

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
September 13, 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, Andrew Schlafer, Matthew Biren, Tim Sexton and David Rowe were present. Also Present: Attorney Christopher Gierhart, City Administrator Michael Golat, Police Chief Jesse James, City Engineer/Director of Public Works David Walter, City Planner Joshua Clements, Fire Chief Mark Renderman, Management Analyst Roy Atkinson and City Clerk Cindy Bauer. Recreation Manager Debra Goldbach arrived at 6:25 p.m.

(IV) Citizen Participation Period

Jerome Lanners, 2244 Bradwood Avenue spoke on behalf of the Altoona Lions Club asking to be put on a future agenda to discuss the 2019 Cinder City Days Concert in River Prairie. City Administrator Golat commented on the issue.

Ed Bohn, 1303 Daniels Avenue, owns the Shed at 1519 Mayer Road in Altoona. Bohn said at the end of May and the beginning of June, 2018, the Altoona Area Foundation spearheaded a scrap metal drive at The Shed for the Altoona Canine Program. As President of the Altoona Area Foundation, Bohn presented a check to the Altoona Police Department in the amount of \$2,188.80 for the Altoona Canine Program. They will be running another Scrap Metal Drive the end of September-Beginning of October, 2018.

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

(V) Approval of minutes.

City Clerk Bauer noted a couple revisions to the minutes of the August 23, 2018 Council Meeting.

Motion by Biren/Hanks to approve the minutes of the August 23, 2018 Regular Council Meeting as amended by Clerk Bauer. **Motion carried.**

(VI) City Officers/Department Heads Report

Management Roy Atkinson commented that the City of Altoona applied for a grant through Union Pacific. The City was notified that the Union Pacific Foundation Board approved a Community Spaces grant in the amount of \$10,000 to Altoona Area Foundation Inc. for the River Prairie Sculpture Project.

City Administrator Golat updated the Council on the projects in River Prairie and the Lee Brice Concert that will be taking place on September 22, 2018.

Police Sergeant Scott Kelley spoke on behalf of Canine Officer Tony Helstern who was involved in a high speed chase a couple months ago. Kelley said that due to Helstern's action, the Altoona Police Department Command Staff submitted the incident to the American Police Hall of Fame Museum. Officer Helstern was awarded a merit award for excellent arrest of the National Awards Program of the American Police Hall of Fame. Helstern was given a medal and Merit Award Certificate from the American Police Hall of Fame.

Dave Walter updated the Council on the County Hwy KB and Bartlett Avenue Reconstruction Project that will be starting the week of September 17, 2018. Residents have been notified of the project.

City Planner Clements noted that the second meeting of the Chippewa Valley Housing Task Force took place on August 30, 2018.

Fire Chief Mark Renderman noted that the call volume for fire calls/EMS is up to 757 calls so far this year.

Mayor Pratt commented on the Back to School Ice Cream Social that was held in River Prairie Park and said it was a great success.

City Committee Reports – None.

(VII) Unfinished Business – None.

(VIII) New Business

(1) Discuss/consider Ambulance Service Agreement between the City of Eau Claire and the City of Altoona for a term commencing on January 1, 2019 and continuing until December 31, 2028.

Fire Chief Mark Renderman explained the Ambulance Service Agreement between the City of Eau Claire and the City of Altoona for a term commencing on January 1, 2019 and continuing until December 31, 2028. Renderman provided a letter to the Council regarding the Ambulance Service Agreement. Renderman is recommending contracting with the City of Eau Claire for a term commencing on January 1, 2019 and continuing until December 31, 2028. Legal Counsel has reviewed and recommended approval of the contract.

Motion by Sexton/Hanks to approve the Ambulance Service Agreement between the City of Eau Claire and the City of Altoona for a term commencing on January 1, 2019 and continuing until December 31, 2028.

Motion carried.

(VIII)(2) Discuss/consider approval of Bartender Licenses as submitted by Clerk Bauer.

City Clerk Bauer explained that the City received bartender license applications for the period of now through June 30, 2019 from Hannah VanDeLoo, Michelle Rieckens, Lindsey Haakenson and Amanda Giguere. Police Lieutenant Livingston has reviewed and recommends approval of the above-mentioned Bartender Licenses.

Motion by Biren/Hanks to approve the bartender licenses as submitted by Clerk Bauer and approved by Lieutenant Livingston. **Motion carried.**

(VIII)(3) Discuss/consider approval of bartender license to Brett Giebel (Denied by the Altoona Police Department).

City Administrator Golat gave some background information for the structure for approvals of bartender licenses. A memorandum was provided in 2017 by Attorney Behling and a memorandum that was provided on June 28, 2018 regarding the approval or denial of a bartender's license. As noted in the memorandum, the final decision as to whether to issue a license or not is fully at the Council's discretion even though Wisconsin Statute states that "No license or permit related to alcohol beverages may, subject to ss. 111.321, 111.322 and 111.135, be issued under this chapter to any person who has habitually been a law offender or has been convicted of a felony unless the person has been duly pardoned." Wis Stat ss125.04(5)(b).

The City received a bartender license application from Brett Giebel. Based on a past felony charge, Lieutenant Livingston is recommending denial of the bartender license. Police Chief James gave Giebel's arrest history.

Brett Giebel was notified of the Lieutenant's recommendation and was present at the Council meeting to state his case. Mr. Giebel explained his past history and was asking for approval from the Council. Attorney Gierhart gave some legal procedures.

Motion by Hanks/Rowe to approve a bartender license to Brett Giebel. **Motion carried.**

(VIII)(4) Discuss/consider approval of bartender license to Sheila Dunlap (Denied by the Altoona Police Department).

The City received a bartender license application from Sheila Dunlap. Because Ms. Dunlap omitted

critical information in her application, Lieutenant Livingston is recommending denial of the bartender license. Police Chief James gave the reason for denial and provided her criminal history.

Ms. Dunlap was notified of the Lieutenant's recommendation and was present at the Council meeting to state her case. Ms. Dunlap said she currently has a bartender (operator's) license at the Rumor Mill Pub in Chippewa Falls.

Motion by Sexton/Hanks to not approve a bartender license to Sheila Dunlap. **Motion carried.**

(VIII)(5) Discuss/consider appeal to denial of bartender license to Pierre Dickerson.

City Administrator Golat mentioned that Pierre Dickerson was denied an operator's license at the June 14, 2018 Council Meeting. Dickerson requested to appeal his denial of the bartender license at the June 28, 2018 Council Meeting at which time Police Chief James provided Council Members a summary of the basis for denying Dickerson's application. Dickerson was not present at the June 28, 2018 Council Meeting to state his case, so there was no action; therefore, the prior motion of denial still stands.

Dickerson recently contacted Clerk Bauer and asked if he could appeal his bartender license denial to City Council at the September 13, 2018 Council Meeting.

Council Member Schlafer commented on the process of denying or approving a bartender's license. City Administrator Golat explained the suggested process and stated his reasons why for the process.

Due to Dickerson not being present for the second scheduled time, motion by Sexton/Rowe to not approve the bartender license to Pierre Dickerson. **Motion carried.**

(VIII)(6) Discuss/consider approval of a Final Implementation Plan for Casey's General Store in the Hillcrest Greens Planned Community Development. (Discussed at the September 10, 2018 Plan Commission Meeting).

This item was removed from the agenda.

(VIII)(7) Discuss/consider approval of Ordinance 9A-18, an ordinance amending Chapter 3.08, Addendum "A", the City's Fee Schedule to establish new rates relating to the River Prairie Center Rental and Use Policy and Fee Schedule.

Recreation Manager Goldbach explained that the River Prairie Center Rental and Use Policy addresses the following: hours of operation, booking timelines, available rooms/fees, cleaning procedures, additional fees and charges, cancellations, alcohol policy, deliveries, parking, insurance, the application process, descriptions of the facilities, rental rules and responsibilities, and the fee structure. At the present time the Event Center is booking out into 2020; therefore, City staff, and the City's vendor, King Pin Management, are suggesting that rental rates be increased. The recommendation by King Pin Management and City Staff follows a survey of other area event venues with the goal of making the rates be consistent with area comparable facilities. The new fee structure (highlighted in yellow) will be for all future rental contracts, beginning with contracts signed after September 14, 2018. The current rentals already on the books for the remainder of 2018 and 2019 will be at the rates which are stated on renter's contract. Additional changes related to cancelations are noted on page 2 of the River Prairie Center Rental and Use Policy and changes to set up and decorating on page 4. Both of these changes are consistent with area venues.

Council Member Rowe had a question regarding the amount of paid deposit the renter will be getting back if the event was cancelled within 180 days. Rowe questioned how much of the deposit they will be getting back if the renter canceled but that the River Prairie Center is able to book an event for the cancelled date within 180 days in advance of the date. Staff will clarify the amount of deposit returned of their forfeited deposit if the room is re-booked.

Motion by Schlafer/Sexton to approve Ordinance 9A-18, an ordinance amending Chapter 3.08, Addendum "A", the City's Fee Schedule to amend fees relating to the River Prairie Center Rental and Use Policy and Fee Schedule. Schlafer/Sexton amended their motion to amend the fees as noted by Rowe to have staff clarify the

amount of deposit returned if the room is re-booked. Hanks against. **Motion carried.**

(VIII)(8) – Discuss/consider extending hours of operation for the Party in the Prairie Event in River Prairie Park on Saturday, September 22, 2018 until 11 p.m.

City Administrator Golat explained that King Pin Management is planning a concert utilizing the River Prairie Park Amphitheater on September 22, 2018. They are requesting permission from the Council to extend the hours of operation in the River Prairie Park until 11 p.m. for the concert. Golat noted that through the Special Event Permit process, King Pin has agreed to pay police and EMS staff to be present at the event.

Motion by Sexton/Biren to approve extending hours of operation for the Party in the Prairie Event in River Prairie Park on Saturday, September 22, 2018 until 11 p.m. **Motion carried.**

(VIII)(9) Proclamation recognizing Community Planning Month October, 2018.

City Planner Clements explained that October of each year is designated as Community Planning Month. This year's theme is *Housing as Community Infrastructure* and highlights the importance of housing as part of our community fabric, and underscores the critical role planning plays in delivering the housing and communities that benefits the public good.

Mayor Pratt read the Proclamation recognizing Community Planning Month October, 2018.

(VIII)(12) Discuss/consider awarding contract for the River Prairie Trails project.

CE/DPW Walter explained that the City held a bid opening for the River Prairie Trails project on September 7, 2018 at 2:00 p.m. The City received four bids on the project, as shown on the attached bid tabulation. The project includes completion of trail segments in the northeast and southwest quadrants of River Prairie, as discussed previously and included in the 2018 budget. The low bidder on the project is Skid Steer Guy, LLC at \$440,426.00. This amount is above the opinion of probable cost prepared by Cedar Corporation (\$425,040.00), but is within budget. The project schedule is structured such that major construction items are to be completed this fall, and if inclement weather arrives, paving will be completed in the spring. Cedar Corporation has reviewed the contractor's qualifications, and believes them to be qualified to complete a project of this scope.

Motion by Sexton/Biren to approve awarding the bid for the River Prairie Trails project to Skid Steer Guy, LLC. **Motion carried.**

(VIII)(13) - Discuss/consider approval of a design change order proposal from SDS architects for the River Prairie Restroom and Storage facility in the amount of \$12,050.

City Administrator Golat explained the Design Change Order Proposal from SDS Architects for the restroom/maintenance facility planned for River Prairie, along with the plans reflecting a redesign of the building. Golat recalled that the project was bid in the spring and came in well over budget. The project budget was \$500,000, while the one bid we received came in at \$999,999. Based on the high bid, Council directed SDS to redesign the building with value engineering in mind. Several items were changed to make the building more affordable, including all of the building elevations. Also, an outside shower was added along with a rental office and one family bathroom. The changes necessitated alterations to the structural, electrical and mechanical plans as well, and a fire sprinkler system was added, which required design. If approved, advertising will go out on September 18 and September 28, 2018 with a bid opening date of Friday, October 5, 2018 and an award date of October 11, 2018 at the Council meeting. The building would be constructed over the winter with an anticipated opening in the spring of 2019.

Hal Snow of SDS Architect was present to explain the design change order proposal for the River Prairie Restroom and Storage facility. City Administrator Golat noted the specific changes to the design.

Motion by Rowe/Stuber to approve the design change order proposal from SDS architects for the River Prairie Restroom and Storage facility in the amount of \$12,050. **Motion carried.**

(VIII)(10) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e)

A. Purchase and/or sale of property.

Motion by Hanks/Stuber to convene in closed session at 7:30 p.m. Roll call vote, 6-ayes, Hanks, Sexton, Biren, Stuber, Rowe, Schlafer, 0-nays. **Motion carried. 6-0.**

(VIII)(11) Motion to reconvene to Open Session.

Motion by Hanks/Stuber to reconvene in open session at 9:17 p.m. Roll call vote, 6-ayes, Schlafer, Stuber, Rowe, Biren, Hanks, Sexton, 0-nays. **Motion carried.**

City Administrator Golat explained there were three items in closed session, all which requires action tonight:

The first item is an offer by Mark Held and/or Assigns to build an apartment building of approximately 22 units on Lots 15 & 16 in River Prairie Development. Golat mentioned that they will need an access easement across the City's parking lot to get in from the south.

Motion by Stuber/Hanks to accept the Vacant Land Offer to Purchase from Mark W. Held and/or Assigns for the purchase of Lots 15 & 16 in River Prairie Development as terms set forth in the offer to purchase agreement. **Motion carried.**

The second item is an offer from four individuals for the purchase of Lot 10 in River Prairie. Golat suggested if Council so wishes, that the motion would be to direct staff and realtor to determine the value of the parking lot and based on the value, present an acceptable incentive payment and structure the deal in a counter offer in the same manner as the 4 individuals presented it for the purchase of Lot 10 in River Prairie Development.

Motion by Biren/Hanks to direct staff and the realtor to determine the value of the parking lot and based on the value, present an acceptable incentive payment and structure the deal in a counter offer in the same manner that the 4 individuals presented it for the Vacant Land offer to Purchase from Scott Westphal, Lisa Ornstein, Roburt Waldow, Kristin Waldow for the purchase of Lot 10 in River Prairie Development. Sexton against. **Motion carried 5-1.**

The third item is a sponsorship agreement between the City of Altoona and Prevea Health for sponsorship of the Amphitheatre in River Prairie as set forth to the terms in the agreement.

Motion by Stuber/Sexton to approve the Sponsorship Agreement with Sacred Heart Hospital d/b/a Prevea Health for the sponsorship of the Amphitheater located in River Prairie Park. **Motion carried.**

(IX) Miscellaneous Business and Communication.

None.

(X) Adjournment.

Motion by Stuber/Biren to adjourn at 9:35 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk