

AGENDA FOR REGULAR MEETING OF COMMON COUNCIL

To be held on Tuesday, October 4, 2016 at 6:30 P.M. in the City Hall
Council Chambers, 30 West Central Street, Chippewa Falls, WI

1. CLERK CALLS THE ROLL
2. APPROVAL OF MINUTES OF PREVIOUS MEETING
 - (a) Approve minutes of the Regular Council Meeting of September 20, 2016.
3. PERSONAL APPEARANCES BY CITIZENS No matter presented by a citizen shall be acted on at the meeting except in emergencies affecting the public health, safety or welfare.
 - (a) Plaque presentation for Mark Johnson honoring his years of committed service to the community.
 - (b) Renee Yohnk to provide an overview of the City's recycling program.
 - (c) Paul Salm to provide an update on Chippewa County Economic Development.
4. PUBLIC HEARINGS - None
5. COMMUNICATIONS - None
6. REPORTS
 - (a) The Board of Public Works meeting of September 26, 2016 was cancelled due to a lack of agenda items.
7. COUNCIL COMMITTEE REPORTS in the order in which they are named in Section 2.21 of the Municipal Code
 - (a) Consider Committee #2 Revenues, Disbursements, Water and Wastewater minutes of September 28, 2016.
8. APPLICATIONS
 - (a) Consider Operator (Bartender) Licenses as approved by the Police Department. *(Complete list provided prior to Council meeting).*
 - (b) Consider Street Use Permit Application from Chippewa Falls Main Street for Santa's Arrival to be held on November 25, 2016 utilizing Spring Street to the parking lot of 411 N Bridge Street.
 - (c) Consider Street Use Permit Application from Wesley Partlo to utilize the five parking stalls in front of 19 W Central Street on October 8th, November 11th, November 26th, and December 8th from 1:00 pm – 2:00 am for Every Buddy's Music Events.
9. PETITIONS – None
10. MAYOR ANNOUNCES APPOINTMENTS
 - (a) Consider appointment of Debrah Adams and Deanne Rubenzer as Election Inspectors for the 2016-2017 Election Cycle. Action on these appointments scheduled for October 18, 2016.
11. MAYOR'S REPORT
 - (a) Proclamation declaring October 10 – 14, 2016 as Arbor Week in the City of Chippewa Falls.
12. REPORT OF OFFICERS - None
13. ORDINANCES - None
14. RESOLUTIONS - None
15. OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW - None
16. CLAIMS
 - (a) Consider claims as recommended by the Claims Committee.
 - (b) Consider claim submitted by Jeffrey Pederson, 7704 141st Street (refer to insurance company)
 - (c) Consider claim of Ann Shipman, 115 W South Avenue, against the City of Chippewa Falls. See attached letter from Statewide Services, Inc. recommending denial of this claim.

17. **CLOSED SESSION** - None

18. **ADJOURNMENT**

The Claims Committee will meet at 6:00 PM to review the claims of various boards and departments of the City.

NOTE: REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST. FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2719.

Please note that attachments to this agenda may not be final and are subject to change.
This agenda may be amended as it is reviewed.

CERTIFICATION OF OFFICIAL NEWSPAPER

I, hereby, certify that a copy of this notice has been posted on the bulletin board at City Hall and a copy has been given to the Chippewa Herald on September 30, 2016 at 2:15 pm by BNG.

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, September 20, 2016 in the City Hall Council Chambers. Council President Rob Kiefer called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: John Monarski, CW King, Chuck Hull, Paul Olson, Paul Nadreau, and Brent Ford.

Also Present: City Attorney Robert Ferg, Finance Manager/Treasurer Lynne Bauer, Police Chief Matthew Kelm, Brian Wogernese of Hotels International, LLC, City Clerk Bridget Givens, and those on the attached sign-in sheet.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Motion by Ford/Olson to approve the minutes of the Regular Council Meeting of September 6, 2016. **All present voting aye, motion carried.**

PERSONAL APPEARANCES BY CITIZENS

(a) Wayne Geissler, 116 E Spring St, appeared to express his concern with the ordinance relative to chronic nuisance premises.

PUBLIC HEARINGS - None

COMMUNICATIONS - None

REPORTS

(a) The Board of Public Works meeting of September 12, 2016 was cancelled due to a lack of agenda items.

(b) The Plan Commission Meeting of September 12, 2016 was cancelled due to a lack of agenda items.

COUNCIL COMMITTEE REPORTS

(a) Motion by King/Monarski to approve the Joint Committee #1 Revenues, Disbursements, Water and Wastewater and Committee #3 Transportation, Construction, Public Safety and Traffic minutes of September 20, 2016. **Roll Call Vote: Aye – King, Monarski, Hull, Olson, Nadreau, Ford. Motion carried.**

(b) The Park Board minutes of September 13, 2016 were presented.

(c) The Library Board minutes of August 10, 2016 were presented.

APPLICATIONS

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

Motion by Olson/Ford to consider items (b) – (j) in one motion. **All present voting aye, motion carried.**

Motion by Olson/Hull to approve items (b) – (j) as follows:

(b) Street Use Permit Application from the Northern WI Antique Dealers Association to place a sandwich sign at Allen Park on September 29 – 30 and October 1, 2016 to direct visitors to the antique show being held at the Northern Wisconsin State Fairgrounds, 225 Edward Street.

(c) Street Use Permit Application from Arthur Butcher for Run for the Fallen to be held on October 1, 2016 from 8:00 am – 6:00 pm in the Lake Wissota Industrial Park.

(d) Street Use Permit Application from Chippewa Falls Main Street for Paint the Town Pink to be held on October 6, 2016 from 3:00 pm – 7:00 pm utilizing the 300 and 400 blocks of N Bridge Street.

(e) Application for Temporary "Class B" Wine Retailer's License from Chippewa Falls Main Street for Paint the Town Pink on October 6, 2016 at various establishments

(f) Street Use Permit Application from Chippewa Falls Main Street for the Rainbow Bridge Ribbon Cutting to be held on September 29, 2016 from 4:00 pm – 6:00 pm utilizing various City Street.

(g) Application for Temporary "Class B" Wine Retailer's License from Chippewa Falls Main Street for the Rainbow Bridge Ribbon Cutting on September 29, 2016.

APPLICATIONS (continued)

(h) Application for Temporary Class "B" / "Class B" Beer and Wine Retailer's License from the Boys and Girls Club of the Greater Chippewa Valley for Men Who Cook to be held on October 22, 2016 at the Northern Wisconsin State Fairgrounds, 225 Edward Street.

(i) Application for Temporary Class "B" / "Class B" Beer and Wine Retailer's License from McDonell Athletic Booster Club for the Spirit of the Macks Auction to be held on October 1, 2016 at McDonell Central Catholic High School, 1316 Bel Air Blvd.

(j) Application for an Annual Live Music License from Chippewa Falls Main Street for Allen Park, 1 S Bridge Street.

All present voting aye, motion carried.

(k) Motion by Monarski/Olson to approve the Original Alcohol Beverage Retail License Application from Hotels International, LLC, 100 N Bridge Street, Brian Wogernese, Agent, for the Reserve "Class B" Liquor License. **All present voting aye, motion carried.**

PETITIONS - None

MAYOR ANNOUNCES APPOINTMENTS

(a) Motion by Monarski/Olson to approve the appointment of Nancy Hoag as an Election Inspector for the 2016-2017 Election Cycle. **All present voting aye, motion carried.**

MAYOR'S REPORT - None

REPORT OF OFFICERS - None

ORDINANCES

(a) Motion by Ford/King to approve **Ordinance #2016-13 Entitled:** An Ordinance Creating the Chronic Nuisance Premises Code Section of the Chippewa Falls Municipal Code - §10.067 of the Chippewa Falls Municipal Code was held. Councilor Nadreau expressed his concern with the ordinance and Chief Kelm provided an overview of the intent of the ordinance. Chief Kelm indicated that if a property owner attempts to comply with an abatement plan, the property owners should not have issues. **Motion by Nadreau** to send the ordinance back to Committee #3 for further review. **Motion died for lack of a second.** The Council returned to the original motion on the floor to approve **Ordinance #2016-13. Roll Call Vote: Aye – Ford, King, Monarski; No – Hull, Olson, Nadreau; Kiefer broke the tie by voting aye. Motion carried.**

RESOLUTIONS - None

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW - None

CLAIMS

(a) Motion by Olson/Ford to approve the claims as recommended by the Claims Committee.

| | |
|---------------------------------|-----------------------|
| City General Claims: | \$1,288,768.20 |
| Authorized/Handwritten Claims: | \$219,688.66 |
| Department of Public Utilities: | \$115,452.81 |
| Total of Claims Presented | <u>\$1,623,909.67</u> |

Roll Call Vote: Aye – Olson, Ford, Monarski, King, Hull, Nadreau. Motion carried.

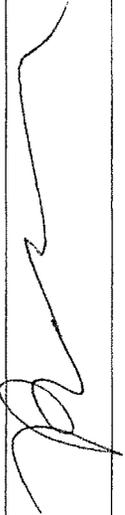
CLOSED SESSION - None

ADJOURNMENT

Motion by Hull/Olson to adjourn at 7:05 pm. **All present voting aye, motion carried.**

Submitted by:
Bridget Givens, City Clerk

CITY COUNCIL ATTENDANCE SHEET – September 20, 2016

| NAME | ADDRESS |
|---|---------------|
|  | 1304 Perry Cr |
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Minutes
Committee #2
Labor Negotiations, Personnel, Policy & Administration
September 28, 2016

Committee #2 met on Wednesday, September 28, 2016 at 8:00 AM in the Council Chambers, City Hall, 30 West Central Street, Chippewa Falls, WI.

Committee Members present: CW King, Chuck Hull, and John Monarski

Mayor/Other Council Members present: Paul Nadreau, Rob Kiefer

Others present: Finance Manager/Treasurer Lynne Bauer, Fire Chief Mike Hepfler, Police Chief Matt Kelm, Police Lieutenant Dave Bebeau, Police Officer Joe Nelson, Attorney Steve Weld.

Call to Order: 8:00 AM

1. **Open Session**

2. **Closed Session**

Motion by Hull/Monarski to go into closed session under WI Statutes 19.85(1)(e) "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining implications require a closed session to: **a) Discuss labor negotiation issues and strategy; and b) discuss negotiations between the City of Chippewa Falls and Chippewa Falls Professional Police Association;** and to include Committee and Council Members, Finance Manager/Treasurer Lynne Bauer, Fire Chief Mike Hepfler, Police Chief Matt Kelm, Police Lieutenant Dave Bebeau, Police Union Representative Joe Nelson, Attorney Steve Weld; and may return to open session.

Roll call vote: Hull - Aye; Monarski – Aye; King - Aye. Motion carried.

The Committee discussed issues related to labor negotiations and discussed negotiations with the Chippewa Falls Professional Police Association.

Motion by Monarski/Hull to return to open session. **All present voted aye. Motion carried.**

3. **Adjournment**

Motion by Monarski/Hull to adjourn at 9:04 AM. **All present voted aye. Motion carried.**

**Minutes submitted by,
CW King, Chair**



CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

| | |
|---|---|
| Applicant Name and Address: Teri Ouimette, 514 N. Bridge St., Chippewa Falls, WI 54729 | Applicant Phone Number: 715-723-6661 |
|---|---|

| | |
|--|--|
| <input checked="" type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual. | Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization: Chippewa Falls Main Street, Inc. 514 N. Bridge St. Chippewa Falls, WI 54729 715-723-6661 |
|--|--|

| | |
|---------------------------------------|---|
| Name of the event: Santa's Arrival | Estimated number of persons participating: 200 |
|---------------------------------------|---|

Date and start and end times requested for street use:
Friday, November 25, 2016 9:50-10 a.m.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
Parking spots on ³ Spring Street up to 411 N. Bridge Street (see map)

Use, described in detail, for which the street use permit is requested:
Santa will be leaving from Spring Street and will arrive at the parking lot of 411 N. Bridge Street

City services requested for the event (e.g., Street Department or Police Department staff time)
A police escort from about 9:50-10 a.m.

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. **Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.**

| | |
|------------------------|------------|
| | 09/01/2016 |
| Signature of Applicant | Date |

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
Patrol vehicle to lead the procession. #105

Requirements of Applicant: *Pickup any necessary traffic cones or barricades at the city garage (#5 Brook-Riverside Drive) by Wednesday November, 23, 2016 at 1pm and return on Monday, November 28 2016. PJH*

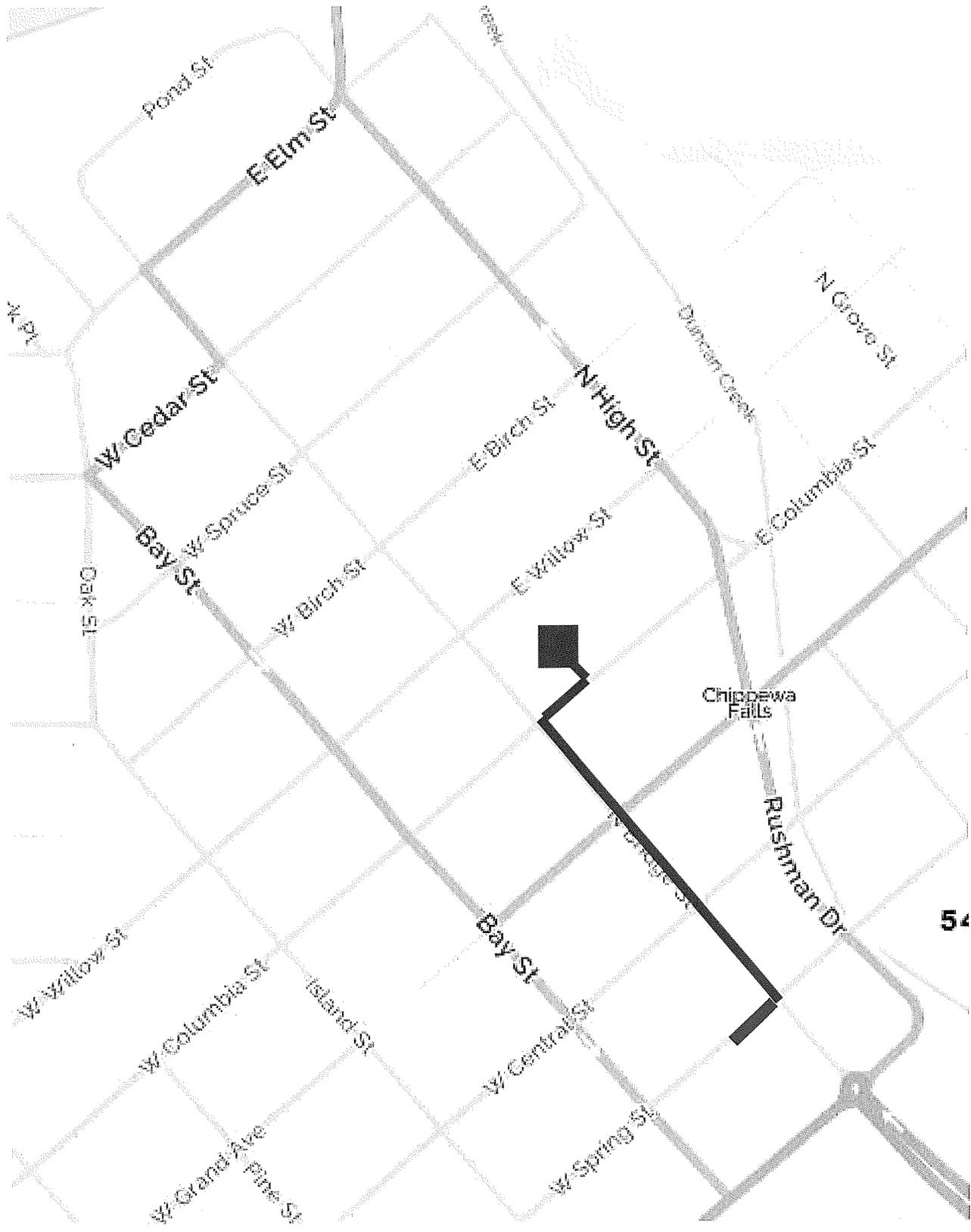
| | |
|------------------------------|---------------------------------------|
| Approved by: | |
| Signature of Chief of Police | Signature of Director of Public Works |

