

## MINUTES

### EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, June 8, 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, and Bob Von Haden. Absent: Council Members Thomas Vue, Dana Wachs and Andrew Werthmann.

#### CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, June 8, 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 and re-appointments to various Boards, Commissions and Committees:

Administrative Review Board (Two-year terms, to expire June 30, 2012)

Ardelle Brown – reappointment  
Joshua Dalton – reappointment  
Jay Heit – new appointment  
Danielle Claesges - reappointment  
Denny Denk - reappointment

Affirmative Action Committee (Three-year term, to expire June 30, 2013)

Michael Hess as the Citizen Representative – reappointment

Bicycle/Pedestrian Advisory Commission

Elizabeth Norquist – new appointment to fill unexpired term to expire December 31, 2010  
Marian Ritland – new appointment to fill unexpired term to expire December 31, 2011

Board of Heating Examiners (Two-year terms, to expire June 30, 2012)

Fred Gardner, Jr. – reappointment  
Daniel Larson, Sr. – reappointment

Library Board (Three-year terms, to expire June 30, 2013)

Robert Fraser – reappointment  
Paul Vanderheiden – new appointment  
Robert Hauser - reappointment

Revolving Loan Fund Committee (Two-year terms, to expire June 30, 2012)

Maria DaCosta – reappointment  
Paul Vanderheiden – new appointment to fill unexpired term to expire June 30, 2011  
Bill Ogden - reappointment

Special Assessment Deferment Committee (Three-year term, to expire June 30, 2013)  
Jay Heit – new appointment

Transit Commission (Three-year terms, to expire June 30, 2013)  
Paula Gorski – reappointment Tara Henzler – new appointment

Senior Center Board  
Joanne Horan – new appointment to fill unexpired term to expire December 31, 2010

Council President Kincaid indicated there was a request from the Senior Center to postpone consideration of the appointment to the Senior Center Board. By unanimous consent, the Council agreed to remove that appointment from the resolution. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Klinkhammer “to adopt the remainder of said resolution”. Said motion passed by unanimous vote.

### **USE OF CITY FACILITIES**

The City Council considered a resolution authorizing the Chippewa Valley Predators to conduct a fireworks display after the Predators Football game at Carson Park on Saturday, June 12, 2010 and to set the fireworks off from the Hobbs Softball Field at Carson Park. 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.

The Council considered a resolution authorizing Sam’s Club to conduct a Kickball Tournament at the Bollinger Fields on Sunday, June 13, 2010. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kemp “to postpone consideration of said resolution at the request of the applicant”. Said motion to postpone passed by unanimous consent.

The Council considered a resolution authorizing C & G Promotions, LLC to conduct the Impressions Bridal Fair at Hobbs Ice Center on Sunday, September 25, 2011 or Sunday, October 2, 2011. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

### **HOBBS ICE CENTER FEES**

The City Council considered a resolution approving the proposed fees and charges for the Hobbs Municipal Ice Center for the 2010-2011 season. 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.

### **GALLOWAY STREET RECONSTRUCTION PROJECT**

The Council considered a resolution authorizing a Relocation Order related to the acquisition of property located north of Galloway Street, for the purpose of the Bellevue Avenue reconstruction

project. 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.

### **PHOENIX PARKSIDE**

The Council considered a resolution amending the Development and Purchase Agreement with Phoenix Parkside, LLC. 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.

### **PARKING**

The Council considered a resolution approving a site plan in a P-Public District for a temporary parking lot for UW-EC located south of Zorn Arena as shown on Planning File #PZ-1005. 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 approving the terms of a lease agreement between U.S. Bank and the City of Eau Claire regarding the Farwell Street parking ramp. 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.

### **COUNTRY MEADOWS NORTH**

The City Council considered a resolution approving the final condo plat for Country Meadows North located on the east side of Jeffers Road, north of the North Crossing as shown on Planning File #P-3-10. 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.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with Arrowhead Properties LLC for utility improvements for the Condominium Plat of Country Meadows North. 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 indicating the location of required sidewalk construction within the Condominium Plat of Country Meadows North. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to defer construction of sidewalk abutting the condominium plat of Country Meadows North as it is not in the public interest at this time”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Olson, Pavelski, Von Haden. Nay: Council Member Kemp.

## **ZONING**

The City Council considered an ordinance amending the General Development Plan for R-3P zoned property west of Black Avenue and north of the North Crossing to allow the Phase 5 multi-family development as shown on Planning File #Z-1413-10 Amd. A valid protest petition had been filed against the rezoning, which required an affirmative vote by  $\frac{3}{4}$  of the Council Members present and voting in order for the ordinance to be adopted. A motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax motion to amend said ordinance by adding Condition #6 to read as follows:

‘Other than the street, sidewalk and utilities authorized in conditions (1), (2) and (5) above, no further development may proceed in the parcel north of the sanitary sewer easement without City Council approval of an amendment to this zoning ordinance and the General Development Plan’.

Said motion was accepted by the mover and seconder as a friendly amendment. The Council then voted on the ordinance as amended. Said motion passed by unanimous vote.

## **REPAIR OF LANDMARKED PROPERTY**

The Council had first reading on an ordinance amending Chapter 18.04, Residential Uses and Chapter 18.35, Conditional Uses, of the Zoning Code providing provisions for damaged landmarked properties that are nonconforming uses as shown on Planning File #Z-1471-10.

## **COUNTY GOVERNMENT CENTER EXPANSION**

The City Council had first reading on an ordinance rezoning property located between Second Avenue and First Avenue, north of Lake Street, east of the County Courthouse, from RM to P-Public; and to approve the site plan for the Eau Claire County Government Center addition as shown on Planning File #Z-1470-10. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Balow “to suspend the rules which interfere with the immediate consideration of said ordinance”. City Attorney Nick explained that the Council should not take action at this meeting because there were publicly noticed hearing dates before both the Plan Commission and City Council regarding this proposal. Said motion to suspend the rules was withdrawn by the mover and seconder.

## **ADJOURNMENT**

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

Adjournment: June 8, 2010

Time: 5:50 p.m.

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Kerry J. S. Kincaid, President

ATTEST:

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Donna A. Austad, City Clerk