

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**

**Tuesday, April 22, 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 David Duax, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, and Michael Xiong. Absent: Council Member Andrew Werthmann.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, April 22, 2014:

- Approving Minutes of City Council Legislative Meeting of April 8, 2014.
- Granting new bartender licenses.
- Authorizing the Sacred Heart Hospital to conduct the Nurses Walk on Wednesday, May 7, 2014 at Carson Park and long city trails and sidewalks.
- Authorizing United Cerebral Palsy of West Central Wisconsin to conduct the UCP Walk Weekend and Cupcake Challenge on May 9-10, 2014 at Carson Park and along city trails.
- Authorizing the City to Apply for Wisconsin Department of Natural Resources Grant for financial assistance with an accessible fishing pier at Lakeshore Park.
- Authorizing the Police Department to apply for a 2014 Bulletproof Vest Program Grant from the U.S. Department of Justice, Bureau of Justice Assistance.
- Receiving a petition and directing the City Engineer to prepare a report in accordance with s. 66.0703, Wis. Stats., for improvements to the alley south of Lake Street, from Sixth Avenue to the north/south alley, and for improvements to the alley east of Sixth Avenue, from Hudson Street to Lake Street.
- Approving a 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 May 12, 2014, on Emery Street, Huebsch Boulevard to Summer Street (14-202).
- Approving the bid and proposal for Procurement No. 2014-28, City Wide Street & Utility Reconstruction.

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

#### **PROCLAMATION**

Council President Kincaid, on behalf of the Council, proclaimed April 22, 2014 as Earth Day 2014 and encouraged residents, businesses and institutions to commit to building a sustainable society.

Council President Kincaid, on behalf of the Council, proclaimed April 25, 2014 as Arbor Day in the City and urged citizens to support efforts to protect our trees and woodlands and to support the City's urban forestry program.

Council President Kincaid, on behalf of the City Council, proclaimed the month of April 2014 as 'Start Talking – The Sooner the Better' Month and encouraged parents to start talking with their children about the risks for health, safety and legal problems involved with alcohol use and abuse.

Council President Kincaid, on behalf of the City Council, proclaimed the month of May 2014 as Historic Preservation Month and encouraged residents to celebrate how heritage and historic buildings have helped shape our city.

### **LICENSES**

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Big Brothers Big Sisters of Northwestern Wisconsin, Inc., Brian Rueker, president, on June 9, 2014, at Charter Bank, main lobby, 1010 W. Clairemont Avenue, for Chamber of Commerce Business After Hours. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel "to adopt the resolution". Said motion passed by unanimous vote.

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to St. Olaf Parish, Father Brian Konopa, Pastor, on May 17 & 18, 2014, at 3220 Monroe Street, for St. Olaf Fun Fest. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Duax "to adopt the resolution". Said motion passed by unanimous vote.

### **REVOLVING LOAN FUND**

The City Council considered a resolution certifying the Semi-Annual Report for EDA-funded Revolving Loan Fund Grants. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Emmanuelle "to adopt the resolution". Said motion passed by unanimous vote.

### **LANDFILL EXPANSION**

The City Council considered a resolution adopting a siting resolution for the proposed solid waste landfill expansion by Advanced Disposal Services Seven Mile Creek Landfill, LLC. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer "to adopt the resolution". Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle "to amend said resolution and insert the names of Thomas Kemp and Jamie Radabaugh as the citizen members of the Landfill Expansion Negotiating Committee". Said motion to amend passed by unanimous vote. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

## **SITE PLAN – RIVER OVERLOOK**

The City Council considered a resolution approving a site plan in a P-Public District for an overlook / deck and trail to be located along the Chippewa River at Fifth Avenue and Menomonie Street as shown on Planning File #PZ-1401. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Xiong “to adopt the resolution”. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Larsen “to amend said resolution to remove references to construction of a trail (approve overlook / deck without trail)”. Said motion to amend failed by the following vote: Aye: Council Members Duax, Emmanuelle, and Larsen. Nay: Council Members Kincaid, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden and Xiong. The Council then voted on the original resolution. Said resolution was adopted by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden and Xiong. Nay: Council Member Larsen.

## **GALLOWAY STREET IMPROVEMENT PROJECT**

The Council considered a Final Resolution approving the project and levying special assessments for street and utility improvements on Galloway Street, N. Barstow Street to N. Dewey Street (14-105). The Council had postponed action on this item at its March 25 meeting. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Mitchell “to adopt the resolution”. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Strobel “to amend paragraph 9 of the resolution by deleting the words ‘reconstructed with bituminous pavement and the boulevard area shall be reconstructed with plain concrete’, and inserting the words ‘reconstructed with plain concrete’. (9. Galloway Street shall be reconstructed with plain concrete.)”. Said motion to amend passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell and Strobel. Nay: Council Members Duax, Lewis, Von Haden and Xiong. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

The Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on Galloway Street, N. Barstow Street to N. Dewey Street (14-105). The Council had postponed action on this item at its March 25 meeting. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

## **ORDINANCES**

The City Council had first reading on the following ordinances:

- Ordinance rezoning property at the northwest corner of S. Hastings Way and Brackett Avenue from C-3 and C-1P to C-3P and to approve the General Development Plan (site plan), Certified Survey Map, and conditional use for signs for a CVS Pharmacy as shown on Planning File #Z-1538-14.
- Ordinance rezoning property at 103, 117, and 123 Roosevelt Avenue from R-1 to P-Public for the existing homes to be used for university housing as shown on Planning File #Z-1540-14.

- Ordinance amending the Zoning Code adding new references for the update of the Development Guidelines for Waterway and Greenway areas as shown on Planning File #Z-1539-14.
- Ordinance amending the General Development Plan for the CBDP zoned area for Water Street allowing consideration by conditional use permit of additional height with buildings and changes to curb cuts, as shown on Planning File #Z-1541-14.
- Ordinance amending the zoning provisions of the Sky Park Protective Covenants pertaining to front and side yard parking requirements as shown on Planning File #Z-1542-14.

### **RETIREMENT**

The City Council and City Staff thanked Rebecca Noland for 22 years of service as City Finance Director. Noland will be retiring on May 1, 2014.

### **ADJOURNMENT**

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

Adjournment: April 22, 2014

Time: 5:40 p.m.

ATTEST:

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Kerry J. S. Kincaid, President

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Donna A. Austad, City Clerk