

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
October 11, 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 Ben Lane of Wiley Law, City Administrator Michael Golat, Police Lieutenant David Livingston, Director of Public Works/City Engineer David Walter, City Planner Joshua Clements, Management Analyst Roy Atkinson, Police Sargeant Scott Kelley and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

Motion by Biren/Schlafer to extend the Citizen Participation Period. **Motion carried.**

City Administrator Golat explained the proceeding of order during Citizen Participation Period. Golat summarized three options for Council to consider regarding the Final Implementation Plan (FIP) proposal from Casey's General Store. Those being as follow: 1. The Council can approve the FIP and authorize the Casey's development to proceed accordingly (with existing conditions and without modifications). 2. The Council can approve the FIP but can add or modify the approval conditions. 3. The Council has the option to require additional conditions to satisfy the intent of the general development plan; Remand it back to the Plan Commission for further negotiations.

The following people spoke in opposition of Casey's General Store:

Jerry Southworth, 1887 St. Andrews Drive, Altoona
Dennis Bennett, 2285 St. Andrews Drive, Altoona
Paulette Coyle, 2813 Longwing Court, Altoona (her father is a resident at The Classics)
Sue Groskreutz, 2037 St. Andrews Drive, Altoona spoke on behalf of Karen Dolan
Scott Daniels, 3701 E. Clairemont Avenue, owner of the Retreat Center west of The Classic.
George Faunce, 2110 St. Andrews Drive, Altoona
Lori Hoversholm, 1386 McCann Drive, Altoona
Melissa Seaton, 2324 St. Andrews Drive, Altoona
Linda Flynn, 1300 Whistling Straits Court, Altoona
Brad Ruff, 2308 St. Andrews Drive, Altoona
Vicki Bennett, 2285 St. Andrews Drive, Altoona
Megan Lindblad, 2292 St. Andrews Drive, Altoona
Chuck Slobodnik, 1314 Whistling Straits Court, Altoona
Deb Swan, 2081 St. Andrews Drive, Altoona

Gabe Otterson, 1301 Whistling Straits Court, Altoona spoke in support of Casey's General Store.

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

(V) Approval of minutes.

Motion by Hanks/Sexton to approve the minutes of the September 27, 2018 Regular Council Meeting.

Motion carried.

(VI) City Officers/Department Heads Report

Police Lieutenant Livingston reported that the lines are now painted down in River Prairie in regards to the back in parking and will now begin enforcing the back in parking. The Police Department was giving out warnings for not parking correctly in the back in parking spots at River Prairie.

Police Sergeant Scott Kelley mentioned that for the month of October Officers will be wearing pink badges in support of Breast Cancer Awareness Month.

City Committee Reports – None.

(VII) Unfinished Business – None.

(VIII) New Business

(1) 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).

City Administrator Golat gave some background information about Plan Commission and Council Meetings whereas Casey’s General Store was discussed.

Council Member Dale Stuber recused himself from the Council Meeting regarding this item.

Attorney Ben Lane of Wiley Law explained that he earlier provided a memorandum to the Council and provided the following choices available to the Council at this Council Meeting.

1. The Council can approve the FIP and authorize the Casey’s development to proceed as is.
2. The Council can approve the FIP but can add or modify the approval conditions. Attorney Lane incorporated the City Planner’s recommended conditions incorporated in to the report, but added a few of his own (summarized below):
 - i. Compliance with any federal, state, and local laws, rules, and regulations including, but not limited to, WDNR, EPA, DATCP, DOR regulations and City zoning ordinances.
 - ii. Requiring that the FIP and imposed conditions be used to review construction permit application materials to determine consistency.
 - iii. Require hours of operation (currently 5 a.m. to midnight) be reduced to 11 p.m.
 - iv. Elimination of carwash due to this activity not being compatible or promoting surrounding development and having effect on excess noise, light, and traffic. Otherwise, if approving the carwash, then carwash hours could be limited (Example 7 a.m. to 7 p.m.)
 - v. Requiring installation of an oil/water separation device for storm water and wastewater for carwash and other storm water drains.
 - vi. Requiring a blackout period for turn-off/dimming of canopy lights during closing hours with continued security lighting.
 - vii. Requiring removal of canopy overhead speakers, stereo, or television programming at gas pumps, or overhead sound systems to prevent excess noise or requiring operation of speaker systems at reasonable volumes.
 - viii. Requiring implementation of best traffic management to avoid conflicts between traffic/bicycles/pedestrians.
 - ix. Requiring that the developer’s construction permit application provide illustrations for the City’s review and approval regarding construction of a right-turn-in and right-turn-out ingress/egress

restriction from St. Andrews Drive.

- x. Requiring additional opaque screening (fence or berm)
 - xi. Requiring a landscape buffer (trees) or screening (fence) on the front of Lots 72-74 owned by Rooney Properties, adjacent to St. Andrews Drive.
3. The Council can disapprove the FIP, but this doesn't terminate the proposed development project. The Council would remand to the Plan Commission for further negotiation with the developer. Attorney Lane suggested that this Council recommend or appoint certain members of the City Council and/or Plan Commission Members to form a group to address these items and negotiate further.

Amy Costello, Legal Counsel for Casey's spoke on concerns regarding due process and Casey's right and the ability to respond to additional conditions that the Council might put forward tonight. If this item does go back to the Plan Commission they are comfortable responding at that level. Costello is not fully prepared to discuss all the proposed conditions at this time due to the timing of receiving the memorandum from Attorney Lane.

Jim Rooney, 7646 178th Street, Chippewa Falls, original developer of Hillcrest Greens gave some background information regarding the Planned Community Development. Rooney said he has prepared comments for tonight's Council Meeting but also agrees to bring this item back to the Plan Commission. Rooney encouraged Council Members to listen to the Planning Department for planning issues and Legal Counsel for guidance.

Motion by Schlafer/Hanks to bring this item back to the Plan Commission for further negotiations. Discussion followed.

Council Member Hanks gave some conditions to be considered for the record:

1. 4-6 foot shrubs on the east and south side of Casey's
2. Left turn lane only out of Casey's.
3. Driveway off Sawgrass Place designed for delivery vehicles only and left turn lane out only.
4. 4-6 foot shrubs on the residential lots across the street on St. Andrews Drive.
5. No car wash
6. Video screen on pumps for instruction, eliminates cashier instructions on microphone.

Council Member Rowe would like to see an extra exit somewhere further to the east outside of Hillcrest Greens Subdivision. Discussion followed regarding entrance issues within Hillcrest Greens Subdivision. Developer Rooney further addressed the infrastructure in the development and provided some background information.

City Administrator Golat clarified the motion that the Council remand the FIP back to the Plan Commission for further negotiations with the developer. Golat asked for an amendment of the motion, to include that the Plan Commission will have the discretion at its October 15th Plan Commission Meeting to discuss how they want to pursue the negotiations with the idea of giving consideration on the November 8th Council Meeting.

Schlafer and Hanks amended their motion to include that the Plan Commission will have the discretion to discuss how the Plan Commission wants to proceed with the negotiations with Casey's. **Motion carried.**

Council Member Stuber came back to the meeting at 7:40 p.m.

Attorney Ben Lane left at 7:40 p.m. and Attorney Christopher Gierhart came for the remainder of the meeting.

(VIII)(2) Discuss/consider approval of an Amendment to a Specific Implementation Plan for River Prairie Wealth Management as submitted by Everyday Surveying and Engineering.

City Planner Joshua Clements explained that River Prairie Wealth Management occupies Lot 2 of CSM 2869, parcel #201-2354-04-010 of the CottageWood General Implementation Plan in the River Prairie Mixed Use District. Southside Holdings, LLC is the building owner, Orgel Wealth Management is the building tenant. The Specific Implementation Plan for this site was approved with modifications by the Plan Commission on 2012

October 8 and City Council on October 12. The minutes from those meetings are enclosed.

City Planner Clements said the proposal entails seeking an exception to the parking standard, per River Prairie Design Guidelines IX 1.K.4. to enlarge the parking area from 54 spaces to 78 spaces. Based upon the size of the building, 14,000 sf², a total of 49 spaces would be permitted. The maximum spaces permitted is 3.5 spaces per 1,000 sf². The proposed amendment is 59 percent greater than the maximum standard. The nature of business has changed in multiple ways that create challenges in applying a single, square-footage based automobile parking volume standard impractical. The exception procedure built into the Design Guidelines provide this context in how to approach this calculation. Clements noted that in a related review, there are SIP approval conditions (2012) which have yet to be fully implemented. They are material to safe circulation around the site for pedestrians, as well as to meet landscape standards associated with parking areas. The landscaping is complete for most of the site that meets the Design Guidelines; however, there are areas that remain to be completed. In addition, the internal site walkway is not connected to the public sidewalk, as required. The staff recommended approval conditions. The Plan Commission, at its October 1, 2018 meeting, voted unanimously to recommend approval of the Amendments to the Specific Implementation Plan with staff recommended modifications and conditions.

A. Letter designates general review category

1. Number heading denotes recommended approval condition

a. Small numeral subheading denotes subordinate or reference condition

i. (i) indicates staff comment or ordinance reference.

A. Any changes from the approved SIP submittals (2012) or proposed and approved SIP amendment shall be reviewed by City of Altoona staff, per River Prairie Design Guidelines & Standards [RPDG] amendment process [VIII]. Minor changes may be reviewed by staff, major changes will require review by the Plan Commission and Council. Appropriate building permits shall not be issued until City staff successfully reviews and approves of final plans (erosion control; stormwater; grading) to ensure conformance with River Prairie Design Guidelines & Standards and consistency with the amended SIP approval conditions herein.

B. **Access, Circulation & Parking** (RPDG IX. 1)

1. The internal sidewalk shall be extended to provide uninterrupted connectivity with the existing sidewalk along Rivers Edge Drive.

i. Site plan as presented lacks pedestrian connection from the building and interior site circulation to public/regional facilities. This is a core requirement of the RPDG site design principles and standards. The CottageRidge Development General Implementation Plan affirms that the commercial area will feature internal connecting sidewalks. The RPDG require maximum pedestrian safety, access, directness, ease and convenience of circulation, specifically RPDG IX 1 C (5)(a-b).

ii. This item was an approval modification (condition) in the Specific Implementation Plan (2012).

2. Not less than 4 handicap parking spaces shall be provided [RPDG IX. 1 (K)(5)] **Plan Commission waived the requirement of additional handicap parking spaces.**

C. **Landscaping** [RPDG IX 6]

1. **A Landscape Plan that meets the River Prairie Design Guidelines and Standards shall be prepared and reviewed/approved by City Staff.** The landscape plan shall be received by City Staff no later than 2019 March 1, and installation of all elements completed no later than 2019 June 1 (19.46.050). The City Council hereby specifically delegates further review and approval authority to

City Staff. The accompanying staff report includes an illustration approximating recommended placement of landscape and site features to meet these approval conditions. The petitioner may appeal staff review decisions/conditions to the Plan Commission and City Council as a “minor amendment to the Specific Implementation Plan” per RPDG VIII 3.

- i. The landscaping as installed generally and predominately meets the River Prairie Design Guidelines and Standards. However, deficiencies persist.
 - ii. Whereas: “All developments shall establish groves and belts of trees along all city streets, in and around parking lots, and in all landscape areas that are located within fifty (50) feet of any building or structure in order to establish at least a partial urban tree canopy. The groves and belts may also be combined or interspersed with other landscape areas in remaining portions of the development to accommodate views and functions such as active recreation and storm drainage” [RPDG IX 6 (D)].
 - iii. Whereas: “In approving the required landscape plan, the Council, with the Plan Commission’s input, shall have the authority to determine the optimum placement and interrelationship of required landscape plan elements such as trees, vegetation, turf, irrigation, screening, buffering and fencing [based upon 12 criteria]” [RPDG IX 6 (G)]
2. Any landscape element that dies, or is otherwise removed, shall be promptly replaced [RPDG IX 6 (H)].
 3. Tree selection shall be native species with minimum diversity and planting size as illustrated in the RPDG [IX 6 (D)].
 4. Native canopy trees shall be planted between the south parking area and River’s Edge Drive approximately as illustrated in the concept landscape plan (dated 2012-0928) at not greater than 30-foot average spacing [RPDG IX 6 (D), (E), (G)].
 5. Native canopy trees shall be planted along the east curblin of River’s Edge Trail at not greater than 30-foot average spacing [RPDG IX 6 (D), (E), (G)]. Placement may be offset from the pavement cognizant of the underlying water main location.
 6. Native canopy trees shall be planted along the southern curb of the south parking area at not greater than 25-foot average spacing [RPDG IX 6 (E)(4), (5)], recognizing complementary spacing of existing lighting and stormwater fixtures, in order to maximize shade of pavement.

Motion by Schlafer/Sexton to approve the Amendments to the Specific Implementation Plan for River Prairie Wealth Management as being in substantial conformance with the River Prairie Design Guidelines & Standards with staff recommended modifications and bringing the rest of the landscaping plan up to the original plan. **Motion carried.**

(VIII)(3) Discuss/consider approval of contract for River Prairie Wayfinding Signs.

City Planner Clements explained that the “River Prairie Additional Projects” budget included \$30,000 for park and trail wayfinding signs. City Staff designed and released a request for proposals on 2018 September 21 and responses was due by 5:00 pm 2018 October 5th.

The City received three bids, those being from Graphic House for \$28,587, Sign Art for \$25,538, and Lacrosse Sign for \$24,210 (please note that LaCrosse Sign did not follow RFP). Clements noted that the RFP specifies that the project will be completed by 2018 November 30.

Motion by Sexton/Biren to award the bid for the River Prairie Wayfinding Signs to Sign Art and request including a cabinet. 3-ayes, Biren, Sexton, Schlafer, 3 nays, Hanks, Rowe, Stuber. Mayor Pratt broke the tie with an aye vote. **Motion carried.** Staff will bring back this item for final review regarding the additional cabinet.

(VIII)(4) Discuss/consider awarding bid for River Prairie Restroom and Shop Facility.

City Administrator Golat mentioned that the River Prairie Restroom and Shop Facility was recently put out for bid with bids due Friday, October 5th at 2 PM. Interest in the project appeared to be strong based on inquiries from local contractors. Council Members were provided copies of the bid tabulation for the River Prairie Restroom/Shop facility. City Administrator Golat explained that we bid this project in the spring, and had an unacceptable bid result with only one bidder at \$999,999.

Based on Council direction the architect redesigned the building with value engineering in mind. Golat noted that the bid results were much better, with seven bidders and a low base bid from Aspen Construction of \$630,075; the range of base bids spanned from \$630,075 to \$889,369.87. Golat said Aspen is a local contractor from Eau Claire. The owner previously worked for Royal Construction and has managed several large commercial projects. Staff, along with SDS Architects, is completing due diligence to assure that Aspen is capable of completing the project successfully.

City Administrator Golat noted that there were three alternatives that resulted in deducts for the project as follows:

- Alt 1 Asphalt shingles in lieu of metal roofing (\$9,076) (Keep in the bid)
- Alt 2 Wood stair in lieu of metal stair (\$6,000) (Keep in the bid)
- Alt 3 Ventilated roof system (\$5,500) (Deduct from the bid)

SDS is recommending that we accept Alt 3, the ventilated roof system and reject Alt 2, the wood stairs; they feel we will get much more longevity out of the metal stair. The asphalt roof in lieu of the metal roof is a discretionary decision based on aesthetics, maintenance and service life. The metal roofs they manufacture these days are generally very good looking. Cabin Coffee installed one and it looks good. They also last longer than shingles. The only reservation with the metal roof is managing the roof snow to assure it doesn't slide and tear off the gutters or fall on someone. They do make snow guards to prevent this. The bid package specifies that the project will be completed by Spring 2019.

Motion by Rowe/Sexton to award the bid for the River Prairie Restroom and Shop Facility to Aspen Construction and to accept Alternate 3 – Ventilated roof system. Hanks nay. **Motion carried.**

(VIII)(5) Discuss/consider awarding bid for the 2018 Annual Pavement Replacement Program.

CE/DPW Walter explained that Briar Lane, from 3rd Street East to Pamona Drive, was selected for the 2018 Annual Pavement Replacement Program. The PASER rating for the roadway is “failed” and Public Works has received numerous complaints. The project will include spot repair of curb and gutter, minor supplemental base course, and removal and replacement of the asphaltic pavement.

A bid opening was held on Tuesday, October 9th, and the bid results were distributed to Council members prior to the meeting.

Motion by Schlafer/Biren to approve awarding bid for the 2018 Annual Pavement Replacement Program to Haas Sons in the amount of \$96,000. **Motion carried.**

(VIII)(6) Discuss/consider approval of the 2019 special charge for recycling.

City Administrator Golat explained that as part of the City's recycling agreement with Eau Claire County, the City is required to pay its equitable share of the County's recycling and clean sweep programs. This cost is covered by adding a special charge to the annual tax bill of each property owner that owns single-family to four-plex units; the charge requires review and approval by the City Council each year. Eau Claire County is not proposing any changes in 2019. They are proposing that the Recycling Special Charge for the 2018 Tax Roll payable in 2019 remain the same at **\$12.00** per residence. This base rate covers the cost to run the recycling drop stations and all associated administrative costs, Clean Sweep, and brush disposal. Haulers are authorized, on behalf of the County, to collect an additional \$1.25 per month or \$15 for the year to cover the cost of curbside pickup. Therefore, while only \$12.00 will show up on the tax statement as a recycling charge to cover the costs noted above, the total cost to a resident will remain the same as last year which is \$27.00 per year.

Motion by Sexton/Hanks to approve the 2019 annual recycling charge of \$12.00 per residential dwelling unit for those properties with 1 to 4 dwelling units. **Motion carried.**

(VIII)(7) Discuss/consider approval of a Class “B” Retailers’ license to sell fermented malt beverages in the City of Altoona to the following applicant:

Chippewa Valley Cremation Services & Celebration of Life Center
Matthew W. Thompson, Agent
DBA Chippewa Valley Cremation Services & Celebration of Life Center
1717 Devney Drive, Altoona, WI 54720

City Administrator Golat explained that the Plan Commission, at its September 11, 2017 meeting approved a Conditional Use Permit on 6-0 vote to allow Mr. Thompson to acquire a liquor license and commence the sale of beer. Mr. Thompson is now applying for a Class “B” Retailers’ license to serve fermented malt beverages (beer) during celebration funerals in the City of Altoona valid from November 1, 2018 – June 30, 2019.

Matt Thompson of the Chippewa Valley Cremation Services was present to explain their intention of obtaining a beer license. Thompson said the addition was built with the intention of funeral services but would rent out the facility for other occasions.

Motion by Biren/Hanks to approve a Class ‘B’ Retailers beer license to sell fermented malt beverages in the City of Altoona to Chippewa Valley Cremation Services & Celebration of Life Center. Rowe against. **Motion carried.**

The Council did not go into closed session.

(IX) Miscellaneous Business and Communication.

Mayor Pratt asked for clarification as to the make up of the Sub Committee and conditions for Casey’s. City Administrator Golat commented on the Sub Committee and asked that Council submit their proposed conditions to City Staff.

(X) Adjournment.

Motion by Hanks/Sexton to adjourn at 8:34 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk