

MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, July 17, 2012, in the City Hall Council Chambers. Council President CW King called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: Brian Flynn, Chuck Hull, Jane Lardahl, Bill Hicks and George Adrian.
Absent was Mike Hanke.

Also Present: City Attorney Robert Ferg, Finance Manager/Treasurer Lynne Bauer; City Planner/Transit Manager Jayson Smith; Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer; Police Chief Wendy Stelter; Library Director Virginia Roberts; CCEDC Representatives Charlie Walker, John Walton and Greg Dachel; Plant Manager of Premium Waters Bill Mercer; and City Clerk Bridget Givens.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Motion by Flynn/Adrian to approve the minutes of the Regular Council Meeting of July 3, 2012.
All present voting aye, motion carried.

PERSONAL APPEARANCES BY CITIZENS - None

PUBLIC HEARINGS

(a) Councilor King announced a Public Hearing regarding amending the Zoning Code of the City of Chippewa Falls (Parcel #4412.7000 North of Wisconsin Street, East of Grant Court, South of Business 29 & West of Chippewa Crossing Blvd.) to rezone from A-1 Agriculture to R-2 Two Family Residential District) at 6:35 p.m.

Appearing in support of the proposed change were Mr. Ray Meyers, 15962 47th Avenue, and Mr. Steve Frazer, 15977 47th Avenue. Mr. Meyers stated that the intention is to build upscale twin homes on the property if the zoning amendment is approved.

Appearing in opposition of the proposed change were Mr. John Krista, 708 Marilyn Street; Ms. Cicely Dineen, 626 E Wisconsin Street; Ms. Patricia Dineen, 626 E Wisconsin Street; and Mr. Mark Sokup, 703 Veronica Street.

There being no further requests to speak, the hearing was closed at 6:50 p.m.

(b) Councilor King announced a Public Hearing regarding the City Council's intention to exercise its police power to levy Special Assessments for Badger Street (Grand Avenue to Warren Street) in accordance with Chapter 3.08 of the Municipal Code at 6:50 p.m.

Mr. Rubenzer indicated that Attorney Ferg researched Parcel #4117, Forest Hill Cemetery. The cemetery was organized in 1866 and is therefore exempt from taxes and/or assessments. Attorney Ferg was not aware of the charter date for Hope Cemetery as only cemeteries chartered from 1858 – 1878 are exempt. Mr. Rubenzer has contacted Hope Cemetery and had not yet received a response.

There being no further requests to speak, the hearing was closed at 6:53 p.m.

COMMUNICATIONS - None

REPORTS

(a) Motion by Lardahl/Hicks to approve the Board of Public Works minutes of July 9, 2012. **Roll Call Vote: Aye – Lardahl, Hicks, Adrian, Flynn, Hull. Motion carried.**

APPLICATIONS

(a) Motion by Flynn/Adrian to approve the Operator (Bartender) Licenses as recommended by the Police Department. **All present voting aye, motion carried.**

(b) Motion by Hicks/Flynn to approve the Application for Temporary Class "B"/"Class B" Beer Retailer's License from the Chippewa Wrestling Club for the St. Jude's Softball Tournament to be held at Casper Park on July 27 – 29, 2012. **All present voting aye, motion carried.**

Motion by Hull/Lardahl to consider items **(c)** and **(d)** in one motion. **All present voting aye, motion carried.**

Motion by Hull/Hicks to approve the following:

(c) Application for Temporary Class "B"/"Class B" Beer Retailer's License from St. Charles Borromeo Parish for the Celebration of Summer Church Picnic to be held at McDonell Central High School, 1316 Bel Air Blvd, on August 5, 2012.

(d) Application for Class "E" Dance and Live Music License from St. Charles Borromeo Parish for McDonell Central High School, 1316 Bel Air Blvd, on August 5, 2012.

All present voting aye, motion carried.

Motion by Hull/Lardahl to consider items **(e)** and **(f)** in one motion. **All present voting aye, motion carried.**

Motion by Hull/Adrian to approve the following:

(e) Application for Temporary Class "B"/"Class B" Beer and Wine Retailer's License from Oktoberfest/Chippewa Partners, Inc. for Oktoberfest to be held at the Northern Wisconsin State Fairgrounds on September 21 – 23, 2012.

(f) Application for Class "E" Dance and Live Music License from Oktoberfest for the Northern Wisconsin State Fairgrounds on September 21 – 23, 2012.

All present voting aye, motion carried.

(g) Motion by Flynn/Adrian to approve the Original Alcohol Beverage Retail License Application from Thomas G. Stary for a Class "B" Beer and "Class B" Liquor License for Stary's Pizza located at 1117 Pumphouse Road. **All present voting aye, motion carried.**

Motion by Adrian/Flynn to consider items **(h)** through **(p)** in one motion. **All present voting aye, motion carried.**

Motion by Adrian/Flynn to approve the following:

(h) Sidewalk Use Permit Application from the Chippewa Falls Public Library from June 1, 2012 – September 15, 2012 for the display of a sign immediately in front of the main entrance to publicize programming.

(i) Sidewalk Use Permit Application from Gently Kissed Treasures, LLC from June 22, 2012 – June 22, 2013 for two flower pots to be placed directly in front of the building window.

(j) Sidewalk Use Permit Application from the Short Stop to place two small tables and a folding sign in front of the building on a seasonal basis corresponding with warm weather.

(k) Street Use Permit Application from Dave and Cindy Welk for the 2nd Annual Am Vets Snout About Bike Run on July 28, 2012 leaving at 12:00 pm and blocking the intersections of Central and Bridge, Central and Rushman, Rushman and Bridgewater, and Bridgewater and Wheaton to allow the ride to get through the intersections.

(l) Street Use Permit Application from Oktoberfest for the Oktoberfest Golden Keg Procession on September 21, 2012 from 12:00 pm – 1:00 pm on the northbound lane of Jefferson Avenue from the brewery parking lot to Edward Street to the main entrance gate of the Fairgrounds.

(m) Sidewalk Use Permit Application from Country Treasures for July 25 – 26, 2012 from 9:00 am – 6:00 pm each day for tables and racks holding sale merchandise.

(n) Sidewalk Use Permit Application from Hometown Variety for July 25 – 26, 2012 from 9:00 am – 6:00 pm each day for tables and racks holding sale merchandise.

(o) Sidewalk Use Permit Application from Konsella Health Mart for July 25 – 26, 2012 from 9:00 am – 6:00 pm each day for tables and racks holding sale merchandise.

(p) Sidewalk Use Permit Application from Salvation Army for July 25 – 26, 2012 from 9:00 am – 6:00 pm each day for tables and racks holding sale merchandise.

All present voting aye, motion carried.

(q) Motion by Flynn/Hull to approve the Application for Temporary Class "B"/"Class B" Beer Retailer's License from Hallie Boy's Baseball for the Hallie All-Star Tournament to be held at Casper Park on August 3 -5, 2012. **All present voting aye, motion carried.**

(r) Motion by Hicks/Flynn to approve the Application for Temporary Class “B”/“Class B” Beer Retailer’s License from Hallie Boy’s Baseball for the Pure Water Days Adult Softball Tournament to be held at Casper Park on August 10 – 12, 2012. **All present voting aye, motion carried.**

PETITIONS - None

MAYOR ANNOUNCES APPOINTMENTS - None

MAYOR’S REPORT

(a) John Walton and Greg Dachel offered a presentation on the current projects of the CCEDC and distributed the annual report. Feedback was requested from the Councilors regarding strategic planning.

COUNCIL COMMITTEE REPORTS

(a) Motion by Flynn/Adrian to approve the Committee #1 Revenues, Disbursements, Water and Wastewater minutes of July 17, 2012. **Roll Call Vote: Aye – Flynn, Adrian, Hull, Lardahl, Hicks. Motion carried.**

(b) Motion by Flynn/Lardahl to approve the Committee #3 Transportation, Construction, Public Safety and Traffic minutes of July 12, 2012. **All present voting aye, motion carried.**

(c) Motion by Hull/Lardahl to approve the Committee #3 Transportation, Construction, Public Safety and Traffic minutes of July 17, 2012. **All present voting aye, motion carried.**

(d) Motion by Lardahl/Adrian to approve the Committee on Committees minutes of July 10, 2012. **All present voting aye, motion carried.**

(e) The Park Board minutes of July 10, 2012 were presented.

(f) The Library Board minutes of June 13, 2012 were presented.

REPORT OF OFFICERS - None

ORDINANCES

(a) Motion by Flynn/Hicks to approve **Ordinance #2012-17 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls (Parcel #4412.7000 North of Wisconsin Street, East of Grant Court, South of Business 29 & West of Chippewa Crossing Blvd. A-1 Agriculture to R-2 Two Family Residential District). **Roll Call Vote: Aye – Flynn, Hicks, Adrian, Hull, Lardahl. Motion carried.**

RESOLUTIONS

(a) Motion by Hull/Hicks to amend **Resolution #2012-26** to delete Parcel #4117 from the levying of special assessments. **All present voting aye, motion carried.**

Motion by Hull/Flynn to amend **Resolution #2012-26** with the provision that Hope Cemetery provides satisfactory evidence they fall within the tax exemption as existed in the 1800’s. **All present voting aye, motion carried.**

Motion by Hull/Hicks to approve **Resolution #2012-26 Entitled:** Final Resolution Levying Special Assessments and Authorizing Construction in Badger Street (Grand Avenue to Warren Street).

Roll Call Vote: Aye – Hull, Hicks, Adrian, Flynn, Lardahl. Motion carried.

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW - None

CLAIMS

(a) Motion by Hull/Hicks to approve the claims of the various boards and departments of the City as recommended by the Claims Committee as follows:

City General Claims:	\$482,411.14
Authorized/Handwritten Claims:	\$185,348.91
Department of Public Utilities:	\$181,767.84
Total of Claims Presented	<u>\$849,527.89</u>

Roll Call Vote: Aye – Hull, Hicks, Adrian, Flynn, Lardahl. Motion carried.

CLOSED SESSION

Motion by Flynn/Adrian to enter Closed Session as authorized by Wisconsin Statute 19.85 (1) (e) for “deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive bargaining reasons require a Closed Session” to discuss and consider the following:

- (1) Financial incentive for Premium Waters for business expansion project and proposal from Quarles & Brady to prepare the Developers Agreement and Revenue Bond;

and to allow Ferg, Smith, Rubenzer, Bauer, Givens, and Mercer of Premium Waters to attend; may return to Open Session.

Roll Call Vote: Aye – Flynn, Adrian, Hull, Lardahl, Hicks. Motion carried.

Council discussed Item (1) above.

Motion by Lardahl/Hull to return to Open Session. **All present voting aye, motion carried.**

Council President CW King reported out of Closed Session that Council approved Quarles & Brady to create a Developers Agreement with Premium Waters that may be presented at the August 7, 2012 Council Meeting.

ADJOURNMENT

Motion by Lardahl/Adrian to adjourn at 7:53 p.m. **All present voting aye, motion carried.**

Submitted by:

Bridget Givens
City Clerk