

**CITY OF ALTOONA, WI**  
**REGULAR COUNCIL MEETING MINUTES**  
**June 24, 2021**

**(I) Call Meeting to Order**

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. The Regular Council Meeting was held at the new Parks & Rec Building (Fish House) located at 418 9<sup>th</sup> Street West, Altoona.

**(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, Matthew Biren, Tim Sexton and Susan Rowe were present. Also Present: Attorney Sam Bach-Hanson, City Administrator Michael Golat, City Engineer/Director of Public Works (CE/DPW) Dave Walter, City Planner Joshua Clements, Management Analyst Roy Atkinson, and City Clerk Cindy Bauer.

**(IV) Citizen Participation Period**

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

**(V) Approval of minutes.**

Motion by Lima/Stuber to approve the minutes of the June 10, 2021, Regular Council Meeting and the June 17, 2021 Special Council Meeting. **Motion carried.**

**(VI) City Officers/Department Heads Report**

City Administrator Golat reported the following:

- He and the mayor attended the Juneteenth Celebration on Saturday, June 19, 2021 in Carson Park.
- Summer employee picnic on Wednesday June 30, 2021 at 5:30 p.m. at River Prairie Center/River Prairie Park. City Employees and Council are invited to attend.
- Arts Festival in River Prairie Park on September 12, 2021

Management Analyst Roy Atkinson announced there will be an Independence celebration taking place at Cinder City Park on Saturday, July 3, 2021 with games starting at 5:00 p.m. The fireworks, sponsored by Festival Foods, will be displayed around 10 p.m. Atkinson also mentioned there will be a River Prairie Cultural Festival on August 22, 2021.

City Planner Josh Clements reported that staff is preparing the Comprehensive Plan Process. Surveys and visioning sessions will be forthcoming. There will be a Joint meeting of the Plan Commission and Council on July 8, 2021 to review the public participation plan regarding the Comprehensive Plan.

**City Committee Reports – None.**

**(VII) Consent Agenda –**

**(1) Discuss/consider approval of Resolution 6B-21, a resolution of the Altoona Common Council submitted in compliance with Wisconsin Department of Natural Resource NR – 208 regarding submittal of the City's Compliance Maintenance Annual Report (CMAR) for its wastewater collection system.**

A copy of the 2020 Sewer Utility Compliance Maintenance Annual Report was distributed prior before the meeting. The annual report is required of all operators of a wastewater collection system. Wisconsin Administrative Code NR 208 requires the governing body of a collection system to pass a resolution that a) acknowledges that the CMAR has been reviewed, and b) lists any recommendations or action plan, if required.

**(VII)(2) Discuss/consider approval of Ordinance 6C-21, an Ordinance designating through streets and STOP intersections within the Prairie View Ridge subdivision.**

Development is continuing within the Prairie View Ridge subdivision. The streets were designed in a grid network, and the attached ordinance revision designates Baumbach Way and Hong Street as the collector streets within the neighborhood. Designation as a through street establishes all side streets as a STOP condition. Remaining intersections are designated as STOP conditions to provide orderly traffic control. The roundabout is a YIELD condition at each entry by default.

Motion by Lima/Rowe to approve Items 1 and 2 of the Consent Agenda. **Motion carried.**

**(VIII) Unfinished Business – None.**

**(IX) New Business**

**Public Hearing at 6:00 p.m. or as soon thereafter as is possible to discuss the charter ordinance 6A-21, amending Title 2, Chapter 2.08 “City officers” specifically Sections 2.08.070 and 2.08.080 regarding changing the cycles and lengths of terms of the mayor and councilpersons from 2-year terms to 3-year terms for future elections.**

Mayor Pratt opened the public hearing at 6:07 p.m.

City Administrator Golat explained Ordinance 6A-21, a charter ordinance amending Title 2, Chapter 2.08 “City officers” specifically Sections 2.08.070 and 2.08.080 regarding changing the cycles and lengths of terms of the mayor and councilpersons from 2-year terms to 3-year terms for future elections. This item has been discussed in the past by Council, but was not approved due to timing issues stipulated in State Statute. Changing the election terms and/or cycles of either the mayor or councilpersons requires a charter ordinance to be passed. There are three different enactments of charter ordinances. The most common method for enacting a charter ordinance is by approval of 2/3 of the legislative body. This is the method being brought forth for consideration. If approved, the charter ordinance does not take effect until 60 days after passage and publication; however, a petition with at least 7% of electors having voted in the most recent gubernatorial general election submitted within the 60-day waiting period can subsequently force a referendum on the question which then makes it subject to the provisions regarding direct legislation.

Currently the terms are two-year terms with the mayor’s terms falling in the same year as Council persons for District 1, 2, and 3. Changes proposed include lengthening the terms of all elected officials to a three-year staggered terms as follows:

1. Aldermanic Districts 1, 2, and 3 starting with the April 2022 Election.
2. Aldermanic Districts 4, 5, and 6 starting with the April 2023 Election.
3. Mayor starting with a three-year term effective with the April 2024 Election. (The Mayor shall be elected to a single two-year term in 2022, then, beginning in 2024 and continuing thereafter, shall again be elected to three-year terms).

For changes to be instituted by the 2022 election, the charter ordinance must be effective by November 30, 2021, before the start of the filing process for municipal elections.

Motion by Rowe/Sexton to close the public hearing at 6:11 p.m. **Motion carried.**

**(IX)(2) Discuss/consider adoption of Ordinance 6A-21, a charter ordinance amending Title 2, Chapter 2.08 “City officers” specifically Sections 2.08.070 and 2.08.080 regarding changing the cycles and lengths of terms of the mayor and councilpersons from 2-year terms to 3-year terms for future elections.**

Motion by Lima/Stuber to approve Ordinance 6A-21, a charter ordinance amending Title 2, Chapter 2.08, specifically Sections 2.08.070 and 2.08.080 changing the cycles and lengths of terms of the mayor and councilpersons for future elections as noted by staff. Roll call vote, 6-ayes, Stuber, Guzan, Biren, Rowe, Sexton, Lima, 0-nays. **Motion carried 6-0.**

**(IX)(3) Discuss/consider adoption of Ordinance 6B-21, an ordinance amending Chapter 2.12 of the Altoona Municipal Code “Wards and Aldermanic Districts”, specifically Section 2.12.010 “Common council representation” to reflect the terms of office from each aldermanic district from two-year terms to three-year terms.**

City Administrator Golat commented that since council approved Item 2 - changing the cycles and terms of office from 2-year terms to 3-year terms, Section 2.12.010 will need to be changed to reflect the change in terms as noted in Item 2.

Motion by Rowe/Lima to approve Ordinance 6B-21 an ordinance amending Chapter 2.12 specifically Section 2.12.010 to reflect the terms of office from each aldermanic district from two-year terms to three-year terms. Roll call vote, 6-ayes, Sexton, Lima, Rowe, Guzman, Biren, Stuber, 0-nays. **Motion carried 6-0.**

**(IX)(4) Discuss/consider an upgrade to the River Prairie Center Kitchen.**

City Administrator Golat explained the quote from Benedict Refrigeration to upgrade the kitchen at River Prairie Center from a “catering kitchen” to a fully functioning kitchen that will allow preparation and cooking of food rather than just keeping food warm. The equipment also includes a large cooler for cold food storage. The cost of the equipment, including installation, is \$68,014.64.

City Administrator mentioned that the upgrade was suggested by King Pin, the City’s contract event coordinator for River Prairie Center. The new equipment would eliminate the need to prepare food at another facility and transport it to River Prairie Center, significantly improving operational efficiency. Dave Burg, owner of King Pin, was at the meeting to discuss the need for the project and was available to answer any questions Council Members had regarding the upgrade. City Administrator Golat commented that if approved, the general fund budget would need to be amended to provide funding for the project.

Motion by Biren/Lima to approve the concept and direct staff to report back with additional information regarding upgrades to the River Prairie Center kitchen. **Motion carried.**

**(IX)(5) Discuss/consider sale of city-owned property to 44 North.**

City Administrator Golat explained the drawing submitted by Dave Burg, owner of 44 North, illustrating a portion of City-owned property that he would like to purchase to accommodate expansion of his patio to the west of his building. The property dimensions are shown on the drawing; approximate square footage of the subject property is 1300 square feet. Mr. Burg is offering \$5,000 for the property.

City Administrator Golat said the area is currently grass and lies east of the area where the tent is located and west of his current patio. The city does not currently use the subject area for any programming. Burg would like to acquire the property in order to expand his patio area to accommodate more outdoor dining. Burg notes that he would relocate the fence to the new limits of the expanded patio, add two firepits, and place crushed limestone for surfacing to match the limestone in the adjacent plaza.

Motion by Biren/Sexton to approve the sale of approximately 1,300 square feet of property in River Prairie Park to Dave Burg or assigns for \$5,000 to accommodate expansion of the 44 North Patio and to authorize the mayor to sign documents related to the sale of the property contingent on Mr. Burg being responsible for the cost of any work related to required land division. **Motion carried.**

**(IX)(6) Discuss/consider awarding the bid for the 2021 Bradwood Avenue Reconstruction Project.**

CE/DPW Walter explained that the city held a bid opening for the Bradwood Avenue Reconstruction project at 2:00 p.m. on June 23, 2021. The bid tabulation was distributed to Council members prior to the meeting. The project includes grading, gravel, asphaltic concrete paving, concrete curb and gutter, sidewalk repair, sanitary sewer and appurtenances, water main and appurtenances, storm sewer, and lawn restoration. CE/DPW Walter indicated that the city received one bid from Haas Sons, Inc, Thorp, WI. Staff recommended awarding the bid for the Bradwood Avenue Reconstruction Project to Haas Sons, Inc, Thorp, WI using Bid Alternate #1, relating to asphalt, thus reducing the cost. The total cost of the project would be \$455,430.32 which includes the base bid plus bid alternate #1.

Motion by Lima/Rowe to approve awarding the bid for the Bradwood Avenue Reconstruction project to Haas Sons, Inc., Thorp, WI in the amount of \$455,430.32 which is the base bid plus bid alternate #1. **Motion carried.**

**(IX)(7) Discuss/consider approval of Resolution 6A-21, 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 2021 Bradwood Avenue Reconstruction Project.**

CE/DPW Walter explained that a public hearing was held on June 10, 2021 to consider input from interested parties and affected property owners regarding the Bradwood Avenue 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. The scope of the project includes reconstruction of Bradwood Avenue from 10<sup>th</sup> Street West to 7<sup>th</sup> Street West. Items included in the project consist of grading, gravel, asphaltic concrete paving, concrete curb and gutter, sidewalk repair, sanitary sewer and appurtenances, water main and appurtenances, storm sewer, and lawn restoration.

CE/DPW Walter noted that Council just approved awarding the bid to Haas Sons, Inc. Paragraph 3 in the final resolution needs to be amended to include the following:

Payment, in part, for the improvements shall be made by assessing \$248,763.18 of the estimated total project cost of \$ 455,430.32 to property benefited

Motion by Lima/Biren to approve Resolution 6A-21, a final resolution exercising its police powers pursuant to Section 66.0703 of Wisconsin Statutes to levy special assessments against benefited property for the 2021 Bradwood Avenue Reconstruction Project as amended under paragraph 3 of the Final Resolution. **Motion carried.**

**(IX)(8) Discuss/consider awarding the bid for the 2021 Annual Pavement Replacement Program.**

CE/DPW Walters explained that the city held a bid opening for the 2021 Annual Pavement Replacement Program at 2:00 p.m. on June 23, 2021. The bid tabulation was distributed to Council members prior to the meeting. The project includes replacement of pavement on 9th Street West, Oak Hills Place, and Devney Drive. The city received two bids; the lowest bid was from Monarch Paving Company.

CE/DPW Walters noted that because the bid cost was lower than estimated, and utilizing the maximum capacity, staff will come back with additional projects/streets to utilize the full amount budgeted for the 2021 Annual Pavement Replacement Program.

Motion by Rowe/Guzman to award the bid for the 2021 Annual Pavement Replacement Program to Monarch Paving Company in the amount of \$177,114.74. **Motion carried.**

**(IX)(9) Discuss/consider awarding the bid for the 2021 City Wide Water Utility & Curb Replacement program.**

CE/DPW Walter explained that the city held a bid opening for the 2021 City Wide Water Utility & Curb Replacement project at 2:00 p.m. on June 23, 2021. The bid tabulation was distributed to Council members prior to the meeting. The project includes on-demand services for water utility needs such as service replacement, valve repair, hydrant replacement, curb replacement, and other needs including surface restoration. This contract covers the remainder of the calendar year. The city received one bid, that being Montana & Sons Grading.

Motion by Rowe/Lima to awarding the bid for the 2021 City Wide Water Utility & Curb Replacement project to Montana & Sons Grading in the amount of \$92,725.00. **Motion carried.**

**(IX)(10) Discuss/consider approval of Ordinance 6D-21, an ordinance amending Chapter 5.20 of the Altoona Municipal Code "Mobile and Temporary Food Vendors".**

Management Analyst Roy Atkinson explained that the City of Altoona provides annual licensing for mobile and temporary food vendors. The proposed ordinance update includes an addition of a fire inspection to any applicable mobile vending unit as required by Ch. 101.14(2), Wis. Stats. Mobile vendors that qualify as applicable are trucks or trailers with features such as fryers, stoves or hoods. Most sidewalk carts or bikes are not subject to the inspection, but will be handled on a case-by-case basis to ensure compliance.

Motion by Rowe/Guzman to approve Ordinance 6D-21, an ordinance amending Chapter 5.20 of the Altoona Municipal Code. **Motion carried.**

**(IX)(11) Discuss/consider approval of Ordinance 6E-21, an Ordinance amending Chapter 3.08, Addendum "A", the City's Fee Schedule, to add a fire inspection fee related to Mobile Food Vendor/ Sidewalk Cart general licensing, and create a building permit fee schedule for industrial uses.**

Management Analyst Atkinson and City Planner Clements referred to the following:

- Proposed Ordinance 6E-21
- Staff Memo, Industrial Permit Fees (2021-0616)
- City of Eau Claire Construction Permit Fee Schedule, 2021

Management Analyst Atkinson noted that in connection with the modifications to Chapter 5.20, staff is recommending the establishment of a fire inspection fee for mobile food vendors to be \$10 per inspection. Background checks and the prospective fire inspection fee are covered by the established fee. This fee will ensure staff costs are covered. A majority of licensed mobile food vendors do purchase both General and River Prairie licensing.

City Planner Clements noted that Construction permit fees presently do not distinguish between commercial and industrial uses. The most recent major industrial construction project was 2008. Staff have been requested to examine a differential fee tier for industrial and warehousing types of uses, upon the premise that these uses require less inspection and permitting effort. The enclosed Staff Memo illustrates the proposed modification.

Motion by Lima/Stuber to approve Ordinance 6E-21 amending Chapter 3.08 Addendum “A”, the City’s Fee Schedule as presented by staff. **Motion carried.**

**(IX)(12) Discuss/consider direction to staff regarding preparing City-owned property for sale located at 635 Harriet Street, parcel 201208803000.**

City Planner Clements explained that the property located at 636 Harriet Street was acquired by the City on tax delinquency in May 2018. The property, located at the corner of Harriet and Laurel, is 50’x 100’, and currently zoned R2. The former home at the property was destroyed by fire, and portions of the foundation, driveway, and garage slab remain. Opportunity by the former owner to challenge the tax deed acquisition of the property by the City expired earlier this year, and staff recommends preparing the property for sale and development. Staff seeks authorization from the Council to proceed with preparing a marketing process, and direction regarding desired characteristics of that process. Marketing of a similar residential lot on Botsford Avenue was made available through a RFQ solicitation whereby the city set a minimum bid and welcomed offers within a certain period. The sale agreement may include a buy-back provision to ensure the property is developed instead of remaining vacant. The solicitation could include preferred commitments by the bidder regarding characteristics of the proposed use.

Motion by Biren/Lima to direct staff to prepare a Request for Offers for 635 Harriet Street with a minimum purchase bid of \$25,000. **Motion carried.**

**(IX)(15) Discuss/consider purchase of parcel 201203208000 on tax deed foreclosure from Eau Claire County.**

City Planner Clements explained that parcel 201203208000 is available for acquisition from Eau Claire County on tax deed foreclosure. The property is located between Hayden Avenue and 3rd Street East and does not have street access. The property is triangle shaped, as shown in the enclosure, and is approximately 3,750 square feet. The purchase price is \$243.21.

Motion by Lima/Rowe to approve the purchase of parcel 201203208000 from Eau Claire County at a cost of \$243.21. **Motion carried.**

**(IX)(13) Discuss/consider convening in closed session pursuant to Wis. Stats 19.85 (1)(e)**

- A. County Hwy Property Offer
- B. Parcels 201203401000 & 201203407000.

Motion by Lima/Sexton to convene in closed session at 7:30 p.m. pursuant to Wis. Stats 19.85 (1)(e) Roll call vote, 6-ayes, Biren, Rowe, Stuber, Sexton, Guzman, Lima, 0-nays. **Motion carried 6-0.**

**(IX)(14) Motion to reconvene to Open Session.**

Motion by Biren/Lima to reconvene in open session at 8:06 p.m. Roll call vote, 6-ayes, Stuber, Rowe, Guzman, Biren, Sexton, Lima, 0-nays. **Motion carried 6-0.**

City Administrator Golat explained that Council discussed two items in closed session. First item being an offer for the City of Altoona to purchase the Eau Claire County Highway Property, 2000 Spooner Avenue, Altoona (parcels 201101010000 and 201101008000).

Motion by Lima/Sexton to provide an offer to purchase the Eau Claire County Hwy Shop located at 2000 Spooner Avenue to include the contingencies as reflected in the WB-15 offer for purchase which lists the closing date on or before December 31, 2022. **Motion carried.**

City Administrator Golat explained that the second item was regarding the City of Altoona purchasing two parcels located on Hayden Avenue located adjacent to the railroad tracks (parcels 201-203401000 and 20120340700). Council recommended offering \$15,000 for the property as mentioned and authorize the mayor to sign the offer if approved by the seller.

Motion by Lima/Stuber to provide an offer to purchase parcel 201203401000 and 201120340700 at a cost of \$15,000. **Motion carried.**

**(X) Miscellaneous Business and Communication.**

City Administrator Golat commented on the Council's questions regarding when to bring items in closed session or open session and referenced a previous email from a resident who brought this question up at a previous Council meeting.

**(XI) Adjournment.**

Motion by Stuber/Lima to adjourn at 8:20 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk