

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
March 22, 2018

(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 Members Andrew Schlafer, Dale Stuber, Matthew Biren, Tim Sexton, and David Rowe (arrived at 6:11 p.m.) were present. Also Present: Attorney Steve Weld, City Administrator Mike Golat, Police Chief Jesse James, CE/DPW David Walter, Finance Director Tina Nelson, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

Absent: Council Member Red Hanks.

(IV) Citizen Participation Period

Motion by Biren/Sexton to close Citizen Participation Period. **Motion carried.**

(V) Approval of minutes.

Motion by Stuber/Sexton to approve the minutes of the March 8, 2018 Regular Council Meeting.
Motion carried.

(VI) City Officers/Department Heads Report

Finance Director Tina Nelson provided a summary and explanation of the monthly Finance and Investment reports that she will be distributing to the Council on a monthly basis. These reports will give the Council a better understanding of the budget and current balances within the departments throughout the year.

City Administrator Golat mentioned that Governor Walker was at the Altoona School District earlier this week and spoke of his plan for school security.

City Committee Reports

(VII) Unfinished Business – none.

(VIII) New Business –

(1) Discuss/consider appeal to denial of bartender license to Natalie Spies.

City Administrator Golat explained that at the February 22nd Meeting, Council denied Natalie Spies a bartender's license due to the fact that she had multiple underage drinking convictions and was therefore not recommended approval by Lieutenant Livingston.

Ms. Spies was present to appeal the decision since she was not present at the previous meeting. While an appeal before Council is not required, as in the past, Legal Counsel has recommended that Council hear the appeal to assure sufficient due process.

Police Chief James gave some background history on Ms. Spies' previous underage violations and stated the reason for denial from Police Lieutenant Livingston.

Motion by Sexton to support the denial of a bartender license to Ms. Spies as recommended by Police Lieutenant Livingston. Motion failed for lack of second. Discussion followed.

Motion by Biren/Stuber to approve the issuance of a bartender license to Natalie Spies. Rowe/Sexton against. **Motion carried 3-2.**

(2) Discuss/consider providing direction to City Engineer for the Sherman Highland and Country Club Lane Phase 2 Street Reconstruction Projects.

CE/DPW Walter explained that at the March 8, 2018 Council Meeting, a Public Informational Meeting for the 2018 Street and Utility Reconstruction Projects for Sherman Highlands Addition Phase 2 and Country Club Lane Phase 2 was held to provide an opportunity for residents to learn about the reconstruction projects prior to finalizing the project plans, and to provide an opportunity for citizen input.

Country Club Lane

CE/DPW Walter said staff is seeking direction from Council on the desired cross section for each project. Walter describe various alternatives Council may wish to consider. The width of the roadway will reference from the back-of-curb to back-of-curb from this point forward. Walter said as there was no desire expressed by residents or Council members to consider sidewalk, the topic will be omitted from this section. There were a number of affected property owners in attendance who voiced support in keeping the 41-foot roadway width for Country Club Lane, consistent with the cross section applied during the Phase 1 project in 2017. Staff believes the most appropriate cross section for this neighborhood is a 32-foot road with sidewalks. However, given direction provided by Council for the Phase 1 project, a reasonable approach may be to construct a 37-foot road with no sidewalks given the sidewalks would not have meaningful connectivity to other areas with sidewalks.

Council Member Stuber said he was under the impression that when Council approved the 2017 project for Country Club Lane that the 41 foot roadway was for the entire project not just for Phase 1.

CE/DPW referred to other municipalities in regards to City streets, assessments, planning standards, etc. Walter referenced the Special Assessment ordinance whereas it limits the assessable cost to a standard 37 foot roadway width. Anything wider than 37 feet the City picks up the extra cost. Walter provided the extra cost for asphalt and maintenance of the additional roadway.

Joshua Gore, 3603 West Country Club Lane, was also under the impression that when the property owners were at the Council Meeting last year discussing Phase 1, the roadway was going to be a 41 foot roadway. Gore had some specific questions regarding the cost of this year's project. CE/DPW Walter responded to his questions.

Matthew Steffes, 3404 Country Club Lane, new owner, commented that he would like to keep the roadway at 41 feet width versus 37 feet width.

Donald Patterson, 3504 W. Country Club Lane, was in support of the 41 feet width and stated his reasons why.

Michael Hetchler 2304 Country Club Lane, would like Council to keep the roadway at 41 feet more for aesthetic purposes; narrowing the street wouldn't look as attractive.

Council Member Rowe supported keeping the road as is at 41 feet width.

Council Member Sexton supported staying with 37 feet and no sidewalks. Sexton asked if the Special Assessment Ordinance could be changed whereas the property owner would be liable to pay for the cost beyond the stand 37 foot roadway width?

Council Member Schlafer explained what precipitated the construction last year and further explained the continuous maintenance of the roads. Schlafer still preferred a sidewalk on Country Club Lane but would be willing to compromise for a 37 foot roadway and no sidewalk.

Council Member Biren mentioned that he is new on the Council and watched the tapes from last years Council Meetings regarding the Country Club Phase 1 street project so he could get up to speed. Biren asked if the property owners would be in support of paying for the extra 4 feet of roadway if the width went from 37 to 41. Council Member Sexton said he would be in support of what Council Member Biren was suggesting. The Special Assessment Ordinance would have to be amended at a future Council Meeting.

CE/DPW Walter asked for clarification that Council is asking Staff to amend the Special Assessment

Ordinance wherein requested by residents along a particular stretch, if a wider than a standard 37 foot roadway is requested, built, and approved, the additional cost would be assessed upon the property owners. Council confirmed.

Motion by Sexton/Schlafer to go with the staff recommendation of 37 feet wide and no sidewalk for the Country Club Lane project. Biren, Stuber, Rowe against. **Motion failed 2-3.**

Motion by Biren/Sexton to make an amendment to the Special Assessment ordinance which include language to the effect if wider than a standard 37 foot roadway, the additional cost would be assessed upon the property owners and proceed with the 41 foot width.

Motion by Rowe/Stuber to table this item until the next meeting. Schlafer, Sexton, Biren against. **Motion failed 2-3.**

Back to the motion by Biren/Sexton to make an amendment to the Special Assessment ordinance which include language to the effect if wider than a standard 37 foot roadway, the additional cost would be assessed upon the property owners and proceed with the 41 foot width. Stuber, Rowe against. **Motion carried 3-2.**

Sherman Highlands Addition

CE/DPW Walter noted that Staff recommends a 32-foot cross section for both the north-south and east west roads included in the Sherman Highlands Phase 2 Project based upon the residential nature of the neighborhood. Council may wish to consider sidewalks along the east-west roadways. As was also mentioned during the presentation, the north-south rights-of-way are 50 feet, which makes the installation of sidewalk impractical.

Motion by Sexton/Rowe to go with the staff recommendation as listed above for 32 foot with sidewalks on the east-west and 32 foot with no sidewalks on the north-south. **Motion carried.**

(VIII)(3) Discuss/consider setting Public Hearing date to rezone parcel #201-1044-06-000 located at 1511 Devney Drive from R-1 One- Family Dwelling District to R-3 Multiple Family Dwelling District as submitted by Winchel Todd LLC. and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, April 12, 2018 at 6:00 p.m. and Plan Commission date of April 9, 2018 at 6:00 p.m).

City Administrator Golat noted that this item has been placed on the agenda to formally acknowledge the receipt of a petition to rezone parcel #201-1044-04-000 located at 1511 Devney Drive from R-1 One- Family Dwelling District to R-3 Multiple Family Dwelling District as submitted by Winchel Todd LLC. Golat noted that the surrounding areas are mostly R-3 or Planned Community Development. Golat noted that 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 April 12, 2018 at 6:00 p.m. and Plan Commission recommendation to the Council on April 9, 2018 at 6:00 p.m.

The following is provided for background information:

- The property at 1511 Devney Drive was formerly Country Terrace assisted living facility. The facility closed in 2015 when the new Care Partners facility was completed on Briar Lane. The facility has been vacant since that time.
- The petitioner seeks to renovate the facility into 20 to 25 efficiency and one-bedroom apartments.
- The parcels to the south are zoned commercial, properties to the east, west, and north are 4-unit condos zoned PCD.
- A staff report will be provided for the April 9 Plan Commission consideration.

Motion Rowe/Biren approve setting the public hearing date to April 12, 2018 to rezone parcel #201-1044-06-000 located at 1511 Devney Drive from R-1 One- Family Dwelling District to R-3 Multiple Family Dwelling District as submitted by Winchel Todd LLC. and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing. **Motion carried.**

Council Member Schlafer asked if Staff could notify the surrounding property owners within a larger area regarding this rezoning.

(VIII)(4) Discuss/consider approval of Quit Claim Deed between River Prairie Twin Homes, LLC and the City of Altoona for the following parcel: that being part of Lot 6, Block 2, Country Club Estates Addition to the City of Altoona.

City Administrator Golat explained that there exists a remnant parcel of approximately 1,060 square feet between Fairway Drive and Highway 53 right-of-way that remains in private ownership. The parcel is undevelopable and surrounded by public right-of-way (*see enclosed illustration*). In order to clear the undevelopable parcel from the tax roll (\$100 assessed valuation; \$2.24 total tax in 2017) and developer's administrative time, the developer proposes deeding the parcel to the City. City staff recommends accepting the deeded parcel. No further administrative or operational cost is anticipated due to this transaction.

Motion by Biren/Sexton to approve Quit Claim Deed between River Prairie Twin Homes, LLC and the City of Altoona for the following parcel: that being part of Lot 6, Block 2, Country Club Estates Addition to the City of Altoona. **Motion carried.**

(VIII)(5) Discuss/consider approval of Katherine Bitney as the New Agent for Kwik Trip Inc., d.b.a Kwik Trip #828, 2367 Spooner Avenue, Altoona, Wisconsin. (Approved by the Altoona Police Department).

City Administrator Golat explained that the City was notified in writing by Kwik Trip Inc. that Katherine Bitney has been assigned to take over leadership responsibilities of the Kwik Trip #828 store located at 2367 Spooner Avenue, replacing Rebecca Frederickson. Kwik Trip Inc. submitted the necessary forms for appointing a new agent and was approved by the Altoona Police Department.

Motion by Rowe/Sexton to approve Katherine Bitney as the new Agent for Kwik Trip, Inc., d.b.a. Kwik Trip #828, 2367 Spooner Avenue, Altoona, Wisconsin. **Motion carried.**

(VIII)(6) Presentation of Annual Storm Water report.

CE/DPW Walter explained that the City of Altoona is a Municipal Separate Storm Sewer System (MS4) permit holder as designated by the Wisconsin Department of Natural Resources. As an MS4 permit holder, the City is required to submit an annual report to the DNR for review. Prior to submittal, the governing body must be apprised of the contents of the report. A copy of the report was distributed to Council for review prior to the meeting. Walter presented a summary of the report. No action, informational purposes only.

(VIII)(7) Discuss/consider special exemption for Altoona Lions Club to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park (designated consumption & sale area) during a car show in conjunction with Cinder City Days Celebration, June 9, 2018.

City Administrator Golat explained that Chapter 9.23 of Altoona Municipal Code prohibits consumption of Alcoholic beverages within City parks. Consistent with past practice, the Altoona Lions Club is requesting an exemption from this provision in order to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park during a car show in conjunction with the Cinder City Days celebration, June 9, 2018.

This request has been reviewed by the Altoona Department of Emergency Services and Chief James recommends City Council approve a one-time exemption for the Altoona Lions Club to obtain a Picnic License to sell fermented malt beverages at Tenth Street Park within a designated consumption and sale area during a car show held in conjunction with the Cinder City Days celebration on June 9, 2018.

Clerk Bauer noted that there will not be a rain date on June 10th.

Motion by Sexton/Biren to approve a special exemption for Altoona Lions Club to obtain a Picnic License at Tenth Street Park during a car show on June 9, 2018. **Motion carried.**

(VIII)(8) Discuss/consider approval of bartender licenses to Jayne Grabowski, Kelly Brian, Lauren Peterson, Elizabeth Lato and April Church. (Approved by the Altoona Police Department).

The City has received bartender license applications from Jayne Grabowski, Kelly Brian, Lauren Peterson, Elizabeth Lato and April Church. Police Lieutenant Livingston has reviewed and recommends approval of the bartender license application.

Motion by Sexton/Rowe to approve bartender licenses to those listed on the agenda. **Motion carried.**

(VIII)(9) Discuss/consider convening in closed session

(VIII)(10) Convening in Open Session

The Council did not go into closed session.

(IX) Miscellaneous Business and Communication.

Attorney Weld addressed the bartender license applications that are brought before the Council. Weld would like to review past procedures of bartender licenses.

(X) Adjournment.

Motion by Sexton/Biren to adjourn at 7:47 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk