

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
August 11, 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, Andy Schlafer, Ray Henning, and Tim Sexton were present. Also Present: Attorney Steve Weld, City Administrator Mike Golat, City Planner Joshua Clements, Police Sergeant Mark Duce, Finance Director Tina Nelson, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

Absent: Council Member David Rowe

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Hanks/Henning to approve the minutes of the July 28, 2016 Regular Council meeting. Schlafer 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 possible regarding amending Title 19 of the Altoona Municipal Code “Zoning” more specifically to amend Chapter 19.58 ‘Signs’ regulating temporary and other defined signs.

Mayor Pratt opened the public hearing at 6:06 p.m.

City Planner Joshua Clements explained that the request to consider amending the City of Altoona sign ordinance was voiced in public comment during the July 14, 2016 City Council meeting concerning temporary signs at “The Potting Shed”. Joshua commented that the business owner has erected temporary flag signs at The Potting Shed to increase visibility and signal that the business is still open through and following completion of construction work on Highway 12. At present, the City of Altoona sign ordinances do not permit the flag signs, or any other temporary signage during a temporary circumstance impacting business visibility or normal traffic circulation. The City Council directed staff on July 14th to propose modifications to the City of Altoona Municipal Code to permit temporary signs in this and similar conditions.

The principal proposed change to the sign ordinance, Chapter 19.58, is to amend Section 19.58.100 Temporary Signs to create a section providing a method and conditions for erecting temporary signs under temporary impacting conditions.

Chapter 19.58 is also proposed to be amended to add three definitions, 19.58.030 to include “Directional Sign”, “Neighborhood or Subdivision Sign”, and “Window Sign”. The third portion is to amend 19.58.070 “Requirements by type of sign” to include provisions for neighborhood or subdivision signs. Clements said the Plan Commission recommended approval at its August 8, 2016 Plan Commission Meeting.

Council Member Henning mentioned that at the Plan Commission meeting he requested that City

Planner Clements provide Council with pictures and a list of the temporary signs that would be permissible.
Motion by Schlafer/Stuber to close the public hearing at 6:08 p.m. **Motion carried.**

(VIII)(2) Discuss/consider approval of Ordinance 8A-16, an ordinance amending Title 19 of the Altoona Municipal Code “Zoning” more specifically to amend Chapter 19.58 “Signs” regulating temporary and other defined signs.

Motion by Henning/Hanks to delay action on Ordinance 8A-16, until staff provides pictures that reflect what signs are legal and what signs are not permissible. Henning said there are a multiple variety of signs.

Council Member Schlafer suggested that rather than delay action, Council pass the ordinance and direct staff to come up with those provisions relating to the types of signs.

Council Member Sexton suggested tightening up the language to reflect what types of signs are permissible and not permissible.

Council Member Henning said we need to be fair and consistent with everyone to have the proper signage.

Members Henning and Hanks withdrew their motion to delay action.

Motion by Schlafer/Sexton to approve amending Title 19 of the Altoona Municipal Code “Zoning” more specifically to amend Chapter 19.58 “Signs” regulating temporary and other defined signs as presented. Hanks and Henning against. **Motion carried 3-2.**

(VIII)(3) Discuss/consider approval of Ordinance 8B-16, an ordinance amending Title 6 of the Altoona Municipal Code “Animals” specifically to define the treatment of animals and to define the keeping of certain animals and plants.

Council Member Stuber recused himself from this item since this ordinance is a conflict of interest.

City Administrator Golat explained that at the July 14, 2016 Council Meeting staff was directed to amend Title 6 of the Altoona Municipal Code “Animals specifically to prohibit certain animals and clarify what animals are acceptable.

City Planner Clements explained that the proposed amended ordinance adds Chapter 6.01 “Treatment of Animals” to illustrate humane and ethical treatment of domestic and non-domestic animals in pursuit of public health, safety and welfare. This Chapter contains elements of Chapter 6.04, which is proposed to be repealed, specifically addressing sanitary conditions and animals prohibited in food establishments.

The proposed Chapter 6.03 “Keeping of Certain Animals and Plants” illustrates that keeping of non-domestic animals and those animals customarily associated with agriculture is prohibited in the City of Altoona, unless specifically addressed by City Ordinance. Further, this proposed chapter places restrictions on keeping or transporting threatened, endangered or invasive species.

Council Member Hanks mentioned that there are instances where people have miniature horses for assistance; how will the City allow that. City Administrator Golat said staff could make an amendment to make provision for other service animals other than dogs. Council Member Hanks commented that the ordinance should clarify if allowed inside or outside the home. City Administrator Golat said staff could make the distinction if inside or outside.

City Planner Clements said if Council is asking for revisions, he could bring those references at the next Council meeting showing state and federal lists of prohibited or controlled animals.

No action taken. This ordinance will be brought back at the August 25, 2016 Council Meeting.

(VIII)(4) Discuss/consider approval of Resolution 8A-16, a resolution amending the City of Altoona 2016 Capital Projects, TIF #3, Water, Sewer, Stormwater and General Fund Budgets.

Finance Director Nelson explained that the 2016 Budgets for all funds were adopted on 11/12/2015. Unforeseen circumstances and events were not anticipated when the 2016 budgets were originally adopted. Actual costs for capital projects are different than estimated at the time of adoption; therefore, a reallocation is necessary to properly account to the respective funds. Resolution 8A-16 amends the budget to reflect all reallocations and changes to the 2016 corresponding budgets. Finance Director Nelson provided a 2016 Budget Amendment Staff Report and further explained the purpose of the amendment explaining the individual

amendments.

Motion by Stuber/Sexton to adopt resolution 8A-16, a resolution amending the 2016 Capital Projects, TID #3, Water, Sewer, Stormwater and General Fund Budgets. Schlafer against. **Motion carried.**

(VIII)(5) Discuss/consider approval of a Final Plat of Haven Pines to create 15 single family lots on Parcel #201-1023-08-000 as submitted by Highview Developments LLC, C&E Wurzer. (Discussed at the August 8, 2016 Plan Commission Meeting).

City Planner Clements explained that the Preliminary Plat was discussed and approved at its May 12, 2016 Council Meeting. Highview Developments is now coming forth with a final plat. This 5-acre parcel owned by the City of Altoona was subject to a successful RFP response from C&E Wurzer and Highview Development to purchase and develop 15 residential lots over a three-year time period. Construction of infrastructure and first few foundations are intended to begin fall 2016. This parcel is accessed by County Highway KB bordering the north of the site, and is immediately west of and adjacent to the Altoona Elementary School that is nearing completion.

Staff recommends **approval** of the Final Plat of Haven Pines as conforming with the City of Altoona Comprehensive Plan and applicable municipal codes, subject to the following conditions:

1. Developer shall enter into a development agreement concerning, among other possible elements, the terms of sale of the subject property currently owned by the City of Altoona, and for the cost to appropriately size and extend utilities to the west lot line;
2. Outlot 1 and Outlot 2 shall be deeded to the City of Altoona;
3. Park impact fees shall be paid at the time of building permit issuance;
4. City of Altoona permits will be refused for private utilities outside of the illustrated private utility easement;
5. Year-round calendar parking (odd/even) signage shall be installed for the complete length of "Kayson Place" road;
6. "No Parking in Roundabout" signage shall be installed in roundabout;
7. Street lights shall be installed at the developer's expense at a location and specification reviewed by the City Engineer (*Altoona Municipal Code 18.07.110; City of Altoona Standard General Conditions and Specifications for Street and Utility Construction 16500.4*) in coordination of utility streetlight provider of the developer's choice.
8. Prior to issuance of building permits, the Developer shall submit a street tree plan for review and approval which illustrates boulevard trees comprising species from the City-provided recommended list that shall be planted at spacing to be reviewed and approved by City Engineer following completion of the adjoining lot (*Altoona Municipal Code 18.07.110*). Developer shall ensure the survival of all boulevard trees until the development of the subdivision is complete and not less than three years following the planting, satisfactorily replacing those trees that do not succeed during that period;
9. The Developer shall prepare a temporary access easement agreement for the limited use of Outlot 2 (public right-of-way), to be reviewed and approved by the City, and attached to Lot 9 and Lot 10 stipulating:
 - a. Occupancy of Outlot 2 for the purpose of building and maintaining private driveways and mailboxes. Owners of Lot 9 and Lot 10 shall maintain each driveway occupying Outlot 2 subject to all standards required of private driveways in the *Altoona Municipal Code* until such time the development of the Outlot for a public road occurs and the temporary access easement is terminated. All costs to build and maintain the private driveways shall be the sole responsibility of the Owners of Lot 9 and Lot 10;
 - b. Exclusive of driveways enabling access to Lot 9 and Lot 10, Outlot 2 shall be planted with lawn grass and maintained to *Altoona Municipal Code 8.32* by adjacent land owners (Lot 9 and Lot 10) until such time the Outlot is developed as a public roadway, as a condition of maintaining the temporary access easement for private driveways;
 - c. Lot 9 and Lot 10 shall share a single standard curb-cut to access the public roadway;

- d. The public sidewalk adjacent to Outlot 2 shall be maintained by the owners of Lot 9 and Lot 10 as a condition of maintaining the temporary access easement for private driveways.

Motion by Schlafer/Sexton to approve the final plat of Haven Pines to create 15 single family lots on Parcel #201-1023-08-000 as submitted by Highview Developments LLC, C & E Wurzer, with the above noted conditions. **Motion carried.**

(VIII)(6) Discuss/consider setting Public Hearing date to rezone parcels in the final plat of Haven Pines from single family residential (R-1) to Planned Community Development (PCD) and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, September 22, 2016 at 6:00 p.m and Plan Commission date of September 12, 2016). Submitted by Highview Developments LLC, C&E Wurzer.

City Planner Clements explained that this item has been placed on the agenda to formally acknowledge the receipt of a petition to rezone parcels in the final plat of Haven Pines from single family residential (R-1) to Planned Community Development (PCD) as submitted by Highview Developments LLC, C&E Wurzer. At the present time the only actions required are those stated herein, namely, to set the date for the required Public Hearing and to refer the request to the Plan Commission for their recommendation. The recommended date for the Public Hearing is September 22, 2016 at 6:00 p.m. and Plan Commission of September 12, 2016 at 6:00 p.m.

City Planner Clements provided the following is background information:

The principal purpose for requesting the rezone of this property from R1 One-Family Dwelling District to Planned Community Development is to accommodate attractive and orderly development while preserving area drainageways. The slope and drainage of this site requires preserving area drainage along the rear lot line on the east and west perimeter of the proposed development, conveying storm water to the provided pond facility to be located on Outlot 1. The grading plan for this development illustrates a four-foot-wide drainage swale contained within a Plat-designated fifteen-foot-wide drainage easement that runs along the east of the development (Lots 1-7) and west side (Lots 11-15).

The remedy sought through this rezoning request is to modify permitted building setbacks. Modifying setbacks will allow preservation of developable area of each lot to reserve sufficient space for appropriate grading and conveyance of storm water within the stormwater easement. We [the petitioner] believe this remedy is consistent with the City of Altoona's Planned Community Development purpose "to best utilize the site's potential characterized by special features of geography, topography, size or shape" (19.64.010).

Motion by Stuber/Sexton to approve setting the public hearing date to September 22, 2016 at 6:00 p.m. to rezone parcels in the final plat of Haven Pines from single family residential (R-1) to Planned Community Development (PCD) and to refer the petition to the September 12, 2016 Plan Commission meeting for its recommendation. **Motion carried.**

(VIII)(7) Discuss/consider approval of a Specific Implementation Plan (SIP) for the Prairie Event Center in River Prairie Development. (Discussed at the August 8 2016 Plan Commission Meeting).

City Administrator Golat explained that the City intends to begin construction on the Prairie Event Center in Fall 2016. Part of the procedural requirements is to approve the Specific Implementation Plan (SIP).

Jamey Bowe of River Valley Architects was present to further explain the Prairie Event Center. The Prairie Event Center will serve as the principal offices for the Parks & Recreation Department, public restrooms for River Prairie Park and Event Space, Public Event Space and Prefunction Space with capacity for 250 person seated event, Catering and Incubator Kitchen, Bar that serves the Event Center as well as Outdoor Patio, and Utility Room serving the Prairie Event Center mechanicals as well as security, audio-visual, and telecommunications equipment for River Prairie Park. The Prairie Event Center, 9,178 square feet, will serve as the municipal "home base", activity center, and visually striking presence in River Prairie Park and the River Prairie development as a whole.

Council Member Henning questioned if River Valley Architects will be supplying the Council with pictures of the inside of the building, what will the bar area look like, etc. Henning would like more pictures of the inside of the building.

Council Member Hanks was not in full support of the layout of the building and stated his reasons.

City Planner Clements explained that this is just the overall Specific Implementation Plan for the building. More detailed pictures and layouts will be provided at a later time when the Council will be approving the complete site plan. City Administrator Golat said the final design discussion will be brought back to Council before it goes out to bid.

Council Member Stuber asked if the City will be allowing alcohol all the time throughout the park. City Administrator Golat commented on his conversation with the Alcohol and Tobacco Enforcement Office relating to sales of alcohol in a city park.

Mayor Pratt commented on the patio area. Pratt said it was too much of an open flow pattern. If there will be alcohol served, the patio area should be more controlled and confined. Pratt asked if the patio could be more enclosed. If there are special events going on, can the patio be closed off in some areas?

Jamey Bowe further explained the patio area. The option would be to extend more fencing whether it be permanent or temporary fencing. Bowe showed different brick color schemes of the building. Council discussed the brick color schemes. The Council preferred the earth tone/lighter brown option #2.

Bowe commented on the timeline for the Prairie Event Center Project. Bowe's expectation at the conclusion of the approval of the Specific Implementation Plan was to have plans available for bidding by next week (Week of August 15, 2016). There will be alternate bid options of certain design items.

City Administrator Golat suggested a workshop for Council to finalize the design plan prior to going out to bid. The workshop was set for Tuesday, August 16, 2016 at 3:00 p.m. City Administrator Golat gave a breakdown of the funds used for the River Prairie Event Center: \$1.3 million due from TID #3, \$500,000 in the general fund and \$250,000 in TID 3 funds for a share of bathrooms and outdoor patio space.

Motion by Stuber/Sexton to approve the Specific Implementation Plan for the Prairie Event Center as being in substantial conformance to the City of Altoona River Prairie Design Guidelines and Standards. Hanks and Schlafer against. **Motion carried.**

(VIII)(8) Discuss/consider approval of Bartender Licenses to Nicole Kastner, Jordan Waughtal, Bobbi Stouffer, Sharon Hydo, Lynn Cowell and Deanna Haldeman. (Approved by the Altoona Police Department).

City Administrator Golat explained that the City has received new bartender license application from Nicole Kastner, Jordan Waughtal, Bobbi Stouffer, Sharon Hydo, Lynn Cowell and Deanna Haldeman. Police Chief James has reviewed and recommends approval of the bartender applications as listed on the agenda.

Motion by Hanks/Sexton to approve the new bartender license as listed on the agenda. **Motion carried.**

(VIII)(9) 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 Hanks/Sexton to convene in closed session at 7:30 p.m. pursuant to Wis. Stats 19.85 (1)(e).
A. Purchase and/or sale of property. Roll call vote, 5-ayes, Stuber, Hanks, Schlafer, Henning, Sexton, 0-nays.
Motion carried 5-0.

(VIII)(10) Motion to reconvene to Open Session.

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

Motion by Schlafer/Hanks to reconvene to open session at 7:55 p.m. Roll call vote, 5-ayes, Henning, Stuber, Sexton, Schlafer, Hanks, 0-nays. **Motion carried 5-0.**

City Administrator Golat explained that the Council discussed in closed session several matters related to development in the northwest quadrant of River Prairie; notably one that requires action tonight.

Motion by Stuber/Sexton to approve a first amendment to a purchase agreement dated June 2, 2016 to grant a contingency date extension to February 28, 2017 between the City of Altoona and Bascom Capital LLC for lots in the northwest quadrant of River Prairie. **Motion carried.**

(IX) Miscellaneous Business and Communication.

None.

(X) Adjournment.

Motion by Schlafer/Henning to adjourn at 8:00 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk