

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
June 27, 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, Matthew Biren, Tim Sexton, and Susan Rowe were present. Also Present: Attorney Christopher Gierhart, City Administrator Michael Golat, City Planner Joshua Clements, Fire Chief Mark Renderman, Police Chief Kelly Bakken, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

Absent: Council Member Andrew Schlafer.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Biren/Hanks to approve the minutes of the June 13, 2019 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat commented on the Devney Street Housing Project. Golat mentioned that the Big Boy Steam Locomotive will be coming to Altoona on July 23, 2019. Staff would like to plan other activities in conjunction with this event.

Fire Chief Renderman reported that Altoona applied for the FEMA Grant and should be hearing soon if the City of Altoona was awarded a grant.

Management Analyst Roy Atkinson announced that the City will be celebrating Independence Day on Saturday, June 29, 2019 from 5 p.m. until dusk at Cinder City Park.

Police Chief Bakken reported on some upcoming events that will involve police involvement.

City Planner Clements mentioned that the July Plan Commission Meeting will be held on Tuesday, July 9, 2019 at 5 p.m.

City Committee Reports – None.

(VII) Unfinished Business – none.

(VIII) New Business

(1) Discuss/consider Ordinance 6B-19, an ordinance amending Chapter 15.04 of Altoona Municipal Code “Building and Mechanical Code” concerning exterior finish required and update references.

City Planner Clements explained that the proposed amendments to Chapter 19.24 is initiated by the discussion regarding prohibition of “tarp structures” in the Zoning title, as well as clarifying defined circumstances under which temporary structures may be permitted. City staff had previously identified updates to the Chapter,

but did not dedicate time to refinement or advance for consideration. Some of these items necessitated re-arranging items to more appropriate areas of the Title, such as would be accomplished by creating Chapter 19.61 Accessory Buildings and Uses. The Plan Commission has discussed the issue of temporary tarp structures during the Commission meeting on 2017 May 17 and directed staff to research other municipalities in regards to definition of temporary structures, permitting and regulation, and bring back at a future meeting. The general direction was to confirm Building Inspector Eric Velin's interpretation that tarp structures, and the similar, are not permitted by current standards. This direction was generally affirmed, without formal action, during the 2019 May 13 Commission meeting.

City Planner Clements said the proposed changes are proposed to be implemented through an update to Chapter 15.04 in the building code, as well as in the Zoning Title. Staff proposes to utilize both avenues to ensure clarity, as well as address other related gaps related to interpreting existing standards concerning exterior finish and building character. City Planner Clements and Building Inspector Flatland consulted their respective disciplines and collaborated on the proposal. Clements noted that the Plan Commission voted 6-0 on June 10 to recommend approval of the proposed changes.

Summary of the proposed modifications to Chapter 15.04:

- (1) Exterior Finish Required (15.04.120):
 - a. Clarify that "unfinished wood, oriented strand board, tarp, fabric" as prohibited materials;
 - b. Require that repairs or additions shall utilize uniform materials, color, etc., as the existing structure;
 - c. Accessory buildings shall meet wind and snow loading requirements;
- (2) Create reference to the City Official Map with regard to issuance of building permits;
- (3) Clarify that driveways and parking areas require building permits (for the purposes of inspection in relation to lot lines, and positive drainage).
- (4) Update references to State Agencies
- (5) Update and refer to Site Plan standards in Title 19 – Zoning

Motion by Sexton/Biren to approve Ordinance 6B-19 amending Chapter 15.04 "Building and Mechanical Code". Hanks and Stuber against. **Motion carried.**

(VIII)(2) Public hearing at 6:00 p.m. or as soon thereafter as is possible to amend Title 19 of Altoona Municipal Code "Zoning" specifically to amend Chapter 19.24 "Districts Generally" and to create Chapter 19.61 "Accessory Buildings and Uses".

Mayor Pratt opened the public hearing at 6:15 p.m.

Chapter 19.24

City Planner Clements explained that the proposed amendments to Chapter 19.24 is initiated by the discussion regarding prohibition of "tarp structures" in the Zoning title, as well as clarifying defined circumstances under which temporary structures may be permitted. City staff had previously identified updates to the Chapter, but did not dedicate time to refinement or advance for consideration. Some of these changes are necessitated due to re-arranging entries to more appropriate areas of the Title, such as would be accomplished by creating Chapter 19.61 Accessory Buildings and Uses.

Summary of the proposed modifications to Chapter 19.24:

- (1) Update references to established Zoning Districts. Refer to Ch 19.68 for rezoning procedure.

- (2) Create Section regarding “Temporary Buildings and Structures”
 - a. Define conditions for use of temporary buildings during construction projects.
 - b. Confirm that “Tarp Shelters” and similar, are prohibited.
 - c. Differentiate between “tarp shelters” and tents or canopies, the latter being those customarily used to create shade or shelter from precipitation, rather than to those with side walls and used for outdoor storage.
- (3) Eliminate general “accessory buildings and uses” (19.24.050) which become duplicative with anticipated creation of Chapter 19.61.
- (4) Eliminate “basement dwellings prohibited” (19.24.060), as there is no building code related rationale, as all dwellings must meet minimum egress and ventilation requirements.
- (5) Eliminate “additional uses permitted when” (19.24.080) due to duplication with other existing code sections.
- (6) Update code requirements for “Modular homes”, which are prefabricated homes that meet the Uniform Dwelling Code (separate and distinct from manufactured homes that are utilized in manufactured home communities). These codes were updated at the state level in 2007, where this entry in Altoona’s ordinance was last amended created in 1994. This update permits modular homes to be utilized as dwellings in Altoona and principal dwelling or as an accessory dwelling unit, provided all applicable standards are met.

Chapter 19.61

City Planner Clements explained that the proposal of the proposed Chapter 19.61 follows discussion by the Plan Commission on 2018 October 15 regarding accessory dwelling units. This effort also follows multiple discussions and recommendation of the Chippewa Valley Housing Task Force regarding general support for permissive zoning regarding accessory dwelling units. See the meeting materials from the October 2018 Plan Commission for additional references and resources. The proposed structure of Chapter 19.61 “Accessory Buildings and Uses” is substantially similar to the City of Eau Claire (18.30), as well as the research of comparison jurisdictions, specifically regarding specific uses and structures (accessory dwelling units; detached garages and workshops; home occupations; solar arrays; wind energy systems). The Chapter provides for specific performance standards and criteria for the establishment of certain accessory uses, due to their nature and potential impacts on adjacent or area properties. These uses include, but not limited to:

- (1) Accessory Dwelling Units
 - a. Three types: Interior, Attached, and Detached

The proposed standards are based upon ADU studies, examples from communities that have enabled ADUs and have experience in administering the standards.

Seeks to balance enabling ADUs with reasonable standards, managing or seeking to prevent potentially undesirable effects, while otherwise being a simple. These include:

- Meet all requirements of Uniform Dwelling Code
- Size limitations – both net size as well as percentage of primary dwelling
- Location on a lot
- Entrance location
- Character and materials

- (2) Farm Stand

Currently “reserved” as a placeholder until sufficient time can be dedicated to proposing appropriate standards.

- (3) Gardening
Same language as provided for in 19.24, proposed to be relocated
- (4) Heating Appliance
Same language as provided for in 19.24, proposed to be relocated.
- (5) Home Occupation
 - a. Further define “home occupation” uses permitted on properties for which 1-family or 2-family dwelling is the principal use. At present, the definition is somewhat vague yet limiting.
 - b. Provide for flexibility in carrying on small business activities from a residential property, while addressing expected or potential impacts on nearby properties or public utilities.
 - c. Seeks to address frequent questions and nuisance complaints stemming from business and similar activities in residential neighborhoods.
- (6) Mobile Food Establishment
 - a. Referring to Ch 5.20 regarding permitting and operational requirements.
- (7) Short Term Rental
 - a. Reserved. Identified as a significant item to define and to create standards, but no language proposed at this time.
- (8) Solar Array
 - a. Confirm the understanding that solar arrays are systems permitted as an accessory structure in all zoning districts.
 - b. The parameters and standards for the permitting of wind energy systems is largely dictated by Wisconsin Statutes 66.0401 & 66.0403.
- (9) Wind Energy Conversion System
 - a. The parameters and standards for the permitting of wind energy systems is largely dictated by Wisconsin Statutes 66.0401 & 66.0403 and Administrative Code PSC 128 and PSC 196.378.
 - b. Creating the entry in Altoona Municipal Code provides procedural reference to State Statutes regarding the process for a land owner to seek permit of a wind energy system and applicable standards for approval.

The Plan Commission discussed Short Term Rentals as a separate item. Staff will research and propose an ordinance addressing Short Term Rentals at the July 9 Plan Commission for July 11 Council consideration. City Planner Clements noted that the Plan Commission voted 6-0 on June 10 to approve the proposed Ordinance. The highlighted portions of the proposed ordinance are modifications from the version reviewed by the Plan Commission. The Plan Commission specifically noted the following items from the version they reviewed to be added/modified:

- Owner occupancy requirement for ADUs in R-1 District (19.61.040 (2)(g)).
- Consider permitting a second driveway for an ADU, provided it is on a separate frontage as any existing driveway (19.61.040 (2)(c)(viii)).

- Add pet board and kennels, with 3 or greater animals, as a prohibited home occupation (19.61.040 (13)(i)(v)).

Motion by Biren/Stuber to close the public hearing at 6:35 p.m. **Motion carried.**

(VIII)(3) Discuss/consider approval of Ordinance 6C-19, an Ordinance amending Chapter 19.24 of the Altoona Municipal Code “Districts Generally” regarding districts established, temporary buildings, modular homes, and eliminate redundant entries.

Discussed under Item 2 of the Agenda.

Motion by Sexton/Biren to approve Ordinance 6C-19, an ordinance amending Chapter 19.24 “Districts Generally” as presented in Item 2. Hanks against. **Motion carried.**

(VIII)(4) Discuss/consider approval of Ordinance 6D-19, an ordinance creating Chapter 19.61 of the Altoona Municipal Code “Accessory Buildings and Uses” to define and regulate accessory uses of property.

Discussed under Item 2 of the Agenda.

Motion by Sexton/Rowe to approve/not approve Ordinance 6D-19, an Ordinance creating Chapter 19.61 “Accessory Buildings and Uses”. Hanks against. **Motion carried.**

(VIII)(5) Discuss/consider approval of a Certified Survey Map for parcel #024-2290-07-010 located at 1301 Sandy Ridge Lane in the Town of Washington.

City Planner Clements explained that the proposed CSM is to combine two tax parcels in the Town of Washington within the City of Altoona’s Extraterritorial Jurisdiction. Combining of lots in this manner may be approved by the Zoning Administrator pursuant to Altoona Municipal Code 18.03.080. However, one of the tax parcels was subject to a Plat to which the City was an approving signatory, and the other tax parcel, an outlot, was not subject to that Plat. Per Eau Claire County and the Wisconsin Department of Administration, all approving signatories of the original Plat must also approve this CSM as the boundaries of the Plat are therefore modified. The parcel is not subject to any feature of the City Official Map or easements to which the City of Altoona is a party. The CSM includes a release of utility rights easement on the parcel. The City was not identified as a party to that easement. Agreeing to this release does not impact future potential to serve the parcel with public utilities, should they become available.

Motion by Rowe/Sexton to approve the Certified Survey Map that amends the exterior bounds of the Plat of Pinewood Acres and lot consolidation of CSM #1511 and release of utility rights on Lot 6. **Motion carried.**

(VIII)(6) Discuss/consider approval of part-time Fire Officer positions within the Fire and Rescue Department.

Fire Chief Renderman explained that with the increased activity and needs within the Fire and Rescue Department, Fire Chief Renderman has been utilizing newly licensed individuals to maintain their staffing levels. Fire Chief Renderman referred to the attached memo and job descriptions that was included in the Council Materials for this meeting. Fire Chief Renderman noted that at its June 12, 2019 Personnel Committee Meeting, the Personnel Committee recommended approval of the part-time Fire Officer positions within the Fire Department.

Motion by Sexton/Stuber to approve the part-time Fire officer positions within the Fire and Rescue Department as requested by Fire Chief Mark Renderman. Hanks against. **Motion carried.**

(VIII)(7) Discuss/consider an amendment to the City’s Personnel and Policy Manual, Section 27 “Travel Reimbursement Expense” to set a maximum tipping on meal purchase while on city business.

City Administrator Golat explained that currently Section 27 of the City Personnel and Policy Manual states the following related to Travel Reimbursement Expense:

27. TRAVEL REIMBURSEMENT EXPENSE

If job duties require travel, employees will be reimbursed for actual reasonable costs, subject to the following limitations:

a) *Mileage Reimbursement*

b) *Out-of-Area Travel: Meals and Lodging*

For required and authorized out-of-area travel, reimbursement will be made only on the basis of ACTUAL COST not to exceed the amounts specified below. Receipts must be submitted for room reimbursement and meals.

Meal reimbursement rates in effect are as follows:

* **Breakfast** **\$10.00/meal**

* **Lunch** **\$15.00/meal**

* **Dinner** **\$25.00/meal**

Any tip placed on a meal shall not exceed a 20% maximum tip. No reimbursement will be made for the cost and/or tip on alcoholic beverages.

In addition, any meal reimbursement for conferences, training, etc. that does not require an overnight stay is a taxable reimbursement per IRS standards. Further, no reimbursement for alcoholic beverages and family/companion expenses will be provided.

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City Administrator Golat explained that Director of Administrative Services Boley would like to add to the Employee Policy Handbook the statements as highlighted in yellow above. The Personnel Committee recommended approval at its June 12, 2019 Personnel Committee meeting.

Motion by Biren/Sexton to approve an amendment to the City’s Personnel and Policy Manual, Section 27. “Travel Reimbursement Expense” to set a maximum tipping on meal purchase while on city business.

Motion carried.

(VIII)(8) Discuss/consider approval of Resolution 6A-19, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resource NR – 208 regarding submittal of the City’s Compliance Maintenance Annual Report (CMAR) for its wastewater collection system.

City Administrator Golat explained that the Sewer Utility Compliance Maintenance Annual Report is an annual report that is required of all operators of a wastewater collection system. The goal of the report is to analyze the City’s operations and financial practices pertaining to the sewer utility in order to identify any problems. The City has scored a grade of “A” in both finance and operations, and no mitigation is required by the Wisconsin Department of Natural Resources. Wisconsin Administrative Code NR 208 requires the governing body of a collection system to pass a resolution that a) acknowledges that the CMAR has been reviewed, and b) lists any recommendations or action plan, if required.

Motion by Rowe/Stuber to approve Resolution 6A-19, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resources NR – 208 regarding submittal of the City’s Compliance Maintenance Annual Report for its wastewater collection system. **Motion carried.**

(VIII)(9) Discuss/consider amending the premise description on the “Class B” Combination Liquor and Beer License issued to Rolly’s Coach Club, located at 2239 Spooner Avenue, to include the parking lot for the following dates only: July 20 and July 27, 2019.

Rolly Knusalla, owner of Rolly's Coach Club, 2239 Spooner Avenue, is asking for an amendment to his current "Class B" Liquor and Beer license premise description to include his parking lot for the following dates only: July 20, 2019 for a Swine Feed and July 27, 2019 for a benefit. There will be a tent set up in the parking lot where alcohol will be served. Rolly Knusalla (Rolly's) is aware that alcohol may not leave the premise. It will be noted on the license that open containers may not be carried off the premise.

Motion by Biren/Hanks to amend Rolly's Coach Club "Class B" Liquor and Beer License premise description to include the parking lot only for the specific dates of July 20 and July 27, 2019. **Motion carried.**

(VIII)(12) Discuss/consider setting Public Hearing date to rezone parcel #201-1006-07-150 located east of CCF Bank (219 Fairfax) from C Commercial District to R-3 Multiple Family Dwelling District as submitted by Lee Haremza and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, 2019 July 11, and Plan Commission date of 2019 July 9).

City Planner Clements explained that the subject parcel is approximately 0.990 acres and is located immediately east of the CCF Bank located at the corner of Fairfax Street and Spooner Avenue. The parcel has joint access from an existing private drive shared by the Bank and other parcels. The applicant, Lee Haremza, has submitted an offer to purchase contingent upon rezoning. Mr. Haremza proposes to construct a multi-family building of approximately 20 dwelling units. Mr. Haremza will provide a site concept to the Plan Commission and Council during consideration of the appeal. Adjoining uses to the east and south are residential multi-family. Uses to the west and north are commercial. City Planner Clements mentioned that this is a procedural action to refer this matter to the Plan Commission to provide a recommendation to the Council.

Motion by Sexton/Stuber to set the Public Hearing date for the proposed rezoning as 6:00p.m. on 2019 July 11, 2019 and refer the petition to the Plan Commission. **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.

Motion by Hanks/Sexton to convene in closed session at 7:01 p.m. pursuant to Wis. Stats. 19.85 (1)(e) 1. Purchase and/or sale of property. Roll call vote, 5-ayes, Stuber, Sexton, Hanks, Rowe, Biren, 0-nays. **Motion carried 5-0.**

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

Motion by Hanks/Rowe to reconvene to Open Session at 8:04 p.m. Roll call vote 5-ayes, Biren, Rowe, Stuber, Hanks, Sexton, 0-nays. **Motion carried 5-0.**

(IX) Miscellaneous Business and Communication

Council Member Sexton commented that he has been getting complaints regarding the street conditions in the City of Altoona and also commented on the parking in River Prairie.

(X) Adjournment.

Motion by Hanks/Rowe to adjourn at 8:10 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk