

**CITY OF ALTOONA, WI**  
**REGULAR COUNCIL MEETING MINUTES**  
**June 11, 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, Finance Director Jon Pfeilsticker, City Engineer Dave Walter, Police Officer Matt McCoy and City Clerk Cindy Bauer. Police Chief and Fire Chief Todd Chaney arrived at 7:03 p.m.

**(IV) Citizen Participation Period**

Kate Hebl, co-owner of Whiskey Dicks commented on a petition that Council and Plan Commission Members received earlier this week from area residents. Hebl said there will be a neighborhood meeting on Thursday, June 18, at 6 p.m. at the pavilion in Highland Park (next to the UPS building) to discuss those concerns as mentioned in the petition with Brad Windeshausen. Hebl invited Council, Plan Commission members and residents to the neighborhood meeting.

Barbara Rassmussen, 1820 Bartlett Avenue was under the impression that if the sewer has been repaired within the last 30 years there should be some recompense. City Engineer Walter responded and gave some history on the types of credits given as written in the City ordinance.

Lisa Brunzlick, 1712 Bartlett Avenue asked if trees will be cut down on her property, how many years do they have to pay for the assessments, and where will the school get their money to pay for the school's assessment. City Engineer Walter commented that there will be some tree removal on the property especially those areas where the sidewalks are buckled because of the tree roots.

Keith Urban, 1628 Bartlett Avenue, commented that he is still paying on a previous street assessment within the last nine years and wants to know why he is being assessed again. City Engineer Walter said he will check on Urban's past assessment to see what he paid for at that time.

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

**(V) Approval of minutes.**

Motion by Spangler/Henning to approve the minutes of the May 28, 2009 Regular Council Meeting. Pratt abstained. **Motion carried.**

**(VI) City Officers/Department Heads Report - none**

**City Committee Reports** – none.

**(VII) Unfinished Business** – none.

**(VIII) New Business**

**(1) Public Hearing at 6:00 p.m. or as soon thereafter as is practical on Resolution 6A-09, authorizing street and utility improvements, levying special assessments against benefited property and awarding the project bid for 2009 Bartlett Avenue Street and Utility Improvement Project (3<sup>rd</sup> Street West to 7<sup>th</sup> Street West)**

Mayor Meyer opened the public hearing at 6:21 p.m. City Administrator Golat noted that all affected

property owners have been notified and have been provided a copy of their estimated assessment.

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City Engineer Dave Walter explained that bids for the project were opened on Wednesday, June 10<sup>th</sup> at 2:00 p.m. The City received four bids ranging from \$429,047.94 to \$458,643.83. City Engineer Walter explained the scope of the project which included reconstruction of Bartlett Avenue from 7<sup>th</sup> Street West to 3<sup>rd</sup> Street West. As in the past, Altoona has used the special assessment process to pay a portion of the project. City Engineer Walter distributed an updated assessment roll to reflect the bid received by the lowest bidder and recalculation of the reduced reimbursement from the State. Since bids came in significantly below the initial cost estimate that was used to apply for reimbursement from the State through the Municipal Street and Improvements Program, the City will not be receiving the full \$275,000 that was initially offered; it's a 50/50 matching reimbursement grant.

Finance Director Pfeilsticker explained that once we get the final costs, property owners will receive notification of the final assessment amount and have a period of 30 days to pay in full or within 10 years.

Kathy Dahl, representing the School District of Altoona, commented that they have looked at the construction plans and appreciated the cooperation between School and City representatives for a safe route program.

Council Member Hanks asked if the City will be replacing the trees that are removed. City Engineer Walter indicated the City does not have a tree replacement program. Hanks felt that if we remove them, we should replace them.

Motion by Spangler/Hanks to close the public hearing at 6:35 p.m. **Motion carried.**

**(VIII)(2) Consider adoption of Standard General Conditions and Specifications for Street and Utility Construction.**

City Administrator Golat explained the Standard General Conditions and Specification for Street and Utility Construction recently drafted by City Engineer, Dave Walter. Golat said the document provided standards for infrastructure projects within the City of Altoona. Golat indicated that the City used Eau Claire's Standards and Specifications as a model and modified their plan according to the specifications for the City of Altoona. Golat said copies of Altoona's Standard General Conditions and Specification Plan are available on the City's website.

Motion by Spangler/Stuber to adopt the Standard General Conditions and Specifications for Street and Utility Construction in Altoona. **Motion carried.**

**(VIII)(3) Consider approval of Resolution 6A-09 authorizing street and utility improvements, levying special assessments against benefited property and awarding the project bid for 2009 Bartlett Avenue Street and Utility Improvement Project (3<sup>rd</sup> Street West to 7<sup>th</sup> Street West).**

City Administrator Golat explained that Wisconsin Statute 66.073(8)(c) requires the City Council to pass a Resolution approving the plans and specifications for a public project wherein all or part of the project will be assessed against benefited property owners. The Resolution also included the following provisions:

1. Direction that the public work or improvement be performed and special assessments be levied as indicated in a report prepared by the Public Works Director.
2. The number and terms of any installment payments allowed.
3. A provision for collection of the assessment and any penalties to be imposed for failure to timely pay the assessment or any installment thereof.
4. A statement that all assessments or installments, if permitted, which are not paid by the date specified, shall be extended on the tax roll as a delinquent tax and collected in the same manner as delinquent real estate taxes.
5. Terms and conditions of any allowed deferral of an assessment while no use is made of the improvement being financed thereby.

Motion by Spangler/Hanks to approve Resolution 6A-09 authorizing street and utility improvements and

and levying special assessments against benefited property and awarding the bid for the Bartlett Avenue project to Haas Sons, Inc in the amount of \$429,047.94. Roll call vote, 6-ayes, Spangler, Hanks, Stuber, Henning, Pratt, Weber, 0-nays. **Motion carried 6-0.**

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**(VIII)(4) Consider awarding the bid on the Water Tower Number 1 painting and repair project.**

City Engineer Walter explained that the 2009 budget included funds for painting and repairing Water Tower Number 1. The amount budgeted for this project was \$350,000. City Engineer Walter stated that bids were opened on June 10<sup>th</sup> at 2:00 p.m. The City received four bids ranging from \$379,400 to \$446,600. Walter said bids came in more than was budgeted. Walter said the bid included extra costs for leaving the Clearwire equipment and Scada equipment in service while painting around the equipment. Walter explained that the lease agreement between the City of Altoona and Clearwire Communications does not allow the City to remove their equipment during the painting. Walter said the lease agreement does include a provision where Clearwire pays for additional costs incurred by leaving their equipment in service. Walter said the City could charge Clearwire for their share of the additional cost. Staff recommends awarding the bid to TMI Coatings, St. Paul, MN in the amount of \$379,400.

Motion by Henning/Pratt to award the bid for Water Tower Number 1 painting and repairs to TMI Coatings, St. Paul, MN in the amount of \$379,400. Discussion followed. Finance Director Pfeilsticker said he did a brief analysis of the budget and indicated that since the Bartlett Avenue street project was under budgeted and the water tower painting was over budgeted, the City may need to reallocate the borrowed funds. Council members asked if the city needed both logos on the tower; can it be simplified to only one logo. Council members asked City Engineer Walter if he could get specific costs on painting one logo versus two logos on the water tower.

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

**(VIII)(5) Presentation by the Altoona Youth Hockey Association Inc. regarding a proposal to Purchase the Altoona Hobbs Arena.**

City Administrator Golat explained that the City received a letter from Ethan Erickson of Altoona Youth Hockey Association expressing interest in purchasing the Hobbs Arena. City Administrator Golat gave some background information regarding previous council actions. Golat commented on the correspondence from Lavane Hessler, from DNR, outlining the restrictions which apply because the City used a federal Land & Water Conservation Fund Grant (LWCF) to purchase and develop the park property. One of the stipulations of the grant was that all property acquired or developed with LWCF funds must remain in public recreation use in perpetuity. However, there is provision for what is termed a "conversion" wherein if such property is sold, the property can be replaced with recreational property of similar value. Golat said the City may have an opportunity to complete a successful conversion if they wish given the recreational property that will be dedicated to the City in the River's Edge Plat.

City Administrator Golat also mentioned a deed restriction on the Hobbs property that stated that Parcel "A" shall be used solely and exclusively for park purposes only, and that upon any breach hereof said Parcel "A" shall immediately revert to and become the property of the Grantor (Chicago and North Western Transportation Company).

Mike Vaughan and Ethan Erickson, representatives of the Altoona Youth Hockey Association (AYHA), were present to discuss their proposal. They raised the following questions:

- If the Hockey Association were to purchase the building, this would remove all financial obligations by the City.
- The Hockey Association would need to know if the building is buyable and if the city is interested in selling, then should they move forward.
- The Hockey Association can continue to do smaller projects and keep the building running. One of the major projects is to replace the coils at a cost of approximately \$300,000.

- Some of the projects they have completed included the replacement of all lighting this year and the replacement of the bleachers.
- Opportunity to meet the goal of paying for itself.
- The building will continue to be used for public use.

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- It may not be feasible however to be open year round. But, AYHA will be open for fund raisers and Cinder City Days to name a few.
- An appraisal would need to be done to determine the value of the building.

Council Member Hanks was concerned of a long term commitment. Hanks said he could go along with the building being used for Hockey from November 15 to March 15 then back to the City for the remainder of the months. He would also be willing to listen to their proposal to buy it.

Council Member Henning commented that the City hasn't marketed Hobbs for the summer. Henning felt that it shouldn't be the authority of this Council to make a decision of selling the building; it should be the choice of the people.

Council Members Spangler, Weber, and Stuber said they were open to any options at this point, whether it be that the city assumes control and operation of the building all year long or selling it to the Altoona Youth Hockey Association.

Mayor Meyer suggested a public hearing to get input from residents.

City Attorney Behling gave his legal advice for possible future actions and commented on the history of the Hobbs Foundation. Behling said Council could direct City Staff to work on the restrictions before a public hearing would take place. Behling recommended that Council direct City Staff to check on the two issues and make a political decision later on.

**(VIII)(6) Consider approval of proposed K-9 Unit Program for the City of Altoona Police Department.**

Officer Matt McCoy explained that the Altoona Police Department wishes to establish a K-9 unit for the City of Altoona. Specifically it is the department's goal to have a dog trained in handler protection, suspect tracking and drug detection. Staff hopes to have a German shepherd imported from overseas to be trained for twelve weeks at the St. Paul Police Department K-9 training facility. The cost for importing the dog is \$7,200.00 and the training cost is \$2,500.00. Officer McCoy stated that he recently applied for, and obtained, a grant from the St. Paul Police K-9 Foundation to defray the costs of purchasing and training the dog and a handler. The application was successful and Altoona will receive the dog and training at a reduced cost of \$4,000.00, which will be provided in the form of a donation to the foundation.

McCoy said the required \$4,000.00 has already been raised through donations from Mega Foods and the Altoona Family Restaurant. Nestles Corporation in Eau Claire has committed to donating the dog food through the Purina Company. Further, Idea Signs has agreed to complete the K-9 graphics for the squad car. Numerous other donations have also been received and other donations are in the works. McCoy said we will hopefully hear soon on a local veterinarian who will care for the dog as an in-kind donation of services.

McCoy further explained that the dog will be a multi-purpose patrol dog. The dog will be trained for narcotics detection with a focus on marijuana, methamphetamine, cocaine/"crack", and heroin. The dog will also be trained for other patrol purposes for suspect tracking, evidence recovery, building searches and officer protection. This K-9 unit will greatly enhance law enforcement in our community. McCoy indicated that the 12 week training program wouldn't take place until March 2010.

Motion by Pratt/Henning to approve the K-9 Unit proposal for the Altoona Police Department. Roll call vote, 6-ayes, Pratt, Henning, Stuber, Weber, Spangler, Hanks, 0-nays. **Motion carried 6-0.**

**(VIII)(7) Update and Discussion on Eastern Loop Trail.**

City Administrator Golat explained that Mayor Meyer asked staff to provide an update on the Eastern Loop Trail Project. Golat said the last time this item was discussed, the project was on hold due to significant budget

budget issues and also because staff was waiting to hear from the WisDot Management Consultant regarding requested project deviations. Golat commented that at the May 22, 2008 meeting Council voted to not maintain any trails outside of City limits. At the end of that meeting, Council President Bill Spangler suggested meeting with Altoona Outdoors to discuss the contract between the City and Altoona Outdoors, set forth expectations of both organizations and come to an agreement before any more money is spent. City Administrator Golat explained that the City has spent approximately \$34,000 to date on engineering for the project, and staff was directed to determine whether the City would be reimbursed if we did not proceed with the project.

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Golat indicated that the City would not be reimbursed if we did not proceed with the project.

Council Member Spangler provided an update from the meeting with Dave Elvig of Altoona Outdoors. Spangler felt they reached a consensus that they would like to move forward with this project in partnership. If the City would maintain the trail above and beyond the standards of other trails, the cost would be \$2,400 per year. Spangler said the only reason the trail is being built is to link with the rest of the trails in the city.

Council Member Henning did not support the trail outside the city limits and couldn't justify spending monies outside of the city.

Council Member Pratt said we should look at the entire trail as a whole, not just the one extra mile outside the city limits. Pratt felt the trail is a great benefit and we should move forward with it.

Mayor Meyer requested putting the following item on the next agenda for possible action:  
Discuss/consider moving forward with the eastern loop trail.

Motion by Spangler, seconded by Pratt to put on the next agenda reconsideration of motion at the May 22, 2008 Regular Council Meeting that the City of Altoona will not pay for maintenance of the trails outside the corporate limits of the City of Altoona.

City Administrator Golat said if the City does move forward with the eastern loop trail there would be additional engineering costs and easement acquisition. The final project would be determined whether we could acquire all those easements. There would be no cost to the city other than maintenance.

**(VIII)(8) Consider approval of transfer of license for Mobile Home Park License.**

City Administrator Golat explained that the City received an application to transfer a license for a mobile home park license. Hillcrest Estates has been purchased by Frank Soyka, Lasalle Properties Management LLC. In accordance with Chapter 17 of the Altoona Municipal Code they have met the terms and condition to transfer the license.

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

**(VIII)(9) Consider approval of Combination "Class B" Retailers' Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona.**

The City has received four renewal applications for "Class B" Retailers Licenses: Roman Corporation, DBA Draganetti's Ristorante, Joanne E. Palzkill, Agt, 3120 Hillcrest Parkway, Whiskey Dicks, LLC, DBA Whiskey Dicks, Brad Windeshausen, Agt, 943 Harlem Street, Rolland Knusalla, DBA Rolly's Coach Club, 2239 Spooner Avenue, Eau Claire Golf and Country Club, Inc, DBA Eau Claire Golf and Country Club, Jenna Nichols, Agt, 828 Clubview Lane. The remaining 5 taverns missed the deadline to turn in their applications for this meeting and will therefore be on the June 25<sup>th</sup> Council Agenda.

Motion by Spangler/Weber to approve the Combination "Class B" Retailers' Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona to those listed above for the period of July 1, 2009 through June 30, 2010. Council Member Pratt asked Brad Windeshausen of Whiskey Dicks why there continues to be problems with neighbors regarding noise issues. Windeshausen responded to Pratt's question. Council Member Spangler commented that the Plan Commission has been dealing with some of those issues at the last couple of Plan Commission meetings. Spangler said it's hard to pin down the specific issues, but he felt that Whiskey Dicks and the neighbors are working together to deal with those issues. **Motion carried.**

**(VIII)(10) Consider approval of a Combination “Class A” Retail license to sell fermented malt beverages and intoxicating liquors.**

The City has received renewal applications from the following for a “Class A” Retail License to sell fermented malt beverages and intoxicating liquors: Cenergy LLC, DBA Mega Holiday #5, Ann Mattison, Agt, 1027 N. Hillcrest Parkway and The Potting Shed Garden & Gifts Inc, DBA The Potting Shed Garden & Gifts Inc, Nancy Skelley, Agt, 1728 N. Hillcrest Parkway.

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Motion by Henning/Hanks to approve a Combination “Class A” Retail license to Cenergy LLC and The Potting Shed Garden & Gifts Inc for the period of July 1, 2009 through June 30, 2010. **Motion carried.**

**(VIII)(11) Consider approval of a Class “A” Retailers’ license to sell fermented malt beverages**

The City has received a renewal application for a Class “A” Retailers License to sell fermented malt beverages from Kwik Trip, Inc., DBA Kwik Trip #828, Rebecca J. Ellis, Agt, 2367 Spooner Avenue.

Motion by Spangler/Stuber to approve a Class “A” Retailers’ license to sell fermented malt beverages to Kwik Trip, Inc. for the period of July 1, 2009 through June 30, 2010. **Motion carried.**

**(VIII)(12) Consider approval of the following applications for a Cigarette License.**

The following businesses have applied for renewal of cigarette licenses: Whiskey Dicks, LLC, Rolly’s Coach Club, Cenergy, LLC, Eau Claire Golf & Country Club, Inc, Kwik Trip, Inc, and Walgreens #03497

Motion by Spangler/Weber to approve a Cigarette License to Whiskey Dicks, LLC, Rolly’s Coach Club, Cenergy, LLC., Eau Claire Golf & Country Club, Inc, Kwik Trip, Inc, and Walgreens #03497 valid for the period of July 1, 2009 through June 30, 2010. **Motion carried.**

**(VIII)(13) Consider approval of Bartender Licenses.**

The City has received renewal and new bartender license applications for the period of July 1, 2009 through June 30, 2010 from the following applicants: Sarah Barone, Casey Bekkum, Patrick Blodgett, Troy DeGroot, John Draganowski, Arik Erickson, Ashley Fitzmaurice, Samuel Flatland, Jonathan Fuller, Cari Goss, Melanie Gullerud, Kayleigh Hanson, Melissa Harings, Robert Heintz, Dustin Heisler, Zachary Hoff, Paul Johnson, Daniel Kastel, Bryce Kunkel, Jerome Lanners, Kyle Lanners, Bonita Larson, Susan Larson, Calli Longsdorf, Jackie Mickelson, Jeri Morris, Ashley Nelson, Sara Neubauer, Randy Nyseth, Kathryn O’Connell, Jerrica Ottinger, Daniel Raney, Nick Rineck, Ryan Robert, Martin Sell, Kristy Stelter, Samantha Stoeberl, Brenda Ward, Katie Wirsing, Jared Yakesh, Maureen Zimmerman, Hope Berg, Jason Melsness, Leticia Placek, Stacia Richmond, Melody Sheehan, Heidi Smith, Nichole Stevens, Steve Squires, Amanda Fortney, Tammy Bowe, Megan Buysse, Megan DesJarlais, Joy Hannemann, Allan Kiekhoefer, Samantha McHugh, Tracy Reidt, Roberta Meyer, Alissa Schuh, Chri Setter, Cindy Taylor Brittanina Pettit, and David Winkler. The applicants have been approved by the Altoona Police Department.

Motion by Stuber/Spangler to approve the renewal and new bartender licenses submitted by the applicants as listed above. **Motion carried.**

**(IX) Miscellaneous Business and Communications**

None.

**(X) Adjournment.**

Motion by Spangler/Weber to adjourn at 8:02 p.m. **Motion carried.**

Minutes submitted by

Cindy Bauer,  
City Clerk

DRAFT