

## **MINUTES**

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

**Tuesday, April 14, 2009**

**City Council Chamber**

**4:00 p.m.**

#### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Council President Adler called the meeting to order. The following members were present: Council Members David Adler, Larry Balow, Brandon Buchanan, David Duax, Thomas Kemp, Kerry Kincaid, David Klinkhammer, Berlye Middleton, Jackie Pavelski, Bob Von Haden and Thomas Vue.

#### **CONSENT AGENDA**

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, April 14, 2009. Council Members requested the Item 10, Resolution authorizing the submittal of an application to the Wisconsin Department of Natural Resources for the Stewardship Grant Program for improvements to Rod and Gun Park and Item 21, Resolution approving Bids and Proposals, be removed from the consent agenda and voted upon separately. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Vue “to adopt the remainder of the consent resolution”. Said motion passed by unanimous vote.

#### **COMMENDATIONS AND PROCLAMATIONS**

Council President Adler, on behalf of the City Council, proclaimed April 24, 2009 as Arbor Day in the City of Eau Claire.

Council President Adler, on behalf of the City Council, proclaimed the week of April 6 – 12, 2009 as Public Health Week in the City of Eau Claire.

#### **GRANT APPLICATION**

The City Council considered a resolution authorizing the submittal of an application to the Wisconsin Department of Natural Resources for the Stewardship Grant Program for improvements to Rod and Gun Park. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

#### **BIDS AND PROPOSALS**

The City Council considered resolutions approving the following bids and proposals:

- Procurement No. 2009-13 - Half Moon Lake Herbicide Treatment.
- Procurement No. 2009-18 – GIS Mapping Software and Conversion.
- Procurement No. 2009-19 - Engineering Design Services, Jeffers Road Bridge Replacement.

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

### **LIQUOR LICENSE**

The City Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Concerned Auto Recyclers of Wisconsin, Inc., Deanna Hart, president, on May 1-2, 2009 at the Eau Claire County Expo Center, 5530 Fairview Dr., for the Upper Midwest Auto and Truck Recyclers Convention & Trade Show. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Klinkhammer "to adopt said resolution". Said motion passed by unanimous vote.

### **USE OF CITY FACILITIES**

The City Council considered a resolution authorizing Sigma Sigma Sigma-Gamma Lambda to sponsor a Rockin' for Robbie concert at Owen Park on Saturday, April 18, 2009 from 10:00 a.m. to 8:00 p.m. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

The Council considered a resolution authorizing UW-EC to sponsor Campus Kitchens Cook-Out at Carson Park - Oak Pavilion on Sunday, April 26, 2009 from 8:00 a.m. to 4:00 p.m. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Vue "to adopt said resolution". Said motion passed by unanimous vote.

### **2010 CENSUS**

The City Council considered a resolution supporting the efforts of the U.S. Census Bureau to obtain an accurate count for the 2010 Decennial Census. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kemp "to adopt said resolution". Said motion passed by unanimous vote.

### **BUDGET ADJUSTMENTS**

The Council considered a resolution authorizing the 2008 budget adjustments and carryovers and the 2009 quarterly budget adjustments. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow "to adopt said resolution". Said motion passed by unanimous vote.

### **UN-COLLECTIBLE ACCOUNTS**

The City Council considered a resolution authorizing the write-off of un-collectible accounts receivable and delinquent personal property taxes. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Klinkhammer "to adopt said resolution". Said motion passed by unanimous vote.

## **GRANTS**

The City Council considered a resolution accepting a \$6,600 Urban Forestry Grant from the Wisconsin Department of Natural Resources. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Buchanan left the Council Chamber.

The Council considered a resolution authorizing the Police Department to accept a \$2,000 Bicycle Safety Enforcement grant awarded by the Wisconsin Department of Transportation. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Buchanan returned to the Council Chamber.

The Council considered a resolution authorizing the Police Department to accept a \$2,000 Pedestrian Safety Enforcement Project Grant through the Wisconsin Department of Transportation, Bureau of Transportation Safety. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

## **SALE OF CITY PROPERTY**

The City Council considered a resolution authorizing the sale of the public address sound system in the Owen Park Band Shell to the Municipal Band for \$400. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

## **NEIGHBORHOOD PLAN**

The Council considered a resolution amending the Westside Neighborhood Plan for the Historic Randall Park Neighborhood. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Buchanan, Duax, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, and Vue. Nay: Council Member Balow.

## **LEASE**

The City Council considered a resolution approving a lease for the building at 2728 Davey Street to Badger Custom Windows. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

### **STREET VACATION & UTILITY EASEMENT**

The City Council considered a resolution vacating Fortune Drive, from Venture Drive to the east 1,420 feet. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution releasing the utility easements within Fortune Drive, from Venture Drive to the east 1,420 feet. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

### **STREET IMPROVEMENT PROJECT**

The City Council considered a final resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on Galloway Street, from the Union Pacific Railroad Tracks to N. Hastings Way West Frontage Road (09-102). Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Buchanan “to adopt said resolution, with Staff Alternate No. 1, which includes moving the street to the north of its present location, constructing sidewalk on the south side and the pedestrian / bicycle trail on the north side. Said construction is contingent upon the city obtaining the necessary property”. Said motion passed by unanimous vote.

### **FISCAL POLICY ADVISORY COMMITTEE**

The Council considered a resolution creating a Fiscal Policy Advisory Committee. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Buchanan, Duax, Kemp, Klinkhammer, Middleton, Pavelski, Von Haden, and Vue. Nay: Council Members Adler and Kincaid.

### **CANCELLATION OF CITY COUNCIL MEETING**

The City Council considered a resolution canceling the City Council meeting scheduled for Monday, May 25, 2009, due to the Memorial Day holiday. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Buchanan, Kemp, Kincaid, Klinkhammer, Pavelski, Von Haden, and Vue. Nay: Council Members Adler, Duax, and Middleton.

### **ZONING**

The Council considered an ordinance rezoning property located on the east side of E. Princeton Avenue, north of LaSalle Street, from R-1A to R-1 as shown on Planning File #Z-1442-09. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt said ordinance”. Said motion passed by unanimous vote.

## **COMPREHENSIVE PLAN UPDATES**

The Council considered an ordinance amending the Eau Claire Comprehensive Plan by adding the Sustainability Chapter. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Pavelski “to adopt said ordinance”. Said motion passed by unanimous vote.

The Council considered an ordinance amending the Eau Claire Comprehensive Plan changing the Land Use Map to allow consideration of commercial development along Water Street, west of Sixth Avenue. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Buchanan “to adopt said ordinance”. Said motion passed by unanimous vote.

## **WATER RATES**

The City Council had first reading on an ordinance amending Chapter 14.20 of the Code of Ordinances of the City of Eau Claire entitled (Waterworks) “Rates and Billing”.

## **ADJOURNMENT**

A motion was offered by Council Member Middleton and seconded by Council Member Von Haden “that this meeting does now adjourn.” Said motion passed by the following vote: Aye: Council Members Adler, Balow, Buchanan, Duax, Kemp, Kincaid, Klinkhammer, Pavelski, Von Haden, and Vue. Nay: Council Member Middleton.

Adjournment: April 14, 2009

Time: 6:27 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk