



AGENDA FOR REGULAR COUNCIL MEETING ON **THURSDAY, JUNE 24, 2010**
6:00 P.M. ALTOONA CITY COUNCIL CHAMBERS

- I. Call Meeting to Order.
- II. Pledge of Allegiance.
- III. Roll Call for Council Persons.
Roll Call for Department Heads.
- IV. Citizens Participation Period. (No more than twenty minutes unless extended by two-thirds vote.)
- V. Discuss/consider approval of minutes of the June 10, 2010 Regular Council Meeting.
- VI. REPORTS
 - A. City Officers/Department Heads
 - B. City Committees
- VII. UNFINISHED BUSINESS
- VIII. NEW BUSINESS
 1. Public Hearing on issuance of Combination "Class B" Retailers' License to Whiskey Dicks, LLC, DBA Whiskey Dicks, Brad Windeshausen, Agent, 943 Harlem Street.
 2. Discuss/consider approval of Combination "Class B" Retailers' Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona to the following applicants.

Golden Spike Bar & Grill Inc.	Whiskey Dicks LLC.
D.B.A. Golden Spike Bar & Grill	D.B.A. Whiskey Dicks
Mark Anderson, Agt.	Bradley Windeshausen, Agt
228 Division Street	943 Harlem Street
 3. Public Hearing at 6:00 p.m. (or as soon thereafter as is practical) regarding the proposed Certified Survey Map (CSM) to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels located at 1320 N. Hillcrest Parkway, immediately west of the USDA building as submitted by Jim Overgard.
 4. Discuss/consider approval of CSM to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels located at 1320 N. Hillcrest Parkway, immediately west of the USDA building as submitted by Jim Overgard (Discussed at the June 14, 2010 Plan Commission Meeting)

5. Discuss/consider approval of the following application for a Cigarette License to manufacture, sell, exchange, barter, dispose of, give away and keep for sale of Cigarettes, Cigarette Paper, Cigarette Wrappers and any paper made or prepared for the purpose of being filled with tobacco for smoking:
 - Golden Spike Bar & Grill, Inc.
 - DBA Golden Spike Bar & Grill
 - Mark Anderson, Agt.
 - 228 Division Street

6. Discuss/consider approval of Resolution 6A-10, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resources NR – 208 regarding submittal of the City’s Compliance Maintenance Annual Report for its wastewater collection system.

7. Discuss/consider approval of Ordinance 6A-10, an ordinance creating Chapter 14.08 – Illegal Discharges and Illicit Connections.

8. Discuss/consider approval of Ordinance 6B-10, an ordinance amending Section 8.32.010 of the Altoona Municipal Code regarding mowing of weeds and grasses.

9. Discuss/consider approval of Refuse Haulers License to the following applicants:

Waste Management	Veolia ES Solid Waste Midwest, Inc.
Bob Butak	Mark Vinall
11888 30 th Ave	2626 Mondovi Road
Chippewa Falls, WI 54729	Eau Claire, WI 54701
Tambornino Sanitation, LLC	Boxx Sanitation, LLC
Scott Tambornino	Josh Boxx
P.O. Box 148	2740 Bauer Street
Chippewa Falls, WI 54729	Eau Claire, WI 54701

10. Discuss/consider approval of bartender licenses to John Bartholow, Crystal McKay, Rebecca Bushman, Mitchell Kunhart, Tammy Bowe, Roshelle Frye, Dawn Lium, Leticia Placek, Valerie Lanners, Stacia Richmond, Bridget Mulhern, Jason Melsness, Steven Squires, Mary Boettcher, Maureen Zimmerman, Elaine Galewski, Samantha Derouin, Lucas Ley, Jessica Bengtson, Megan Coughlin, Victoria Weaver, and Samantha Michaelson. (Approved by the Altoona Police Department).

11. Discuss/consider convening in Closed Session pursuant to Wis. Stats 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 - A. Golden Spike Property Sale Reversionary Clause.
 - B. Sale of City Property for a portion of the River Prairie Southeast Quadrant.

12. Motion to reconvene to open session for the purpose of discussion and possible action on the matters entertained in closed session.
 - A. Golden Spike Property Sale Reversionary Clause.
 - B. Sale of City Property for a portion of the River Prairie Southeast Quadrant

IX. MISCELLANEOUS BUSINESS AND COMMUNICATIONS:

X. ADJOURNMENT.

A handwritten signature in cursive script that reads "Cindy Bauer".

Cindy Bauer
City Clerk

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the City Clerk's Office at 839-6092 with as much advance notice as possible.



MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

DATE: June 16, 2010

SUBJECT: Summary of June 24, 2010 Council Meeting Items

Provided below for your consideration is a summary of the June 24, 2010 Council Meeting agenda items.

NEW BUSINESS

ITEM 1 - Public Hearing on issuance of Combination “Class B” Retailers’ License to Whiskey Dicks, LLC, DBA Whiskey Dicks, Brad Windeshausen, Agent, 943 Harlem Street.

As you are aware, at the June 10, 2010 Council Meeting, Council denied the renewal of a Combination “Class B” Retailers’ License to Whiskey Dicks, LLC, due to property taxes owed and because the City was notified by the Wisconsin Department of Revenue that Whiskey Dicks did not have a valid seller’s permit. At the June 10th meeting Council recognized Mr. Windeshausen could reapply for the license and the application would be given consideration at the June 24, 2010 Council meeting. Council communicated it would consider progress made towards paying delinquent taxes owed in making its decision regarding whether to renew the license.

I spoke with Mr. Windeshausen on June 16th at which time he dropped off the fully executed payment agreement with the Department of Revenue. He indicated his seller’s permit would likely be reissued on Monday, and that he had provisional permission to continue to operate. Mr. Windeshausen also indicated it was his intention to pay all property taxes owed by June 24, 2010 prior to the meeting.

ITEM 2 - Discuss/consider approval of Combination “Class B” Retailers’ Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona to the following applicants.

Golden Spike Bar & Grill Inc.
D.B.A. Golden Spike Bar & Grill
Mark Anderson, Agt.
228 Division Street

Whiskey Dicks LLC.
D.B.A. Whiskey Dicks
Bradley Windeshausen, Agt
943 Harlem Street

The City has received two renewal applications for “Class B” Retailers Licenses to sell fermented malt beverages and intoxicating liquors for Golden Spike Bar & Grill Inc., and Whiskey Dicks, LLC.

Please see Agenda Item 1 for discussion of Whiskey Dick's applications. Police Chief Chaney has reviewed and recommends approval of the applications submitted. However, because property taxes due remain unpaid, City staff is recommending the license for Whiskey Dicks not be renewed consistent with Section 5.24.135 (A) of Altoona Municipal Code.

Recommended motion: I move approval of the Combination "Class B" Retailers' Licenses to sell fermented malt beverages and intoxicating liquors in the City of Altoona to the Golden Spike and denial of approval for Whiskey Dicks due to unpaid property taxes and an invalid seller's permit.

ITEM 3 - Public Hearing at 6:00 p.m. (or as soon thereafter as is practical) regarding the proposed Certified Survey Map (CSM) to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels located at 1320 N. Hillcrest Parkway, immediately west of the USDA building as submitted by Jim Overgard.

Attached for your consideration is a CSM submitted by Jim Overgard to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels. The parent parcel (Lot 4) had been the western part of the property where the USDA building is located. Lot 4 was created in connection with Mr. Overgard's purchase of land from Mark Blaskey, and partner(s) dba West Riverside LLP. This land division was approved by the City of Altoona Plan Commission and Council in December of 2009. Mr. Overgard is currently constructing a building for his landscaping business on this property. At the January 11, 2010 meeting, Mr Overgard explained to the Plan Commission his intentions to further divide the property.

Access to Lot 6 is provided by means of an easement across the west 33 feet and the north 20 feet of Lot 5. Thus, although the south line of Lot 6 abuts the North Hillcrest Parkway right-of-way, no additional driveway approach is being proposed at this time directly along this frontage. In any case, when improvements are built on Lot 6, details including access will be subject to site plan review. Easements have also been established for the City water main and the private sewer main. A separate maintenance agreement for the private easements has been provided to be recorded with the land.

Staff has reviewed the CSM and easement agreement, and Plan Commission recommended approval by the Council.

Suggested motion: I move to close the public hearing.

ITEM 4 - Discuss/consider approval of CSM to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels located at 1320 N. Hillcrest Parkway, immediately west of the USDA building as submitted by Jim Overgard (Discussed at the June 14, 2010 Plan Commission Meeting)

Please see discussion for this agenda item above.

Suggested motion: I move approval of the CSM to divide Lot 4 of CSM 2679, Volume 15 of CSM, page 58 into two parcels located at 1320 N. Hillcrest Parkway, as submitted by Jim Overgard.

ITEM 5 - Discuss/consider approval of the following application for a Cigarette License to manufacture, sell, exchange, barter, dispose of, give away and keep for sale of Cigarettes, Cigarette Paper, Cigarette Wrappers and any paper made or prepared for the purpose of being filled with tobacco for smoking:

**Golden Spike Bar & Grill, Inc.
DBA Golden Spike Bar & Grill
228 Division Street**

The business listed above has applied for renewal of its cigarette licenses. Police Chief Chaney has reviewed and recommends approval of the application.

Suggested motion: I move approval of a Cigarette License to Golden Spike Bar & Grill, Inc.

ITEM 6 - Discuss/consider approval of Resolution 6A-10, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resources NR – 208 regarding submittal of the City’s Compliance Maintenance Annual Report for its wastewater collection system.

Attached for your review is a copy of the 2009 Sewer Utility Compliance Maintenance Annual Report. The annual report is required by all operators of a wastewater collection system. The goal of the report is to analyze the City’s operations and financial practices pertaining to the sewer utility in order to identify any problems. The City has scored a grade of “A” in both finance and operations, and no mitigation is required by the Wisconsin Department of Natural Resources. Wisconsin Administrative Code NR 208 requires the governing body of a collection system to pass a resolution that a) acknowledges that the CMAR has been reviewed, and b) lists any recommendations or action plan, if required.

Suggested motion: I move approval of Resolution 6A-10, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resources NR – 208 regarding submittal of the City’s Compliance Maintenance Annual Report for its wastewater collection system.

ITEM 7 - Discuss/consider approval of Ordinance 6A-10, creating Chapter 14.08 – Illegal Discharges and Illicit Connections.

The City’s current MS4 (Municipal Separate Storm Sewer System) permit requires adoption and implementation of an illicit discharge detection and elimination program by June 30, 2010. Ordinance 6A-10, attached for your review, contains necessary elements of the required program. The ordinance will:

1. Establish procedures to protect the waters of Altoona.
2. Prohibit the discharge, spilling, or dumping of non-storm water substances or materials into waters of the state or the MS4.
3. Define allowable discharges.
4. Establish inspection and enforcement authority.
5. Require landowners to maintain watercourses free of trash, debris, and other obstructions that could potentially pollute the natural waterway.
6. Require notification of spills.
7. Contain an appeal process.

Suggested motion: I move approval of Ordinance 6A-10, an ordinance creating Chapter 14.08 – Illegal Discharges and Illicit Connections.

ITEM 8 - Discuss/consider approval of Ordinance 6B-10, an ordinance amending Section 8.32.010 of the Altoona Municipal Code regarding mowing of weeds and grasses.

As you recall, Council Member Stuber requested this item be placed on a future Council Meeting for consideration. Section 8.32.010 states that “No person owning property within the city shall permit to grow or pollinate upon his premises any weeds or grasses which cause or produce hay fever in human beings, exhale unpleasant or noxious odors, or conceal filthy deposits. In order to prevent such growth and pollination, it shall be the duty of every property owner to mow or cause to be mowed upon his premises all grasses or weeds exceeding one foot in height”. Council Member Stuber suggested changing the height requirement to not exceeding six inches in height.

Clerk Bauer researched other municipalities to see what their height restrictions were. Attached please find a list of various communities with their height restrictions. The majority of municipalities that responded had a height limit of no more than 8 inches.

Staff recommends amending Section 8.32.010 to change the height limit for grass from one foot to eight inches.

Suggested motion: I move approval of Ordinance 6B-10 amending Section 8.32.010 of the Altoona Municipal Code changing the height limit restriction for grass to eight inches.

ITEM 9 - Discuss/consider approval of Refuse Haulers License to the following applicants:

Waste Management
Bob Butak
11888 30th Ave
Chippewa Falls, WI 54729

Veolia ES Solid Waste Midwest, Inc.
Mark Vinall
2626 Mondovi Road
Eau Claire, WI 54701

Tambornino Sanitation, LLC
Scott Tambornino
P.O. Box 148
Chippewa Falls, WI 54729

Boxx Sanitation, LLC
Josh Boxx
2740 Bauer Street
Eau Claire, WI 54701

Attached for consideration are annual Garbage License renewals for the period of July 1, 2010 – June 30, 2011. There have been no significant problems reported in the past year with any of the operators, and staff recommends approval of the licenses.

Suggested motion: I move approval of the Refuse Haulers Licenses to Waste Management, Veolia ES Solid Waste Midwest, Inc, Tambornino Sanitation and Boxx Sanitation.

ITEM 10 - Discuss/consider approval of bartender licenses to John Bartholow, Crystal McKay, Rebecca Bushman, Mitchell Kunhart, Tammy Bowe, Roshelle Frye, Dawn Lium, Leticia Placek, Valerie Lanners, Stacia Richmond, Bridget Mulhern, Jason Melsness, Steven Squires, Mary Boettcher, Maureen Zimmerman, Elaine Galewski, Samantha Derouin, Lucas Ley, Jessica Bengtson, Megan Coughlin, Victoria Weaver, and Samantha Michaelson. (Approved by the Altoona Police Department).

The City has received renewal and new bartender license applications listed above for the period of July 1, 2010 through June 30, 2011. Police Chief Chaney has reviewed and recommends approval of the bartender applications as listed.

Suggested motion: I move approval of the renewal and new bartender licenses submitted by the applicants as listed above.

ITEM 11 - Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

A. Golden Spike Property Sale Reversionary Clause.

B. Sale of City Property--portion of River Prairie Southeast Quadrant.

ITEM 12 - Motion to reconvene to open session for the purpose of discussion and possible action on the matters entertained in closed session.

A. Golden Spike Property Sale Reversionary Clause.

B. Sale of City Property--portion of River Prairie Southeast Quadrant.