

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, May 7, 2013, in the City Hall Council Chambers. Mayor Greg Hoffman called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited.

CLERK CALLS THE ROLL

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

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; Fire Chief Tom Larson; Chippewa Falls Main Street Executive Director Teri Ouimette; Chippewa Falls Area Chamber Tourism Director Allyson Gommer; Neil Mathwig, Dale Zwiefelhofer and Michelle Farrow of Vision 2020; Rusty Volk of the Northern Wisconsin State Fair; Brian Reilly of Ehlers; and City Clerk Bridget Givens.

APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Motion by Flynn/Hicks to approve the minutes of the Regular Council Meeting of April 16, 2013. **All present voting aye, motion carried.**

(b) Motion by Hicks/Flynn to approve the minutes of the Organizational Meeting of the Common Council of April 16, 2013. **All present voting aye, motion carried.**

(c) Motion by Hanke/Hicks to approve the minutes of the Special Council Meeting of April 24, 2013. **All present voting aye, motion carried.**

PERSONAL APPEARANCES BY CITIZENS

(a) Neil Mathwig and Dale Zwiefelhofer of Vision 2020 appeared to provide Council with the Chippewa Falls Vision 2020 Report – Community Input on New City Park, and a brief overview of said report. Mayor Hoffman and Councilors Hicks and Adrian advised that they appreciated the effort put into compiling the report.

(b) Allyson Gommer from the Chippewa Falls Area Chamber of Commerce appeared to provide Council with a tourism update and advise of tourism plans for 2013.

PUBLIC HEARINGS - None

COMMUNICATIONS -None

REPORTS

(a) Motion by Lardahl/Adrian to approve the Board of Public Works minutes of April 22, 2013. **All present voting aye, 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.**

Janaray Wayne, 17077 57th Avenue, appeared to appeal the Police Department recommendation for denial of her Operator (Bartender) license. **Motion by Flynn/Lardahl** to approve the denial of an Operator (Bartender) license for Janaray Wayne as recommended by the Police Department. **Roll Call Vote: Aye – Flynn, Lardahl, Hicks, Adrian, Mason, Hull; Abstain – Hanke. Motion carried.**

Motion by Flynn/Lardahl to consider items (b) – (m) in one motion. **All present voting aye, motion carried.**

Motion by Adrian/Hull to approve the following:

(b) Street Use Permit Application from Jacey Lea for the Chippewa Falls High School Wire Choir Color Medley 5k to be held on May 11, 2013 from 10:00 am – 11:30 am on various City Streets (see attached map).

(c) Street Use Permit Application from the Chippewa Falls Catholic Deanery for a Corpus Christi Procession to be held on June 2, 2013 from 12:00 pm – 1:30 pm on various City Street (see attached map).

APPLICATIONS (continued)

- (d) Application for Temporary Class "B" / "Class B" Beer Retailer's License from Chippewa Falls Main Street, Inc. for the Pure Water Days Duck Splash Festival and Raffle to be held at Marshall Field on August 10, 2013.
- (e) Application for a Class "E" Dance License from Chippewa Falls Main Street, Inc. for Marshall Field on August 10, 2013.
- (f) Application for Temporary Class "B" / "Class B" Beer Retailer's License from the Chippewa Falls Area Chamber of Commerce for the June Dairy Days Dinner to be held at the Northern Wisconsin State Fairgrounds on June 19, 2013.
- (g) Application for a Class "E" Dance License from the Chippewa Falls Area Chamber of Commerce for the Northern Wisconsin State Fairgrounds on June 19, 2013.
- (h) Application for Temporary Class "B" / "Class B" Beer Retailer's License from the Alzheimer's Association of Greater WI for the Rutledge Home Centennial Celebration to be held at 300 Bridgewater Avenue on June 14, 2013.
- (i) Application for a Class "E" Dance License from Angela Hite of the Rutledge Home for 300 Bridgewater Avenue on June 14, 2013.
- (j) Application for Temporary Class "B" / "Class B" Beer Retailer's License from the Chippewa Valley Ride, LLC for the Leinenkugel Chippewa Valley Century Ride to be held at Irvine Park on May 26, 2013.
- (k) Street Use Permit Application from Jeanne Gustafson for the Leinenkugel Chippewa Valley Century Ride to be held on May 26, 2013 on various City Streets (see attached map).
- (l) Application for Temporary Class "B" / "Class B" Beer Retailer's License from Perpetual Benefit for the Freak 5k to be held on June 1, 2013 at 836 Bridgewater Avenue.
- (m) Application for a Class "E" Dance License from Kristin Southard of Perpetual Benefit for 836 Bridgewater Avenue on June 1, 2013.

Councilor Hanke questioned if the parking issue was resolved in relation to the Pure Water Days Duck Splash event. Teri Ouimette and Chief Stelter advised the issue was resolved.

All present voting aye, motion carried.

(n) **Motion by Flynn/Lardahl** to set a date for public hearing for the application of Donald Gene McGraw, 3526 Pickerign Place, Eau Claire, WI to operate a taxicab business and examine the evidence of public need, convenience, and necessity of granting such a license. **All present voting aye, motion carried.**

PETITIONS

(a) The Petition for Rezoning from Jim Rooney for 836 Bridgewater Avenue from an R-1B Residential to an R-3-4 Multiple Family, Four-Plex Residential District was presented.

MAYOR ANNOUNCES APPOINTMENTS

(a) The appointments to various Boards and Commissions as recommended by the Mayor were presented. Action on these appointments is scheduled for May 21, 2013. The Mayor advised Council that there are a few openings still available, and if they know of someone who is interested, to direct them to the Mayor.

MAYOR'S REPORT - None

COUNCIL COMMITTEE REPORTS

(a) **Motion by Lardahl/Hanke** to approve the Committee on Committees minutes of April 24, 2013. **Roll Call Vote: Aye – Lardahl, Hanke, Flynn, Mason, Hull, Hicks, Adrian. Motion carried.**

(b) **Motion by Lardahl/Hanke** to approve the Committee of the Whole minutes of April 24, 2013. **All present voting aye, motion carried.** Councilor Flynn advised that he supports the NWSF using City equipment at the fairgrounds. Councilor Hanke supports it as well based upon the City investing taxpayer dollars; however, support is predicated on the City having zero liability and no expense incurred.

REPORT OF OFFICERS - None

ORDINANCES

(a) The first reading of **Ordinance #2013-08 Entitled:** An Ordinance Granting a Special Use Permit to Construct Three Buildings for 164 Self-Storage Units on Lots 1-7, Bailey's Addition was held.

RESOLUTIONS

Brian Reilly of Ehlers distributed and reviewed the Pre-Sale Report for \$4,405,000 General Obligation Corporate Purpose Bonds, Series 2013.

(a) **Motion by Flynn/Hanke** to approve **Resolution #2013-16 Entitled:** Resolution providing for the Sale of \$4,405,000 General Obligation Corporate Purpose Bonds. **Roll Call Vote: Aye – Flynn, Hanke, Mason, Hull, Lardahl, Hicks, Adrian. Motion carried.**

(b) **Motion by Hicks/Hanke** to approve **Resolution #2013-17 Entitled:** Initial Resolution Authorizing \$1,335,000 General Obligation Bonds for Street Improvement Projects. **Roll Call Vote: Aye – Hicks, Hanke, Flynn, Mason, Hull, Lardahl, Adrian. Motion carried.**

(c) **Motion by Flynn/Adrian** to approve **Resolution #2013-18 Entitled:** Initial Resolution Authorizing \$1,440,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 12. **Roll Call Vote: Aye – Flynn, Adrian, Hanke, Mason, Hull, Lardahl, Hicks. Motion carried.**

(d) **Motion by Hanke/Adrian** to approve **Resolution #2013-19 Entitled:** Initial Resolution Authorizing \$525,000 General Obligation Bonds for Parks and Public Grounds Projects. **Roll Call Vote: Aye – Hanke, Adrian, Flynn, Mason, Hull, Lardahl, Hicks. Motion carried.** Mayor Hoffman advised he is happy the City is in a position where we can invest in the parks.

(e) **Motion by Hull/Hicks** to approve **Resolution #2013-20 Entitled:** Initial Resolution Authorizing \$1,105,000 General Obligation Bonds for Equipment of the Fire Department. **Roll Call Vote: Aye – Hull, Hicks, Adrian, Hanke, Flynn, Mason, Lardahl. Motion carried.** Mayor Hoffman stated it is good to have the ambulance and fire truck replaced.

(f) **Motion by Flynn/Hanke** to approve **Resolution #2013-21 Entitled:** Resolution Directing Publication of Notice to Electors. **Roll Call Vote: Aye – Flynn, Hanke, Mason, Hull, Lardahl, Hicks, Adrian. Motion carried.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

(a) Discussion ensued regarding the request of the Northern Wisconsin State Fair to use City equipment and/or personnel for fairground projects. **There was a motion by Flynn** to approve the request of the Northern Wisconsin State Fair to use City equipment and/or personnel for fairground projects. **Motion died for lack of a second. Motion by Hanke/Flynn** to amend the motion to allow the Northern Wisconsin State Fair to use City equipment for fairground projects with the provision that the City has zero liability, zero City wages paid, and the work must be done off of City work time. Attorney Ferg was questioned about Workers' Compensation coverage and protection in the event of equipment failure/damage. He advised it is a gray area, but our insurance carrier agreed to defend with the understanding that the City be indemnified by the fair. **Motion by Hanke/Flynn** to amend the motion to allow the Northern Wisconsin State fair to use City equipment for fairground projects with the provision that there is zero cost to the City, zero liability on the part of the City, the City is indemnified in the case of equipment breakdown, and all operators of equipment are approved by the Street & Utility Maintenance Supervisor. **Roll Call Vote: Aye – Hanke, Flynn, Hull, Hicks; No – Mason, Lardahl, Adrian. Motion carried.**

(b) **Motion by Adrian/Hull** to approve the proposal from Anderson-Moessner Appraisals, LLC to review and confirm the draw requests from SEH during the construction of the SEH office building. Payment for each review/inspection of a draw request will not exceed \$200.00. **Roll Call Vote: Aye – Adrian, Hull, Hanke, Flynn, Mason, Lardahl, Hicks. Motion carried.**

(c) **Motion by Hanke/Flynn** to approve the proposal from SEH to conduct an environmental review and prepare the demolition specifications for the property located at 1 N. Bridge Street, contingent upon City acquisition of the property. **Roll Call Vote: Aye – Hanke, Flynn, Mason, Hull, Lardahl, Hicks, Adrian. Motion carried.**

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:

CLAIMS - continued

City General Claims:	\$75,801.53
Authorized/Handwritten Claims:	\$52,170.90
Department of Public Utilities:	<u>\$48,726.27</u>
Total of Claims Presented	<u>\$176,698.70</u>

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

(b) Motion by Flynn/Adrian to deny the claim of Rick Schunk (DBA Felbers & Friends Salon), 223 S. Grove Street, against the City of Chippewa Falls regarding a sewer backup. **All present voting aye, motion carried.**

CLOSED SESSION

(a) Motion by Flynn/Hanke to go into 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. Deliberate acquisition of the property located at 1 N. Bridge Street.

and to allow Council, Mayor, Ferg, Bauer, Smith, and Givens, to attend; may return to Open Session.

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

Council discussed item (1) above.

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

ADJOURNMENT

Motion by Adrian/Hanke to adjourn at 8:17 pm. **All present voting aye, motion carried.**

Submitted by:

Bridget Givens
City Clerk