

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, July 22, 2025

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 Anderson, Emily Berge, Aaron Brewster, Larry Mboga, Joshua Miller, Nate Otto, Ethan Reed, Jessica Schoen, Clara Serrano and Andrew Werthmann. The following Council Members were absent: Charles Johnson.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on July 22, 2025:

- Adopting the Consent Agenda.
- Approving the Minutes of the Tuesday, July 8, 2025 Council Legislative Session.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2025-2027 licensing period.
- Granting a Combination Class B Intoxicating Liquor and Fermented Malt Beverage license and Class A Cabaret license to Crane Club LLC, d/b/a The Fire House, 202 Gibson Street, Andrew D. Gehrke, agent.
- Awarding a contract for Procurement No. 2025-30, Playground Equipment for Mt. Simon Park.
- Authorizing JONAH to conduct the Chippewa Valley Multicultural Festival on Sunday, August 17, 2025 at Phoenix Park.
- Authorizing Eau Claire Express to conduct the Queued Up Festival on Saturday, September 20, 2025 at Carson Park.

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

PROCLAMATIONS

Council President Berge, on behalf of the City Council, read a proclamation declaring July 26, 2025, as Americans with Disabilities Act Awareness Day in the city of Eau Claire. We ask that all residents celebrate and recognize the progress that has been made, and invite everyone to join us as we recommit to working together to remove barriers and continue to fulfill the promise of hope and freedom envisioned by the passage of the ADA.

Council President Berge, on behalf of the City Council, read a proclamation declaring Tuesday, August 5, 2025, as National Night Out in the city of Eau Claire and called upon all residents of Eau Claire to join together for games, food, music, inflatables, and more from 5:30 to 8:00 p.m. in Carson Park in support of a Night Out On Crime.

BUSINESS AGENDA

Council Member Johnson entered the chamber.

SETTLEMENT OF LITIGATION

The City Council considered a resolution Approving the Settlement of Litigation with Sam's Real Estate Business Trust Concerning Excessive Tax Claims. Because this item amends the budget, a 2/3 vote of elected members, or 8 affirmative votes, is required for adoption. Thereupon a motion was offered by Council Member Serrano and seconded by Council Member Brewster "to adopt the resolution." Said motion passed by unanimous vote.

DECI REPORT

The City Council considered a resolution accepting Downtown Eau Claire Incorporated's 2025 Annual Report. Thereupon a motion was offered by Council Member Mboga and seconded by Council Member Werthmann "to adopt the resolution." Said motion passed by unanimous vote.

ORDINANCES FOR ACTION

CENTURY CODE UPDATE

The City Council Considered an ordinance amending the Comprehensive Plan and the Code of Ordinances of the City of Eau Claire Titles 17, 18, and 19 related to the Century Code Update. Thereupon a motion was offered by Council Member Miller and seconded by Council Member Schoen "to adopt the ordinance."

Thereupon a motion was offered by Council Member Schoen and seconded by Council Member Johnson "to amend the ordinance" by four separate items: 1) striking the language in 17.07.04(B)(1) that states "of 10,000 square feet or less", 2) adding in 17.07.04(B) the language to add an exemption criteria that applies to "projects that contain at least 25% affordable housing units at or less than 60% CMI rent and are deed restricted for 30 years", 3) striking the language in 17.07.04(C)(1)(b) that states "five" and replace with "ten", 4) replacing in 17.07.04(C)(1)(b) & throughout the Land Development Ordinance to increase threshold from 12 inches DBH to 14 inches DBH.

Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Mboga to take up each of the four amendment items separately with no objection.

Thereupon the motion offered by Council Member Schoen and seconded by Council Member Johnson “to amend the ordinance” by striking the language in 17.07.04(B)(1) that states "of 10,000 square feet or less" was discussed. A vote was then taken “to adopt the ordinance” as amended. Said motion failed on the following vote:

Aye: Council Members Berge, Johnson, Otto, Reed, Schoen. Nay: Council Members Anderson, Brewster, Mboga, Miller, Serrano, and Werthmann.

Thereupon the motion offered by Council Member Schoen and seconded by Council Member Johnson “to amend the ordinance” by adding in 17.07.04(B) the language to add an exemption criteria that applies to “projects that contain at least 25% affordable housing units at or less than 60% CMI rent and are deed restricted for 30 years” was discussed. A vote was then taken “to adopt the ordinance” as amended. Said motion passed on the following vote:

Aye: Council Members Anderson, Berge, Brewster, Johnson, Mboga, Otto, Reed, Schoen and Werthmann. Nay: Council Members Miller and Serrano.

Thereupon the motion w offered by Council Member Schoen and seconded by Council Member Johnson “to amend the ordinance” by striking the language in 17.07.04(C)(1)(b) that states "five" and replace with "ten" was discussed. A vote was then taken “to adopt the ordinance” as amended. Said motion passed by unanimous vote.

Thereupon the motion offered by Council Member Schoen and seconded by Council Member Johnson “to amend the ordinance” by replacing in 17.07.04(C)(1)(b) & throughout the Land Development Ordinance to increase threshold from 12 inches DBH to 14 inches DBH was discussed. A vote was then taken “to adopt the ordinance” as amended. Said motion failed on the following vote:

Aye: Council Members Berge, Johnson, Otto, Schoen. Nay: Council Members Anderson, Brewster, Mboga, Miller, Reed, Serrano, and Werthmann.

Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Reed “to amend the ordinance” by allowing 1-4 unit residential structures to have a maximum front-loaded garage projection of 15 feet (See 17.03.03 B. 1. Principal Use Supplemental Standards). A vote was then taken “to adopt the ordinance” as amended. Said motion passed by unanimous vote.

Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Werthmann “to amend the ordinance” by requiring two instead of requiring three design elements from the list of seven. (See 17.05.08 D. Multi-Unit Building Multibuilding Development Standards). A vote was then taken “to adopt the ordinance” as amended. Said motion passed on the following vote:

Aye: Council Members Anderson, Berge, Brewster, Johnson, Miller, Otto, Reed, Schoen Serrano, and Werthmann. Nay: Council Member Mboga.

Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Mboga “to amend the ordinance” by changing the zoning of a portion of the Third Ward Neighborhood from NR to GR. The area to be changed to GR is the area south of Jefferson St. until it dead ends into Gilbert St, and then south of Gilbert St. from Jefferson St. to the Chippewa

River. The Chippewa River will serve as the western boundary, with Putnam Park serving as the southern and eastern boundaries. A vote was then taken “to adopt the ordinance” as amended. Said motion failed on the following vote:

Aye: Council Members Brewster, Mboga, Serrano, and Werthmann. Nay: Council Members Anderson, Berge, Johnson, Miller, Otto, Reed, and Schoen.

Thereupon a motion was offered by Council Member Brewster and seconded by Council Member Serrano “to amend the ordinance” by changing the zoning of a portion of the Randall Park Neighborhood from NR to GR. The northern boundary of the GR area will be Fulton St. and the southern boundary will be Niagara St. The eastern and western boundaries will be the Chippewa River and Half Moon Lake respectively. A vote was then taken “to adopt the ordinance” as amended. Said motion passed on the following vote:

Aye: Council Members Brewster, Mboga, Miller, Otto, Serrano, and Werthmann. Nay: Council Members Anderson, Berge, Johnson, Reed, and Schoen.

The council took a five-minute recess.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Otto “to amend the ordinance” by changing 17.08.08(B)(1)(b)(iv), to add “except on commercial properties, where they shall be 25 feet or less” with respect to bicycle parking. A vote was then taken “to adopt the ordinance” as amended. Said motion passed by a unanimous vote.

Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Miller “to amend the ordinance” by changing 17.07.04(B)(1) to strike “of 10,000 square feet or less” and reduce 4 dwelling units to 2 dwelling units. A vote was then taken “to adopt the ordinance” as amended. Said motion passed by a unanimous vote.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Brewster “to amend the ordinance” by changing 17.07.04(C) to by allow for any existing residential lot with four or fewer dwelling units, tree removal outside the public right-of-way shall be subject to the tree preservation and mitigation standards of this section if a building, land disturbance, or site development permit is requested, regardless of the exemptions in Subsection B. A vote was then taken “to adopt the ordinance” as amended. Said motion failed on the following vote:

Aye: Council Members Anderson, Brewster, Miller, Serrano, and Werthmann. Nay: Council Members Berge, Johnson, Mboga, Otto, Reed, and Schoen.

Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Mboga “to send the ordinance back to the planning commission”. Said motion passed by a vote of 10 to 0, with 1 abstention by Council Member Reed.

Thereupon a motion was offered by Council Member Miller and seconded by Council Member Johnson “to postpone a final vote until the planning commission has an opportunity to hold a public hearing and provide input. The council will require another public hearing prior to holding a vote to adopt the ordinance.” Said motion passed by a unanimous vote.

UPDATING TREE DEFINITIONS

The City Council Considered an ordinance Amending Chapter 8.20 “Trees” to include a new definition of Heritage trees and High Value trees. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Miller “to adopt the ordinance.” Said motion passed by unanimous vote.

WATERWAYS AND PARKS COMMISSION

The City Council Considered an ordinance Amending Chapter 2.64 “City Waterways and Parks Commission” to amend its name and advisory function to include Urban Forestry on certain public and private property. A friendly amendment was offered by Council Member Miller to add a line to 2.64.030 that states “and of which at least 1 shall have experience with trees or the field of forestry.” No objection was heard to this friendly amendment, and it was adopted. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Miller “to adopt the ordinance.” Said motion passed by unanimous vote.

ORDINANCES FOR INTRODUCTION

The City Council had first reading of an ordinance amending Table III entitled “Stop Intersections” of the Code of Ordinances of the City of Eau Claire to add all-way stop control at the intersection of Fillmore Avenue and Nimitz Street.

The City Council had first reading of an ordinance amending Table V entitled “Yield Intersections” of the Code of Ordinances of the City of Eau Claire to add yield control at several intersections throughout the City that currently have no control at all.

The City Council had first reading of an ordinance to amending Chapter 10.24 of Title 10 entitled “Special Parking Restrictions” of the Code of Ordinances of the City of Eau Claire to add a handicap parking stall at a business located on Vine Street.

The City Council had first reading of an ordinance changing the name of a portion of Gibson Street to Better Way.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Serrano “to suspend the rules which interfere with the immediate consideration of an ordinance changing the name of a portion of Gibson Street to Better Way.” Said motion passed on the following vote:

Aye: Council Members Anderson, Berge, Johnson, Mboga, Miller, Otto, Reed, Schoen Serrano, and Werthmann. Nay: Council Member Brewster.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Serrano “to adopt the ordinance amending changing the name of a portion of Gibson Street to Better Way”. Said motion passed by unanimous vote.

WORK SESSION

Following the Legislative session, the Council convened in the Council Chambers for a Work Session on the water rate structure for utility billing in preparation for filing a water rate case with the Public Service Commission.

ADJOURNMENT

The meeting adjourned without objection.

Adjournment: Tuesday, July 22, 2025

Time: 8:09

ATTEST:

/s/ Emily K. Berge
Council President

/s/ Eric J. Gilge
Deputy City Clerk