

**CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
January 23, 2020**

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. held in the Council Chambers at Altoona City Hall.

(II) Pledge of Allegiance

Mayor Pratt led the Common Council and others in attendance in the Pledge of Allegiance.

(III) Roll Call

City Clerk Cindy Bauer called the roll. Mayor Brendan Pratt, Council Members Dale Stuber, Matthew Biren, Tim Sexton, and Susan Rowe were present. Red Hanks was present via phone. Also Present: City Attorney John Behling, City Administrator Michael Golat, City Planner Joshua Clements, and City Clerk Cindy Bauer. Police Chief Kelly Bakken arrived at 6:15 p.m.

Absent: Council Member Andrew Schlafer

(IV) Citizen Participation Period

Motion by Biren/Rowe to close the Citizen Participation Period. **Motion carried.**

(V) Approval of minutes.

Motion by Sexton/Hanks to approve the minutes of the January 9, 2020 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

City Administrator Golat commented on the Public Works Department in regards to snowplowing procedures.

City Planner Clements commented on the number of housing units in the City of Altoona for 2019.

City Committee Reports – None.

(VII) Unfinished Business – None.

(VIII) New Business

(1) Update on the Veterans Tribute Trail by the Eau Claire County Veterans Tribute Foundation, Inc.

Mark Beckfield of the Eau Claire County Veterans Tribute Foundation, Inc. updated the Council on the Veterans Tribute Trail. Beckfield mentioned that he had given a presentation at the Park & Recreation Committee Meeting this past Monday, January 20, 2020. Beckfield explained that there are 4 phases of the project. Each phase will not occur until each phase is paid for in full.

Beckfield mentioned there is an open house event scheduled for the Veterans Tribute Trail. At this event, members of the Veterans Tribute Foundation will provide an update on their plans for the Veterans Tribute Trail. The date and time is as follows: Wednesday, February 5, 2020 from 6–8PM. Location: River Prairie Center, 1445 Front Porch Place, Altoona, WI 54720.

(VIII)(2) Discuss/consider proposal by the Lions Club to install a drinking fountain in River Prairie Park. (Discussed at the January 20, 2020 Park & Rec Meeting).

This item has been removed from the agenda at the request of the Lions Club.

(VIII)(3) Public Hearing at 6:00 p.m or as soon thereafter as is possible regarding consideration of a Certified Survey Map (CSM) to subdivide parcel #201100201270 located on Meadowlark Lane and Blazing Star Boulevard in River Prairie as initiated by the City of Altoona.

Mayor Pratt opened the Public Hearing at 6:23 p.m.

City Planner Clements explained that the proposed CSM subdivides a 1.120 acre parcel (Lot 3 of CSM 3356) owned by the City of Altoona into two parcels to facilitate private development. Lot 2 will contain the existing City-owned parking lot. Lot 1 will be sold via existing agreement with Chippewa Valley Holdings LLC (CVH) or assigns for the Eau Claire Realty Multi-tenant commercial building. The Specific Implementation Plan for this project was approved by the City Council on December 19, 2019. Clements noted that the City entered into a License Agreement on January 9, 2020 to permit CVH to begin construction prior to land division and closing of sale.

Motion by Sexton/Biren to close the Public Hearing at 6:25 p.m. **Motion carried.**

(VIII)(4) Discuss/consider approval of a Certified Survey Map (CSM) to subdivide parcel #201100201270. (Discussed at the January 21 Plan Commission Meeting).

This item was approved at the January 21, 2020 Plan Commission Meeting

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

(VIII)(5) Public Hearing at 6:05 p.m or as soon thereafter as is possible regarding consideration of a Certified Survey Map (CSM) to subdivide parcels #201103602000 and #201103601000 and dedicate public right-of-way located at 127 Highway 12 as requested by Jerome Lanners DBA Finland Holdings LLC.

Mayor Pratt opened the public hearing at 6:26 p.m.

City Planner Clements explained that the proposed CSM subdivides two parcels, 2.86 acres and 16.145 acres, to create three parcels and right-of-way to accommodate construction of public roads, utilities, and private enterprises. The CSM corresponds with the Preliminary Plat for adjoining properties to the west, and public improvements shall be contiguous. Clements mentioned that the land arrangement is consistent with the appeal for rezoning and general development concept approved by the Plan Commission and Council on December 19, 2019 for "C&E Lighthouse". The provision of public improvements and parkland dedication shall be memorialized through a development agreement, and commencement of development activities shall require approval of that agreement.

Motion by Biren/Stuber to close the Public Hearing at 6:28 p.m. **Motion carried.**

(VIII)(6) Discuss/consider approval of a Certified Survey Map (CSM) to subdivide parcel #201103602000 and #201103601000 and dedicate public right-of-way located at 127 Highway 12 as requested by Jerome Lanners DBA Finland Holdings LLC. (Discussed at the January 21, 2020 Plan Commission Meeting).

This item was approved at the January 21, 2020 Plan Commission Meeting.

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

(VIII)(7) Discuss/consider approval of Preliminary Plat for Prairie View Ridge development as submitted by CE Lighthouse Properties LLC. (Public hearing at the January 21, 2020 Plan Commission Meeting).

City Engineer Clements explained that the enclosed Preliminary Plat represents the preliminary drawing of the land division instrument to arrange parcels and dedicate public right-of-way associated with "Prairie View Ridge" located east of the Windsor Forest neighborhood. The proposed Plat is consistent with the conceptual arrangement included with the Rezoning for the affected parcels as approved by the Council on December 19th. Notable elements to be discussed and finalized between Staff and the petitioner prior to formulation of the Final Plat include:

- Adequate spacing for the planned multi-use trail parallel to Baumach Way and parallel to the proposed "Harley Street";

- The meeting of the existing Baumbach Way ROW, 75' in width, with the proposed width of 66' as shown in the preliminary plat;
- The proposed reduction in ROW width of low volume roadways from 66' to 60';
- Parkland Dedication (dedication, fee in lieu, or combination thereof);
- Proposed civil design specifications (road cross-sections; utilities; stormwater; trails and sidewalks);
- Street names;

City Planner Clements noted that the City Council, upon recommendation of the Plan Commission, has final authority regarding name assignment to proposed public streets. Roads 1, 2 and 3 are between 1 and 2 blocks long. "Harley Street" will be a major road in this subarea and to future adjacent neighborhoods (see draft Official Map, enclosed). For that reason, great thought and consideration should be dedicated to the name of this facility. If Council had other suggestions on the names of the streets, they should bring forth those names to City Planner Clements.

"Harley Street" will be a significant area corridor:

- The only direct and contiguous north-south connection of Highway 12 and Prill Road west of County Road AA (Mayer Road);
- Extend north of Highway 12 at some point in the future;
- Extend south of Prill Road at some point in the future;
- Expected minor arterial designation for the neighborhood exceeding 425 acres;
- Over 1-mile in length (for comparison purposes, 10th Street W. and 3rd Street E area each approx. 0.8 miles);

Commencement of development activities requires approval of a Development Agreement, Final Plat, and Site Plan (for commercial and multi-family uses).

City Planner Clements asked the Council that if approved, add the condition that all the lots need to have access easements. Clements referred to 3 lots on Hwy 12 that are contiguous with Hwy 12 as there is no access to a public roadway. Clements said there may be some other minor changes that will be addressed and added to the final plat such as the civil design.

Motion by Rowe/Biren to approve the Preliminary Plat for Prairie View Ridge with the addition that all lots need to have easement access to a public roadway. **Motion carried.**

(VIII)(8) Discuss/consider approval of a Specific Implementation Plan for Higgins Travel in the NW Quadrant of River Prairie (Discussed at the January 21, 2020 Plan Commission Meeting).

City Planner Clements explained that the Specific Implementation Plan (SIP) illustrates the architecture and site design elements for a 6,000 sf² one-story multi-tenant building. The site is located south of the Prairie Event Center and west of CrossFit, adjacent to the existing City-owned parking lot. The proposed development area is 0.214 acres (9,328 sf²) and is a prepared "pad ready" site. Vehicle parking will be accommodated by the existing City parking lot and street parking, with access utilizing existing driveways. Two additional automobile parking stalls located parallel to the existing ingress/egress lane are proposed. Clements referred to the Staff Report that was provided for further description and analysis.

Staff recommends that the Plan Commission not recommend approval of the Specific Implementation Plan as failing to be consistent with the River Prairie Design Guidelines and Standards

City Planner Clements mentioned that the Plan Commission recommended disapproval of the Specific Implementation Plan for Higgins Travel as proposed. The Plan Commission requested that the architect complete a revision and come back with the suggested staff recommended conditions. Plan Commission

members asked that Council do not take action on this item until after the February 11, 2020 Plan Commission Meeting for final review.

Motion by Sexton/Rowe to not approve the Specific Implementation Plan for Higgins Travel and bring back to the Plan Commission for recommendation. Stuber against. **Motion carried.**

(VIII)(9) Discuss/consider Development Agreement between the City of Altoona and Bob's Yer Uncle, LLC for the "Wine Bar".

City Planner Clements explained that Consistent with the accepted Offer to Purchase, the City staff and representatives of Bob's Yer Uncle, LLC (Kristin Waldow, Roburt Waldow, Lisa Ornstein & Scott Westphal) developed the enclosed Development Agreement concerning the financial arrangement for the construction of a parking area available to the public with public funds on property to be purchased from the City. The agreement articulates how the payment will be accomplished.

The "Wine Bar" is a placeholder name continued as a placeholder consistent with the discussion and action regarding this project on parcel 201239102010 (Lot 2 CSM 3199). Parking Lot Lease Agreement shall be considered as a separate item.

Motion by Sexton/Biren to approve the Development Agreement between the City of Altoona and Bob's Yer Uncle, LLC. **Motion carried.**

(VIII)(10) Discuss/consider Parking Lot Lease Agreement between the City of Altoona and Bob's Yer Uncle, LLC.

City Planner Clements explained that this lease agreement executes the Development Agreement discussed in ITEM 9 providing for public use of the private parking lot when there are public or private events conducted in River Prairie Park or Prairie Event Center, and unrestricted parking when the business is closed. The lease carries a 30-year term and is automatically renewable. Maintenance of the parking lot, including snow and ice removal, remains with the owner.

Motion by Sexton/Stuber to approve the Parking Lot Lease Agreement with Bob's Yer Uncle, LLC. **Motion carried.**

(VIII)(11) Discuss/consider Development Agreement for River Prairie Multi-Tenant between the City of Altoona and PB & JT, LLC.

City Planner Clements explained that the proposed Development Agreement with PB & JT, LLC for the River Prairie Multi-Tenant Building covers relocation of existing public utilities at the developer's expense to ensure replacement meets City standards. Clements noted that the Specific Implementation Plan was approved on December 19, 2019.

Motion by Biren/Sexton to approve the Development Agreement between the City of Altoona and PB & JT, LLC for River Prairie Multi-Tenant subject to final plans and assurity in place upon closing on the property and authorize the Mayor to sign upon provision of the performance guarantee. **Motion carried.**

(VIII)(12) Discuss/consider approval of Ordinance 1B-20, an Ordinance amending Chapter 10.36 of the Altoona Municipal Code "Bicycles".

Police Chief Bakken explained that while reviewing the Bond Schedule that was approved at the December 19, 2019 Council Meeting, Police Chief Bakken noted outdated language within Chapter 10.36 of the Altoona Municipal Code "Bicycles". Ordinance 1B-20 is a housekeeping issue to update the old language and keep consistency with the violations-penalties as referenced under Chapter 1.08 of the Altoona Municipal Code.

Motion by Sexton/Stuber to approve Ordinance 1B-20, an Ordinance amending Chapter 10.36 of the Altoona Municipal Code "Bicycles". **Motion carried.**

(VIII)(13) Discuss/consider approval of Ordinance 1C-20.

Police Chief Bakken explained that while reviewing the Bond Schedule that was approved at the December 19, 2019 Council Meeting, Police Chief Bakken noted some old language in regards to violations and penalties as referred to under Chapter 1.08. Ordinance 1C-20 is a housekeeping issue to keep consistency with language found under the violations-penalty as referenced under Chapter 1.08 of the Altoona Municipal Code. The amended Chapters are as follows: 5.08, 5.27, 5.30, 6.14, 8.06, 8.20, 8.34, 9.21, 9.42, 9.48, 9.53, 9.54, 9.55, and 10.44.

Motion by Stuber/Biren to approve Ordinance 1C-20, an ordinance amending Chapters as noted above to keep consistency with violations and penalties as referred to in Chapter 1.08 of the Altoona Municipal Code.

Motion carried.

(VIII)(14) Discuss/consider development of property within the Extraterritorial Jurisdiction.

City Planner Clements explained that the City of Altoona exercises its Extraterritorial Jurisdiction (ETJ) powers provided by WI Statutes pertaining to land division in order to, among other goals, guide and control orderly and efficient development land and provision of infrastructure. The ETJ extends 1.5 miles from the City's corporate boundary. The principal provision is that no new parcels less than 10 acres may be created.

One of the purposes of exercising this power is to prevent low-density unsewered subdivisions in the City's future growth and development areas. These developments effectively create a barrier constraining City growth, preventing adjacent and contiguous development at densities appropriate and efficient for the provision of municipal utilities and public services. These developments can "wall off" a city from growing in certain directions, and potentially become reasonably land-locked.

City Planner Clements noted that City staff have recently been engaged with a property owner and a potential developer of 30.39-acre area located near but not adjacent to the City's boundary, north of the Altoona Elementary School on County Highway SS. The property is further illustrated and described in the enclosed Staff Report. There are constraints to serving this area with municipal utilities and additional variables to consider, including if the City should grow north of the railroad, and what the reasonably anticipated capacity for future development in that vicinity. This is a strategic consideration that warrants discussion and direction by the Plan Commission and City Council. This topic was discussed by the Plan Commission on January 21. Consensus of the Plan Commission Members was for staff to pursue further discussion and development/enforcement within the Extraterritorial Jurisdiction.

Jason Griepentrog, potential interest in developing the lot briefly spoke on options whether to develop one acre lots and to serve the property with or without utilities.

Dale Planert, family member of the property, commented to the Council that if developed, he would like the area to fit in with the other properties in that area.

General consensus of the Council was for staff to pursue further discussion and development of the proposed property.

(VIII)(15) Discuss/consider approval of Resolution 1B-20 confirming the required value of fees in lieu of the dedication of parkland for 2020. (Discussed at the January 20, 2020 Park & Rec Committee Meeting and the January 21, 2020 Plan Commission Meeting).

City Planner Clements mentioned that this item was discussed by the Parks Board on January 20 and Plan Commission on January 21. Clements said that providing adequate parkland is widely accepted as a fundamental function of government throughout the U.S. One method of ensuring provision of adequate and desirable public lands is to require public dedication or impact fees to support reservation or acquisition of property. This tactic is practiced by many communities throughout Wisconsin, and is specifically enabled through several provisions within Wisconsin Statutes. Clements referred to the Staff Report 20-01D, and noted that Altoona has been requiring parkland dedication since at least 1981. The most recent revision to that area of municipal code was 2002 (Ord 4A-02), wherein, among other things, a procedure and formula was established to annually adjust fees in lieu of land dedication. This procedure includes the City Council annually considering a Resolution where those fees

would be illustrated.

City Planner Clements explained that Resolution 1B-20 refers to existing municipal code and State Statute to enumerate the parkland dedication fees for 2020. The resolution does not change any existing ordinance, code or policy. Despite the Council having not considered a similar resolution in many years, the parkland dedication requirements have been enforced.

Motion by Stuber/Sexton to approve Resolution 1B-20. **Motion carried.**

(VIII)(16) Discuss/consider convening in closed session pursuant to Wis. Stats: 19.85 (1)(e). A. Purchase and/or sale of property.

Motion by Biren/Stuber to convene in closed session at 7:28 p.m. pursuant to Wis. Stats. 19.85 (1)(e). Roll call vote, 5-ayes, Biren, Stuber, Rowe, Sexton, Hanks, 0-nays. **Motion carried 5-0.**

Council Member Hanks left the Meeting.

(VIII)(17) Motion to reconvene to Open Session.

A. Purchase and/or sale of property.

Motion by Rowe/Biren to reconvene in open session at 8:00 p.m. Roll call vote, 4-ayes, Sexton, Biren, Stuber, Rowe, 0-nays. **Motion carried 4-0**

City Administrator Golat explained that there were three items discussed in Closed Session pertaining to sale of city property, one requiring action, that being the Amendment to Offer to Purchase from Chippewa Valley Holdings, LLC.

Motion by Biren/Rowe to accept the WB-40 Amendment to Offer to Purchase from Chippewa Valley Holdings, LLC or Assigns (PB & JT, LLC), originally dated September 26, 2019 and amended on January 9, 2020 for the closing date be changed from January 31, 2020 to April 30, 2020 for Lot 3 of CSM #3356 located in the River Prairie Development and to void the license agreement dated January 10, 2020 for early construction start prior to closing. **Motion carried.**

(IX) Miscellaneous Business and Communication.

Council Member Biren commented on the positive responses he has been getting from residents regarding the stop signs that were added around the school area.

City Administrator Golat mentioned some upcoming winter events that will be occurring.

(X) Adjournment.

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

Minutes submitted by Cindy Bauer, City Clerk