

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

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:10 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, Finance Director Tina Nelson, Police Chief Kelly Bakken, City Planner Joshua Clements, Recreation Manager Debra Goldbach, and City Clerk Cindy Bauer. Management Analyst Roy Atkinson arrived at 6:18 p.m.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Sexton/Hanks to approve the minutes of the October 10, 2019 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat reported new hires within the Public Works Department to fill the vacancies of two personnel who are retiring.

Police Chief Bakken reported on recent promotions within the Police Department:

Scott Kelley has been promoted to Lieutenant

Jeff Baumgarten has been promoted to Sergeant.

Ed Bell has been promoted to Detective

City Committee Reports – None.

(VII) Unfinished Business – None.

(VIII) New Business

(1) Public Hearing at 6:00 p.m. or as soon thereafter as is possible to amend Title 19 of the Altoona Municipal Code “Zoning” specifically to amend Chapters 19.28 and 19.32 regarding maximum lot coverage allowed in R-1 and R-2 zone district.

Mayor Pratt recused himself from this agenda item.

Council President Schlafer opened the public hearing at 6:14 p.m.

City Planner Clements explained that as owners and builders have proceeded to utilize the reduced setback requirements on residential lots, particularly those in the older parts of the City, additional barriers have been identified that constrain otherwise desirable investment. Multiple projects have been delayed, modified, or otherwise frustrated by lot coverage requirements. These standards were likely instituted to ensure open space, but also to spread out buildings and effectively create maximum development area for each parcel. Although this standard has been in place since at least 1970, many older properties exceed this standard.

The principal contemporary concern is overall stormwater management. There are no Site Plan or storm water review requirements on one- and two-family dwellings (although there are area stormwater requirements for new subdivisions). Utilizing maximum lot coverage has some effect on ensuring there is some assumed capacity on each site for storm water; although this is often not the case. While there are maximum lot coverage standards at present, these do not directly address or limit other improvements on the property, such as driveways, parking pads, patios, and pools.

The proposed ordinance would have two outcomes:

- (1) Create a second tier of lot coverage requirements for “improved surfaces”. Presently, there is a maximum lot coverage standard, and a maximum driveway width area within the required setback. However, any other area of the residential lot may be paved without site considerations for storm water. The proposed standard, 40%, is consistent with the City of Eau Claire.
- (2) Creates an “alternative compliance” route to exceed the otherwise maximum allowed lot coverage into a second threshold, provided on-site storm water measures are taken.
- (3) No change in current standard for maximum lot coverage of buildings, unless the alternative compliance is achieved.

City Planner Clements mentioned that the Plan Commission recommended approval at its November 12, 2019 meeting with an amendment regarding Alternative Compliance stating that this provision applies to lots created prior to January 1, 2020.

Motion by Sexton/Stuber to close the public hearing at 6:20 p.m. **Motion carried.**

(VIII)(2) Discuss/consider approval of Ordinance 11A-19, an Ordinance amending Title 19 “Zoning” specifically Section 19.28.060 and Section 19.32.060 regarding maximum lot coverage allowed in R-1 and R-2 zone district. (Discussed at the November 12, 2019 Plan Commission Meeting).

City Planner Clements recommended approval of Ordinance 11A-19 as amended by the Plan Commission.

Motion by Sexton/Rowe to approve Ordinance 11A-19, an ordinance amending Title 19 “Zoning” as amended. **Motion carried.**

Mayor Pratt returned to the meeting at 6:22 p.m.

(VIII)(3) Discuss/consider Extraterritorial Agreement with Lisa Ann Mattison and the Town of Washington regarding terms of the creation of a CSM land division less than ten acres located at 1351 Wenzel Drive, Town of Washington, pursuant to Chapter 18.20 Altoona Municipal Code.

City Planner Clements explained that the petitioner seeks to subdivide a parcel located at 1351 Wenzel Drive in the Town of Washington into two parcels, each 1.508 acres. The property is currently improved with a single-family home. The property is located with the City of Altoona Extraterritorial Jurisdiction (ETJ). Consistent with Altoona Municipal Code, no new parcels less than ten acres in size may be created within the City’s 1.5 mile ETJ, unless the petitioner and Town enter into an agreement that such parcel(s) shall be annexed into the City at such time they become contiguous with the City corporate boundary, and pay a proportionate share of future public utilities.

City Planner Clements said the property is within the City’s 1.5-mile extraterritorial jurisdiction to regulate land divisions. Altoona Municipal Code prohibits creation of parcels less than ten acres within this jurisdiction in order to further orderly and efficient City development. Chapter 18.20.040 provides a procedure for review and approval of land divisions that create smaller lots provided the land use and arrangement is consistent with adopted City Plans, and that the petitioner enter into an agreement with the City and Town to require annexation and provision of utilities when the property becomes contiguous to City limits, or prior to making any improvements to the undeveloped property that would require a building permit.

The proposed CSM is consistent with the land use in that general area, being predominantly homes on large lots served by private septic systems. The proposed CSM has been approved by the Town of Washington and Eau Claire County.

Motion by Rowe/Sexton to approve Extraterritorial Agreement with Lisa Ann Mattison and the Town of Washington. **Motion carried.**

(VIII)(4) Public Hearing at 6:05 p.m. or as soon thereafter as is possible regarding a Certified Survey Map (CSM) in the Extraterritorial Jurisdiction to subdivide tax parcel #024 1082 05 020 into two parcels located at 1351 Wenzel Drive in the Town of Washington.

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

City Planner Clements noted that the Plan Commission recommended approval of the CSM at its November 12, 2019 meeting.

Motion by Biren/Sexton to close the public hearing at 6:26 p.m. **Motion carried.**

(VIII)(5) Discuss/consider approval of the Certified Survey Map for 1351 Wenzel Drive in the Town of Washington.

Motion by Stuber/Sexton to approve the ETJ CSM for 1351 Wenzel Drive. **Motion carried.**

(VIII)(6) Discuss/consider Stormwater Pond Agreement with the School District of Altoona.

City Administrator Golat explained that Cedar Corporation presented several design alternatives for the KB/Bartlett Avenue Reconstruction Project during the September 28 and October 12, 2017 Council Meetings. The Council directed staff at that time to collect additional information regarding the potential citing of stormwater facilities in this corridor. On October 25, 2017, Cedar Corporation met with School District officials to discuss potential options to enlarge the existing storm water pond at the Elementary School to host additional capacity. The Altoona School Board was receptive to expanding the school storm water pond. However, the Altoona School Board requested that if expanded, the District would like to have the pond fenced. Further, the School District noted that it was willing to pay for the cost of installing the fence. Golat said in order to memorialize this cost sharing arrangement, a Stormwater Retention Pond License Agreement was created that stipulates the School District will pay for the fence in an amount not to exceed \$16,000.

Motion by Sexton/Biren to approve the Stormwater Pond Agreement with the School District of Altoona. **Motion carried.**

(VIII)(7) Discuss/consider approval of the River Prairie Sculpture Project.

City Administrator Golat explained that through the Altoona Foundation, received a \$10,000 grant for a sculpture in River Prairie Park from the Union Pacific Railroad. City staff was subsequently able to acquire a \$5,000 grant from Xcel Energy to help fund the project, bringing the total to \$15,000 available for construction and installation. Staff engaged child's play specialist, Karl-Johan Ekeroth (KJ) to help design the project along with Greg Johnson and Brian Graff from Solar Forma to help build the project. KJ, Greg and Brian are donating their time to the project. Greg and Brian hope to provide proof of concept for their company.

City Administrator Golat noted that at the September 26, 2019 Council meeting, after reviewing the sculpture concept developed by KJ (River Prairie Trolls), City Council authorized City staff to move forward with the sculpture, subject to review by the Parks Committee. The Parks Committee met and recommended approval at its September 30, 2019 Parks & Rec Committee Meeting.

City Administrator Golat mentioned that a post concept approval, a detailed cost feasibility study was completed which resulted in an estimated project budget of \$23,000. Therefore, after factoring in the \$15,000 in grant funds, an \$8,000 funding gap exists. Staff proposes utilizing \$6,000 in Tourism funds and \$2,000 in Recreation Special Event funds to address the project funding gap. Tourism Funds are funds that must be used for destination development and marketing. \$20,000 was budgeted in 2019 and \$6,000 remain in that fund. The Recreation Special Events Funds are funds budgeted to help produce community events in the parks and recreation department. There is a \$10,000 balance remaining in the budget line item, and only two events remain this year. The positive balance exists, in part, due to the staff's success in raising sponsorship funds for events. If approved, the sculpture would be constructed over the winter with installation scheduled for Spring, 2020, with the goal of unveiling it at the River Prairie Festival. Staff is seeking approval to move forward with the team that has been assembled to complete construction of the proposed sculpture.

Brian Graff of Artisan Forge Metalworks was present to further explain the Sculpture Project.

Motion by Sexton/Biren to approve the River Prairie Sculpture Project. **Motion carried.** Hanks

against.

(VIII)(8) Discuss/consider setting the Public Hearing date to rezone parcels #201 1037 03 000, #201 1037 04 000, #201 1036 02 000 located at 5960 US Hwy 12 and as referred to on the Land Use Exhibit Map and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing (Recommended public hearing date, December 12, 2019 at 6 p.m. and Plan Commission date of December 10, 2019 at 5:30 p.m.).

City Planner Clements explained that the three properties encompass approximately 39.75 acres and is currently zoned R-1 One-Family Dwelling District (Temporary Designation). The property was incorporated into the City in 2018 as the result of an Intergovernmental Agreement with the Town of Washington through appeal by the owner, Finland Holdings, LLC. The proposed rezoning includes C-Commercial, R-3 Residential, TH Twin Home, and R-1 Districts, and shown in the enclosed illustration. The property, in conjunction with adjacent 16.1-acre property 1512 Mayer Road, is being planned as a mixed-use development area as shown in the enclosed illustration. This procedural action refers the matter to the Plan Commission for their recommendation.

Motion by Sexton/Hanks to refer the appeal for rezoning to the Plan Commission and recommend the public hearing date of December 12, 2019. **Motion carried.**

(VIII)(9) Discuss/consider approval of Ordinance 11B-19, an ordinance amending Title 15 “Building and Construction” specifically Chapter 15.04, Section 15.04.100 of the Altoona Municipal Code regarding commercial electrical permit inspections.

City Planner Clements explained that the State of Wisconsin update of SPS 316 Electrical Code includes provisions that require update to Altoona Municipal Code in order to continue exercising jurisdiction over inspection of electrical wiring. Staff has determined the proposed code language should be consistent with this requirement.

Motion by Rowe/Hanks to approve Ordinance 11B-19. **Motion carried.**

(VIII)(10) Discuss/consider approval of Ordinance 11C-19, an ordinance creating Chapter 3.17 of the Altoona Municipal Code “Dates for payment of taxes, special assessments and special charges”.

Finance Director Tina Nelson explained that Eau Claire County Treasurer has a new software vendor for programming payments of real estate taxes, special assessments, special charges and other taxes. The City of Altoona has in the past provided residents and businesses to pay for their taxes in two equal installments, the first payable on or before January 31 and the 2nd on or before July 31. Wisconsin State statutes provides guidance on dates for payment of taxes, special assessments and special charges. Pursuant to Wis. Stats, the governing body of a taxation district may, by ordinance, authorize the payment of special assessments in installments. Ordinance 11C-19 is an ordinance creating Chapter 3.17 of the Altoona Municipal Code “Dates for payment of taxes, special assessments and special charges” to provide guidance for payment of all taxes on real property and improvements on leased land and shall be paid in one of the following ways:

- a. In full on or before January 31;
- b. In two (2) equal installments, unless subject to sub (5) of the Wisconsin Statutes, with the first installment payable on or before January 31 and the 2nd installment payable on or before July 31.

Motion by Sexton/Rowe to approve Ordinance 11C-19, an ordinance creating Chapter 3.17 of the Altoona Municipal Code “Dates for payment of taxes, special assessments and special charges”. **Motion carried.**

(VIII)(11) Discuss/consider approval of the 2020 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 for each property owner that owns single-family to four-plex units; the charge requires review and approval by the City Council each year. Golat mentioned that last year (2018), the charge, as determined by the County, was \$12.00 per residential dwelling unit; Eau Claire County is not proposing any changes in 2020. They are proposing that the Recycling Special Charge for the 2019 Tax Roll payable in 2020 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. Golat noted that haulers were 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/Biren to approve the 2020 annual recycling charge of \$12.00 per residential dwelling unit for those properties with 1 to 4 dwelling units. **Motion carried.**

(VIII)(14) Presentation by the Altoona Youth Softball and Baseball (AYSB) for a proposed practice/batting facility in Cinder City Park. Possible action to follow.

City Administrator Golat explained that Altoona Youth Softball & Baseball (AYSB) Organization approached City staff requesting space in Cinder City Park to place a pole shed type building which will house 3 or 4 batting cages and 2 pitching areas. The facility could be 60' x 80', 60' x 100' or 60' x 120' based on cost. The facility would be near the maintenance shop next to the existing batting/pitching cage. This item was brought before the September 30, 2019 Park & Rec Committee. The Park & Rec Committee recommended approval with the potential improvement to Cinder City Park. Golat mentioned that an Ownership Use and Maintenance Agreement would need to be developed between the City of Altoona and the AYSB and brought forward at a future meeting.

Mike Schrader of the Altoona Youth Softball & Baseball was present to discuss the project. Schrader mentioned that the building would be paid for and maintained by the AYSB Organization. Schrader mentioned that the building would mainly be used by the youth (high school and younger).

Motion by Sexton/Hanks to move forward with the project contingent on an Ownership Use and Maintenance Agreement between the City of Altoona and the AYSB. **Motion carried.**

(VIII)(12) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e)

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

The Council did not go into closed session.

(IX) Miscellaneous Business and Communication.

Council Member Stuber asked for an update on the KB Bartlett Avenue project. City Administrator Golat will check with the City Engineer.

(X) Adjournment.

Motion by Hanks/Sexton to adjourn at 7:01 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk