

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, January 13, 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, Jackie Pavelski, Bob Von Haden and Thomas Vue. Absent: Council Member Berlye Middleton.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, January 13, 2009. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Vue “to adopt the consent resolution”. Said motion passed by unanimous vote.

LIQUOR LICENSE

The City Council considered a resolution granting a Reserve Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to Masonic Board of Trustees, Ltd., d/b/a Historic Eau Claire Masonic Ballroom, 616 Graham Ave., Sterling Standiford, agent. 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.

Council Member Middleton arrived at the Council Chamber.

AGREEMENTS

The City Council considered a resolution authorizing the renewal of a shared use agreement between the City and the Eau Claire Indoor Sports Center. 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.

The Council considered a resolution approving an agreement between the Eau Claire National Little League and the City for athletic field maintenance services at DeLong Middle School. 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.

WATER STREET COMMERCIAL DISTRICT

The City Council considered a resolution adopting the update of the Water Street Commercial District Plan as part of the Comprehensive Plan. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Von Haden “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax to amend said resolution as follows:

- At the end of the second Whereas paragraph, after the words ‘City’s Comprehensive Plan’, insert the words ‘, except as provided hereafter’.
- In the Be It Further Resolved paragraph, amend the last two lines to read ‘Character Chapter, Objective 5 (Mixed and Multi-Use Development / Policy 1: Neighborhood Center Scale), except for the expanded area of the Water Street Commercial District Plan’.”

Said motion to amend was accepted as a friendly amendment. The Council then voted on the original motion to adopt the resolution. Said motion passed by unanimous vote.

ECONOMIC DEVELOPMENT

The City Council considered a resolution approving economic development incentive guidelines. 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.

The Council considered a resolution approving an economic development fund loan to Clearwater Development Corporation. 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.

ANNEXATION

The City Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 11th Assessment Ward, 1st Aldermanic District, that part of Lot 1, Eau Claire County Certified Survey Map Document Number 526280, Volume 2, Page 125, and that part of the SW ¼ - NW ¼ of Section 11-27-9, Town of Seymour, Eau Claire County, as shown on Planning Drawing No. 08-8A (Tweed petition, vacant land, east of Black Avenue, south of Tweed Drive). Thereupon a motion was offered by Council Member Duax and seconded by Council Member Balow “to adopt said ordinance”. Said motion passed by unanimous vote.

FLOODPLAIN UPDATE

The Council considered an ordinance updating the City’s Floodplain Overlay District in accordance with FEMA and DNR requirements as shown on Planning File #Z-1437-09. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Klinkhammer “to adopt said ordinance”. Said motion passed by unanimous vote.

COUNCIL MEMBER COMPENSATION

The City Council considered a Charter Ordinance relating to the compensation of City Council members and City Council president. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kemp “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kemp “to amend said ordinance as follows:

- In Section 1, delete the reference to Subsection B, thereby retaining the present salaries of \$3,000 for Council Members and \$3,600 for council president.
- Amend Subsection C to read as follows:
Each member of the city council shall receive a stipend of \$25 for each meeting of the city council or any other governmental body created by city ordinance or resolution to which the council member is appointed by act of the city council. No member shall receive more than the maximum stipend of \$25 per day.
- Subsections D is created to read as follows:
D. The City Clerk shall prepare meeting attendance report forms providing the following information: name of the governmental body, date, time and place of the meeting; list of Council members in attendance; a certificate signed by the chair of the governmental body attesting to the attendance of the Council Member(s); and a certificate signed by the city clerk or his or her designee assuring compliance with Subsection E.
- Subsections E is created to read as follows:
E. The completed committee attendance forms as provided in Subsection D shall be transmitted promptly by the committee chair after each meeting to the City Clerk who shall certify that said meeting was publicly noticed as required by Wis. Stat. 19.84, and shall thereafter transmit said form for payment.”

Said motion to amend failed on the following vote: Aye: Council Member Duax. Nay: Council Members Adler, Balow, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, and Vue. Abstain: Council Member Buchanan. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Kemp “to amend said ordinance as follows:

- In Subsection B delete the phrase ‘\$4,000 per year for each council member’ and replace it with ‘\$4,600 per year for each council member’ and delete the phrase ‘\$4,600 for the council president’ and replace it with \$5,200 for the council president.” and
- Delete the entire Subsection C (per diem).”

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Vue “to amend said amendment to have the council salaries remain at \$4,000 per year for each council member and \$4,600 for the council president”. Said motion to amend failed on the following vote: Aye: Council Members Balow, Buchanan, Duax and Vue. Nay: Council Members Adler, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, and Von Haden. The Council then voted on the original motion to amend the ordinance. Said motion passed by the following vote: Aye: Council Members Balow, Buchanan, Kemp, Kincaid, Klinkhammer, Middleton, Von Haden, and Vue. Nay: Council Members Adler, Duax and Pavelski. The Council then voted on the ordinance as amended. The Charter Ordinance did not receive the required two-thirds vote of the elected members, or eight affirmative votes, needed for passage and failed on the following vote: Aye: Council Members Balow, Buchanan, Kemp, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Members Adler, Duax, Klinkhammer and Pavelski.

REZONING

The City Council had first reading on an ordinance rezoning property located on the east side of Commerce Valley Road, south of Golf Road, from C-2 to R-3P with a General Development Plan for a 4-plex as shown on Planning File Z-1438-09.

STREET NAME CHANGE

The City Council had first reading on an ordinance designating State Highway 93, from Business Hwy. 53 (Hastings Way) to the south City Limits, as Gaylord Nelson Boulevard.

ADJOURNMENT

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

Adjournment: January 13, 2009

Time: 5:15 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk