

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, April 12, 2005

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President White called the meeting to order. The following members were present: Council Members Hal Davis, Raymond Hughes, Kerry Kincaid, Dallas Neville, Terri Stanley, Thomas Vue, Bob Von Haden, and Howard White. Absent: Council Members David Adler, Toby Biegel and Berlye Middleton.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, April 12, 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.

COMMENDATIONS AND PROCLAMATIONS

Council President White, on behalf of the City Council, proclaimed April 15 - 17, 2005 as National Youth Service Days in the City of Eau Claire.

Council Member Adler arrived at the Council Chamber.

Council President White, on behalf of the City Council, proclaimed April 22, 2005, as Earth Day in the City of Eau Claire.

APPOINTMENTS

The City Council considered a resolution approving the appointment of Jill Jacobs to the Downtown Business Improvement District. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

LIQUOR LICENSES

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license and Class A Cabaret license to Florian Gardens, Inc., d/b/a The Florian Gardens, 2340 Lorch Avenue, David L. Burke, agent. Thereupon a motion was offered by Council Member Adler and seconded by Council Member Stanley "to adopt said resolution". Said motion passed by unanimous vote.

BUDGET ITEMS

The City Council considered a resolution authorizing the write-off of uncollectible accounts receivable and delinquent personal property taxes. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Hughes "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution authorizing 2004 budget adjustments and carryovers and the 2005 quarterly budget adjustments. 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.

Council Member Middleton arrived at the Council Chamber.

GRANT

The City Council considered a resolution accepting and appropriating a \$100,000 Brownfield Site Assessment Grant from the Department of Natural Resources for the demolition of the Walters Brew House. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

ICE CENTER FEES

The Council considered a resolution approving fees for the Hobbs Ice Center for the 2005 - 2006 Season. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Adler "to adopt said resolution". Said motion passed by unanimous vote.

LIBRARY TAX EXEMPTION

The City Council considered a resolution exempting the City of Eau Claire from the Chippewa County tax levy for library purposes. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Davis "to adopt said resolution". Said motion passed by unanimous vote.

STREET & SIDEWALK IMPROVEMENTS

The City Council considered a resolution amending Final Resolution #2005-153, dated March 22, 2005, levying special assessments for street and utility improvements on Vienna Terrace, from Paris Place to Monte Carlo Drive (05-202) to clarify the assessments for parcel #04-0506. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Neville "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a final resolution approving the project and levying special assessments for sidewalk improvements on Otteson Lane, from Gateway Drive to 150 feet west of Gateway Drive. 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.

RIGHT-OF-WAY DEDICATION

The City Council considered a resolution approving the dedication of a portion of City owned land located on the north side of the Lowes Creek Stormwater facilities, as public right-of-way, for the extension of Lorch Avenue. 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.

BUSINESS RECRUITMENT

The Council considered a resolution approving the Business Recruitment Strategy of Downtown Eau Claire, Inc. Thereupon a motion was offered by Council Member Adler and seconded by Council Member Stanley “to adopt said resolution”. Said motion passed by unanimous vote.

EMPLOYMENT CONTRACT

The City Council considered a resolution authorizing the City Council to execute an Employment Agreement between the City and the City Manager. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Hughes “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Davis, Hughes, Kincaid, Middleton, Neville, Von Haden, Vue, and White. Nay: Council Member Stanley.

REZONING

The City Council considered an ordinance rezoning property located on the west side of Cottonwood Drive, north of Golf Road, from TR-1A to R-1 as shown on Planning File Z-1321-05. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Vue “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property at the southwest corner of Ferry Street and Menomonie Street from C-2 to C-3P and to adopt the General Development Plan for a taxi cab station as shown on Planning File Z-1322-05. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Von Haden “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance amending the General Development Plan for CBDP zoned property located on the east side of Hastings Way across from Main Street for the Waterford project as shown on Planning File Z-1294-04 Amd. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Adler “to postpone consideration of said ordinance until such time as a recommendation comes forward from the Plan Commission”. Said motion to postpone passed by unanimous vote.

SIGN CODE

The City Council considered an ordinance amending Chapter 16.16 of the City Code of Ordinances entitled “On-premise Sign Code” and Chapter 16.18, entitled “Poster Panel Sign Code”. Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Davis “to adopt said ordinance”. Said motion passed by unanimous vote.

ALTERNATE SIDE PARKING

The Council considered an ordinance amending Chapter 10.38 of the City Code of Ordinances entitled “Alternate Side Parking” to change the effective dates of calendar parking from November 1 through May 1 to November 1 through March 31. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Middleton “to adopt said ordinance”. Thereupon a motion was offered by Council Member Neville and seconded by Council Member Kincaid “to amend said ordinance to keep alternate side parking regulations in effect between November 1 and May 1, inclusive, except that during the month of April such regulations shall not be in effect from midnight Friday to midnight Sunday”. Said motion to amend passed by the following vote: Aye: Council Members Davis, Kincaid, Neville, Stanley Von Haden and Vue. Nay: Council Members Adler, Hughes, Middleton and White. The Council then voted on the ordinance as amended. Said ordinance was denied by the following tie vote: Aye: Council Members Kincaid, Neville, Stanley, Von Haden and Vue. Nay: Council Members Adler, Davis, Hughes, Middleton, and White.

SPECIAL EVENTS, PARADES & ASSEMBLIES

The City Council considered an ordinance creating Chapter 9.59 of the City Code of Ordinances entitled “Special Events” and amending Section 1.06.030, entitled “Determinations Subject to Review”. Thereupon a motion was offered by Council Member Adler and seconded by Council Member Hughes “to adopt the revised ordinance as proposed by staff”. Said motion passed by unanimous vote.

The Council considered an ordinance repealing and recreating Chapter 9.60 of the City Code of Ordinances entitled “Assemblies and Parades” and amending Section 1.06.030, entitled “Determinations Subject to Review”. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Kincaid “to adopt the revised ordinance as proposed by staff”. Said motion passed by the following vote: Aye: Council Members Adler, Davis, Hughes, Kincaid, Middleton, Neville, Von Haden, Vue, and White. Nay: Council Member Stanley.

GENERAL DEVELOPMENT PLAN

The City Council had first reading on an ordinance amending the General Development Plan for Gateway Northwest Business Park to allow changes in fencing requirements as shown on Planning File Z-1323-05.

PAY PLAN AMENDMENT

The Council had first reading on an ordinance amending the Pay Plan.

ADJOURNMENT

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

Adjournment: April 12, 2005

Time: 5:41 p.m.

Howard White, President

ATTEST:

Donna A. Austad, City Clerk