

## **MINUTES**

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

**Tuesday, February 14, 2006**

**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, Toby Biegel, Hal Davis, David Duax, Raymond Hughes, Kerry Kincaid, Berlye Middleton, Terri Stanley, 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, February 14, 2006. Members requested that Item Number 13, Approval of Bids, be removed from the consent agenda and voted upon separately. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt the remainder of the consent resolution". Said motion passed by unanimous vote.

#### **BIDS AND PROPOSALS**

The Council considered a resolution approving the following bids and proposals:

- Procurement No. 2005-53, Furnish Hydraulic Rescue Tool System.
- Procurement No. 2006-04, Furnish Two Fire Department Command Vehicles.
- Procurement No. 2006-05, Furnish Bituminous Patching Material.
- Procurement No. 2006-09, Furnish Collapse Rescue Equipment.

Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid "to adopt the resolutions". Said motion passed by unanimous vote.

#### **APPOINTMENT TO THE CITY COUNCIL**

The Council considered making an appointment to the vacant District Two City Council seat. Ballots with the names of the persons who had applied were distributed. Council Members voted, the ballots were collected, and the votes were read aloud. Council Members Adler, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue voted for Terry Sheridan. Council Member Biegel voted for Allan Hofland. Council Member Stanley voted for James Marchese. Terry Sheridan, having received eight votes, was appointed as the District Two City Council Member.

#### **SAWDUST CITY DAYS**

The City Council considered a resolution approving the lease of Carson Park to the Eau Claire Press Company for Sawdust City Days. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax "to adopt said resolution". Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Duax "that the following chart showing the ending time for concession sales and the park closing times, be included as an attachment to the agreement:"

Day of the Event	Concession Sales End by	Park is Closed by
Thursday, June 15	12:30 a.m.	1:00 a.m.
Friday, June 16	1:30 a.m.	2:00 a.m.
Saturday, June 17	1:30 a.m.	2:00 a.m.
Sunday, June 18	12:30 a.m.	1:00 a.m.

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

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Eau Claire City/County Tavern League, Bonnie Harper, president, for June 15-18, 2006 at Carson Park for Sawdust City Days. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Von Haden "to adopt said resolution, with the provision that the times for beverage sales match the times indicated in the park lease (previous item)". Thereupon a motion was offered by Council Member Duax and Seconded by Council Member Stanley "to postpone consideration of said resolution". Said motion to postpone failed by the following vote: Aye: Council Members Davis, Duax and Stanley. Nay: Council Members Adler, Biegel, Hughes, Kincaid, Middleton, Von Haden, and Vue. The Council then voted on the original motion to adopt the resolution. Said motion passed on the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Stanley.

#### **FEES & CHARGES - FAIRFAX SWIMMING POOL**

The City Council considered a resolution approving the fees for the Fairfax Park Municipal Swimming Pool for 2006. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Davis "to adopt said resolution". Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Kincaid "to amend the proposed fee schedule to allow residents of Eau Claire County, who do not live within the Eau Claire city limits, to purchase season passes at the same cost as city residents". Said motion failed on the following vote: Aye: Council Members Hughes, Kincaid, Middleton, and Vue. Nay: Council Members Adler, Biegel, Davis, Duax, Stanley, and Von Haden. The Council then voted on the original motion to adopt the resolution. Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Middleton, Stanley, Von Haden, and Vue. Nay: Council Member Kincaid.

#### **FEES & CHARGES - HOBBS ICE CENTER**

The Council considered a resolution approving the fees and charges for the Hobbs Municipal Ice Center for the 2006 - 2007 season. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Biegel left the Council Chamber.

## **CHIPPEWA RIVER TRAIL**

The City Council considered a resolution endorsing the submittal of a Transportation Enhancement Fund application by Pepin County for the paving of a portion of the Chippewa River Trail. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Kincaid “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Biegel returned to the Council Chamber.

## **AGREEMENTS**

The City Council considered a resolution approving a relocation agreement with Xcel Energy to raise and relocate an electrical transmission pole and wires, south of Madison Street, within Phoenix Park. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Hughes “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Stanley.

The Council considered a resolution approving a State/Municipal Agreement for the installation of a traffic signal at the intersection of Old Wells Road and the North Crossing (STH 312). Thereupon a motion was offered by Council Member Stanley and seconded by Council Member Biegel “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an agreement with the Menomonie Fire Department to designate them as a Chemical Assessment Team (CAT) as part of the regional hazardous materials response team. Thereupon a motion was offered by Council Member Davis and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an agreement with the Rice Lake Fire Department to continue their designation as a Chemical Assessment Team (CAT) as part of the regional hazardous materials response team. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an agreement with Chippewa Valley Technical College (CVTC) for continuing education services to Fire Department paramedics. Thereupon a motion was offered by Council Member Kincaid and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by unanimous vote.

## **FIRE STATION DESIGN SERVICES**

The City Council considered a resolution authorizing procurement of design services for a new fire station at STH 312 (North Crossing) and Mercury Avenue. Thereupon a motion was offered by Council Member Hughes and seconded by Council Member Stanley “to adopt said resolution”. Said motion passed by unanimous vote.

## **FINAL PLAT**

The Council considered a resolution approving the final plat of Elk Ridge sub-division located at the northeast corner of 30<sup>th</sup> Avenue and 30<sup>th</sup> Street in the Town of Wheaton as shown on Planning File #P-19-05. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Davis “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Adler, Biegel, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Member Stanley.

## **RELEASE OF ESCROW FUNDS**

The City Council considered a resolution authorizing the release of escrow funds as required by the securing agreement with John Mogensen for the Boyd School Condominium Project. 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 Biegel and seconded by Council Duax “to postpone action on said resolution until the second Council meeting in March”. Said motion to postpone failed on the following vote: Aye: Council Members Biegel, Duax and Stanley. Nay: Council Members Adler, Davis, Hughes, Kincaid, Middleton, Von Haden, and Vue. Thereupon a motion was offered by Council Member Biegel and seconded by Council Member Stanley “to hold the escrow funds until such time as occupancy permits have been issued for all units in the building”. Said motion failed on the following vote: Aye: Council Members Biegel and Stanley. Nay: Council Members Adler, Davis, Duax, Hughes, Kincaid, Middleton, Von Haden, and Vue. The Council then voted on the original motion to adopt the resolution authorizing release of the escrow funds. Said motion passed on the following vote: Aye: Council Members Adler, Davis, Hughes, Kincaid, Middleton, Von Haden, and Vue. Nay: Council Members Biegel, Duax and Stanley.

## **MEMORANDUM OF UNDERSTANDING**

The Council considered a resolution approving a Memorandum of Understanding with the Town of Washington regarding Intergovernmental Cooperation. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by unanimous vote.

## **PAY PLAN**

The City Council considered an ordinance amending the City Pay Plan pertaining to part-time Parks and Recreation employees. 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.

The Council considered an ordinance amending the City Pay Plan pertaining to temporary employees. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Hughes “to adopt said ordinance”. Said motion passed by unanimous vote.

**PARKING FINES**

The City Council had first reading on an ordinance amending the City Code of Ordinances by approving a \$5 increase to parking fines that are currently under \$20.

**ADJOURNMENT**

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

Adjournment: February 14, 2006

Time: 7:27 p.m.

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David J. Adler, President

ATTEST:

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Donna A. Austad, City Clerk