

**CITY OF ALTOONA, WI**  
**REGULAR COUNCIL MEETING MINUTES**  
**June 28, 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 Dale Stuber, Red Hanks, Matthew Biren, Tim Sexton, and David Rowe were present. Also Present: Attorney Christopher Gierhart, Police Chief Jesse James, City Engineer/Director of Public Works David Walter, Finance Director Tina Nelson, City Planner Joshua Clements, Fire Chief Mark Renderman, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

Absent: Council Member Andrew Schlafer and City Administrator Mike Golat.

**(IV) Citizen Participation Period**

Member David Rowe commented on the article in the Leader Telegram and the success of the Rock'n on the River. Rowe also commented on the back in parking in River Prairie. Rowe said for he wanted to clarify for the record that he was absent at the July 27, 2017 Council Meeting where the permanent back in parking was discussed. Rowe said had he been present at that meeting he would have voted against it.

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

**(V) Approval of minutes.**

Motion by Biren/Sexton to approve the minutes of the June 14, 2018 Regular Council Meeting. **Motion carried.**

**(VI) City Officers/Department Heads Report**

City Planner Clements mentioned that the Chippewa Valley Housing Task Force will have its first meeting on Friday, June 29, 2018 at 7 a.m. at the River Prairie Center. Clements commented that the River Prairie Drive Reader board sign will be installed by Friday, June 29. Clements and Atkinson will be developing a policy regarding the useage of the River Prairie sign and will be brought forth at a future Council meeting.

Management Analyst Atkinson thanked those that volunteered at the P10 Festival. Moving forward, staff might rebrand and possibly shorten the event.

City Engineer Walter mentioned that the center lines on Front Porch Place is painted. Staff received the public parking signs/posts in River Prairie to help visitors guide them to the public parking. Walter will be reviewing the signs with the Public Works Department to determine the best location for placement of the signs. The Bartlett Avenue/CTH KB Project and 2018 Street Projects will be out for advertising of bids next week.

Police Chief Jesse James commented on the back in warning tag that will be issued to visitors to educate the visitors the proper way to back in park. James mentioned that Office Helstern and Canine Max will be at the July 9 Express Game to introduce Max to the community. The Altoona Police Department is going full force on hazmat training exercise that will be forthcoming. National Night Out will be taking place at Tenth Street Park on August 7, 2018.

Fire Chief Renderman commented that at the last pancake fundraiser the raised approximately \$7,000 and used the funds to purchase 6 new defibrillators to hand out to First Responders.

Management Analyst Atkinson mentioned that staff will continue educating visitors the back in parking and regular parking availability on the website and Facebook.

Tina Nelson mentioned that Monday, July 2, is the deadline for a tax rebate for children; a \$100 credit per child.

**City Committee Reports – None.**

**(VII) Unfinished Business**

**Discuss/consider approval of Ordinance 6A-18, an ordinance to repeal and replace Chapter 8.04 Burning Permits.**

City Planner Clements explained that the Fire Department requested City Planning to collaborate on an update to Chapter 8.04 Burning Permits to bring Altoona Municipal Code to be more consistent with Department burning regulations. Enshrining Department policies in Municipal Code enables elevated enforcement. The proposed language is consistent with policies printed on burning permits. The ordinance provides specific language regarding sole authority of the Fire Chief to determine safe burning conditions. The proposed ordinance provides for the continued burning of yard waste (“burning pile”) under defined sizes and setbacks. As comparison, the City of Eau Claire does not permit burning barrels or burning piles. Recreational fires are permitted within non-combustible rings or enclosures.

City Planner Clements said that the Fire Department would like to eliminate burning yard waste for public health and safety reasons- burning yard waste is a fire hazard to life and property and impairs air quality. However, the City does not presently have a yard waste site where yard materials can be deposited for controlled burning by the Department. The City also does not have a solution for snow storage following impending development in River Prairie.

Fire Chief Mark Renderman commented on the yard waste. His concern was that people are burning too close to a structure which is a fire hazard. Renderman’s goal is to continue allowing people to burn but use the ordinance as a reference point to make people aware of the proper procedure. Discussion followed.

City Planner Clements noted the definition of “Open Fire” and “Recreational Fire”. Clements suggested corrections to the ordinance under Section 8.04.030 D. Add **Recreational fires and** portable open-flame cooking devices, regardless of fuel, shall not be operated within ten (10) feet of combustible construction.

No action. This ordinance will be brought back at the next meeting with amendments.

**(VIII) New Business**

**(1) Discuss/consider appeal to denial of bartender license to Kylea Davis.**

At the June 14<sup>th</sup> Meeting, Council denied Kylea Davis, Pierre Dickerson and Jessica Greenhow bartender’s licenses at the recommendation by Lieutenant Livingston, who conducted a background check on the applicants. In each case, Lieutenant Livingston determined that it would not be in the City’s best interest to approve an operator license for each applicant based on their respective criminal backgrounds. Police Chief James referred to the memorandum provided in 2017 by Attorney Behling (attached), each applicant is being provided an opportunity to appear before Council to present an appeal; all three applicants have expressed an interest in appealing. As noted in the materials provided to Council last week via email on this matter, the final decision as to whether to issue a license or not is fully at the Council's discretion even though Wisconsin Statute states:

Police Chief Jesse James explained the procedure of bartender license applications. A bartender license application is turned in to Clerk Bauer who submits the application to the police department for review. James referred to Davis’s application and explained the five questions listed on the application. In this case, the application was not filled in properly. Staff, however, is strongly recommending that Council follow the recommendation of the police department.

Kylea Davis was present to state her case. Davis distributed a letter of support from the owner of Happy Hollow, along with a letter from her program director.

Motion by Sexton/Rowe to not approve the appeal by Kylea Davis reversing the previous decision based on the information provided by Police Chief James. Sexton felt it was too early to approve the license and advised Davis to work through her issues. **Motion carried.**

**(VIII)(2) Discuss/consider appeal to denial of bartender license to Pierre Dickerson.**

Pierre Dickerson was not present to state his case. Police Chief James gave Dickerson's arrest history. Police Chief James explained the provisional bartender license process. In the future staff is recommending that applicants be notified of a recommendation for license denial prior to the original meeting wherein their applications are being considered. This will allow the applicants an opportunity to appear before Council before a decision is made, thus avoiding a separate appearance to consider an appeal. James commented on future procedures moving forward in regards to provisional licenses.

No action taken, prior motion of denial still holds.

**(VIII)(3) Discuss/consider appeal to denial of bartender license to Jessica Greenhow.**

Jessica Greenhow was not present to state her case. Police Chief James gave some arrest history regarding Greenhow's record.

Clerk Bauer indicated that Jessica Greenhow was intending to appear before the Council but due to complications was not able to make it and asked to be removed from the agenda.

Attorney Gierhardt explained the statutes and due process. Discussion followed.

Police Chief James mentioned that if Greenhow reappplies, James will meet with Lieutenant Livingston and discuss her application and possibly approve her license.

Motion by Sexton/Rowe to not approve the appeal by Jessica Greenhow reversing the previous decision based upon the information from Police Chief James. Rowe said she can reapply; since she was not at the meeting, he thinks she should be present to state her case. Hanks against. **Motion carried.**

**(VIII)(4) - Discuss/consider Revaluation and Maintenance Contract between the City of Altoona and Bowmar Appraisal Inc. for the period of June 28, 2018 to December 31, 2021.**

Finance Director Tina Nelson explained that Bowmar Appraisal, Inc. is proposing a four-year revaluation and maintenance contract with the City of Altoona for City Assessor services for the period of June 28, 2018 to December 31, 2021. Under state law (sec 70.05(5)(b), Wis. Stats.), each municipality must assess all major classes of property within 10% of full equalized value in the same year, at least once within a five-year period. While the City has met this requirement, the City's assessed value diverged considerably from full equalized value in 2017, decreasing from 97% to 93% of equalized value, due to rising real estate values. Given current real estate market conditions, the City Assessor is recommending the City be proactive in completing a revaluation prior to being noncompliant. The last revaluation for the City of Altoona was in 2006.

Finance Director Nelson said Bowmar is proposing the revaluation of all taxable real estate and personal property to be completed by October 1, 2019, along with general appraisal services for 2019, 2020 and 2021. The revaluation cost is \$72,000 with payments to be spread over three years from 2018 to 2020. The proposed maintenance services cost for 2019 through 2021 is \$34,000 per year for three years. Total compensation requested is \$174,000 payable as follows:

2018 - \$24,000	Payment #1 of Revaluation \$24,000
2019 - \$58,000	Payment #2 of Revaluation \$24,000, Maintenance \$34,000
2020 - \$58,000	Payment #3 of Revaluation \$24,000, Maintenance \$34,000
2021 - \$34,000	Maintenance only \$34,000
Total Additional Cost for revaluation = \$72,000 over 3 years	

Roger Koski of Bowmar Appraisal was present to answer any questions regarding the contract. Koski indicated that he will be working with City staff informing residents via website of the revaluations taking place.

Motion by Sexton/Biren to approve the Revaluation and Maintenance Contract with Bowmar Appraisal, Inc. for the period from June 28, 2018 to December 31, 2021 contingent on approval of a budget amendment to pay for the work. **Motion carried.**

**(VIII)(5) Discuss/consider Resolution 6A-18, a resolution amending the 2018 General Fund Budget to include an additional \$24,000 for the assessor contract with Bowmar Appraisal to complete a revaluation.**

Finance Director Tina Nelson explained the contract for services from June 28, 2018 to December 31, 2021 with Bowmar Appraisal, Inc. for the maintenance and revaluation of all taxable real estate and personal property. This amendment allows for an additional \$24,000 in expense to be added to the Assessor Contract in 2018. The amendment uses \$23,000 of unexpected Miscellaneous Revenue received this year (specifically top soil sold) and a \$1,000 transfer from the General Fund to balance the budget.

Motion by Sexton/Stuber to approve Resolution 6A-18, a resolution amending the 2018 General Fund Budget to include an additional \$24,000 for the Assessor Contract to complete a revaluation. **Motion carried.**

**(VIII)(6) Discuss/consider approval of Resolution 6B-18, 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.**

CE/DPW Walter explained that the 2017 Sewer Utility Compliance Maintenance 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 Sexton/Hanks to approve Resolution 6B-18, 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 approval of Refuse Haulers License to the following applicants:**

ProVyro Waste Services LLC; Advanced Disposal; Tambornino Sanitation, LLC; Boxx Sanitation, LLC; Waste Management; Earthbound Environmental Solutions, LLC.

City Clerk Bauer explained that for consideration are annual Refuse Hauler license renewals for the period of July 1, 2018 – June 30, 2019. Iris Lang of the Eau Claire/City County Health Department reported to Clerk Bauer that they have not had any issues on their routine refuse inspections for the above mentioned applicants.

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

**(VIII)(8) Discuss/consider approval of Bartender Licenses to John Sarafin, Nadine Connett, and Steven Knowlton.**

City Clerk Bauer explained that the City has received bartender license applications from John Sarafin, Nadine Connett, and Steven Knowlton for the period of July 1, 2018 through June 30, 2019. Police Lieutenant Livingston has reviewed and recommends approval of the bartender applications as listed on the agenda.

Motion by Biren/Hanks to approve the bartender licenses as listed. **Motion carried.**

**(VIII)(9) Discuss/consider convening in closed session. A. Purchase and/or sale of property.**

Motion by Hanks/Sexton to convene in closed session at 7:23 p.m. pursuant to Wis. Stats 19.85 (1)(e), A. Purchase and/or sale of property. Roll call vote, 5-ayes, Sexton, Hanks, Suber, Rowe, Biren, 0-nays. **Motion carried. 5-0.**

**(VIII)(10) Motion to reconvene to Open Session. A. Purchase and/or sale of property.**

Motion by Hanks/Biren to reconvene in open session at 7:38 p.m. Roll call vote, 5-ayes, Sexton, Biren, Hanks, Rowe, Stuber, 0-nays. **Motion carried 5-0.**

City Planner Clements mentioned that Council discussed in closed session an offer to purchase agreement from Denise Petricka and/or Assigns for the purchase of Lot 20 in River Prairie.

Motion by Sexton/Rowe to accept the WB-13 Vacant Land offer to purchase agreement from Denise Petricka and/or Assigns for the purchase of Lot 20 on Meadowlark Lane subject to the terms set forth in the offer to purchase and authorize the Mayor to sign the purchase agreement on behalf of the City. **Motion carried.**

**(IX) Miscellaneous Business and Communication.**

None.

**(X) Adjournment.**

Motion by Sexton/Rowe to adjourn at 7:40 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk