

**CITY OF CHIPPEWA FALLS, WISCONSIN**

**NOTICE OF PUBLIC MEETING**

In accordance with the provisions of the Wisconsin State Statutes, Sec. 19.84, notice is hereby given that a public meeting of:

**Committee #3**  
**Transportation, Construction, Public Safety and Traffic**

**Will be held on Monday, April 18, 2016 at 3:30 pm in the City Hall Council Chambers,  
30 W. Central Street, Chippewa Falls, WI**

Items of business to be discussed or acted upon at this meeting are shown on the agenda below:

1. Discuss and consider Sidewalk Use Permit Application from the Chippewa Falls Area Chamber of Commerce to utilize the sidewalk surrounding the Chamber on Bridge and Spring Streets for yard games to promote National Tourism Week on May 5, 2016. Possible recommendations to Council.
2. Discuss and consider variance request from Hotels International, LLC (Cobblestone Hotel) of Code Section, §12.03 (6) of the Chippewa Falls Municipal Code relative to Outdoor Beer Gardens. Possible recommendations to Council.
3. Discuss and consider Original Alcohol Beverage Retail License Application of Micon Cinemas, Inc. for a Class "B" Beer license for Micon Cinemas, 475 Chippewa Mall Drive. Possible recommendations to Council.
4. Adjournment

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.  
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 City Hall bulletin board and a copy has been given to the Chippewa Herald on April 15, 2016 at 11:20 am by BNG.



# SIDEWALK USE PERMIT APPLICATION

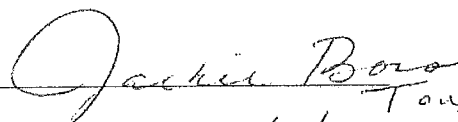
<b>Name Of Applicant:</b> C.F Chamber/ Visitor Center	<b>Address Of Applicant:</b> 1 N Bridge Street CF 54729
<b>Telephone Number:</b> 715. 723. 0331	<b>Date And Length Of Time Requested For Use Of Sidewalk:</b> 5/5/16 11:00am - 2:00pm
<b>Description Of The Portion Of Sidewalk To Be Used:</b> Corner of Bridge and spring, as well as Bridge street next to Chamber building	
<b>Describe In Detail The Purpose For Which the Sidewalk Will Be Used:</b> Yard games - bear bag toss & putting greens. Promotion of "fun" for National Tourism week	

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 on account of any injury to, or death of, any person or any damage to property caused by or resulting from the activities for which the permit is granted.

This Sidewalk Use Permit may be revoked by the City Council for any violation of any condition of such permit as set out in Ordinance 94-13, passed on May 17, 1994. Such revocation shall be after affording the permit holder a hearing before the City Council after service on the permit holder of notice of hearing at least 3 days but not more than 30 days from the date and service of the notice and a detailed statement of the facts alleged to constitute any such violation.

Certificate of liability and sketch of area to be used must be attached.

**Signature of Business Owner** \_\_\_\_\_

  
 Jackie Boro -  
 Tourism  
 Director  
 4/4/16

**Date Signed** \_\_\_\_\_

**Date of Council Approval** \_\_\_\_\_

## **Bridget Givens**

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**From:** Stephanie Brooks <sbrooks@whgco.com>  
**Sent:** Monday, April 11, 2016 12:19 PM  
**To:** Bridget Givens  
**Subject:** Hotels International  
**Attachments:** Chippewa Restaurant.pdf  
  
**Importance:** High

Bridget

We checked out the fences in town, and the Fill in Station like you had suggested. With Talking with Brian on this, we feel we do want to proceed with an appeal on "beer garden" requirements if possible.

As we had discussed, this is an innovative concept for the city. This isn't a Beer Garden so much as this is an outside area of the restaurant for people to eat. With having a higher end steak house, The focus with our restaurant isn't so much for the beverages as it is for the food.

I have attached the picture that we had discussed during our meeting as well. We will have garage doors that open on the side of the building, opening the patio up to the restaurant as well. Having an 8 foot tall fence will hinder the view of this. Our whole vision for this is something that is open and viewable from the street, not only for people to enjoy the site and sounds of downtown, but also to help draw people in seeing the restaurant from the street. This dining patio will be in the front of the building, on the main road. This also brings us to the size of our patio. It is 12 foot by 23 foot. We fear having an 8 foot tall fence will be very enclosing on the space and take away from the atmosphere we are trying to create. We are hoping that a variance can be issued for us to do a 5ft tall wrought iron fence like is pictured in our renderings.

I also just wanted some clarification on the meeting on the 19<sup>th</sup> of April. I know that the approval for the liquor license for 2016 & the renewal for 2017 will be at this meeting, but will they also be discussing our appeal and request for a variance on the fence issue? Brian will be traveling during this time and will be able to be in the area to attend the meeting if it is, as he has interest in being there for it.

Appreciate your help and look forward to hearing from you on this, and if I need to change anything in how I am submitting this appeal.

Thanks,

Steph Brooks  
WHG Companies  
980 American Drive  
Neenah, WI 54956  
(920)237-0233 ext 104  
F 866-403-7287



• (6)

OUTDOOR BEER GARDENS. (Rep. & recr. #09-12) Retail Class "B" Fermented Malt Beverage Licenses shall permit the sale of such beverages in outdoor beer gardens provided:

(a)

Access to the outdoor beer garden shall be solely through the main (indoor) entrance to the Class "B" licensed premises.

(b)

The outdoor beer garden shall be enclosed by a wall or fence not less than 8 feet in height.

(c)

No music or dancing shall be permitted in the outdoor beer garden. Amplified sound or music is permitted within the enclosed licensed premises only.

(d)

Bartenders shall be responsible for policing the outdoor beer garden at all times that it is open for operation.

(e)

No permit may be issued for an outdoor beer garden if any part of the outdoor beer garden is within 100 feet of a structure used for residential purposes, except residential uses located in the same structure as the licensed premises. This requirement may be waived at the discretion of the Chippewa Falls Common Council after a public hearing. An applicant who requests a public hearing shall supply to the City Clerk the names of all property owners within 100 feet of the licensed premises and the property owners shall be notified of the public hearing by first class mail. The applicant shall pay a \$20 fee to defray the costs of mailing and any property ownership search to confirm that the applicant has given accurate information.

(f)

The additional license shall be issued only in conjunction with a retail Class "B" fermented malt beverage license.

(g)

The premises shall conform to the rules of the State Department of Industry, Labor and Human Relations and the State Department of Health and Social Services.

(h)

Every permittee under this section shall comply with and enforce all provisions of ch. 125, Wis. Stats., applicable to Class "B" licensed premises, except insofar as such provisions are clearly inapplicable. Violation of the provisions of ch. 125, Wis. Stats., shall be grounds for revocation or suspension of the outdoor beer garden permit by the Chippewa Falls Common Council. By accepting a permit every permittee agrees that the permit is a privilege in which no rights vest and therefore may be revoked or suspended by the Chippewa Falls Common Council pursuant to State Statutes, or shall otherwise expire on June 30 of each year.

# ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning \_\_\_\_\_ 20\_\_\_\_  
ending \_\_\_\_\_ 20\_\_\_\_

TO THE GOVERNING BODY of the:  Town of } Chippewa Falls  
 Village of }  
 City of }

County of Chippewa Falls Aldermanic Dist. No. \_\_\_\_\_ (if required by ordinance)

1. The named  INDIVIDUAL  PARTNERSHIP  LIMITED LIABILITY COMPANY  
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Micon Cinemas, Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>President</u>	<u>Michael Olson</u>	<u>2821 13<sup>th</sup> St. Eau Claire</u>	<u>Wis 54703</u>
Vice President/Member	<u>Vice President</u>	<u>Constance Olson</u>	<u>2821 13<sup>th</sup> St. Eau Claire</u>	<u>Wis 54703</u>
Secretary/Member				
Treasurer/Member				
Agent		<u>Daniel M. Olson</u>		
Directors/Managers				

3. Trade Name Micon Cinemas 8 Business Phone Number 715-720-3291  
4. Address of Premises 475 Chippewa Mall Dr. Ste. 215 Post Office & Zip Code Chippewa Falls Wis 54724

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period?  Yes  No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant?  Yes  No *over*
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business?  Yes  No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date April 2004 of registration.  
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company?  Yes  No  
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin?  Yes  No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) inside lobby and upstairs storage. Consumed in lobby area and auditoriums

10. Legal description (omit if street address is given above): \_\_\_\_\_
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year?  Yes  No  
(b) If yes, under what name was license issued? \_\_\_\_\_
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864]  Yes  No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776].  Yes  No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs?  Yes  No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

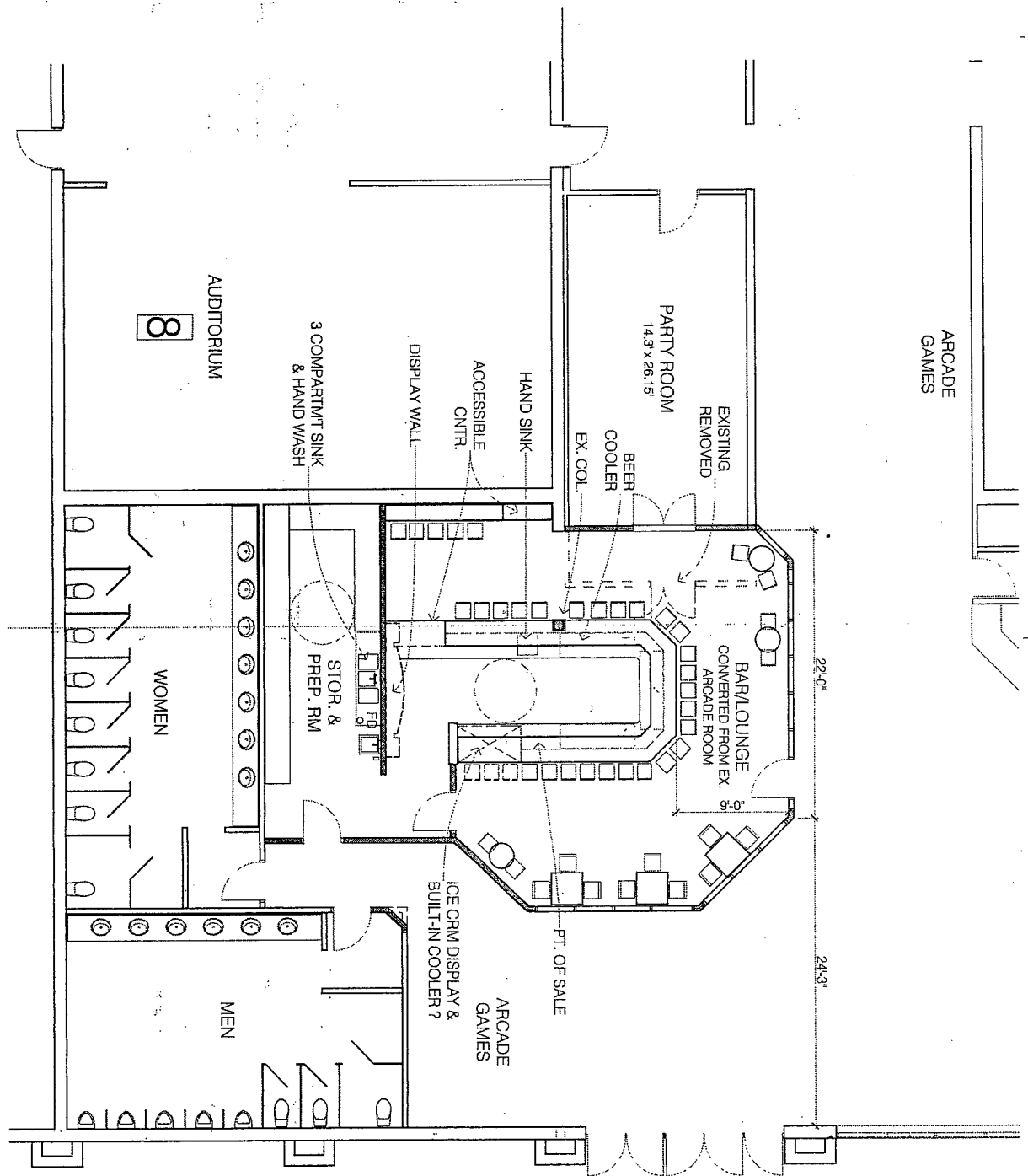
SUBSCRIBED AND SWORN TO BEFORE ME  
this \_\_\_\_\_ day of \_\_\_\_\_, 20MAR 15 2016

Julie Marshall  
(Clerk/Notary Public)

Michael B. Olson  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)  
Constance M. Olson  
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires \_\_\_\_\_  
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk <u>3-15-16</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



# MICON CINEMAS - CHIPPEWA FALLS

475 Chippewa Mall Drive, Chippewa Falls, WI 54729  
 Contact: Dan Olson

SCHEME 151 - BAR/LOUNGE PLAN  
 Printed: 03.11.2016

Studio 3 Design - Architecture  
 507.259.5578

Thank you Chippewa Falls

Mike and Connie Olson were very fortunate twelve years ago when they were able to make their dream of owning their own movie theatre in the great town of Chippewa Falls a reality. The people of Chippewa Falls were extremely welcoming and because of this great town we have been able to run a successful movie theatre.

In that twelve years we have worked hard at keeping the theatre up-to-date with the newest equipment and innovations in the theatre business. We're excited to once again to offer a new experience to the people of the Chippewa Valley. We are hoping to make the theatre in Chippewa Falls the "premiere theatre destination in the Chippewa Valley" by adding a new food and refreshment option in a specially built area in our lobby as well as expanding the number of screens in the near future.

The idea of having food and beverages in a theatre is not a new one. Other examples in the state of Wisconsin include, the Rivoli Theater in La Crosse, The Sundance Theater in Madison, IPic Theatre in Glendale, The Fox Bay Cinema Grill in Milwaukee and even our own Downtown Budget Cinema in Eau Claire. These theaters have found that people are drawn to the new concept, because it presents a great new alternative to "movies as usual."

Today, with the advent of HD TVs, NetFlix, and easily accessible media via the internet, theaters have had to find new ways to attract theatergoers. We feel this can be accomplished by enhancing the movie going experience with comfortable seating, great food and more refreshment options. We believe by adding the new refreshment and food option in our lobby it will be just one more reason to come check out Chippewa Falls and our theatre.

We have included drawings that will show where we plan on building this area in our lobby. We will also be building a secure site upstairs in the booth that will store the extra product if necessary. The sale of the beer will be done only from those 18 years or older with everyone working there obtaining their responsible beverage serving license. Everyone will be checked to make sure that only those of drinking age are consuming the product.

If you have any questions about the location of the new area or the storage of the product, etc. please feel free to contact us.

Thanks



Mike and Connie Olson

715-720-2291 (W)