

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
June 25, 2020

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. The Regular 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) 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: Attorney Anders Helquist, City Planner Joshua Clements, Police Chief Kelly Bakken, DPW/City Engineer David Walter, Finance director Tina Nelson, Recreation Manager Debra Goldbach, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

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

(V) Approval of minutes.

Motion by Lima/Stuber to approve the minutes of the June 11, 2020 Regular Council Meeting. **Motion carried.**

(VI) City Officers/Department Heads Report

Police Chief Bakken reported that the Altoona Police Department received a \$4,000 grant from the “Click it or Ticket” program. The Altoona Police Department also received a \$7,200 grant through Union Pacific Railroad for the purchase of safety equipment.

Management Analyst Atkinson updated the Council on the Road to Recovery

City Committee Reports – None.

(VII) Consent Agenda

1. Discuss/consider setting the Public Hearing date to amend the City’s Official Map and to refer the amendment as Ordinance 7A-20 to the Plan Commission for its recommendation.
2. Discuss/consider setting the Public Hearing date to rezone parcel #201-1007-07-000 located at 2999 Hamilton Avenue and to refer the petition to the Plan Commission for its recommendation.
3. Discuss/consider setting the Public Hearing date to rezone parcel #201-1020-03-040 located at 754 Bartlett Avenue and to refer the petition to the Plan Commission for its recommendation.

All three items are a procedural action to refer action to the Plan Commission and set the public hearing.

Motion by Stuber/Guzman to approve all the items listed on the consent agenda. **Motion carried.**

(VIII) Unfinished Business – None.

(IX) New Business

Item 14 got moved up to the Council Agenda.

(14) Discuss/consider uplighting of the Veterans Memorial Tribute Flag feature in River Prairie Park.

City Planner Clements explained that the Veterans Memorial Tribute in River Prairie Park includes a large flag feature to be located between the entrance drive and parking lot near the large pavilion in a landscaped area. The location and height of the pole (120') were approved by the Council on March 12th. This item was brought before the Park & Rec Committee and the Plan Commission Committee earlier this week. Both committees recommended approval.

Clements described the proposed uplighting as follows:

(4x) 23000 lumen LED flood lights that are to be placed 10-15' off the pole evenly spaced shining straight up at the flag. The lights are to be mounted 3 – 4 feet off the ground on 3" steel poles.

Clements noted that uplighting is generally prohibited by the City's Ordinance 19.54.060(E) "Site Plan" requires that "All lighting shall be shielded and confined within property lines" and the River Prairie Design Guidelines and Standards has a similar requirement: IX.5.C.5(b): "Uplighting is not permitted unless fully shielded to the limits of the sign." The FAA will need to be reviewed for approval. City Planner mentioned that Staff will review the placement of the lights so not to cause any lights into the apartment buildings.

Mark Beckfield of the Eau Claire County Veterans Tribute Foundation, Inc. was present to answer any questions Council Members had regarding the flag pole lighting. Beckfield updated the Council on the lighting and approval from Eau Claire County.

Motion by Sexton/Lima to approve uplighting of the Veterans Memorial Tribute flag pole feature in River Prairie Park. **Motion carried.**

(IX)(1) Discuss/consider approval of Resolution 6C-20, a resolution authorizing the closing of books of account for the year ended December 31, 2019 and to accept the Comprehensive Annual Financial Report for 2019.

Brock Geyen of CliftonLarsonAllen was in attendance to present the Comprehensive annual Financial Report for 2019

Finance Director Tina Nelson explained that following completion of the Auditor's presentation, given at the June 25, 2020 Finance Committee meeting, staff recommends Council approve a motion to authorize closing the books of account for 2019 and to accept the City's 2019 Comprehensive Annual Financial Report as presented.

Motion by Sexton/Lima to approve Resolution 6C-20, a resolution authorizing the closing of books of account for the year ended December 31, 2019 and to accept the Comprehensive Annual Financial Report for 2019. **Motion carried.**

(IX)(2) Public Hearing at 6:05 p.m. or as soon thereafter as is practical to consider Ordinance 6A-20, an ordinance amending Altoona Municipal Code Chapter 19.52 "Parking and Loading Spaces" regarding residential driveway standards (Discussed at the June 23rd Plan Commission).

Mayor Pratt opened the public hearing at 6:22 p.m. Pratt recused himself from the meeting for items 2 and 3. Council President Matt Biren took over the meeting.

City Planner Clements explained that the proposed ordinance is intended to add flexibility to the residential driveway standards that are anticipated to apply to small lots and uncommon lot arrangements. The challenge, which is significant, is to arrive at proposed standards that achieve the stated purposes of the Zoning Title and general objectives of the City and apply evenly to all properties. However, given the great diversity of lot arrangements, there are challenges that arise where some flexibility may be reasonable in order for the owner to make use of the property. These tend to be smaller and more narrow lots where space for off-street parking is limited. The general purpose of the standards is to limit parking of vehicles outside of a garage or driveway within front setback areas, on paved surfaces, and to limit pavement for stormwater, ecological and aesthetic purposes.

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

(IX)(3) Discuss/consider Ordinance 6A-20, an Ordinance amending Chapter 19.52 "Parking and Loading Spaces" regarding residential driveway standards.

Scrivener's error – the correct Chapter number is 19.52 "Parking and Loading Spaces" not 19.54 as shown in the

ordinance.

Motion by Sexton/Guzman to approve Ordinance 6A-20, an Ordinance amending Chapter 19.52 “Parking and Loading Spaces”. **Motion carried.**

(IX)(4) Public Hearing at 6:05 p.m. or as soon thereafter as is practical to consider Ordinance 6B-20, an ordinance amending Altoona Municipal Code Chapter 19.12 “Administration and Enforcement” to create “reasonable accommodation” (Discussed at the June 23 Plan Commission).

Mayor Pratt returned to the meeting.

Mayor Pratt opened the public hearing at 6:27 p.m.

City Planner Clements explained that the Americans with Disabilities Act, Federal Fair Housing Act and Wisconsin Open Housing Law create affirmative duties upon units of local government to enable equal access to housing. This includes granting “reasonable accommodation” regarding application and enforcement of zoning and land use regulations that create barriers to equal access to housing. In recent years, changes in Zoning have reduced or removed certain regulations that have been challenging for persons experiencing disability to exercise equal access to housing. The principal impediment was setback standards that did not allow for adding ADA accessibility ramps to existing homes. The purpose of the proposed Reasonable Accommodation ordinance is to create an appeal and waiver process to be administered by staff to consider relaxing certain zoning standards to enable equal and equitable access to housing. The proposed code defines the purpose and reference to federal and state laws, provides for a standard process and documentation for an appeal, how the appeal is evaluated and decided. City Planner Clements noted that written decisions are to be generated by the Zoning Administrator, and are subject to appeal to the Board of Appeals. Appeals may be granted, granted with conditions, or denied. Conditions may be attached according to the standards provided in order to minimize potential impacts to other properties or the public.

Robert Gannigan, 1628 Garfield Avenue was present to explain his request to allow a modification/ reasonable accommodation to property regarding a fence where otherwise not permitted.

Carrie Spaeth, Social Worker for Eau Claire County Human Services was present in support of Mr. Gannigan’s request for a 6 foot high fence and Ordinance 6B-20.

Motion by Sexton/Rowe to close the public hearing at 6:35 p.m.

(IX)(5) Discuss/consider Ordinance 6B-20, an ordinance amending Altoona Municipal Code Chapter 19.12 “Administration and Enforcement” creating “reasonable accommodation”.

Motion by Sexton/Lima to approve Ordinance 6B-20, an ordinance amending Altoona Municipal Code Chapter 19.12 “Administration and Enforcement” creating “reasonable accommodation”. **Motin carried.**

(IX)(6) Public hearing at 6:10 p.m. or as soon thereafter as is practical to consider a Certified Survey Map (CSM) to reconfigure parcels/Lots 17, 18, and 19 in River Prairie Northwest Quadrant as Initiated by the City of Altoona.

Mayor Pratt opened the public hearing at 6:35 p.m.

City Planner Clements explained that the CSM combines lots 18, 19 and part of 17 and a portion of Outlot 1 to create a parcel for sale and development for River Flats III. Planner noted that the SIP for River Flats III was approved by the Council on June 11th. The new parcel is 17,232 SF (0.40 acres).

The proposed CSM includes a storm water easement on part of the new Outlot 2, just west of the restroom facility. That easement area is proposed to be a shared infiltration area around the existing storm water drain inlet.

Motion by Sexton/Biren to close the public hearing at 6:37 p.m. **Motion carried.**

(IX)(7) Discuss/consider approval of a Certified Survey Map as described in Item 6.

Motion by Stuber/Sexton to approve the Certified Survey Map to reconfigure parcel/Lots 17, 18, and 19. **Motion carried.**

(IX)(8) Discuss/consider approval of a Specific Implementation Plan for River Prairie Wealth Partners (Discussed at the June 23, 2020 Plan Commission)

City Planner Clements explained that the River Prairie Wealth Partners proposes a 7,600 SF professional office building in the Northwest Quadrant of River Prairie, adjacent to 44 North Restaurant. The Site is approximately 10,716 SF and owned by the City, under sale agreement. The building is an attractive four-sided building with entrance features on the street-side (south) and parking lot (north). The exterior building materials are proposed to be limestone veneer and treated timber.

Clements said Staff recommends approval of the SIP for River Prairie Wealth Partners as being substantially consistent with the River Prairie Design Guidelines and Standards, with the following recommended modifications (6) as condition of approval:

- A. **Access, Circulation & Parking** (RPDG IX. 1)
 - 1. Add not less than two bicycle racks at an appropriate location near the public entrances. Bicycle racks shall be “U Stand” or “Rounded A” design, or substantially similar, as described in *Altoona Municipal Code* Chapter 19.52, installed per manufacturer specifications.
- B. **Landscaping** [RPDG IX 6]
 - 1. Add landscape trees (4) approximately as illustrated in the staff report.
- C. **Utilities**
 - 1. If the building features a sprinkler system, the Fire Department Connection (FDC) shall be 4” STORTZ and shall be located on the street-facing or parking lot facing façade of the building. Final placement shall be reviewed and approved by Altoona Fire Department.
 - 2. Private utilities, including electric transformers, shall be located such as to minimize impact on landscaping. Private electric service shall be located on private property under softscape, avoiding impacts on trees and major landscape elements. City of Altoona reserves the right to review and approve locations of electrical transformers and other visible fixtures.
 - 3. Submittal and successful review of final *storm water plan* and *civil site plan* by City Engineer as described in the *Altoona Municipal Code* Chapter 14.
 - 4. The petitioner shall enter into an agreement with the adjoining property owner regarding placement and access to the refuse enclosure.

Hal Snow, Architect, was present to answer any questions Council Members had regarding the Specific Implementation Plan.

Motion by Rowe/Biren to approve the Specific Implementation Plan for River Prairie Wealth Partners as being in substantial conformance to the River Prairie Design Guidelines & Standards with staff recommended modifications. **Motion carried.**

(IX)(9) Discuss/consider approval of the River Prairie Park and Event Center Management Contract and Concession Agreement with King Pin Management of Wisconsin, Inc.

Recreation Manager Debra Goldbach explained that for the past four years the City has contracted with King Pin Management (KPM) to manage events and operate the bar at River Prairie Center and within River Prairie Park. King Pin has provided excellent services in promoting, booking, coordinating and successfully executing events on behalf of the City. In 2019, the City booked approximately 56 weddings in River Prairie along with numerous private parties, corporate functions and public meetings. While just as many events were planned

this year, many have been moved or canceled due to COVID-19.

King Pin employees have been excellent to work with and have communicated very well with City staff, always taking a “can-do” approach to every challenge that arises. This has led to a very cooperative and productive working relationship as we find new ways to energize the Event Center and Park. Staff met with KPM management staff to discuss any desired changes to the 2020-2021 contract and both parties agree that the following modifications are justified.

City Staff and King Pin Management recommend moving the contract renewal to December of each year along with any fee changes. Therefore, the only suggested change to the contract is extending the expiration date to December 31, 2020. Staff may, however, in the near future, bring forward an addendum to the contract to address cleaning procedures related to COVID-19. The City’s fee schedule is approved by Council during December of each year; any fee changes to the River Prairie Event Center fee schedule would be recommended at that time. The contract, suggested fee changes and the liquor license renewal would then all take place during the month of December.

Motion by Rowe/Stuber to extend the existing River Prairie Event Center Management and Concession Agreement with King Pin Management of Wisconsin, Inc until December 31, 2020. **Motion carried.**

City Administrator Mike Golat attended the meeting at 6:50 p.m.

(IX)(10) Discuss/consider awarding the bid for the 10th Street Recreation Center to Rhom Construction in the amount of \$691,330.

The Bids for construction of the new 10th Street Recreation Center were opened on Thursday, June 11th; the City received four bids with the low bid received from Rhom Construction in the amount of \$691,330. Bids were received from Dell Construction, Americon Construction Co., Market & Johnson and Rhom. A bid summary was attached for Council review.

Council Member Lima had some concerns with the new location of the building and the current pricing for construction. Lima asked about the possibility of a concession area in the new building for the Tennis Club to utilize. Lima also had some concerns about parking issues on the streets in the vicinity of the 10th Street Recreation Center. Council Member Lima asked if this item could be tabled until next year.

Golat noted that the City budgeted \$500,000 for the project in 2020, but early in the year the project architect presented an estimate of \$815,946 including an 8% construction contingency of \$59,296. At the conclusion of that meeting earlier in 2020, Council directed staff to move forward with the project and come back at a future Council meeting with a budget amendment when the project cost was finally known. Staff will prepare a budget amendment reflecting the bid amount at a future meeting and also including a construction contingency and demolition of the existing 10th Street Recreation Center.

Motion by Sexton/Biren to approve awarding the bid for construction of the 10th Street Recreation Center to Rhom Construction in the amount of \$691,330. Lima against. **Motion carried.**

(IX)(11) Discuss/consider approval of Resolution 6D-20, a resolution extending a declaration of emergency in the City of Altoona related to the outbreak of COVID-19.

City Administrator Golat explained that the declaration of an emergency in the City of Altoona related to the COVID-19 outbreak is scheduled to expire on June 29, 2020. 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 is recommending the City extend the City’s declaration of emergency until July 27th, 2020. 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.

- Expresses support for the County Health Department Emergency Order

Motion by Biren/Rowe to approve Resolution 6D-20, a resolution authorizing extending a declaration of emergency in the City of Altoona related to the outbreak of COVID-19. **Motion carried.**

(IX)(12) Discuss/consider convening in closed session pursuant to Wis. Stats: 19.85 (1)(e). A. Purchase and/or sale of property.

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

Council did not go in closed session.

(X) Miscellaneous Business and Communication

City Administrator Golat mentioned that there will be a Flag Raising Ceremony sponsored by the Eau Claire County Veterans Foundation on July 3, 2020 at 11 a.m. at the lower level of River Prairie Park around the newly installed Flag Pole.

(XI) Adjournment.

Motion by Rowe/Lima to adjourn at 7:03 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk