

REGULAR MEETING OF COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, September 21, 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, George Adrian.

City Staff present: Police Chief Wendy Stelter, Fire Chief Tom Larson, City Planner Jayson Smith, Assistant City Engineer Robbie Krejci, City Inspector Paul Lasiewicz.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(a) Motion by Flynn/King, all present voting aye, to approve the minutes of the special council meeting of September 7. **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

None

PUBLIC HEARINGS

(a) Mayor Hoffman opened a public hearing at 6:32 PM regarding a Special Use Permit for a Beer Garden at Tip Top Tavern, 310 Allen Street. (See Ord. 2010-20) **Raphael and Anita Ballweg**, owners of Tip Top Tavern, whose son operates the bar, spoke in favor of the special use permit. They indicate they run a good bar where people can socialize and watch Packer games. **Duane Geissler**, Allen Street, spoke against the special use permit because he owns a house by the bar. He also indicated he would not be renting parking space to the bar because his tenants need that area for their vehicles. **Steve Vasel**, Allen Street, believes the smoking ban puts Tip Top at a disadvantage and that they will lose business to the other bars that have received beer garden permits. **Patrice Anderson**, Culver Street, is a bartender at Tip Top and spoke for the permit stating would be easier for the bartenders to monitor patrons in one area instead of at various spots outside the building. **Michael Ballweg**, Co Hwy S, spoke for the special use permit and indicated the tax base as well as the license and permit fees he pays should be taken into consideration. **Melissa Leverenz**, Rural Street, spoke against the proposed permit because she is concerned about the language and activities that go on outside the bar. **Deb Jurek**, Rural Street, spoke against the permit and was concerned with the activities in front of the bar and where people will smoke and drink. **Michael Ballweg** indicated patrons can smoke anywhere right now but if granted the special use permit they will probably go in the back beer garden area. **No one else appeared for or against and the hearing was closed at 6:46 PM.**

COMMUNICATIONS

None

REPORTS

(a) Motion by Flynn/King to approve the minutes of the Plan Commission meeting of September 13. **After a roll call vote, said motion passed unanimously.**

APPLICATIONS

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

ORDINANCES

Motion by Hicks/Dahlby to move up Item (a) under "Ordinances" at this time. After a roll call vote, said motion passed unanimously.

(a) Motion by Flynn/King to approve Ordinance 2010-20 Entitled: An Ordinance Granting a Special Use Permit to Attach a 15' x 24' Beer Garden to the Existing Tip Top Tavern Location at #310 Allen Street (Parcel #255). Said motion passed after the following roll call vote: Aye – Flynn, King, Dahlby, Hull, Adrian; Nay – Lardahl, Hicks.

APPLICATIONS(cont.)

(b) Motion by Flynn/Adrian to approve the Beer Garden Application of the Tip Top Tavern, 310 Allen Street. Said motion passed after the following roll call vote: Aye – Flynn, Adrian, Dahlby, King, Hull; Nay – Lardahl, Hicks.

PETITIONS None

MAYOR ANNOUNCES APPOINTMENTS None

MAYOR'S REPORT None

COUNCIL COMMITTEE REPORTS

(a) Motion by Lardahl/Hicks to approve the minutes of the Committee No. 1, Revenues, Disbursements, Water & Wastewater meeting of September 8. Said motion passed after the following roll call vote: Aye – Lardahl, Hicks, Dahlby, Flynn, Hull, Adrian; Nay – King.

(b) Motion by Lardahl/Hull, all present voting aye, to approve the minutes of the Committee No. 1, Revenues, Disbursements, Water & Wastewater meeting of September 16. Motion carried.

(c) Motion by Lardahl/Dahlby to approve the minutes of the Committee No. 4, Recycling, Computerization, Building, Intergovernmental Services meeting of September 15. After further discussion there was a motion to amend the minutes and correct an error in the minutes changing the amount noted in the minutes for the Bartingale bid from \$275,500 to the correct bid amount of \$297,500. Said motion passed after the following roll call vote: Aye – Dahlby, Lardahl, King, Hull, Hicks, Adrian; Abstain – Flynn. The original motion to approve the minutes (with the correction) was then voted on and passed after the following roll call vote: Aye – Lardahl, Dahlby, King, Hull, Hicks, Adrian; Abstain – Flynn.

(d) The minutes of the Park Board Meeting of September 14 were presented.

(e) The minutes of the Library Board Meeting of August 16 were presented.

REPORT OF OFFICERS None

ORDINANCES

(a) Item (a) was addressed earlier in the meeting.

(b) The first reading of Ordinance 2010-21 Entitled: An Ordinance Revising And/Or Deleting Code Sections Which Are No Longer Needed Due To The Recently Created Fee Schedule Code Section, § 25.15 of the Chippewa Falls Municipal Code was held.

RESOLUTIONS

(a) Motion by Flynn/King to approve Resolution 2010-18 Entitled: City of Chippewa Falls Approving a Public Participation Plan for the City of Chippewa Falls Comprehensive Plan. After a roll call vote, said motion passed unanimously.

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

None

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 Flynn/Dahlby** 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:	\$436,850.47
Public Utilities Claims	\$131,248.79

CLOSED SESSION

Motion by Dahlby/Flynn to go into closed session under 19.85(1)(e) for “deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session” to consider approaching the State of Wisconsin to purchase some or all of the remaining acreage of State property lying approximately between CTH J and Business 29 and on the east and west side of STH 178; to include City Planner Jayson Smith, City Attorney Bob Ferg, Clerk/Treasurer Lynne Bauer, all members of the Council and Mayor Hoffman; and may return to open session.

This matter was discussed.

Motion by King/Flynn, all present voting aye, to go back into open session. **Motion carried.**

ADJOURNMENT

Motion by King/Lardahl, all present voting aye, to adjourn at 8:51 PM. **Motion carried.**

Minutes submitted by,
Lynne Bauer, City Clerk