

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
June 12, 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, Dale Stuber and Red Hanks were present. Also present: Mayor Tom Meyer, City Attorney John Behling, City Administrator Michael Golat, Finance Director Jon Pfeilsticker, Police Chief and Fire Chief Todd Chaney, Consulting City Engineer Tim Marko, Park & Rec Coordinator Debra Goldbach and City Clerk Cindy Bauer.

Absent: Council Member William Spangler

(IV) Citizen Participation Period

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

Motion carried.

(V) Approval of minutes.

Motion by Weber/Hanks to approve the minutes of the May 22, 2008 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

Consulting City Engineer Tim Marko updated the council on the surveys that were conducted in the River Prairie area for the lupine plant that supports the Karner Blue Butterfly. Marko said he submitted their findings to Cathy Carnes, US Fish and Wildlife Service, who believes that we have surveyed the correct area for the lupine plant. Marko indicated that they found lupine in the NE corridor, along East Willson Drive and an uncanopied area in the NE quadrant, and the NW quadrant by the old power transmission line. Marko said we will need to do the Karner Blue Butterfly survey during its flights, first one starting next week.

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 practical to rezone parcels.

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

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. Golat said hearing notices have been sent to the affected property owners and adjacent property owners consistent with City Code.

The following parcels that are proposed to be rezoned are: Parcel #024-1199-02-020, Parcel #024-1199-01-000 and Parcel #024-1198-10-000 from Residential (R-1) to Industrial (I); Parcel #024-1201-04-000, Parcel #024-2160-02, and Parcel #024-2160-04 from Residential (R-1) to Commercial (C). The Plan Commission discussed this item at their June 9, 2008 Plan Commission Meeting and recommended approval.

Motion by Pratt/Henning to close the public hearing at 6:09 p.m. **Motion carried.**

(VIII)(2) Consider Ordinance 6A-08 rezoning Parcel #024-1199-02-020, Parcel #024-1199-01-000 and Parcel #024-1198-10-000 from Residential (R-1) to Industrial (I).

Motion by Henning/Weber to approve Ordinance 6A-08 to rezone Parcel #024-1199-02-020, Parcel #024-1199-01-000 and Parcel #024-1198-10-000 from Residential (R-1) to Industrial (I). **Motion carried.**

(VIII)(3) Consider Ordinance 6B-08 rezoning Parcel #024-1201-04-000, Parcel #024-2160-02, and Parcel #024-2160-04 from Residential (R-1) to Commercial (C).

Motion by Weber/Hanks to approve Ordinance 6B-08 to rezone Parcel #024-1201-04-000, Parcel #024-2160-02, and Parcel #024-2160-04 from Residential (R-1) to Commercial (C). **Motion carried.**

(VIII)(4) Public Hearing at 6:10 p.m. or as soon thereafter as is possible regarding certified survey maps (CSMs) for the River Prairie Development. (Recommendation before the Plan Commission at their June 9, 2008 Plan Commission Meeting).

Mayer Meyer opened the public hearing at 6:10 p.m. City Administrator explained there are six certified survey maps to subdivide the River Prairie property prior to sale. The six CSMs reflect new parcels as follows.

- The southwest quadrant will be divided into four parcels. Lots 1 and 2 will remain zoned Public and Conservancy with continued use of Lot 2 for pump station purposes. The City will retain Lot 3 (9.97 A) which is zoned RPMU. Lot 4 (40.25 A) is also zoned RPMU.
- The northwest quadrant will be divided into three parcels. Lots 1 and 3 (4.62 A and 3.99 A) are zoned Public and Conservancy and Lot 2 is zoned River Prairie Mixed Use (RPMU) (39.7 A).
- The Southeast quadrant will become one lot. Lot 1 (18.03 A) is zoned RPMU.
- The northeast quadrant north of East Willson Drive will be divided into three parcels. Lot 2 (6 A) which is currently zoned RPMU, will be retained by the City for future park uses consistent with the River Prairie Plan. Lot 3 (21.08 A) is also zoned RPMU. Lot 1 (11.68 A) is zoned Public and Conservancy.
- The Northeast quadrant south of East Willson Drive will become 1 parcel. Lot 1 (8.82 A) is zoned RPMU.
- The property south of Lake Road and north of the railroad tracks will become two lots. Lot 2 (9.11 A) is zoned RPMU. Lot 1 (3.38 A), which will be retained by the City, is also zoned RPMU.

City Administrator Golat asked to delay taking action with the CSM's until after closed session.

Wendy Ball, 918 Timber View Drive, Altoona, had the following opinions: 1) Make the western quadrant unique, not just like another strip mall. 2) Be cautious not to fully change the assets when developing. 3) For the residential development in the northeast quadrant, keep the consistency and continuity of what's on the lake. Make lot size bigger and houses more consistent with the surrounding buildings. 4) When development occurs on 10th Street, keep in mind of children and people that use the bike paths; keep it safe.

Dave Elvig, 1111 Moonlight Drive, referred to various CSM's. Elvig had questions with the following: 1) Bike trail around the conservancy. 2) Outlot C in Moonlight Bay Subdivision. City Administrator Golat said the City will still own that piece of property on Lake Road. 3) Property on East Willson Drive. 4) The economics (NPV) of the entire proposal. What is the next stage and when will that be assessed and made public. Golat commented on the changes and asked if the Council and Finance Committee want to see those figures again.

Finance Director Pfeilsticker mentioned that a Finance Committee meeting has been tentatively set for Thursday, June 26, 2008 at 5:00 p.m. prior to the Council meeting.

Motion by Pratt/Henning to close the public hearing at 6:33 p.m. **Motion carried.**

(VIII)(5) Consider approval of certified survey maps (CSM) for property located in the River Prairie Development.

This item was deferred until after closed session.

Following closed session City Administrator Golat said we did have a public hearing on the 6 CSM's. Golat noted there may be modifications to the CSM's at a later date but recommended approval of the 6 CSM's as presented.

Motion by Pratt/Henning to accept the six CSM's for the River Prairie area as presented. **Motion carried.**

(VIII)(6) Consider Wastewater Treatment Memorandum of Understanding (MOU) between the City of Eau Claire and the City of Altoona.

City Administrator Golat explained the Memorandum of Understanding between the Cities of Altoona and Eau Claire regarding the continued treatment of Altoona's sewage by the City of Eau Claire. Golat said the original agreement was drafted in 1977 and expired in 1997. There were discussions between Eau Claire and Altoona from 1995 and 1997 regarding contact renewal, but an agreement could not be reached at that time. The primary issue that could not be resolved was whether Altoona would be allowed to extend sewer outside their corporate city limits. The Memorandum of Understanding (MOU) stipulates the City will continue to operate under the terms of that contract while working on drafting a new contract and coming to agreement by April 1, 2009. The MOU also stipulates each City will devote sufficient staff and financial resources to the effort.

The agreement further outlines issues which need to be addressed in the new contract along with procedures for mediation if parties cannot reach terms by the date specified. Specific issues include: Sewer service capacity and boundaries, pretreatment standards, system monitoring and metering, mitigation of inflow and infiltration, cost of service, billing procedures and treatment facility upgrades

Motion by Weber/Hanks to approve the Wastewater Treatment Memorandum of Understanding between the City of Eau Claire and the City of Altoona. **Motion carried.**

(VIII)(7) Discuss/consider alcoholic beverages in the City Parks.

This item has been placed on the agenda at the request of Council Member Henning and Council President Spangler. Henning said there haven't been any problems in the past and asked this item to be on the agenda.

Motion by Henning/Hanks to make no changes under Section 9.23.020 in the Altoona Municipal Code Book. Pratt against. Discussion followed. **Motion carried.**

Pratt asked for clarification in the code book to make it strictly adult softball only. Pratt said it leaves issues wide open regarding alcohol at youth activities. There shouldn't be alcohol around youth activities. The City should regulate the adult softball players to stay in their playing area and restrict them from going to the youth games bringing alcohol. Pratt said the way the exemption reads in the code book is that you can have alcohol at any activities which are directly supervised by the Altoona Parks & Recreation. Pratt said at the Park & Rec Committee meeting last week the committee agreed that we should restrict alcohol at youth activities. We should regulate alcohol only to where the adult softball games are being played.

Hanks commented that WIAA says you cannot have alcohol present at any high school or school event.

Park & Rec Coordinator Goldbach commented that she talked to the softball managers asking them to keep beer out of dugouts.

Consensus of Council Members felt that either a small fence could be erected or posting signs saying no alcohol beyond a certain point. Mayor Meyer and Council Member Henning thought we should try the signs first and follow up in a month if further action should be taken.

(VIII)(8) Consider development agreement between the City of Altoona and Cottagewood Group for Barland Prairie Subdivision.

City Administrator Golat explained the development agreement between the City and Cottagewood Group (agent Robb Majeski) specifying the requirements the developer is required to meet in developing the Barland Prairie subdivision. Golat noted the scope of the plat compared to the preliminary plat approved has been reduced from ten to seven lots pending a decision by Cottagewood regarding whether they would like to pursue acquiring an additional one acre of property from the City adjacent to the City's property commonly known as the retention pond property. The scope of the development agreement is abbreviated because there are limited public improvements required for the subdivision. The water and sewer utilities, which will serve the property off of East Willson, are already stubbed in to the lots. The only improvement required is the addition of sidewalks along East Willson. Golat indicated that he did review the covenants and made some minor changes.

Robb Majeski of Cottagewood Group was present to answer any question Council Members had regarding the agreement.

Motion by Weber/Henning to approve the development agreement for Barland Prairie Subdivision. **Motion carried.**

(VIII)(9) Consider approval of the final Plat of Barland Prairie Subdivision, Parcel #201-1007-10, as submitted by Kramer Land Design Studio, LLC, agent for Robb Majeski, located west of South Willson Drive. (This item will be discussed at the June 9, 2008 Plan Commission Meeting)

City Administrator Golat explained the final plat of the Barland Prairie subdivision shows that the number of lots has been reduced from ten to seven; this is in consideration of possibly purchasing one acre parcel from the City in the future to allow for 15 lots instead of 10. Golat said at this time Mr. Majeski would like to limit it to seven lots until the deal is worked out for the purchasing of the one acre parcel owned by the City. Golat noted there is a "no cut zone" in the back of the lots for the management of stormwater.

Motion by Henning/Weber to approve the final Plat of Barland Prairie Subdivision. **Motion carried.**

(VIII)(10) Consider awarding bid for the Well #7 Project.

Consulting City Engineer Tim Marko explained the bid summary for the Well #7 Project. The scope of work includes labor and materials necessary to construct the new permanent well. Marko said a smaller test well has already been constructed, and test pumping indicates the site is viable with regard to water quality and quantity. The well house and other necessary equipment will be bid separately.

The City received three bids on the project ranging from \$143,788 to \$198,915; the engineer's estimate was \$175,048.50. The low bid falls within the limits of funds budgeted for this project in the 2008 capital budget.

Motion by Weber/Henning to award the bid for the Well No. 7 project to Layne-Northwest for an estimated total project cost of \$143,788. Roll call vote, 5-ayes, Weber, Henning, Hanks, Pratt, Stuber, 0-nays. **Motion carried 5-0.** Golat commented that there are several pieces to this project. Finance Director Pfeilsticker is keeping track of all expenses relating to this project.

(VIII)(11) Consider awarding bid for the US Highway 12 East Street and Utility Project.

Consulting City Engineer Marko explained that we received 4 bids for the Curt Manufacturing Utility Extensions project. The low bid was submitted by McCabe Construction of Eau Claire for \$465,041.52. Marko explained that we split the project into two contracts: Contract 1 is the extensions of utilities along Hwy 12 which includes the portion of "AA". Contract 2 is the private segment of utilities going from the east side of J & D/Curt Manufacturing site into an existing sanitary sewer lift station. Marko recommended awarding the bid for contract 1 only contingent on receiving WDNR approvals for the proposed water main and sanitary sewer extension.

Motion by Weber/Henning to award the bid to McCabe Construction in Eau Claire for Contract 1 only at a cost of \$465,041.52 for the US Highway 12 East Street and Utility Project with the exception of the extension of AA until the agreement is in place from the Ed Bohn property and contingent upon approval from the DNR for sanitary sewer and water main extensions. Roll call vote 5-ayes, Weber, Henning, Pratt, Stuber, Hanks, 0-nays. **Motion carried 5-0.**

(VIII)(12) Consider conducting a feasibility study for a municipal court system in the City of Altoona.

Mayor Meyer has requested this item be added to the agenda for discussion. Mayor Meyer would like to determine whether the Council supports pursuing a feasibility study regarding establishing a municipal court system in the City of Altoona.

Police Chief Chaney commented that a feasibility study for a municipal court was done in 1999 and said it wasn't feasible at that time. If the City wishes to pursue, he will try and locate that study and use that framework. Police Chief Chaney commented that the Wisconsin Municipal Judge's Association is trying to get a new law passed giving them acute power over the municipal court system. Chaney suggested holding off with the feasibility study until the outcome of that legislature. No action taken at this time.

(VIII)(13) Consider Approval of Combination Class “B” Retailer’s Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona.

The City has received nine renewal applications for Class “B” Retailers Licenses as follows: Happy Hallow Tavern; Ramon Corporation D.B.A. Draganetti’s; Fischers on the Green, Inc.; Whiskey Dicks, LLC; James and Amy Eckwright; partners, DBA 400 Club; Altoona VFW Post 10405, Inc.; Rolland Knusalla, Individual, D.B.A. Rolly’s Coach Club; Eau Claire Golf and Country Club, Inc.; Golden Spike Bar and Grill, Inc. Police Chief Chaney has reviewed and recommends approval of all applications submitted. City Clerk Bauer has checked for delinquent real estate taxes, personal property taxes, utility payments or any other delinquent taxes for the subject properties in items 13, 14, and 15 and has found no delinquent billings owed.

Police Chief commented that, as in the past, he has crossed off Rolly’s parking lot in their premises description.

Motion by Weber/Henning to approve the renewal of Combination Class “B” Retailer’s Licenses for the applicants as noted above for the period of July 1, 2008 through June 30, 2009. **Motion carried.**

(VIII)(14) Consider approval of a Combination Class "A" Retailer’s license to sell fermented malt beverages and intoxicating liquors.

The City has received one renewal application for a Class “A” Retailers License from Cenergy, LLC, doing business as Mega Express #5.

Motion by Weber/Hanks to approve the renewal of the Combination Class “A” Retailer’s Licenses to Cenergy, LLC doing business as Mega Express #5 for the period of July 1, 2008 through June 30, 2009. **Motion carried.**

(VIII)(15) Consider Approval of a “Class A” Retailers’ license to sell fermented malt beverages to Kwik Trip, Inc.

The City has received one renewal application for a “Class A” Retailers License from Kwik Trip, Inc. Police Chief Chaney has reviewed and recommends approval of the application.

Motion by Weber/Henning to approve the renewal of the “Class A” Retailer’s License to Kwik Trip Inc, for the period of July 1, 2008 through June 30, 2009. **Motion carried.**

(VIII)(16) Consider approval of the following applications for a Cigarette License.

The following businesses have applied for renewal of cigarette licenses: Happy Hollow Tavern; Whiskey Dicks, LLC; 400 Club; Rolly’s Coach Club; Eau Claire Golf and Country Club, Inc.; Golden Spike Bar & Grill; Mega Express #5; Kwik Trip, Inc. and Walgreens #03497.

Motion by Henning/Hanks to approve the renewal of the Cigarette Licenses as submitted above, valid for the period of July 1, 2008 through June 30, 2009. **Motion carried.**

(VIII)(17) Consider exploring alternatives for an incentive program for City employees to promote cost savings for the City.

Mayor Meyer has requested this item be added to the agenda for discussion. Mayor Meyer would like to determine whether the Council supports exploring options for an incentive program wherein employees would be rewarded for bringing forward ideas that result in cost savings to the City.

Motion by Henning/Pratt to have staff look into an incentive program for City employees to promote cost savings for the City. **Motion carried.**

(VIII)(18) Consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e).

City Administrator Golat explained that Item B. Collective Bargaining Contract is pulled from this agenda and will be discussed at the next Council Meeting. The Personnel Committee did review the contracts and recommended approval based on the corrections that City Administrator Golat noted. The revised copies were not available to the Council.

Motion by Stuber/Henning to convene in closed session at 7:15 p.m. pursuant to Wis. Stats 19.85 (1)(e) A. CottageRidge Group Developer's Agreement. C. Verizon Wireless Water Tower Lease Agreement. D. City Engineer Employment Contract. Roll call vote 5-ayes, Stuber, Henning, Hanks, Weber, Pratt, 0-nays. **Motion carried 5-0.**

(VIII)(19) Motion to reconvene to open session.

Motion by Pratt/Stuber to reconvene to open session at 8:35 p.m. **Motion carried.**

(VIII)(20) Consider matters addressed in closed session as directed by Council.

Following closed session, the Council referred back to Item 5. (See item 5 for action).

The following actions were considered:

A. CottageRidge Group Developer's Agreement. No action at this time.

C. Verizon Wireless Water Tower Lease Agreement: Motion by Stuber/Weber to have the City Attorney discontinue all contract talk with Verizon Wireless regarding a Water Tower Lease Agreement. **Motion carried.**

D. City Engineer Employment Contract: City Administrator Golat explained that the Mayor and Council discussed in closed session the terms of the offer to David Walter, candidate for the City Engineer Position. Golat said Council made suggestions that no sick leave be paid out on retirement and that the contribution of benefits outlined in the agreement will be extended until 2010 at which time will be at the City's discretion.

Motion by Weber/Hanks to approve the employment offer with David Walter for the City Engineer position with the corrections noted. Roll call vote 5-ayes, Weber, Hanks, Pratt, Henning, Stuber, 0-nays. **Motion carried. 5-0.**

(IX) Miscellaneous Business and Communications

None.

(X) Adjournment.

Motion by Henning/Weber to adjourn at 8:39 p.m. **Motion carried.**

Minutes submitted by
Cindy Bauer, City Clerk