

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, September 10, 2013

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members David Duax, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Bob Von Haden, Andrew Werthmann, and Michael Xiong. Absent: Council Member Catherine Emmanuelle.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, September 10, 2013. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Von Haden “to adopt the consent resolution”. Said motion passed by unanimous vote.

SPECIAL EVENTS

The City Council considered a resolution authorizing Chippewa Valley Theatre Guild to conduct the Play it Forward Chippewa Valley 5K Walk on Saturday, September 21, 2013 in downtown Eau Claire and along city trails and sidewalks. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt said resolution”. Said motion passed by unanimous vote.

The City Council considered a resolution authorizing Sovereign Grace Church to conduct the Ethiopian Cultural Festival on Sunday, September 29, 2013 at Phoenix Park. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing Golden Key International Honor Society to conduct the Color ‘em Blugold Run/Walk on Friday, October 11, 2013 along city trails and sidewalks. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Strobel “to adopt said resolution”. Said motion passed by unanimous vote.

OXBOW MUSIC AND ARTS FESTIVAL

The City Council considered a resolution authorizing Two Rivers Entertainment to conduct the Oxbow Music and Arts Festival on September 19 & 20, 2014 at Carson Park. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Lewis “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution granting a temporary expansion of the Class B Fermented Malt Beverage licensed premise of Gary D. Martin, d/b/a Concession Plaza Carson Park, Gelein & Hobb's Softball Fields and the Football Field at Carson Park, to include a proposed area surrounding the Pine Pavilion, on September 19 & 20, 2014. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by unanimous vote.

PICKLEBALL COURTS

The City Council considered a resolution authorizing the conversion of two tennis courts at McDonough Park into six pickleball courts and accepting a donation from the Community Parks Association. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Klinkhammer "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Duax left the Council Chamber.

EXCESS LAND – VINE COURT

The City Council considered a resolution declaring vacant land near Vine Court to be excess land and authorizing the sale of said land to the abutting property owner. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Strobel "to adopt said resolution". Said motion passed by unanimous vote.

Council Member Duax returned to the Council Chamber.

COLLECTIVE BARGAINING AGREEMENT

The City Council considered a resolution authorizing the City Manager to execute a collective bargaining agreement between the City and Transit Local 1310. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Lewis "to adopt said resolution". Said motion passed by unanimous vote.

ANNEXATION

The Council considered an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City and particularly to the 15th Assessment Ward, 2nd Aldermanic District, that part of the west half (W $\frac{1}{2}$) of Lot 26 and the west half of the north half (W $\frac{1}{2}$ -N $\frac{1}{2}$) of Lot 27 First Assessor's Plat to the Town of Washington and part of State Street, all located in the NW $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 32-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 13-5A (St. Mark's petition, 3333 State Street). Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann "to adopt said ordinance". Said motion passed by unanimous vote.

**DEPARTMENTAL REORGANIZATION -
DEPARTMENT OF COMMUNITY MAINTENANCE SERVICES**

The City Council considered three ordinances dealing with departmental re-organization and the creation of the Department of Community Maintenance Services:

- 1) Repealing Chapters 2.32 (Parks and Recreation Department) and 2.40 (Department of Public Works) and recreating Chapter 2.40 entitled “Department of Community Maintenance Services.”
- 2) Amending the City Pay Plan, specifically those parts thereof pertaining to Managerial and Division Heads.
- 3) Charter Ordinance amending s. 2.04.040 of the City Code of Ordinances entitled “City Departments”.

Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to consider the Charter Ordinance before the other two ordinances”. Said motion passed on a unanimous voice vote. The Council discussed the Charter Ordinance. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt the Charter Ordinance”. Said ordinance failed on the following tie vote: Aye: Council Members Kincaid, Klinkhammer, Larsen, Mitchell and Xiong. Nay: Council Members Duax, Lewis, Strobel, Von Haden, and Werthmann. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to postpone consideration of the two remaining ordinances as the City Manager schedules and Council holds a work session on this matter”. Said motion to postpone passed by the following voice vote: Aye: Council Members Duax, Klinkhammer, Lewis, Mitchell, Strobel, Von Haden, Werthmann and Xiong. Nay: Council Members Kincaid and Larsen.

ZONING

The City Council had first reading on an ordinance rezoning property at 2225 Sherwin Avenue from C-2 to R-1 as shown on Planning File #Z-1532-13.

CODE AMENDMENT - DOGS

The City Council had first reading on an ordinance amending Section 6.08.045 and specifically subsection D of the Code of Ordinances of the City of Eau Claire entitled “Dangerous Dogs”.

PAY PLAN AMENDMENT

The Council had first reading on an ordinance to amend the pay plan for the City of Eau Claire, specifically those parts thereof pertaining to Transit Local 1310 employees. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to suspend the rules which interfere with the immediate consideration of said ordinance”. Said motion to suspend the rules passed by unanimous voice vote. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Mitchell “to adopt said ordinance”. Said motion passed by unanimous vote.

ADJOURNMENT

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

Adjournment: September 10, 2013

Time: 5:55 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk