

NOTES FROM CITY COUNCIL MEETING

Monday, January 8, 2007

City Council Chamber

7:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Adler called the meeting to order. The following members were present: Council Members David J. Adler, Toby Biegel, Brandon Buchanan, Hal Davis, David Duax, Raymond Hughes, Kerry Kincaid, Berlye S. Middleton, Terry Sheridan, and Bob Von Haden and Thomas Vue.

PUBLIC HEARINGS, DISCUSSIONS AND PRESENTATIONS

1. ORDINANCE REZONING PROPERTIES AT THE NORTHWEST CORNER OF W. CLAIREMONT AVENUE AND HENDRICKSON DRIVE FROM C-2H TO C-3P AND TO APPROVE THE GENERAL DEVELOPMENT PLAN FOR REDUCED SETBACKS FOR SIGNS AS SHOWN ON PLANNING FILE Z-1371-06.

Community Development Director / City Planner Darryl Tufte:
Rezoning is for new Charter Bank building on Clairemont Avenue.
Postponed at previous meeting
18 ft monument sign, 112 sq ft in size
70 ft setback required. Proposed at 30 ft set back.
Rezoning request is to allow reduced setback
Sign for old back is at 45 feet
Plan Commission recommended new sign be at 45 feet

Duax: Will old sign remain at old location?

Tufte: Yes. New tenant and new face on sign. Do not need permit. An administrative process

No one from public spoke.

2. ORDINANCE REZONING PROPERTIES AT THE FORMER LOWES CREEK ELEMENTARY SCHOOL SITE FROM TR-1, TR-1A AND P-PUBLIC TO R-1 AND R-1P AND TO ADOPT THE GENERAL DEVELOPMENT PLAN FOR A SINGLE-FAMILY CONDOMINIUM PROJECT AS SHOWN ON PLANNING FILE #Z-1376-07.

Community Development Director / City Planner Darryl Tufte:
South side of E Lowes Creek Rd.
Surrounding single family residential
Project plan shows 12 single-family condo units. Portion of old school remain on site as a community building for project and a storage building
6.25 acres 1.9 density, 2.2 acres of common open space.

Community center usage for common, incidental usage by project.

Height of privacy wall at front of project along E. Lowes Creek Rd. Proposed at 6 ft; Can only be 4 feet.

Plan Commission recommended approval with conditions:

Staff approval of building placement

Addressing of building

Hydrants

Lighting

Parking and storage building

Use of center and storage restricted

Privacy wall location and height

20% slope not buildable

Easement

Association by-laws to be approved by the city attorney

Recommendations in City Engineer's report

Sheridan:

Tufte: Yes. Only concern expressed was about wall. Still wanted six foot wall. Code does not allow. They did a survey of other fences in community. All met code of 4 feet except few that were five feet but were under code prior to 1990 when 5 ft fences were allowed.

Duax: Why was fence height reduced?

Tufte: Community standard. Lower fences promote more neighborhood feeling. Standard set in 1990 after lengthy debate.

Duax: Public spaces in development

Tufte: 2.2 acres of common space along community center and in back, down to creek, includes a flat area by creek.

Duax:

Tufte: Will be a private drive

Duax: Street name

Tufte: Comm. Center recommend the name be changed because it is similar to several others in city.

No one from the public spoke.

3. ORDINANCE REZONING PROPERTIES AT 1709 AND 1733 BLACK AVENUE FROM TR-1A TO R-1A AS SHOWN ON PLANNING FILE #Z-1377-07.

Community Development Director / City Planner Darryl Tufte:

East corner of Hwy 53 Freeway and North Crossing.

Rezoning would remove temporary zoning to permanent zoning to allow conditional use permit for a home occupation

Sewer is not available so that is why would be zoned R-1A.

Plan Commission recommended approval.

No one from the public spoke.

4. PUBLIC HEARING FOR TREE REMOVAL AT 2015 CRESCENT AVENUE, PARCEL NO. 04-0348.

Public Works Director Brian Amundson:

City Forester indicated tree needs to be removed. Removal and cost assessed back to property owner.

No one from the public spoke.

5. ORDINANCE AMENDING TABLE III OF THE CITY CODE OF ORDINANCES ENTITLED "STOP INTERSECTIONS," BY ADDING LINCOLN AVENUE AND RUST STREET, WHEN ENTERING FROM THE NORTH AND SOUTH ON RUST STREET.

Traffic Engineer Ross Spitz:

Resident contacted staff about the uncontrolled intersection. Went out and looked at site triangle. Considered location of houses and topography. Lincoln Avenue goes down when gets east of Rust.

Pat Williams, 1519 Rust Street,

(I'm) In the dark as to why stop sign would be necessary.

Live in second house from the corner of Lincoln and Rust.

Not heavy traffic area. Residential.

There is a stop sign at Rust and Summit. And at Lincoln and Farwell.

Quiet residential area. Not high traffic volume to justify sign.

Buchanan: You lived there 20 years, and have had no problems?

Williams: Very seldom encounter a vehicle when crossing intersection

Sheridan: Question for Mr. Spitz about accident rate.

Spitz: Did look at it. One accident in last four years. And would not have been prevented by stop sign.

People in area know area and go slower in area of intersection. If traveling 25 mph should have enough room to stop. But if not,

Sheridan: Request came from someone in area

Spitz: Yes another property owner, two homes from intersection.

Duax:

Spitz: Looked at it from purely from site distances. There is not an accident history there. Not traffic volume.

Hughes: Any intersections that would meet site distance test?

Spitz: Varies. This one is close, except for typography, where Lincoln goes down hill.

Kincaid: Parking habits are changing in this area. Is traffic volume increasing?

Spitz: Currently less than 500 per day, don't see that changing. Biggest change is parked vehicles. If street is completely parked, need to take that into consideration.

Williams: (I'm) Retired and home a lot. Parking has increased on the street, maybe two days a week. People coming into neighborhood are looking for parking spaces. Going 15 mph. Not high speed.

PHOENIX PARK

6. PRESENTATION AND DISCUSSION ON A PROPOSED ORDINANCE ADDING PHOENIX PARK TO THE LIST OF COMMUNITY PARK AREAS WHERE ALCOHOL MAY BE CARRIED IN OR SOLD.

Park & Recreation Director Phil Fieber:

Phase I opened September 15, 2005 Phoenix Park opened.

Phase II pavilion and restrooms. Bids came in high. Proceeded with pavilion, but not restrooms.

Waterways & Parks recommended not to allow alcohol and review after next season.

Farmer's Market opened July 1. Other uses in park

Fall 2006 review of park uses

Staff recommendations accepted except allowing alcohol in park.

Council action for tomorrow

Ordinance and resolution

City Keg policy:

Alcohol allowed in four city parks.

1. if less than gallon of alcohol, no permit necessary.

2. if more than one gallon but less than three gallons, must rent a pavilion and obtain a permit from Parks & Recreation
3. 3 – 6 gallons, must rent a pavilion, obtain a permit and bring in additional portable restrooms
4. 6+ gallons and more than 500 attendees, must obtain a special events permit and picnic license (which only non-profit groups can obtain)

Kincaid: Does Farmer's Market meet the qualifications of a reservable pavilion? And if so do they have it reserved for their uses.

Fieber: Yes.

Kincaid: So when not used by vendors, can be reserved

Fieber: Yes

Kincaid:

Fieber: Can reserve pavilion and area around it.

Kincaid: Could use of alcohol be limited to just the pavilion area, talking about _____, not talking about carry-in of alcohol for private consumption.

Fieber: Yes could do that.

Von Haden: People coming to concerts bringing in alcohol. What if have 100 people each bring in a gallon?

Fieber: This policy is to control large quantities of beer.

Sheridan: See differences between Phoenix Park and the other four parks where alcohol is allowed. In those four parks, unless restricted by special license, can carry-in alcohol at any time. Proposed resolution would allow alcohol consumption in the park from 10 am to 10 pm. But if special application, could extend.

Fieber: Limiting time

Davis: If limited use of alcohol to only events say to concerts and / or those that have reserved Farmer's Market pavilion _____ .

Fieber: Staff thought that would be more of an enforcement problem. Police would have to know every special event. Could be hard to tell if someone who was in another area carried in their own alcohol or if was from the scheduled event.

Davis: Anything about location or nature of pedestrian traffic in Phoenix Park that is different from other parks where alcohol is allowed? Rod & Gun and lower Mt Simon are more removed. Carson Park has a lot of traffic.

Fieber: Phoenix Park is a visible park. Concerned about that. Concerned about alcohol use in any of our parks.

Davis:

Fieber: Have people who want to know if alcohol will be allowed in park so can plan events.

Davis: Any feel on number of events would attract?

Fieber: Think last year had half a dozen requests.

Duax: In summary of Waterways & Parks meeting, there was a unanimous vote against allowing alcohol in Phoenix Park. Entrusted as guardians of parks. How view Phoenix Park.

Fieber: No doubt, that it is a unique park. Not fair to compare to other park. No playground equipment, no picnic tables. Different look and feel. Done on purpose. Economic development.

Duax: Two different things, carrying-in and selling.

Fieber: Could be done. Comes down to cost to those sponsoring the event. Don't think anyone wants to see orange fencing about the pavilion. But the cost of security and control goes back to those having the event.

Adler: Feel from Waterways & Parks, was a discussion of possession vs distribution. Say bringing in a bottle of wine while listen to concert vs selling alcohol for others to consume.

Fieber: There was some discussion at end of Waterways & Parks meeting, about no one is too concerned someone carrying a couple of beer for a concert. Was not specifically addressed. Cannot speak for W & P.

Hughes: There were 10 or 11 people at the Waterways & Parks Commission meeting. And 10 or 11 different opinions were expressed. Discussion focused on recommendation.

Pat Williams, 1519 Rust Street:

Involved in planning events at Phoenix Park. 200 people lasted 3 hours. Had pop, would have been nice to have beer. Have been to concerts. People bring in lunch and wine or beer. Would be a shame to stop what is good event.

Adler: Have you seen any problems?

Williams: Not a three-day rock fest. Couple of hours and people go home. Social events

Judy Moseley 3208 14th Street:

Work for agency across street from park.

Echo to previous statements. Not taking about three day kegger. But would be nice to have art auction with wine. Says something about community that sophisticated enough to do that kind of thing.

CLOSED SESSION

Council President Adler announced that upon a motion duly made and seconded, the Council may go into closed session to discuss the terms and conditions of a potential agreement with the Phoenix Parkside LLC regarding the North Barstow Redevelopment Area and; to discuss the terms and conditions of an agreement with Lamar Advertising, both of which are permitted in closed session for competitive or bargaining reasons pursuant to s. 19.85(1)(e) of the Wisconsin Statutes. Thereupon a motion was offered by Council Member and seconded by Council Member to “convene into closed session”. Said motion passed by unanimous vote.

After a brief recess, the Council convened into closed session.

ADJOURNMENT

A motion was offered by Council Member and seconded by Council Member “that this meeting does now adjourn.” Said motion passed by unanimous vote.

Adjournment:
Time

Notes submitted by
Donna A. Austad
City Clerk