

## **MINUTES**

### **EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION**

**Tuesday, September 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 Thomas Vue. Absent: Council Members Dana Wachs and Andrew Werthmann.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, September 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.

#### **LICENSE**

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage and a Class B Cabaret License to Toat Management, Inc., d/b/a Broadway Pizza, 1920 S. Hastings Way, David D. Crenshaw, agent (formerly Boston's Pizza). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

#### **GRANT AWARD**

The Council considered a resolution authorizing the City Police Department to accept a \$16,355 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program Funds from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

#### **RIGHT-OF-WAY ACQUISITION**

The City Council considered a resolution approving the acquisition of land for Slawson Court right-of-way. 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.

#### **STREET VACATION & RELEASE OF EASEMENT**

The City Council considered a resolution vacating Venus Avenue, from Eddy Lane to 132 feet south. 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.

The Council considered a resolution releasing the utility easements within Venus Avenue, from Eddy Lane to 132 feet south. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

### **FINAL PLAT**

The City Council considered a resolution amending the final plat for Deer Brook subdivision to remove a resubdividable lot line for property located along Lars Street, north of CTH “II” in the Town of Washington as shown on Planning File #P-3-04 Amd. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

### **PRAIRIE PARK DEVELOPMENT – PHASE I**

The City Council considered a resolution approving the final condo plat for Prairie Park Condominium (Phase 1), the Certified Survey Map (CSM) with right-of-way dedication and the street names for the project located on the west side of Hwy. 53, south of I-94, as shown on Planning Files #P-5-10 and CSM-2-10. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Olson, Pavelski, Von Haden, and Vue. Nay: Council Member Kemp.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Rooney Properties for street and utility improvements for Prairie Park Phase I. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Olson, Pavelski, Von Haden, and Vue. Nay: Council Member Kemp.

The Council considered a resolution indicating the location of required sidewalk construction within Prairie Park Phase I. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Olson “to adopt said resolution”. Said motion passed by unanimous vote.

### **STATE AGREEMENTS FOR STREET IMPROVEMENT PROJECTS**

The City Council considered a resolution approving a State / Municipal Agreement for Highway Improvements with the Wisconsin Department of Transportation for Truax Boulevard, Jeffers Road to Third Street. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving a State / Municipal Agreement for Highway Improvements with the Wisconsin Department of Transportation for Melby Street, Starr Avenue to Anderson Drive. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving a State / Municipal Agreement for Highway Improvements with the Wisconsin Department of Transportation for Melby Street, Victor Street to 115<sup>th</sup> Street. 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.

### **FISCAL POLICY ADVISORY COMMITTEE REPORTS**

The City Council considered a resolution accepting the Fiscal Policy Advisory Committee Report on Public Comment Opportunities 2010. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution accepting the Fiscal Policy Advisory Committee Report on Tax-Exempt Properties in the City. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

### **SALE OF LAND IN SKY PARK**

The City Council considered a resolution approving the sale of land in Sky Park to Five Starr Plastics. 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.

### **ADJOURNMENT**

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

Adjournment: September 14, 2010

Time: 5:10 p.m.

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Kerry J. S. Kincaid, President

ATTEST:

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Donna A. Austad, City Clerk