



AGENDA FOR REGULAR COUNCIL MEETING ON **THURSDAY, NOVEMBER 21, 2019**
6:00 P.M. ALTOONA CITY COUNCIL CHAMBERS

- I. Call Meeting to Order.
- II. Pledge of Allegiance.
- III. Roll Call for Council Persons/Roll Call for Department Heads.
- IV. Citizens Participation Period. (No more than twenty minutes unless extended by two-thirds vote.)
- V. Discuss/consider approval of minutes of the November 14, 2019 Regular Council Meeting. [Minutes >>](#)
- VI. REPORTS
 - A. City Officers/Department Heads
 - B. City Committees
- VII. UNFINISHED BUSINESS
- VIII. NEW BUSINESS
 - 1.. Discuss/consider Extraterritorial Agreement with David Meyer, Agent Mike Hanson, regarding terms of the creation of a CSM land division less than ten acres located at 2922 Mayer Road, Town of Washington, pursuant to Chapter 18.20 Altoona Municipal Code.
[Summary + Materials >>](#)
 2. Public Hearing at 6:00 p.m. or as soon thereafter as is possible regarding consideration of a Certified Survey Map (CSM) within the City of Altoona's Extraterritorial Jurisdiction as submitted by David Meyer, Agent Mike Hanson to subdivide parcels #024-1201-05-000 and #024-1202-01-000 at 2922 Mayer Road.
[Summary + Materials >>](#)
 3. Discuss/consider approval of Certified Survey Map (CSM) within the City of Altoona's Extraterritorial Jurisdiction to subdivide parcels #024 1201 05 000 and #024 1202 01 000 at 2922 Mayer Road. (Discussed at the November 12, 2019 Plan Commission Meeting).
[Summary + Materials >>](#)
 4. Discuss/consider approval of Bartender Licenses for the 2019-2020 licensing period as submitted by Clerk Bauer.
[Summary >>](#)
 5. Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 - A. Purchase and/or sale of property.
[Summary >>](#)
 6. Motion to reconvene to Open Session for the purpose of discussion and possible consideration on the matter entertained in Closed Session.
[Summary >>](#)

A. Purchase and/or sale of property.

IX. MISCELLANEOUS BUSINESS AND COMMUNICATIONS

X. ADJOURNMENT



Cindy Bauer
City Clerk

Requests from persons with disabilities who need assistance to participate in this meeting/hearing should be made to the City Clerk's Office at 715-839-6092 with as much advance notice as possible.

Speak Your Peace: The Civility Project

The Common Council of the City of Altoona, Wisconsin, recognizes and has adopted by Resolution 3B-15 that the nine tools of civility, drafted by Speak Your Peace: The Civility Project will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face our city. These tools include the following:

*Pay Attention | Listen | Be Inclusive | Don't Gossip | Show Respect | Be Agreeable
Apologize | Give Constructive Criticism | Take Responsibility*

###

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



MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 1 - Discuss/consider Extraterritorial Agreement with David Mayer and the Town of Washington regarding terms of the creation of a CSM land division less than ten acres located at 2922 Mayer Road, Town of Washington, pursuant to Chapter 18.20 Altoona Municipal Code.

See Enclosed: (1) Extraterritorial Agreement (2) Proposed Certified Survey Map

As you may recall, the enclosed Extraterritorial Agreement and Certified Survey Map were approved by the City Council on July 26, 2018. The CSM was not recorded within 90 days of approval, therefore requiring reconsideration consistent with Altoona Municipal Code §18.12.055.

The petitioner holds ownership interest in two tax parcels, #024-1201-05-000 (19.110 acres) and #024-1202-01-000 (33.038 acres) in the Town of Washington, fronting Mayer Road, adjacent to the City municipal boundary. This proposed Certified Survey Map would create a single surveyed parcel of 8.9 acres from parts of the two parent tax parcels, the new parcel to be not adjacent to the City municipal boundary. The underlying purpose is to enable preparation of a family trust to include the undeveloped farmland, separating the existing farm house and related structures.

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. More specifically, section 18.20.040 (g)(2) provides that the Council may consider permitting the creation of lots less than 10 acres

in size from parcels adjacent to the City corporate boundary provided the parcel to be created is subsequently not adjacent to the boundary, and that the land division results in unimproved parcel greater than 10 acres. This proposed land division meets this standard.

The Plan Commission recommended **approval** of the CSM on November 12, 2019 (7-0 vote).

Suggested motion: I move to approve/not approve an Extraterritorial Agreement with David Meyer and the Town of Washington regarding terms of the creation of a CSM land division less than ten acres located at 2922 Meyer Road, Town of Washington, pursuant to Chapter 18.20 Altoona Municipal Code.

ITEM 2 – Public Hearing at 6:00 p.m or as soon thereafter as is possible regarding consideration of a Certified Survey Map (CSM) within the City of Altoona’s Extraterritorial Jurisdiction as submitted by David Meyer to subdivide parcels #024 1201 05 000 and #024 1202 01 000 at 2922 Mayer Road.

See Enclosed: Certified Survey Map

See ITEM 1 for materials and summary.

Suggested motion: I move to close the Public Hearing.

ITEM 3 - Discuss/consider approval of a Certified Survey Map (CSM) within the City of Altoona’s Extraterritorial Jurisdiction to subdivide parcels #024 1201 05 000 and #024 1202 01 000 at 2922 Mayer Road. (Discussed at the November 12, 2019 Plan Commission Meeting).

See ITEM 3 for materials and summary.

Suggested motion: I move to approve/not approve the Certified Survey Map.

ITEM 4 - Discuss/consider approval of Bartender Licenses for the 2019-2020 licensing period as submitted by Clerk Bauer.

The City has received bartender license applications for the licensing period of July 1, 2019 through June 30, 2020.

A report will be prepared by the Police Chief recommending approval or possible denial of a bartender license(s) prior to the Council Meeting.

The Council will need to determine which operator licenses to approve and which operator licenses should be denied based on information received by the Altoona Police Department.

Suggested motion: I move to approve/not approve the bartender licenses for the 2019-2020 licensing period as submitted by Clerk Bauer.

ITEM 5 - Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

A. Purchase and/or sale of property.

ITEM 6 - Motion to reconvene to Open Session for the purpose of discussion and possible consideration on the matter entertained in Closed Session.

A. Purchase and/or sale of property.



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[Proceed to Item 2 >>](#)

MEMORANDUM

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See Enclosed: (1) Extraterritorial Agreement (2) Proposed Certified Survey Map
[Click here to view agreement >>](#) [Click here to view proposed map >>](#)

As you may recall, the enclosed Extraterritorial Agreement and Certified Survey Map were approved by the City Council on July 26, 2018. The CSM was not recorded within 90 days of approval, therefore requiring reconsideration consistent with Altoona Municipal Code §18.12.055.

The petitioner holds ownership interest in two tax parcels, #024-1201-05-000 (19.110 acres) and #024-1202-01-000 (33.038 acres) in the Town of Washington, fronting Mayer Road, adjacent to the City municipal boundary. This proposed Certified Survey Map would create a single surveyed parcel of 8.9 acres from parts of the two parent tax parcels, the new parcel to be not adjacent to the City municipal boundary. The underlying purpose is to enable preparation of a family trust to include the undeveloped farmland, separating the existing farm house and related structures.

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. More specifically, section 18.20.040 (g)(2) provides that the Council may consider permitting the creation of lots less than 10 acres

in size from parcels adjacent to the City corporate boundary provided the parcel to be created is subsequently not adjacent to the boundary, and that the land division results in unimproved parcel greater than 10 acres. This proposed land division meets this standard.

The Plan Commission recommended **approval** of the CSM on November 12, 2019 (7-0 vote).

Suggested motion: I move to approve/not approve an Extraterritorial Agreement with David Meyer and the Town of Washington regarding terms of the creation of a CSM land division less than ten acres located at 2922 Meyer Road, Town of Washington, pursuant to Chapter 18.20 Altoona Municipal Code.

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THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:

*City of Altoona
1303 Lynn Avenue
Altoona, WI 54720*

EXTRATERRITORIAL AGREEMENT

Document Number

This Extraterritorial Agreement dated as of _____, 2019 (“the Effective Date”) entered into by and between **DAVID MAYER**, a resident of the Town of Washington (“Resident”) and the **CITY OF ALTOONA**, a Wisconsin municipal corporation (“City”), located in Eau Claire County, and the **TOWN OF WASHINGTON**, a Wisconsin municipal corporation (“Town”), also located in Eau Claire County, hereby collectively agree to the following:

RECITALS

WHEREAS, Resident has ownership interest in property within the jurisdictional boundaries of Town and is seeking to create an 8.90 acre surveyed parcel via Certified Survey Map from two unplatted parent tax parcels (“parent parcels”), of approximately 19.11 acres and 33.038 acres; that being a newly created parcel less than 10 acres in area and would not be adjacent to the City corporate boundary; the parent parcels are more fully described in Exhibit A and illustrated graphically in Exhibit B (Exhibit A and Exhibit B are hereby incorporated into this Agreement by reference); and the Certified Survey Map in Exhibit C (Exhibit C is hereby incorporated into this Agreement by reference); and

WHEREAS, Town is the municipal body where Resident’s property is located and Town understands and does not object to Resident’s desire to create the new parcels; and

WHEREAS, City enforces extraterritorial subdivision jurisdiction pursuant to Wisconsin State Statute §§ 236.025 and 236.10(1)(b) and Altoona City Code Ch. 18.20, within a 1.5 mile radius from the jurisdictional boundaries of City; and

WHEREAS, Town and Resident understand, comprehend and respect City’s authority over land divisions within the 1.5 mile extraterritorial jurisdiction, and all the aforementioned parties are willing to enter into a written Extraterritorial Agreement which satisfies the rules, regulations, and policies of both City and Town, specifically consistent with Altoona Municipal Code Chapter 18.20.

WHEREAS, the parent parcels subject to this Agreement are currently situated adjacent to the boundary between the City and Town.

NOW, THEREFORE, for and in consideration of the rights and obligations set forth in this Extraterritorial Agreement held between Resident, Town and City, all parties agree as follows:

RESIDENT OBLIGATIONS

Resident has had an opportunity to review and consider the extraterritorial land division regulations laid out in City's code, specifically Ch. 18.20, and as part of acknowledging and accepting City's extraterritorial jurisdiction agrees to the execution of the following obligations:

A. That the Resident, heirs, successors or assigns shall annex all territory identified as parent parcels of real estate (Exhibit "A") into the City of Altoona prior to: (i) making any improvements to or on the remaining unimproved parent parcels of approximately 43.258 acres resulting from the CSM (Exhibit "C") that require obtaining a building permit; or (ii) further dividing any resultant properties, whether by an official certified survey map, subdivision or other action.

B. That Resident, his heirs, successors or assigns agree to pay their proportionate share of any future extension of public infrastructure or upgrades to serve the parent and resultant properties of the subdivision of the subject parcels of real estate (Exhibit "A"), such costs to be determined in the sole discretion of the City consistent with its assessment policies and any other applicable City policies.

C. That, at such time as any of the parent or resultant properties of the subdivision of the subject parcels of real estate (Exhibit "A") is annexed and further subdivided in the future, the Resident, his heirs, successors or assigns shall pay a professional engineer to complete a traffic impact analysis, if determined necessary by the City in its sole discretion, to evaluate traffic impacts to the local and regional roadway system and shall be responsible for mitigating any impacts identified.

D. That Resident, his heirs, successors or assigns agree that the parent and resultant properties of the subdivision of the subject parcels of real estate (Exhibit "A") will be connected with City sanitary sewer services and that Resident will take all proper steps to abandon any existing private sewage disposal system within sixty (60) days of access to a sanitary sewer main being made available to the parcels described in Exhibit A or upon annexation of the parcels to the City, all in accord with § 13.36.090 of the City Code. In addition, Resident shall connect the parcels to City municipal water services within sixty (60) days of annexation or when access to a water main is made available to the parcels described in Exhibit A, and that Resident shall take all steps to comply with Ch. 13.38 of the City Code pertaining to the abandonment of any existing wells once such connection has been made.

E. That Resident understands that City's land division control requirements in relationship to the provision of public space, road right-of-ways, and easements must be satisfied at the time of annexation and further subdivision of the property.

F. That Resident further agrees that any development which Resident may propose for the subject parcels, shall be consistent with City's peripheral area land use plan at the time of such development and will be subject to City review and approval.

G. That Resident recognizes this Agreement shall be recorded and any obligations of the Resident shall transfer to the Resident's heirs, successors and/or assigns.

TOWN OBLIGATIONS

Town has an opportunity to review, consider and agrees to binding itself through this agreement to the following obligations:

A. Town fully understands and comprehends that at some point in the future Resident or Resident's heirs, successors or assigns will file with City a petition for annexation for the parcels described in Exhibit A. Town agrees that providing City complies with the appropriate annexation process and procedures, Town will not contest the parcel's annexation.

CITY OBLIGATIONS

City has had an opportunity to review, consider and contemplate the obligations proposed by both Resident and Town. As part of this agreement, City agrees to the following obligations:

A. That City will work with Resident, heirs, successors and assigns in answering any questions related to the extraterritorial land divisions and provisions of the Altoona City Code applicable to land use and land division.

B. That upon annexation into the jurisdictional boundaries of City, City will comply with any and all statutory requirements regarding required payments from City to Town as part of an accepted annexation into City's jurisdictional boundaries.

GENERAL PROVISIONS

1. Notices. All notices given under any of the provisions of this Agreement shall be in writing and deemed to have been duly given if mailed by certified or registered mail to:

To City: Mike Golat, City Administrator

City of Altoona

1303 Lynn Avenue

Altoona WI 54720-0008

To Town: Janelle Henning, Town Administrator

Town of Washington

5750 Old Town Hall Road

Eau Claire, WI 54701

To Resident: David Mayer

2922 Mayer Road

Eau Claire, WI 54701

or to such other address(es) as may be given to the other party from time to time in writing.

2. Amendments. Neither this Agreement nor any term or provision hereof may be changed, waived, discharged, or terminated orally, or in any manner other than by instrument in writing signed by the party against which the enforcement of the change, waiver, discharge or termination is sought.
3. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto and there are no agreements, covenants, representations or warranties between the parties other than those set forth as provided for herein.
4. Benefit. This Agreement shall be binding upon and inure to the benefit of City, Town and Resident and their respective successors, assigns, heirs and personal representatives.
5. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Wisconsin.
6. Counterparts. This Agreement may be executed in any number counterparts, each of which shall be deemed to be an original.

CITY OF ALTOONA

STATE OF WISCONSIN)

) ss.

EAU CLAIRE COUNTY)

By: _____

Brendan Pratt, Mayor

Personally came before me this ____ day of _____, 2019, the above-named, Brendan Pratt, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My commission is permanent/expires _____.

RESIDENT

TOWN OF WASHINGTON

RESIDENT

By: _____

By: _____

Janelle Henning, Town Administrator

David Mayer

STATE OF WISCONSIN)

STATE OF WISCONSIN)

) ss.

) ss.

EAU CLAIRE COUNTY)

EAU CLAIRE COUNTY)

Personally came before me this ____ day of _____, 2019, the above-named, Janelle Henning, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Personally came before me this ____ day of _____, 2019, the above-named, Mike Hanson, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

Notary Public, State of Wisconsin

My commission is permanent/expires _____.

My commission is permanent/expires _____.

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EXHIBIT A

[Proceed to Item 2 >>](#)

Description of Parent Tax Parcels Subject to Agreement

Eau Claire County Tax Parcel # 024120105000

The South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, being 20.03 acres with road right-of-way or 19.39 acres without road right-of-way excepting therefrom parcel 16 of Transportation Project Plat #7824-00-00-4.07, also excepting therefrom lands described in Document number 1113826 as conveyed in Document number 1123617, said lands containing .92 acres more or less, for road right-of-way.

Eau Claire County Tax Parcel #024120201000

The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, excepting therefrom Lot 1 of CSM, Volume 6, Page 193, also excepting therefrom parcel 16 of Transportation Project Plat #7824-00-00-4.06, also excepting therefrom lands described in Document number 1113825 as conveyed in Document number 1123617, said lands containing 1.592 acres more or less, for road right-of-way.

As further visually depicted in Exhibit B.



MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 2 – Public Hearing at 6:00 p.m or as soon thereafter as is possible regarding consideration of a Certified Survey Map (CSM) within the City of Altoona’s Extraterritorial Jurisdiction as submitted by David Meyer to subdivide parcels #024 1201 05 000 and #024 1202 01 000 at 2922 Mayer Road.

See Enclosed: Certified Survey Map [Click here to view proposed map >>](#)

See ITEM 1 for materials and summary. [Click here to view summary >>](#)

Suggested motion: I move to close the Public Hearing.



NOTICE OF HEARING

**City of Altoona
Certified Survey Map
Extraterritorial Jurisdiction**

NOTICE IS HEREBY GIVEN that on **Thursday, November 21, 2019 at 6:00 p.m.** (or as soon thereafter as is possible) there will be a public hearing before the Common Council in the Council Chambers of Altoona City Hall, 1303 Lynn Avenue regarding a Certified Survey Map (CSM) within the City of Altoona's Extraterritorial Jurisdiction as submitted by Mike Hanson to subdivide parcels #024-1201-05-000 and #024-1202-01-000 at 2922 Mayer Road, within the Town of Washington.

A copy of the proposed Certified Survey Map is available upon request from the City Clerk's Office. All interested parties are invited to attend or submit your comment in writing prior to the public hearing to cityhall@ci.altoona.wi.us or mail to Altoona City Hall, Attn: City Clerk, 1303 Lynn Avenue, Altoona, WI 54720. If you have any questions, please call 715/839-6092.

The Plan Commission will be making a recommendation at its Tuesday, November 12, 2019 meeting starting at 5:30 p.m.

Dated this 5th day of November, 2019.

A handwritten signature in black ink that reads "Cindy Bauer". The signature is written in a cursive, flowing style.

Cindy Bauer
City Clerk

Published: Thursday, November 7, and Wednesday, November 13, 2019



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[Proceed to Item 4 >>](#)

MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 3 - Discuss/consider approval of a Certified Survey Map (CSM) within the City of Altoona's Extraterritorial Jurisdiction to subdivide parcels #024 1201 05 000 and #024 1202 01 000 at 2922 Mayer Road. (Discussed at the November 12, 2019 Plan Commission Meeting).

See ITEM 3 for materials and summary. [Click here to view proposed map >>](#)

Suggested motion: I move to approve/not approve the Certified Survey Map.

CERTIFIED SURVEY MAP NO.

LOCATED IN THE NE 1/4 OF THE SE 1/4,
 AND THE SE 1/4 OF THE SE 1/4,
 SECTION 25, T27N, R9W,
 TOWN OF WASHINGTON,
 EAU CLAIRE COUNTY, WISCONSIN
 CAD NAME: HANSON161D

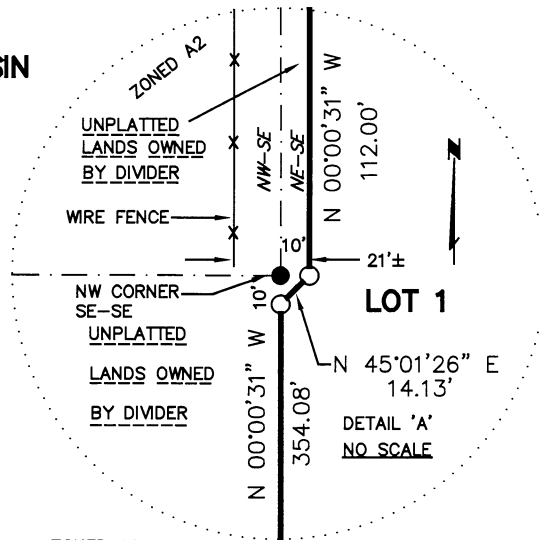
****SURVEYORS NOTES:**

OWNERS:

DAVID & PATRICIA MAYER
 AND MICHAEL HANSON
 2922 MAYER RD., EAU CLAIRE, WI 54701

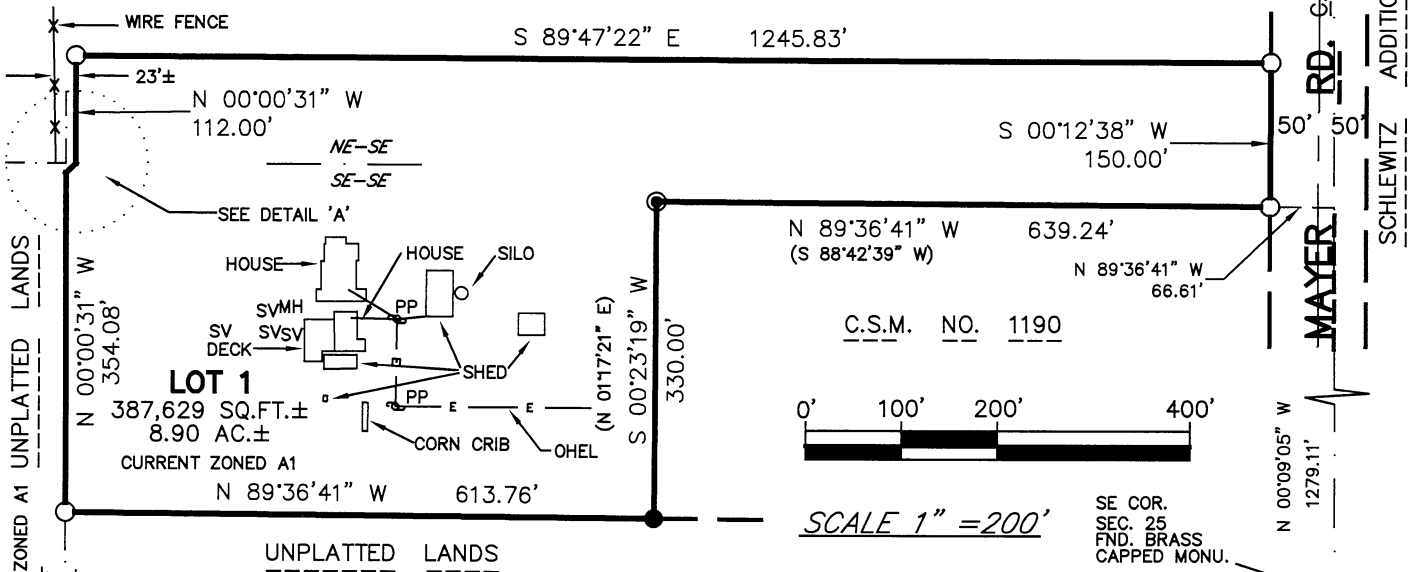
FIELD WORK COMPLETED 11-2-17.

TIES VERIFIED FOR THE SECTION CORNERS SHOWN.



E 1/4 COR.
 SEC. 25
 FND. E.C. CO.
 ALUM. MONU.

ZONED A1
 UNPLATTED LANDS



SE COR.
 SEC. 25
 FND. BRASS
 CAPPED MONU.

LEGEND

- --- 1" O.D. IRON PIPE FOUND
- ⊙ --- 1 1/4" O.D. IRON PIPE FOUND
- --- 1" O.D. X 18" IRON PIPE WEIGHING 1.13 LBS./LINEAL FOOT, SET
- () --- RECORDED AS
- N. --- NORTH
- S. --- SOUTH
- E. --- EAST
- W. --- WEST
- NE --- NORTHEAST
- NW --- NORTHWEST
- SE --- SOUTHEAST
- SW --- SOUTHWEST
- ' --- DEGREES
- " --- MINUTES OR FEET
- " --- SECONDS or INCHES
- T --- TOWNSHIP
- R --- RANGE
- O.D. --- OUTSIDE DIAMETER
- LBS. --- POUNDS
- AC. --- ACRES
- SQ. --- SQUARE
- FT. --- FEET
- INCL. --- INCLUDING
- EXCL. --- EXCLUDING
- R/W --- RIGHT OF WAY
- C.S.M. --- CERTIFIED SURVEY MAP
- NO. --- NUMBER
- AVE. --- AVENUE
- RD. --- ROAD
- ST. --- STREET
- VOL. --- VOLUME
- P. --- PAGE
- COR. --- CORNER
- P.L.S. --- PROFESSIONAL LAND SURVEYOR
- SEC. --- SECTION
- C.T.H. --- COUNTY TRUNK HIGHWAY
- WI --- WISCONSIN
- LLC --- LIMITED LIABILITY COMPANY
- E.C. --- EAU CLAIRE
- CO. --- COUNTY
- ALUM. --- ALUMINUM
- MONU. --- MONUMENT
- SV --- SEWER VENT
- MH --- MANHOLE
- PP --- UTILITY POLE
- OHEL --- OVERHEAD ELECTRIC



BEARINGS REFERENCED TO TO THE EAST LINE
 OF THE SE 1/4, SECTION 25, ASSUMED
 BEARING N 00°09'05" W

Jason R. Hiess
 JASON R. HIESS, P.L.S.

DATED THIS 157 DAY OF November, 2019.

SURVEYING SERVICES BY:
 HIESS-LOKEN & ASSOC., LLC
 PROFESSIONAL LAND SURVEYING
 4905 WEST PARK AVE.
 CHIPPEWA FALLS, WI 54729
 (715)-720-4000 PHONE
 (715)-832-3300 PHONE
 www.hiess-loken.com

CERTIFIED SURVEY MAP NO.

**LOCATED IN THE NE 1/4 OF THE SE 1/4,
AND THE SE 1/4 OF THE SE 1/4,
SECTION 25, T27N, R9W,
TOWN OF WASHINGTON,
EAU CLAIRE COUNTY, WISCONSIN**

CAD NAME: HANSON161D

SURVEYOR'S CERTIFICATE

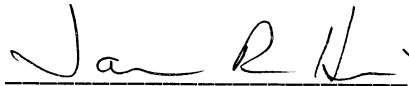
I, JASON R. HIESS, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND PARCEL WHICH IS REPRESENTED BY THIS CERTIFIED SURVEY MAP.

THAT THE EXTERIOR BOUNDARY OF THE LAND SURVEYED AND MAPPED IS AS FOLLOWS: A PARCEL OF LAND BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 25, TOWNSHIP 27 NORTH, RANGE 9 WEST, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN. BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE N.00°09'05"W. ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 25; 1279.11 FEET; THENCE N.89°36'41"W. 66.61 FEET TO THE WEST LINE OF MAYER ROAD AND TO A POINT ON THE NORTH LINE OF CERTIFIED SURVEY MAP NUMBER 1190, RECORDED IN VOLUME 6 OF CERTIFIED SURVEY MAPS, PAGES 193-194 AS DOCUMENT NUMBER 687729, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING N.89°36'41"W. ALONG SAID NORTH LINE, 639.24 FEET TO THE NORTHWEST CORNER OF SAID CERTIFIED SURVEY MAP; THENCE S.00°23'19"W. ALONG THE WEST LINE OF SAID CERTIFIED SURVEY MAP, 330.00 FEET TO THE SOUTHWEST CORNER OF SAID CERTIFIED SURVEY MAP; THENCE N.89°36'41"W. 613.76 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25; THENCE N.00°00'31"W. ALONG SAID WEST LINE, 354.08 FEET; THENCE N.45°01'26"E. 14.13 FEET; THENCE N.00°00'31"W. 112.00 FEET; THENCE S.89°47'22"E. 1245.83 FEET TO THE WEST LINE OF SAID MAYER ROAD; THENCE S.00°12'38"W. ALONG SAID WEST LINE, 150.00 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO EXISTING EASEMENTS.

THAT I HAVE MADE SUCH SURVEY AND MAP BY THE DIRECTION OF DAVID MAYER, OWNER AND MIKE HANSON, AGENT, 2922 MAYER ROAD, EAU CLAIRE, WI 54701.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND MAPPED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AE-7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE SUBDIVISION REGULATIONS OF THE TOWN OF WASHINGTON, IN SURVEYING AND MAPPING THE SAME.



JASON R. HIESS, P.L.S.

DATED THIS 15th DAY OF November, 2019.



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[Proceed to Item 4 >>](#)

CERTIFIED SURVEY MAP NO.

**LOCATED IN THE NE 1/4 OF THE SE 1/4,
AND THE SE 1/4 OF THE SE 1/4,
SECTION 25, T27N, R9W,
TOWN OF WASHINGTON,
EAU CLAIRE COUNTY, WISCONSIN**

CAD NAME: HANSON161D

CERTIFICATE OF COUNTY PLANNING AND DEVELOPMENT

I, RODNEY J. ESLINGER, DIRECTOR OF THE EAU CLAIRE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT, HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP IS APPROVED AS COMPLYING WITH SUBTITLE III, THE SUBDIVISION CONTROL CODE OF TITLE 18 OF THE COUNTY CODE OF GENERAL ORDINANCES.

RODNEY J. ESLINGER, DIRECTOR

DATED THIS _____ DAY OF _____, 2019

TOWN OF WASHINGTON CERTIFICATION

I, JANELLE L. HENNING, ADMINISTRATOR OF THE TOWN OF WASHINGTON, HEREBY CERTIFY THAT THIS CERTIFIED SURVEY MAP IS APPROVED OF AS COMPLYING WITH TOWN BOARD ACTION AND TOWN OF WASHINGTON MUNICIPAL CODE.

DATED THIS _____ DAY OF _____, 2019

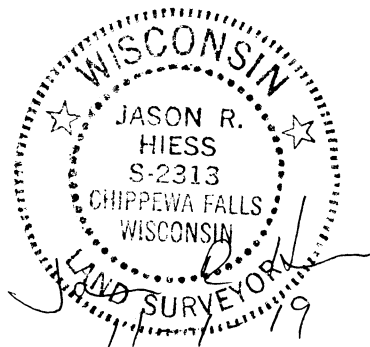
JANELLE L. HENNING, TOWN ADMINISTRATOR

CERTIFICATE OF THE CITY OF ALTOONA PLAN COMMISSION

THE CITY OF ALTOONA HEREBY CERTIFIES THAT THIS CERTIFIED SURVEY MAP COMPLIES WITH THE CITY OF ALTOONA'S MUNICIPAL CODE SUBDIVISION ORDINANCE AND IS APPROVED BY THE ALTOONA PLAN COMMISSION PURSUANT TO THE SUBDIVISION ORDINANCE.

APPROVED THIS _____ DAY OF _____, 2018 BY THE ALTOONA COMMON COUNCIL

BRENDAN J. PRATT, MAYOR





MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 4 - Discuss/consider approval of Bartender Licenses for the 2019-2020 licensing period as submitted by Clerk Bauer.

The City has received bartender license applications for the licensing period of July 1, 2019 through June 30, 2020.

A report will be prepared by the Police Chief recommending approval or possible denial of a bartender license(s) prior to the Council Meeting.

The Council will need to determine which operator licenses to approve and which operator licenses should be denied based on information received by the Altoona Police Department.

Suggested motion: I move to approve/not approve the bartender licenses for the 2019-2020 licensing period as submitted by Clerk Bauer.



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[Proceed to Item 6 >>](#)

MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 5 - Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

A. Purchase and/or sale of property.



MEMORANDUM

TO: Altoona City Council

FROM: Michael Golat, City Administrator

SUBJECT: Summary of THURSDAY, NOVEMBER 21, 2019 Council Meeting Items

Provided below for your consideration is a summary of the THURSDAY, NOVEMBER 21, 2019 Council Meeting agenda items.

(VII) UNFINISHED BUSINESS

(VIII) NEW BUSINESS

ITEM 6 - Motion to reconvene to Open Session for the purpose of discussion and possible consideration on the matter entertained in Closed Session.

A. Purchase and/or sale of property.