

## **MINUTES**

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

**Tuesday, August 24, 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, August 24, 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 Temporary Class B Fermented Malt Beverage license to the Township Fire Department, Inc., Doug Kranig, president, for September 11, 2010 from 10:00 a.m. to 7:00 p.m., at 5530 Fairview Drive, Eau Claire County Exposition Center, for the Town of Washington Volunteer Firefighters Corn & Brat Feed. 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.

#### **ALLEY VACATION & UTILITY EASEMENT**

The City Council considered a resolution vacating the alleys located south of Wisconsin Street, from the westerly line of N. Barstow Street to the easterly line of Forest Street, within Blocks 6 and 7, Huyssen, Marfield, Galloway & Meredith’s Addition. 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.

Council Member Kemp left the Council Chamber.

The Council considered a resolution releasing the utility easements within the alleys located south of Wisconsin Street, from the westerly line of N. Barstow Street to the easterly line of Forest Street, within Blocks 6 and 7, Huyssen, Marfield, Galloway & Meredith’s Addition. 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.

Council Member Kemp returned to the Council Chamber.

Council Member Werthmann arrived in the Council Chamber.

### **PHOENIX PARK RESTROOMS**

The City Council considered a resolution directing that updated bids be solicited for the Phoenix Park restroom construction project which had been considered by City Council on August 11, 2009. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said resolution”. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Klinkhammer “to amend said resolution by inserting the sentence ‘City costs for said project shall not exceed \$150,000’ at the end of the Now, Therefore, Be It Resolved paragraph”. Thereupon a motion was offered by Council Member Pavelski “to amend said resolution by deleting the fourth Whereas paragraph and replacing it with the following wording: ‘Whereas, in 2010, the City received an offer from the North Barstow Medical BID that includes \$40,000 toward the construction of the additional Phoenix Park restroom and an additional \$10,000 if the building is substantially the same as the design rejected on August 11, 2009’.” Said motion was accepted by the mover and seconder as a friendly amendment. Thereupon a motion was offered by Council Member Duax “to amend said resolution by inserting the words ‘exclusive of any other contributions’, in the Now, Therefore, Be It Resolved paragraph, following the words ‘shall not exceed \$150,000’.” Said motion was accepted by the mover and seconder as a friendly amendment. The Council then voted on the motion to amend the resolution. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Pavelski, Von Haden and Wachs. Nay: Council Members Olson and Werthmann. The Council then considered the motion to adopt the amended resolution. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow “to amend said resolution by inserting the sentence ‘Said bid specs shall include bid alternates’ at the end of the Now, Therefore, Be It Resolved paragraph”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Olson, Pavelski, Von Haden and Wachs. Nay: Council Members Kincaid, Klinkhammer and Werthmann. The Council then voted on the resolution as amended. Said resolution was adopted by unanimous vote.

### **BUDGET DATES**

The Council considered a resolution setting the dates of the 2011 budget public hearing and the budget adoption meeting. 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.

### **APPOINTMENTS COMMITTEE**

The City Council considered a Charter Ordinance relating to changing membership of the Advisory Committee on Appointments. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said ordinance”. Said motion passed by unanimous vote.

There were no ordinances for introduction at this meeting.

**ADJOURNMENT**

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

Adjournment: August 24, 2010

Time: 5:59 p.m.

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Kerry J. S. Kincaid, President

ATTEST:

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Donna A. Austad, City Clerk