

REGULAR MEETING OF COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, July 6, 2010 at 6:30 PM in the City Hall Council Chambers. Mayor Gregory Hoffman presiding. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: Michael Dahlby, Brian Flynn, CW King, Chuck Hull, Jane Lardahl, Bill Hicks and Susan Zukowski.

City Staff present: Police Chief Wendy Stelter, Public Works Director/City Engineer Rick Rubenzer, City Planner Jayson Smith and Parks & Recreation Director Bill Faherty.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(a) Motion by Flynn/Lardahl, all present voting aye, to approve the minutes of the regular council meeting of June 15. **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

(a) Tom Larson, owner of Bear Valley Electric, introduced himself to the Council and stated he is running for the 67th Assembly District. He is concerned about jobs, taxes and government spending and is doing this for the future of his kids and grandkids.

(b) Sheryl Shipman, 163rd Street, Chippewa Falls, spoke about concerns regarding the sand plant. She is worried about air pollution, water pollution and increased costs associated with road and bridge repairs due to heavy truck traffic. She would like to see "protectionisms" put in place before the plant begins operation.

PUBLIC HEARINGS

(a) Mayor Hoffman opened a public hearing at 6:37 PM regarding a Taxicab Business License for Duane B. Swan, 502 Woodward Avenue. Elizabeth Laciura, Runway Avenue, Eau Claire, indicated she drove taxi for Mr. Swan but that she was not paid. LeRoy Johnson, Olive Street, Chippewa Falls, indicated he gave Mr. Swan a chance to run his taxi cab business but that he did not do a very good job. No one else appeared for or against and the hearing was closed at 6:39 PM.

(b) Mayor Hoffman opened a public hearing at 6:40 PM regarding the Beer Garden Application of Margo's Sunbeam Tavern, 1310 E. Park Avenue. Owners Chad and Margo Harshman explained to the Council their plans and asked that their application be approved. Scott Loebertman, Hwy J, Chippewa Falls, lives next door to the Tavern and indicated he has no issues with the beer garden however he would appreciate a fence. No one else appeared for or against and the hearing was closed at 6:55 PM.

COMMUNICATIONS

None

REPORTS

(a) Motion by Flynn/Zukowski to approve the minutes of the Board of Public Works meeting of June 21 with an amendment to Item #7 changing WisDOT to WisDNR. City Planner Jayson Smith explained Item #7 regarding the bike trail and that design would be in 2011 with construction in 2012. Cost estimates at this point are approximately \$350,000 with a local 20% match of \$70,000. The Council also discussed potential maintenance costs. This item will be looked at further by Committee #1. Public Works Director Rick Rubenzer estimated the costs under Item #6 regarding improvements

REPORTS(cont.)

on Tropicana Boulevard to be around \$2700 if the Town of Wheaton buys the base course. Wheaton Town Chairman Paul Krumenauer spoke regarding estimated costs of the project. The Council discussed Item #5 and what the purpose was for widening the easement. Alderman Dahlby mentioned concerns about long term use as it is not defined in the easement. Doug Mancl was present and explained his request to amend the easement was for recreational purposes and that no gravel operation was planned. At this time, there was a **motion by Dahlby/King** to send Item #5 back to the Board of Public Works for further structuring and definition (relating to easement uses and whether or not the easement should be moved or widened). **That motion passed after the following vote: Aye – Dahlby, King, Hull, Lardahl, Hicks; Nay – Flynn, Zukowski.** The Council then voted on the first motion to approve the minutes with the amendment as stated above. **That motion was approved by a unanimous roll call vote.**

APPLICATIONS

(a) Motion by Zukowski/Flynn, all present voting aye, to approve the Operator (Bartender) Licenses as recommended for approval by the Police Department. **Motion carried.**

Alexis Rutsch, 44th Avenue, Chippewa Falls, asked the Council to approve her Operator/Bartender License Application recommended for denial by the Police Department. **Motion by Flynn/Zukowski, all present voting aye,** to deny the Operator/Bartender License Application of Alexis Rutsch as recommended for denial by the Police Department. **Motion carried.**

(b) Motion by Hicks/King, all present voting aye, to approve the Class B Beer License Application of Pearl Street Café, LLC., Amy Farnham, Agent, 1014 Pearl Street contingent upon final inspections. **Motion carried.**

(c) Motion by Flynn/Zukowski, all present voting aye, to approve the Temporary Class B Retailer's License Application of St. Charles Borromeo Parish Celebration of Summer Picnic on August 1. **Motion carried.**

(d) Motion by Zukowski/Dahlby, all present voting aye, to approve the Class E Dance License Application by St. Charles Borromeo Parish Celebration of Summer Picnic on August 1. **Motion carried.**

Motion by Flynn/Zukowski, all present voting aye, to consider Items (e), (f) and (g) at the same time. **Motion carried.**

Motion by Flynn/Zukowski, all present voting aye, to approve Items (e), (f) and (g) listed below. **Motion carried.**

(e) Temporary Class B Retailer's License for Chippewa Foundation, Inc., Oktoberfest on September 17—19.

(f) Class E Dance License Applications by Chippewa Foundation, Inc. Oktoberfest on September 17, 18 & 19.

(g) Street Use Permit Application for Chippewa Foundation, Inc., for Oktoberfest Golden Keg Procession on September 17.

(h) Motion by Zukowski/Flynn, all present voting aye, to approve the renewal of the Massage Therapy Technician License Application of Rachel J. Funk-Johnson, The Garage Salon, 45 E. Elm Street. **Motion carried.**

(i) Motion by Flynn/Dahlby, all present voting aye, to approve the Sidewalk Use Permit Application of Foreign 5 & Lucy's Deli, 117 & 123 N. Bridge Street from July 7—October 15. **Motion carried.**

(j) Motion by Zukowski/Flynn, all present voting aye, to approve the Class A Beer License Application of Walgreens #07966, Steven Naumann, Agent, 849 Woodward Avenue. **Motion carried.**

(k) Motion by Zukowski/Flynn, all present voting aye, to deny the Taxicab License Application of Duane B. Swan, 502 Woodward Avenue. **Motion carried.**

APPLICATIONS(cont.)

(l) Motion by Flynn/Zukowski, all present voting aye, to approve the Beer Garden Application by Margo's Sunbeam Tavern, 1310 W. Park Avenue. **Motion carried.**

(m) Motion by Zukowski/Flynn, all present voting aye, to approve the Change of Agent Application for Glen Loch LLC, 1300 Jefferson Avenue to Josh Felmlee. **Motion carried.**

PETITIONS

None

MAYOR ANNOUNCES APPOINTMENTS

None

MAYOR'S REPORT

None

COUNCIL COMMITTEE REPORTS

(a) Motion by Flynn/Zukowski, all present voting aye, to approve the minutes of the Committee No. 2, Labor Negotiations, Personnel, Policy & Administration meeting of June 16 at 8:00 AM.

Motion carried.

(b) Motion by Zukowski/Flynn, all present voting aye, to approve the minutes of the Committee No. 2, Labor Negotiations, Personnel, Policy & Administration meeting of June 16 at 1:00 PM.

Motion carried.

(c) Motion by Flynn/Zukowski to approve the minutes of the Committee No. 3, Transportation, Construction, Public Safety & Traffic meeting of July 1. The Council discussed Item #4 regarding the Safe Routes to School Grant program. Alderman King discussed the reasons why he voted against the Committee's recommendation to form a task force to pursue this grant. He was concerned the school did not have an interest in pursuing the grant or forming a task force. Other concerns discussed included if there was an obligation for the City to provide any type of funding if awarded the grant and what potential obligations there would be to carry out any plan recommendations. There was a **motion by King/Zukowski** to remove this Item (#4) from the Committee #3 minutes. **After the following roll call vote, that motion failed: Aye – King, Zukowski, Lardahl; Nay – Dahlby, Flynn, Hull, Hicks.** The Council then voted on the first motion to approve the minutes which passed after the following roll call vote: **Aye – Flynn, Dahlby, Hull, Hicks; Nay – King, Lardahl, Zukowski.**

REPORT OF OFFICERS None

ORDINANCES

(a) The First Reading of Ordinance 2010-19 Entitled: An Ordinance Amending the Zoning Code of the City of Chippewa Falls was held.

RESOLUTIONS

(a) Motion by Zukowski/Flynn to approve **Resolution No. 2010-11 Entitled:** Resolution Plat of Willow Creek Townhomes. **After a roll call vote, said motion passed unanimously.**

(b) Motion by Flynn/Hull to approve **Resolution No. 2010-12 Entitled:** Compliance Maintenance Resolution. **After a roll call vote, said motion passed unanimously.**

(c) Motion by King/Zukowski to approve **Resolution No. 2010-13 Entitled:** Resolution Approving Memorandum of Agreement Between the City of Chippewa Falls and the Town of Wheaton Regarding the Street Improvement Project on Tropicana Boulevard From Mansfield Street To County "N" (Elm Street Extended). **After a roll call vote, said motion passed unanimously.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) Motion by King/Zukowski to approve the Memorandum of Agreement between the City of Chippewa Falls and the Town of Wheaton for the Street Improvement Project on Tropicana Boulevard between Mansfield Street & County "N". **After a roll call vote, said motion passed unanimously.**

(b) Motion by Zukowski/Dahlby to deny the request of Police Chief Stelter for a waiver of the residency requirement for Department Heads. **Said motion passed after the following roll call vote: Aye – Zukowski, Dahlby, Hull, Lardahl; Nay – Flynn, King, Hicks.** Chief Stelter was requesting a waiver of the residency policy that requires Department Heads to live within the City limits. Chief Stelter was considering property located approximately two miles outside the City limits.

CLAIMS

(a) The Claims Committee met at 6:00 PM before the regular meeting to review the claims submitted by the various departments of the City for payment. **Motion by Zukowski/King** to approve the payment of the claims listed below. **After a roll call vote, said motion passed unanimously.**

Total City General and
Authorized/Handwritten Claims: \$92,007.42

CLOSED SESSION

None

ADJOURNMENT

Motion by King/Zukowski, all present voting aye, to adjourn at 8:11 PM. **Motion carried.**

Minutes submitted by,
Lynne Bauer, City Clerk