

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING**

**Tuesday, June 28, 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, Kerry Kincaid, Kathy Mitchell, Mark Olson, Jackie Pavelski, Bob Von Haden, Thomas Vue, and Andrew Werthmann. Absent: Council Members David Duax, David Klinkhammer and Dana Wachs.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, June 28, 2011. Council Member Olson requested that three items be removed and considered separately:

10. Resolution granting a Temporary Class B Fermented Malt Beverage license to Eau Claire City/County Tavern League, Sally Jo Birtzer, President, on August 27 & 28, 2011, at Carson Park, within the fenced perimeter of Festival In The Pines.
11. Resolution granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire City/County Tavern League, Sally Jo Birtzer, president, on August 6, 2011, within the fenced area of the City Parking Lot located at South Barstow Street/East Grand Avenue, for Summerfest.
12. Resolution granting a Temporary Class B Fermented Malt Beverage license to UW - Eau Claire Alumni Association, Katy Kiley, president, on October 8, 2011, at Carson Park, within the fenced area surrounding Pine Pavilion, for UW-EC Homecoming.

Thereupon a motion was offered by Council Member Werethmann and seconded by Council Member Balow "to adopt the remainder of the consent agenda". Said motion passed by unanimous vote.

#### **TEMPORARY BEER LICENSES**

The Council considered resolutions granting the following temporary licenses:

- Temporary Class B Fermented Malt Beverage license to Eau Claire City/County Tavern League, Sally Jo Birtzer, President, on August 27 & 28, 2011, at Carson Park, within the fenced perimeter of Festival In The Pines.
- Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire City/County Tavern League, Sally Jo Birtzer, president, on August 6, 2011, within the fenced area of the City Parking Lot located at South Barstow Street/East Grand Avenue, for Summerfest.
- Temporary Class B Fermented Malt Beverage license to UW - Eau Claire Alumni Association, Katy Kiley, president, on October 8, 2011, at Carson Park, within the fenced area surrounding Pine Pavilion, for UW-EC Homecoming.

Council Member Olson asked about restrictions which the City could include in the resolutions or as a part of the licensing process, as a result of the recently passed state legislation, so that no

concealed firearms would be permitted at the events. City Attorney Nick said he and his staff are still reviewing the new legislation to determine, among other things, how it would apply to outdoor events such as these. As soon as their review is complete, they will submit a report to the City Manager and City Council. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Pavelski "to adopt said resolutions". Said motion passed by following vote: Aye: Council Members Balow, Kincaid, Mitchell, Olson, Pavelski, Von Haden and Vue. Nay: Council Member Olson.

### **COMMENDATIONS AND PROCLAMATIONS**

Council President Kincaid, on behalf of the entire City Council, read a proclamation recognizing July as Parks & Recreation Month in the City.

### **CINC AGREEMENT**

The Council considered a resolution approving the Chippewa Valley Internetworking Consortium (CINC) Agreement. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Olson "to adopt said resolution". Said motion passed by unanimous vote.

### **SPECIAL EVENTS**

The City Council considered a resolution authorizing Legacy Camps to conduct the Legacy Camps Community Outreach at the Paul Bunyan Logging Camp and within Carson Park on Monday, July 4, 2011. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution authorizing Daniel McGrath to conduct the James McGrath Cancer Benefit in Carson Park on Saturday, July 30, 2011. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

### **CDBG PROGRAM AMENDMENT**

The City Council considered a resolution approving an amendment to the 2010 Community Development Block Grant (CDBG) Program. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

### **ELECTION WARD BOUNDARIES**

The City Council considered a resolution approving adjusted boundaries for the City election wards. 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.

### **EAU CLAIRE EXPRESS**

The Council considered a resolution regarding a request from the Eau Claire Express to construct a baseball history museum and offices in Carson Park and referring said request to various city committees for review and recommendation. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Von Haden “to amend said resolution to add the Fiscal Policy Advisory Committee as one of the committees to review the request”. Said motion to amend passed by the following vote: Aye: Council Members Balow, Olson, Pavelski, Von Haden and Vue. Nay: Council Members Kincaid, Mitchell and Werthmann. The Council then voted on the resolution as amended. Said motion passed by the following vote: Aye: Council Members Balow, Mitchell, Olson, Pavelski, Von Haden, Vue and Werthmann. Nay: Council Member Kincaid.

### **ANNEXATION**

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15<sup>th</sup> Assessment Ward, 2<sup>nd</sup> Aldermanic District, a parcel of land located in the east 25 acres of the NW ¼ - SW ¼ of Section 36-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 11-04A (Rosentrater petition, 5571 Prill Road). Thereupon a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said ordinance”. Said motion passed by unanimous vote.

### **REZONING**

The City Council had first reading on three ordinances to rezoning the following parcels:

- property located on the west side of Hwy. 53, along Prairie Park Drive, from TR-1A to R-3P and to adopt the General Development Plan for multi-family development as shown on Planning File #Z-1487-11.
- property at the northwest corner of Fifth Avenue and Fulton Street from RM to CBDP and to adopt the General Development Plan for a sign for Luther Hospital as shown on Planning File #Z-1488-11.
- property at the intersection of W. Madison Street and Cameron Street from I-1 to P-Public as shown on Planning File #Z-1489-11.

### **PAY PLAN**

The City Council had first reading on an ordinance amending the pay plan for the City of Eau Claire pertaining to Transit, Local 284, Telecommunicator, CTSEA, Police Command and unrepresented employees. There upon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to suspend the rules which interfere with the immediate consideration of said ordinance”. Said motion to suspend passed by unanimous vote. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt said ordinance”. Said motion was adopted by unanimous vote.

**ADJOURNMENT**

A motion was offered by Council Member Werthmann and seconded by Council Member Balow “that this meeting does now adjourn.” Said motion passed without objection.

Adjournment: June 28, 2011

Time: 6:41 p.m.

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Kerry J. S. Kincaid, President

ATTEST:

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Donna A. Austad, City Clerk