

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
November 20, 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 Colleen Weber, Brendan Pratt, William Spangler, Ray Henning, Dale Stuber, and Red Hanks were present. Also present: Mayor Tom Meyer, Attorney John Behling, City Administrator Mike Golat, Police Chief and Fire Chief Todd Chaney, Finance Director Jon Pfeilsticker, City Engineer Dave Walter, Park & Rec Coordinator Debra Goldbach, and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

Brad Windeshausen, owner of Whiskey Dicks, 943 Harlem Street, distributed a handout to Council members and took this time to thank the Mayor and Council for their support. Windeshausen said this weekend is their two year anniversary. Windeshausen commented on his awareness of the closed session regarding the noise issues at Whiskey Dicks. Windeshausen said he has addressed the issues that Chief Chaney has brought to their attention. Windeshausen said they are being more active and aware with their neighbors' concerns which he feels they have accomplished those concerns. Windeshausen said he has taken the initiative to meet with the neighbors to discuss the noise complaints and gave them the opportunity to check out the facility and address any other concerns.

There being no other Citizen Participation, motion by Henning/Pratt to close Citizen Participation Period. **Motion carried.**

(V) Approval of minutes.

Motion by Stuber/Hanks to approve the minutes of the October 30, 2008 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

Police Chief Chaney commented on the underground/ongoing fire issue belonging to Jim Wilcox on South Willson Drive. Chaney said they haven't done other suppression except for the initial suppression that was done. Chaney indicated that DNR and City Engineer Walter have both been involved with the remediation. Chaney said Wilcox is still in the efforts of digging the fire area out. Chaney said Wilcox has been sent a letter to cease and desist all commercial activities on that site.

City Committee Reports – none.

(VII) Unfinished Business - none

(VIII) New Business

(1) Public Hearing and Presentation of the 2009 City of Altoona Budget at 6:00 p.m.

Mayor Meyer opened the public hearing at 6:18 p.m. City Administrator Golat said the detailed information was provided at the Budget Committee prior to the Council Meeting. There was no input from the public.

Motion by Spangler/Weber to close the public hearing at 6:19 p.m. **Motion carried.**

(VIII)(2) Consider approval of Resolution 11A-08 approving the 2009 City of Altoona Budget.

City Administrator Golat said this is the official resolution adopting the budget. The Budget Committee recommended approval of the budget with the stipulation to look at areas to reduce the budget after the first of the year.

Motion by Stuber/Pratt to adopt Resolution 11A-08 approving the 2009 City of Altoona Budget. Roll call vote, 6-ayes, Stuber, Pratt, Weber, Spangler, Henning, Hanks, 0-nays. **Motion carried 6-0.**

(VIII)(3) Public hearing at 6:00 p.m. or as soon thereafter as is practical on the CSM as submitted by J & F Buildings.

Mayor Meyer opened the public hearing at 6:21 p.m. City Administrator Golat explained that the proposed CSM is submitted by J & F Buildings, Inc. on behalf of Bob & Margie Brown to divide a portion of parcel #201-1033-02-040 into two lots located on Bob Brown Boulevard. Golat indicated that the CSM is necessary to separate Lots 5 and 6 in order to facilitate sale of Lot 5 to J & F Buildings, Inc. Golat said Lot 5 will be owned by J & F Buildings Inc, and Lot 6 will be owned by Bob & Margie Brown. This item was discussed and approved at the November 10, 2008 Plan Commission Meeting.

Motion by Weber/Pratt to close the public hearing at 6:22 p.m. **Motion carried.**

(VIII)(4) Consider approval of CSM as listed in Item 3.

Motion by Weber/Hanks to approve the CSM as submitted by J & F Buildings Inc. to divide a portion of parcel #201-1033-02-040 into two lots located on Bob Brown Boulevard. **Motion carried.**

(VIII)(5) Consider Resolution 11B-08 authorizing Ehlers Associates to solicit bids for \$1,490,000 GO Promissory Notes.

City Administrator Golat explained that Sean Lentz is here tonight to present the Pre-Sale Report for the bond issue that we spoke about during the budget process for projects completed in 2008 and anticipated for 2009.

Sean Lentz of Ehlers and Associates, Inc. explained the Pre-Sale Report regarding the \$1,490,000 General Obligation Promissory Notes, Series 2008. The purpose of the Pre-Sale Report is to look at the individual funding sources and see how we can expect those funding sources to pay their fair share of the issue.

In summary Lentz said we are reviewing the project finance plan with the council tonight with the intent to come back at the December 11, 2008 Council Meeting with competitive bids for the \$1,490,000 General Obligation Promissory Notes, Series 2008. Lentz said they will also be updating the City's bond rating.

Motion by Spangler/Hanks to authorize Ehlers & Associates, Inc. to solicit bids for \$1,490,000 General Obligation Promissory Notes, Series 2008. Roll call vote 6-ayes, Spangler, Hanks, Henning, Weber, Stuber, Pratt, 0-nays. **Motion carried 6-0.**

(VIII)(6) Reconsider Ordinance 10A-08 amending Chapter 13.20 of Altoona Municipal Code, Rates and Regulations, to reassign the responsibility for repair, replacement and maintenance of sanitary sewer laterals from the City to the property owner being served.

City Administrator Golat explained that as requested by Council, discussion is for reconsideration of Ordinance 10A-08 amending Chapter 13.20 of Altoona Municipal Code, Rates and Regulations, to reassign the responsibility for repair, replacement and maintenance of sanitary sewer laterals from the City to the property owner being served. Golat mentioned that the ordinance not only puts the responsibility on the property owner, but it also clarifies a discrepancy in the previous ordinance. The discrepancy was to strike out the provision that said the property owner was responsible for the street restoration. If the motion fails, the original ordinance language will be maintained. In other words, the ordinance that was passed in October said the property owner was responsible from the main to the house.

Motion by Spangler/Weber to approve Ordinance 10A-08. Discussion followed.

Council Member Henning felt this ordinance affects the older part of town where infrastructure is bad and people are on limited fixed income. Henning felt this hasn't been a big item on the budget and is unreasonable to add another obligation to those people that can't afford it.

Council Member Pratt asked at what point is the City responsible? Is it from the end of the lateral or all the way to the house? Pratt felt that the City's responsibility is from the curb to the street. If something happens on their property, it's the property owner's responsibility.

Council Member Hanks' understanding is that the homeowner is responsible from the property line to their home. But as he interprets this discussion, the City is trying to make the responsibility from the property line to the main and doesn't agree with that.

City Engineer Walter explained the reasoning for the ordinance and further explained the process/system. Walter said the previous ordinance could be viewed as a liability to the City. Walter commented that people other than city employees can cause that pipe to fail.

On the motion to approve Ordinance 10A-08, roll call vote, 3-ayes, Spangler, Weber, Pratt, 3-nays, Stuber, Henning, Hanks. Mayor Meyer broke the tie vote with an aye vote. **Motion carried 4-3.**

(VIII)(7) Consider approval of Bartender License to Heidi Smith and Elaine Galewski. (Approved by the Altoona Police Department).

The City has received bartender license applications from Heidi Smith and Elaine Galewski. Police Chief Chaney has reviewed and recommends approval of the bartender license application.

Motion by Spangler/Hanks to approve the bartender license to Heidi Smith and Elaine Galewski. **Motion carried.**

(VIII)(8) Consider convening in closed session pursuant to Wis. Stats 19.85 (1)(g) A. Whiskey Dicks and B. Schmidt Property Jurisdictional Offer.

Motion by Hanks/Weber to convene in closed session at 7:07 p.m. pursuant to Wis. Stats 19.85 (1)(g) A. Whiskey Dicks and B. Schmidt Property Jurisdictional Offer. Roll call vote, 6-ayes, Hanks, Weber, Pratt, Stuber, Henning, Spangler, 0-nays. **Motion carried 6-0.**

(VIII)(9) Motion to reconvene to open session for the purpose of discussion on the matters entertained in closed session.

Motion by Spangler/Weber to reconvene in open session at 7:44 p.m. for the purpose of discussion on the matters entertained in closed session. A. Whiskey Dicks and B Schmidt Property Jurisdictional Offer. **Motion carried.**

B. Schmidt Property. Motion by Spangler/Hanks to direct Legal Counsel and City Staff to make a reasonable payment towards the Solum Appraisal. Roll call vote 6-ayes, Spangler, Hanks, Weber, Henning, Pratt, Stuber, 0-nays. **Motion carried 6-0.**

(IX) Miscellaneous Business and Communications

Clerk Bauer announced that the first day to circulate nomination papers for the April 7, 2009 is Monday, December 1, 2008 and the final day is by 5:00 p.m. on Tuesday, January 6, 2009. Aldermanic Districts up for re-election are District 4, 5, 6.

(X) Adjournment.

Motion by Hanks/Henning to adjourn at 7:45 p.m. **Motion carried.**