

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
April 24, 2008

(I) Call Meeting to Order

Mayor Tom Meyer called the meeting to order at 6:00 p.m. held in the Council Chambers at Altoona City Hall.

(II) Pledge of Allegiance

Mayor Meyer led the Common Council and others in attendance in the Pledge of Allegiance.

(III) Roll Call

The City Clerk called the roll. Council Persons Ray Henning, Brendan Pratt, Colleen Weber, William Spangler, Dale Stuber and Red Hanks were present. Also present: Mayor Tom Meyer, City Attorney John Behling, City Administrator Michael Golat, Consulting City Engineer Tim Marko, and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

There being no Citizen Participation, motion by Spangler/Stuber to close Citizen Participation Period.
Motion carried.

(V) Approval of minutes.

Motion by Stuber/Weber to approve the minutes of the April 10, 2008 Regular Council Meeting. **Motion carried.**

Motion by Spangler/Hanks to approve the minutes of the April 15, 2008 Organizational Council Meeting.
Motion carried.

(VI) City Officers/Department Heads Report

City Administrator Golat reported on the following:

- Proceeding to close on the city property with Mark Anderson.
- Proceeding to close on the Bob Brown property next week.
- The annexations will be filed soon for other Hwy 12 eastern properties.

City Committee Reports – none.

(VII) Unfinished Business - none.

(VIII) New Business

(1) Public Hearing at 6:05 p.m. or as soon thereafter as is possible regarding a CSM as submitted by Bob and Margie Brown located adjacent to North Hillcrest Parkway. (Recommendation before the Plan Commission at their April 14, 2008 Plan Commission Meeting).

Mayor Meyer opened the public hearing at 6:05 p.m.

City Administrator Golat explained that the CSM submitted by Bob & Margie Brown is for the purpose of subdividing their property located along North Hillcrest Parkway. The only change to the CSM since the preliminary consultation with the Plan Commission is that a 10' easement has been added to the east side of the access road to accommodate electric, gas and telecommunications utilities. The CSM will allow the Browns to sell lot 2 to the City of Altoona to site Well #7. Plan Commission recommended approval at their April 14, 2008 meeting.

Motion by Spangler/Henning to close the Public Hearing at 6:07 p.m. **Motion carried.**

(VIII)(2) Consider approval of certified survey map (CSM) submitted by Bob and Margie Brown for property located adjacent to North Hillcrest Parkway)

Motion by Henning/Hanks to approve the CSM submitted by Bob and Margie Brown for property located adjacent to North Hillcrest Parkway. **Motion carried.**

(VIII)(3) Discuss River Prairie property issues with CottageRidge.

City Administrator Golat explained that there are two issues regarding the sale of the River Prairie property that Robb Majeski of CottageRidge Group would like to discuss with the City Council. The first topic is whether the City will allow locating storm water ponds on City owned property in the northeast and southwest quadrants. The second topic is that Majeski would like to present an alternative concept for development of the Northeast quadrant for the City Council to consider.

Robb Majeski was present to explain his intentions. In continuing the commercial development, Majeski would like the possibility of changing the commercial buildings that were originally planned right off River Prairie Drive to the back side along the Hwy 53 bypass which would leave the front area abutting River Prairie Drive for a park.

Scott Kramer, Kramer Land Design was present to explain alternative storm water ponds. The first alternative is a joint use of a storm water detention facility located on the 10 acres of City property that the City is reserving for future development. The first alternative would be less expensive because of existing ditch structure already on the northern portion of the southwest property. The second alternative would also be located on City property but in the southern portion of the southwest property. This alternative would be more costly because it couldn't use existing ditches.

City Administrator Golat asked the possibility of making alternative one narrower along River Prairie Drive and using the existing cleared property either under the power lines or over the center sewer lines. There were questions regarding what Xcel Energy would allow under the power lines. Mayor Meyer suggested contacting Xcel regarding the power lines and coming back at a future council meeting.

Council Member Pratt questioned why the city would give up prime land for a detention pond. He wasn't against giving up the land but felt the City should be compensated for it.

Golat gave some background history regarding the original General Implementation Plan and raised the stormwater issue. They said the developers wanted that 10-acre piece of property to put the storm water in but the City wouldn't give it to them. Golat said the perma is based on square footage of build out with the stormwater pond somewhere else. Golat said prior to signing the contracts, the City need to decide if this works. Otherwise they're not going to have the same square footage in the contract. Council was open to this idea, but wanted to see the plan again, trying to minimize impact on developable land.

Kramer then explained the potential pond locations in the NE quadrant. Kramer said the two pond location options are outside the conservancy line. Kramer said they are hoping to tie into the riprap channel that the DOT has constructed, and will hopefully be their outfall to the river. Kramer also said they will have to cut down some trees to construct these ponds.

City Administrator Golat said when they approached Wis DOT to use the ponds internal to the interchange, DOT wasn't supportive, but thought if we approach them again regarding using the property along the eastern edge of the northbound on-ramp they may consider this option. Golat said he'll bring this item back after meeting with Xcel and Wis DOT to discuss the above mentioned issues.

(VIII)(4) Consider South Willson Drive detention pond property purchase proposal.

City Administrator Golat explained that Robb Majeski, representing Cottagewood Group, is proposing to purchase one acre of land from the City along S. Willson Drive adjacent to the City property commonly known as the "detention pond". Staff is seeking direction from Council regarding whether there exists support to proceed with the sale. Golat said a preliminary subdivision plan was included in Council packets which show the proposed land acquisition shaded in gray. Also included in Council packets was a letter which included a proposal to purchase the property for \$14,810 which represents \$.34 per square foot.

Majeski explained that by purchasing the additional one acre of land, this would allow an additional 5 lots within the subdivision which in return would increase the tax base for the city.

Council Member Pratt felt the City should get that one acre appraised prior to selling the property.

Motion by Pratt/Weber to table this item until the City has the property appraised at the City's expense.

Motion carried.

(VIII)(5) Consider Ordinance 4D-08 amending Chapter 12.12 of the Altoona Municipal Code "Driveways" to clarify driveway approach standards. (Discussed at the April 14, 2008 Plan Commission Meeting).

City Administrator Golat commented that the City doesn't have very good standards regarding driveways/driveway approaches.

City Administrator Golat explained Ordinance 4D-08 which amends Chapter 12.12 of the Altoona Municipal Code to clarify the City's standards for driveway approaches. Golat noted that the name of the chapter has been changed from "Driveways" to "Driveway Approaches". Golat said the ordinance specifies the maximum driveway approach or apron width shall be twenty-two feet in width. The ordinance also specifies the approach width shall match the width of the corresponding driveway and that all driveway approaches must be hard surfaced. This item was discussed at the April 14, 2008 Plan Commission meeting and Plan Commission unanimously recommended approval.

Motion by Spangler/Pratt to approve Ordinance 4D-08 amending Chapter 12.12 of the Altoona Municipal code to clarify driveway approach standards. **Motion carried.**

(VIII)(6) Consider Ordinance 4E-08 creating and adopting Chapter 10.21 of the Altoona Municipal Code "Residential Yard Parking". (Discussed at the April 14, 2008 Plan Commission Meeting).

City Administrator Golat explained Ordinance 4E-08 which creates Chapter 10.21 of the Altoona Municipal Code, "Residential Yard Parking" to set the standards from the driveway approach to the parking areas within the first 30 feet. The ordinance also regulates residential parking within required minimum front or side yards. The ordinance was created based on complaints related to residents parking in their yards not on driveways. The ordinance first establishes standards for the driveway width within the minimum yard areas consistent with the number of parking spaces the driveway accesses and also defines the maximum amount of impervious surface allowed for single-family and two-family dwellings to address storm water concerns. The ordinance also clarifies that all parking within the minimum front or street side yards shall be on a driveway or parking pad, if a parking pad is allowed as described in 10.21.040 B. Golat said this item was reviewed at the April 14th Plan Commission meeting and Plan Commission unanimously recommended approval of the ordinance.

Council Member Spangler questioned enforcement procedures; instead of receiving a notice, shouldn't they just get a ticket or a warning the first time and a ticket the second time.

Following discussion motion by Spangler/Stuber to table Ordinance 4E-08 creating Chapter 10.21 of the Altoona Municipal Code "Residential Yard Parking" until such time that the City Administrator makes some changes regarding enforcement. **Motion carried.**

(VIII)(7) Consider contract between the City of Altoona and Short, Elliot, Hendrickson (SEH) for SEH to conduct a threatened and endangered species survey on the River Prairie property.

City Administrator Golat explained the contract between the City and SEH for SEH to conduct a threatened and endangered species survey on the River Prairie property for Karner Blue Butterflies (KBBs). Golat said the U.S. Fish and Wildlife Service, in cooperation with the Wisconsin Department of Natural Resources, has identified the known occurrence of the KBB in the area; therefore, the property must be surveyed prior to development to determine whether the butterflies are present.

Consulting City Engineer Tim Marko explained the Endangered Species Survey Scope of Work and the revised Task 1 – 4 costs. If lupine are present in numbers that could support a KBB population, the lupine survey will be followed by three flight surveys to confirm the presence or absence of KBBs. This work is identified in

Task 4. The total cost of the lupine survey is a not to exceed amount of \$7,750. If a KBB flight survey is required, this task will cost an additional \$4,950.

Motion by Spangler/Henning to approve the contract between the City and SEH for SEH to conduct a threatened and endangered species survey on the River Prairie property for Karner Blue Butterflies (KBBs) and to amend the 2008 TID # 3 budget to reflect the additional expense. Roll call vote, 6-ayes, Spangler, Henning, Pratt, Weber, Stuber, Hanks, 0-nays. **Motion carried 6-0.**

(VIII)(8) Consider awarding bid for USH 12 Water Main Loop/Brown Boulevard Street and Utility Improvements project.

Consulting City Engineer Marko explained the bid tabulation for the USH 12 Water Main Loop/Brown Boulevard Street and Utility Improvements project. Marko said the City received 5 bids for the project, which were opened on April 17, 2008. The apparent low bidder for the project is Haas Sons, Inc. with a bid of \$252,009.94; the engineer's estimate for the project was \$268,000.

Motion by Spangler/Hanks to award the bid to Haas Sons, Inc. for \$252,009.94, contingent on successfully closing on the Bob Brown property which is scheduled for Monday, April 28th. Roll call vote 6-ayes Spangler, Hanks, Stuber, Henning, Pratt, Weber, 0-nays. **Motion carried 6-0.**

(VIII)(9) Proclamation proclaiming May 4 through May 10, 2008 as Municipal Clerks Week in the City of Altoona.

City Administrator Golat explained that the Office of City Clerk is a critical office for the business of running the City and as such the Governor has proclaimed May 4 through May 10, 2008 as Municipal Clerks Week in the State of Wisconsin. Golat recognized the work that City Clerk Bauer has done and pointed out her commitment to her office and to always further the best interests of the City. Golat commented that Cindy's work is especially critical in a presidential election year, such as 2008, when she is called upon to over-see the four local, state and national elections. Mayor Meyer read the proclamation and thanked Clerk Bauer for her continued hard work and commitment to the City.

(VIII)(10) Consider convening in closed session.

Motion by Stuber/Henning to convene in closed session at 7:40 p.m. pursuant to the following Wis. Stats. 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

A. Update on Schmidt Property Condemnation.

Roll call vote, 6-ayes Stuber, Henning, Weber, Spangler, Hanks, Pratt, 0-nays. **Motion carried 6-0.**

(VIII)(11) Reconvening in open session.

Motion by Spangler/Hanks to reconvene in open session at 8:05 p.m. **Motion carried.**

Motion by Henning/Spangler to Revoke Determination of Necessity for entire Schmidt Parcel and to Revoke Jurisdictional Offer. **Motion carried.**

Motion by Spangler/Henning to make a Determination of Necessity and ask staff to begin process of condemning easement for collector line on Schmidt parcel. **Motion carried.**

(IX) Miscellaneous Business and Communications - None.

(X) Adjournment.

Motion by Spangler/Pratt to adjourn at 8:06 p.m. **Motion carried.**