

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
February 14, 2019**

(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, Matthew Biren, Tim Sexton, David Rowe and Red Hanks (via phone) were present. Also Present: Attorney Christopher Gierhart, City Administrator Michael Golat, City Engineer/Director of Public Works (CE/DPW) David Walter, Interim Police Chief David Livingston, City Planner Joshua Clements, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

Absent: Council Member Dale Stuber

(IV) Citizen Participation Period

Bob Adrian, lives at 1560 Front Porch Place but owns Rumps Butcher Shoppe on Lynn Avenue. Adrian would like to see more restrictive parking in front of his business on Lynn Avenue. Adrian said there is currently a one hour parking zone in front of the old barbershop on the corner of Division Street and Lynn Avenue; Could the one hour parking zone be extended in front of his business or other extended hours established especially during the winter months.

Matt Anderson, 1010 Timberview Drive, Altoona is the Owner of the new business (Nostalgia Bean) located at 1403 Lynn Avenue (formerly the barbershop in Altoona) that is soon to open. Anderson agreed with Adrian regarding the additional parking restrictions.

City Administrator Golat made some comments and suggested reviewing the parking ordinance especially in the Business District or River Prairie area.

Chuck Slobodnik, 1314 Whistling Straits Court, commented on the proposed Casey's sign that will be discussed later tonight. Slobodnik asked that there be a written condition that Casey's monumental sign be shut off at 11 p.m. when Casey's General Store closes.

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

(V) Approval of minutes.

Motion by Sexton/Rowe to approve the minutes of the January 24, 2019 Regular Council Meeting and the February 6, 2019 Special Council Meeting. Hanks abstained for the January 24, 2019 Regular Council Meeting and Sexton abstained for the February 6, 2019 Special Council meeting as they were absent. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat reported that Kelly Bakken will be starting employment soon as the Police Chief for the City of Altoona. Golat reported on the issues regarding snow removal.

City Planner Josh Clements reported on the Housing developments in the Chippewa Valley. There will be upcoming presentations at Plan Commission meetings, Council meetings and County Board regarding Housing

Interim Police Chief David Livingston reported on the most recent traffic accidents mostly due to the weather in addition to parking violations. Livingston said the Altoona Police Department have placed

temporary no parking signs placed in affected areas. Livingston updated the Council regarding the expansion of the Computer Forensic Lab Stations that the City shares with the City of Eau Claire and Sheriff Department.

CE/DPW Walter updated the Council regarding costs incurred so far for overtime, salt purchased from the County, and other issues regarding plowing of streets, parking violators, etc.

City Committee Reports – None.

New Business - Item 3 was moved up the agenda.

(VIII)(3) Discuss/consider setting Public Hearing date to rezone parcels #201-2377-06-000, 201-2377-10-030, 201-2377-10-040, and 201-1045-06-000 located in the Hillcrest Greens Subdivision from PCD Planned Community Development to PCD Planned Community Development as submitted by Sean Bohan on behalf of C&M Home Builders to revise the General Implementation Plan and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, March 14, 2019 at 6:00 p.m. and Plan Commission date of March 11, 2019 at 5:30 p.m).

City Planner Joshua Clements explained that the petitioner is seeking to substantially revise the General Implementation Plan (GIP) for Hillcrest Greens Subdivision, initially approved on March 14, 2013. This revision would apply only to those portions of the subdivision not yet developed and for which a final implementation plan has not been approved. This action will not include any developed portions, or those undeveloped lands adjacent to Sawgrass Place on the west end of the area. The revised GIP plan area encompasses approximately 37.6 acres, as well as two parcels currently owned by the City for the extension of 3rd Street East. Clements commented that the PCD Planned Community Development process is contained in Chapter 19.64. Section 19.64.200 C. of the Altoona Municipal Code. Section 19.64.160 & 19.64.170 require substantial alterations follow the rezoning and complete GIP review procedures. Clements said that per Altoona City Ordinance 19.68.030, upon receipt of a petition for rezoning, the City Council shall send the petition to the Plan Commission for their recommendation and set a date for a Public Hearing. Staff recommends referral to the March 11 Plan Commission and Public Hearing before the Council on March 14.

Motion by Schlafer/Sexton to set the Public Hearing date for the proposed rezoning at 6:00p.m. on March 14, 2019, or as soon thereafter as is practical and refer the petition to the Plan Commission. **Motion carried.**

(VII) Unfinished Business

(1) Discuss/consider signs for Casey’s General Store in the Hillcrest Greens Planned Community Development. (Discussed at the November 29, 2018 Council Meeting).

City Planner Clements explained that the Final Implementation Plan (FIP) for Casey’s General Store in the Hillcrest Greens Planned Community Development was approved by the Council on 2018 November 29. Included in the Council materials was a “sign packet” that illustrated proposed sign locations and specifications. Clements said there are no specific sign standards in Altoona Municipal Code for the PCD District.

Staff Report completed by City Planner Clements included the following standard recommended approval condition: “*All building and ground signs shall require sign permits. No signs are approved through this zoning permit review due to insufficient information*”. Clements said that while the sign plans were submitted with the final submittal documents, Staff is bringing the proposal to confirm the sign design as there was not detailed discussion regarding signs at that time. Staff recommended validating the FIP approval to include the proposed sign specifications.

Motion by Sexton/Rowe to confirm the proposed sign specifications for Casey’s General Store as approved on November 29, 2018 with the stipulation that the monumental sign be turned off at 11 p.m. when the store is closed. **Motion carried.**

(VIII) New Business

(1) - Discuss/consider the City's process for implementing capital projects.

CE/DPW Walter explained that the City of Altoona has been implementing capital projects in-house for over ten years, and the public engagement approach has changed over time. Several years ago, staff was directed to begin holding Public Information Meetings during regularly-scheduled City Council meetings, prior to commencing the special assessment process. This approach is still being used and consists of a presentation by staff outlining the recommended design including underground utilities, roadway design, sidewalk inclusion, etc. Walter said this approach has recently resulted in acrimonious discussions, inconsistent application of the sidewalk construction ordinance, and roadway geometry that is unsupported by engineering or planning standards. Staff is requesting guidance from Council on how to proceed in the future. 1. Does Council wish to continue the current meeting format? 2. Does Council desire to revisit the sidewalk construction ordinance? Walter referred to the following sections of the Altoona Municipal Code: Section 12.04.010 "Owner or builder responsibility" and Section 12.04.015 "Deferral of sidewalk construction". 3. Does Council desire to codify street design standards, so that it's more predictable and consistent? CE/DPW Walter described an example from a neighboring community.

CE/DPW Walter said if Council wishes to revisit any provisions, staff would return with a greater in-depth comparison of neighboring cities' ordinances, as well as a draft revision on Altoona's ordinance.

Motion by Sexton to direct city staff to make the following changes to the capital project implementation process:

1. Do not hold public information meetings during City Council meetings.
2. Do not prepare a proposed change to the city's sidewalk construction ordinance.
3. Do not prepare a proposed ordinance amendment to codify street design standards.

CE/DPW Walter said in regards to the sidewalk ordinance, staff suggests that the City hold a couple of workshops to look at the official city map and sidewalk ordinance and designate areas where sidewalks should or should not be constructed. The outcome of that could be an official sidewalk map that could be published and available to all.

Following discussion, Sexton clarified his motion as follows:

1. Do not hold public information meetings during City Council meetings.
2. Do not prepare a proposed change to the city's sidewalk construction ordinance.
3. Do prepare a proposed ordinance amendment to codify street design standards.

Attorney Gierhart said that because there was discussion and Council engagement of discussion after Sexton's motion, the Council engagement acted as a second and the next step would be to have a vote on the motion.

Council Member Schlafer referred to previous decisions of the Council in regards to past street projects. Schlafer suggested cleaning up Section 12.04.015 "Deferral of sidewalk construction" by removing paragraph *D*. *When it is found that the construction of a sidewalk would not serve the public interest, safety or convenience.*

Mayor Pratt agreed that Staff should clean up Section 12.04.015 "Deferral of sidewalk construction" and remove paragraph *D*.

Vote on the motion: 1-aye, Sexton, 4-nays, Hanks, Rowe, Schlafer, Biren. **Motion failed 1-4.**

Council Member Schlafer made a motion as follows:

1. Direct staff to change the format to hold public informational meetings prior to a Council Meeting with staff.
2. Direct staff prepare a proposed change to the city's sidewalk construction ordinance by removing Section 12.04.015 *D*, and if there is a way to do so, make subpoints A, B and C of the ordinance more prescriptive.

3. Direct Staff to prepare a proposed ordinance amendment to codify street design standards.

Council Member Rowe felt the residents should still be allowed to come before Council and voice their opinion.

Council Member Hanks said he wants public input during the City Council meetings.

Council Member Biren seconded the motion made by Council Member Schlafer. Vote on the motion, 4-ayes, Biren, Schlafer, Rowe, Sexton, 1-nay, Hanks. **Motion carried 4-1.**

(VIII)(2) Discuss/consider granting an easement for an electrical service in the southwest quadrant of River Prairie.

CE/PPW Walter explained the electrical easement requested by Xcel Energy across City property in the southwest quadrant of River Prairie, for the purposes of extending an electrical service to the Prevea building. The affected parcel contains the access road to the Eau Claire Pump Station near the river, which is currently being reconstructed for use as both an access road and multi-use trail. Staff reviewed the requested easement and has determined its existence is unlikely to affect the City's continued use of the property in the future. Staff has also discussed the ongoing multi-use trail project with Xcel Energy, and will continue to coordinate to ensure no conflict with the ongoing project.

Motion by Rowe/Hanks to approve the electrical easement requested by Xcel Energy in the southwest quadrant of River Prairie, and authorize the Mayor to sign on the City's behalf. **Motion carried.**

(VIII)(4) Discuss/consider setting Public Hearing date to rezone parcel #201-1050-08-000 located at 2020 N Hillcrest Parkway from BP Business Park to C Commercial District as submitted by Jeremy Skaw, Real Land Surveying, on behalf of Idriz Sabani and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, March 14, 2019 at 6:05 p.m. and Plan Commission date of March 11, 2019 at 5:30 p.m.).

City Planner Clements explained that the subject parcel (#201-1050-08-000) is located immediately west of Altoona Family Restaurant. The parcel is approximately 0.78 acres and is undeveloped. The parcel is currently zoned BP Business Park and is subject to the Business Park Restrictive Covenants. Clements said the proposal entails rezoning the parcel to allow for the owner to seek a conditional use in the C Commercial District to construct a two-story mixed-use building with approximately 10,000 sf² of street-facing commercial, with ten residential units with garage and surface parking. Per Altoona City Ordinance 19.68.030, upon receipt of a petition for rezoning, the City Council shall send the petition to the Plan Commission for their recommendation and set a date for a Public Hearing. Staff recommends referral to the March 11 Plan Commission and Public Hearing before the Council on March 14. Clements noted that this matter will be referred to the Business Park Board prior to consideration by the Plan Commission, date to-be-determined.

Motion by Schlafer/Sexton to set the Public Hearing date for the proposed rezoning as 6:05p.m. on March 14, 2019, or as soon thereafter is as practical and refer the petition to the Plan Commission. **Motion carried.**

(VIII)(5) Discuss/consider mayoral appointments of Lynn Solie and Fred Hoversholm to the Altoona Community Development Committee to fill two vacant positions for terms ending April 2020 and 2021.

Mayor Pratt said there are two residents who have expressed interest in serving on the Altoona Community Development Committee. The purpose of this committee is to review applicants for the Community Development Block Grant Loan.

Lynn Solie is currently serving on the Altoona Housing Authority Committee. Solie was employed for 28 years as Occupancy Specialist with the City of Eau Claire Housing Authority and is very familiar with policies and procedures.

Fred Hoversholm has lived in this area for a long time. Hoversholm has been involved in community work for quite some time and would like the opportunity to volunteer his services by serving on this committee.

Motion by Rowe/Biren to approve Mayoral Appointments of Lynn Solie and Fred Hoversholm as recommended by Mayor Pratt to the Altoona Community Development Committee. **Motion carried.**

(VIII)(6) Discuss/Consider Ordinance 2A-19, an ordinance regarding Detachment of Territory for 140 Prill Road, parcel #201-1078-01-090 as submitted by Laverne Bundy.

City Planner Clements explained that Mr. Laverne Bundy, 140 Prill Road, has submitted a petition for detachment of territory from the City of Altoona consistent with Wisconsin Stats § 66.0227. City Staff worked with Mr. Bundy to ensure the process illustrated by Statue was followed, including publication of a Class 1 Notice dated 2018 August 24. Clements noted that 140 Prill Road is approximately 1.17 acres with current valuation of \$193,000. Clements also explained that an Ordinance of Detachment may be approved by three-fourths vote of the City Council. Clements gave some background history of the property. The parcel was annexed to the City of Altoona on 2011 August 11 (Ord. 8C-11) to allow for subdivision of a parcel less than the 10 acres required by the City's Subdivision Title so that a new lot could be created and a home constructed at 144 Prill Road. Mr. Bundy resided at the property at that time. A CSM was approved on 2011 September 12 to subdivide the parcel. The subject property (140 Prill), includes an access easement to the recently created parcel at 144 Prill Road. Pursuant to Wisconsin Stats., this matter has been scheduled for Council consideration. Staff recommended not approving Ordinance 2A-19.

Laverne Bundy was present to discuss his intention. Bundy is asking the Council for a reverse annexation for his property at 140 Prill Road, Altoona and gave his reasons why he is asking this request.

Attorney Gierhart commented on the detachment and gave his legal opinion.

Council Member Schlafer gave some resources for Mr. Bundy to contact regarding getting some possible financial assistance.

Motion by Sexton/Hanks to not approve Ordinance 2A-19 regarding Detachment of Territory. **Motion carried.**

(VIII)(7) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) 1. Purchase and/or sale of property.

Motion by Hanks/Biren to convene in closed session at 7:50 p.m. pursuant to Wis. Stats. 19.85 (1)(e) . 1. Purchase and/or sale of property. Roll call vote, 5-ayes, Schlafer, Hanks, Biren, Rowe, Sexton, 0-nays. **Motion carried 5-0.**

(VIII)(8) Motion to reconvene to Open Session.

Motion by Schlafer/Rowe to reconvene in open session at 7:58 p.m. Roll call vote, 5-ayes, Sexton, Rowe, Hanks, Schlafer, Biren, 0-nays. **Motion carried 5-0.**

No action at this time.

(IX) Miscellaneous Business and Communication – none.

(X) Adjournment.

Motion by Schlafer/Sexton to adjourn at 7:59 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk