

## MINUTES

### EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, January 28, 2020

City Council Chamber

4:00 p.m.

#### PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Weld called the meeting to order. The following Council Members were present: Emily Anderson, Emily Berge, Jill Christopherson, Jeremy Gragert, David Klinkhammer, John Lor, Terry Weld and Andrew Werthmann.

Council Members absent: Kate Beaton and Catherine Emmanuelle.

#### CONSENT AGENDA

Council Member Beaton entered the Council Chamber.

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, January 28, 2020:

- Adopting the Consent Agenda.
- Approving the Minutes of the January 14, 2020 Council Legislative Session.
- Authorizing Special Olympics of Wisconsin to conduct the Polar Plunge on Sunday, February 23, 2020 on Half Moon Beach.
- Authorizing Longfellow Elementary School to conduct the Jeanne Richie Memorial Puddle Jump on Saturday, April 18, 2020 at Boyd Park, Phoenix Park, and along city streets, trails, and sidewalks.
- Granting new bartender licenses.
- Authorizing the Engineering Department to apply for WisDOT Transportation Alternatives Program funding for the Half Moon Trail.
- Authorizing the City of Eau Claire to apply for a Wisconsin Department of Natural Resources (DNR) Surface Water Grant for the purpose of ongoing aquatic invasive species control activities in Half Moon Lake.
- Awarding a contract for Procurement No. 2020-01, Oakwood Water Tower Rehabilitation.
- Awarding a contract for Procurement No. 2020-04, Grand Avenue Plaza.
- Adopting the Revolving Loan Fund Semi-Annual report for the EDA-Funded Loan Fund.
- Declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for February 10, 2020, on the following streets:
  - Fairfax Street, Clairemont Avenue E. to Henry Avenue (20-103);
  - Gateway Drive, Prill Road to Glenbrooke Drive (20-301);
  - Riverview Drive, Welsh Court to North Boat Launch (20-107);
  - Third Street, Truax Boulevard to Long Street (20-303);
  - Water Street, First Avenue to Second Avenue (20-111).

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Lor "to adopt the consent resolution." Said motion passed by unanimous vote.

## **PROCLAMATIONS**

President Weld read a proclamation proclaiming January 30, 2020 as “Thank Your Mentor” Day and urging everyone in Eau Claire to thank their mentors and those who made a positive impact on them while growing up.

President Weld read a proclamation designating January 2020 as “Human Trafficking Awareness Month” in the City of Eau Claire to raise awareness about the signs and consequences of human trafficking, to promote opposition to human trafficking in all of its forms, to encourage support for the survivors of human trafficking, to put an end to this criminal activity and to restore freedom and dignity to its survivors.

## **ALLEY IMPROVEMENTS**

The City Council considered a final resolution approving the project and levying special assessments for improvements on the following alleys:

- Alley East of Bellinger Street, Cameron Street to Maxon Street (20-501);
- Alley East of Bellinger Street, Maxon Street to Platt Street (20-502);
- Alley South of Chippewa Street, Third Avenue to Fourth Avenue (20-503);
- Alley South of Hudson Street, Second Avenue to North-South Alley (20-504);
- Alley East of Second Avenue, Broadway Street to Hudson Street (20-505);
- Alley East of Snelling Street, Addison Avenue to Oak Park Avenue (20-506);
- Alley East of Snelling Street, Oak Park Avenue to East-West Alley (20-507);
- Alley North of Oak Park Avenue, Snelling Street to Barron Street (20-508);
- Alley East of Forest Street, William Street to Oak Street (20-509);
- Alley East of Hobart Street, Oak Street to South (20-510);
- Alley South of Runway Avenue, White Avenue to Lark Avenue (20-511);
- Alley South of Runway Avenue, Lark Avenue to Robin Road (20-512);
- Alley South of Sundet Road, White Avenue to McIntyre Avenue (20-513);
- Alley South of Sundet Road, McIntyre Avenue to Cardinal Avenue (20-514);
- Alley South of Sundet Road, Cardinal Avenue to Lark Avenue (20-515);
- Alley South of Sundet Road, Lark Avenue to Robin Road (20-516);
- Alley East of Pershing Street, Gleason Street to Dulaney Street (20-517).

Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

## **STREET IMPROVEMENTS**

The City Council considered a final resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- Chippewa Street, Fifth Avenue to First Avenue (20-102);
- Second Avenue, Water Street to Lake Street (20-108);
- Comet Court, Frisbie Lane to North (20-202).

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert “to adopt the resolution.”

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Werthmann “to amend the resolution” by deferring special assessments on parcel 12-0572E, owned by Richard Hoffman, which relates to item #14 on the agenda of this City Council meeting, until such time as the parcel is developed, divided, or sold.” Said motion passed by unanimous vote.

A vote was then taken “to adopt the amended resolution”. Said motion passed by unanimous vote.

The City Council considered a final resolution approving the project and levying special assessments for street and utility improvements on the following streets:

- South Slope Terrace, Somona Parkway to Morningside Drive (20-109);
- Wedgewood Avenue, South Slope Terrace to Shale Ledge Road (20-110).

Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

## **SIDEWALK REPAIR**

The City Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Chippewa Street, Fifth Avenue to First Avenue (20-102);
- Second Avenue, Water Street to Lake Street (20-108);
- South Slope Terrace, Somona Parkway to Morningside Drive (20-109);
- Wedgewood Avenue, South Slope Terrace to Shale Ledge Road (20-110).

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Lor “to adopt the resolution.” Said motion passed by unanimous vote.

## **GRANTS**

The City Council considered a resolution accepting and appropriating a grant from the Office of Preparedness and Emergency Health Care, Division of Public Health in the Wisconsin Department of Health Services to support Emergency Telephonic-Assisted Cardiopulmonary Resuscitation training. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the Fire Department to accept grant monies from the Firehouse Subs Public Safety Foundation to purchase rope rescue equipment. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

### **SKY PARK**

Council Member Werthmann left the Council Chamber.

The City Council considered a resolution authorizing the sale of Lots 23, 24 & 25, Sky Park, to Alco Acquisition, LLC. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Gragert, Klinkhammer, Lor and Weld. Absent: Council Member Werthmann.

Council Member Werthmann returned to the Council Chamber.

The City Council considered a resolution amending the purchase agreement for Lot 26, Sky Park, to Acre Three, LLC. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Lor “to adopt the resolution.” Said motion passed by unanimous vote.

### **HALF MOON LAKE**

The City Council considered a resolution approving the update of the Half Moon Lake Water Quality Management Plan. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

### **TAX INCREMENTAL DISTRICT #8**

The City Council considered a resolution adopting the Amended Project Plan for Tax Incremental District No 8, Downtown Development Area. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert “to adopt the resolution.”

Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Werthmann “to amend” Section II, paragraph 7, of the Amended Project Plan to read as follows:

The purpose of the fourth amendment to the Project Plan for TID No. 8 is to continue redevelopment efforts by providing the potential for cash grants, which, through signed development agreements, would make possible development projects and further enhance the district and eliminate blight through expenditure of project costs, private capital investment, and job creation, among other benefits, on under-utilized and as of yet undeveloped parcels within the district. Utilization of cash grants is further determined necessary due to unique characteristics of such sites, the City’s desire for enhanced

interior and exterior construction materials, the City's desire to create additional commercial and residential urban development at a scale that may necessitate underground parking, and local market conditions. Utilization of cash grants to developers shall be on a project-by-project basis considering each project's unique financing needs and satisfaction of the "but for" test. In addition, the fourth amendment extends the life of TID No. 8 by three (3) years in accordance with Wisconsin Statutes Section 66.1105 (7) (am) 3 and applies the "Affordable Housing Extension" under Wis. Stat. sec. 66.1105(6)(g) allowing a city or village with a TIF district that has retired its debt and paid for all of its project costs to extend the life of the district for one year if the city or village does the following: (a) adopts a resolution extending the life of the TIF district for a specified number of months (up to one year) and (b) specifies how the city or village intends to improve its housing stock.

Said motion passed by unanimous vote.

A vote was then taken "to adopt the resolution" with amended plan. Said motion passed by the following vote: Aye: Council Members Beaton, Berge, Christopherson, Gragert, Klinkhammer, Lor, Weld and Werthmann. Nay: Council Member Anderson.

#### **TAX INCREMENTAL DISTRICT #9**

The City Council considered a resolution adopting the Amended Project Plan for Tax Incremental District No 9, Gateway Northwest Business Park Overlay. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Anderson "to adopt the resolution." Said motion passed by unanimous vote.

#### **UW-EC EVENT CENTER**

The City Council considered a resolution approving a Letter of Intent regarding the proposed UW-EC Event Center. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Lor "to adopt the resolution." Said motion passed by unanimous vote.

#### **NEW VOTING WARD**

The City Council considered a resolution creating a new voting ward within the City of Eau Claire. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Klinkhammer "to adopt the resolution." Said motion passed by unanimous vote.

## HOUSING OPPORTUNITIES COMMISSION

The Council considered an ordinance creating Chapter 2.67 of the Code of Ordinances of the City of Eau Claire entitled “Housing Opportunities Commission.” Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Beaton “to adopt the ordinance.”

Thereupon a friendly amendment was made by Council Member Christopherson and modified by Council Member Klinkhammer, to amend Paragraph B, of Section 2.67.030 Purpose and intent, to read as follows:

**2.67.030 Purpose and intent.**

B. Facilitate access to programs and funding for groups, including but not limited to, developers, builders and residents that contribute to Eau Claire’s affordable housing, and especially to reduce costs for those who face the greatest need.

A friendly amendment was made by Council Member Christopherson to add Paragraph E to Section 2.67.030 Purpose and intent, to read as follows:

**2.67.030 Purpose and intent.**

E. Regularly, but no less than annually, convene a regional meeting of industry and community stakeholders to share the Commission’s progress and direction on strategies for affordable housing and to receive feedback that may be incorporated into their work and recommendations to the City Council, staff and wider community.

Said friendly amendments were accepted by Council Members Werthmann and Beaton with no objection from Council.

Thereupon a friendly amendment was made by Council Member Berge to amend the following paragraphs to read as follows:

**2.67.020 Definitions.**

B. “Affordable housing” refers to housing units, and their related expenses, that cost no more than thirty percent of the average median gross annual income of a resident of Eau Claire to rent or finance utilizing prevailing home mortgage lending practices.

**2.67.040 Composition.**

B. The Commission shall include city of Eau Claire residents with backgrounds as local developers, realtors, property managers, public health, social service providers or other applicable lived experience and moreover at least one member with student housing lived experience. The city especially seeks members with an interest in providing local affordable housing through their expertise in the areas of real estate and development, social services, finance, economic development, lived experience, design and architecture, urban and regional planning, property management and community service leaders.

Said friendly amendment was accepted by Council Members Werthmann and Beaton with no objection from Council.

Thereupon a friendly amendment was made by Council Member Gragert to add Paragraph I to Section 2.67.060 Duties and responsibilities, to read as follows:

**2.67.060 Duties and responsibilities.**

I. Explore strategies to minimize the cost of utilities, parking and transportation as factors impacting the affordability of housing.

Said friendly amendment was accepted by Council Members Werthmann and Beaton with no objection from Council.

A vote was then taken “to adopt the amended ordinance.” Said motion passed by unanimous vote.

## **ZONING**

The Council considered a substitute ordinance rezoning a property located at W3380 Highway 37 from P to C-3P and to adopt the general development plan with site plan for Plumbers and Steamfitters UA Local 434 (File Z-1661-20). Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Berge “to adopt the ordinance.” Said motion passed by unanimous vote.

The Council considered an ordinance rezoning a property located at 318 Elm Street from RM to RM-P and to adopt the general development plan with site plan for a 6-unit apartment building (File Z-1662-20). Thereupon a motion was offered by Council Member Lor and seconded by Council Member Christopherson “to adopt the ordinance.” Said motion passed by unanimous vote.

## **GENERAL DEVELOPMENT PLAN**

The Council considered an ordinance amending the General Development Plan for a C-3P zoned property located on the east side of London Road, south of Damon Street for a commercial building (File Z-1655-19). Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Werthmann “to adopt the ordinance.” Said motion passed by unanimous vote.

## **ANNEXATION**

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 16th Assessment Ward, 4th Aldermanic District, 1266 County Hwy F, Town of Wheaton, Chippewa County, as shown on Planning Drawing No. 20-1A (CMJM Properties). Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to adopt the ordinance.” Said motion passed by unanimous vote.

### **ALDERMANIC DISTRICTS**

The Council considered a charter ordinance relating to the City Council and the reapportionment of the Aldermanic Districts of the City of Eau Claire. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Berge “to adopt the ordinance.” Said motion passed by unanimous vote.

### **BOARD OF REVIEW**

The Council considered an ordinance amending Chapter 2.48 of the Code of Ordinances of the City of Eau Claire entitled “Board of Review.” Thereupon a motion was offered by Council Member Lor and seconded by Council Member Christopherson “to adopt the ordinance.” Said motion passed by unanimous vote.

### **ZONING**

The City Council had first reading on an ordinance rezoning a property located at West Princeton Avenue from R-1 to P-Public and to adopt the general development plan with site plan for Princeton Park with site improvements (File Z-1664-20).

### **ADJOURNMENT**

The meeting adjourned without objection.

Adjournment: January 28, 2020

Time: 5:52 p.m.

ATTEST:

/s/ Terry L. Weld  
Council President

/s/ Carrie L. Riepl  
City Clerk