

MINUTES

EAU CLAIRE CITY COUNCIL BUDGET ADOPTION

Tuesday, December 14, 2010

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

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, December 14, 2010. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Balow “to adopt the consent resolution”. Said motion passed by unanimous vote.

APPOINTMENTS

The Council considered a resolution approving the following appointments to Boards, Commissions and Committees:

Administrative Review Board (unexpired term to expire June 30, 2012)
Mike Bollinger – new appointment

Affirmative Action Committee
John Manydeeds – new appointment as Ethnic Minority Representative to fill unexpired term through June 30, 2013

Bicycle/Pedestrian Advisory Commission (three-year terms to expire December 31, 2013)
William Barry – reappointment Elizabeth Norquist – reappointment
Libby Stupak – reappointment Dan May – new appointment

City-County Board of Health (five-year term to expire December 31, 2015)
Elizabeth Spencer – new appointment

Landmarks Commission (three-year term to expire December 31, 2013)
Barbara Lozar – reappointment Patrick Kurtenbach – new appointment

North Barstow/Medical BID Board (three-year terms to expire December 31, 2013)
Mark Blaskey – reappointment Barb Charlson – reappointment
Dave Savage - reappointment

Redevelopment Authority (five-year term to expire December 31, 2015)
Ted Barr – reappointment

Senior Center Board (two-year terms to expire December 31, 2012)
Gail Hoff – reappointment Jerilyn Kinderman – reappointment
Paula Gibson – new appointment

South Barstow BID Board (three-year terms to expire December 31, 2013)
Bill Anderson – reappointment Ernest Chambers – reappointment
Brady Nagel – reappointment David Ottosen – reappointment
Lisa Strobel – reappointment

Water Street BID Board (two-year terms to expire December 31, 2012)
Lisa Aspenson – reappointment Michael Dooley – reappointment
David Kositzke – reappointment John Mogensen – reappointment
Steve Reuter – reappointment MaryBeth Siakpere – reappointment

Waterways and Parks Commission (three-year term to expire December 31, 2013)
Jonathan Case – reappointment Richard Spindler – new appointment

West Grand Avenue BID Board (two-year terms to expire December 31, 2012)
Webster Hart – reappointment Tommi Mattson – reappointment

Zoning Board of Appeals (three-year terms to expire December 31, 2013)
Steven Ludwig – reappointment as 1st Alternate William Milne – reappointment
Carol Doyle – reappointment as 2nd Alternate

Thereupon a motion was offered by Pavelski and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

LIQUOR LICENSE

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage and a Class B Cabaret license to Fuji Steakhouse Eau Claire Inc., d/b/a Fuji Steakhouse, 4864 Keystone Crossing, Ting K. Cheng, agent. 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.

REFUSE HAULER LICENSE

A motion was offered by Council Member Olson and seconded by Council Member Kemp “to take Item No 21 (first reading of an ordinance amending Chapter 8.32 of the City Code of Ordinances entitled “Refuse Collection and Disposal” regarding the number of Refuse Hauler licenses) out of order and consider it at this time. Said motion passed on a unanimous voice vote. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to suspend the rules that interfere with the immediate consideration of said ordinance and hold the second reading at this time.” Said motion to

suspend the rules passed on a voice vote, with Council Member Duax voting nay. The Council considered said ordinance, which would increase the number of licenses the City may grant from 10 to 12. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Pavelski “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered a resolution granting a Refuse Hauler license to Jason Stenner, d/b/a Stenner Property Services, 15728 Hwy. 40, Bloomer. The Council had postponed consideration of this item at its November 23, 2010 meeting. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt said resolution and grant said license”. Said motion passed by unanimous vote.

GRANTS, DONATIONS & BUDGET ADJUSTMENTS

The Council considered a resolution authorizing appropriation adjustments to the 2010 Program of Services for grants, donations, and service adjustments. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

LEASE AGREEMENT

The Council considered a resolution approving a lease agreement with Oxford Properties, LLC / Indianhead Frozen Foods, Inc. for an encroachment onto Oxford Avenue. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Kemp left the Council meeting.

FIREWORKS DISPLAY

The Council considered a resolution authorizing the Eau Claire Ski Club to hold a fireworks display at their Annual Silver Mine Invitational on Friday or Saturday, January 21-22, 2011 at Silvermine Ski Hill. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Duax “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax “to amend said resolution by adding the following phrase at the end of the last paragraph: ‘subject to the Eau Claire Ski Club obtaining a fireworks display permit from the Town of Union, if required by the Town’.” Said motion amendment was accepted as a friendly amendment. The Council then voted on the resolution as amended. Said motion passed by unanimous vote.

DNR GRANT

The Council considered a resolution to accept a Wisconsin DNR Grant for the Half Moon Lake Alum Treatment. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

FIRE DEPARTMENT AGREEMENTS

The Council considered a resolution approving an agreement with the City of Altoona for a shared fire inspector position. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution approving an Ambulance Service Agreement with the City of Altoona. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden "to adopt said resolution". Thereupon a motion was offered by Council Member Duax "to amend said resolution by adding an additional Be It Further Resolved paragraph to read as follows: 'Be It Further Resolved that the City of Eau Claire commence negotiations for the Regional EMS agreements expiring on December 31, 2012 as early as possible in 2011, and that all said agreements be presented to the Eau Claire City Council no later than July 1, 2012'." Thereupon a motion was offered by Council Member Klinkhammer "to delete the words 'as early as possible in 2011' and insert the words 'as early as necessary'." Said motion was accepted as a friendly amendment. The mover and seconder of the original motion to adopt the resolution accepted both motions as friendly amendments. The Council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Pavelski, Von Haden, and Wachs. Nay: Council Members Balow and Olson.

The Council considered a resolution approving a Hazardous Materials Response Agreement with Eau Claire County. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

URBAN FOREST

The City Council considered an ordinance amending Chapter 8.20 of the Code of City Ordinances, entitled "Trees", specifically Section 8.20.070 entitled "Public Nuisance Abatement" and Section 8.20.090 entitled "Tree Maintenance". Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Wachs "to adopt said ordinance". Said motion passed by unanimous vote.

NEPOTISM POLICY

The City Council considered an ordinance amending the Appointment and Placement of Relatives Policy of the Personnel Rules and Regulations, as adopted by Section 2.72.010 of the City Code of Ordinances. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Duax "to adopt said ordinance". Thereupon a motion was offered by Council Member Duax "to amend said ordinance by adding the following wording at the end of the third paragraph after the words 'or any other member of the employee's household'; 'Any other member of the employee's household shall be any individual living in the employee's household that receives, directly or indirectly, more than one-half of his or her support from the employee or from whom the employee receives, directly or

indirectly, more than one-half of his or her support. Examples may include foster children, same sex partners, live-in boy/girl friends, etc'.”
Said motion to amend was accepted by the mover as a friendly amendment. The Council then voted on the ordinance as amended. Said ordinance was adopted by unanimous vote.

ADJOURNMENT

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

Adjournment: December 14, 2010

Time: 5:46 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk