

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
June 23, 2016

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. held in the Council Chambers at Altoona City Hall.

(II) Pledge of Allegiance

Mayor Pratt led the Common Council and others in attendance in the Pledge of Allegiance.

(III) Roll Call

City Clerk Cindy Bauer called the roll. Mayor Brendan Pratt, Council Persons Dale Stuber, Red Hanks, Andrew Schlafer, Ray Henning, Tim Sexton, and David Rowe were present. Also Present: City Attorney John Behling, Police and Fire Chief Jesse James, City Planner Joshua Clements, and City Clerk Cindy Bauer.

Absent: City Administrator Mike Golat

(IV) Citizen Participation Period

Richard Allen, 32 Petunia Lane had concerns with fire burning refuse west of the Hillcrest Mobile Home Park. Allen presented a list of names to the Mayor opposing the excess smoke and asked if something could be done to regulate the excessive smoke.

Council Member Rowe commented that he researched event centers in the area. Rowe provided a list of municipalities that do not have event centers that provide wedding services. Rowe also researched within a 10 mile radius a listing of businesses that provide wedding services. Rowe said if the event center moves forward, he would like to see the cost of the building reduced to \$1.5 million and to install additional bathrooms. Rowe said when Council set priorities at the Strategic Planning Session it was infrastructures. The event center was not listed as a priority.

Council Member Henning commented on the nice River Prairie sign that was recently installed in River Prairie.

Motion by Stuber/Henning to close Citizen Participation Period. **Motion carried.**

(V) Approval of minutes.

Motion by Henning/Rowe to approve the minutes of the June 9, 2016 Regular Council meeting. Hanks abstained. **Motion carried.**

(VI) City Officers/Department Heads Report

Police Chief Jesse James reported that this past Saturday, June 18, 2016, Police Department Staff conducted initial testing regarding the hiring process of police officers. Out of 44 applicants, 22 participated in the initial testing. Formal interviews will be conducted in July before the Police and Fire Commission. James also reported that the Altoona Fire Department participated in Country Fest; there were only minor incidents that took place.

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 possible) regarding Ordinance 6C-16, an ordinance modifying Title 19 of the Altoona Municipal Code “Zoning” as further described below:

Mayor Pratt opened the Public Hearing at 6:15 p.m.

- **Chapter 19.46 “River Prairie Mixed Use” to create conditional uses for River Prairie Mixed Use Zone District.**

City Planner Clements explained that staff has prepared an update to the River Prairie Mixed Use Zone District code adding “Bars, Taverns, and Off-Sale Liquor Stores” to enable conditional use review and regulatory control of the conditions under which said uses are permitted in the district. Further uses may be considered to be added as requiring conditional use permit review in the future.

- **Chapter 19.58, “Signs” to amend Sections 19.58.070 and 19.58.080 A. to regulate signs for schools and churches in an R-1 District.**

City Planner Clements explained that the School District of Altoona is nearing completion of the Elementary School at 157 Bartlett Avenue (Parcel number 201-1028-02-000). They are proposing signage on the building wall as well as a monument sign near the property entrance. The current Altoona Municipal Code Title 19, Section 19.58.080 allows only one sign {not larger than thirty square feet (30 sq. ft.)}. In order for the proposed signs to be permitted, a change would need to be made to this ordinance. The ordinance change would allow exceptions to the current limitations as a "Conditional Use". City Planner Clements noted that the proposal to include an LED "readerboard" must be reviewed as a "Conditional Use" according to our current ordinance.

- **Creating Section 19.58.080 E. of the Altoona Municipal Code regarding signs in Public and Conservancy Districts.**

City Planner Clements explained that Section 19.58.083 E. of the Altoona Municipal Code is added to identify sign regulations in the Public and Conservancy Zoning District.

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

ITEM 2 - Discuss/consider approval of Ordinance 6C-16, an ordinance amending Title 19, “Zoning” of the Altoona Municipal Code as further described below:

- **Creating Section 19.46.025 of the Altoona Municipal Code regarding conditional use permits for River Prairie Mixed Use Zone District**
- **Amending Sections 19.58.070 and 19.58.080 A. of the Altoona Municipal Code regulating signs for schools and churches in an R-1 District.**
- **Creating Section 19.58.080 E. of the Altoona Municipal Code regarding signs in Public and Conservancy Districts.**

Motion by Rowe/Hanks to approve Ordinance 6C-16, an ordinance amending Title 19, “Zoning” of the Altoona Municipal Code as further described in item 1. **Motion carried.**

(VIII)(3) Discuss/consider approval of Ordinance 6D-16, an ordinance amending Chapter 10.20 of the Altoona Municipal Code “Stopping, Standing and Parking” specifically creating Section 10.20.090 “Parking Prohibition: Hotel Guests Only 11 p.m. – 7 a.m.”

DPW/CE Walter explained that the approved Development Agreement for the Staybridge hotel includes restrictions on adjacent parking. The attached ordinance creates a new section titled “Parking Prohibition: Hotel Guests Only, 11 PM to 7 AM.” This applies to the east side of Bluestem Boulevard, from Blazing Star Blvd to Front Porch Place.

Motion by Henning/Rowe to approve Ordinance 6D-16, an ordinance amending Chapter 10.20 of the Altoona Municipal Code “Stopping, Standing and Parking” specifically creating Section 10.20.090 “Parking Prohibition: Hotel Guests Only 11 p.m. – 7 a.m. **Motion carried.**

(VIII)(4) Discuss/consider approval of a Specific Implementation Plan (SIP) for Lot 8 of the River Prairie Northwest Quadrant Plat as submitted by Royal Construction. (Discussed at the June 13, 2016 Plan Commission Meeting).

City Planner Clements explained that the Specific Implementation Plan illustrates site design elements for “Lot 8” one-story 6,167 sq ft commercial office building in the Northwest Quadrant of River Prairie, to be located at the west corner of Meadowlark Lane and Front Porch Place, accessed from a private drive emanating SW from the roundabout at their intersection. The 0.84-acre parcel shares the private drive with adjacent “Lot 7” commercial retail space recently constructed, and pedestrian/cyclist connections to the street and park system. Parking area includes 31 parking stalls. Staff has reviewed the submittals as required in Section VIII 2. of the River Prairie Design Standards and Guidelines and recommends the Plan Commission **approve** the Specific Implementation Plan as being in substantial conformance with the River Prairie General Implementation Plan with specified modifications (conditions):

1. Lot 8 abuts City of Altoona property along the entirety of the north, northeast, west, and southwest of this parcel. To the north, River Prairie Phase 3 Plan includes design and construction a paved multi-use path that travels west by north and connects the street network to the regional trail to be constructed along the Eau Claire River. This site plan illustrates internal concrete walkways connecting to what is presumably this trail, however the design illustrated differs substantially from that designed by Ayers Associates. Site design will need to reference appropriate connection.
2. Refuse collection area must be screened with materials similar to those used throughout the site [7.1 (H)];
3. All building and tenant signs illustrated in submittals will be required to pursue sign permits and requirements outlined in the River Prairie Design Guidelines, IX 5;
4. All lighting on the site shall be of full cut-off design and be shielded to prevent spillover of direct light onto adjacent properties [*Altoona Municipal Code* 19.59.030 (H)];
5. Any/all mechanical equipment must be screened [River Prairie Design Guidelines, IX 6];
6. Submittal and successful review of final *storm water plan* and *civil site plan* by City Engineer as described in the *Altoona Municipal Code* Chapter 14.
7. Staff *recommends* the following modifications regarding building site:

All developments shall establish groves and belts of trees along all city streets, in and around parking lots, and in all landscape areas that are located within fifty (50) feet of any building or structure in order to establish at least a partial urban tree canopy. [6 (D)]

- a. Add additional trees along the south of the property, near the illustrated stormwater swale. RPDG 6 (E) 4(a) provides a standard of “one tree per forty lineal feet along a side lot line parking setback area.” Design meets this minimum standard. However, one additional tree is recommended (6 (D) 2. illustrates 30 to 40 foot spacing, 30 would allow an additional tree).
- b. Add additional tree(s) along the east side of the property, between the parking lot and private drive. Two trees are illustrated, meetings the standard noted above. Design meets this minimum standard. However, one additional tree is recommended (6 (D) 2. illustrates 30 to 40 foot spacing, 30 would allow an additional tree).
- c. Add additional tree(s) along the north side of the property, between the building and City’s multi-use path.
- d. Add additional bicycle parking capacity. This site is directly connected to the dedicated regional multiuse trail system with excellent accessibility, and this site is well positioned to simultaneously take advantage and contribute. Adding capacity to this site may facilitate employee and customer use, as well as reinforce broader collective bicycle accessibility objectives in River Prairie District, and City of Altoona more broadly.

Motion by Henning/Stuber to approve the Specific Implementation Plan submitted by AEC on behalf of Vector Partners namely to construct "Lot 8" on Parcel #201-1002-01-220 in River Prairie as being in substantial conformance with the River Prairie General Implementation Plan with the above specified conditions. **Motion carried.**

(VIII)(5) Discuss/consider awarding bid for the Manor Court Reconstruction Project.

City Engineer Walter explained that the City held a bid opening for the Manor Court Reconstruction project on June 21, 2016 at 2:00 p.m. The bid tabulation was distributed during the meeting. The project includes removal of poor soils, replacement of water services, concrete curb and gutter, crushed aggregate base course, concrete curb and gutter, driveway aprons, and lawn restoration. The City received three bids: Haas Sons, Heartland Contractors, and A-1 Excavating. Haas Sons being the lowest responsible bid at a bid amount of \$130,205.50.

Motion by Rowe/Stuber to approve awarding bid for the Manor Court Reconstruction Project to Haas Sons Inc. for a bid amount of \$130,205.50. **Motion carried.**

(VIII)(6) Discuss/consider approval of Resolution 6C-16, 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 (CMAR) for its wastewater collection system.

DPW/CE Walter explained that a copy of the 2015 Sewer Utility Compliance Maintenance Annual Report was distributed during the meeting. 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.

Motion by Henning/Hanks to approve Resolution 6C-16, 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. **Motion carried.**

(VIII)(7) Discuss/consider awarding bid for the River Prairie Northwest Trail project.

DPW/CE Walter explained that bids were opened for the above project on June 15, 2016 at City Hall. A copy of the bid tabulation was distributed to Council members. Walter noted that the project is federally funded, and the bids must also be approved by the Wisconsin DOT prior to commencement. Staff received three bids. Staff recommended awarding the bid to Heartland Contractors for \$297,739.17.

Motion by Rowe/Henning to approve awarding the bid to Heartland Contractors for \$297,739.17 for the River Prairie Northwest Trail project, contingent upon review and approval by the Wisconsin Department of Transportation. **Motion carried.**

(VIII)(8) Discuss/consider approval of a Specific Implementation Plan (SIP) for Lot 9 of the River Prairie Northwest Quadrant Plat as submitted by Cowboy Jacks. (Discussed at the June 13, 2016 Plan Commission Meeting.)

City Planner Clements explained that the Specific Implementation Plan illustrates site design elements for Cowboy Jack's restaurant in the Northwest Quadrant of River Prairie, to be located at the NW of the roundabout of Front Porch Place and Meadowlark Lane. The 1.1-acre parcel will be accessed by a single vehicle driveway connecting to the roundabout, and pedestrian/cyclist connections to the street and park system. Parking area includes 92 shared, angled parking stalls (as initially designed) and shared with the adjacent commercial property to the southeast (Lot 10). The one-story 6,500 sq ft building will be entirely occupied by Cowboy Jack's restaurant, and feature a 1,800 sq ft patio located to the northeast end of the building facing River Prairie Park and plaza. The building will occupy about 13 percent of the site, with 41 percent parking and 45 open landscaping. This site contains significant topographical and easement constraints.

