

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, September 27, 2011

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 Larry Balow, David Duax, Kerry Kincaid, Kathy Mitchell, Mark Olson, Jackie Pavelski, Dana Wachs and Andrew Werthmann. Absent: Council Members David Klinkhammer, Bob Von Haden, and Thomas Vue.

CONSENT AGENDA

The City Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, September 27, 2011. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow "to adopt the consent resolution". Said motion passed by unanimous vote.

PROCLAMATION

Council President Kincaid, on behalf of the entire City Council, read a proclamation declaring September 15 – October 15, 2011 as Hispanic Heritage Month in the City of Eau Claire.

LICENSE

The Council considered a resolution granting a permanent expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of VFW Post 7232, Inc., d/b/a VFW Post 7232, 2900 W. Folsom St., to include an approximately 243' x 150' square foot outdoor fenced-in area at the rear of the building. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

STREET IMPROVEMENTS

The City Council considered a Final Resolution approving the project and levying special assessments for street, sidewalk, and utility improvements, on Second Avenue from First Avenue to W. Grand Avenue (realignment adjacent to the Eau Claire County Courthouse). Thereupon a motion was offered by Council Member Olson and seconded by Council Member Mitchell "to adopt said resolution". Said motion passed by unanimous vote.

GATEWAY INDUSTRIAL CORPORATION

The Council considered a resolution approving an amendment to the Loan Agreement between the Gateway Industrial Park Corporation, the City and Xcel Energy. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by unanimous vote.

VACANT LAND

The City Council considered a resolution approving the sale of vacant land on Statz Avenue to Kent Homes, Inc. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

FAÇADE LOAN PROGRAM

The Council considered a resolution creating a facade loan program for older commercial strip centers in the City. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Olson “to adopt said resolution”. Said motion passed by unanimous vote.

BULLIS FARM ADDITION

The City Council considered a resolution approving Certified Survey Maps with right-of-way dedication for Owen Ayres Ct. extending south of Bullis Farm Road as shown on Planning File #CSM-2-11. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Mitchell “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Oakwood Business Park, L.L.C. for street and utility improvements to Bullis Farm Addition - Phase 3 - Owen Ayres Court. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

SITE PLAN

The City Council considered a resolution approving a site plan in a P-Public District for an addition to Sherman Elementary School on Vine Street as shown on Planning File #PZ-1106. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

AGREEMENT

The Council considered a resolution approving an agreement between the City and Bush Brothers and Company relating to “seed sludge”. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

AMERICAN JOBS BILL

The City Council considered a resolution indicating support of President Obama’s American Jobs Bill. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Werthmann “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Kincaid, Mitchell, Olson, Pavelski, Wachs, and Werthmann. Nay: Council Member Duax.

GRIEVANCE PROCEDURE

The Council considered an ordinance amending Section 2.72.010 of City Code of Ordinances, specifically Section 25.26 of the City of Eau Claire Personnel Rules and Regulations, relating to grievance procedure. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Mitchell “to adopt the proposed substitute ordinance as presented by staff”. Said motion passed by unanimous vote.

PARKING RESTRICTIONS

The Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled "Parking Prohibited," by adding Melby Street, both sides, from Starr Avenue to Cardinal Avenue. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Duax “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Wachs “to postpone consideration of said ordinance for two weeks. Property owners along the section of Melby Street shall be notified of said proposal. The item shall be placed on the Monday, October 10th meeting to allow public comment and on the Tuesday, October 11th meeting for legislative consideration.” Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Mitchell, Pavelski, Wachs and Werthmann. Nay: Council Member Olson.

WATER RATES

The City Council considered an ordinance amending Chapter 14.20 of the City Code of Ordinances entitled (Waterworks) “Rates and Billing”. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Olson “to adopt said ordinance”. Said motion passed by unanimous vote.

POSSESSION OF FIREARMS

The Council considered an ordinance repealing and recreating Section 9.32.040 of the City Code of Ordinances entitled “Possession of Firearms - Public Buildings, Business Establishments and Public Areas”. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Olson “to adopt said ordinance”. Thereupon a motion was offered by Council Member Mitchell “to amend said ordinance by deleting Section 9.32.040(E) regarding the signage to be posted by businesses selling alcohol for on-premise consumption”. Said motion to amend died for lack of a second. The Council then voted on the motion to adopt. Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: September 27, 2011

Time: 6:28 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk