

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, September 25, 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, Berlye Middleton, 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, September 25, 2007. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton "to adopt the consent resolution". Said motion passed by unanimous vote.

LIQUOR LICENSE

The City Council considered a resolution granting a Temporary Class "B" Fermented Malt Beverage license and Temporary "Class B" Wine license to Eau Claire Sports Group Management, Inc., Blain Johnson, president, on October 12 & 13, 2007, at Eau Claire Indoor Sports Center, 3456 Craig Rd., for Women Rock 5. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan "to adopt said resolution". Said motion passed by unanimous vote.

GRANT

The Council considered a resolution authorizing the Police Department to accept a Paul Coverdell Forensic Science Improvement Grant awarded by the Office of Justice Programs of the Department of Justice. 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.

SAFE ROUTES TO SCHOOL

The City Council considered a resolution accepting a State/Municipal Project Agreement for a Safe Routes to School Program Grant from the Wisconsin Department of Transportation for various SRTS Upgrades and appropriating the funding as part of the 2007 Capital Improvement Program. 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.

The Council considered a resolution accepting a State/Municipal Project Agreement for a Safe Routes to School Program Grant from the Wisconsin Department of Transportation for Safety Patrol Vests and appropriating the funding as part of the 2007 Capital Improvement Program. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

PHOENIX PARKSIDE DEVELOPMENT

The City Council considered a resolution approving an amendment to the Development and Purchase Agreement dated April 30, 2007 with Phoenix Parkside, LLC regarding a grocery store credit. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by unanimous vote.

PROPERTY ACQUISITION

The City Council considered a resolution approving the purchase of 1903 and 1933 Oxford Avenue from Minnesota Wire and Cable. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving the re-purchase of 3.8 acres of vacant land in Sky Park Industrial Center. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Hughes “to adopt said resolution”. Said motion failed by the following vote: Aye: None. Nay: Council Members Buchanan, Davis, Duax, Hughes, Kemp, Kincaid, Klinkhammer, Middleton, Von Haden, and Vue. Abstain: Council Member Adler.

CONTRACT

The City Council considered a resolution approving the renewal of a contract with the Wisconsin Department of Commerce to provide local enforcement of Comm. 10 provisions concerning aboveground and underground petroleum tanks by the Fire Department. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

EMPLOYMENT AGREEMENTS

The City Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Firefighters Local 487. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Communication Workers of America – Local 4640 – Telecommunicators. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by unanimous vote.

ZONING

The City Council considered an ordinance rezoning property at the northwest corner of Menomonie Street and Tenth Avenue from R-3P and C-2P to R-3P for an addition to the Oxbow Apartments as shown on Planning File #Z-1395-07. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to adopt said ordinance”. Said motion passed by unanimous vote.

SUB-DIVISION CODE

The Council considered an ordinance amending Section 17.20.040 of the Subdivision Code adding provisions for review of plats and Certified Survey Maps within the City’s extraterritorial plat approval jurisdiction as shown on Planning File #Z-1396-07. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Duax “to adopt said ordinance”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer “to amend said ordinance as follows:

1. Delete clause 3 and 3a and revise clause 3 to read as follows:
 3. In accordance with the provisions of the Comprehensive Plan contained in section 2-16 (3) thereof, exceptions to the 10-acre density standard for rural homes may be allowed pursuant to execution of an intergovernmental agreement under Sec. 66.0301, Wis. Stats., between the City and the applicable town regarding cooperative application of the following extraterritorial subdivision standards:
2. Renumber sections b. through h. as a. through g.
3. Create a new subsection clause 4 to read as follows:
 4. The Plan Commission is authorized to grant exceptions under clause 3 as provided in each applicable intergovernmental agreement executed in accordance with clause 3.

Said motion to amend passed by unanimous vote. The Council then voted on the ordinance as amended. Said ordinance was adopted by unanimous vote.

PARKING

The City Council considered an ordinance amending Table VIII of the City Code of Ordinances entitled “Parking Prohibited,” by adding W. Frank Street, both sides, from 455 feet west of Deblene Lane to 525 feet west of Deblene Lane. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Hughes “to adopt said ordinance”. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Buchanan “to amend said ordinance to extend the no parking area on the north side of W. Frank Street by an additional 55 feet west of Deblene Lane”. Said motion failed on the following vote: Aye: Council Members Buchanan, Davis, Duax, Kemp and Kincaid. Nay: Council Members Adler, Hughes, Klinkhammer, Middleton, Von Haden and Vue. The Council then voted on the original motion to adopt the ordinance. Said ordinance was adopted by unanimous vote.

ZONING

The Council had first reading on ordinances rezoning the following properties:

- 3720 Glen Crest Court from TR-1 to R-1 as shown on Planning File #Z-1397-07.
- 3128 W. Folsom Street from TR-1A to R-1 as shown on Planning File #Z-1398-07.
- 3115 Oak Knoll Drive from I-1 and R-3P to C-3P and to adopt the General Development Plan (with a conditional use permit) for a recreational vehicle sales lot as shown on Planning File #Z-1399-07.
- northwest corner of Hwy. 53 and Black Avenue, south of Providence Court, from TR-1A and R-3P to R-3P and to adopt the General Development Plan for Princeton Crossing Condominiums as shown on Planning File #Z-1400-07.

OFFICIAL MAPPING

The City Council had first reading on an ordinance amending the Official Map by adding Hendrickson Drive Service Road, from 151 feet east of Craig Road to W. MacArthur Avenue.

PAY PLAN

The Council had first reading on an ordinance amending the pay plan for the City, specifically those areas pertaining to Firefighters Local 487 and Communication Workers of America – Local 4640 - Telecommunicators. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Kemp “to suspend the rules the 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 Klinkhammer and seconded by Council Member Middleton “to adopt said ordinance”. Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: September 25, 2007

Time: 5:42 p.m.

David J. Adler, President

ATTEST:

Donna A. Austad, City Clerk