

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, March 28, 2023

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, Jill Christopherson, Kate Felton, Jeremy Gragert, Charles Johnson, Roderick Jones, Larry Mboga, Joshua Miller, Terry Weld and Andrew Werthmann.

Council Member Emily Berge was absent.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, March 28, 2023:

- Adopting the Consent Agenda.
- Approving the Minutes of the March 14, 2023 Council Legislative Session.
- Granting new bartender licenses.
- Granting a Secondhand Article Dealer license to Davey J's Garage LLC, d/b/a Davey J's Garage, 1237 Menomonie Street Suite D, David M. Jones, agent.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Male Chorus, President, Terry Hoepner, 2100 Fenwick Avenue, on April 15, 2023, for the Eau Claire Male Chorus Spring Concert event.
- Awarding a contract for procurement No. 2023-13, Purchase of Wheel Loader.
- Authorizing a contract for 2023-19 Zoning Code Re-Write
- Authorizing the Community Services Department to submit an application to the Department of Natural Resources for a Recreation Trail Program grant.
- Authorizing Eau Claire Jazz, Inc. to conduct the Eau Claire Jazz Crawl on Friday, April 21, 2023 along Barstow Street.
- Authorizing Volume One to conduct Food Truck Fridays one Friday of each month in May, June, July, August, and September, 2023 along Riverfront Terrace.
- Authorizing First Congregational United Church of Christ to conduct the Historic Randall Park Neighborhood Carnival on Sunday, May 21, 2023, at Randall Park and on City streets.
- Authorizing Tangled Up in Hue to conduct the Artist Market on Saturdays from May 27 – October 14, 2023 in Phoenix Park.
- Authorizing Volume One Events, LLC to conduct the Sounds Like Summer Concert Series on Thursdays in June, July, and August, 2023 at Phoenix Park.

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

PROCLAMATION

Council President Weld on behalf of the City Council, proclaimed the month of April as Hmong Heritage Month in the City of Eau Claire.

Council President Weld on behalf of the City Council, proclaimed April 9 to 15, 2023 as National Telecommunicator Week in the City of Eau Claire.

Council President Weld on behalf of the City Council, proclaimed April 3 to 9, 2023 as National Public Health Week in the City of Eau Claire.

BUSINESS AGENDA

The City Council considered a resolution authorizing the vacation of two portions of Second Street. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Felton “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution accepting the Storm Water 2022 Annual Report. Thereupon a motion was offered by Council Member Miller and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing fourth-quarter appropriation adjustments for the 2022 Adopted Budget, first-quarter appropriation adjustments for the 2023 Adopted Budget, and 2022 year-end carryovers for the Adopted Budget and Capital Improvement Budget. (Because this item amends the budget, a 2/3 vote of the elected members or eight affirmative votes, is required for adoption.) Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Mboga “to adopt the resolution.” Said motion passed by unanimous vote.

ORDINANCES FOR ACTION

The Council considered an ordinance amending Chapter 6.08 of the Code of Ordinances of the City of Eau Claire, entitled “Animal Control” and specifically Section 6.08.020 entitled “Number per Family”. Thereupon a motion was offered by Council Member Johnson and seconded by Council Member Werthmann “to adopt the ordinance.” Thereupon a motion was offered by Council Member Felton and seconded by Council Member Gragert “to postpone” to the item to on or before the last meeting in April 2023 City Council meetings. Said motion failed by the following vote:

Aye: Council Members Anderson, Felton, Gragert, Mboga, and Werthmann.

Nay: Council Members Christopherson, Johnson, Jones, Miller, and Weld.

Thereupon the City Council considered the original motion. Said motion passed by the following vote:

Aye: Council Members Anderson, Christopherson, Johnson, Jones, Mboga, Miller, and Weld.

Nay: Council Members Felton, Gragert, and Werthmann.

The Council considered an ordinance to amend the general development plan for a property that is zoned R-3P to allow for twin homes with modified setbacks. Thereupon a motion was offered by Council Member Jones and seconded by Council Member Gragert “to adopt the ordinance.” Said motion passed by unanimous vote.

The council considered an ordinance annexing land to the City of Eau Claire located at Lowes Creek Road, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 23-1A (Stewart/Hauge/CDPG Developers Annexation). Annexation ordinances require a two-thirds (2/3) vote “of the elected members of the governing body,” in accordance per Wisconsin Statutes 66.0217(8). Therefore, eight (8) affirmative votes are required of the 11 elected Council members for the Council to pass an annexation ordinance.

Thereupon a motion was offered by Council Member Felton and seconded by Council Member Miller “to adopt the ordinance.”

Thereupon a motion was offered by Council Member Mboga “to amend the ordinance” to make the annexation contingent upon the return of the Sewer Service Agreement. There was no second, so the motion failed.

Thereupon the City Council considered the original motion. Said motion passed by the following vote:

Aye: Council Members Anderson, Christopherson, Felton, Gragert, Johnson, Jones, Miller, Werthmann and Weld.

Nay: Council Member Mboga.

The council considered an ordinance creating Section 3.40.020 entitled “Adoption of a Local Vehicle Registration Fee” of the Code of Ordinances of the City of Eau Claire. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Christopherson “to adopt the ordinance.”

Thereupon a motion was offered by Council Member Miller and seconded by Council Member Christopherson “to amend the ordinance” by adding section 3.040.030 the local vehicle registration fee shall expire June 30, 2028. Said motion failed by the following vote:

Aye: Council Members Anderson, Christopherson, Miller, and Weld

Nay: Council Members Felton, Gragert, Johnson, Jones, Mboga, and Werthmann.

Thereupon the City Council considered the original motion. Said motion failed by the following vote:

Aye: Council Members Christopherson, Felton, Gragert, Miller, and Weld.

Nay: Council Members Anderson, Johnson, Jones, Mboga and Werthmann.

ORDINANCES FOR INTRODUCTION

The City Council had first reading on an ordinance to rezone property from C-2P to R-3P located at 4600 London Road to adopt the general development plan for multi-family development.

ADJOURNMENT

The meeting adjourned without objection.

Adjournment: Tuesday, March 28, 2023

Time: 7:47 p.m.

ATTEST:

Terry L. Weld
Council President

Nicholas L. Koerner
City Clerk