

## REGULAR MEETING OF COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, May 4, 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.  
Absent: Susan Zukowski.

City Staff present: Police Chief Wendy Stelter, Captain John Liddell, Public Works Director/City Engineer Rick Rubenzer.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

**(a) Motion by Flynn/King, all present voting aye,** to approve the minutes of the (first) regular council meeting of April 20. **Motion carried.**

**(b) Motion by Flynn/Hull, all present voting aye,** to approve the minutes of the (second) regular council meeting of April 20. **Motion carried.**

### PERSONAL APPEARANCES BY CITIZENS

**Steve Cook, M.D.**, Columbia Street, Chippewa Falls, read a letter signed by approximately thirty Chippewa Falls and Chippewa County physicians concerning “the health of their patients and their surroundings” and the sand processing plant. They are concerned that the DNR is lacking standards “to protect citizens from health risks of respirable crystalline silica.” In this letter (a copy is on file in the Clerk’s office), they ask the Plan Commission to rescind the CUP until studies can be completed by the DNR as to whether or not respirable crystalline silica is a hazardous air pollutant.

**Peter Holm, M.D.**, Columbia Street, Chippewa Falls, had signed the letter read by Dr. Cook, and wants the DNR to set standards regarding crystalline silica for the State of Wisconsin. He indicated the DNR has declined to do this because results could be perceived as high or low.

**Tim Swoboda**, River Street, Chippewa Falls, presented an Offer to Purchase city utility owned land next to his bar at 1200 W. River Street to the Board of Public Works at their April 26<sup>th</sup> meeting. The Board referred this matter to Committee #1 and Mr. Swoboda asked the Council if they would allow him to put in fill while he was waiting for Committee action. The Council could not act on this request at this time.

### PUBLIC HEARINGS

**(a) Mayor Hoffman opened a public hearing** at 6:42 PM regarding a Class “A” Annual Dance License Application by the WI Renaissance Faire. No one appeared for or against and the hearing was subsequently closed.

**(b) Mayor Hoffman opened a public hearing** at 6:43 PM regarding the Class “B” Annual Dance License Application by the Snout Saloon, 13 W. Central Street. No one appeared for or against and the hearing was subsequently closed.

**(c) Mayor Hoffman opened a public hearing** at 6:44 PM regarding the Beer Garden License Application of LeRoy Johnson for Leroy’s on Spring at 24 W. Spring Street. LeRoy Johnson explained to the Council why he wanted a beer garden license. Sandra Ohr, 22 W. Spring Street, spoke against this application and indicated she has rental property that would be affected by the noise. No one else appeared for or against this matter and the hearing was closed at 6:54 PM.

**(d) Mayor Hoffman opened a public hearing** at 6:55 PM regarding the Beer Garden License Application of Brian Krista for Burleys Bar at 19 E. Canal Street. Brian Krista appeared and informed the council of his plans for the beer garden. No one else appeared for or against and the hearing was closed at 6:58 PM.

### COMMUNICATIONS

None

## REPORTS

**(a) Motion by Flynn/King** to approve the minutes of the Board of Public Works meeting of April 26. **After a roll call vote, said motion passed unanimously.**

## APPLICATIONS

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

**(b) Motion by Flynn/Hicks, all present voting aye,** to approve the Class "A" Annual Dance License Application by the Wisconsin Renaissance Faire. **Motion carried.**

**(c) Motion by Dahlby/King, all present voting aye,** to approve the Class "B" Dance License Application by the Snout Saloon, 13 W. Central Street. **Motion carried.**

**(d) Motion by Flynn/King, all present voting aye,** to approve the Temporary Class "B" Retailer's License Application for the Bobfest Northfest at the Northern WI State Fairgrounds on May 22. **Motion carried.**

**(e) Motion by Dahlby/Hull, all present voting aye,** to approve the Class "E" Dance License Application by Fighting Bob, Inc., at the Northern WI State Fairgrounds on May 22. **Motion carried.**

**(f) Motion by Lardahl/Hicks, all present voting aye,** to approve the Temporary Class "B" Retailer's License Application by the Baby Boomers Association Reunion at the Northern WI State Fairgrounds on August 14. **Motion carried.**

**(g) Motion by Flynn/Lardahl, all present voting aye,** to approve the Class "E" Dance License Application by Baby Boomers at the Northern WI State Fairgrounds on August 14. **Motion carried.**

**(h) Motion by Hicks/Flynn, all present voting aye, except Hull who voted nay,** to approve the Temporary Class "B" Retailer's License Application by the Chippewa Falls Youth Baseball/Softball at the Northern WI State Fairgrounds on May 12. **Motion carried.**

**(i) Motion by Hicks/Lardahl, all present voting aye,** to approve the Class "E" Dance License Application by the Chippewa Falls Youth Baseball/Softball at the Northern WI State Fairgrounds on May 12. **Motion carried.**

**(j) Motion by Flynn/Dahlby, all present voting aye,** to approve the Temporary Class "B" Retailer's License Application by the Chippewa Youth Hockey Association at 839 First Avenue May 8. **Motion carried.**

**(k) Motion by Flynn/Lardahl** to deny the Dog Kennel License Application by April Martell, 1305 Warren Street. **After a roll call vote, said motion passed unanimously.**

**(l) Motion by Flynn/Hicks** to approve the Beer Garden License Application by Leroy's on Spring, 24 W. Spring Street contingent upon final inspections by the Police, Fire and Inspection Departments. **Said motion passed after the following roll call vote: Aye – Flynn, Hicks, Dahlby, King; Nay – Hull, Lardahl.**

**(m) Motion by King/Flynn** to approve the Beer Garden License Application by Burleys Bar, 19 E. Canal Street contingent upon final inspections by the Police, Fire and Inspection Departments. **Said motion passed after the following roll call vote: Aye – King, Flynn, Dahlby, Hull; Nay – Lardahl, Abstain – Hicks.**

**(n) Motion by Hicks/Flynn** to approve the Beer Garden License Application by James Sheeley House, 236 W. River Street contingent upon final inspections by the Police, Fire and Inspection Departments. **After a roll call vote, said motion passed unanimously.**

## PETITIONS

None

## MAYOR ANNOUNCES APPOINTMENTS

None

## MAYOR'S REPORT

None

## COUNCIL COMMITTEE REPORTS

**(a) Motion by King/Dahlby** to approve the minutes of the Committee on Committees meeting of April 20. **After a roll call vote, said motion passed unanimously.**

## REPORT OF OFFICERS

None

## ORDINANCES

**(a) The First Reading of Ordinance 2010-18 Entitled:** An Ordinance Amending the Retail Class "A" Intoxicating Liquor License Code Section 12.03(7)(a) of the Chippewa Falls Municipal Code was held.

## RESOLUTIONS

None

## OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

**(a) Motion by King/Dahlby** to approve the Development Contract Agreement between the City of Chippewa Falls and Wisconsin Festival Grounds, Inc. and consider authorizing Mayor Hoffman and City Clerk Bauer to execute said agreement. **After a roll call vote, said motion passed unanimously.**

**(b) Motion by Hicks/Flynn** to approve the request of Roland Shaurette, Aim High Fireworks, to use 1 South Bridge Street to set up fireworks tent. **After a roll call vote, said motion passed unanimously.**

**(c)** Alderman Dahlby asked how to get an item placed on the council agenda. There was brief discussion regarding this matter and it was determined that the Council can make a motion to put an item on a future agenda.

## 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 King/Hicks** 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: \$240,190.76

## CLOSED SESSION

None

## ADJOURNMENT

**Motion by King/Lardahl, all present voting aye** to adjourn at 7:36 PM. **Motion carried.**

Minutes submitted by,  
Lynne Bauer, City Clerk