Recommendation of Board of Public Works (if required): Approved Denied

Decision of City Council (required): Approved Denied

— Santa's Route

— Parking Spots





CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION

Applicant Name and Address: Colombia 54729
Wesley D. Partlo 120 W. Chippewa Falls, WI Applicant Phone Number: 715-563-7321

Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.
 Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization:
AS ABOVE

Name of the event: Every Buddy's Music Events
 Estimated number of persons participating:

Date and start and end times requested for street use:
Oct 8th, November 11th, 26th 1:00pm-2:00am
December 8th

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):
5 parking stalls in front of 19 W. Central St.

Use, described in detail, for which the street use permit is requested:
Unload and load of Music Equipment

City services requested for the event (e.g., Street Department or Police Department staff time)
None

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.

Signature of Applicant: [Signature] Date: 9-27-16

OFFICE USE ONLY

Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):
None - CFPD

Requirements of Applicant:

Approved by: [Signature] 9-29-16 [Signature] 9-29-2016
 Signature of Chief of Police Signature of Director of Public Works

Recommendation of Board of Public Works (if required): Approved Denied
 Decision of City Council (required): Approved Denied



City of Chippewa Falls

30 WEST CENTRAL STREET, CHIPPEWA FALLS, WISCONSIN 54729

PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Greg Hoffman, Mayor of the City of Chippewa Falls, do hereby proclaim October 10 – 14, 2016 as “Arbor Week” in the City of Chippewa Falls and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

IN WITNESS WHEREOF, I have hereunto set my hand and signed this on the 4th day of October, 2016.

Signed _____

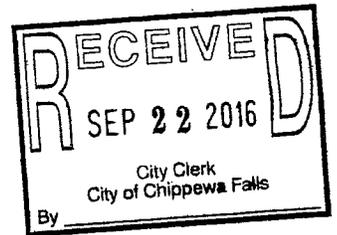
Greg Hoffman, Mayor
Chippewa Falls, Wisconsin

Home of The World's Purest Water

715-726-2701 • FAX - 715-726-2759



CITY OF CHIPPEWA FALLS CLAIM REPORTING FORM



| | |
|--|--|
| Name of Claimant: <i>Jeffrey Pederson</i> | Claimant Address: <i>7704 141 Street</i> <i>Chippewa Falls</i> |
| Claimant Phone Number: <i>715 944-9280</i> | Date of Incident: <i>9/21/16</i> |
| Time of Incident: <i>1900 6:58</i> | Location of Incident: <i>Grand Avenue / Beaver</i> |
| Damages Claimed (attach any relevant receipts and supporting documentation): <i>See Attached and towing Steve's 289.30 + Towing Towing</i> | |
| Description of Incident: <i>proceeding on road past Senior Center encountered 6" of water. Slowed, while adjacent to the sewer on northside of intersection encountered 1' of water. Vehicle stalled. At 1910 encountered 3 1/2' of water. Neighbor across from Senior Center</i> | |
| Signature of Claimant: <i>Jeffrey Pederson</i> | Date: <i>9/22/16</i> |

(on left)

Dave's Northside Service, LLC

1322 Jefferson Ave
Chippewa Falls, WI 54729
Ph: 7157235912
Fx: 7157238255

<< Invoice # 66075 >>
Employee:
Copy 1

| | |
|---|---|
| Customer: JEFF PEDERSON Address: Phone: Customer #: 7754 | Vehicle: 07 SATURN ION Plate #: VIN: Motor Numb: F Mileage-in: 242,266 Mileage-out: 242,266 09/22/16 03:29 pm |
|---|---|

