to Lot 4 Shorewood Haven Addition (2005-802). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Hughes "to adopt said resolution". Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Hughes "to postpone consideration on the item until the September 27 City Council Legislative meeting. A special public discussion session will be held at the beginning of the meeting to allow staff to explain any changes to the proposed project and allow members of the public to comment". Said motion to postpone passed by unanimous vote.

DOT AGREEMENT

The Council considered a resolution approving a State/Municipal Project Agreement with the Wisconsin Department of Transportation for the Birch Street connection to the Hwy. 53 Freeway, Project I.D. #1190-00-79, 11991-00-03 & 74. 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.

PAYMENT IN LIEU OF TAXES

The City Council considered a resolution directing the City Manager to request payments in lieu of taxes (PILOT) from tax-exempt properties within the City. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Neville "to adopt said resolution". Thereupon a motion was offered by Council Member Davis and seconded by Council Member Duax "to postpone consideration of said resolution until the first Council meeting in October, with a public discussion item to be placed on the Monday agenda". Said motion to postpone passed by the following vote: Aye: Council Members Adler, Davis, Duax, Middleton, Von Haden, and Vue. Nay: Council Members Biegel, Hughes, Kincaid, Neville and Stanley.

ZONING

The Council considered an ordinance amending the General Development Plan for R-3P zoned property located on the south side of Damon Street, east of Fairfax Street, for four-plex development, as shown on Planning File Z-1332-05. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Duax "to adopt said ordinance". Said motion failed by the following vote: Aye: Council Members Biegel and Kincaid. Nay: Council Members Adler, Davis, Duax, Hughes, Middleton, Neville, Stanley, Von Haden, and Vue.

SIGN CODE

The City Council considered an ordinance amending Chapter 16.16 of the City Code of Ordinances entitled "On-Premise Sign Code". Thereupon a motion was offered by Council Member Neville and seconded by Council Member Vue "to adopt said ordinance". Council Member Duax moved "to amend the ordinance in Subsection P, Paragraph 3, to insert the word 'contiguous' in the third line so it would read 'must provide at least 5 feet of contiguous clear and unobstructed pedestrian passage'." The mover and seconder accepted this as a friendly amendment. The Council then voted on the motion to adopt the ordinance. Said motion passed by unanimous vote.

COMPREHENSIVE PLAN

The City Council had first reading on an ordinance adopting the Eau Claire Comprehensive Plan.

ANNEXATION

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District that part of Lot 2, Block 2 of Robbinsdale Subdivision and part of Lamont street right-of-way located in the SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 34-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 05-07A (Peterson petition).

The Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District that part of Lot 5, of Block 3 of Bauer's First Addition and part of E. Hamilton Avenue right-of-way, all located in the SE $\frac{1}{4}$ - SE $\frac{1}{4}$ of Section 26-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 05-8A (Dehnke Petition).

TRAFFIC & PARKING

The City Council had first reading on an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited", by adding Western Avenue, east side, from 110 feet south of Tobin Street to Redwood Drive. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Biegel "suspend the rules which interfere the immediate consideration of said ordinance". Said motion passed by unanimous vote. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Neville "to adopt said ordinance". Thereupon a motion was offered by Council Member Duax "to amend said ordinance to read: Parking shall be prohibited on the east side of Western Avenue, from Redwood Drive to Tobin Street and on the west side, from Tobin Street to Seymour Road". The seconder accepted this as a friendly amendment. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Hughes "to postpone consideration of said amended ordinance until the next City Council meeting". Said motion to postpone passed by unanimous vote.

The Council had first reading on an ordinance amending Table III of the City Code of Ordinances entitled "Stop Intersections" by adding Lever Street and McElroy Street, when entering from the east on McElroy Street.

The Council had first reading on the following ordinances amending the City Code of Ordinances regarding parking on Western Avenue:

- Table IX "Parking During Specified Hours - Parking Prohibited; Loading and Unloading Passengers Only; 7:30 a.m. to 4:00 p.m. During School Days," by amending Eddy Lane, the north side, from 75 feet west of Starr Avenue to 30 feet east of Mercury Avenue.
- Table XII "Parking Stopping and Standing Prohibited - Streets Designated," by amending the section of Eddy Lane from Starr Avenue to Moon Avenue.
- Table XII "Parking Stopping and Standing Prohibited - No Parking, Stopping or Standing - 7:30 a.m. to 4:00 p.m. during School Says," by deleting Eddy Lane, the south side, from Moon Avenue to Starr Avenue.

The Council had first reading on the following ordinances amending the City Code of Ordinances regarding parking on Taft Avenue:

- Table XII "Parking, Stopping and Standing Prohibited - No Parking, Stopping or Standing-- 7:30 a.m. to 3:00 p.m., During School Days," by adding Taft Avenue, both sides from Keith Street to 140 feet east of Keith Street.
- Table IX "Parking During Specified Hours - Two hours--Between 7:30 a.m. and 3:00 p.m. During School Days," by deleting Taft Avenue, both sides, from Keith Street to Marilyn Drive and adding Taft Avenue, both sides from Kay Street to Marilyn Drive.

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: September 13, 2005

Time: 6:33 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk