

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, April 28, 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 and Andrew Werthmann. Absent: Council Members Brandon Buchanan and Thomas Kemp.

CONSENT AGENDA

The City Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, April 28, 2009. Council Members requested that Item No. 6, Resolution authorizing Royal Credit Union to sponsor the RCU Charity Classic at Phoenix Park on Saturday, June 27, 2009, and Item 10-A, Resolution approving the bid and proposal for Procurement No. 2009-01, Phoenix Park Restroom/Service Building Construction, be removed from the Consent Agenda and voted upon separately. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt the remainder of the consent resolution”. Said motion passed by unanimous vote.

COMMENDATIONS AND PROCLAMATIONS

President Kincaid, on behalf of the City Council, presented a plaque to Berlye Middleton for his service as District 5 Council Representative from 2001 to 2009.

President Kincaid, on behalf of the City Council, presented a plaque to David Adler for his service as District 1 Council Representative from 2001 to 2005 and as Council President from 2005 to 2009.

USE OF CITY FACILITIES

The City Council considered a resolution authorizing Royal Credit Union to sponsor the RCU Charity Classic at Phoenix Park on Saturday, June 27, 2009 from 5:30 a.m. to 12:00 p.m. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Council Member Duax offered an amendment to add the following paragraph at the end of the resolution to clarify the street closure issue: “Be It Further Resolved that Riverfront Terrace be closed on Saturday, June 27, 2009 as directed by the Police Department.” Said change was accepted by the mover and seconder as a friendly amendment. Said motion to adopt the resolution passed by unanimous vote.

BIDS AND PROPOSALS

The Council considered a resolution approving the bid and proposal for Procurement No. 2009-01, Phoenix Park Restroom/Service Building Construction. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt said resolution”. Said motion failed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Von Haden, and Vue. Nay: Council Members Balow, Duax, Pavelski and Werthmann.

LIQUOR LICENSES

The City Council considered a resolution granting an expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Galloway Grille, L.L.C., d/b/a Galloway Grille, 409 Galloway St., to include a 30’ x 30’ outdoor area. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Werthmann “to adopt said resolution”. Said motion passed by unanimous vote.

USE OF CITY FACILITIES

The Council considered a resolution authorizing Memorial High School Amnesty International to sponsor Jamnesty at the Phoenix Park Amphitheatre on Saturday, May 16, 2009 from 11:00 a.m. to 4:00 p.m. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Klinkhammer “to adopt said resolution”. Said motion passed by unanimous vote.

UTILITY BILLING SERVICES

The City Council considered a resolution awarding a contract to Opus21 for Procurement No. 2009-28, Utility Billing Services. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden “to adopt said resolution”. Said motion failed by the following vote: Aye: Council Members Kincaid, Klinkhammer and Vue. Nay: Council Members Balow, Duax, Pavelski, Von Haden, and Werthmann.

REDEVELOPMENT AREA AGREEMENT

The Council considered a resolution approving an amendment to the Development and Purchase Agreement with Phoenix Parkside, LLC regarding the North Barstow Redevelopment Area. 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.

REVOLVING LOAN FUND

The City Council considered a resolution certifying the Revolving Loan Fund Plan. 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.

COUNCIL VACANCY

The Council considered a resolution approving the process to fill the vacant at-large alderperson position. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Pavelski “to adopt said resolution”. Council Member Duax offered an amendment to add the phrase “for the balance of the un-expired term” at the end of the last paragraph in the resolution. Said change was accepted by the mover and seconder as a friendly amendment. Said motion to adopt the resolution passed by unanimous vote.

WATER RATES

The City Council considered an ordinance amending Chapter 14.20 of the Code of Ordinances of the City of Eau Claire entitled (Waterworks) “Rates and Billing”. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said ordinance”. Said motion passed by the following vote: Aye: Council Members Duax, Kincaid, Klinkhammer, Pavelski, Von Haden, Vue, and Werthmann. Nay: Council Member Balow.

EXTRATERRITORIAL PLAT REVIEW

The Council had first reading on an ordinance amending the Eau Claire Comprehensive Plan changing language pertaining to non-sewered development and commercial or industrial development within the extra-territorial plat review area.

ADJOURNMENT

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

Adjournment: April 28, 2009

Time: 5:35 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk