

## **SPECIAL MEETING OF COMMON COUNCIL**

A special meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, June 24, 2008 at 6:30 PM in the City Hall Council Chambers. Mayor Daniel N. Hedrington presiding. The Pledge of Allegiance was given.

### **CLERK CALLS THE ROLL**

Council members present: Jack Covill, Brian Flynn, Greg Dachel, Jason Anderson, Robert Hoekstra, Dennis Doughty, Greg Hoffman.

City staff present: City Administrator Ron Singel, Assistant City Engineer Rob Krejci, Police Chief Wayne Nehring, Fire Chief Tom Larson, City Planner Jayson Smith, Parks & Recreation Director William Faherty.

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**(a) Motion by Hoffman/Doughty, all present voting aye,** to approve the minutes of the regular council meeting of June 3. **Motion carried.**

### **PERSONAL APPEARANCES BY CITIZENS**

**(a)** Many citizens appeared during this time to comment on various items on the agenda. Steve Maier and Bob Eslinger appeared for Citizen's State Bank regarding their liquor license application for 19 W. Central Street. Tom Halbleib spoke on behalf of the Chippewa Falls Museum of Industry and Technology and the City's intention to start the time-frame for terminating the lease at 21 E. Grand Avenue. Mr. Halbleib and the Board of Directors believe the museum is good for the community and is willing to work with the City to consider alternative locations. Chuck Hull, 510 W. Grand Avenue, commented on Item 11(c), the Committee #3 minutes, and how the committee is handling the smoking issue. The following three people spoke against the proposed special use permit at 910 Bridgewater Avenue: Michael and Julie Kort, 917 Bridgewater Avenue, and John Panzer, 913 Bridgewater Avenue. They were concerned with the hours of operation and the increased traffic and noise levels associated with the proposed permit to allow for operation of a bar and restaurant. The following four people spoke against the rezoning of Parcel #4328 on Garden Street: Brian Konop, 814 Wilson Street; Doug Etlicher, 820 Wilson Street; Josh Kramer, 216 W. Garden Street; and Terry Boyea, 802 Wilson Street. Concerns from these people included increased traffic levels and adding additional buildings to this area. There were fourteen people that spoke regarding the smoking ban issue that was previously addressed by Committee #3 on June 19. The following five people were in favor of a ban: Deb Odden, Assistant Director of the Chippewa County Department of Public Health; Dr. Tom Chisholm, 316 W. Spruce Street; Mary Holle, 1418 Dover Street; Pam Guthman, 27536 State Hwy 27; and Jennifer Lenbom, Coordinator of the Chippewa Valley Tobacco-Free Coalition. Comments from this group included that there is much evidence indicating that cigarettes and second-hand smoke are "poison" and that we need to take care of everyone and protect them from this; that smoking is a health issue, not a rights issue and that the government regulates asbestos, lead, and should also regulate smoke; and that workers should be protected from exposure. The following nine people spoke against a ban: Don Baker, 4534 156<sup>th</sup> Street; Mike Hanke, 236 First Avenue; Jason Christopherson, 1200 W. River Street; Jeremy Claxton, 1128 Pine Needle Drive; Carmen Muenich, Chippewa Falls; Karen Rimmel, 1221 Therbrook Street; Mike Libersky, 51 E. Birch Street; Judy Sonnentag, 410 Island Street; Karen Anderson, 29525 110<sup>th</sup> Avenue, Cadott. Comments made by this group included that a business can designate if they want a non-smoking environment just by posting a sign;

enacting a ban could increase drinking and driving to and from other communities that do not have a ban; smoking is a choice and a right and that should be preserved; people have a choice on which businesses they choose to enter; many of them wanted the Council to approve the Committee's recommendation "to recommend that the common council take no action until the legislative, judicial and executive branches of the State of Wisconsin makes its recommendation for the entire State of Wisconsin which shall include all townships, villages, cities and counties with respects to the banning of smoking in public and in all private businesses to which the general public has access."

### **PUBLIC HEARINGS**

**(a)** Mayor Hedrington opened a public hearing at 7:20 PM regarding the rezoning of Parcel #4328 located on Garden Street from R-1C Single Family Residential to R-3A Multi-family Residential. He noted four people (Brian Konop, 814 Wilson Street; Doug Etlicher, 820 Wilson Street; Josh Kramer, 216 W Garden Street; and Terry Boyea, 802 Wilson Street) spoke against the rezoning of this parcel earlier in the meeting. Mike Plourde clarified the rezoning was for the purpose of building garages at this location. No one else spoke for or against and the hearing was closed at 7:21 PM.

**(b)** Mayor Hedrington opened a public hearing at 7:22 PM regarding the granting of a Special Use Permit to operate a restaurant and bar in the existing building located at 910 Bridgewater Avenue. He noted three people (Michael and Julie Court, 917 Bridgewater Avenue; John Panzer, 913 Bridgewater Avenue) spoke against the granting of a special use permit earlier in the meeting. No one else spoke for or against and the hearing was closed at 7:23 PM.

**(c)** Mayor Hedrington opened a public hearing at 7:24 PM regarding the renewal of the Annual Live Music License of Chippewa Falls Main Street for 2008/09. No one spoke for or against and the hearing was subsequently closed.

### **COMMUNICATIONS**

None

### **REPORTS**

**(a) Motion by Hoffman/Doughty, all present voting aye,** to approve the minutes of the Plan Commission meeting of June 9. **Motion carried.**

**(b) Motion by Hoekstra/Anderson** to approve the minutes of the Board of Public Works meeting of June 9. **After a roll call vote, said motion passed unanimously.**

**(c)** The Council reviewed the minutes of the Chippewa Falls Business Improvement District (BID) Board of Directors meeting of June 19. No action was needed on this item.

### **APPLICATIONS**

**(a) Motion by Doughty/Covill, all present voting aye,** to approve the Operator (Bartender) Licenses recommended for approval by the Police Department. **Motion carried.** \*After addressing Item (b), Alderman Doughty withdrew his motion made in Item (a) because his name was on the list of applications for approval. Another **motion was made by Hoekstra/Dachel, all present voting aye, except Doughty who abstained,** to approve the operator licenses recommended for approval by the Police Department. **Motion carried.**

**(b) Motion by Hoekstra/Flynn, all present voting aye,** to approve the Application of Park Avenue Hospitality Inc. for a Major Arcade License for 2008/09. **Motion carried.**

**(c) Motion by Hoffman/Covill, all present voting aye,** to approve the renewal of the Annual Live Music License of Chippewa Falls Main Street for 2008/09. **Motion carried.**

**APPLICATIONS (cont.)**

**(d) Motion by Doughty/Anderson, all present voting aye,** to table the renewal of the Liquor License of Vally’s, LLC located at 1117 Pumphouse Road, for 2008-2009 due to pending issues with the Department of Revenue.

**(e) Motion by Dachel/Hoekstra, all present voting aye,** to approve the Applications of Steven Thaler for Liquor Licenses for Express Marts located at 1456 Kennedy Road and 805 N. Bridge Street. **Motion carried.**

**(f) Motion by Covill/Flynn, all present voting aye,** to approve the Application for a Temporary Class “B”/”Class B” Retailer’s License by Northern Wisconsin State Fair Association, Inc. for July 8-13. **Motion carried.**

**(g) Motion by Hoffman/Hoekstra, all present voting aye,** to approve the Class “E” Dance License Application of Northern Wisconsin State Fair Association, Inc. for July 9-15. **Motion carried.**

**(h) Motion by Covill/Flynn, all present voting aye,** to approve the Application of Chippewa Falls Lions Club for a Temporary Class “B”/”Class B” Retailer’s License for the NAFA State Men’s Fastpitch Tournament June 26-29. **Motion carried.**

**(i) Motion by Hoffman/Dachel, all present voting aye,** to approve the Application of Chippewa Falls Main Street for a Street Use Permit for July 26 for the Classic Auto Fest. **Motion carried.**

**(j) Motion by Anderson/Covill, all present voting aye,** to approve the Application of Chippewa Falls Main Street for a Street Use Permit for Heritage Fun Fest on August 9. **Motion carried.**

**(k) Motion by Covill/Anderson, all present voting aye,** to approve the renewal of the 2008/09 garbage/recycling licenses of Veolia Environmental Services Solid Waste, Tambornino Sanitation, Normacycle, and Waste Management. **Motion carried.**

**(l) Motion by Covill/Hoekstra, all present voting aye,** to approve the renewal of the Taxicab Licenses of LeRoy Johnson for LeRoy’s Courtesy Cab, Tommy Klatt for Right Way Shuttle, Inc., Melissa LaBrec, for Cab 4 U, and Kinfermichael Mitiku for Door to Door Taxi & Passenger Service contingent upon approval by the Police Department. **Motion carried.**

**(m) Motion by Doughty/Hoekstra, all present voting aye,** to table the Application of Terry Mercer, Jr. for a Pawnbroker License for Pawnex II, LLC located at 114 N. Bridge Street until the next council meeting due to proposed ordinance changes. **Motion carried.**

**(n) Motion by Hoffman/Dachel, all present voting aye,** to approve the Application of Citizens State Bank for a Class B Liquor/Beer License for Jac’s Bar & Grill located at 19 W. Central Street. **Motion carried.**

**(o) Motion by Dachel/Hoekstra, all present voting aye,** to deny the Application of Michael A. Rubenzer for a Class B Liquor/Beer License for Piff’s located at 910 Bridgewater Avenue. **Motion carried.**

**PETITIONS**

None

**MAYOR ANNOUNCES APPOINTMENTS**

**(a) Motion by Hoekstra/Anderson, all present voting aye,** to approve the following appointments to various boards and commissions as recommended by the Mayor. **Motion carried.**

<u>Position</u>	<u>Name</u>	<u>Description</u>
City Plan Commission	Peter Drogemuller	Re-appointment
City Plan Commission	Jeffrey Labs	Appointment
Police & Fire Commission	Mike Fox	Appointment
Police & Fire Commission	John Nebelsiek	Appointment

**APPOINTMENTS (cont.)**

Transit Board	Peggy Nehring	Re-appointment
Business Improvement Board	Gerald Jacobson	Re-appointment
Business Improvement Board	William Volker	Re-appointment
Board of Review	Millie Schweinler	Re-appointment
Board of Appeals, Planning and Zoning	Marvin Lynn	Re-appointment
Board of Appeals, Planning and Zoning	Janet Mazur	Re-appointment
Board of Appeals, Planning and Zoning	John Nebelsiek	Re-appointment
Board of Appeals Electric	Wayne Germain	Re-appointment
Redevelopment Authority	Jerry Kuehl	Re-appointment

**MAYOR'S REPORT**

(a) Mayor Hedrington indicated the City is still collecting information for PROJECT F.I.R.E.S (Friendly Information for Responding Emergency Services), the voluntary public safety program that collects information from citizens about their residence to help responding emergency personnel. Fire Chief Tom Larson indicated they are looking for volunteer groups to pass out forms to citizens.

**COUNCIL COMMITTEE REPORTS**

(a) **Motion by Hoekstra/Doughty, all present voting aye**, to approve the minutes of the Committee #2, Labor Negotiations, Personnel Policy and Administration meeting of June 12.

**Motion carried.**

(b) **Motion by Hoffman/Hoekstra, all present voting aye**, to approve the minutes of the Committee #3, Transportation, Construction, Public Safety and Traffic meeting of June 5. **Motion carried.**

(c) **Motion by Flynn/Anderson** to approve the minutes of the Committee #3, Transportation, Construction, Public Safety and Traffic meeting of June 19. The Council discussed this matter and there was a **motion by Doughty/Hoekstra** to amend the previous motion to vote on the two items contained in the minutes separately. **As Aldermen Flynn and Anderson** did not wish to amend their motion, no vote was taken on this motion. A subsequent **motion by Hoekstra/Flynn, all present voting aye**, was made to amend the minutes under Item #2 to include that a "motion was made by Alderman Covill to require businesses to indicate whether or not they allow smoking; and that motion failed for lack of a second." **After the following roll call vote, the original motion to approve the minutes failed: Aye – Flynn, Anderson, Covill; Nay – Dachel, Hoekstra, Doughty, Hoffman. A motion was then made by Doughty/Hoekstra, all present voting aye, to approve Item (1) of the minutes. Motion carried.**

(d) **Motion by Hoffman/Dachel, all present voting aye**, to approve the minutes of the Committee #4, Recycling, Computerization, Buildings and Intergovernmental Services meeting of June 9.

**Motion carried.**

(e) The minutes of the Park Board meeting of June 10 were presented.

(f) The minutes of the Library Board meeting of June 11 were presented.

**REPORT OF OFFICERS**

None

**ORDINANCES**

**(a) Motion by Doughty/Hoffman to deny Ordinance 2008-15 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls (Parcel 4328 from R-1C Single Family Residential to R-3A Multi-Family Residential). **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Flynn/Hoekstra to deny Ordinance 2008-16 Entitled:** An Ordinance Granting a Special Use Permit to Operate a Restaurant and Bar in the Existing Building Located at 910 Bridgewater Avenue. **Said motion passed after the following roll call vote: Aye - Flynn, Hoekstra, Doughty, Hoffman; Nay – Covill, Dachel, Anderson.**

**RESOLUTIONS**

**(a) Motion by Hoekstra/Covill to approve Resolution 2008-25 Entitled:** Compliance Maintenance Resolution. **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Covill/Flynn to approve Resolution 2008-26 Entitled:** Resolution Authorizing the Execution of the 2008 FTA Supplemental Agreement Between the Cities of Eau Claire and Chippewa Falls. **After a roll call vote, said motion passed unanimously.**

**OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW**

**(a) Motion by Anderson/Hoffman to approve the Development Agreement relating to Chippewa Crossing by and Between the City of Chippewa Falls, Chippewa County, Wisconsin and Chippewa Crossing Partners, LLC. and authorize the Mayor to execute the Agreement. After a roll call vote, said motion passed unanimously.**

**(b) Motion by Hoffman/Anderson, all present voting aye, except Hoekstra who voted nay, and Covill who abstained, to proceed with the 18-month notice to terminate lease with CFMIT at 21 East Grand Avenue to facilitate marketability of property. Motion carried.**

**(c) Motion by Hoffman/Hoekstra, all present voting aye, to cancel the July 1 regular council meeting. Motion carried.**

**CLAIMS**

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

City General Claims and	
Authorized/Handwritten Claims:	\$371,585.88
Public Utilities Claims	\$144,631.64

**CLOSED SESSION**

None

**ADJOURNMENT**

**Motion by Hoffman/Hoekstra, all present voting aye, to adjourn at 8:24 PM. Motion carried.**

Submitted by  
Lynne Bauer, City Clerk