

## MINUTES

### EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, September 23, 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, Andrew Werthmann, and Michael Xiong.

#### CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, September 23, 2014:

- Approval of Minutes of Regular Meeting of September 9, 2014.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage license to St. Olaf Parish, Felix Tigoy, Pastor, for October 3, November 7, and December 5, 2014, from 3:00 p.m. to 9:00 p.m., at 3220 Monroe St., for Fish Fry Dinners.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Chamber Education Foundation, Mark Faanes, president, on October 21, 2014, at Eau Claire Indoor Sports Center at 3456 Craig Rd. for the Business Expo & Job Fair event.
- Granting a Temporary Class B Fermented Malt Beverage license to Sacred Heart of Jesus-St. Patrick Parish, Rev. George Thayilkuzhithottu, president, on November 2, 2014, in the basement tunnel room, 418 N. Dewey Street for a Sacred Heart/St. Patrick's Holiday Bazaar.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Eau Claire Fire House, d/b/a The Fire House, 202 Gibson St., to include a fenced in area for a Wisctoberfest event, on October 4, 2014.
- Granting the renewal of the six-month Class B Fermented Malt Beverage license of Eau Claire Curling, Inc., d/b/a Eau Claire Curling Club, 5530 Fairview Drive, Richard A. Devriend, agent.
- Granting a Change of Agent for the six-month Class B Fermented Malt Beverage license of the Eau Claire Curling, Inc., d/b/a Eau Claire Curling Club, 5530 Fairview Drive, from Richard A. Devriend, to John Bast IV.
- Referring the Stanley Annexation Petition to the Plan Commission for study and report
- Disallowing the claim of Kimberly A. Herman for bodily injury arising out of a March 9, 2014, trip and fall at Hobbs Ice Arena.
- Approving Procurement No. 2014-60, Demolition of Various Buildings.
- Approving Procurement No. 2014-63, Purchase of Water Meter Test Benches.

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

## **PROCLAMATION**

Council President Kincaid, on behalf of the City Council, proclaimed the week of October 5 – 11 as 2014 Fire Prevention Week.

Council President Kincaid, on behalf of the City Council, proclaimed October 11 as Chippewa Valley Symphony 40<sup>th</sup> Anniversary Celebration Day.

## **LICENSING**

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage to Longform LLC, d/b/a Longform LLC, 516 Galloway St., Ben Richgruber, agent. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to postpone consideration of the resolution until such time as revised plans are received by the applicant”. Said motion passed by unanimous voice vote.

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage to Castro Corporation, d/b/a El Patio/Burrito-Xpress, 408 Water St., Alejandro Castro, agent. 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.

## **GRANT**

The Council considered a resolution approving and appropriating a \$10,000 State Energy Grant for an LED Retrofit at Central Maintenance Complex. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

## **ELECTION WARD**

The Council considered a resolution creating a new election ward within the City of Eau Claire. Thereupon a motion was offered by Council Member Larson and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

## **PROPERTY TRANSACTIONS**

The City Council considered a resolution authorizing the acquisition of 97 West Madison Street, which is presently owned by Charlson’s Manufacturing Company. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: None. Abstain: Council Member Lewis.

The Council considered a resolution approving a Certified Survey Map for the dedication of property from Gateway Industrial Park Corporation for the extension of Venture Drive and storm water facilities. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Xiong “to adopt the resolution”. Said motion passed by unanimous vote.

## **STREET VACATION**

The Council considered a resolution vacating Heimstead Road, from Warden Street to 446.74 feet west. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Werthmann “to adopt the resolution”. Said motion passed by unanimous vote.

## **CHIPPEWA RIVER OVERLOOK & TRAIL**

The Council considered a resolution approving an agreement with the Water Street Business Improvement District regarding construction of Fifth Avenue River Overlook Deck and Trail. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden and Xiong. Nay: Council Members Duax, Larsen and Werthmann.

## **DOWNTOWN PARKING STRUCTURE**

The Council considered a resolution authorizing BWBR to proceed with the development of construction bidding documents and solicitation of bids for the construction of the North Barstow Parking Ramp. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Klinkhammer “to adopt the resolution”. Thereupon a motion was offered by Council Member Strobel and seconded by Council Member Mitchell “to amend the resolution to include the phrase ‘including an option for a fourth floor’ in the Now Therefore Be It Resolved paragraph”. Said motion to amend passed by unanimous voice vote. The Council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Werthmann and Xiong. Nay: Council Member Von Haden.

Council Member Werthmann left the Council meeting.

## **PHOENIX COMMONS**

The Council considered a resolution approving Procurement No. 2014-62, TIF #8 – Phoenix Commons. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Duax, Emmanuelle, Kincaid, Klinkhammer, Larsen, Mitchell, Strobel, Von Haden and Xiong. Nay: Council Member Lewis.

## **CHANGE OF MEETING TIME**

The Council considered a resolution changing the beginning time of the Tuesday, October 14, 2014 City Council Legislative meeting to 7:00 p.m. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous voice vote.

## **ZONING**

The Council considered an 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. Thereupon a motion was offered by Council Member Mitchell and

seconded by Council Member Von Haden “to postpone consideration of said ordinance until such time as the University re-submits their rezoning request”. Said motion to postpone passed by unanimous vote.

### **PARKING**

The City Council considered an ordinance amending Table XII of the City Code of Ordinances, entitled "Parking, Stopping and Standing Prohibited," by changing the parking on Locust Lane adjacent to Locust Lane School. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Emmanuelle “to adopt the ordinance”. Said motion passed by unanimous vote.

### **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 14<sup>th</sup> Assessment Ward, 5<sup>th</sup> Aldermanic District, that part of Lots 17, 19, and 21 of Block 7 of Replat of Kohlhepp’s First Addition and the north half of Kohlhepp Road adjacent to said lots, all located in the NW ¼ - NE ¼, of Section 14, T27N, R10W, Town of Union, Eau Claire County, as shown on Planning Drawing No. 14-02A (Stanley petition), located on the north side of Kohlhepp Road.

### **ZONING**

The City Council had first reading on an ordinance rezoning property at 1010 Folsom Street, from C-2 to R-1, as shown on Planning File #Z-1548-14.

### **ADJOURNMENT**

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

Adjournment: September 23, 2014

Time: 6:32 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk