

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
February 28, 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 Dale Stuber, Matthew Biren, Tim Sexton, David Rowe and Red Hanks (via phone) were present. Also Present: Attorney Christopher Gierhart, City Engineer/Director of Public Works (CE/DPW) David Walter, Finance Director Tina Nelson, Fire Chief Mark Renderman, City Planner Joshua Clements, Recreation Manager Debra Goldbach, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer. Interim Police Chief David Livingston arrived at 6:02 p.m.
Absent: Council Member Andrew Schlafer and City Administrator Michael Golat.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Biren/Rowe to approve the minutes of the February 14, 2019 Regular Council Meeting. Stuber abstained. **Motion carried.**

(VI) City Officers/Department Heads Report

CE/DPW Walter updated the Council regarding the snowplowing procedures in the City of Altoona. Fire Chief Renderman reported that staff are out clearing snow around the fire hydrants. Recreation Manager reported that the Parks & Rec Deptmart is busy with the Summer Concert Series. Interim Police Chief Livingston commented on the most recent drug bust and other reported accidents.

City Committee Reports – None.

(VII) Unfinished Business – none.

(VIII) New Business

(VIII)(2) Discuss/consider 2019 Field Contract between the City of Altoona and the Altoona Youth Softball and Baseball Association (AYSB). (Discussed at the January 28, 2019 Parks & Rec Meeting).

Recreation Manager Debra Goldbach explained the contract between the City and Altoona Youth Softball and Baseball (AYSB) for priority field use during the 2019 softball and baseball season. AYSB expects the same level of field use as last year. Staff has completed an audit of costs related to the use of the fields by AYSB last year and the total direct cost to the City was \$211.24. Goldbach made comparisons from 2017 to 2018. Goldbach mentioned that the 2018 contract provided AYSB would pay \$4,000 in cash and \$750 in kind labor and materials. At the January 28, 2019 Parks & Recreation Meeting, the Committee approved recommending to Council the agreement between the City of Altoona and the Altoona Youth Softball and Baseball Association for the 2019 Season as presented.

Attorney Gierhart noted in Sections 6 & 7 under indemnification insurance requirements, use the term Association not lessee as shown.

Motion by Sexton/Hanks to approve the 2019 Agreement between the City of Altoona and the Altoona

Youth Softball and Baseball Association for field use. **Motion carried.**

(VIII)(3) Discuss/consider 2019 Concessions Stand Contract between the City of Altoona and the Altoona Youth Softball and Baseball Association (AYSB).

Recreation Manager Goldbach explained the contract between the City of Altoona and Altoona Youth Softball and Baseball, which allows AYSB to run the concessions at 10th Street Park in consideration of payment to the City. At the January 28, 2019 Parks & Recreation meeting the Committee approved to keep the rate of \$300.00 for the 2019 season for use of the 10th Street concessions stand.

Motion by Sexton/Hanks to approve the concession agreement between the City of Altoona and the Altoona Youth Softball and Baseball Association for the 2019 season. **Motion carried.**

(VIII)(4) Discuss/consider approval of Resolution 2A-19, a Resolution Authorizing for the Submission of the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application.

Fire Chief Renderman explained that the Federal Emergency Management Agency also known as FEMA has opened its annual SAFER Grant application process. Fire and EMS responses have been steadily increasing in the City of Altoona over the past seven years. Renderman said the Altoona Fire & Rescue Department would like to participate in the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. Federal monies are available under the SAFER Grant program for the improvement of responses for emergency incidents in communities that are growing and need assistance to get started providing adequate responses.

The Altoona Fire and Rescue Department is in need of additional full-time staff to help with Fire and EMS responses during the day time hours when we have limited staff. Renderman is seeking authorization to apply for grant finding for one or two positions. We feel that two positions would be the best choice to ensure we have one full time person on call from 6am continued through 6pm (12-hour shift). This full-time officer each day would cover on-call to ensure we have qualified engine operator who is also an officer that can lead staff, train staff, and ensure we are able to get the engine out in timely fashion (which has been an issue during some of the day time fire calls). Fire Chief Renderman referred to three cost comparisons; one full-time position, two full-time positions, and three full-time positions. Reviewing the three options, the most cost-effective options are to apply for one or two full time positions.

Finance Director Tina Nelson gave a power point presentation on the Reserves – Committed and Unassigned Categories. Nelson mentioned that the City will be adopting a Fund Balance policy this year for the reserves.

Motion by Rowe/Biren to approve Resolution 2A-19, a Resolution Authorizing for the Submission of the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Application for two full time personnel. Hanks against. **Motion carried. 4-1.**

(VIII)(1) Update from Ehlers regarding the Pre-Sale Report for the City of Altoona, Wisconsin \$2,332,000 General Obligation Promissory Note, Series 2019B.

