

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
May 22, 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, Finance Director Jon Pfeilsticker, Consulting City Engineer Tim Marko, Park & Rec Coordinator Debra Goldbach, and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

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

Motion carried.

(V) Approval of minutes.

Motion by Henning/Hanks to approve the minutes of the May 8, 2008 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat mentioned that the Kick Ball game between the City of Altoona School District and the City of Altoona has been scheduled for Wednesday, June 4, 2008 at 4:30 p.m. City officials and City Employees are invited to participate. Golat mentioned that the City closed on the City property to the Golden Spike Bar last week. Golat said the City will be closing on the Charter property next week.

City Administrator Golat updated the Council on the Karner Blue Butterfly Survey that was completed today in the northeast, southeast, railroad corridor, and southwest corridor. Golat said preliminary report shows no lupine in the southeast, southwest, or the railroad corridor. Golat said it was very limited in the northeast quadrant.

City Attorney Behling introduced Daneille Strong, a new Law Clerk at Weld Riley Prenn & Ricci Firm.

City Committee Reports – none.

(VII) Unfinished Business

(1) Consider South Willson Drive detention pond property purchase proposal. (Tabled at the April 24, 2008 Regular Council Meeting).

Motion by Spangler/Henning to remove from the table considering South Willson Drive detention pond property purchase proposal. **Motion carried.**

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”. Golat explained that Robb Majeski submitted a letter which includes a proposal to purchase the property for \$14,810 which represents \$.34 per square foot. Golat said an appraisal was completed by Norby on the subject property; the appraisal values the property at \$22,000.

Golat said the preliminary layout reflects purchasing the property will allow development of 15 lots compared to 10 lots if Cottagewood is unable to purchase the property. Mr. Majeski anticipates the five additional lots will create at least \$15,000 in total additional taxes annually. The property is located within the boundaries of the City’s TID #3.

Council Member Spangler supported going forward with the offered price of \$14,810.

Council Member Pratt felt there are other options besides selling it for \$6,000-8,000 less than the appraised value.

Council Member Weber felt there was no reason why we shouldn't counter with the offer of what Norby appraised the property at.

Motion by Henning/Weber to counter offer to sell the above described property at \$22,000. Roll call vote, 6-ayes, Henning, Weber, Pratt, Spangler, Stuber, Hanks, 0-nays. **Motion carried 6-0.**

(VIII)(2) Consider Ordinance 4E-08 creating and adopting Chapter 10.21 of the Altoona Municipal Code "Residential Yard Parking". (Tabled at the April 24, 2008 Regular Council Meeting).

Motion by Spangler/Hanks to remove from the table Ordinance 4E-08 creating and adopting Chapter 10.21 of the Altoona Municipal Code "Residential Yard Parking". **Motion carried.**

City Administrator Golat explained that the Council reviewed Ordinance 4E-08 at their April 24th meeting and tabled action on the ordinance because they wanted the ordinance modified to include yard parking as a citable offense. The ordinance has been amended to reflect Council's direction.

Motion by Spangler/Pratt to approve Ordinance 4E-08 creating and adopting Chapter 10.21 of the Altoona Municipal Code "Residential Yard Parking". Hanks against. **Motion carried.**

(VIII)(3) Discuss/consider Altoona Outdoors Master Agreement and bike trails. (Tabled at the 3/27/08 Regular Council Meeting).

Motion by Pratt/Henning to remove from the table the Altoona Outdoor Master Agreement and bike trails. **Motion carried.**

City Administrator Golat explained that this item was on the March 27, 2008 agenda. However, the item was tabled at that time and no action on the item was taken. Golat said Mayor Meyer is asking to revisit this issue specifically to address the Master Contract provision that the City is required to maintain the trails after they are built. In particular, he would like to discuss whether maintaining trails outside of City limits is a good use of tax payer money.

Golat noted under the master agreement Section 4i. that the City will own and maintain any trails built under this agreement in the same manner as it maintains other City built trails. Golat explained that Consulting City Engineer Marko will be meeting with the Planert's regarding the bike trails.

Henning said there is no reason why the Citizens of Altoona should be paying for maintenance in the Town of Washington. With that being said, motion by Henning/Spangler to move that the City no longer has any obligation east of Beach Road and Lake Road for the Eastern loop trail. For clarification Spangler verified with Henning that the motion states that the City of Altoona will not pay for maintenance of the trails outside the corporate limits of the City of Altoona. Hanks and Weber against. **Motion carried 4-2.**

(VIII) New Business

(1) Public Hearing at 6:05 p.m. or as soon thereafter as is practical to special assess for the US Highway 12 East Street and Utility Project.

Mayor Meyer opened the public hearing at 6:21 p.m.

Altoona Finance Director Pfeilsticker explained the special assessments and those properties that chose not to participate in the project at this time. The scope of the project includes water mains and laterals, hydrants, sanitary sewer mains and services and restoration. As in the past, Altoona has used the special assessment process to pay a portion of the project. Pfeilsticker said the assessments on this project have been lowered to reflect the following: A contribution of \$200,000 from a Community Development Block Grant-Public Facilities grant and a contribution of \$222,000 from TID # 4. The City has calculated the assessments to include properties adjacent to the project, but not currently annexing. The City will be required to carry these costs until such time as the properties annex. At time of annexation the City may recover the proportionate gross cost of the project, and may add other capacity-related costs.

Motion by Spangler/Pratt to close the public hearing at 6:28 p.m. **Motion carried.** The final resolution will be forthcoming at a future meeting after the project goes out to bid.

(VIII)(2) Proclamation proclaiming May 18 through May 24, 2008 as Public Works Week in the City of Altoona.

City Administrator Golat explained that May 18 through May 24, 2008 is Public Works Week in the City of Altoona. This week is also being recognized by other communities around the country as public works week; the American Public Works Association is promoting the event. The proclamation reflects the critical role public works employees play in assuring the health, safety, comfort and quality of life of each and every citizen of Altoona. The proclamation also calls upon all citizens of Altoona as well as civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions of the Public Works Department.

Mayor Meyer read the proclamation.

(VIII)(3) Consider special exemption for Altoona Lions Club to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park (designated consumption & sale area) during a car show in conjunction with Cinder City Days Celebration, June 7, 2008 (Rain date June 8, 2008).

The Altoona Lions Club is requesting an exemption in order to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park during a car show in conjunction with the Cinder City Days celebration, June 7, 2008. Chief Chaney recommends City Council approve a one-time exemption for the Altoona Lions Club to obtain a Picnic License at Tenth Street Park within a designated consumption and sale area during the car show.

Motion by Spangler/Henning to grant a special exemption for the Altoona Lions Club to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park during a car show on June 7, 2008. **Motion carried.**

(VIII)(4) Consider Ordinance 5C-08 approving annexation of the Bauman Investments, LLC, Robb Majeski and Finland Holdings properties, located adjacent to Mayer Road, into the City of Altoona.

City Administrator Golat explained Ordinance 5C-08, approving annexation of the Bauman Investments, LLC, Robb Majeski and Finland Holdings properties, located adjacent to Mayer Road, into the City of Altoona. The properties are requesting annexation to the City in anticipation of the City extending water and sewer services down Mayer Road to the southern property line of the Bauman property. The City will also be required to make tax payments to the Town of Washington for five years, based on the Town of Washington's tax rate, which is lower than the City.

Motion by Henning/Hanks to approve Ordinance 5C-08 approving the annexation of the Bauman Investments, LLC, Robb Majeski and Finland Holdings properties, located adjacent to Mayer Road, into the City of Altoona. **Motion carried.**

(VIII)(5) Set Public Hearing Date for rezoning the following properties from R-1 to Industrial: Curt Manufacturing and J & D Manufacturing, and for rezoning the following properties from R-1 to Commercial: Finland Holdings Group, LLC, Robb Majeski, and Bauman investments, LLC. (Recommended date June 12, 2008 at 6:05 p.m.). Refer Petition to the Plan Commission for their recommendation prior to the Public Hearing.

City Administrator Golat explained that the City recently annexed six properties into the City of Altoona located along Highway 12 and Mayer Road. Altoona Municipal Code Section 19.24.030 requires that all properties annexed to the City shall be subject to the regulations of the R-1 district, until other districts and regulations are recommended by the city Plan Commission and adopted by the City Council. Chapter 19.68 also requires a public hearing on rezone requests. This agenda item is to set the public hearing date to consider rezoning the properties and to refer the item to the Plan Commission for recommendation. Staff recommends the public hearing be set for the June 12th Council meeting and the item be referred to the Plan Commission meeting of June 9th.

Motion by Weber/Spangler to set the public hearing date for rezoning the above mentioned properties on June 12, 2008 and to refer this item to the Plan Commission for their recommendation. **Motion carried.**
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(VIII)(6) Consider approval of Resolution 5B-08, a Resolution creating, describing and making certain findings and approving project plan for Tax Incremental District No. 4, City of Altoona.

Sean Lentz of Ehlers & Associates was present to explain the Creation of Tax Increment District No. 4. Lentz explained that the Tax Incremental Financing is authorized under Wis. Stats. 66.1105. Lentz summarized the following key factors:

TIF Financing:

- The TIF receives taxes on the Increment Value at the combined rate of all taxing entities.
- All Taxing Jurisdictions continue to receive their share of the tax levy on the Base Value.

Importance of “But For” test:

- “But For” the creation of the TID, the development proposed would not occur or would not occur as proposed.
- Use development incentives to either get a project to happen that wouldn’t, or to get a higher quality project than would otherwise be possible.
- TIF shouldn’t be used where the exact project would occur (in quality and timing) without it’s use.
- If the test is met, All taxing jurisdictions truly benefit and none suffer any loss.

TID Creation Process:

- Initial Joint Review Board Meeting held May 5, 2008
- Plan Commission Public Hearing and approval/recommendation on May 5, 2008
- City Council Action. If council approves the project plan tonight, the plan and resolutions move forward to another Joint Review Board scheduled for Tuesday, May 27, 2008.
- State Certification.

Mixed Use District:

- Must be comprised of at least 50% (by area) of property suitable for two of the following land uses: Commercial, Residential, Industrial.
- No newly platted residential development is planned at this time.
- Industrial Development on the north side of Hiwy 12 and Commercial Development on the south side.
- All taxing jurisdictions will continue to get revenue from base value.
- Town of Washington will be compensated for lost tax revenue for the next 5 years.

TID No. 4 Review of the following:

- Project Costs – Budget
- Proposed Boundaries
- Development Assumptions
- Revenue Forecast
- Cash Flow Forecast

Motion by Spangler/Henning to approve Resolution 5B-08, a resolution creating, describing and making certain findings and approving project plan for Tax Incremental District No. 4, City of Altoona. **Motion carried.**

(VIII)(7) Consider concession contract between Altoona Youth Softball and Baseball and the City of Altoona.

Debra Goldbach explained the contract between the City of Altoona and Altoona Youth Softball and

Baseball, which allows AYSB to run the concessions at Cinder City and 10th Street Parks in consideration of payment to the City. All the terms of the contract are consistent with the 2007 contract including the payment to be provided by AYSB of \$525.

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Motion by Weber/Hanks to approve the concession agreement with Altoona Youth Softball and Baseball for the 2008 season, and authorize the Mayor to sign the contract on behalf of the City. **Motion carried.**

(VIII)(8) Consider contract amendment between the City of Altoona and Short, Elliot, Hendrickson (SEH) for SEH to complete design and construction engineering for the Mayer Road utilities extension project.

City Administrator Golat explained the contract amendment between the City and SEH is for SEH to complete design and construction engineering services for the Mayer Road Water and Sewer Utility Extension Project. This is an amendment to the Curt Manufacturing (US Hwy 12 E) Utility Extension contract. The additional fees proposed include \$4,500 for design engineering and \$3,400 for construction engineering.

Motion by Spangler/Pratt to approve the contract amendment between the City and SEH for SEH to complete design and construction engineering services for the Mayer Road Water and Sewer Utility Extension Project and to amend the 2008 street, water and sewer budgets by \$7,900 to reflect each fund's proportionate share of the engineering cost. Roll call vote 6-ayes, Spangler, Pratt, Stuber, Hanks, Henning, Weber, 0-nays. **Motion carried.**

(VIII)(9) Consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) A. Briefing on revised offer on City property located adjacent to N. Hillcrest Parkway and B. Update on potential Developers and Sales Agreement between the City of Altoona and CottageRidge Group and RiverRidge Group.

Motion by Stuber/Henning to convene in closed session at 7:03 p.m. pursuant to Wis. Stats 19.85 (1)(e) A. Briefing on revised offer on City property located adjacent to N. Hillcrest Parkway and B. Update on potential Developers and Sales Agreement between the City of Altoona and CottageRidge Group and RiverRidge Group. Roll call vote 6-ayes, Stuber, Henning, Weber, Pratt, Hanks, Spangler, 0-nays. **Motion carried 6-0.**

(VIII)(10) Motion to reconvene to open session.

Motion by Spangler/Weber to reconvene to open session at 7:15 p.m. **Motion carried.**

(VIII)(11) Consider Amendment to Offer to Purchase on City property located adjacent to N. Hillcrest Parkway.

Motion by Spangler/Henning to make a counter offer to the amended offer to purchase changing the purchase price from \$236,000 to \$226,000 for property located adjacent to N. Hillcrest Parkway. **Motion carried.**

(IX) Miscellaneous Business and Communications

Mike commented on the LRIP Grant that the City was awarded a couple months ago.

Golat said the deadline for the Engineer position was last week; the City received 11 applications. Golat said the applications were distributed to the selection committee and a meeting will be held next Thursday to do the screening and interview process.

Spangler said that given the action that the Council took on the trail issue earlier, he would like to see some sort of ad hoc committee or informal meeting with council members and Altoona Outdoors to discuss the current contract and what the expectations are and to come to an agreement with the future of the trails. Mayor Meyer, Council Members Henning and Spangler and City Administrator Golat will serve on the Ad Hoc Committee.

(X) Adjournment.

Motion by Spangler/Hanks to adjourn at 7:20 p.m. **Motion carried.**

Minutes submitted by

Cindy Bauer, City Clerk