

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, December 11, 2007

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, Brandon Buchanan, Hal Davis, David Duax, Raymond Hughes, Thomas Kemp, Kerry Kincaid, David Klinkhammer, 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, December 11, 2007. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Davis "to adopt the consent resolution". Said motion passed by unanimous vote.

LICENSE APPLICATION

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license to SAPNAS, Inc., d/b/a Days Inn, 2851 Hendrickson Dr., William Raebel, agent. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Buchanan "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Middleton arrived in the Council Chamber.

APPOINTMENTS

The Council considered a resolution approving the following appointments and reappointments to various Boards, Committees and Commissions:

Bicycle/Pedestrian Advisory Commission (three-year terms to expire December 31, 2010)

William Barry – reappointment

Gene Enders – reappointment

Brad Henderson – reappointment

Ann Hoffman - reappointment

Landmarks Commission (three-year terms to expire December 31, 2010)

Katrinka Bourne – new appointment

Ken Fulgione – reappointment

Suzanne Nelson - reappointment

Water Street BID Board (two-year terms to expire December 31, 2009)

Mickey Judkins – reappointment

Jeremy Kachmar – reappointment

Pat Lokken – reappointment

Waterways and Parks Commission (three-year term to expire December 31, 2010)

Jonathan Case – new appointment Steven Ludwig – reappointment
Rolf Uttegaard – reappointment

West Grand Avenue BID Board (two-year terms to expire December 31, 2009)

John Curtis – new appointment Marty Fisher-Blakeley – reappointment
Brad Linn - reappointment

Zoning Board of Appeals

Steven Ludwig – new appointment as First Alternate
Todd Pauls – moved from Second Alternate to Regular Member to fill three-year term to
expire December 31, 2010

Library Board

Michael Armstrong – new appointment as County Representative to fill an unexpired term
which ends June 30, 2009

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.

BUDGET ADJUSTMENTS

The City Council considered a resolution authorizing appropriation adjustments to the 2007
Program of Services for grants, donations, and service adjustments. Thereupon a motion was
offered by Council Member Kincaid and seconded by Council Member Hughes “to adopt said
resolution”. Said motion passed by unanimous vote.

CABLE RATES

The Council considered a resolution authorizing a cable rate increase by Charter Communi-
cations up to the maximum permitted amount of \$11.50. Thereupon a motion was offered by
Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”.
Said motion passed by the following vote: Aye: Council Members Adler, Davis, Hughes,
Kemp, Kincaid, Klinkhammer, Middleton, Von Haden, and Vue. Nay: Council Members
Buchanan and Duax.

REVENUE BONDS

The Council considered a resolution approving the issuance and sale of \$6 million of Industrial
Development Revenue Bonds on behalf of Alter Trading Corporation. Thereupon a motion was
offered by Council Member Von Haden and seconded by Council Member Kincaid “to adopt
said resolution”. Thereupon a motion was offered by Council Member Kincaid and seconded by
Council Member Buchanan “to amend said resolution to include the language from the signed
Memorandum of Understanding regarding job creation and maintenance. ‘Participant (Alter
Trading Corporation) agrees to create nine (9) jobs, eliminate no jobs, and maintain 42 jobs, for

51 total jobs at the Project site in the City of Eau Claire. The nine new positions will be paid at least \$12/hour and will average at least \$14/ hour.’” After lengthy discussion, a motion was offered by Council Member Duax “to call the question”. Said motion failed to receive the 2/3 majority required for passage and failed on the following vote: Aye: Council Members Davis, Duax, Klinkhammer, Middleton, Von Haden, and Vue. Nay: Council Members Buchanan, Hughes, Kemp, and Kincaid. Abstain: Council Member Adler. Discussion continued. The Council then voted on the motion to amend the resolution. Said motion failed on the following vote: Aye: Council Members Buchanan, Kemp and Kincaid. Nay: Council Members Davis, Duax, Hughes, Klinkhammer, Middleton, Von Haden, and Vue. Abstain: Council Member Adler. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Buchanan “to amend said resolution to include language regarding job creation and maintenance, indicating that the number of jobs at the Project site in the City of Eau Claire shall not fall to less than 42 during the life of the bonds”. Said motion failed by the following vote: Aye: Council Members Buchanan, Kemp and Kincaid. Nay: Council Members Davis, Duax, Hughes, Klinkhammer, Middleton, Von Haden, and Vue. Abstain: Council Member Adler. The Council then voted on the original motion to adopt the resolution. Said motion passed by the following vote: Aye: Council Members Davis, Duax, Hughes, Klinkhammer, Middleton, Von Haden, and Vue. Nay: Council Members Buchanan, Kemp and Kincaid. Abstain: Council Member Adler.

POLICE COMMAND LABOR AGREEMENTS

The Council considered a resolution authorizing the City Manager to execute a compilation of agreements between the City and Police Command Local 39. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Davis “to adopt said resolution”. Said motion passed by unanimous vote.

NORTH BARSTOW REDEVELOPMENT DISTRICT

The City Council considered a resolution authorizing closing on a Development and Purchase Agreement with Phoenix Parkside, LLC for property in the North Barstow Redevelopment District. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Buchanan, Davis, Duax, Hughes, Kemp, Kincaid, Klinkhammer, Von Haden, and Vue. Nay: Council Members Adler and Middleton.

Council Member Davis left the Council Chamber.

ZONING

The Council considered an ordinance rezoning property located at 1002 Ervin Road from TR-1A to R-1A as shown on Planning File #Z-1402-07. Thereupon a motion was offered by Council Member Buchanan and seconded by Council Member Kemp “to adopt said ordinance”. Said motion passed by unanimous vote.

PARKING

The Council considered an ordinance amending Table IX of the City Code of Ordinances entitled "Parking During Specified Hours - Parking Prohibited; Loading and Unloading Passengers Only; 7:30 a.m. to 4:00 p.m. During School Days," by adding Lake Street, south side, from S. Dewey Street to 150 feet west of S. Dewey Street. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid "to adopt said ordinance". Said motion passed by unanimous vote.

Council Member Davis returned to the Council Chamber.

ZONING

The City Council had first reading on an ordinance rezoning property at 3434 W. Folsom Street from R-1A to R-1 as shown on Planning File #Z-1403-07.

The Council had first reading on an ordinance amending the conditions of approval for a C-1A zoned property at 2215 E. Clairemont Avenue to change the screening requirement as shown on Planning File #Z-384-76 Amended.

PAY PLAN – POLICE COMMAND

The City Council had first reading on an ordinance amending the Pay Plan for the City of Eau Claire, specifically that part thereof pertaining to Police Command Local 39. Thereupon a motion was offered by Council Member Von Haden 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 Vue and seconded by Council Member Klinkhammer "to adopt said ordinance". Said motion passed by unanimous vote.

The Council had first reading on an ordinance amending the Pay Plan for the City of Eau Claire, specifically that part thereof pertaining to Recreation Division Part-time employees.

ADJOURNMENT

A motion was offered by Council Member Middleton and seconded by Council Member Davis "that this meeting does now adjourn." Said motion passed by unanimous vote.

Adjournment: December 11, 2007

Time: 6:36 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk