

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
March 12, 2009

(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 Brendan Pratt, Ray Henning, Dale Stuber, William Spangler, Colleen Weber and Red Hanks were present. Also present: Mayor Tom Meyer, City Attorney John Behling, City Administrator Mike Golat, Police Chief and Fire Chief Todd Chaney, Finance Director Jon Pfeilsticker and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

Jack Blackburn, 911 N. Moonlight Drive commented on River Prairie being noted as the nicest tract of land in the State of Wisconsin. Blackburn said the Mayor, Council, and Plan Commission will have the opportunity to keep it as the nicest tract of land in the State of Wisconsin.

Michael Vaughan, 2103 Moonlight Bay Drive commented on River Prairie. Vaughan said the financial projections look good but he has concerns about economic times and is hoping the Council wasn't rushing into this project. Vaughan asked the Council to make sure their decision is based on all explored researches and opportunities.

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

(V) Approval of minutes.

Motion by Spangler/Stuber to approve the minutes of the February 26, 2009 Regular Council Meeting. Weber and Hanks abstained. **Motion carried.**

(VI) City Officers/Department Heads Report

Golat reported that Public Works Foreman Curt Carey was working on the water loss issues and said we have a good lead on what the problem is causing the water loss.

City Committee Reports – none.

(VII) Unfinished Business

(VIII)(3) Consider approval for Eau Claire County to use a portion of the recycling special charge to pay for proposed pharmaceutical collection.

Mayor Meyer asked if there were no objections, he would like to have item 3 as the first item on the agenda due to another commitment by Todd Andrews. Attorney Behling said if there were no objections to the Mayor's procedural request then the motion to suspend the rules was not necessary.

Todd Andrews, representing the Eau Claire County Department of Planning and Development was present to explain the recycling special charge. Andrews explained that during the past year improper disposal of unused prescription and over-the-counter medicines has been identified by public health agencies as a concern because of potential groundwater contamination. The lack of a proper disposal program has also been identified as an area of concern by local law enforcement agencies. The municipalities and the county signed a revenue collection agreement in 2003 which gave the county permission to use \$1.00 of the special charge for recycling to pay for the County's Clean Sweep program. In order to use the Clean Sweep portion of the recycling special charge to pay for the proposed pharmaceutical collection, agreement is required by each of the county's towns, villages and cities. Andrews asked the Council for approval of designating \$1.00 of the

recycling charge to pay for pharmaceutical collection.

Motion by Spangler/Pratt to approve Eau Claire County to use a portion of the recycling special charge to pay for proposed pharmaceutical collection. **Motion carried.**

(VIII) New Business

(1) Public Hearing at 6:00 p.m. (Or as soon thereafter as is practical) on rezoning Lots 1, 2, 3, 4, and 4-3-F, Block 9 of Shutes Addition, Parcel #201-2051-02, 201-2051-03, 201-2051-04, 201-2051-05 and 201-1014-07 located on the east side of Third Street West across from the Altoona School District from Residential (R1) to Public and Conservancy (P) as submitted by the School District of Altoona. (Discussed at the March 9, 2009 Plan Commission Meeting).

Mayer Meyer opened the public hearing at 6:15 p.m.

City Administrator Golat explained that the School District of Altoona has submitted a request to rezone Lots 1, 2, 3, 4, and 4-3-F, Block 9 located across from the Altoona School District on Third Street West. The School District currently owns the properties and has razed houses that were formerly on these lots. The request is to rezone the lots from Residential (R-1) to Public and Conservancy (P). Such rezoning would, in principle, allow the School District to establish uses normally performed by a public school district as provided for by Section 19.48.010 G. The school proposes to construct a storage building and a parking lot on the sites. This rezoning action requires a public hearing. Golat said the Plan Commission discussed this at their March 9 Plan Commission Meeting and recommended to the Council approval of the rezoning.

Greg Fahrman and Greg Johnson, representing the School District, were present to answer any questions Council Members had regarding the rezoning of the proposed lots.

Motion by Spangler/Stuber to close the public hearing at 6:18 p.m. **Motion carried.**

(VIII)(2) Consider Ordinance 3A-09 to rezone Lots 1, 2, 3, 4, and 4-3-F, Block 9 of Shutes Addition, Parcel #201-2051-02, 201-2051-03, 201-2051-04, 201-2051-05 and 201-1014-07 located on Third Street West across from the Altoona School District from Residential (R1) to Public and Conservancy (P) as submitted by the School District of Altoona.

Motion by Stuber/Weber to approve Ordinance 3A-09, rezoning Lots 1, 2, 3, 4, and 4-3-F, Block 9 of Shutes Addition, from Residential (R1) to Public and Conservancy (P) as submitted by the School District of Altoona. **Motion carried.**

(VIII)(4) Consider approval of Chippewa Concrete Services General/Specific Implementation Plan. (Discussed at the March 9, 2009 Plan Commission Meeting).

City Administrator Golat explained that Chippewa Concrete Services has approached the City with a proposal to occupy a portion of a lot within the southwest quadrant of River Prairie. The site would be used to operate a concrete batch plant for use during the Wisconsin DOT's Hastings Way reconstruction project, for one year beginning this month. Golat said that because this activity is in the River Prairie Mixed Use Zone, approval of the site plan via the General/Specific Implementation Plan process is required. Golat said this item was discussed at the March 9, 2009 Plan Commission Meeting. The Plan Commission recommended approval of the temporary batch plant.

Golat explained that it is a temporary use located on the southwestern quadrant of River Prairie. Kevin Patrow representing Chippewa Concrete Services was present to answer any questions Council Members had regarding the project. Patrow said hours of operation will be from 6:30 a.m. to 7:00 p.m. Monday thru Friday with the possibility of some extended hours. Patrow indicated that the noise should be very limited.

Motion by Pratt/Hanks to approve the General and Specific Implementation Plans for a temporary concrete batch plant to occupy a portion of a lot within the southwest quadrant of River Prairie as submitted by of Chippewa Concrete Services. **Motion carried.**

(VIII)(5) Consider lease agreement between the City of Altoona and Chippewa Concrete Services.

City Administrator Golat explained that the lease agreement between the City of Altoona and Chippewa Concrete Services (CCS) is for CCS to lease a parcel of City-owned land in the City's River Prairie

property to site a concrete batch plant as discussed in agenda item 4. Golat said in consideration of leasing the property the City would receive \$10,000. As described in the contract CCS would be required to restore the property to as good or better condition upon vacating the property. Operations will be regulated by conditions imposed through the General/Specific Implementation Plan process and the City's storm water management ordinance and other applicable ordinances.

Motion by Spangler/Henning to approve the lease agreement between the City of Altoona and Chippewa Concrete Services. **Motion carried.**

(VIII)(6) Consider approval of NPV Analysis for River's Edge Holdings LLC and Weiss Commercial Real Estate LLC for River Prairie purchase and development consistent with Chapter 3.01 of the Altoona Municipal Code "Financial Planning Policy and Procedures".

City Administrator Golat explained that the City of Altoona currently has two development proposals for River Prairie. A proposal from Weiss Commercial Real Estate LLC for the Westerly quadrants, less approximately 10 acres in the Southwest quadrant and a proposal from River's Edge Holdings LLC for what is referred to as the Northeast quadrant. A Net Present Value analysis was completed on the proposed projects and presented to the Finance Committee on February 26, 2009 for approval. Due to a slight change in the NPV analysis and official developer name changes the Finance Committee met again on March 10th. The official names of the two Developers are Weiss Commercial Real Estate LLC (formerly ACRE) and River's Edge Holdings LLC (formerly Cottagewood).

Finance Director Pfeilsticker said the original analysis reflected a \$1.2 million dollar loan for River's Edge Holdings LLC from Security Financial Bank. Pfeilsticker said River's Edge Holdings LLC was actually approved for a \$1.4 million dollar loan. Pfeilsticker modified the numbers within the NPV Analysis to reflect the \$1.4 million dollar loan.

Motion by Spangler/Pratt to approve the NPV Analysis for River's Edge Holdings LLC and Weiss Commercial Real Estate regarding the sale and development of property with the City's River Prairie area. **Motion carried.**

(VIII)(7) Consider approval of annual application for Mobile Home Park License.

City Administrator Golat explained the application for a mobile home park license for 2009. This is an annual license to operate and maintain a mobile home park in the City of Altoona in accordance with Chapter 17 of the Altoona Municipal Code.

Motion by Spangler/Hanks to approve the mobile home park license for Hillcrest Estates. **Motion carried.**

(VIII)(8) Mayoral Proclamation that the next Decennial Census will be taken in the year 2010 and that the City of Altoona will give full support and participation.

City Administrator Golat met with a Census representative regarding the 2010 Census. Golat explained that the next Decennial Census will be taken in the year 2010 with political representation recognizing the importance that each resident in the 2010 Census count. The City of Altoona's primary role is to formulate a Complete Count Committee that should include, but is not limited to providing outreach to the following sectors: Government, Education, Media, Religious, Community-based Organizations, Business, Recruiting, and Special Housing. The State requested that all municipalities approve a proclamation to demonstrate support for the census effort and for forming a Complete Count Committee.

Mayor Meyer read the proclamation declaring that the City of Altoona will give full support and participation for the next Decennial Census.

(VIII)(9) Consider approval of bartender licenses.

The bartender licenses have been approved by the Altoona Police Department.

Motion by Spangler/Weber to approve the bartender licenses from Megan DesJarlais, Zachary Hoff, Joy Hannemann and Megan Buysse. **Motion carried.**

(VIII)(10) Consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) A. Weiss Commercial Real Estate LLC development and sales agreement and potential sale of city property. and B. River's Edge Holdings LLC development and sales agreement and potential sale of city property.

Motion by Spangler/Stuber to convene in closed session at 6:32 p.m. pursuant to Wis. Stats 19.85 (1)(e) A. Weiss Commercial Real Estate LLC development and sales agreement and potential sale of city property and B. River's Edge Holdings LLC development and sales agreement and potential sale of city property. Roll call vote, 6 ayes, Spangler, Stuber, Henning, Weber, Pratt, Hanks, 0-nays. **Motion carried 6-0.**

(VIII)(11) Motion to reconvene to open session for the purpose of discussion on the matters entertained in closed session.

Motion by Spangler/Hanks to reconvene to open session at 6:46 p.m. **Motion carried.**

(VIII)(12) Consider approval of the following development and sales agreement and potential sale of city property: A. Weiss Commercial Real Estate LLC. and B. River's Edge Holdings LLC.

City Administrator Golat briefly explained the development agreement of Weiss Commercial Real Estate LLC for the sale of City property of approximately 79 acres west of Hwy 53 in the area known as River Prairie for a sale price of \$5.296 million dollars and reimbursement for infrastructure. Golat noted that it has been a real effort between the City and the developer. Casey Weiss, representing Weiss Commercial Real Estate thanked the Mayor, Council and Administrator for all their time and effort going through the process with them in this development. Weiss responded to the Council's questions regarding the development. Weiss said they are very optimistic and excited about this development. Their intention is to do mixed use, being defined as office, retail and entertainment. Weiss said they could get started with development as early as this summer. Weiss then gave some background history on his experience and the experience of his partners.

Robb Majeski representing River's Edge Holdings commented on his proposed development. Their focus is different from the west side; the main use being single family residential housing along with approximately eight acres of mostly commercial/office space. Majeski felt they could start the infrastructure late this summer. Majeski would like to get the specific implementation plan and platting before the Council for approval within the next 60-90 days; residential first then commercial/office at a later date.

Council Member Spangler commented that's it's been a balancing process for this council to get through the issues raised before tonight's citizen participation period. Spangler felt these are both good projects and supported the developers.

Council Member Weber said she could not support the Weiss's project due to economic hardship at this time and the risks we will be taking by moving forward with this development.

Motion by Spangler/Pratt to approve the Development Agreement between the City of Altoona and Weiss Commercial Real Estate LLC. Roll call vote, 5-ayes, Spangler, Pratt, Henning, Hanks, Stuber, 1-nay Weber. **Motion carried 5-1.**

Motion by Spangler/Henning to approve the Development Agreement between the City of Altoona and River's Edge Holdings LLC development and sales agreement. Roll call vote 6 ayes, Spangler, Henning, Pratt, Stuber, Hanks, Weber, 0-nays. **Motion carried 6-0.**

(IX) Miscellaneous Business and Communications

None.

(X) Adjournment.

Motion by Spangler/Henning to adjourn at 7:08 p.m. **Motion carried.**

Minutes submitted by

Cindy Bauer,
City Clerk