

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
April 12, 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, Red Hanks, Matthew Biren, Tim Sexton, and David Rowe were present. Also Present: Attorney Christopher Gierhart, City Administrator Mike Golat, Police Chief Jesse James, CE/DPW David Walter, Finance Director Tina Nelson, City Planner Joshua Clements, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Biren/Sexton to approve the minutes of the March 22, 2018 Regular Council Meeting.
Motion carried.

(VI) City Officers/Department Heads Report

Council Member David Rowe thanked Police Chief Jesse James for his involvement with the safety at the Altoona School District.

Police Chief James mentioned that the city swore in Part time Police Officer Sandy Bautch this past Monday.

City Administrator Golat reminded Council Members that the State of the City address will be on Friday, April 20, 2018 at the River Prairie Center.

Management Analyst Atkinson mentioned that the City of Altoona was recently designated as the 108th community in Wisconsin to be named as Bird City Wisconsin

City Committee Reports

(VII) Unfinished Business – none.

(VIII) New Business

Items 9 and 8 were moved up to the beginning of the agenda.

(9) Discuss/consider approval of Resolution 4A-18, a resolution amending the 2018 Water Utility Budget to include Well #7 repairs.

CE/DPW Walter explained that the pump at Well #7 has recently failed, with the suspected cause being sand. Public Works has received two quotes for repair of the well. Proposed initial work includes pulling the pump, evaluating it, and televising the well. Based upon the results, additional measures may include a process called air lifting and bailing of sand. Finally, the pump will be repaired or replaced, with alternative components to be considered which may be more durable in the presence of sand. Repair of the pump is relatively urgent as spring

is a peak time for water consumption. While the total cost for repair will not be known until the pump is pulled and evaluated, the cost is projected to not exceed \$37,215. Staff is recommending that Council approve Resolution 4A-18, which is attached for your consideration.

Finance Director Tina Nelson explained the fund allocation.

Motion by Stuber/Sexton to approve Resolution 4A-18, a resolution amending the 2018 capital improvements fund budget. **Motion carried.**

(VIII)(8) Discuss/consider Ordinance 4C-18, an ordinance amending Altoona Municipal Code Chapter 3.24 “Special Assessments”.

CE/DPW Walter explained that discussion was held during the March 22, 2018 Council meeting regarding application of engineering standards on the 2018 Street & Utility Reconstruction projects; specifically, the desired street width on Country Club Lane. Residents in attendance were in support of maintaining the street width at 41 feet, above currently accepted standards for a low-volume residential roadway. Ultimately, Council approved the variance to standards, provided that staff return with an amendment to the assessment ordinance which would place financial responsibility of the additional width beyond 37 feet onto the adjacent property owners. Walter referred to the proposed ordinance revision which will address this requirement. The revision also cleans up language related to our policy of installing concrete driveway aprons in lieu of asphalt.

CE/DPW Walter noted the simple majority clause that at least 50% of the adjacent owners must be in support of the change.

Council Member Stuber said he could not support this ordinance; shouldn't the people that were affected at last years project (Phase 1) also pay for the extra 4 feet street width. Stuber said it isn't fair that the affected people pay for the extra 4 feet for this project (Phase 2).

Council Member Hanks agreed with Council Member Stuber and was also in opposition of the ordinance.

Council Member Rowe commented that he was under the impression that the decision from last year was for the entire street.

Mike Hilger, 3611 W. Country Club Lane, has no problem with City Council and city employees to discuss and consider a motion to change the ordinance if it happens at the beginning of a project. But a change to the municipal code in the middle of the project is not fair. Hilger would like to recommend going back to the original motion of 41 feet of roadway for Country Club Lane.

Josh Gore, 3603 W. Country Club, had questions regarding the language of the proposed ordinance and the process of a petition.

James Peak, 3404 Altoona Avenue, asked when the 37 foot standard was made.

Dale Quick, 3412 W. Country Club Lane, questioned why the street last year wasn't 37 feet and why the changes from 41 feet to 37 feet.

Motion by Sexton/Schlafer to approve Ordinance 4C-18, an ordinance amending Altoona Municipal Code Chapter 3.24 “Special Assessments”.

Council Member Schlafer asked that we take this process farther to include sidewalks as standard in the future.

Roll call vote, 3-ayes, Sexton, Biren, Schlafer, 3-nays, Hanks, Stuber, Rowe. There was a tie vote which Mayor Pratt broke the tie and voted aye for the ordinance and stated his reasons why. **Motion carried. 4-3.**

(VIII)(12) Discuss/consider request from residents of Country Club Lane for a 41-foot wide street.

