

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
January 14, 2010

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

(IV) Citizen Participation Period

Ken McAdams, 1039 Village Square, representing the Board of the Knollwood Condominium Association presented to the Council a petition requesting that the reconstruction of street, curb and gutter in the Knollwood Village be put in the City's capital improvement plan for 2010. McAdams said they are aware of the special assessments that property owners will be assessed. City Administrator Golat mentioned that the street reconstruction is already in the City's Capital Improvement Plan (CIP). Golat indicated that City Engineer Walter can review the CIP Plan for 2010.

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 December 22, 2009 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat recognized the efforts of the Altoona Police Department and area departments investigating Theresa Still's homicide. Golat said Chief Chaney will have a full report at the next Council Meeting. Golat also mentioned that there has been a committee working on the City's website issues. Golat indicated that it's time to move forward with another arrangement with the website.

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) regarding the following amendments to the zoning code:

- Chapter 19.37 – Creating Chapter 19.37 to add Twin Homes District.
- Chapter 19.08 – Definitions, adding Sections 19.08.232 and 19.08.235 to define “Twin Home Dwelling Unit” and “Twin Lot.”
- Chapter 19.32 - Amending R-2 One-family and Two-family Dwelling Districts by adding Section 19.32.020 I. to allow Twin Homes in the R-2 District as a conditional use.
- Chapter 19.58.080 – Amending Section 19.58.080 C. Signs in C (Commercial) and I (Industrial) Districts.

(Discussed at the January 11, 2010 Plan Commission Meeting).

Mayor Meyer opened the public hearing at 6:08 p.m.

City Administrator Golat provided an overview of the zoning code Chapter additions and amendments

as listed above. Detailed explanations are described in Agenda items 2, 3, 4, 5.

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

(VIII)(2) Consider approval of Ordinance 1A-10 creating Chapter 19.37 of Altoona Municipal Code, “Twin Homes Zoning District.”

City Administrator Golat explained Ordinance 1A-10 creating Chapter 19.37 of Altoona Municipal Code, “Twin Homes Zoning District.” Golat said Cody Filipczak of C & M Homes is proposing a subdivision within the River Prairie Mixed Use (RPMU) zone to construct thirteen twin homes. The RPMU zone allows any use permitted in any other zone within the City of Altoona. However, no existing zone explicitly allows twin homes. Therefore, Ordinance 1A-10 is being proposed. Golat gave a summary of the proposed zoning restrictions. Golat compared the proposed setbacks, minimum lot widths, minimum lot square footage, minimum floor square footage and other parameters with the City’s R-1, R-2, R-3 and commercial zoning districts. The proposed restrictions have been reviewed with regard to the proposed subdivision, and the proposed plat meets the proposed standards. City Administrator Golat said the conditional uses established for the Twin Homes zone mirror those allowed in the R-2 zone. Section 19.37.100 describes other requirements of the Twin Home zone, primarily related to how to handle the situation wherein there are two distinct owners of one structure sharing a common wall and driveway.

Motion by Spangler/Hanks to approve Ordinance 1A-09 creating Chapter 19.37 Twin Homes Zoning District. **Motion carried.**

(VIII)(3) Discuss/consider approval of Ordinance 1B-10 amending Chapter 19.08, Definitions, by adding Sections 19.08.232 and 19.08.235 of the Altoona Municipal Code to define “Twin Home Dwelling Unit” and “Twin Lot.”

City Administrator Golat explained Ordinance 1B-10 amending Chapter 19.08, Definitions, by adding Sections 19.08.232 and 19.08.235 of the Altoona Municipal Code to define “Twin Home Dwelling Unit” and “Twin Lot.” This ordinance establishes the Twin Home Zone. Golat clarified that this agenda item was noticed as amending Chapter 10.08.085 to add the definition of “Dwelling, Twin Homes.” Since the notice, staff has instead added the two definitions referred to above for better clarity.

Motion by Spangler/Hanks to approve Ordinance 1B-10 amending Chapter 19.08, Definitions, by adding Sections 19.08.232 and 19.08.235 of the Altoona Municipal Code to define “Twin Home Dwelling Unit” and “Twin Lot.” **Motion carried.**

(VIII)(4) Consider approval of Ordinance 1C-10 amending Chapter 19.32, R-2 One-family and Two-Family Dwelling Districts by adding Section 19.32.020 I to allow Twin Homes in the R-2 District as a conditional use.

City Administrator Golat explained Ordinance 1C-10 amending Chapter 19.32, R-2 One-family and Two-Family Dwelling Districts by adding Section 19.32.020 I to allow Twin Homes in the R-2 District as a conditional use. Golat said this ordinance revision was requested by a builder who wants to construct a twin home on property zoned as R-2. The primary stipulation with regard to lot configuration is that the minimum lot width be 100’ at the building setback. Golat said this effectively limits development of twin homes in the R-2 zone primarily to infill corner lots. Golat said the same special provisions stipulated in the Twin Homes Zone ordinance apply to the conditional use for twin homes in the R-2 district to assure those issues related to common walls and other common areas are addressed.

Motion by Henning/Pratt to approve Ordinance 1C-10 amending Chapter 19.32, R-2 One-family and Two-Family Dwelling Districts by adding Section 19.32.020 I to allow Twin Homes in the R-2 District as a conditional use. **Motion carried.**

(VIII)(5) Consider approval of Ordinance 1D-10 amending Section 19.58.080 C. Signs in C (Commercial) and I (Industrial) Districts.

City Administrator Golat explained Ordinance 1D-10 amending Section 19.58.080 C. Signs in C (Commercial) and I (Industrial) Districts. This is a proposed change to the Altoona Municipal Zoning Code in

regard to the location of certain commercial signs. Golat said the City has received a request to allow a wall sign to be placed on commercial building at 1312 Bob Brown Boulevard. The request is to allow the sign to be placed so that it will face south to allow the best visibility from Highway 12. The right of way for Highway 12 is about 300 ft. distant from the building location. Golat said the Altoona Municipal Code Section 19.58.080 C. regulates the location of wall signs in a Commercial District. Such signs may only be installed on a wall that meets certain conditions. City staff is recommending the ordinance be revised to add 19.58.080 C.1.b which allows staff discretion to allow such signs in cases where it makes sense.

Motion by Hanks/Henning to approve Ordinance 1D-10 amending Section 19.58.080 C. Signs in C (Commercial) and I (Industrial) Districts. **Motion carried.**

(VIII)(6) Consider approval of final plat of the River Prairie Twinhomes plat submitted by Cody Filipczak of C & M Properties and Construction, Inc., located on the south side of Lake Road. (Discussed at the January 11, 2010 Regular Plan Commission Meeting).

City Administrator Golat explained the final plat of the River Prairie Twinhomes plat submitted by Cody Filipczak of C & M Properties and Construction, Inc., located on the south side of Lake Road. Golat said the preliminary plat was reviewed and approved at the December 22, 2009 Council meeting with the condition sidewalks be added to the south side of the road. The plat subdivides a 9.1 acre piece of property south of Lake Road into 26 lots to accommodate 13 twin homes. Golat said the property is currently owned by the City of Altoona, and the Council has approved sale of the property for \$62,500. City Administrator Golat explained that the developer plans to build 13 twin homes on the 26 lots. Each dwelling unit (two per twin home) will be sold individually and titled separately, with each unit sharing a common wall with the adjacent unit. The developer is proposing a 20-foot, one way street with traffic flow from west to east. Parking would be prohibited on the north side except during the winter when calendar parking is required. Golat noted that there is a large area on the north side of the proposed development that is to be dedicated to the City as right of way, and which the developer proposes the City will maintain. The right of way will accommodate a storm water pond and the pathway to the Lake Road Trail. A landscaping plan for the storm pond was presented with the preliminary plat and will become a part of the construction plans.

Motion by Spangler/Pratt to approve the River Prairie Twinhomes Plat submitted by C & M Properties and Construction, Inc. **Motion carried.**

(VIII)(7) Consider approval of Specific Implementation Plan as submitted by C & M Properties and Construction, Inc. for development in the River Prairie.

City Administrator Golat explained the Specific Implementation Plan submittal provided by Cody Filipczak of C & M Homes and Construction, Inc. for the River Prairie Twinhomes subdivision. The specific implementation plans submittals are not significantly different from the general implementation plan submittals in this case. Golat said staff has reviewed the specific implementation plan submittals provided by C & M Properties and Construction and recommends approval. Golat explained that the general implementation plan has now been modified to include sidewalks on the south side. This addition, combined with the path along Lake Road, will provide excellent circulation for pedestrians. Golat said that by designing the street as one-way will reduce potential traffic conflicts near the intersection of 10th and Lake since most of the turns into the development will be right turns and all egress from the development will be on the east end away from the intersection. Golat commented that the Standards stipulate that garages be designed to enter from the sides unless impractical, in which case the garages need to be set back behind the front façade of the house. The proposed home designs do not meet this requirement. However, staff believed the spirit of the Standard has been met by the developer agreeing that all the doors will be carriage style doors with nice architectural detail.

Motion by Spangler/Henning to approve the Specific Implementation Plan as submitted by C & M Properties and Construction, Inc. for development in the River Prairie. **Motion carried.**

(VIII)(8) Consider approval of Restrictive Covenants for C & M Properties and Construction, Inc. submitted by Cody Filipczak for the River Prairie Twinhomes plat.

City Administrator Golat explained the proposed restrictive covenants for the River Prairie Twinhomes plat. The covenants, in conjunction with the approved general and specific implementation plans, will guide development within the River Prairie Twinhomes neighborhood. The covenants focus on how to address the common wall of each twin home as well as common property features that require coordinated maintenance, such as the roofs. Golat commented on enforcement of the Restrictive Covenants. Golat said the City has no active role; it's the developer's covenants.

Motion by Spangler/Weber to approve the Restrictive Covenants for C & M Properties and Construction, Inc. submitted by Cody Filipczak. **Motion carried.**

(VIII)(9) Consider approval of Development Agreement between the City of Altoona and C & M Properties and Construction, Inc. specifying conditions for development of the River Prairie Twinhomes plat.

City Administrator Golat explained the Development Agreement between the City of Altoona and C & M Properties and Construction, Inc. specifying conditions for development of the River Prairie Twinhomes plat. Golat said approval of the development agreement is a contingency of moving forward with the sale of 9.1 acres of City owned property located south of Lake Road. In addition to the general provisions included in all similar development agreements, this development agreement adds the following provisions:

1. The contractor constructing the project must pay its workers consistent with the State's prevailing wage laws (this is due to legislation passed with the budget last session).
2. The Developer will be allowed to install a sign identifying the subdivision within the City right of way, such sign to be maintained by the Developer.
3. The maximum percentage of unit which may be rented is 40%, provided, however, leases must be month to month and there must be continuous marketing for sale of all units.
4. The subdivision is to be fully built out by January 1, 2014, or the Developer will be required to pay taxes as if it had been fully built out.

City Administrator Golat mentioned that Legal Counsel has reviewed the Development Agreement and recommended approval.

Motion by Spangler/Hanks to approve the Development Agreement between the City of Altoona and C & M Properties and Construction, Inc., specifying conditions for development of the River Prairie Twinhomes plat. **Motion carried.**

(VIII)(10) Consider approval of Resolution 1A-10 authorizing Ehlers and Associates, Inc. to Solicit Bids for \$3,085,000 General Obligation Promissory Notes, Series 2010.

Sean Lentz, Ehlers & Associates was present to explain Resolution 1A-10 authorizing Ehlers and Associates, Inc. to Solicit Bids for \$3,085,000 General Obligation Promissory Notes, Series 2010. This borrowing has two purposes. The first purpose is to fund \$660,000.00 of the 2010 Capital Projects budgeted. By utilizing budgeted funds to pay off the City's ETF Unfunded Liability and borrowing for the Capital Projects, the City is able to issue tax exempt obligations, which are at a lower interest rate than could be obtained if taxable notes were issued to pay off the ETF Unfunded liability. Paying off the ETF Unfunded Liability will decrease the 2010 City paid employee retirement expense by approximately \$20,000.00. It will also eliminate the annual interest that the Department of Employee Trust Funds assesses to the City of Altoona's Unfunded Liability Balance, which would be approximately \$20,000.00 in 2010. The second purpose is to refinance the outstanding balance of the 2003 General Obligation Promissory Notes in the amount of \$2,375,000.00. Without extending the repayment term of the existing Promissory Notes, based on current interest rates, the estimated savings as a result of the refunding will be approximately \$43,000.00, after all fees and expenses. Current interest rates on the 2003 Notes are 3.00% to 3.40%. Estimated interest rates on the 2010 Notes are 0.80% to 2.00%. Lentz explained the City's Bond rating indicating that Altoona has had an A3 rating through Moody's Investor Service. Lentz recommended going with Standard and Poors rating Agency this year. Lentz explained that Standard and Poors are giving more credit to municipalities in

comparison to corporate debt in terms of much fewer defaults which in turn increases rating levels.

Motion by Henning/Weber to approve Resolution 1A-10 authorizing Ehlers and Associates, Inc. to Solicit Bids for \$3,085,000 General Obligation Promissory Notes, Series 2010. Roll call vote 6-ayes, Henning, Weber, Pratt, Spangler, Stuber, Hanks, 0-nays. **Motion carried.**

(VIII)(11) Set Public Hearing date for rezoning Parcel Number 201-1048-06 located at 1203 10th Street West, from Commercial to Residential Single Family as submitted by Gary Rambo. (Recommended date February 11, 2010 at 6:00 p.m.). Refer the petition to the Plan Commission for their recommendation prior to the Public Hearing.

City Administrator Golat explained that Gary Rambo has submitted a request to rezone his property located at 1203 10th Street West. The request is to rezone the lot from Commercial to Residential (R-1). Rambo is proposing to add a 4-season family room to the back of his existing house. City Code does not allow an addition to a single family home in the Commercial District for the reason that it is a non-conforming use. Adjacent properties to the north, east, and west are zoned residential. The property south of the subject parcel is zoned commercial and also has a non-conforming single family home use. Staff recommended setting the public hearing date for February 11, 2010 at 6:00 p.m. and to refer the petition to the Plan Commission for their recommendation.

Motion by Spangler/Weber to set a public hearing for February 11, 2010 at 6:00 p.m. to consider rezoning Parcel Number 201-1048-06 located at 1203 10th Street West, from Commercial to Residential Single Family, and to refer the petition to the Plan Commission for their recommendation. **Motion carried.**

(VIII)(12) Consider approval of annual application for mobile home park license submitted by LaSalle Properties Management LLC for Hillcrest Mobile Home Park.

City Administrator Golat explained the application for a mobile home park license for 2010 submitted by LaSalle Properties Management LLC for Hillcrest Mobile Home Park. 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 submitted by LaSalle Properties Management LLC for Hillcrest Mobile Home Park. **Motion carried.**

(VIII)(13) Convening in Closed Session.

Motion by Spangler/Hanks to convene in closed session at 6:48 p.m. pursuant to the following:

A. Wis. Stats. 19.85 (1)(c) 1. City Administrator Review

B. Wis. Stats 19.85 (1)(e) 1. Labor Contract issues. Roll call vote, 6-ayes, Spangler, Hanks, Stuber, Weber, Henning, Pratt, 0-nays. **Motion carried 6-0.**

(VIII)(14) Reconvening in Open Session.

Motion by Henning/Pratt to reconvene in open session at 7:00 p.m. **Motion carried.**

Motion by Spangler/Weber to approve the Letter of Agreement between the City of Altoona, Jeff Anger, and the Altoona Professional Police Association and to authorize the Mayor to sign the Letter of Agreement on behalf of the City. **Motion carried.**

(IX) Miscellaneous Business and Communication

None.

(X) Adjournment.

Motion by Spangler/Weber to adjourn at 7:01 p.m. **Motion carried.**