City Planner Clements explained that City Staff has identified significant fire access deficiencies in the site plan as initially submitted. However, staff has worked with the petitioner and are confident resolution to these design challenges will be achieved, to be reviewed during *civil site plan*.

Staff has reviewed the submittals as required in Section VIII 2. of the River Prairie Design Standards and Guidelines and recommends the Plan Commission **approve** the Specific Implementation Plan as being in substantial conformance with the River Prairie General Implementation Plan with specified modifications (conditions):

1. **Fire Access** – NFPA 1 requires unobstructed 20 feet width for access of emergency vehicles, and AHJ further requires unobstructed turning radius for fire apparatus (“hammerhead” turn acceptable). Project engineer (AEC) must design and have approved sufficient emergency vehicle access to service the building.
 - a. **Parking Lot** design must be modified to allow not less than 20 foot unobstructed drive isle on front of the building.
 - b. Based upon discussion with AEC on 6/7/2016, 6/9/2016, the design of the parking lot will be “stretched” to produce 20 foot drive lanes and sufficient turning radius for emergency vehicles to successfully navigate. This design will need to be reviewed, confirmed and approved during *civil site plan* review prior to issuing further permits. The City will add an additional hydrant located adjacent to the water service line entering the site.
2. **Property Boundary** – An agreement between the petitioner and the City of Altoona shall be completed for the modification of the property boundary between this property and Lot 10 such that the modified property boundary closely approximates the middle of the final design of the center parking isle to the greatest degree practicable.
3. **Parking and Egress Easement Agreement** – Petitioner must enter into parking and egress agreement with the owner of Lot 10 (City of Altoona) highlighting, including: maintenance of the lot; egress for users of both lots through the parking lot across each respective property; signage and control of parking equitably for each property based upon ground ownership; delivery of product and retrieval of refuse should occur at “off hours” and generally not impede the full utilization and access to the parking lot by users of either property.
4. **Stormwater** – Roof water must be treated on site. Approximately 300 sq ft of bottom will be required for the building footprint, based upon proposed building footprint. City Staff recommends conveying roofwater via pipe to an infiltration structure located southwest of the proposed retaining wall at a distance sufficient to ensure long-term integrity of that wall.
5. **Parking lot islands** must be raised curb or “mountable curb” design, include durable and appealing landscaping including trees, and be used to define the ends of parking aisles and define the pattern of parking and circulation (*River Prairie Design Guidelines IX E. 4.*).
6. Appropriate signage and pavement markings will be provided and maintained such that one-way traffic flow through the parking lot is clearly communicated.
7. The **concrete walkway** beginning at Meadowlark Lane along the southwest side of the parking lot may be eliminated. The walkway that traverses the west side of the parking lot may connect to the City’s regional multiuse trail located between this site and “Lot 8” at a grade appropriate location. The petitioner shall consult with the City and Ayers Associates on specific design integration on both ends of this walkway, to be included in *civil site plan*.
8. The concrete walkway between the SW corner of the parking lot and the retaining wall shall have at least two- to three feet of flat ground prior to proposed slopes for integrity of the walkway and safety of customers. The alternative to this grading modification would be to add an approved railing or barrier along that distance. This design must be reflected in the *civil site plan*.

9. The petitioner shall work with the City and Ayers Associates regarding landscaping the City park property abutting the proposed parking lot to the northeast to ensure sufficient visual screening of park users from vehicle lights. These specific modifications will be reviewed and approved by the City. Costs incurred from the modified design, grading, and planting will be borne by the petitioner.
10. *Staff Recommends* a net increase in bicycle parking, adjacent to parking proposed or another accessible and visible location elsewhere on the site, recognizing parking provided exceeds River Prairie minimum illustrated in Design Guidelines [IX (C) 4(a)]. Additionally, include a standard pedestrian curb cut or mountable curb at the location of the bicycle parking to facilitate ease of access. This recommendation stems from anticipated demand for parking. This site is directly connected to the dedicated regional multiuse trail system with excellent accessibility, and this site is well positioned to simultaneously take advantage and contribute. Adding capacity to this site may facilitate employee and customer use, as well as reinforce broader collective bicycle accessibility objectives in River Prairie District, and City of Altoona more broadly.
11. All building and tenant signs illustrated in submittals will be required to pursue sign permits and requirements outlined in the River Prairie Design Guidelines, IX 5;
12. All lighting on the site shall be of full cut-off design and be shielded to prevent spillover of direct light onto adjacent properties [*Altoona Municipal Code* 19.59.030 (H)];
13. Any/all mechanical equipment must be screened [River Prairie Design Guidelines, IX 6];
14. Submittal and successful review of final storm water plan and civil site plan by City Engineer as described in the *Altoona Municipal Code* Chapter 14.

Motion by Henning/Hanks to approve the Specific Implementation Plan submitted by AEC on behalf of JJC, Inc located on part of Parcel #201-2391-01-000 namely to construct “Cowboy Jack’s Restaurant” as being in substantial conformance with the River Prairie General Implementation Plan with the above specified conditions. **Motion carried.**

(VIII)(9) Discuss/consider approval of a modification of a Specific Implementation Plan (SIP) for Chippewa Valley Orthopedics to allow an additional sign facing Hwy 53 as requested by Adam Burmeister, DBA Ortho Assist. (Discussed at the June 13, 2016 Plan Commission Meeting).

City Planner Clements explained the request by Adam Burmeister to modify the Specific Implementation Plan for Chippewa Valley Orthopedics to allow an additional sign facing Hwy 53. SIP modification is recommended due to the proposed exceeding the River Prairie Design Guidelines and Standards with regard to number and total area of signage. The signage area is based upon lineal feet of street frontage, which is capped at 73 lineal feet. This site has over 460 lineal feet of frontage on Hwy 53. Chippewa Valley Orthopedics is now offering walk-in (Urgent Care) and wishes to provide signage for this service as "Ortho Assist". The existing signs associated with the property are shown on the attached photos and are as follows: West Gables with signs: three signs (3), a single North Gable: one sign (1), the East wall signs above entrances serving the main traffic from the parking lot: two locations (2), and the Monument Sign; (1)

Motion by Stuber/Rowe to approve the modification of a Specific Implementation Plan for Chippewa Valley Orthopedics to allow an additional sign facing Hwy 53 subject to the following conditions:

1. The sign shall not be larger than 50 square feet.
2. Placement shall be between first and second level windows and south of the northern gable facing Hwy 53. **Motion carried.**

(VIII)(10) Discuss/consider approval of a Combination “Class A” Retail license to sell fermented malt beverages and intoxicating liquors to the following applicant:

Walgreen Company, D.B.A. Walgreens #03497, Michael Myers, Agt., 1819 South Hastings Way
Liquor licenses are valid from July 1 – June 30th of each year; therefore the licenses are brought forward

each year at this time for renewal. Walgreens submitted their application for a Class A” Retail License to sell fermented malt beverages and intoxicating liquors after the due date when the previous licenses were approved on June 9th. Police Chief James has reviewed and recommends approval of the application submitted. City Clerk Bauer has checked for delinquent real estate taxes; no real estate taxes or other taxes are owed at this time.

Motion by Stuber/Hanks to approve a Combination “Class A” Retail license to sell fermented malt beverages and intoxicating liquors to the Walgreen Company for the period of July 1, 2016 through June 30, 2017. **Motion carried.**

(VIII)(11) 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:

Walgreen Company, D.B.A. Walgreens #03497, Michael Myers, Agt., 1819 South Hastings Way. Walgreens has applied for renewal of their annual cigarette sales license.

Motion by Henning/Hanks to approve a Cigarette License to the Walgreen Company valid for the period of July 1, 2016 through June 30, 2017. Rowe against. **Motion carried.**

(VIII)(12) Discuss/consider approval of Refuse Haulers License to the following applicants:

ProVyro Waste Services LLC	Advanced Disposal
Joseph Craven	Mark Vinall
1067 Starr Avenue	2626 Mondovi Road
Eau Claire, WI 54703	Eau Claire, WI 54701

Tambornino Sanitation, LLC	Boxx Sanitation, LLC
Scott Tambornino	Josh Boxx
P.O. Box 148, 16393 Cty Hwy J.	3010 Mondovi Road
Chippewa Falls, WI 54729	Eau Claire, WI 54701

Waste Management	Earthbound Environmental Solutions, LLC
Matt Bush	Zacharious Pappas
11888 30th Avenue	2809 E. Hamilton Ave #125
Chippewa Falls, WI 54729	Eau Claire, WI 54701

Attached for consideration are annual Refuse Hauler license renewals for the period of July 1, 2016 – June 30, 2017. There have been no significant problems reported in the past year with any of the operators. Clerk Bauer has checked with the Eau Claire/City County Health Department for any issues regarding the above applicants. There have been no issues with the Eau Claire/City County Health Department regarding the licenses.

Motion by Stuber/Hanks to approve the Refuse Haulers Licenses to those listed on the Agenda. **Motion carried.**

(VIII)(13) Discuss/consider approval of Bartender Licenses as listed on the agenda. (Approved by the Altoona Police Department).

The City has received renewal and new bartender license applications as listed on the agenda for the period of July 1, 2016 through June 30, 2017. Police Chief James has reviewed and recommends approval of the bartender applications as listed on the agenda.

Motion by Stuber/Henning to approve the renewal and new bartender licenses submitted by the applicants as listed on the agenda. **Motion carried.**

(VIII)(15) Discuss/consider convening in closed session pursuant to the following:

Wis. Stats 19.85 (1)(e) A. Purchase and/or sale of property,

Motion by Henning/Hanks to convene in closed session at 6:52 p.m. pursuant to Wis. Stats 19.85 (1)(e).

A. Purchase and/or sale of property. Roll call vote, 6-ayes, Stuber, Schlafer, Rowe, Henning, Sexton, Hanks, 0-nays. **Motion carried 6-0.**

(VIII)(16) Motion to reconvene to Open Session.

Wis. Stats 19.85 (1)(e) A. Purchase and/or sale of property.

Motion by Rowe/Hanks to reconvene to open session at 8:58 p.m. Roll call vote, 6-ayes, Rowe, Stuber, Hanks, Schlafer, Sexton, Henning, 0-nays. **Motion carried 6-0.**

The following actions were taken in Open Session:

Motion by Henning/Stuber to approve a third amendment to a Vacant Land Offer to Purchase Agreement (WB-13) dated January 27, 2016 and accepted on February 3, 2016, as amended by that certain WB-40, dated February 10, 2016 and amended by that certain WB-40 dated April 14, 2016 from Prairie Place Altoona, LLC for the purchase and sale of Lot 14 (was originally Lot 16 before re-platted) in the River Prairie Northwest Quadrant development. **Motion carried.**

Motion by Henning/Stuber to approve an Escrow Agreement between the City of Altoona and Prairie Place Altoona, LLC for Lot 1 of Eau Claire County Certified Survey Map No. 3175. **Motion carried.**

Motion by Henning/Stuber to approve a parking lot agreement between the City of Altoona and Prairie Place Altoona, LLC for Lot 1 of Eau Claire County Certified Survey map No. 3175. **Motion carried.**

Motion by Henning/Stuber to approve an amendment to a Vacant Land Offer to Purchase Agreement dated April 28, 2016 and accepted April 28, 2016 to extend the closing date from June 30, 2016 to July 29, 2016 for the purchase of Lot 9 by Mar Properties, LLC. **Motion carried.**

(IX) Miscellaneous Business and Communication.

(X) Adjournment.

Motion by Henning/Schlafer to adjourn at 9:02 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk