

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, June 9, 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, Brandon Buchanan, David Duax, Kerry Kincaid, David Klinkhammer, Jackie Pavelski, Bob Von Haden, Thomas Vue 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, June 9, 2009. Council Members requested that Procurement No. 2009-21, City Wide Street & Utility Reconstruction be removed from the Consent Agenda and voted upon separately. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Buchanan "to adopt the remainder of the consent resolution". Said motion passed by unanimous vote.

STREET WORK PROCUREMENT

The City Council considered a resolution approving Procurement No. 2009-21, City Wide Street & Utility Reconstruction. 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

COMMENDATIONS AND PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, proclaimed June 19, 2009 as Juneteenth Day in the City of Eau Claire.

LICENSES

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor and Fermented Malt Beverage license and a Class A Cabaret license to Terry S. Voss, d/b/a Red Parrot Nightclub & Lounge, 1700 S. Hastings Way. 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.

USE OF CITY FACILITIES

The Council considered a resolution authorizing Eau Claire Youth Hockey Association to sponsor the Minnesota Wild Road Tour at Phoenix Park Pavilion on Monday, June 22, 2009.

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.

GRANT APPLICATION

The Council considered a resolution authorizing the City Manager to submit an application for an Energy Efficiency and Conservation Block Grant. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

LYDEN AVENUE VACATION

The City Council considered a resolution vacating Lyden Avenue, from 461 feet east of Cardell Road to Campus Road. 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.

The Council considered a resolution releasing the utility easements within Lyden Avenue, from 461 feet east of Cardell Road to Campus Road. 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.

INTER-GOVERNMENTAL AGREEMENT – STATE OF WISCONSIN

The City Council considered a resolution approving a State/Municipal Agreement with the Wisconsin Department of Transportation for reconstruction of Stein Boulevard, from W. MacArthur Avenue to W. Clairemont Avenue. 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.

INTER-GOVERNMENTAL AGREEMENT – EAU CLAIRE COUNTY

The City Council considered a resolution authorizing extensions of the building lease agreements with Eau Claire County for the space occupied by the Police Department and the Emergency Communication Center in the County Courthouse. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

REZONING

The City Council considered an ordinance rezoning property at 3455 Halsey Street from TR-1 to R-1 as shown on Planning File #Z-1443-09. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden “to adopt said ordinance”. Said motion passed by unanimous vote.

OFFICIAL MAPPING

The Council considered an ordinance amending the Official Map by adding Lyden Avenue cul-de-sac centered 411 feet east of Cardell Road. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Duax “to adopt said ordinance”. Said motion passed by unanimous vote.

BOULEVARDS

The City Council considered an ordinance creating Section 8.28.102 of the City Code of Ordinances, entitled “Boulevard Planting, Care and Maintenance,” to allow property owners to enhance and improve the aesthetic appearance of the boulevard in front of their property. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Klinkhammer “to adopt said ordinance”. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Duax “to amend said ordinance by deleting the existing paragraph K and replacing it with the following wording:

‘In accordance with the City of Eau Claire’s Comprehensive Plan Chapter on Sustainability, and in the interest of public health and safety:

1. The city strongly encourages a “green” approach to the creation and maintenance of boulevards. This would include, but is not limited to: the use of natural herbicides and pesticides, conservation of water, biodegradable materials and runoff mitigation.
2. The city may remove or restrict any plantings or ground cover and restrict the use of herbicides and pesticides’.”

Said motion to amend passed by unanimous vote. Thereupon a motion was offered by Council Member Duax “to amend said ordinance by deleting the existing paragraph D.6. and replacing it with the following wording:

‘The property owner shall contact “Diggers Hotline” for utility location not less than seventy-two (72) hours before digging. No planting may occur unless the city has written confirmation of said contact. The property owner shall plan plantings so as not to interfere with the utilities’.” The mover and seconder accepted said motion as a friendly amendment. The Council then voted on the ordinance as amended. The amended ordinance was adopted by unanimous vote.

DEVELOPMENT PLAN AMENDMENT – PHOENIX PARKSIDE

The Council had first reading on an ordinance amending the General Development Plan for CBDP zoned property for the Phoenix Parkside property adding four dwelling units to the project as shown on Planning File #Z-1382-09 Amd.

REZONING – COURTHOUSE EXPANSION

The City Council had first reading on an ordinance rezoning property on the east side of Second Avenue, along both sides of Ann Street, from RM to P-Public and to approve the site plan for the County jail as shown on Planning File #Z-1444-09.

ADJOURNMENT

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

Adjournment: June 9, 2009

Time: 4:50 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk