

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, December 8, 2009

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

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, December 8, 2009. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Wachs "to adopt the consent resolution". Council Member Duax made a motion that "Item No. 6, Resolution granting a new Secondhand Jewelry Dealer license to Christopher Campbell, 2031 Gooder Street, be removed from the consent agenda and laid on the table until such time as additional information regarding the business could be presented to Council". Council Member Balow seconded the motion. Said motion passed by unanimous consent. The Council then voted on the motion to adopt the remainder of the consent agenda. Said motion passed by unanimous vote.

BUDGET ADJUSTMENTS

The City Council considered a resolution authorizing appropriation adjustments to the 2009 Program of Services for grants, donations, and service adjustments. 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.

ANIMAL CONTROL

The Council considered a resolution approving the renewal of the Municipal Animal Control Agreement with the Eau Claire County Humane Association, Inc. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Duax "to adopt said resolution". Said motion passed by unanimous vote.

REGIONAL BUSINESS FUND

The City Council considered a resolution approving a loan committee for the Regional Business Fund Micro Loan and Facade Loan programs. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution approving Design Guidelines for the Regional Business Fund Downtown Facade program. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution adopting downtown boundaries for the Regional Business Fund Facade Loan program. 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.

CABLE TV / PEG FEES

The City Council considered a resolution indicating support of Assembly Bill 606, Cable Consumer Repair Bill. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Kemp arrived in the Council Chamber.

LABOR AGREEMENTS

The City Council considered a resolution authorizing the City Manager to enter into a labor agreement with Police Command Local 39 for the period of July 1, 2009 through June 30, 2011. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the City Manager to enter into a labor agreement with the Clerical, Technical & Supervisory Employees Association (C.T.S.E.A.) bargaining unit for the period of July 1, 2009 through June 30, 2011. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

ZONING

The City Council considered an ordinance rezoning property at 807 S. Farwell Street from P-Public to CBDP and to adopt the General Development Plan for the Bolton Refuge House as shown on Planning File #Z-1457-09. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Pavelski “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property at 3408 Damon Street from R-1 to R-1P and to adopt the General Development Plan to allow the existing setbacks for the existing dwelling on the property as shown on Planning File #Z-1458-09. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said ordinance”. Said motion passed by unanimous vote.

COUNTY JUSTICE CENTER

The Council considered an ordinance adopting an amendment to the Eau Claire Comprehensive Plan, Community Facilities Chapter, Objective 8 – County Justice Center. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Wachs “to amend said ordinance as follows:

1. Amend the Preamble to the text of Objective 8 -- County Justice Center to read as follows:
Seek to locate ~~this~~ the facility where it will support the ~~eo-equal~~ mutual goals of compact urban development and neighborhood commercial or residential revitalization ~~with~~ while assuring that City and support services ~~being~~ are available consistent with the goal statement of this chapter and Objective (1) thereunder (pg. 9-2).
2. Amend Policy # 2 to read as follows:
Support Services: The location of the facility should be within or near areas where support services such as office, health care, or education resources ~~may eo-locate~~ exist or could locate nearby.
3. Amend Policy # 4 to read as follows:
Impacts: The facility ~~must~~ shall not adversely impact transportation routes and shall be located near a collector or arterial street. The location of the facility shall not adversely impact the City's fiscal capacity to provide cost-effective public services as provided in Objective 1 of this chapter (pg. 9-2 ff.).

Said motion to amend passed by unanimous vote. The Council then voted on the ordinance as amended. Said ordinance was adopted by unanimous vote.

ZONING

The City Council had first reading of ordinances rezoning the following properties:

- 917 Morningside Drive from C-2 to R-2 as shown on Planning File #Z-1459-10a.
- 1006 Essex Street, 2916 Seymour Road, and 2912 Seymour Road from C-2 to R-2 as shown on Planning File #Z-1459-10b.
- 3002 Seymour Road and 3006 Seymour Road from C-2 to R-2 as shown on Planning File #Z-1459-10c.
- 3110 Seymour Road, 1007 Malden Avenue, and 1009 Malden Avenue from C-2 to R-2 as shown on Planning File #Z-1459-10d.

WATER STREET COMMERCIAL DISTRICT

The Council had first reading of an ordinance amending the General Development Plan for CBDP zoned properties in the Water Street Commercial District as shown on Planning File #Z-1460-10.

PAY PLAN

The Council had first reading of an ordinance amending the City Pay Plan, specifically those parts thereof pertaining to CTSEA, Police Command and Non-Represented Employees.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Kemp “to suspend the rules that interfere with the immediate consideration of said ordinance”. Said motion to suspend the rules passed by unanimous vote. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said ordinance”. Said motion passed by unanimous vote.

LICENSE

A motion was offered by Council Member Duax and seconded by Council Member Wachs “to take off the table, Item No. 6, Resolution granting a Secondhand Jewelry Dealer license to Christopher Campbell, 2031 Gooder Street”. Said motion passed by unanimous consent. Associate Planner Tom Reiter answered Council’s questions regarding the business. Thereupon a motion was offered by Von Haden and seconded by Council Member Klinkhammer “adopt said resolution”. Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: December 8, 2009

Time: 5:22 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk