

MINUTES FOR REGULAR MEETING OF COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, July 20, 2010, at 6:30 PM in the City Hall Council Chambers.

Motion by Flynn/Hicks, all present voting aye to appoint C.W. King as temporary chairman of the council in the absence of the Mayor and Council President. **Motion carried.**

King called the meeting to order. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

Council Members present: Michael Dahlby, Brian Flynn, C.W. King, Chuck Hull, Jane Lardahl, Bill Hicks. Absent: Mayor Greg Hoffman and Council President Susan Zukowski.

City Staff present: City Attorney Robert Ferg, Public Works Director/City Engineer Rick Rubenzer, City Planner Jayson Smith, Police Chief Wendy Stelter, Fire Chief Tom Larson, City Inspector Paul Lasiewicz and Parks & Recreation Director Bill Faherty.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Motion by Flynn/Hull, all present voting aye to approve the minutes of the regular council meeting of July 6. **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

(a) Ald. Bill Hicks, 13 E. Canal Street, appeared before the council as a citizen living next to Dewey's Roadhouse objecting to the proposed zoning change to allow for a beer garden being attached to the tavern due to the excess noise.

PUBLIC HEARINGS

(a) At 6:34 PM a Public Hearing regarding Zoning Change at 1 & 5 E. Canal Street (Parcels #3486 & #3487) from C-1 Neighborhood Shopping to C-2 General Commercial was opened.

Bill Hicks, 13 E. Canal Street appeared to object to the zoning change which will allow Dewey's Roadhouse to open a beer garden. Hicks suggested that a conditional use permit be issued allowing for a specific use for the property such as a tavern/beer garden only instead of a broader zoning change which allows for a wide variety of other future uses for the property besides a tavern which could be far more objectionable for that location.

Dwayne Lambert, 1 E. Canal Street, Dewey's Roadhouse Manager, appeared to ask the council to approve the zoning change as he has invested a lot of money constructing the beer garden/volleyball courts.

Ald. Flynn said Dewey's Roadhouse went through the proper procedure necessary to apply for the zoning change and that the council should be consistent when granting the beer garden licenses. No one else appeared at the hearing. Hearing was declared closed at 6:52 PM.

(b) The Public Hearing regarding the Beer Garden Application for West Hill Bar, 250 W. Elm Street, was rescheduled for August 3 pending proper notification of property owners within 100' of the proposed beer garden.

COMMUNICATIONS

None

REPORTS

(a) Motion by Flynn/Hull, all present voting aye to approve the Plan Commission Meeting of July 12. **Motion carried.**

Reports cont'd

(b) Motion by Hull/Lardahl, all present voting aye in a roll call vote, to approve the minutes of the Board of Public Works meeting of July 12 with an amendment to complete a motion to Item No. 5 by adding "*all present voting aye, motion carried*" to a motion made by Senn, seconded by Mayor Hoffman to recommend that the common council grant a temporary access easement to the owner of Parcel #4706. **Motion carried.**

APPLICATIONS

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

Motion by Flynn/Lardahl, all present voting aye to deny the Operator License Application by Anthony D. Freagon as recommended by the Police Department. **Motion carried.**

(b) Motion by Flynn/Hull, to approve a Beer Garden Application by Dewey's Roadhouse, 1 E. Canal Street. After a roll call vote, Flynn, Hull and Dahlby voting to aye, Lardahl voting no and Hicks abstained. **Motion carried.**

(c) A Beer Garden Application by West Hill Bar, 250 W. Elm Street is postponed to August 3.

(d) Motion by Lardahl/Flynn, all present voting aye to approve a Street Use Permit for Krazy Daze on Bridge Street on July 21 & 22. **Motion carried.**

(e) Motion by Flynn/Dahlby, all present voting aye except Hull voting no, to approve a Temporary Class B Beer Retailers License for Chippewa Youth Wrestling Club at Casper Park on July 29—August 1. **Motion carried.**

(f) Motion by Flynn/Lardahl, all present voting aye except Hull voting no, to approve a Temporary Class B Beer Retailers License for Chippewa Falls Lions Club at Casper Park on August 12—15. **Motion carried.**

PETITIONS

None

MAYOR ANNOUNCES APPOINTMENTS

None

MAYOR'S REPORT

None

COUNCIL COMMITTEE REPORTS

(a) Motion by Flynn/Hicks, all present voting aye in a roll call vote to approve the minutes of Committee No. 1, Revenues, Disbursements, present Water & Wastewater meeting of July 13. **Motion carried.**

(b) Motion by Hull/Lardahl, all present voting aye to approve the minutes of Committee No. 4, Recycling/Computerization/Building/Intergovernmental Services meeting of July 8. **Motion carried.**

(c) Motion by Flynn/Lardahl, all present voting aye to approve the Committee No. 4, Recycling/Computerization/Building/Intergovernmental Services meeting of July 14 with an amendment to correct the time of adjournment to 8:55 PM.

(d) Minutes of Park Board Meeting of July 13 were presented.

REPORT OF OFFICERS

None

ORDINANCES

(a) Motion by Flynn/Hull to approve the Second Reading of **Ordinance 2010-19 Entitled:** An Ordinance Amending the Zoning Code of the City of Chippewa Falls. After a roll call vote, Flynn and Hull voting aye, Dahlby and Lardahl voting no, Hicks abstaining. King broke the tie vote by voting aye. **Motion carried.**

RESOLUTIONS

(a) Motion by Dahlby/Hull, all present voting aye to adopt **Resolution 2010-14 Entitled:** Resolution Granting a Street Privilege Permit to The Lodge (Parcel #4716) In Business #29 Right-of-Way Adjacent To Said Parcel Under Chapter 66.0425 Wisconsin Statutes. **Motion carried.**

(b) Motion by Dahlby/Flynn, all present voting aye to adopt **Resolution 2010-15 Entitled:** Resolution Authorizing the Submission of the Statewide Enhancement Program Application and Commitment of the Local Matching Share. **Motion carried.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) Motion by Dahlby/Hull, all present voting aye in a roll call vote to authorize payment of a \$500 document fee to Key Engineering Group for release of the environmental studies for the railroad property per the downtown entrance plan. **Motion carried**

CLAIMS

(a) Motion by Flynn/Hull, all present voting aye in a roll call vote to approve the claims as recommended by the claims committee as follows:

City General Claims	\$1,167,831.18
Department of Public Utilities	\$ 584,707.83
Total Claims	\$1,752,539.01

(b) Motion by Flynn/Dahlby, all present voting aye in a roll call vote to deny the claim filed by Shirley & Don Webber against the City of Chippewa Falls relating to vehicle damage due to hitting a pothole as recommended by the City's insurance carrier Midwest Claims Service. **Motion carried.**

CLOSED SESSION

None

ADJOURNMENT

Motion by Hull/Lardahl, all present voting aye to adjourn at 7:42 PM. **Motion carried.**

Submitted by:

Julia Marshall
Deputy City Clerk