Unit:
Page No.: 1

| Services | Description | Tech | Qty | Price | Total |
|----------|---|------|------|-------|--------|
| | CUSTOMER CONCERN: VEHICLE WON'T RUN AFTER GOING THROUGH WATER - REMOVED SPARK PLUGS AND CRANK MOTOR OVER TO WATER FROM CYLINDERS. INSTALLED NEW SPARK PLUGS, AIR FILTER, CHANGED ENGINE OIL AND FILTER, AND ROAD TEST | JIM | 2.50 | 75.00 | 187.50 |
| Part # | Description | | Qty | Price | Total |
| SP41-105 | AC SPARK PLUG | | 4.00 | 9.99 | 39.96 |
| 83054 CQ | AIR FILTER | | 1.00 | 19.39 | 19.39 |
| 57052 | WIX OIL FILTER | | 1.00 | 9.95 | 9.95 |
| 001 | PREMIUM MOTOR OIL 5W30 | | 5.00 | 3.50 | 17.50 |

Steve's Towing
715-828-5440

Recommended Service:

| | |
|---------------|---------------|
| Services: | 187.50 |
| Parts: | 86.80 |
| | ===== |
| Subtotal: | 274.30 |
| Tax | 15.09 |
| | ===== |
| Total: | 289.39 |
| Paid | 289.39 |
| Master/Visa | |

I hereby authorize the above repair work to be done along with the necessary material and hereby grant you and/or your employees permission to operate the vehicle for the purposes of testing and inspection. An express mechanics lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto

Authorized Signature: _____

Statewide Services, Inc.

Claim Division

1241 John Q. Hammons Dr.
P.O. Box 5555
Madison, WI 53705-0555
877-204-9712

VIA E-MAIL ONLY

September 22, 2016

City of Chippewa Falls
Attn: Ms. Lynne Bauer, Finance Manager/Treasurer
30 W. Central St,
Chippewa Falls, WI 54729

RE: Our Claim #: WM000092110187
Date of Loss: 08/02/2016
Claimant: Ann Shipman
115 W. South Ave.
Chippewa Falls, WI 54729

Loss location: 115 W. South Ave.
Chippewa Falls, WI 54729

Dear Ms. Bauer:

As you know, Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the City of Chippewa Falls. We are in receipt of the above-captioned claim in which the claimant is asserting damage on account of a backup of sewer water into her home.

Our investigation has revealed that the City was not negligent for this incident. Therefore, we recommend that the City disallow this claim pursuant to the Wisconsin Statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will shorten the statute of limitations period to six months.

This loss is on account of an unnoticed plug to the sewer main which unfortunately caused the sewer water to backup into Ms. Shipman's home; however, City operations did not cause the plug. Once more, City staff had no prior notice that the plug was in existence, thus, they were unable to take a measure to prevent any damage. The City would not be negligent or liable unless they knew, or should have known, about the plug and had adequate time to remedy the problem. Also, once notified of the problem, City staff responded immediately to diagnose the clog and jet it clear, thus, the City is not liable for any delayed response time. Finally, there is no evidence that the City failed to adhere to any ministerial duties regarding the maintenance of the sewer main; and absent a ministerial duty, WI statute 893.80 provides the City discretionary immunity. Therefore, we recommend that the claim be disallowed.

I have enclosed a sample Notice of Disallowance for your use, should you choose to use it, or you may use your own. Please send your disallowance, on your letterhead, directly to the claimant at the above listed address. This should be sent certified or registered (restricted) mail, and it must be received by the claimant within 120 days after you received the claim. Please send me copies of the letters for our file.

Thank you, Lynne, for your attention to the above, and please do not hesitate to contact me with any questions.

Best regards,

Doug Dettie

Douglass A. Dettie
Casualty Claims Specialist
Statewide Services, Inc.
PO Box 5555
Madison, WI 53705-0555
Office: 608-828-5503
Fax: 800-720-3512
E-mail: ddettie@statewidesvcs.com

Cc: Darrel Zaleski, Agent