

CITY OF ALTOONA, WI
REGULAR COUNCIL MEETING MINUTES
July 14, 2022

(I) Call Meeting to Order

Mayor Brendan Pratt called the meeting to order at 6:00 p.m. The Regular Council Meeting was held in person in the Council Chambers at Altoona City Hall, 1303 Lynn Avenue, WI.

(II) Pledge of Allegiance

Mayor Brendan 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, Jon Olson, Matt Biren, Tim Sexton and Susan Rowe were present. Also Present: Attorney Sam Bach-Hanson, City Administrator Michael Golat, City Planner Joshua Clements, City Planner Taylor Greenwell, Police Chief Kelly Bakken, Library Director Arin Wilken and City Clerk Cindy Bauer.

(IV) Citizen Participation Period

There being no Citizen Participation, motion by Biren/Lima to close the Citizen Participation Period.
Motion carried.

(V) Approval of minutes.

Motion by Rowe/Lima to approve the minutes of the June 23, 2022, Regular Council Meeting. **Motion carried.** Stuber abstained.

(VI) City Officers/Department Heads Report

City Administrator Golat commented on the first Cinema Night Movie at the River Prairie Center. Great 4th of July Celebration on July 2, 2022.

City Planner Josh Clements commented that Council approved the Comprehensive Plan at the Joint Meeting held earlier today.

Taylor Greenwell introduced himself and gave some background information.

Police Chief Bakken updated the Council on Police Department activities. National Night Out will be held August 2, 2022 in River Prairie Park. Still working on the homicide case.

City Committee Reports –

(VII) Consent Agenda – None

(VIII) Unfinished Business - None

(IX) New Business

(1) Discuss/consider approval of Preliminary Plat for “Bartlett Crossing” as submitted by Craig Wurzer for Lot 1, CSM 3757 located at 257 Bartlett Avenue, Altoona, WI

Mayor Pratt recused himself for this agenda item.

City Planner Clements referred to the Staff Report 22-07A and Proposed Preliminary Plat, Bartlett Crossing. Clements explained that the preliminary plat illustrates the proposed land division of the 18.25-acre property located at 257 Bartlett Avenue. The property was annexed to the City of Altoona on June 23, 2022 (Ord 6A-22). Each of the components required of a preliminary plat (§ 18.11.010) are provided.

City Planner Clements said the proposal creates two development areas, 5.49 acres for Twin Homes (TH zone) and 12.76 acres for multi-dwelling structures (R3 zone). The proposed development intensity is well below the maximum density permitted in each zone district. The proposed rezoning will be considered at a future meeting.

The proposed road alignment connects to Kayson Place via an existing platted right-of-way created for the anticipated development of this property. The proposal includes two connections to Bartlett Avenue / County KB, and creates no dead-end conditions. There is a stub road created to connect to future continuation to the west. The infrastructure arrangement is generally consistent with city subdivision standards.

The property is currently temporarily zoned R-1, per Altoona Municipal Code. The Comprehensive Plan (2009) Future Land Use Map as “Mixed Use Neighborhood”, and in the draft 2022 Comprehensive Plan as “Planned Neighborhood Type B”. The proposal is generally consistent with each future land use category.

Staff recommends conditional approval of the Preliminary Plat of Bartlett Crossing with the following conditions:

1. Parkland dedication proposal shall be reviewed by the Parks Board, and recommendation provided to inform the proposed Plat.
2. The north-south lot dimension of Outlot 4 shall be one hundred feet.
3. Access control approval from Eau Claire County is required prior to consideration of a final plat.
4. **Added condition by the Plan Commission: A Stop sign to be added at the Intersection of “Street A” and Kayson Place, subject to review by the City Engineer.**

Motion by Sexton/Lima to approve the Preliminary Plat as submitted by Craig Wurzer for Lot 1, CSM 3757 located at 257 Bartlett Avenue, Altoona, WI with the added condition as noted above. **Motion carried.**

(IX)(2) Discuss/consider accepting the petition to rezone parcels annexed to the City per Ordinance 6A-22 from R-1 One Family Dwelling District (Temporary Designation) to TH - Twin Home and R-3, and to refer the petition to the Plan Commission for its recommendation prior to the Public Hearing.

City Planner Clements explained that this appeal is to rezone properties recently annexed to the City and comprising the proposed Bartlett Crossing Plat. This action is to refer this matter to the Plan Commission for their recommendation prior to a public hearing by the council.

Motion by Lima/Olson to accept the petition to rezone parcels annexed to the City per Ordinance 6A-22 and refer the petition to the Plan Commission for their recommendation. **Motion carried.**

Mayor Pratt returned to the meeting.

(IX)(3) Discuss/consider approval of a Specific Implementation Plan for “A&W Restaurant” in the SW Quadrant of River Prairie (Discussed at the July 12 Plan Commission Meeting).

City Planner Clements referred to the Staff Report 22-07B and Proposed SIP: A&W Restaurant. The proposed Specific Implementation Plan (SIP) for a 2,628 ft² drive-through restaurant building architecture and site design elements for property located between Woodman Drive and River Prairie Drive, east of Bluestem Boulevard. This site is part of the Woodman’s Crossing General Implementation Plan in the River Prairie Mixed Use District zoning. The property is a prepared “pad ready” site. The 0.98-acre site is proposed to include vehicle ingress/egress from Woodman Drive, a private road. Vehicle circulation is provided around the entire building, with a drive-up service window associated with the westerly side of the building, facing Bluestem Boulevard, for the drive-up food establishment. Customer entrances are on the east side of the building facing the interior of the site and parking area. The site features a 1,166 ft² patio seating area and fair pedestrian facilities. The 28 vehicle parking spaces reflected in the proposal are within the maximum allowed. The exterior materials are proposed to be predominately fiber cement panels, brick veneer base and accents, and metal storefront, windows, awnings, and fixtures.

City Planner Clements noted that stormwater at this site will be collected via several bioretention basins and connected to the regional stormwater system. The regional pond is located in the northwestern area of the quadrant adjacent to Prevea Health and WNB Financial. A revised stormwater plan will be required.

Staff recommends approval of the proposed Specific Implementation Plan with the following modifications:

A. Access, Circulation & Parking (RPDG IX. 1)

1. Walkways shall be a minimum of six feet in width [IX. 1. (C)(5)].

B. Building and Architectural Standards [RPDG IX 7]

1. The Council recognizes that the proposed site arrangement *does not* meet the design guidelines insofar as allowing automobile circulation and parking between the building and the primary street [RPDG IX 7.3 (B)(2)], and greater setback than otherwise permitted, due to the proposed uses that include vehicle drive-through facilities [RPDG IX 7.3 (B)].
2. Refuse enclosure shall be relocated to the interior of the site, to a location to be reviewed by city staff. The enclosure shall be gated and comprised of materials substantially similar to the primary building.
3. Any/all mechanical equipment, including roof-mounted units, shall be appropriately screened by building-compatible materials or landscaping [RPDG, IX 7 H].
4. Sign permits will be required for all building and ground signs and meet design requirements outlined in the River Prairie Design Guidelines, IX 5.
5. All exterior lighting on the site shall be of full cut-off design and be shielded to prevent spillover of direct light onto adjacent properties [*Altoona Municipal Code* 19.59.030 (H)].

C. Landscaping

1. Landscaping plan shall be revised and final plan shall be reviewed and approved subject to the River Prairie Design Guidelines and the specific following modifications.
2. Parking lot islands shall be attractive landscaped, including canopy trees [RPDG IX 6 (E)(5)].
3. Native canopy shade trees shall be planted along the Woodman Drive frontage at not greater than 25-foot average spacing [RPDG IX 6(D)(2)(a)].
4. Native canopy shade trees shall be planted in the Woodman Drive boulevard at not greater than 30-foot average spacing [RPDG IX 6 (D)].
5. Native canopy shade trees shall be planted along the Bluestem Boulevard frontage at not greater than 25-foot average spacing [RPDG IX 6(D)(2)(a)]. Care shall be taken to avoid conflicts with existing utilities.
6. Native canopy shade trees shall be planted along the vehicle parking and circulation areas at not greater than 30-foot spacing [RPDG IX 6 (D)] approximately as indicated in the staff-provided illustration. The 30-foot spacing is closer than the 40-foot spacing indicated in the design guidelines in consideration of the less amount of landscape area internal to the pavement area [RPDG IX 6 (M)(1)]. This condition is referenced upon [RPDG IX 6 (D) & (E)] as well as the purpose of shading of pavement and parking areas ([RPDG IX 1(M)]).
7. Tree selection shall be native species with minimum diversity and planting size as illustrated in the RPDG [IX 6 (D)].

D. Utilities

1. The stormwater plan shall be revised. The stormwater bioretention area reflected in the
2. If the building features a sprinkler system, the Fire Department Connection (FDC) shall be 4" STORTZ with final placement reviewed and approved by Altoona Fire Department.
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.

City Planner Clements noted some modifications to the site plan and landscaping plan.

Mark Erickson, Everyday Surveying was present to present a slightly revised plan addressing some of the modification noted by City Planner Clements. 1. Refuse Container, 2. Landscape plan, 3. Stormwater.

An A&W Representative was present to answer any questions Council Members had regarding the site plan.

Motion by Sexton/Stuber to approve the SIP for A&W Restaurant as being in substantial compliance with the River Prairie Design Guidelines and Standards, with staff-recommended modifications. **Motion carried.**

(IX)(4) Discuss/consider approval of Ordinance 7B-22, an ordinance creating Chapter 10.38 of the Altoona Municipal Code “Electric Bike and Scooter Regulations.”

City Administrator Golat explained Ordinance 7B-22, an ordinance creating Chapter 10.38 of Altoona Municipal Code, “Electric Bicycle and Scooter Regulations.”

The ordinance general use of electric bicycles and scooters in the City of Altoona, of note are the following provisions:

1. The ordinance defines what electric bicycles and scooters are for the purpose of the ordinance. Key to the definition for bicycles is that an electric motor shall be no more than 750w. Scooters cannot travel more than 20 mph when powered solely by the electric motor.
2. The ordinance establishes speed limits for electric vehicles and scooters, which vary depending on whether they are on a road, path or sidewalk greater than 6’ or path or sidewalk less than 6’.
3. The ordinance establishes age limits for users of electric bicycles and scooters.
4. The ordinance incorporates applicable state statutes by reference.
5. The ordinance sets forth safety and equipment requirements for operation of electric bicycles and scooters.

Arlyn Stertz, 811 N. Moonlight Drive, commented on the scooter and the safety factors of riding a scooter.

Motion by Rowe/Lima to approve Ordinance 7B-22, an ordinance creating Chapter 10.38 of the Altoona Municipal Code “Electric Bicycle and Scooter Regulations.” **Motion carried.**

(IX)(5) Discuss/consider approval of Ordinance 7C-22, an ordinance creating Chapter 10.39 of the Altoona Municipal Code “Bicycle and Scooter Share”.

City Administrator Golat explained Ordinance 7C-22, an ordinance creating Chapter 10.39 of Altoona Municipal Code, “Bicycle and Scooter Share.” The ordinance stipulates that anyone that wishes to establish a bicycle or scooter share program in the City of Altoona must enter into an agreement with the City with the following provisions:

- A. The duration of the agreement along with provisions for suspension, termination, modification and renewal.
- B. Duties of Operator including designation of contact, reporting and data sharing requirements, protocol for submerged scooters or bicycles and relocation requests, requirements for safety education, requirements related to operations outside of the city and equipment maintenance requirements.
- C. Operating Regulations including information to be provided on each scooter or bicycle, safety requirements, availability and hours of operation, and proper use and parking of electric scooters and electric bicycles
- D. Insurance Requirements
- E. Indemnification Requirements
- F. Payment Required for Use of City-Owned Facilities and for Preparation of Agreement

An example of such an agreement is attached for your reference and will be considered in agenda item 7.

Motion by Rowe/Biren to approve Ordinance 7C-22, an ordinance creating Chapter 10.39 of the Altoona Municipal Code, "Bicycle and Scooter Share." **Motion carried.**

(IX)(6) Discuss/consider approval of Resolution 7A-22, a Resolution amending the City's Bond Schedule to update the fine amount per Chapter 10.38 for electric bike and scooter ordinance violations.

City Administrator Golat explained Resolution 7A-22 and Resolution 7A-22 Attachment A: Bond Schedule. The proposed additions to the Bond Schedule add entries for electric bike and scooter ordinance violations. Proposed additions are indicated in bold on the attached bond schedule.

Motion by Rowe/Biren to approve Resolution 7A-22, a Resolution amending the City's Bond Schedule. **Motion carried.**

(IX)(7) Discuss/consider approval of an agreement between the City of Altoona and CMS Transport, LLC regarding the operation of an electric scooter share program in the City of Altoona.

Carolyn Miller of Robyn Scooters was present to explain the Electric Scooter Share Program.

City Administrator Golat explained the agreement between the City and CMS Transport, LLC (CMS) for CMS to operate an electric scooter program in the City of Altoona. The initial rental location in the city will be in River Prairie Park on the south plaza near The Island Parkside. Consistent with the Bicycle and Scooter Share ordinance, the contract addresses items related to operating the scooter share in the City and stipulates payment requirements for leasing space in the park for parking/rental (\$500 per year) and for preparation of the agreement (\$300). The agreement notes that the agreement would renew annually upon payment of the lease fee and upon mutual agreement. The agreement also stipulates that the city may terminate the agreement at any time with seven days' notice.

City Administrator Golat noted that the square footage of rental space (as noted under Section 8.1 Space), will need to be determined by City Staff before signing the agreement.

Motion by Sexton/Lima to approve the agreement between the City of Altoona and CMS Transport, LLC regarding the operation of an electric scooter share program in the City of Altoona and geo cache with staff to determine the space/square footage to be fully described under Section 8.1 of the agreement. **Motion carried.**

(IX)(8) Discuss/consider awarding the bid for the 2022 Daniels Avenue Reconstruction Project.

City Administrator Golat explained that the city held a bid opening for the Daniels Avenue Reconstruction project at 2:00 p.m. on July 6, 2022. Council Members were provided a copy of the bid tabulation prior to the meeting. The project includes grading, gravel, asphaltic concrete paving, concrete curb and gutter, concrete sidewalk, sanitary sewer and appurtenances, water main and appurtenances, storm sewer, driveway replacement, and lawn restoration. Walter noted that in response to reports of potential supply chain issues, scheduling concerns, and material costs, the bidding documents included several bid alternates. These alternatives include use of thick-walled PVC for water main and high-density polyethylene for storm sewer. In addition, a bid alternative was included for deferral of the project to spring of 2023. This was done to determine any financial benefit to delaying the project until next year. Upon review of the bids, delaying the project until next spring would result in higher prices. The lowest cost alternative includes construction this year, using the alternative pipe materials, for a total of \$1,064,230.71. This is above the Engineer's Estimate (Base Bid) of \$1,042,175.46 but is within budget.

City Administrator Golat noted that further analysis of the bids reveals that unit prices, even using the alternative pipe materials (\$66 per foot), are higher than previous years. One example of note was the cost of water main. Golat provided a chart shows unit prices on Altoona projects since 2008. City Administrator Golat mentioned that even with staff recommendation of proceeding with the alternative pipe material at a unit price of \$66 per foot, the cost is still higher than historical prices. The end result will be a marginal increase in assessable cost for pipe items. Please note, however, that assessable prices for roadway-related items and sidewalk are lower than the preliminary estimate.

Jonathan Kelly, 1111 Daniels Avenue had concerns with the cost of the project.

Motion by Stuber/Rowe to approve awarding the bid for the Daniels Avenue Reconstruction project to Haas Sons, Inc., with the Base Bid plus Bid Alternate #1 and Bid Alternate #2 for, \$1,064,230.71. **Motion carried.**

(IX)(9) Discuss/consider approval of Resolution 7B-22, A final resolution of the Common Council of the City of Altoona, declaring intent to exercise its police powers pursuant to Section 66.0703 of Wisconsin Statutes to specially assess for the 2022 Daniels Avenue Reconstruction project.

City Administrator Golat explained that a public hearing was held on June 23, 2022 to consider input from interested parties and affected property owners regarding the Daniels 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 the following street segments:

- a) Daniels Avenue, from South Willson Drive to 10th Street West
- b) Daniels Avenue, from Division Street to 3rd Street East.

Items included in the project consist of grading, gravel, asphaltic concrete paving, concrete curb and gutter, concrete sidewalk, sanitary sewer and appurtenances, water main and appurtenances, storm sewer, driveway replacement, and lawn restoration. As in the past, Altoona has used the special assessment process to fund a portion of the project.

Discussion followed with Council Members questioning if the payment could be extended to maybe 15 years versus the current 10 years based on the residents' comments under item 8.

Motion by Biren/Rowe to approve Resolution 7B-22, a final resolution exercising its police powers pursuant to Section 66.0703 of Wisconsin Statutes to levy special assessments against benefited property for the 2022 Daniels Avenue Reconstruction Project. **Motion carried.**

(IX)(10) Discuss/consider awarding the contract for construction of Well #8 and Well #9.

City Administrator Golat explained that the City's consultant on this project, MSA Professional Services, held a bid opening for construction of Well #8 and #9 at 11:00 a.m. on July 7, 2022. A copy of the bid tabulation was attached. The project includes drilling of the well and casing pipe in advance of the wellhouse construction, to be completed under separate contract. A letter of recommendation from MSA Professional Services was attached for your review.

City Administrator Golat noted that the budget for the current year includes complete construction of Well and Wellhouse #8. Due to the critical need of increasing our water supply capabilities, two test wells were completed as discussed previously during staff reports. Staff recommendation is to proceed with construction of the two wells this year, with commencement of Wellhouse #8 construction later this year, with Wellhouse #9 to follow as soon as possible in 2023. The delay in #9 is due to regulatory review timelines. The 2022 budget is adequate to proceed in this manner, with any remaining costs to be addressed within the 2023 budget. An engineering contract amendment for the additional work will be presented to Council at a later date.

Motion by Rowe/Lima to approve awarding the contract for construction of Well #8 and Well #9 to Traut Companies for \$219,553.00. **Motion carried.**

(IX)(11) Discuss/consider the special assessment process related to the USH 12 Utility Extensions project.

City Administrator Golat explained that the 2022 budget includes a capital project for extension of sanitary sewer and watermain along Highway 12. The extension will begin at the end of the previous extension project in 2008, at the southeast corner of Highway 12 and Mayer Road, and will pass by the frontage of three Altoona properties. The end point will be the recently purchased City property near County Highway SS.

Golat noted that a review of previous assessments levied during the 2008 project revealed that credits were granted to these three Altoona properties to incentivize development. This development has since been completed. Staff is seeking guidance from Council on, given the previous assessment approach, if the current project cost would be deemed assessable. All three properties are currently connected to and served by City water and sewer. The remaining properties along the project are within the Town of Washington and are not assessable at this time.

Motion by Lima/Biren approving assessments for the USH 12 Utility Extensions project. **Motion carried.**

(IX)(12) Discuss/consider participating in the Color Block program.

City Administrator Golat explained that the city has been approached by Visit Eau Claire regarding the

City's interest in participating in the Color Block mural program. Specifically, the Color Block has lined up 30 muralists to paint 8' X 8' or 6' X 8' murals on buildings in Altoona designated by the city.

City Administrator Golat noted that staff is suggesting the murals be placed on two public buildings in Altoona. The first is the library/city hall building. Up to ten murals could be placed on the east or west side of the building, with the preference being the west side. Please see attached image for the general location plan.

The other building is the County shop building lying directly adjacent to Spooner Avenue. Staff is in the process of receiving permission from the County to paint the murals prior to taking ownership of the building. The murals would be painted on panels over existing window openings that have been covered with fiberglass panels and look terrible. Please see attached image for a depiction of the placement of the murals on the building. Because the building's paint is in poor condition, staff is also working on getting that side of the building repainted prior to placement of murals; the county has already purchased the paint. Council Members were provided with renderings of the proposed artwork for review. It should be noted the city currently does not have an ordinance governing outdoor murals in the City of Altoona. This is an item that staff plans to address in the near future. Staff is asking for a decision on the subject murals prior to adopting an ordinance because of time constraints to get the murals painted this summer. The artists would like to begin on July 29, 2022. Visit Eau Claire is also working on having a monster painted on the slope of the bridge abutment under the River Prairie bridge.

Library Director Arin Wilken commented on potential drawings that could be on the city buildings.

Julie Pangallo of Visit Eau Claire was present to explain the Color Block program.

Motion by Rowe/Lima to approve painting murals on the library/city hall building, the county shop building and on the bridge abutment under River Prairie Drive. **Motion carried.**

(X) Miscellaneous Business and Communication.

(XI) Adjournment.

Motion by Lima/Stuber to adjourn at 8:42 p.m. **Motion carried.**

Minutes submitted by Cindy Bauer, City Clerk