Sean Lentz, municipal advisor of Ehlers was present to update the Council regarding the Pre-Sale Report for the City of Altoona, Wisconsin \$2,332,000 General Obligation Promissory Note, Series 2019B.

No action taken.

(VIII)(5) Presentation regarding findings of the Chippewa Valley Housing Task Force.

City Planner Clements explained that the Chippewa Valley Housing Task Force was created in spring 2018 in part by the policy priority of Mayor Pratt in response to increasing public awareness and dialogue around housing supply and affordability constraints in Altoona and the region. City Planner Clements studied best practices and proposed the creation of the regional task force to examine current conditions and to engage the full spectrum of stakeholders to create an informed, collaborative and comprehensive approach to housing. Clements secured City of Eau Claire Community Development Director Scott Allen as Co-Facilitator of the Task Force and began to pull together the stakeholder engagement roster, which continues to grow. Scott Allen was present at the meeting to answer any questions Council Members had. City Planner Clements explained that the Task Force

stakeholder and participant roster includes elected officials, city and county staff, developers, builders, finance professions, realtors, social service agencies, state agency staff, and interested citizens. In addition to Mayor Pratt, Councilpersons Biren and Hanks each attended at least one meeting. Clements mentioned that early in the process staff examined the potential of requesting funding to engage a consultant to generate a housing study. Clements indicated that the Report dives into several issues pertaining to existing supply as well as factors influencing supply, cost, and demand.

Clements proposes to prepare a Housing Action Plan for the City of Altoona for the Plan Commission to discuss. The Action Plan will build upon the activities of the Task Force, be prepared in collaboration with key stakeholders, based upon best practices, and be informed by current and proposed strategies by neighboring communities.

Motion by Rowe/Stuber to direct City Staff to prepare a Housing Action Plan and refer to the Plan Commission for preparation and recommendation. **Motion carried.**

(VIII)(6) Discuss/consider Tax Collection Agreement between the City of Altoona and Eau Claire County.

Finance Director Tina Nelson explained that in 2014 the City of Altoona entered into a five-year contract with the Eau Claire County Treasurer for their collection of property taxes for the City of Altoona. Altoona reimburses Eau Claire County for the actual costs of mailing tax bills and collecting payments. As part of the agreement Eau Claire County deposits all receipts daily into a City of Altoona bank account. Finance Director Nelson mentioned that County Treasurer Glenda Lyons indicated the agreement has worked very well and supports extending it by five (5) years. (August 1, 2019 to July 31, 2024).

Motion by Stuber/Sexton to approve/not approve the contract between the City of Altoona and Eau Claire County for their collection of property taxes for the City of Altoona. **Motion carried.**

(VIII)(7) Discuss/consider approval of Ordinance 2B-19, an ordinance to amend Chapter 12.04 “Sidewalk Construction, Repair and Maintenance” specifically Section 12.04.015 of the Altoona Municipal Code, “Deferral of sidewalk construction”.

CE/DPW Walter explained that at the February 14, 2019 Council Meeting, Council discussed the City’s approach to capital project implementation. One topic included a review of the City’s sidewalk construction ordinance. A motion was approved to direct staff to return with a proposed amendment, including removal of the following deferral condition under Section 12.04.015 “Deferral of sidewalk construction”:

D. When it is found that the construction of a sidewalk would not serve the public interest, safety or convenience. (Ord. 2D-95, 1995)

Walter said the intent of the revision is to promote greater consistency and predictability in sidewalk construction.

Motion by Sexton/Biren to approve/not approve Ordinance 2B-19, an ordinance to amend Chapter 12.04 “Sidewalk Construction, Repair and Maintenance” specifically Section 12.04.015 of the Altoona Municipal Code, “Deferral of sidewalk construction”. Stuber and Hanks against. **Motion carried 3-2.**

(VIII)(12) Discuss/consider approval of Ordinance 2C-19, an ordinance amending Chapter 10.22 of the Altoona Municipal Code “Snow Removal Regulations” to better define snow emergency declarations.

CE/DPW Walter explained that at the February 14, 2019 Council meeting, he provided an update on recent snow removal activities, and described some of the challenges Public Works faces related to resident parking. The current calendar parking ordinance restricts parking from midnight to 7:00 a.m., while allowing parking on both sides of streets during the remaining hours.

CE/DPW Walter explained that the existing Chapter 10.22 includes a provision for declaration of a snow emergency. The attached revision includes an additional section which would extend calendar parking to be in effect 24 hours a day, for 72 hours unless extended. The 24-hour calendar parking would provide an opportunity for Public Works to plow or remove snow unobstructed on one side of the road, and return the following day to complete the other side. The revision also clarifies the manner in which an emergency would be declared, including posting on the City’s website and issuance of a press release through the local media.

Motion by Stuber/Sexton to approve Ordinance 2C-19, an ordinance amending Chapter 10.22 of the

Altoona Municipal Code “Snow Removal Regulations” to better define snow emergency declarations. **Motion carried.**

(VIII)(8) Presentation/discussion regarding pedal pubs/commercial quadricycles.

Management Analyst Roy Atkinson explained that 44 North is interested in purchasing and operating a commercial quadricycle/pedal pub out of its River Prairie location. Quadricycles are four-wheeled, multi-seat vehicles that accommodate a minimum of 12 people. Many quadricycles are being used commercially as pedal pubs, which include a bar as a feature of the quadricycle. State law allows commercial quadricycles (including pedal pubs that serve fermented malt beverages only) to operate in all Wisconsin communities as long as they do not operate after 10:30 p.m. However, state law also allows municipalities, by ordinance, to prohibit the consumption of fermented malt beverages by passengers on a commercial quadricycle within a municipality and to establish a time, prior to 10:30 p.m. for pedal pubs to cease operation within the municipality.

Management Analyst Atkinson noted some of the cities in Wisconsin that have ordinances that specifically address quadricycles with respect to operating hours and the ability to serve fermented malt beverages. Along with addressing time of operation and whether fermented malt beverages are allowed on the cycles, many jurisdictions require a permitting process that includes provisions for assuring the cycles are in safe working order and that operators carry appropriate insurance. Many jurisdictions also require the operators to specify routes for the cycles, which such routes require approval by staff or the governing body. Currently, the City of Altoona has no quadricycle ordinance. Therefore, staff is recommending changes to the City’s code of ordinances to specify requirements related to operating commercial quadricycles within the City of Altoona.

Before drafting an ordinance, staff would like feedback. Atkinson pointed on the following points to consider.

- Do we want to allow fermented malt beverages on board commercial quadricycles?
- If so, do you want to review routes for approval?
- Do you support operation of quadricycles on trails or specific trails?
- Do you want to limit hours of operation to a time prior to 10:30 PM?
- Do you want to adopt a permitting program to address related safety issues?

David Burg of 44 North was present to further explain pedal pubs and his interest in purchasing a pedal pub. As noted above, 44 North would like to operate a commercial quadricycle (pedal pub) based out of 44 North. Their plan is to operate a route within River Prairie (see attached map--route A), visiting establishments within the NW quadrant and using the trail along the river. The route would extend under the River Prairie Bridge, onto Woodman’s Way and return to the Northwest Quadrant via Blazing Star Boulevard. The owner also has interest in operating another defined route (see attached map –route B) that would extend into Altoona via OakLeaf Way/10th Street W to Spooner Avenue allowing the quadricycle the opportunity to stop at establishments along Spooner and Lynn Avenues.

Council Member Sexton was not in support of alcohol served on the commercial quadricycles. Sexton would be in support if they only allowed non-alcoholic beverages on the pedal pub.

Motion by Sexton/Hanks to direct city staff to draft a commercial quadricycle ordinance to allow commercial quadricycles past 10:30 p.m. and serve non-alcohol beverages only, no alcohol. Discussion followed. Vote on the motion: 1 aye, Sexton, 4 nays, Stuber, Rowe, Biren, Hanks. **Motion failed 1-4.**

Motion by Biren/Stuber to direct staff to draft an ordinance to allow quadricycles as authorized under State Legislation, to allow fermented malt beverages on board, limit hours of operation to not past 10:30 p.m., and have staff draft proposed alternative routes.

Council Member Sexton had concerns with safety. Sexton would like to get more information regarding the pros and cons of allowing a commercial quadricycle and how they impacted the cities that currently allow pedal pubs. Concerns include the width on the road, the safety on the trails. Review policy issues pointed out by Atkinson.

Council Member Biren amended his motion to include the points that Atkinson mentioned including

staff reviewing routes within River Prairie and consider adopting a permitting process.

Council Member Sexton asked if we could look at allowing pedal pubs in the entire City of Altoona not just River Prairie? Sexton would like more time for staff and Council to do research.

Mayor Pratt had concerns with the width of the roads in River Prairie and the pedal pubs potentially being on the trails. Pratt suggested spending more time to review before making a decision.

Attorney Gierhart reminded Council that commercial quadricycles are allowed, so if the City does nothing, anyone can start operating.

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

(VIII)(9) Discuss/consider approval of Bartender Licenses.

The City has received bartender license applications from Margaret Stich, Rebecca Bisson, Alexandra Hurlburt, and Jennasa Lima for the period of now through June 30, 2019. Interim Police Chief Livingston has reviewed and recommends approval of the bartender applications as submitted by Clerk Bauer.

Motion by Rowe/Stuber to approve bartender licenses as listed for the licensing period ending June 30, 2019. **Motion carried.**

(VIII)(10) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) 1. Purchase and/or sale of property.

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

The Council did not go into closed session.

(IX) Miscellaneous Business and Communication

(X) Adjournment.

Motion by Biren/Rowe to adjourn at 8:52 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk