

## MINUTES

### EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, December 10, 2024

City Council Chamber

4:00 p.m.

#### PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Berge called the meeting to order. The following Council Members were present: Emily Berge, Aaron Brewster, Kate Felton, Roderick Jones, Larry Mboga, Joshua Miller, and Andrew Werthmann. The following Council Members were absent: Emily Anderson, Charles Johnson, Jessica Schoen, and Clara Serrano.

#### CONSENT AGENDA

Council Member Serrano joined the meeting.

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on December 10, 2024:

- Adopting the Consent Agenda.
- Approving the Minutes of the Tuesday, November 26, 2024 Council Legislative Session.
- Granting new bartender licenses.
- Granting the renewal of Secondhand Article Dealer licenses for the 2025 licensing year.
- Granting the renewal of Secondhand Jewelry Dealer licenses for the 2025 licensing year.
- Granting the renewal of Pawnbroker licenses for the 2025 licensing year.
- Granting a Class A Cabaret license to Kin Thai Corporation, d/b/a Mueang Thai Restaurant, 2637 North Clairemont Avenue, Jenny Xiong, agent.
- Granting a Temporary Class B Fermented Malt Beverage license to the St. Olaf Parish, Pastor Rev. James R. Kurzynski, 3220 Monroe Street, for the dates of January 3, January 17, February 7, February 21, March 7, March 21, March 28, and April 11, 2025, for the St. Olaf Fish Fry event.
- Approving a Certified Survey Map for property located on Sculy Drive (File CSM-2-24).
- Authorizing 2025 adjustments to “Special Assessment Improvement Program Schedule C” for the adopted Assessment Policy.
- Preliminary resolution declaring the City’s intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for alley improvements, and directing the City Clerk to give notice of a hearing scheduled for January 27, 2025, on the following alleys:
  - Alley East of Bellinger Street, Cameron Street to Maxon Street (25-501);
  - Alley East of Bellinger Street, Maxon Street to Platt Street (25-502);
  - Alley South of Clairemont Avenue, Patton Street to E. Lexington Boulevard (25-503);
  - Alley South of Cleveland Street, Fischer Street to Cleveland Street (25-504);
  - Alley South of Cedar Street, Eleventh Street to Ninth Street (25-505);
  - Alley West of Ninth Avenue, Lakeside Avenue to 250 Feet North (25-506).
- 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 January 27, 2025, on the following streets:

- Brookline Avenue, Clearwater Ridge Drive to Winsor Drive (25-101);
- Seventh Street, Walnut Street to Marshall Street (25-111);
- Winsor Drive, Abbe Hill Drive to Brookline Avenue (25-115).

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

### **ARPA CONTRACTS & BIDS**

Council Members Anderson, Johnson, and Schoen joined the meeting.

The City Council considered a resolution approving ARPA related contracts, agreements, and bids. Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Jones “to adopt the resolution.”

Thereupon a motion was made by Council Member Felton and seconded by Council Member Werthmann “to amend the resolution” by denying the proposed agreement with Via Transportation, Inc. and directing the contractual amount to wages for positions created after 1/1/2023, as stated in the ARPA guidelines.

A brief recess was taken and Council Member Mboga left the meeting.

A vote was then taken on the proposed amendment. Said amendment failed by the following vote: Aye: Council Members Brewster, Felton, Serrano, and Werthmann. Nay: Council Members Anderson, Berge, Johnson, Jones, Miller, and Schoen.

A vote was taken “to adopt the resolution.” Said motion passed unanimously.

### **APPOINTMENTS & REAPPOINTMENTS**

The City Council considered a resolution approving appointments and reappointments to various Boards, Commissions and Committees. Thereupon a motion was offered by Council Member Schoen and seconded by Council Member Felton “to adopt the resolution.”

Thereupon a motion was made by Council Member Miller and seconded by Council Member Felton “to amend the resolution” by replacing Mary Grosz with Robert Tollefson on the Landmarks Commission. Said motion passed unanimously.

A vote was taken “to adopt the resolution” as amended. Said motion passed unanimously.

### **TRANSIT AGREEMENTS & GRANTS**

The City Council considered a resolution authorizing the City Manager to execute the 2025 Federal Transit Administration Section 5307 Supplemental Agreement between the City of Eau Claire and the City of Chippewa Falls. Thereupon a motion was offered by Council Member

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

The City Council considered a resolution authorizing the Community Services Department, on behalf of the City Manager, to apply for and execute the 2025 5307 Federal Mass Urban Transit Operating Assistance and the 5339 Capital Assistance grants with the Federal Transit Administration. Thereupon a motion was offered by Council Member Miller and seconded by Council Member Serrano “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the Community Services Department, on behalf of the City Manager, to apply for and execute the 2025 85.20 Transportation Operating Assistance grant and the 2025 85.205 Urban Mass Transit Assistance – Paratransit Supplemental Aid with the State of Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Brewster “to adopt the resolution.” Said motion passed by unanimous vote.

### **HOBBS ICE CENTER**

The City Council considered a resolution approving an agreement between the City of Eau Claire and the Center Ice Club Foundation, Inc regarding the sale of fermented malt beverages at Hobbs Ice Center. Thereupon a motion was offered by Council Member Jones and seconded by Council Member Schoen “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution approving a Memorandum of Understanding between the City of Eau Claire and the Eau Claire Youth Hockey Association regarding room use and ice rental rates at Hobbs Municipal Ice Center. Thereupon a motion was offered by Council Member Felton and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

### **TOWN OF WHEATON EMS AGREEMENT**

The City Council considered a resolution approving an amendment to the agreement with the Town of Wheaton for the City of Eau Claire Fire Department to provide Emergency Medical Service to its residents. Thereupon a motion was offered by Council Member Johnson and seconded by Council Member Miller “to adopt the resolution.” Said motion passed by unanimous vote.

### **ADDRESSING HOMELESSNESS**

The City Council considered an advisory resolution requesting State and Federal assistance to address the humanitarian crisis of homelessness and its impact on local communities. Thereupon a motion was offered by Council Member Berge and seconded by Council Member Anderson “to adopt the resolution.”

Thereupon a motion was made by Council Member Brewster and seconded by Council Member Werthmann “to amend the resolution,” specifically the first WHEREAS clause, by adding stagnant wages as a factor driving homelessness. Said motion passed by unanimous voice vote.

A vote was taken “to adopt the resolution” as amended. Said motion passed unanimously.

### **BROKERAGE & CONSULTING SERVICES**

The City Council considered a resolution authorizing the City Manager to enter into an agreement with Alera Group to provide employee benefits brokerage and consulting services. Thereupon a motion was offered by Council Member Serrano and seconded by Council Member Werthmann “to adopt the resolution.” Said motion passed by unanimous vote.

A brief recess was taken.

### **ZONING**

The City Council considered an ordinance to rezone property from R-3P & C-3P to C-3 located at 6325 Sculy Drive (Z-1749-24). Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Jones to adopt the ordinance.” Said motion passed by the following vote: Aye: Council Member Anderson, Berge, Brewster, Felton, Johnson, Jones, Schoen, Serrano, and Werthmann. Nay: Council Member Miller.

### **SHORT TERM RENTAL LICENSE**

The City Council considered an ordinance amending the Municipal Code by creating Section 5.66 establishing a short-term rental license requirement. Thereupon a motion was offered by Council Member Schoen and seconded by Council Member Felton “to adopt the ordinance.”

Thereupon a motion was made by Council Member Felton and seconded by Council Member Schoen “to amend the resolution” by adding to Section 10 that license holders prior to July 1, 2025 shall be exempt from rental period restrictions and adding to Section 12 that Section 4, I. shall be effective July 1, 2025. Said motion failed by the following vote: Aye: Council Members Anderson, Felton, Schoen, and Werthmann. Nay: Council Members Berge, Brewster, Johnson, Jones, Miller, and Serrano.

Thereupon a motion was made by Council Member Miller and seconded by Council Member Berge “to amend the resolution” by striking Section 4, I. which regulates durational requirements. Said motion passed by the following vote: Aye: Council Members Anderson, Berge, Brewster, Johnson, Jones, Miller, and Serrano. Nay: Council Members Felton, Schoen, and Werthmann.

A vote was taken “to adopt the ordinance” as amended. Said motion passed by the following Vote: Aye: Anderson, Berge, Brewster, Johnson, Jones, Miller, and Serrano. Nay: Council Members Felton, Schoen, and Werthmann.

### **DEFINITIONS & ESTABLISHMENT OF USES**

The City Council considered an ordinance amending the Zoning Code of the City of Eau Claire by amending sections 18.02.020 Definitions and 18.04.030 Establishment of Uses removing the requirement for a conditional use permit to operate Bed and Breakfast Houses, amending the

definition of Bed and Breakfast, and creating a definition of Tourist Rooming Houses. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Johnson “to adopt the ordinance.” Said motion passed by unanimous vote.

### **ZONING**

The City Council had first reading of an ordinance to rezone property from C-3P to R-4 for a multi-family apartment development at 5400 Old Town Hall Road (Z-1750-24).

### **BUILDING & HVAC CODES**

The City Council had first reading of an ordinance amending Chapter 16.04 Entitled “Building Code” and Chapter 16.28 Entitled “Heating, Ventilating, and Air Conditioning (HVAC) Code” of the Code of Ordinances of the City of Eau Claire.

### **MANAGEMENT OF WASTE & RECYCLABLES**

The City Council had first reading of an ordinance amending Chapter 8.32 entitled “Management of Waste and Recyclables” of the Code of Ordinances of the City of Eau Claire.

Thereupon a motion was offered by Council Member Felton and seconded by Council Member Brewster “to suspend the rules” interfering with the immediate consideration of the ordinance. Said motion to suspend the rules passed by unanimous voice vote.

Thereupon a motion was offered by Council Member Miller and seconded by Council Member Serrano “to adopt the ordinance” amending Chapter 8.32 entitled “Management of Waste and Recyclables” of the Code of Ordinances of the City of Eau Claire. Said motion passed by unanimous vote.

### **WORK SESSION**

Following the Legislative session, the Council will convene in the Council Chambers for a Work Session to discuss the impact of homeless encampments, City and stakeholder response, and related ordinances.

### **ADJOURNMENT**

The meeting adjourned without objection.

Adjournment: Tuesday, December 10, 2024

Time: 8:47 p.m.

ATTEST:

/s/ Emily K. Berge  
Council President

/s/ Kristina M. Kuzma  
City Clerk