

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
May 23, 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, Red Hanks, Andrew Schlafer, Matthew Biren, Tim Sexton, and Susan Rowe were present. Also Present: Attorney Christopher Gierhart, City Administrator Michael Golat, City Engineer/Director of Public Works (CE/DPW) David Walter, City Planner Joshua Clements, Fire Chief Mark Renderman and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Biren/Hanks to approve the minutes of the May 9, 2019 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat commented on projects he is currently working on.

City Committee Reports – None.

(VII) Unfinished Business – none.

City Administrator Golat asked for item 3 to be removed; staff does not have all the materials back from WisDot.

(VIII) New Business

(6) Discuss/consider approval of the Final Implementation Plan for the residential portions of Hillcrest Greens II in the Hillcrest Greens II Planned Community Development. (Discussed at the May 13, 2019 Plan Commission Meeting).

City Planner Clements explained that the General Implementation Plan (GIP) for Hillcrest Greens II was approved with conditions by the City Council on April 16, 2019. The GIP addresses the general uses and spatial arrangement of the infrastructure and properties through a collection of narrative, maps and similar materials. The approval of that GIP included approval conditions which, along with the proposed documents and Altoona Municipal Code, provide for the regulatory approval standards and requirements for subsequent Final Implementation Plans. The proposed Final Implementation Plan (FIP) describes the implementation of the infrastructure of the Hillcrest Greens II GIP as well as the 120 residential lots. The FIP does not include the 4.29 acre or 1.34 acre commercial / multi-family lots identified in the GIP. The entire GIP is 49.0 acres including the commercial lots, public right-of-way, and storm water facilities. The 120 residential lots comprise 29.64 acres (10,759 sf² / 0.247 acres average).

Construction is planned to commence in summer 2019 with the first lift of asphalt on the internal roads complete by the end of the year (2019). Construction of the 3rd Street East and Highway 12 intersection will be completed in spring/summer 2020. Initial home foundations will begin in 2019 with first homes completed in 2020. The developer anticipates a five-year completion horizon for areas covered by the FIP (2024). The construction of public infrastructure, including the portion of 3rd Street East that is the City's responsibility, will be memorialized through Development Agreement.

City Planner Clements reference Altoona Municipal Code 19.64.190 "Final Implementation Plan – Approval". Clements noted that the Plan Commission met on May 13, 2019 and recommended approval on 5-2 vote of the Final Implementation Plan.

The following people spoke:

Judy Mosley, Co-Chair of the JONAH Affordable Housing Task Force Project, reiterated her support for this project.

Susan Wolfgram, Co-Chair of the JONAH Affordable Housing Task Force Project summarized her comments made on April 25, 2019 and reiterated her support for this project.

Stephanie Pohnl, 403 Otter Creek Trail, expressed her support for the project in the Hillcrest Greens.

Scott Rogers, Governmental Affairs and Workforce Director for the Eau Claire Area Chamber of Commerce, encouraged approval of the plans for this project.

Council Member Rowe noted some inconsistency with the General Implementation Plan and the Final Implementation Plan Maps; the lot numbers don't match up with the written portion where the outlet was located. City Planner Clements noted that the map was recently updated and the narrative did not reflect the changes.

City Planner Clements noted that the Planning Department recommends that the City Council approve the Final Implementation Plan for Hillcrest Greens II, infrastructure, utilities and residential portions defined therein, with the following conditions of approval:

- (1) The restrictive covenants shall memorialize the GIP approval condition 3.
- (2) The multi-use trail between Lot 168 & Lot 169 shall be of consistent arrangement with respect to boulevard width as the trail facilities elsewhere in the development. Back-of-curb trail shall not be approved or accepted. The roadway alignment shall be modified to conform or approximate the typical road section provided. The final design shall be reviewed and approved with the final Civil Plan permit.
- (3) Construction access for Lots 120-219 and adjoining infrastructure shall be 3rd Street East, to the maximum extent feasible.
- (4) The petitioner shall agree to construct the portion of 3rd Street East south of the intercept with St. Andrews Drive, and all associated public improvements, on behalf of the City of Altoona subject to a development agreement addressing the final design and cost.
- (5) The petitioner shall provide a revised storm water model for the existing pond in Outlot 5 of Phase I as part of the storm water permit, and coordinate with the HOA regarding any proposed modifications.

Motion by Sexton/Biren to approve the proposed Final Implementation Plan for the infrastructure and residential areas of Hillcrest Greens II with staff recommended conditions. **Motion carried.**

(VIII)(7) Discuss/consider approval of a Preliminary Plat as submitted by Sean Bohan on behalf of C&M Home Builders for Hillcrest Greens IV (Public Hearing was held at 2019 May 13 Plan Commission)

City Engineer Clements explained that the enclosed Preliminary Plat represents the preliminary draft of the Plat land division instrument to arrange parcels and dedicate public right-of-way associated with Hillcrest Greens Phase II. The Preliminary Plat is generally consistent with the Hillcrest Greens II GIP and is consistent with the proposed FIP discussed earlier this meeting. Clements noted that the General Implementation Plan is identified as Hillcrest Greens II. The Plat is for Hillcrest Greens IV, as there have been subsequent land divisions

since Phase I (Phase II being “The Classic” and Phase III being “The Clubhouse”). The setback lines shown on the preliminary plat will not be on the final plat, and therefore will not “control”. The setbacks are described in the proposed Final Implementation Plan and are shown on the preliminary plat to illustrate developer intent regarding building placement.

Lot 105 will be modified to ensure the existing multi-use trail utilized to access Fairway Park is entirely within City of Altoona property. A public hearing was held at the May 13, 2019 Plan Commission Meeting. The Plan Commission recommended approval of the preliminary plat by 7-0 vote.

Motion by Sexton/Rowe to approve the Preliminary Plat for Hillcrest Greens IV. **Motion carried.**

(VIII)(1) Public Hearing at 6:00 p.m. or as soon thereafter as is practical on Resolution 5D-19, a resolution authorizing street and utility improvements and levying special assessments against benefited property for the 2019 Bartlett Avenue Reconstruction Project (10th Street West to 7th Street West).

Mayor Pratt opened the public hearing at 6:25 p.m.

CE/DPW Walter explained that a public hearing is scheduled to consider input from interested parties and affected property owners regarding the 2019 Bartlett Avenue Reconstruction Project. The public hearing has been properly noticed consistent with State Statutes. All affected property owners as listed in the Eau Claire County tax roll were notified and were provided a copy of their estimated assessments. The scope of the project includes reconstruction of Bartlett Avenue from 10th Street West to 7th Street West. Walter said the items included generally consist of grading, gravel, asphaltic concrete paving, concrete curb and gutter, water main and appurtenances, sanitary sewer and appurtenances, driveway aprons, sidewalk, and lawn restoration. As in the past, Altoona has used the special assessment process to fund a portion of the project.

CE/DPW Walter commented that this project is funded in part by the STP Urban Program (State Managed Program with Federal Funds) and will be managed by WisDot. As noted earlier by City Administrator Golat, staff did not receive the official materials from WiDOT in time for this meeting. Staff proposes to award the bid for this project at the next Council Meeting.

The following people spoke regarding this project:

Joe Hayden, 603 9th Street wanted clarification, stating that he was assessed for his property on 9th Street. Walter responded to Hayden’s question regarding assessments on a corner lot. Walter indicated that he will review past records for any credits if any. Hayden noted an error in the estimated assessment for Lot 3, Block 1. CE/DPW Walter will correct the omission of some assessable items.

Aric Sather, 2244 Bartlett Avenue had a question regarding removal of trees in the boulevard.

Vaughn Nagahashi, 2251 Bartlett Avenue had a question regarding removal of a tree in the boulevard and other project related questions.

Deborah Nagahashi, 2251 Bartlett Avenue had questions regarding financing and payment of special assessments.

Motion by Sexton/Rowe to close the public hearing at 6:49 p.m. **Motion carried.**

(VIII)(2) Discuss/consider approval of Resolution 5D-19, a final resolution of the Common Council of the City of Altoona, declaring intent to exercise its police powers pursuant to Section 66.0703 of Wisconsin Statutes to specially assess for the 2019 Bartlett Avenue Reconstruction Project (10th Street West to 7th Street West).

CE/DPW Walter noted that at the time of the preparation of the resolution there were two blank amounts shown as **to be determined** under #3 regarding estimated assessment cost and total project cost. Those figures to be inserted are as follow: #3. Payment, in part, for the improvements shall be made by assessing **\$325,812.30** of the estimated total project cost of **\$764,590.05** to property benefited as indicated in the report...

Motion by Sexton/Hanks to approve Resolution 5D-19, a final resolution authorizing street and utility improvements and levying special assessments against benefited property for the 2019 Bartlett Avenue Reconstruction Project. **Motion carried.**

(VIII)(3) Discuss/consider awarding bid for the 2019 Bartlett Avenue Reconstruction Project (10th Street West to 7th Street West).

REMOVED FROM THE AGENDA UNTIL A LATER DATE.

(VIII)(4) Public Hearing at 6:05 p.m. or as soon thereafter as is possible regarding a Certified Survey Map to subdivide parcels and dedicate public right of way for property bounded by North Willson Drive, N. 10th Street and US Highway 53.

Mayor Pratt opened the public hearing at 6:52 p.m.

City Planner Josh Clements has been working for about 30 months to acquire this property from the WI DOT. Earlier this year the DOT accepted the City's counter-offer and the City took ownership via quick claim deed. The property is approximately bound by North Willson Drive, 10th Street West, Highway 53 and the railroad. The total area is approximately 4.96 acres. Clements explained that the proposed CSM creates Lot 1, approximately 1.62 acres, which is intended to be marketed for development. Outlot 2 is an existing storm water pond that receives water from 10th Street West and Fairway Drive. The remaining property is to be dedicated as right-of-way, as the roadways are already in place and the DOT prohibits development between Fairway Drive and Highway 53 per the sales agreement.

Motion by Sexton/Biren to close the Public Hearing at 6:53 p.m. **Motion carried.**

(VIII)(5) Discuss/consider approval of a Certified Survey Map (CSM) to subdivide parcels and dedicate public right of way for property bounded by North Willson Drive, North 10th Street and US Highway 53.

Motion by Sexton/Stuber to approve the proposed Certified Survey Map. **Motion carried.**

City Administrator Golat noted that Staff will be drafting a Request for Proposal to develop that property as multi family housing use.

(VIII)(8) Discuss/consider extending hours of operation for the Cinder City Days Events in River Prairie Park on Friday, June 7, 2019 and Saturday, June 8, 2019 until 11 p.m.

City Administrator Golat explained that the Altoona Lions Club is expanding their events during Cinder City Days utilizing the River Prairie Park Amphitheater to include the following: Friday, June 7, 2019 – Karaoke Night, Saturday, June 8, 2019 – Craig Morgan Concert. Golat indicated that last year the Altoona Lions Club was granted permission from the Council to extend the hours of operation in Cinder City Park until 11 p.m. for the concert. The Altoona Lions Club would like to extend the hours of operation past 10:00 p.m. for both events in River Prairie Park until 11 p.m. on Friday, June 7 and Saturday, June 8, 2019. According to Chapter 12.28.010 of the Altoona Municipal Code there shall not be amplified noise before eight a.m. or after ten p.m. unless under the supervision of the Parks and Recreation Department or if express permission is granted by the City.

Motion by Sexton/Stuber to approve extending hours of operation for the Cinder City Days Events in River Prairie Park on Friday, June 7, 2019 and Saturday, June 8, 2019 until 11 p.m. **Motion carried.**

(VIII)(9) Discuss/consider approval of Ordinance 5A-19, an ordinance creating Chapter 2.82 of the Altoona Municipal Code, to be entitled "Devney Street Housing Committee."

City Administrator Golat explained Ordinance 5A-19, an ordinance creating Chapter 2.82, establishing the Devney Street Housing Committee. As discussed during deliberations regarding whether to purchase the 1511 Devney building, staff noted that a committee would need to be established to help govern operations of the facility; the attached ordinance serves that purpose. The committee is comprised of seven voting members and three ex-officio members. The seven voting members include: The mayor, one City Council member, one city staff member, one JONAH representative, one Western Dairyland representative, one representative from Cody and Molly Filipczak's foundation and one City of Altoona community member. The ex officio members shall include: One member who has personally experienced housing insecurity, one mental health professional, and one member from Catholic Charities. Golat said all members of the committee shall be appointed by the mayor with confirmation by a majority vote of City Council members. Golat further explained that the primary duties of

the committee are established in the ordinance. Of note is that the role of the board is intended to be largely advisory with final decisions on operations subject to City Council approval. Unless otherwise specified in the ordinance the committee shall not have any authority to expend city funds unless funds are appropriated for committee use by the city council and are within the scope of the powers set forth in the ordinance. Golat noted that there are some entity names that will need to be clarified.

Attorney Gierhart clarified the roles of the Devney Street Housing Committee and the Management Company that will be overseeing the project.

Motion by Sexton/Rowe to approve Ordinance 5A-19, an ordinance creating Chapter 2.82 of the Altoona Municipal Code, to be entitled “Devney Street Housing Committee.” Hanks against. **Motion carried.** Staff to clarify the correct titles of the entities.

(VIII)(10) Discuss/consider approval of a Certified Survey Map (CSM) to create a new lot from parcel #201-1007-06-000, located at the intersection of Gloede Avenue and San Juan Road, as submitted by the City of Altoona.

City Planner Clements explained that the Plan Commission considered the enclosed Certified Survey Map at the April 4 meeting and referred discussion to the Parks Board for their recommendation. The City Council held a duly noticed public hearing at the April 16th meeting as the public notice has been distributed. The Parks Board met on April 22 and recommended that the Plan Commission disapprove the CSM. The Plan Commission met on May 13, 2019 and recommended to Council disapproval of the CSM by 7-0 vote.

Clements said the proposed CSM creates a developable parcel accessed from the corner of Gloede Avenue and San Juan Road from parcel 201-1007-06-000. The parent parcel is 16.390 acres and is part of the larger Centennial Park. This area is currently utilized for recreational trail access into the Park. Clements said the CSM includes a 12-foot trail and utility easement along western property line. The existing trail access through the site is intended to be re-routed through that area, and is of sufficient width should the City require utility access into the park in the future.

Motion by Sexton/Schlafer to disapprove the proposed Certified Survey Map. **Motion carried.**

Mayor Pratt commented that if the City is going to use the property as a trailhead, then there should be discussion regarding improvements to the property. Consensus of the Council was to bring an item to the Park & Rec Committee to discuss potential improvements on this site.

(VIII)(11) Proclamation celebrating Centennial of Women’s Suffrage, June 10, 2019.

Mayor Pratt read the Proclamation celebrating the ratification of the 19th Amendment and recognition of continued challenges in achieving complete equity and inclusion. On June 10, 1919, Wisconsin was the first state to ratify the 19th Amendment to the U.S. Constitution granting women the right to vote. One of the central national leaders in the women’s suffrage movement was Carrie Chapman Catt (1859-1947), born in Ripon, WI, and noted for being integral in gaining passage of the 19th Amendment. At the founding of the United States, only land-owning white males over age 21 could vote. Each state decided who could vote, although most outlined similar qualifications. The 19th Amendment took effect on August 26, 1920, after the required 36 states ratified the document.

(VIII)(12) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) 1. Purchase and/or sale of property.

(VIII)(13) Motion to reconvene to Open Session.

The Council did not go into closed session

(IX) Miscellaneous Business and Communication – none.

(X) Adjournment.

Motion by Hanks/Biren to adjourn at 7:16 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk