

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, March 11, 2014

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, Andrew Werthmann, and Michael Xiong. Absent: Council Member David Duax.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, March 11, 2014:

- Approving Minutes of Regular Meeting of February 25, 2014.
- Granting new bartender licenses.
- Granting a Class A Cabaret license to Muang Thai Restaurant, Inc., d/b/a Muang Thai, 2637 N. Clairemont Ave., Xaisawan Xiong, agent.
- Granting a new Secondhand Article Dealer license to Holly M. Gums, d/b/a Vintage Junkies, 930 Galloway Street.
- Authorizing a relocation order for an easement located south of Brackett Avenue between Keith Street and South Hastings Way for a storm water drainage system.
- Authorizing a relocation order for an easement located south of Brackett Avenue between Keith Street and South Hastings Way for a storm water detention pond.
- Preliminary Resolution 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 March 24, 2014, on the following streets:
 - Galloway Street, N. Barstow Street to N. Dewey Street (14-105)
 - Hogarth Street, Robin Road to Joles Avenue (14-106)
 - First Avenue, Hudson Street to Lake Street (14-104)
 - First Avenue, Water Street to Hudson Street (14-301)
 - Lake Street, Second Avenue to Lake Street Bridge (14-109).
- Preliminary Resolution declaring the City's intention to exercise its special assessment powers and amending the project plan and the assessment roll 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 March 24, 2014, on Menomonie Street, N. Clairemont Avenue to Carson Park Drive (14-204).
- Approving the bid and proposal for Project 2014-14, Henry Avenue Lift Station Replacement.
- Approving the bid and proposal for Project 2014-21, Purchase of One Street Sweeper.
- Approving the bid and proposal for Project 2014-22, Professional Engineering Services for Gateway Northwest Business Park.

Council Members requested that Item No. 7, Authorizing a relocation order for an easement on property located south of Brackett Avenue between Keith Street and South Hastings Way for a storm water drainage system, be removed from the Consent Agenda to allow additional discussion and a separate vote on the item. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to adopt the remainder of the items on the Consent Agenda”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: Council Member Lewis.

STORM WATER DRAINAGE SYSTEM

The Council considered a resolution authorizing a relocation order for an easement on property located south of Brackett Avenue between Keith Street and South Hastings Way for a storm water drainage system. Following Council discussion, a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

PROCLAMATION

Council President Kincaid, on behalf of the City Council, proclaimed March 25, 2014 as TRIO Day in the City of Eau Claire to recognize the program’s work to motivate, assist, retain and graduate first-generation college students.

Council President Kincaid, on behalf of the City Council, proclaimed March 2014 as Women’s History Month in the City of Eau Claire and urged citizens to recognize the observance and the contributions of American women.

SPECIAL EVENTS

The City Council considered a resolution authorizing AIESEC – Eau Claire and USA Track and Field to conduct the Around the World 5K on Saturday, April 5, 2014 at Carson Park and along city trails and sidewalks. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing Chippewa Valley Technical College to conduct the Beat the Heat event on Sunday, April 6, 2014 at the CVTC west campus and along city sidewalks. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the Eau Claire Area Sports Commission and the Color Run to conduct the Color Run event on Sunday, April 27, 2014 at Carson Park and along city trails, sidewalks and roads. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Lewis “to adopt the resolution”. Said motion passed by unanimous vote.

TAX CREDIT REMITTANCE

The Council considered a resolution authorizing a request to the Wisconsin Department of Administration to remit the school tax, lottery and gaming and first dollar credits directly to the City. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

CHIPPEWA COUNTY LIBRARY TAX

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 Mitchell and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

STREET & UTILITY IMPROVEMENTS

The City Council considered Final Resolutions approving various projects and levying special assessments for street and utility improvements.

Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution for the project on Rudolph Road, E. Clairemont Avenue to E. Hamilton Avenue (14-110)”. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution for the project on Somona Parkway, N. Hastings Way E. Frontage Road to Morningside Drive (14-206)”. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Lewis “to amend said resolution to defer construction of sidewalk on both sides of Somona Parkway due to topographical issues”. Said motion to amend passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Von Haden and Xiong. Nay: Council Members Emmanuelle and Werthmann. The Council then voted on the motion to approve the project on Somona Parkway, as amended. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Klinkhammer “to adopt the resolution for the projects on Ravencrest Avenue, Somona Parkway to Seymour Road (14-205) and Zephyr Hill Avenue, Somona Parkway to 324 feet north (14-208)”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to amend the resolution to defer construction of sidewalk on both projects”. Said motion to amend was adopted by unanimous voice vote. The Council then voted on the motion to adopt the resolution, as amended. Said resolution was approved by unanimous vote.

Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Larsen “to adopt the resolution for the project on Brian Street, STH 93 to Lever Street (14-200)”. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Larsen “to amend the resolution to defer construction of sidewalk on the north side of Brian

Street”. Said motion to amend failed by the following vote: Aye: Council Members Kincaid, Lewis, and Von Haden. Nay: Council Members Emmanuelle, Klinkhammer, Larsen, Mitchell, Strobel, Werthmann and Xiong. The Council then voted on the original motion to approve the project. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt the resolution for the projects on Fourteenth Street, Wilson Drive to Folsom Street (12-203) and Buffington Drive, Buffington Court to Cameron Street (14-201)”. Said motion passed by unanimous vote.

SIDEWALK REPAIRS

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

- Rudolph Road, E. Clairemont Avenue to E. Hamilton Avenue (14-110)
- Somona Parkway, N. Hastings Way E. Frontage Road to Morningside Drive (14-206)
- Brian Street, STH 93 to Lever Street (14-200)
- Fourteenth Street, Wilson Drive to Folsom Street (12-203)

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

STATE LEGISLATION

The City Council considered a resolution opposing Assembly Bill 816 and Senate Bill 632 which would limit local regulation of non-metallic mining and preempt local regulation of borrow sites. This item had been requested by Council Member Werthmann; however Council Member Werthmann requested that the item be withdrawn from consideration. There was no objection by the body to the withdrawal.

FLOOD PLAIN UPDATES

The Council considered an ordinance amending the Flood Plain Chapter of the Zoning Code updating provisions and map references as required by FEMA (Planning File #Z-1537-14). Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt the ordinance”. Said motion passed by unanimous vote.

WATER SYSTEM

The City Council had first reading on an ordinance amending Title 14 entitled “Waterworks” of the City Code of Ordinances to reflect PSC changes resulting from the 2013 Full Rate Case Application.

APPOINTMENTS

The Council had first reading on an ordinance amending certain appointment date references in Chapter 2.06 of the City Code of Ordinances entitled “Advisory Commission on Sustainability”.

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Klinkhammer “to suspend the rules which interfere with the immediate consideration of said ordinance”. Said motion to suspend the rules passed by unanimous voice vote. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt the ordinance”. Said motion to adopt the ordinance passed by unanimous vote.

ADJOURNMENT

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

Adjournment: March 11, 2014

Time: 5:19 p.m.

ATTEST:

Kerry J. S. Kincaid, President

Donna A. Austad, City Clerk