

CITY OF ALTOONA, WI
ORGANIZATIONAL COUNCIL MEETING MINUTES
April 21, 2020

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. The Organizational Council Meeting was held via Zoom Teleconference/Video conference due to Coronavirus COVID-19.

(II) Pledge of Allegiance

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

(III) Swearing in Newly elected or Re-Elected Alderpersons.

Clerk Bauer mentioned that the newly elected or re-Elected Alderpersons and Mayor were given their oath of office prior to the Council Meeting. Mayor Brendan Pratt was re-elected as Mayor, Council Member Dale Stuber was re-elected as Alderperson for District 1, and the two new Alderpersons were elected to serve as follows: Timothy Lima, Alderperson District 2 and Maria Guzman, Alderperson District 3.

(IV) Roll Call

City Clerk Cindy Bauer called the roll. Mayor Brendan Pratt, Council Members Dale Stuber, Timothy Lima, Maria Guzman, Matt Biren, Tim Sexton, and Susan Rowe were present. Also Present: City Attorney John Behling, City Administrator Michael Golat, City Planner Joshua Clements, City Engineer/Director of Public Works (CE-DPW) David Walter, Finance Director Tina Nelson, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer. Police Chief Kelly Bakken arrived at 6:05 p.m.

(V) Citizen Participation Period

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

(VI) Approval of minutes.

Motion by Stuber/Sexton to approve the minutes of the April 9, 2020 Regular Council Meeting.
Motion carried.

(VII) City Officers/Department Heads Report

City Administrator Golat reported that the Governor's Order "Safer at Home" got extended to May 26, 2020. Golat suggested that at the next meeting to provide certainty of any public events whether they will be canceled or taking place, especially June events such as Cinder City Days and/or other music events.

Police Chief Bakken reported on Donut, the Police Department therapy dog program.

Management Analyst Roy Atkinson explained that last year the City applied for and was designated as Tree City USA. The plaque will be displayed at City Hall.

City Committee Reports – None.

(VIII) Unfinished Business – None.

(IX) New Business

(1) Discuss/consider Election of Council President.

Clerk Bauer explained that every year at the Organizational Council Meeting, Council elects a Council President for the term of one year. The proper procedure is to accept nominations from the floor then vote on the nominee(s) to determine who the Council President will be.

Mayor Pratt opened nominations from the floor for Council President.

Council Member Stuber nominated Matt Biren as Council President, seconded by Council Member Rowe. There being no other nominations, motion stands to close the nominations and cast an unanimous vote for Matthew Biren as the Council President. **Motion carried.**

(IX)(2) Discuss/consider date for Initial Board of Review Meeting.

Clerk Bauer explained that every year prior to the Organizational Council Meeting, she contacts Bowmar Appraisal to determine a date for Open Book and Board of Review. The Board of Review must hold an initial meeting and adjourn if the Assessment roll will not be completed during the 45-day period beginning the fourth Monday in April. (per Wis. Stats. 70.47 (3)(aL). As in the past, the assessment roll has not been ready until later in the summer which falls outside the required time frame to hold the Board of Review according to Wis. State Stats. Therefore, staff recommends setting the Initial Board of Review Meeting date to Thursday, May 28, 2020 at 5:45 p.m. prior to the Council Meeting and adjourn until a later date this year when the tax assessment roll becomes available. Upon talking to Bowmar Appraisal, the suggested date is July 14, 2020 from 4 p.m. – 6 p.m. for open book and July 21, 2020 from 4 p.m. – 6 p.m. for Board of Review. The Board of Review is comprised of the Mayor, all Council Members and the City Clerk.

Motion by Stuber/Rowe to approve setting the Initial Board of Review Meeting date to May 28, 2020 at 5:45 p.m. and adjourn until July 21, 2020 at 4 p.m. **Motion carried.**

(IX)(3) Discuss/consider Mayoral Appointments and Chairpersons. (Attached list).

Mayor Pratt submitted to Council a memo with recommended appointments and chairpersons as listed in his memorandum and asked for Council approval.

Motion by Sexton/Lima to appoint all committees as recommended by Mayor Pratt as listed in his memo. **Motion carried.** (A complete list of appointments will be listed on the City’s website.)

(IX)(4) Discuss/consider approval of Resolution 4B-20, a resolution extending a declaration of emergency in the City of Altoona related to the outbreak of COVID-19.

City Administrator Golat noted that on March 17, 2020 the Mayor signed a proclamation declaring an emergency in the City of Altoona in response to COVID-19 related matters. A meeting of the Common Council of the City of Altoona on March 18, 2020 ratified the proclamation. The ratified declaration of emergency proclamation allowed the following:

- Preparedness for a flexible and timely response to an identified national and state health emergency with strong potential for local impacts and the ability to implement necessary community responses.
- Permits remote attendance options for City Council, board and committee meetings and cancellation of non-essential meetings while facilitating reasonable public access to meetings within current social gathering recommendations.

The declaration of an emergency in the City of Altoona related to the COVID-19 outbreak is scheduled to expire on April 29, 2020. The Governor’s “Safer at Home Order” has been extended to May 26th. Circumstances still persist that may require the City to take extraordinary action in response to the COVID-19 crisis to assure a flexible and timely response. Therefore, staff finds it in the City’s best interest to extend the City’s declaration of emergency until May 26th, 2020.

Motion by Sexton/Rowe to approve Resolution 4B-20, a resolution authorizing extending a declaration of emergency in the City of Altoona related to the outbreak of COVID-19. **Motion carried.**

(IX)(5) Discuss/consider approval of Ordinance 4C-20, an ordinance amending Chapter 3.24 of the Altoona Municipal Code “Special Assessments” specifically Section 3.24.100 B. and Section 3.24.140 B. regarding the elimination of a two percent administrative fee.

City Administrator Golat explained that at the March 26, 2020 City Council Meeting, during the Special Assessment Public Hearing, there was discussion about the current economic situation as it may relate to the interest rate charged on special assessments. Council directed staff to bring forward an amendment to the City of

Altoona Special Assessment ordinance to reduce the interest rate in consideration of the difficult economic situation. Currently the ordinance reads “Interest on special assessments shall be equal to two percent plus the interest rate the city is charged for general borrowing.”

City Administrator Golat said Council were given two suggested section amendments to lower the interest charged to be equal to only what the city paid on borrowing for the project. If bonding is not used for the project, or if debt has not been issued for the project on the date of the final resolution, then the annual interest shall equal the interest rate the city would be charged for general borrowing on the date the final resolution is adopted. This rate would be determined by conferring with the City’s financial advisor and reviewing municipal borrowing rates at that time.

City Administrator Golat noted that staff asked for legal advice on existing deferred special assessments and existing special assessments being paid on an installment basis. Golat referred to the attached memorandum to the City Finance Director Tina Nelson from Attorney John Behling & Samuel Bach-Hanson dated April 15, 2020. The memorandum reflects that interest rates could not be lowered retroactively and should only be changed for projects in the future.

City Administrator Golat explained that Council Members were provided a memo from Sean Lentz, Senior Municipal Advisor of Ehlers explaining the current interest rate on State Trust Fund Loans as being 3 percent. Discussion followed regarding putting a sunset clause on the interest rate. Any payments that would be deferred to a specific clause as determined by the City Council, example 5 years to 2025. Finance Director Nelson asked for clarification from Attorney Behling.

Motion by Sexton/Stuber to approve Ordinance 4C-20, an Ordinance amending Chapter 3.24 of the Altoona Municipal Code “Special Assessments” specifically Section 3.24.100 (B) and Section 3.24.140 B. regarding the elimination of a two percent administrative fee for 5 years, until the due date of payment starting November 1, 2025 as amended. **Motion carried.**

(IX)(6) Discuss/consider approval of Resolution 4C-20, a final resolution of the Common Council of the City of Altoona exercising its police powers pursuant to Section 66.0703 of Wisconsin Statutes to specially assess for the 2020 Street and Utility Reconstruction Project.

CE/DPW Walter explained that a public hearing was held on March 26, 2020 to consider input from interested parties and affected property owners regarding the 2020 Street and Utility Reconstruction project. Affected property owners as listed in the Eau Claire County tax roll were notified and were provided a copy of their estimated assessments. Items included in the project consist of grading, granular backfill, gravel, asphaltic concrete paving, concrete curb and gutter, sidewalk replacement, driveway apron replacement, water service replacement, storm sewer, and lawn restoration. As in the past, Altoona has used the special assessment process to fund a portion of the project.

CE/DPW Walter said that after considering testimony from residents on the scope of the project, the assessment amounts, and the financial impact on residents due to the current pandemic, Council directed staff to alter the project scope and assessment terms as follows.

1. The roadway width will remain at 37 feet (curb back-to-back).
2. Thompson Drive, from Devney Drive to Edgewood Drive, will include pavement and base course removal and replacement, as well as spot repair of sidewalk and curb and gutter.
3. The remainder of Thompson Drive and Knollwood Trail will include full reconstruction, including additional subcutting of the roadway.
4. The interest rate levied shall be as determined in Item 5 above, and will be reflected in the resolution.

CE/DPW Walter mentioned that no testimony on 1st Street East was offered, and the project will continue as planned.

CE/DPW Walter indicated that a comparison of the preliminary assessment amounts versus the effect of the scope change and bid unit prices was provided to Council Member prior to the Council Meeting. The bid opening was held earlier this afternoon. Walter said the City received 4 bids with the lowest responsible bidder

being Haas Sons, Inc, Thorp. Walter noted that this assessment was for comparison purposes only, and that the final assessments will reflect the quantities of the completed project.

Motion by Sexton/Stuber to approve Resolution 4C-20, a final resolution authorizing street and utility improvements and levying special assessments against benefited property for the 2020 Street and Utility Reconstruction project, as amended under Item 6 to read the following:

*Assessments may be paid in full within 45 days of the time of initial billing, or, alternatively, in ten (10) annual installments that bear an interest rate of 3% per year on any unpaid balance for the first 5 years and 5% per year on any unpaid balance for the remainder of the five years for payment due starting November 1, 2025. The initial billing is anticipated in 2021, upon project completion. The remaining payments will be placed on the next tax roll after the paid in full due date. **Motion carried.***

(IX)(7) Discuss/consider awarding the bid for the 2020 Street and Utility Reconstruction Project.

CE/DPW Walter explained that the City held a bid opening for the 2020 Street and Utility Reconstruction project at 2:00 p.m. on Tuesday, April 21, 2020. The bid tabulation was distributed to Council members prior to the meeting. The project includes grading, granular backfill, gravel, asphaltic concrete paving, concrete curb and gutter, sidewalk replacement, driveway apron replacement, water service replacement, storm sewer, and lawn restoration. Walter explained that the City received four bids, with Haas Sons, Inc. as being the lowest responsible bidder. Walter recommended awarding the bid to Haas Sons, Inc. in the amount of \$357,293.10 for the 2020 Street and Utility Reconstruction Project.

Motion by Sexton/Lima approve awarding the bid for the 2020 Street and Utility Reconstruction project to Haas Sons, Inc. in the amount of \$357,293.10. **Motion carried.**

(IX)(8) Discuss/consider approval of a Development Agreement between the City of Altoona and Finland Holding Group LLC for Finland Flats.

City Planner Clements noted that an updated Development Agreement was provided to Council prior to tonight's Council Meeting. Clements said there was a clause in the parkland dedication ordinance which essentially creates no parkland dedication requirement for commercial property. Therefore, the updated Development Agreement does not include a parkland dedication fee.

City Planner Clements explained that this Development Agreement provides for the provision of public infrastructure and conditions of development for the development area known as Finland Flats, 17.14 acres located at the SW corner of Mayer Road and Highway 12. This development area is zoned C Commercial District.

Notable are the following Special Conditions (pg 12):

- (a) The storm water facilities designed to serve the public improvements in this Project shall be in place prior to creating additional impervious surfaces.
- (b) There shall be not less than two points of vehicle egress via public roadways to and from the Project area prior to occupancy of any buildings within the Project area.
- (c) All sidewalks and trails within dedicated public right-of-way, or located within easements upon private property, shall be maintained by the adjoining property owner in accordance with Altoona Municipal Code.
- (d) All public roadways shall be completed to the Project boundary, connecting to the corresponding public roadway or terminated in a fashion approved by the City Engineer, and signed appropriately.

Approval of the Development Agreement by the Council is subject to acceptance of the Parkland Dedication by the Parks Board. The Plan Commission met at 5:00 pm prior to this Council Meeting and recommended approval of the Development Agreement and parkland dedication as proposed.

Engineer Mark Erickson was present to further explain the infrastructure of Finland Flats.

Motion by Rowe/Sexton to approve the updated Development Agreement for Finland Flats as presented by City Planner Clements and authorize the Mayor to sign subject to provision of the performance guarantee, approval of the civil plan, and acceptance of the parkland dedication by the Parks Board. **Motion carried.**

(IX)(9) Discuss/consider approval of a Development Agreement between the City of Altoona and CE Lighthouse Properties LLC for Prairie View Ridge.

City Planner Clements explained that this Development Agreement provides for the provision of public infrastructure and conditions of development for the development area known as Prairie View Ridge, 37.27 acres located between the Windsor Forest neighborhood and the above noted Finland Flats development, adjacent to Highway 12. This development area is zoned R1 One-Family Dwelling District, TH Twin Home District, and R3 Multiple Family Dwelling District.

Notable are the following Special Conditions (pg 12):

- (a) The storm water facilities designed to serve the public improvements in this Project shall be in place prior to creating additional impervious surfaces.
- (b) There shall be not less than two points of vehicle egress via public roadways to and from the Project area prior to occupancy of any buildings within the Project area.
- (c) All public roadways shall be completed to the Project boundary, connecting to the corresponding public roadway or terminated in a fashion approved by the City Engineer, and signed appropriately.
- (d) The Developer shall construct that portion of Baumbach Way, and associated multi-use trail, sidewalk, trees, landscape restoration and customary appurtenances, within parcel 201-1033-04-000 (or successor parcel with right-of-way length of approximately 33 feet located immediately west of this Project). The City agrees that it is financially responsible, subject to warranty consistent with construction of public improvements herein, for one-half of the costs for these improvements. The Developer shall provide actual construction costs with per unit figures for review and approval by the Director of Public Works prior to reimbursement by the City.
- (e) All sidewalks and trails within dedicated public right-of-way, or located within easements upon private property, shall be maintained by the adjoining property owner in accordance with Altoona Municipal Code.
- (f) The Developer's Engineer shall prepare the drainage easement across parcels 201103405000, 201103802000, and 024120110000 (or their successors) that is integral to the successful execution of the Civil Plan.

The proposed Parkland Dedication requirement per Chapter 18.08 of Altoona Municipal Code is proposed to be met through a proposes to meet City parkland dedication requirements through dedication of 1.02 acres for parkland, as further described and illustrated in a document provided, construction of a public paved recreation trail around the storm water pond, and \$ 2,266.30 fee-in-lieu of dedication. This value is calculated utilizing the sale price of the land and the formula provided by Ordinance. Approval of the Development Agreement by the Council is subject to acceptance of the Parkland Dedication by the Parks Board. The Plan Commission met at 5:00pm prior to this Council Meeting and recommended approval of the Development Agreement and parkland dedication.

Engineer Mark Erickson was present to answer questions Council may have regarding the Prairie View Ridge Development.

Motion by Rowe/Lima to approve the Development Agreement for Prairie View Ridge and authorize the Mayor to sign subject to provision of the performance guarantee, approval of the civil plan, and acceptance of the parkland dedication by the Parks Board. **Motion carried.**

(IX)(10) Discuss/consider approval of the Final Plat for Prairie View Ridge as submitted by CE Lighthouse Properties LLC.

City Planner Clements referred to the Final Plat "Prairie View Ridge". Clements explained that the Final Plat represents the 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. Clements noted that since the Preliminary Plat, "Harley Street" has been changed to "Hong Street", at recommendation of the Developer in recognition of previous residents of the City of note. Commencement of development activities requires acceptance of the proposed Parkland Dedication, approval of a Development Agreement, and Site Plan (for commercial and multi-family uses).

Motion by Lima/Rowe to approve the Final Plat for Prairie View Ridge. **Motion carried.**

(IX)(11) Resolution 4D-20, Recognizing International Migratory Bird Day on Saturday, May 9, 2020.

Management Analyst Roy Atkinson noted that Altoona is designated as a Bird City Wisconsin community. As one of the requirements, a community must meet criteria spread across six categories: habitat creation and protection, community forest management, limiting threats to birds, education, energy and sustainability, and the official recognition and celebration of International Migratory Bird Day. One of the prerequisites for our Bird City designation is passage of this resolution every two years.

Motion by Rowe/Sexton to approve Resolution 4D-20, a resolution recognizing International Migratory Bird Day on Saturday, May 9, 2020. **Motion carried.**

(IX)(12) Proclamation of National Bike Month, May 2020, Bike to Work Day, and Wisconsin Bike Week.

City Planner Clements explained that the attached Proclamation recognizes bicycle related educational, outreach and advocacy efforts in 2020 in collaboration with local, State and National associations, governments, and businesses. Of note, the Bike Week, and Bike-to-Work Day have been delayed to September due to Covid-19. Clements read the proclamation.

(IX)(13) Proclamation Recognizing Earth Day, April 22, 2020.

City Administrator Golat explained that the attached Proclamation recognizes Earth Day in the City of Altoona on Wednesday, April 22nd. 2020 is the 50th Anniversary of the first Earth Day in 1970, a Day of recognition of the full spectrum of issues and efforts focused on highlighting the planet, natural communities, and humans' relationship to our environment.

Management Roy Atkinson read the proclamation.

(IX)(14) Proclamation Recognizing Arbor Day on Friday, April 24, 2020.

Management Roy Atkinson explained that the Proclamation recognizes Arbor Day in the City of Altoona on Friday, April 24th. Arbor Day is a special day to celebrate trees, notably the planting of trees. Recently, the City of Altoona named a Tree City USA for the first time. Tree City USA is a program recognizing cities for their excellence in forestry management. This Proclamation is needed to reapply for the Tree City designation for next year.

Mayor Pratt read the proclamation recognizing the important role of trees in our community.

(IX)(15) Discuss/consider approval of Ordinance 4D-20, an ordinance amending Chapter 2.04, City Council Meetings, to establish a consent agenda.

City Administrator Golat explained that Ordinance 4D-20 is an ordinance amendment to establish a consent agenda during council meetings. Allowing for use of a consent agenda will help improve the efficiency of Council meetings when considering routine agenda items. Golat said that when an item labeled "Consent Agenda" comes before the city council for action, the council may act to approve the item in total, disapprove the item in total, or approve some components and disapprove others, all without discussion by the city council. If any one or more members of the city council decides that any given component of the consent agenda should be removed therefrom and subjected to individual discussion at that time, such components shall be immediately removed from the consent agenda without further discussion or debate. No reason for the requested removal need be given by the council member. The request for removal shall be made at the time of the council meeting or in writing prior to the meeting. When an item has been removed from the consent agenda, it shall, at that time, be acted upon individually, and subjected to debate, with council action taken in accordance with established council procedures.

Motion by Sexton/Biren to approve Ordinance 4D-20, an ordinance amending Chapter 2.04, City Council Meetings, establishing a consent agenda. **Motion carried.**

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

Motion by Stuber/Sexton to convene in closed session at 7:25 p.m. pursuant to Wis. Stats. 19.85 (1)(e). Roll call vote, 6-ayes, Stuber, Guzman, Sexton, Lima, Rowe, Biren, 0-nays. **Motion carried 6-0.**

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

A. Purchase and/or sale of property.

Motion by Lima/Stuber to reconvene in open session at 8:05 p.m. Roll call vote, 6-ayes, Rowe, Biren, Stuber, Sexton, Lima, Guzman, 0-nays. **Motion carried 6-0.**

City Administrator Golat explained that there were several items discussed in Closed Session pertaining to the sale of city property and land acquisition, none requiring action at this time.

(IX) Miscellaneous Business and Communication

City Administrator Golat reminded Council Members of the increase in pay for 2020 for the Mayor and Council and clarified the mileage and gave some options for possible future actions.

(X) Adjournment.

Motion by Sexton/Stuber to adjourn at 8:15 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk