

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 Tuesday, May 31, 2016, at 4:00 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 protocol for licensing mobile food vendors in the City of Chippewa Falls including, but not limited to, locations where vendors may sell food and the current moratorium on mobile food vendors in the City. Possible recommendations to the Council.
2. Discuss the Outdoor Beer Garden Code Section, §12.03 (6) of the Chippewa Falls Municipal Code including, but not limited to, the draft ordinance amendment to allow for modifications of conditions by the Chippewa Falls City Council. Possible recommendations to Council.
3. Discuss and consider variance request from Judy Van Guilder (representing The Fill Inn Station) of Code Section, §12.03 (6) of the Chippewa Falls Municipal Code relative to music in Outdoor Beer Gardens. Possible recommendations to Council.
4. Discuss inquiries relative to the ability of restaurants in the City with current alcohol beverage licenses to serve alcohol on sidewalks directly adjacent to and as part of their licensed premises. Possible recommendations to Council.
5. 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 May 27, 2016 at 1:00 pm by BNG.

RESOLUTION NO. 2014 - 33

**RESOLUTION CONCERNING
MOBILE VENDING**

WHEREAS, Mobile vending food trucks are an emerging industry and practice and are expanding;

WHEREAS, Mobile vending today is a substantial departure from the mobile food supplier of the past;

WHEREAS, there is a need to review and study the health and safety impacts of food preparation through mobile vending and to analyze the impact upon year – round merchants in the City of Chippewa Falls;

NOW THEREFORE, The City of Chippewa Falls does hereby declare a moratorium on mobile vending food trucks until such time as the Chippewa Falls common council, departments, and committees can fully investigate and analyze the emerging industry and practices with the following moratorium exceptions:

1. Vendors at the Wisconsin State Fairgrounds;
2. Vendors at Pure Water Days events with the permission of the operator(s) of the event;
3. Food delivery trucks such as Schwan's, etc.;
4. Ice cream trucks and hot dog carts;
5. Vendors set up in parking lots of retail establishments with the permission of the retail establishment; and
6. Other vendors with limited term permission of the City Council, or Mayor in the case of an emergency. The purpose of this moratorium is to continue the status quo and the intention is to continue existing practices and the enumeration herein may not cover all such existing practices.

Dated this 1st day of July, 2014

Council Vote: Ayes: _____

Nays: _____

COUNCIL PRESIDENT: _____

William Hicks

APPROVED: _____

Gregory S. Hoffman, Mayor

ATTEST: _____

Bridget Givens, City Clerk

• (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.

AN ORDINANCE AMENDING THE OUTDOOR
BEER GARDEN CODE SECTION, §12.03(6)
OF THE CHIPPEWA FALLS MUNICIPAL CODE
TO ALLOW FOR MODIFICATIONS OF CONDITIONS
BY THE CHIPPEWA FALLS COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF CHIPPEWA FALLS, WISCONSIN, DO ORDAIN AS FOLLOWS:

- 1. That § 12.03(6)(i) of the Chippewa Falls Municipal Code be created to allow for modifications of the requirements and conditions for an outdoor beer garden permit by the Chippewa Falls Common Council and which shall provide as follows:

“(6) OUTDOOR BEER GARDENS ...

(i) In any individual case, either originally or during the holding of a valid permit, the requirements and conditions of any subsection set forth above may be altered, waived, modified, or otherwise changed upon the recommendation of Committee No. 3 and the approval of the Chippewa Falls Common Council and a permit issued or amended based thereon. This may include such conditions, restrictions, or requirements as are deemed appropriate by the Chippewa Falls Common Council in the individual case before it. The permittee, in seeking such alteration, waiver, modification, or other change, agrees and consents that any such alteration, waiver, modification, or other change with any included conditions, restrictions or requirements is a privilege in which no rights vest and the Chippewa Falls Common Council retains the right to repeal, cancel, revoke, suspend, modify, amend or otherwise change the alteration, waiver, modification or other changes at any time without hearing but with notice to the permittee.

Dated this _____ day of June, 2016.

ALDERPERSON: _____
Rob Kiefer, Council President

FIRST READING: _____

SECOND READING: _____

APPROVED: _____
Gregory S. Hoffman, Mayor

ATTEST: _____
Bridget Givens, City Clerk

Judy VanGuilder
802 Bridgewater Ave
Chippewa Falls, WI 54729
715-896-0907

April 25, 2016

Dear Chippewa Falls Board and Committee 3,

I am writing to request a variance from the city ordinance that eliminates the possibility of offering acoustic musical entertainment on the patio at The Fill Inn Station at 104 W. Columbia Street, Chippewa Falls, WI. I am working with the co-owner of The Fill Inn Station, Kara Goosens, to bring people back into the venue and to the downtown Chippewa Falls area during the summer months. What we have seen in past summers, is that during this time people leave the downtown, going to their campers early and/or to other venues outside of the city limits that offer this kind of family entertainment.

We are requesting that The Fill Inn Station be allowed to have acoustic music on the patio on Thursday evenings throughout the summer. The summer music series would run June through August, no later in the evening than 9 PM and would be acoustic music only, which tends to be calm and soothing by nature. No full bands would be part of this music series.

By allowing The Fill Inn Station to have live outdoor acoustic music on the patio during this limited time frame, it brings along with it new life and revenue to the downtown area. Chippewa Falls is progressive and having added a new distillery, expansion of restaurants, a new hotel and the park expansion project, live outdoor acoustic music on the patio is just another way thing that can bring revenue to the downtown and only add to the progress that the city has been working to create. Please consider this variance and allow The Fill Inn Station to offer something to not only help the downtown revenue stream but to help bring people back into the business during the summer months.

I truly appreciate the consideration,

Judy VanGuilder
Chippewa Falls Resident

- **9.32 - CONSUMPTION OR POSSESSION OF INTOXICANTS ON STREETS PROHIBITED. (Am. #83-23)**

Unless the City Council shall exempt certain celebrations or activities, the following provisions shall apply:

(1)

No person shall consume alcohol beverages, as defined by §125.02, Wis. Stats., which are incorporated herein by reference, while in or upon any public street, alley, sidewalk, public parking lot or other public way.

(2)

All purchases of alcohol beverages by the glass or in open containers shall be consumed on the licensed premises where served and shall not be removed to any public street, alley, sidewalk, public parking lot or other public way.

(3)

No person shall be in possession of any glass or open container containing an alcohol beverage on any public street, alley or sidewalk, public parking lot or other public way.