CE/DPW Walter explained that Staff is requesting guidance on the request from property owners within the Phase 2 project limits pursuant to the decision made on the previous VIII. New Business, Item 8 related to the special assessment ordinance. If the ordinance did not get approved, this item may be removed from the agenda. Since the ordinance was approved, Walter explained that the ordinance reads that there is a requirement for a petition. Walter mentioned there never was a petition submitted regarding a 41 foot wide street. By rights there needs to be a petition documented and submitted to the City. Walter explained that the motion, if the Council so wishes, should be that Council approve the request from the residents for a 41 foot wide street contingent upon

receipt of a petition that meets the requirements of the adopted ordinance revision. The petition must be submitted by a certain date.

Melinda Smith, 3611 Country Club Lane, had concerns with leaving the petition up to homeowners and not the City's responsibility.

Motion by Sexton/Biren to approve the request from the residents for a 41 foot wide street contingent upon receipt of a petition that meets the requirements of the adopted ordinance revision. The petition must be submitted by May 4, 2018 at 4:00 p.m. (three weeks from April 12) in order to give the residents time to complete the petition, if not it will go back to the standard 37 feet. Hanks/Stuber against. **Motion carried 4-2.**

(1) Public Hearing at 6:00 p.m. (or as soon thereafter as is possible) to rezone parcel #201-1044-06-000 located by 1511 Devney Drive from R-1 (One-Family Dwelling District) to R-3 (Multiple Family Dwelling District) as submitted by Winchel Todd LLC.

Mayor Pratt opened the public hearing at 7:10 p.m.

City Planner Joshua Clements explained that the subject property is a vacant building previously occupied by Country Terrace of Altoona, which vacated on July 1, 2016 when the new Country Terrace facility was completed on Briar Lane. Country Terrace operated with 29 units. The owner proposes to renovate the facility into 20 small market-rate apartments. The parcel is zoned R1, which would prohibit the proposed use. Clements noted the zoning surrounding the proposed property.

The limited existing space on the property may result in vehicle parking on Devney Drive. As further detailed in the Staff Report, the current site has 11 spaces, and may accommodate approximately 18 spaces following some site reconfiguration. This would yield less than one off-street space per dwelling unit, a specific ratio to depend upon specific building plans. The Plan Commission has the authority to authorize fewer spaces as a Conditional Use (CUP), although only if there is physical space for the requirement. Staff recommends addressing parking specifically through the Site Plan and CUP once the number of units is determined and site layout options can be evaluated, or to consider modifying the minimum parking requirements in ordinance. City Planner Clements noted that the Plan Commission, at its April 9 meeting recommended approval of the rezoning.

Terry Winchell, applicant, 19201 State Highway 21, Tomah, was present to explain his intention of the rezoning of the property.

Motion by Biren/Hanks to close the public hearing at 7:26 p.m. **Motion carried.**

(VIII)(2) Discuss/consider approval of Ordinance 4A-18, an ordinance rezoning parcel #201-1044-06-000 located by 1511 Devney Drive from R-1 to R-3 as submitted by Winchel Todd LLC. (Discussed at the April 9, 2018 Plan Commission Meeting).

Motion by Schlafer/Stuber to approve Ordinance 4A-18, an ordinance rezoning parcel #201-1044-06-000. **Motion carried.**

(VIII)(3) Public Hearing at 6:05 p.m. (or as soon thereafter as is possible) regarding a Certified Survey Map (CSM) to reconfigure parcel #201-1033-05-040 and adjacent City of Altoona right-of-way for commercial development and dedication of City right-of-way.

Mayor Pratt opened the public hearing at 7:27 p.m.

City Planner Clements explained that the proposed CSM entails moving parcel lines of two properties owned by the City of Altoona and one parcel owned by the petitioner. The two City-owned parcels are adjacent to Hwy 12 and were intended to serve as a future frontage road right-of-way. Due to WI DOT access controls and design requirements, backage roads are the design solution required of future DOT projects. This action is required to facilitate the development of the petitioner-owned parcel as well as complete the area transportation network as planned. The Site Plan was considered and approved by the Plan Commission on April 9, 2018.

City Planner Clements noted that in a separate action by consideration by Council, the City may "swap" the two parcels for the backage road right-of-way through a Quit Claim Deed and right-of-way dedication on the CSM. Approval of the CSM will be contingent and prior to the approval of the Deed.

Karen Anderson, 344 Saxonwood Road, had concerns with the start and end date of the project; how long will the construction take place. City Planner Clements mentioned that the building plans have been approved by the state.

Bill Albrecht, Jim Overgard and Paul Madsen are developers of this project. Albrecht said they would like to start immediately and hopefully finish by Fall of 2019, then move on to phase two.

Sandy Nelson, 1503 Winchester Way asked when the road will be completed to Mayer Road.

Clint Heiman, 3452 Mayer Road, has interest in the 33 foot strip of property to the east and south of Hwy 12. (originally a road to the southern property). Requested that the proposed road south of the new development be improved (or base course) now to the easterly end of the property in order to access the 33 foot strip of road. Albrecht commented that they could make it driveable to the 33 foot strip of road.

Motion by Hanks/Rowe to close the public hearing at 8:13 p.m.

(VIII)(4) Discuss/consider approval of a Certified Survey Map (CSM) to reconfigure parcel #201-1033-05-040 and adjacent City of Altoona right-of-way for commercial development and dedication of City right-of-way. (Discussed at the April 9, 2018 Plan Commission Meeting).

City Planner Clements explained that due to land ownership, the approval of the CSM should be contingent upon adoption of the Quit Claim Deed transferring ownership in property from the City of Altoona to PB&J LLC, and from PB&J LLC to the City of Altoona as illustrated.

Motion by Biren/Sexton to approve the CSM, that being contingent upon the approval and recording of a Quit Claim Deed for the affected properties, and reserve the right that we have all the necessary utility easements that might be in the right of way in addition to reasonable access established to the 33 foot strip of road. **Motion carried.**

(VIII)(5) Discuss/consider approval of a Quit Claim Deed between PB&J LLC and the City of Altoona.

City Planner explained that as discussed in Item 3, property boundary reconfiguration is necessary for the development of commercial property and implementation of the City of Altoona / DOT transportation infrastructure. The Quit Claim Deed would transfer two parcels previously intended for future frontage road to PB&J LLC. PB&J LLC would dedicate property to the City via Certified Survey Map for future right-of-way.

Motion by Stuber/Sexton to approve the Quit Claim Deed between PB&J LLC and the City of Altoona.

Motion carried.

(VIII)(6) Discuss/consider Ordinance 4B-18, an ordinance adjusting municipal boundary with the Town of Washington, as mutually approved by Intergovernmental Agreement, and attaching property to the City of Altoona.

City Planner Clements explained that the City of Altoona and Town of Washington have entered into an Intergovernmental Agreement (enclosed), as adopted by resolution by the Town of Washington on February 15, 2018 and City of Altoona Resolution 2B-18 on February 22, 2018. This Ordinance implements provisions of the Intergovernmental Agreement by amending the municipal boundary and thus detaching territory from the Town of Washington and attaching to the City of Altoona consistent with Wis. Stat. § 66.0301(6), creating a town island as allowed by Wis. Stats § 66.0221 (2). The Ordinance accomplishes this action by describing the adjusted municipal boundary consistent with the enclosed map (Exhibit 1). Upon passage of this Ordinance, the City Clerk shall file the Ordinance with Eau Claire County and the State of Wisconsin.

Motion by Biren/Stuber to approve Ordinance 4B-18, an ordinance adjusting municipal boundary with the Town of Washington. **Motion carried.**

(VIII)(7) Discuss/consider Specific Implementation Plan for the City of Altoona River Prairie Restroom and Shop facility (Discussed at the April 9, 2018 Plan Commission Meeting).

City Planner Clements explained that as further described in the River Prairie Restroom and Shop Facility SIP submittals and Staff Report, this facility will include 12 restroom fixtures and approximately 848 sf² of shop space for Public Works and Recreational Programs storage. The shop space features a 896 sf² second level above the restrooms for storage. This facility serves two functions, as public access restrooms for the park during daily use as well as during events, and a shop space for storage of regularly used park maintenance equipment and recreational programs material.

The exterior of the building is primary two-tone metal panels, with a stone base. The shape of the building is curved north-south walls, and strait end walls. Natural light is welcomed into the restrooms by material that allows light but is not visibility transparent, and into the shop area by clearstory (upper level) windows on the end of the building. There is a 10' overhang of the recessed restroom entrances that serves as a gathering place or shelter from the weather (approx. 330 ft²), which is directly across a walkway from the splashpad. The water fountain is located here, and movable seating may be placed. Additional features include the intended location of public art / mutual on each end of the building.

Hal Snow of SDS Architects was present to describe the proposed restroom and shop facility features.

There was discussion whether to add the overhang in front of the entrance to the restrooms or remove the overhang.

Motion by Sexton/Biren to approve the Specific Implementation Plan for the River Prairie Restroom and Shop facility. Hanks against. **Motion carried.**

(VIII)(10) Discuss/consider convening in closed session

A. Purchase and/or sale of property

Motion by Biren/Schlafer to convene in closed session at 8:35 p.m. pursuant to Wis. Stats. 19.85 (1)(e).

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

(VIII)(11) Reconvening in open session.

Motion by Hanks/Stuber to reconvene in open session at 8:56 p.m. Roll call vote, 6-ayes, Schlafer, Rowe, Hanks, Stuber, Sexton, Biren, 0-nays. **Motion carried.**

(IX) Miscellaneous Business and Communication.

Clerk Bauer reminded Council Members of the Organizational Council Meeting on Tuesday, April 17, 2018 at 3:30 p.m. to swear in re-elected Council Persons and Mayor.

(X) Adjournment.

Motion by Biren/Hanks to adjourn at 8:59 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk