ASHLAND CITY COUNCIL MEETING
Tuesday, July 9, 2019 – 5:30 PM
Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. **CALL TO ORDER**
   - **A. Roll Call**
   - **B. Moment of Silence**
   - **C. Pledge of Allegiance**
2. **APPROVAL OF AGENDA (Voice)**
3. **APPROVAL OF MINUTES of the June 25, 2019 Council and Committee of the Whole Meetings**
   - **A. June 25, 2019 City Council and Committee of the Whole Meeting Minutes**
4. **CITIZEN PARTICIPATION PERIOD**
5. **MAYOR'S REPORT**
   - **A. Recognition of Retiring Police Officer Michelle Tutor, Retiring Fire Captain Chris Bulovsky, and the Beautification Committee Members**
   - **B. Announcements**
   - **C. Appointments**
6. **CONSENT AGENDA**
   - **A. Operator's Licenses**
   - **B. Miscellaneous Minutes**
7. **NEW BUSINESS**
   - **A. Approve a Resolution to Amend to a Conditional Use Permit for New Day Advocacy Center to Allow a Fence Eight Feet in Height Around the Playground Area at 301 Ellis Avenue, Zoned City Center (CC). Applicant: New Day Advocacy Center/Tom Potterton** (Voice) Planning and Development

B. **Approve a Resolution to Issue a Conditional Use Permit to Allow a New 165' Telecommunication Tower for Mobile Service Facilities at 2909 Toll Road, Zoned Heavy Industrial (HI). Applicants: PI Tower Development, LLC and Verizon Wireless** (Voice) Planning and Development

C. **Approve to Reallocate Capital Improvement Plan (CIP) Funds from the Kreher Park Bathroom Project and Award a Contract to Ashland Construction for the 2019 Green Infrastructure and Parking Lot Improvements Contract** *(Roll) Public Works*

8. CLOSED SESSION

A. **Enter into Closed Session** *(Roll)*

B. **Closed Session pursuant to Wis. Stat. 19.85 (1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation *(6th Street West Litigation Settlement)*** *(Administration)*

C. **Return to Open Session**

D. **Report of Discussion or Action Taken During Closed Session**

9. ADJOURNMENT

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ASHLAND CITY COUNCIL MEETING MINUTES
Tuesday, June 25, 2019 – 5:30 PM
Ashland City Hall Council Chambers

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1. CALL TO ORDER

The Tuesday, June 25, 2019 Ashland City Council meeting was called to order by Mayor Debra Lewis, in the Ashland City Hall Council Chambers at 5:30 p.m.

A. Roll Call

Roll call was taken, a Moment of Silence was held, and the Pledge of Allegiance was recited.

PRESENT: Holly George, Matthew MacKenzie, Sarah Jackson, Kate Ullman, Ana Tochterman, Wahsayah Whitebird, Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, Jackie Moore

ABSENT:

ALSO PRESENT: Mayor Debra Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Police Chief Jim Gregoire, Captain Bill Hagstrom, Public Works Director John Butler, Utility Supervisor Chanz Green,Fire Chief Dave Wegener, Planning and Development Director Megan McBride, Planning Intern Lucas Phillips, Parks and Recreation Director Sara Hudson, and other concerned citizens.

B. Moment of Silence

C. Pledge of Allegiance

2. APPROVAL OF AGENDA

Lewis requested to remove and postpone the recognition of Beautification Council members to July 9, 2019 due to members unable to attend at tonight's meeting. Ullman requested to remove Miscellaneous Minutes from the Consent Agenda to become Agenda Item 7A1. Kevin Haas moved, seconded by Holly George to approve the agenda as amended. The motion carried unanimously by voice vote.

3. APPROVAL OF MINUTES of the June 11, 2019 City Council and Committee of the Whole meetings

A. June 11, 2019 City Council and Committee of the Whole meetings' minutes

Ullman motioned that the minutes regarding Agenda Item 8D of the June 11, 2019 City Council meeting be amended, which stated the vote to call the question ruled in favor 6-5, pointing out that the motion did not in actuality pass. Lewis noted that further into the minutes, it was noted that Moore changed her vote and the motion eventually failed 5-6. Ullman asked to add that a motion to call the questions requires a 2/3 vote and a 6-5 vote does not reflect 2/3 of Council. Haas seconded this motion, and the motion to amend the minutes passed unanimously by voice vote.

Franek commented that a citizen who spoke during the June 11, 2019 Citizen Participation Period did not state their address, and asked that we request for those who wish to speak in the future to state their name and address for the record.

Jackie Moore moved, seconded by Dick Pufall to approve the amended minutes of the June 11, 2019 City Council and Committee of the Whole meetings. The motion passed unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

Ella Severson, 813 6th Avenue West, talked about the importance of youth voices in politics.
Erik Lindell, 206 West Main St, commented in favor of the formation of the RDA, and expressed his frustration with the time consuming discussion during recent Council meetings, preventing enough time to address the full agendas. Finally he invited Councilors to attend more downtown events to talk and mingle with constituents.
Kathy Allen, 810 Mac Arthur Avenue, spoke in favor of Council developing an RDA for the benefit of the new police facility.
Jason Kline, 701 11th Avenue West, stated he has found apartments in the City to be substandard and health hazards, and felt this should be addressed before building a new police facility.
Nancy Szyndor, 1521 6th Street East, spoke in favor of developing an RDA for the City of Ashland and the need for a new police facility.
Tyler Wickman, 30820 State Hwy 137, invited the community and Council to the Ashland Foundation's Breakfast of Champions on Saturday, June 29, 2019.

5. MAYOR'S REPORT

A. Recognition of Beautification Committee

Item postponed to July 9, 2019 meeting per Lewis.

B. Announcements

A press release was made today regarding smoke testing to begin in July throughout the City. Crews will be beginning investigative work in District 7 looking for potential issues. Auditors have been at the City all week, and we should expect a report in September. She offered a reminder of the League of Wisconsin Municipalities' sponsored workshop on Friday June 28 2019, 8:30 a.m. to 4:00 p.m. at Hotel Chequamegon. Lewis thanked City employees who did a beach clean up last Friday at Maslowski Beach. She also thanked staff who helped sponsor and organize a public forum held last evening at the Northland College regarding Climate Lobbying. On Saturday, June 29, 2019 at 2:00 p.m there would be a dedication of a new mural on west side of the Super H Foods building honoring DePadua alumni. The City was recently awarded $150,000 from the Wisconsin Coastal Management Grant for ore dock reconstruction work. Finally, Lewis asked for participants to join the City's float for the 4th of July parade.

6. CONSENT AGENDA

Holly George moved, seconded by Kevin Haas approve the Consent Agenda. The motion passed unanimously by voice vote.

A. Approve a Resolution to Support State Legislation Requiring Pharmacy Technician Registration

File #17513

B. Miscellaneous Minutes

Discussed as Item 7A1 per Ullman's request to remove from the Consent Agenda

Ullman requested that the Administrator work with staff to get minutes of the miscellaneous committees done in a more timely manner. Franek pointed out that a number of committee members' names were spelled incorrectly within some of the minutes. Kate Ullman moved, seconded by Holly George to approve. The motion passed unanimously by voice vote.

C. Operators' Licenses

Summary Statement:
The following individuals have applied for an operator's license:

Aaron R. Bruney
Claire R. Glafke
Kim M. Hamann
Katie J. Kozitza
Cheryl A. Larson
Kirsten N. McAuliffe
Amelia E. McPherson
Linda I. Morrow
Orion W. Pergolski
James E. Sturgal
Tracey A. Nickelson
Wendy K. Cournoyer
Jennifer R. Munson
Janelle M. Ranta
Sherry A. Lasko
Phoebe L. Burchill
Christine S. Kegel
Jane L. Anderson
Reuel R. Lawver

D. Planning & Development Monthly Report, May 2019

7. OLD BUSINESS

A. Approve a Resolution and Bylaws Creating the Redevelopment Authority (RDA) for the City of Ashland, Wisconsin *(Roll)*

George moved, seconded by Jackson to approve the resolution and bylaws creating the Redevelopment Authority (RDA) for the City of Ashland, Wisconsin. After much discussion, Haas moved, seconded by Franek to postpone this item to the July 9, 2019 Council meeting. Moore requested to move further out to the August Council meeting to allow for more time. Haas and Franek both agreed to postpone to the August 13, 2019 Council meeting. The motion carried 7-4 by voice vote; opposed were George, Jackson, Ortman and Moore.

8. NEW BUSINESS

A. Approval of a Vehicle Lease Agreement with Enterprise Fleet Management and Approval of Waiver of Ashland City Ordinances, Chapter 194.04 Advertising Requirements *(Roll)* Police Department

Summary Statement: The 2019 capital budget included $40,000 for a police squad replacement. This amount was to cover the vehicle, equipment, and equipment installation. The quote for the vehicle was just over $38,000 which did not leave enough funds for the required equipment and installation which typically was around $7,700. Also, in November of 2018, the City received $5,823.50 from the insurance company for a detective vehicle that was rear-ended while waiting for pedestrians at a cross-walk. Fund 460 – Police Capital Equipment fund has a fund balance of $5,533. The Department started looking at replacement vehicles but found that it would be challenging to find a quality vehicle for that amount of money.

Police Captain Bill Hagstrom discussed vehicle replacement with other City staff and discovered that the City purchases vehicles and kept them until they're worth virtually nothing. An example of this is, that of the last four marked squads that were replaced, two were re-purposed to other departments in the City because the trade in value was so low and the other two were towed to the dealership for minimal trade-in value because they were inoperable and too expensive to fix.

This year, the two oldest squads are a 2014 with 123,000 miles and a 2015 with 120,635. With only one squad scheduled to be replaced, the 2014 would logically be the one to take out of service leaving the 2015. The 2015 is currently not operational because of so many electrical problems that it's unknown if it's worth servicing until the result of this agenda bill. If this agenda bill were approved, both squads could be replaced in 2019 making the whole fleet operational. Other departments within the City had similar problems with their vehicles. Networking at a conference, the Police Chief and Captain spoke with other police department administrations about their police fleet costs. Enterprise Fleet Management was suggested as a solution that has been working well for another police department.

Captain Hagstrom found the closest Enterprise Fleet Management location in Eagan, MN and reached out to them. Joe Flicker, Senior Account Executive, of Enterprise Fleet Management, tailored a lease program for the entire City of Ashland vehicle fleet that was projected to save money while upgrading with newer reliable vehicles. This was accomplished by purchasing vehicles wisely and selling them while they have the most resale value. The newer fleet also decreased maintenance and repair costs.

Chief Gregoire posted a message to the Wisconsin Police Chief's Association message board online asking if there are any other companies besides Enterprise that anyone has used. Of the replies received, nobody had any knowledge of other companies. Captain Hagstrom found two other companies in Wisconsin that have fleet management programs but squad cars are excluded and their programs are more geared toward businesses versus governments. If the fleet leasing contract were approved by Council, the City would be able to transfer 4 vehicles into the program to take advantage of the Fleet Account Manager services and be below the 2019 budgeted amounts for vehicle replacements.

City staff also requested approval to waive the advertising requirements and accept the solicitation attempts to find other vendors that have already been made by City staff per Ashland City Ordinances, Chapter 194.04:

Sec. 194.04. Purchases of more than $30,000. Purchases of more than $30,000 may be authorized by the City Council upon advertisement, unless the advertisement requirement is waived by a majority vote of the City Council. Advertisement may be supplemented by solicitation or, upon approval by a majority vote of the City Council, may be substituted for advertisement. This section applies to the purchase of tangible personal property and to services, but does not apply to construction contracts under sec. 62.15, Wis. Stats.

City staff recommended Council approve entering into a vehicle lease agreement with Enterprise Fleet Management, and to allow the City Administrator to oversee the lease program each year by staying within the annual Council approved budget amounts for vehicle leasing.

Police Captain Bill Hagstrom introduced Joe Flicker of Enterprise Fleet Management to present to Council. Council requested and approved Chief Gregoire to speak by voice vote. Franek moved, seconded by Moore to approve the vehicle lease agreement with enterprise Fleet Management, and approve to waive Ashland City Ordinances, Chapter 194.04, Advertising Requirements with small grammatical amendments suggested by Wickman. The motion passed unanimously by roll call vote.

B. Approve to Repeal Resolution 17508 and Approve a Resolution to Vacate a Portion of Undeveloped Front Street Adjacent to Lots 14 through 16, Block 8, All of Block 7, and That Portion of Block 6 East of the West Line of Lot 14, Block 8 as Extended North and That Undeveloped 38th Avenue East Adjacent to Lot 16, All Located in the Commercial Addition Subdivision Located in Section 26, T48N, R4W in the City of Ashland, Ashland County, Wisconsin *(Voice)* Planning & Development

Summary Statement: The vacation of a portion of undeveloped right-of-way was approved by City Council at their May 28, 2019 meeting. The legal description in Resolution #17508 was provided by the Ashland County Register of Deeds. However, upon discussing with them to record the Resolution they stated that further clarification is needed to describe the portion of land to be vacated which is included in the attached proposed Resolution. The legal description provided in the attached Resolution has been recommended and approved by the entire Register of Deeds Department as the best description to ensure that it will be clear in future years the exact intent of this vacation with no ambiguity as to what land shall be vacated.

George moved, seconded by Ullman to approve to repeal resolution 17508 and to approve a resolution to vacate a portion of undeveloped Front Street adjacent to Lots 14 through 16, Block 8, all of Block 7, and that portion of Block 6 east of the west line of Lot 14, Block 8 as extended north and that undeveloped 38th Avenue East adjacent to lot 16, all located in the Commercial Addition subdivision located in section 26, T48N, R4W in the city of Ashland, Ashland County, Wisconsin . The motion passed unanimously by voice vote. File #17514

C. Approve Award to Custofoam Corporation for the 2019 Roof Replacements Contract for Utility Buildings *(Roll)* Public Works

Summary Statement: In June of 2018, Council was presented with information regarding the condition of multiple City facility roofs, HVAC systems and masonry work. At that time Council approved entering into a contract with Cedar Corporation to provide design engineering work for these projects, including replacement of numerous HVAC units, replacement of the roofs, and repair of the masonry work. During the fall and winter, the Public Works Department and Cedar Corporation worked together to review and prepare a bid package. The first phase of the project was the 2019 HVAC replacement, which was approved by Council at the March 12, 2019 meeting and was currently underway. The second phase of the project was the roof replacement. The masonry repairs were the third phase and will be bid at a later date.

The project generally consisted of replacement of existing rubber roofs on five (5) of the City of Ashland Wastewater Utility buildings. The buildings included the admin/shop, pretreatment building, ultraviolet disinfection building, 6th Avenue East lift station (LS), and Main LS buildings.

Cedar Corp. provided a design for a replacement roof for the Public Works building but this work was excluded from the project due to lack of available funds.

Advertisement for the 2019 HVAC Improvement Project occurred on May 1 and 8, 2019, and bids were received on May 15, 2019, from three (3) bidders.

C&C Services, Aniwa, WI $227,400.00 (bid disqualified)
Custofoam Corporation, Mauston, WI $234,430.00
Quality Roofing, Marshfield, WI $254,666.00

The Public Works Department recommended that Council approve to award the 2019 Roof Replacement Contract for the utility buildings to Custofoam Corporation.

Tochterman moved, seconded by Ortman to approve to award the contract for the 2019 Roof Replacements for Utility Buildings to Custofoam Corporation for the amount of $234,430.00 . The motion passed unanimously by roll call vote.

D. Approve a Resolution to Acknowledge Review of the 2018 Compliance Maintenance Annual Report (CMAR) of the Ashland Wastewater Utility Pursuant to the Requirements of NR 208, Wisconsin Administrative Code *(Voice)* Public Works/Utility

Summary Statement: Annually, since 1987, Chapter NR 208 of the Wisconsin Administrative Code requires publicly and privately owned domestic wastewater plants to complete a self-evaluation of the operations of their treatment works called the Compliance Maintenance Annual Report (CMAR). The purpose of the program is to prevent water quality degradation and prevent violations of Wisconsin Pollutant Discharge Elimination System (WPDES) permits. The CMAR describes wastewater management activities and performance of the treatment works during the previous calendar year.

The CMAR scores various aspects of the wastewater system in accordance with the requirements of NR 208. The report is scored on what the WDNR refers to as a Sectional scoring system that provides a grade for each aspect of the operation of the utility including collection, staffing, preventative maintenance, capacity, and plant loading of the wastewater system. In addition, the report scores the financial position of the system and the certification of the operators. The point score is then turned into an applicable grade. A response action is tied to the applicable grade of each section. The grades of the individual sections of the Utility's 2017 CMAR are summarized on page 1 of the report. The following table from NR 208 provides a translation of the scores:

Score	Grade	Grade Points	Grade Meaning	Response Range
91-100	A	4	Good	Voluntary
81-90	B	3	Satisfactory	Voluntary
71-80	C	2	Marginal	Recommendation
61-70	D	1	Poor	Action
<61	F	0	Fail	Action

The cumulative sum of these scores is compared to the DNR scoring system to show if the Wastewater Utility should be considering and/or planning for treatment upgrades or adjustments in the operation of the Utility. The score has been modified by the introduction of a CMOM planning initiative instituted by the DNR. CMOM stands for "capacity, management, operations, and maintenance." It is a flexible, dynamic framework for municipalities to identify and incorporate widely-accepted wastewater industry practices to: • Better manage, operate, and maintain collection systems • Investigate capacity constrained areas of the collection system • Respond to sanitary sewer overflow (SSO) events.

The CMOM approach helps municipal wastewater utility operators provide a high level of service to customers and reduce regulatory noncompliance. CMOM can help utilities optimize use of human and material resources by shifting maintenance activities from "reactive" to "predictive"–often leading to cost savings through avoided overtime, emergency construction costs, increased insurance premiums, and the possibility of lawsuits. CMOM information and documentation can also help improve communications with the public, other municipal works and regional planning organizations, and regulators. In CMOM planning, the utility selects performance goal targets, and designs CMOM activities to meet the goals. The CMOM planning framework covers operation and maintenance (O&M) planning, capacity assessment and assurance, capital improvement planning, and financial management planning. Information collection and management practices are used to track how well each CMOM activity is meeting the performance goals, and whether overall system efficiency is improving. On an ongoing basis, activities are reviewed and adjusted to better meet the performance goals. As the CMOM program progresses, performance goals can change. For instance, an initial goal may be to develop a geographic information system (GIS) of the system. Once the GIS is complete, a new goal might be to use the GIS to track emergency calls and use the information to improve maintenance planning. I & I (Inflow and Infiltration) is still a major problem affecting the overall operation and deferred maintenance is building. The Ashland Waste Water Utility is taking initial steps to address this problem by completing a significant amount of collection system maintenance and investigative work in 2019. NR 208 requires that the City adopt a resolution that states the Council has reviewed the CMAR and identifies actions that the City will take to address the concerns arising in this year's self-evaluation. The resolution acknowledges that the Council has reviewed the CMAR and that the City investigate inflow/infiltration issues of the Utility.

Ortman moved, seconded by Wahsayah Whitebird to approve the resolution to acknowledge Council's review of the 2018 Compliance Annual Report (CMAR) of the Ashland Wastewater Utility pursuant to the requirements of NR 208, Wisconsin Administrative Code. The motion passed 10-0 by voice vote; MacKenzie abstained. File #17515

E. Approve Change Order #4 to Extend the Substantial and Final Completion Dates for the Bayview Pier Project *(Roll)* Parks & Recreation

Summary Statement: Change order #4 was an amendment to the initial contract with the Nordic Group,LLC to extend the substantial completion date to June, 12, 2019, and final completion date to July 12, 2019.

This extension had been requested by both the Contractor and the City. A wet summer, early winter, and wet/late spring had lead to the project being delayed.

Haas moved, seconded by Moore to approve change order #4 to extent the substantial and final completion dates for the Bayview Pier Project. The motion passed unanimously by roll call vote.

F. Approve a Resolution to Declare Repairing and Replacing a Valve in the South Clarifier at the Waste Water Treatment Plant an Emergency per Wisconsin State Statute 62.15(lb) *(Roll)* Public Works

Summary Statement: A series of deeply buried valves control the flow of wastewater and the associated sludge in to and out of the clarifiers and oxidation ditches at the wastewater treatment plant (WWTP). The oxidation ditches include aerated wastewater which produces sludge and allows for biological wastewater treatment to occur.

In early June, Utility staff drained the South Clarifier for scheduled maintenance, including sludge removal and the installation of a series of pressure reducing valves (PRVs). The PRVs were installed to address upward pressure from groundwater, which was found to be causing heaving of the clarifier floors, potentially damaging an expensive component of the plant.

The North Clarifier remained online and accountsed for approximately half of the plant's available treatment capacity. As a result, the treatment capacity of the plant was at half of its normal level.

Utility staff successfully completed the scheduled maintenance but, in attempting to return the clarifier/oxidation ditch back to service, a critical valve was damaged. As a result, the South clarifier/oxidation ditch was out of service, which meant the plant's treatment capacity remained at half of its current level and presented an increased risk of sewage overflows during wet weather events. Utility staff made several repeated efforts to correct the problem and open the valve. The valve was located at a depth of approximately 22 ft, which complicated the efforts. Due to the criticality of the valve and the ongoing potential risk for sewage overflows due to reduced plant capacity, Utility staff recommended that the valve be dug for repairs as soon as possible.

The depth of the valve made the project beyond the routine maintenance capabilities of the utility. Utility staff required the assistance of an outside contractor to complete the work and requested declaration of an emergency for the purchase of services because the time spent to obtain bids would threaten health, safety, and the environment.

Ortman moved, seconded by Franek to approve the resolution to declare repairing and replacing a valve in the south clarifier at the waste water treatment plant an emergency per Wisconsin State Statute 62.15 (1)(b). The motion passed unanimously by roll call vote. File #17516

9. CLOSED SESSION

A. Enter into Closed Session *(Roll)*

George moved, seconded by Whitebird to move into closed session. The motion passed unanimously by roll call vote.

B. Closed Session pursuant to Wis. Stat. 19.85 (1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation *(6th Street West Litigation Settlement)* *(Administration)*

Ullman moved, seconded by Haas to allow Public Works Director to remain during closed session. The motion carried unanimously by voice vote.

C. Return to Open Session *(Voice)*

Haas moved, seconded by George to return to Open Session. The motion passed unanimously by voice vote.

D. Report of Action or Discussion Taken During Closed Session

Lewis reported that no action was taken by Council during Closed Sessoin.

10. ADJOURNMENT

Haas moved, seconded by Whitebird to adjourn. The motion passed unanimously by voice vote.

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COMMITTEE OF THE WHOLE MEETING MINUTES

The Common Council of the City of Ashland will meet as the Committee of the Whole on June 25, 2019 immediately following the City Council meeting which begins at 5:30 PM in the Ashland City Hall Council Chambers.

The following items will be considered:

1. Roll Call

The Committee of the Whole meeting for June 25, 2019 was called to order by Council President Kate Ullman.

PRESENT: Holly George, Matt MacKenzie, Sarah Jackson, Kate Ullman, Ana Tochterman, Wahsayah Whitebird, Kevin Haas, Charles Ortman, Elizabeth Franek, Dick Pufall and Jackie Moore.

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, Police Chief Jim Gregoire, Captain Bill Hagstrom, Public Works Director John Butler, Fire Chief Dave Wegener, Planning and Development Director Megan McBride, and other concerned citizens.

2. Council President's Report

Ullman stated she will be scheduling a follow up with administration regarding items discussed at the Retreat. She has plans for a speaker from Bad River to be at the July 9, 2019 Committee of the Whole meeting regarding language revitalizing efforts. Plans will be brought to the Committee regarding a resolution to support climate change. Finally, she will be thinking of future solutions regarding financing for the police facility.

3. Administrator's Report

Kucera deferred a report due to time constraints.

4. Approval of Agenda

Ullman requested to refer Agenda Item 5F to the Public Works Committee, and moving Agenda Item 5E to the beginning of the Agenda for discussion.

Whitebird moved, seconded by Haas to approve the agenda with the recommended amendments.

5. Discussion Items

   A. Safe Drinking Water Act Violations: Opportunity for Questions

Deferred to the Public Works Committee per Ullman's request.

   B. Discussion Regarding Formation of a City Labor Committee *(Councilor Whitebird)*

No action was taken on this item.

6. Adjournment

Jackson moved, seconded by Moore to adjourn. The motion carried 9-2 by voice vote; opposed were Whitebird and Pufall.

Respectfully Submitted,

Denise Oliphant,
City Clerk

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SUBJECT: Appointments

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Mayor

EXHIBITS:

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The Mayor is recommending approval of the following appointment:

Plan Commission Ella Syverson, term expiring April 30, 2022

Volunteer form will be available at the time of the meeting.

SUBJECT: Operator's Licenses

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Police Department

EXHIBITS:

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The following individuals have applied for an operator's license:

Bobbie Lynn Bigboy
Tammy lynn Klamerus
Melissa Mae Schnepp
Roger William Sukanen
Jeffrey Frederick Zunker

SUBJECT: **Miscellaneous Minutes**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: City Clerk

EXHIBITS:

1. Airport Commission, May 30, 2019
2. Parks and Recreation Committe, May 15, 2019
3. Police and Fire Commission, May 6, 2019
4. Public Works Committee, May 9, 2019

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

Lloyd Orensten called the Airport Commission meeting to order at 4:30 p.m.

Present: Tom Bouchard, Ella Teague, Lloyd Orensten & John Coffey
Absent:
Excused: Rick Korpela
Also Present: Bill Moore, Airport Manager; Harley Hagstrom

AGENDA ITEM 1: Roll Call

AGENDA ITEM 2: APPROVAL OF MINUTES (April 25, 2019)

A motion was made by Teague, seconded by Bouchard, to approve the April 25, 2019 minutes. The motion passed unanimously.

AGENDA ITEM 3: CITIZEN PARTICIPATION PERIOD

Hagstrom commented on the work being done on the fence line.

AGENDA ITEM 4: COMMISSION ITEMS

- SRE Update

Still waiting on the BOA for an update.

- New Lease Progress

Moore presented a final version of the lease to Commissioners. This is a combination of what Sill had learned from his consult with the City Attorney and recommendations Moore received from the BOA. Moore feels it is reasonable and would like committee members to review it before the next meeting and let Moore know if there are questions, concerns and/or changes they would like to make. Commissioners did decide that once approved that Moore send out a copy of the new lease to all renters so they are aware of changes, but they did not want it implemented until each renter's current lease expires.

- Lawn Mower Update

Moore talked to the BOA last week and was informed that it will be at least 30 days out before getting the new lawn mower. Also, the City Clerk has asked for some additional information with respect to purchasing the lawn mower from the BOA. Moore stated a lot of this was done over the phone, so has requested documentation from the BOA to be submitted to the city council for purchase approval.

- QT pod 100LL card reader

Moore approached all three companies that handle card readers. One of the companies stated that their reader would not be able to handle all the varied company cards that

are used out at the airport. Fuel Master require another computer in the office and Moore never really got a price from them. Moore called several times and they never sent a quote. Moore contacted Northwest Petroleum/O'Day but has not received a quote from them yet. If the bids for the reader come in at more than $15,000 it will have to be submitted to the city council for approval. Hopefully, Northwest Petroleum will come in under that amount with installation. The company that currently supplies the card reader will not support it anymore, it is so old they don't make parts for it anymore. Commissioners then discussed the fuel tanks, how old they are, potentially swapping them out in the future, etc.
Moore asked commissioners, that with their approval, if O'Day comes back with a quote of more than $15,000, if the airport should move forward with putting this item on the city council agenda at their next meeting.

A motion was made by Bouchard, seconded by Teague, to approve proceeding with the card reader update and if it is in excess of $15,000, to move forward and submit this item to the Ashland City Council. The motion passed unanimously.

- ✈ Airport Fence Boundary

Moore has 2 LTE's working on the trimming of the fence line with hand saws.

- ✈ Runway Lights

There is work being done to get all the runway lights up and running, and at present there are only two left that are out; their transformers need to be dug up; so far have spent about $900 in parts to repair the lights.

- ✈ City Hangar and Storage of New SRE

Working on the SRE building they collected over 1500 pounds of scrap and iron that got hauled away. There is roughly 250 gallons of oil, some used, and some new which is no longer needed, and it will be properly disposed. Moore would like permission from the commission to order some shelving for the storage building; cost is roughly $2100. Commissioners also discussed that plane owners that are using part of the city hangar will have to find another space to store their equipment. There is only one person that Moore will have to talk to about that; Moore will contact him.

A motion was made by Bouchard, seconded by Teague, to approve up to $2500 for the purchase of shelving for the storage building. The motion passed unanimously.

- ✈ City LTE Labor for Airport

The airport hired two LTE's for the summer, to help clean and organize the storage hangar, trimming/cutting along the fence line, mowing, etc. Commissioner's requested to know how much is in the budget for labor and how much has been spent.

AGENDA ITEM 5: Managers Report

None.

AGENDA ITEM 6: Approval of Bills

The list of bills was presented by Moore. The total amount of the bills came to $1833.56.

A motion was made by Teague, seconded by Bouchard, to pay the bills as presented. The motion passed unanimously.

AGENDA ITEM 7: SET NEXT MEETING DATE

The next Airport Commission meeting will be held June 27, 2019, at 4:30 pm, at JFK Airport.

AGENDA ITEM 8: ADJOURNMENT

A motion was made by Coffey, seconded by Bouchard, to adjourn. The motion passed unanimously.

Kim Westman

City of Ashland, Wisconsin ~ Parks and Recreation Department
400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

PARKS & RECREATION COMMITTEE MEETING MINUTES
Wednesday May 15, 2019 5:00 pm
2nd Floor Parks and Recreation Director's Office, Rm #8
601 Main St W, Ashland, WI 54806

I. Call to Order

a. Roll Call, Jackie Moore, Sara Hudson, Megan Tumas, Mike Amman, Nancy Sztyndor, Stefanie Jaeger, Kevin Haas. Tim Heil not present.
b. Agenda Modification – none.
c. Approval of Minutes – Stef motions Kevin seconds. Approved.
   i. Approval of June and September 19, 2018, and December 5, 2018 Meeting Minutes

II. Public Comment Period – no public

III. Information Items

- Parks Updates
  - Super fund pre construction meeting. Contractor announced (Vite) starting mobilization and will start will storm drainage on Ellis and prentice and then super fund site first week of June. That will entail a land cap at the super fund site. City is working on bidding documents for their responsible part. By the end of this year we'll see gravel parking pad and the cap.
  - Received funding and grants for the boat launch
  - Next year the parking lot will be paved as well as a throughout fare.
  - No utilities will be put in yet.
  - Path will be reconnected next year. 2021 it will be paved.
  - Bayview pier has survived smelting.
  - Oredock project – bridge has been put in across the diamonds, will be getting an ore shoot that have donor's names. Waiting on two grants to finish the rest of the work.
  - Baseball fields are open and have new dirt.
  - Maslowski beach cleanup – DOT wants to see cross sections but they are going to raise sections of the park to 605 so everything drains into the beach and filters in the sand. Should also cut down on E.coli levels. DNR likes ditches, so we are making ditches. Will be getting money from the DNR to help do the repairs. Should prevent future damage.
  - New playground equipment at bay city and Bayview park.
- Update on programs
  - Women's self-defense class this weekend – 9 people signed up so far.

- Color Run June 8th with MMC
- Summer programs start June 17th

Question about park at east end park? Resurface would cost 80K. Possibility of asphalt to make it a basketball court. Some people want to put In some community gardens, people are asking about putting playground equipment there. Maybe get some cost estimates for asphalt to at least make it useable. Get some community input on what the space could be used for. Sara will get some quotes for asphalt resurface.

IV. Business Items:

1. Pearson Plaza Park Repairs – Action and Discussion
   a. Action item is to remove all the bricks and replace it with stamped concrete. The only place that bricks will remain is Otis park. FEMA will pay the amount of the repairs and City will have to pay for the rest of repairs. This will come from the CIP money. The concrete will stand up better to the water and it will flow off better instead of the brick.
   b. Motion to approve a recommendation to the city council to use the CIP money to cover the excess costs to repair Pearson Plaza. Nancy motions. Mike. Passes anonymously. Option b
2. Review Ordinances 463 and 47 – Discussion – Action - Everyone read on their own and we can read and discuss at the next meeting.
3. Update PRC By Laws – Action and Discussion – Action - Everyone read on their own and we can read and discuss at the next meeting.
4. Election of Officers – Action and Discussion
   a. Jackie motions Stef to be chair, mike seconds, motion approves.
   b. Stef motions for Megan to be vice chair, Jackie seconds, motion approves.
   c. Nancy motions Kevin to be secretary, Stef seconds, and motion approves.
5. Roles and Responsibilities of Committee Members - Discussion - Everyone read on their own and we can read and discuss at the next meeting.
6. Review Parks and Recreation Policies – Discussion - Everyone read on their own and we can read and discuss at the next meeting.
7. Meeting Schedule – Discussion and Action 4:30 p.m. – 5:30 p.m. 3rd Wednesday EXCEPT June 26th 4:30 – usually in council chambers. Stef will coordinate Sandbar / Bodin Room.

V. Next Meeting Date

June 26th 2019 – park tour!

VI. Comments and Questions

VII. Adjourn Jackie motions to adjourn, Megan seconds motion approves.

POLICE AND FIRE COMMISSION MEETING
ASHLAND FIRE DEPARTMENT
CONFERENCE ROOM
May 6, 2019

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1. **Call to Order**
The meeting was called to order at 5:14pm by Gordon Gilbertson

2. **Roll Call**
Present: Gordon Gilbertson, Sarah Granley, Matt Horning, Ed Monroe, Kate Siegler
Also Present: Police Chief James Gregoire, Fire Chief Wayne Chenier, Recording Secretary Barb Henry

3. **Approval of Agenda**
A motion was made by Ed Monroe, seconded Sarah Granley to approve the agenda items. The motion passed unanimously.

4. **Approval of Minutes from 3/11/19 meeting**
A motion was made by Matt Horning, seconded by Sarah Granley to approve the minutes. The motion passed unanimously.

5. **Police & Fire Commission Appointment**
The Mayor has approved the appointment of Gordon Gilbertson to the Police & Fire Commission for another term, however, the paperwork has not yet been provided.

6. **Fire Department Report**
a. Administrative Report
Chief Chenier provided his Letter of Retirement to be effective May 18, 2019.
Chief Chenier advised that Clay Kautzer is resigning effective May 10th and Erin Geraghty is out with a non-duty shoulder injury.
The Chief will be spending time with Captain Wegener to train him in the duties of Fire Chief.

A motion was made by Kate Siegler, seconded by Ed Monroe to approve Chief Chenier's report. The motion passed unanimously.

7. **Police Department Report**
a. **Administrative Report:**
Chief Gregoire provided a handout detailing the Police Departments events from March 1st through April 30th.
HR is establishing a Wellness Program. Physicals will be done three times a year. If an officer passes two out of three physicals, they will receive Comp Time.
Chief Gregoire advised that hope for the new Police Station are at a dead end unless financing is eventually found.
Tests for the promotional process will begin soon using standardized tests for the Sargent's position. There are 3 eligible candidates.
Officer Goodlet is on light duty due to a non-duty leg injury.
Officer's Pupp & Albertus will be receiving the Above & Beyond award.

The Department received a request from a Grandmother whose three year old grandchild was afraid of police. She asked if someone from the Department could come and talk to him. Officer Pagac was recognized for talking to the child and making him comfortable with law enforcement.
The Chief advised that Captain Hagstrom will be handling the hiring process for the Department.

A motion was made by Matt Horning, seconded by Kate Siegler to accept Chief Gregoire's report. The motion passed unanimously.

8. Next Meeting Date
The next meeting of the Police & Fire Commission will be Monday, July 1, 2019 at 5:15pm

9. Closed Session as authorized by Wisconsin State Statute 19.85(1)(c) to discuss:

a. Update on Fire Department probationary reports, and update & approval of candidate selection.

b. Update on Police Department probationary reports

A motion was made by Ed Monroe, seconded by Kate Siegler to go into closed session. The motion passed unanimously.

10. Return to Open Session
A motion was made by Ed Monroe seconded by Kate Siegler to return to open session. The motion passed unanimously.

11. Report Action Taken in Closed Session
The Commission approved Chief Chenier's probationary report on EMT Rekemeyer.
The update and approval of candidate selection is being handled by HR and is still in progress.
The Commission approved Chief Gregoire's probationary reports on Officers Marten, Kroll and Pupp, along with awarding Office Kroll a full time position when his probationary period ends on June 4th, considering he remains in good standing.

12. Adjournment
A motion was made by Ed Monroe, seconded by Kate Siegler to adjourn. The meeting adjourned at 6:05 pm.

Respectfully submitted

Barbara Henry
Recording Secretary

POLICE AND FIRE COMMISSION MEETING
ASHLAND FIRE DEPARTMENT
CONFERENCE ROOM
May 17, 2019

SPECIAL MEETING

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1. **Call to Order**
The meeting was called to order at 10:00am by Gordon Gilbertson

2. **Roll Call**
Present: Gordon Gilbertson, Sarah Granley, Ed Monroe, Kate Siegler
Excused: Matt Horning
Also Present: Chief David Wegener, Recording Secretary Barb Henry

3. **Approval of Agenda**
A motion was made by Ed Monroe, seconded Kate Siegler to approve the agenda items. The motion passed unanimously.

4. **Closed Session as authorized by Wisconsin State Statute 19.85(1)(c) to approve Captain Wegener's selection and ranking from the eligibility list for future Fire Fighter EMT/Paramedics**

   Captain Wegener was sworn in as Fire Chief between the time this Agenda was published and the day of this meeting.

   A motion was made by Kate Siegler, seconded by Sarah Granley to go into closed session. The motion passed on a roll call vote.

5. **Return to Open Session**
A motion was made by Ed Monroe seconded by Kate Siegler to return to open session. The motion passed unanimously.

6. **Report Action Taken in Closed Session**
The Commission approved Chief Wegener's recommendation to offer employment to the list of candidates in the order of ranking he provided.

7. **Adjournment**
A motion was made by Kate Siegler, seconded by Sarah Granley to adjourn. The meeting adjourned at 10:23am.

Respectfully submitted

Barbara Henry
Recording Secretary

POLICE AND FIRE COMMISSION
SPECIAL MEETING
Monday
June 17, 2019

Present: Gordon Gilbertson, Ed Monroe and Sarah Granley

Also present: Police Chief Jim Gregoire, Captain Bill Hagstrom

Excused: Matt Horning and Kate Siegler

1. **Call to order**
   The meeting was called to order by Gordon Gilbertson at 6:31 p.m.

2. **Roll Call**
   Present: Gordon Gilbertson, Ed Monroe and Sarah Granley
   Excused: Matt Horning and Kate Siegler

3. **Approval of Agenda Items**
   A motion was made by Sarah Granley, seconded by Ed Monroe to approve the agenda items. The motion passed unanimously.

4. **Closed Session as authorized by Wisconsin State Statute 19.85(1)(c) to interview candidates for entry level Police Officer positions, and to consider the Police Chief's recommendation for filling the positions, along with the development of an eligibility list**

   A motion was made by Ed Monroe, seconded by Sarah Granley to go into closed session as authorized by Wisconsin State Statute 19.85 (1) (c) to discuss personnel matters – interview patrol officer candidates and create eligibility list. The motion passed unanimously.

5. **Return to Open Session**
   A motion was made by Sarah Granley, seconded by Ed Monroe to return to Open Session. The motion passed unanimously.

6. **Report action taken in Closed Session**

   PFC members approved the Chief's recommendation to offer the position that starts as soon as possible to Ryan Bybee, and the seconded position that starts when Sgt. Tutor retires to Brandon Barnes, contingent upon passing medical, psychological testing and drug testing. One candidate is on the eligibility list which expires June 17, 2020.

7. **Adjournment**

   A motion was made by Ed Monroe, seconded by Sarah Granley to adjourn. The motion passed unanimously. The meeting adjourned at 6:29 p.m.

Respectfully Submitted,

Kathy Holevatz,
Recording Secretary
Police and Fire Commission

City of Ashland Public Works Committee Meeting
Thursday, May 9, 2019 5:30 P.M.
Public Works Conference Room

Agenda Item 1: Roll Call

PRESENT: Jackie Moore, Bill Kurtz, Phil Sorensen, Edward Calhan, John Butler-Public Works Director, Sharon Campbell- Administrative Manager, Chanz Green-Utility Operations Manager

Excused Absent: Melodie Phipps

Agenda Item 2: Approval of Previous Meeting Minutes

Phil Sorensen moved, seconded by Jackie Moore to approve the minutes from the April 18, 2019 Public Works Meeting. Motion carried.

Agenda Item 3: Citizen Participation

None

Agenda Item 4: Unfinished Business

a. Update on 2019 Roadway Improvements Project (bid results)

John Butler, Director of Public Works described the 2019 Roadway Improvements Project. The project includes 18 blocks of pulverizing and overlay: 15th Ave. E. from Lakeshore Drive S. to 6th Street E., Main St. E., 3rd Street E. and 4th Street E. from 14th Ave. to 17th Ave. East and 5th Street E. from 12th Avenue to 18th Avenue. The Utility crew will replace two fire hydrants and seven lead services prior to the overlay. Bill Kurtz brought up concerns regarding drainage on the project, John will discuss this further with City Staff.

b. Collaboration w/ Northland College

City Staff and employees of the Mary Griggs Burke Center of Northland College met to discuss methods to create a partnership to help with communication and public education regarding water quality issues.

Discussion among the committee included:

- Creating a formal agreement with Northland College, Burke Center for services
- Public education should focus on what homeowners can do as part of the solution regarding fresh water issues
- Possibly collaborate with a student as a capstone project

Agenda Item 5: Director's Report on Operations & Public Works Activities

a. Butler, provided background on the activities and responsibilities of the Public Works Department, he informed the committee of the multiple departments that are within the Public Works Department. These include Streets, Facilities, Parks, Engineering, Administration, Water and Wastewater Utilities.

b. Sixteen limited term employees have been hired for the summer to work in the streets, parks and utility.

Agenda Item 6: New Business

a. Public Education forum on I/I

City Staff, Northland College, Burke Center Staff, and Wisconsin DNR held a public forum regarding the cities inflow and infiltration issues at the Northern Great Lakes Visitors Center. Each of the three entities discussed the issue and what their roles are with the I/I problem the City currently is experiencing. The forum was well attended by the public and there was a lot of data presented.

b. Planned Investigative Work

The Utility is going to be going out to bid for investigative work on the sanitary sewer system to help identify where some of the I/I issues are. After the investigative work is completed a construction project will be developed for the next construction season.

c. Suggestions on Public Communications topics for Public Education

Agenda Item 7: Action Item

No action items.

Agenda Item 8: Items of Interest for Future Meetings

Building Condition Reports - Number of buildings
Capital Improvement Plans 5 year and 10 year

Agenda Item 9: Set Next Meeting Date

Next meeting is scheduled for June 13, 2019 at 5:30 p.m.

Agenda Item 10: Adjournment

At 6:45 p.m., Sorenson moved, seconded by Calhan to adjourn. Motion passed.

SUBJECT: **Approve a Resolution to Amend to a Conditional Use Permit for New Day Advocacy Center to Allow a Fence Eight Feet in Height Around the Playground Area at 301 Ellis Avenue, Zoned City Center (CC). Applicant: New Day Advocacy Center/Tom Potterton (Voice) Planning and Development**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES:
Planning & Development Department
Planning Commission *(unanimously approved on 07/02/2019)*
Public Works Department

EXHIBITS:

1. Proposed Resolution
2. Plan commission Staff Report, July 2, 2019
3. Letter of Request From New Day Advocacy Center, June 25, 2019
4. Aerial Map of 301 Ellis Avenue
5. Zoning Map of 301 Ellis Avenue

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: No Change.

SUMMARY STATEMENT:

See attached staff report and exhibits for background.

RESOLUTION TO AMEND TO THE CONDITIONAL USE PERMIT FOR NEW DAY ADVOCACY CENTER TO ALLOW A FENCE EIGHT FEET IN HEIGHT AROUND THE PLAYGROUND AREA AT 301 ELLIS AVENUE, ZONED CITY CENTER (CC). APPLICANT: NEW DAY ADVOCACY CENTER/TOM POTTERTON.

WHEREAS, the Common Council of the City of Ashland is authorized to approve issuance and amendments to Conditional Use Permits; and

WHEREAS, the Common Council issued the initial Conditional Use Permit to operate an emergency residential facility at 301 Ellis Avenue at their July 25, 2017 meeting; and

WHEREAS, the Common Council approved an amendment to the Conditional Use Permit to amend the design of the enclosed smoking shelter, increase the fence height from four (4) feet to six (6) feet in height, and to increase the allowable number of parking spaces at their February 6, 2018 meeting; and

WHEREAS, the Plan Commission held a Public Hearing on July 2, 2019, and has recommended approval of the requested amendment to the Conditional Use Permit to allow the fencing around the children's play area to be eight (8) feet in height and to be of vinyl material;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit amendment to allow a fence eight feet in height around the children's play area is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: July 9, 2019

____
Councilperson

ATTEST: ______________________________
Denise Oliphant, City Clerk

____
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

____
Tyler W. Wickman, City Attorney

____
Applicant

____
Date

*Applicant understands and accepts the conditions of approval indicated in this Resolution
*Applicant was provided notice of the approval by Common Council within 5 business days of such approval

Find yourself next to the water.

ASHLAND

City of Ashland, Wisconsin
601 Main Street West Ashland, WI 54806 www.coawi.org

DEPARTMENT OF
PLANNING &
DEVELOPMENT

601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – July 2nd, 2019

Agenda Item # 4a:	**Public Hearing and Consideration to Amend the Conditional Use Permit for New Day Shelter**
Zoning District:	**City Center (CC), Gateway Overlay (GTWY-O)**
Property Address:	**301 Ellis Ave**
Parcel #:	**201-01684-0000**
Applicant:	**New Day Shelter**
Staff Contact:	**Megan McBride**

Background

A Conditional Use Permit request was approved for the New Day Shelter (Northwoods Women, Inc.) to operate an emergency residential facility at 301 Ellis Avenue by the Plan Commission on July 18, 2017 and by Council on July 25, 2017. The CUP was approved contingent on the following conditions:

a. Applicant shall work with Planning on a new parking lot plan, to indicate no more than 27 spaces to be provided, and revert excessive asphalt to green space. Remaining asphalt shall be improved to eliminate breakage/holes and striped to indicate locations of parking spaces.

b. A building permit shall be required for the addition of a fenced in smoking area, as well as for the placement of any storage sheds to accept donations. Details of fence shall be submitted to planning for review and approval.

c. Any exterior lighting shall be shielded or be full cut-off fixtures.

New Day Shelter had amended their existing CUP in the following ways, and had it approved by the Plan Commission on February 6, 2018:

- They requested to change the location and design of the smoking shelter. They would like to relocate it to the east side of the building rather than the approved west side, as site constraints have made positioning it on the east side the only viable option. Additionally, they are amending their plan for the smoking shelter from a fenced in area to a secure, enclosed smoking shelter that will be designed to complement the principal building (see attached elevations). A secure gate will be installed on the south side of the smoking shelter for emergency egress.

- They requested the allowance of fencing that is 6’ high (up to 4’ is allowed in a front yard without a Conditional Use Permit) on the north, east, and south sides of the enclosed play area to create a physical and visual barrier from the surrounding roads. The west side of the play area would be 4’ high to allow supervision of the playground by staff inside of the building. It will also be gated, as it serves as the point of access to the play area. The fence will be a board-on-board with natural wood finish.

- They requested to increase the number of allowed parking spaces from 27 (as identified in original CUP) to 30 spaces based on finalized building uses and square footages. Calculations for the allowable maximum parking spaces are attached. Per the proposed plan, 30% of the existing asphalt area will be converted to green space. The existing parking lot is in poor condition and will be replaced and striped as depicted.

New Day Shelter is requesting to amend their existing CUP in the following ways:

- They are requesting the allowance of fencing that is 8' high versus the previously approved 6' height (up to 4' is allowed in a front yard without a Conditional Use Permit). The reason for this request is to ensure client confidentiality, safety, and privacy, particularly for the most vulnerable clients.

- They are requesting to change the material for the playground enclosure from board-on-board to vinyl privacy fencing. This change will allow for lower maintenance throughout the life of the fence.

Standards for Review

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland.

Conditional Use Review

The following decision criteria were used to review the submitted conditional use (Considerations for amendments are in *italics*):

1. **Consistency with Comprehensive Plan.** *No Change.* [The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. The Plan states that we are a place where citizens look out for one another, and this neighborliness is a core value in our community. Supporting the expansion of a service that has been successfully helping citizens in the region when in crisis situations is a direct way to implement this value.]

.

2. **Compatibility.** *The proposed amendments do not result in changes to the compatibility of the project in this location. The proposed updates to the fencing height and material along Ellis Avenue will neither impact the aesthetics of the site along this primary corridor now alter traffic visibility in this area.* [Staff views this location as compatible for this use, as it is located in the center of the City, close to clients' personal shopping and medical/legal services, as well as close to essential collaborating partners (law enforcement, court personnel, human services, etc.). Existing development within 500 feet of the site includes commercial uses as well as some multi-family residential development.]

3. **Importance of Services to the Community.** *No Change.* [New Day Shelter offers services and safety for victims of domestic violence and sexual abuse. They also offer extensive educational programming to the greater community in order to facilitate the elimination of this type of violence in our community. In order to continue offering these importance services to the community successfully, they are in need of greater security measures for their clients.]

4. **Neighborhood Protections.** *No change.* [There are staff members on site 24 hours a day, 7 days a week, to ensure that overnight clients' needs are being met, to ensure that all clients are kept safe, to provide coordination services with other agencies to help clients with medical/legal issues, and to provide transportation services for clients who may need assistance getting around. The Shelter will have a camera surveillance system and an alarm system, protecting clients and staff and giving staff the ability to monitor the facility grounds. Historically the area surrounding their current facility has been quiet, and they do not anticipate that this will change with the new site. No additional neighborhood protections are anticipated.]

5. **Conformance with Other Requirements:** The New Day Shelter has worked with City Planning & Development as well as Public Works staff to ensure all other requirements laid out in the previously approved CUP are being met through the remodel of the exterior site which will soon commence. These items include implementing the altered parking plans approved by Plan Commission and Council, the screening for dumpster enclosures, and is working with the Public Works Department to determine if the recommended pole needs to be relocated to accommodate the project.

Review Recommendation

Staff recommends APPROVAL of the Amended Conditional Use.

Additionally, as a Public Hearing is scheduled for the proposed amendment to the Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The legal requirements of a Class 2 public hearing notice were followed.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

June 25, 2019

To: Ashland Zoning Office

From: New Day Advocacy Center

Re: Requesting to amend our existing Conditional Use Permit for our new facility at 301 Ellis Avenue, Ashland WI.

New Day Advocacy Center is requesting to amend our existing CUP in the following ways:

I. Allowance of fencing that is 8' high versus the approved 6' high previously approved. The reasons for this request are:

- A higher fence is needed for ensured client confidentiality, safety, and privacy, which are of the highest priority for domestic violence and sexual assault victims and their children.
- All our clients need to be able to feel safe and protected from public scrutiny while using the garden/playground space outside the shelter/agency facility with their children. This helps our clients feel like they are not on display as a New Day client and ensures our clients cannot be seen by their perpetrators who may drive by, or by others who would share information about clients' location with other people, potentially including perpetrators.
- Some clients are not able to routinely leave the shelter/agency facility and freely travel around the area due to an elevated threat level from their perpetrators or other related reasons; however, with the extra fence height ensuring higher-level confidentiality, safety and privacy conditions, along with security cameras installed to specifically protect the garden/playground area, they can confidently utilize this outdoor space with their children and maintain as much calm as possible in their continuing family life.
- We would appreciate the opportunity to install the best safety measures we know of to help protect the highly important

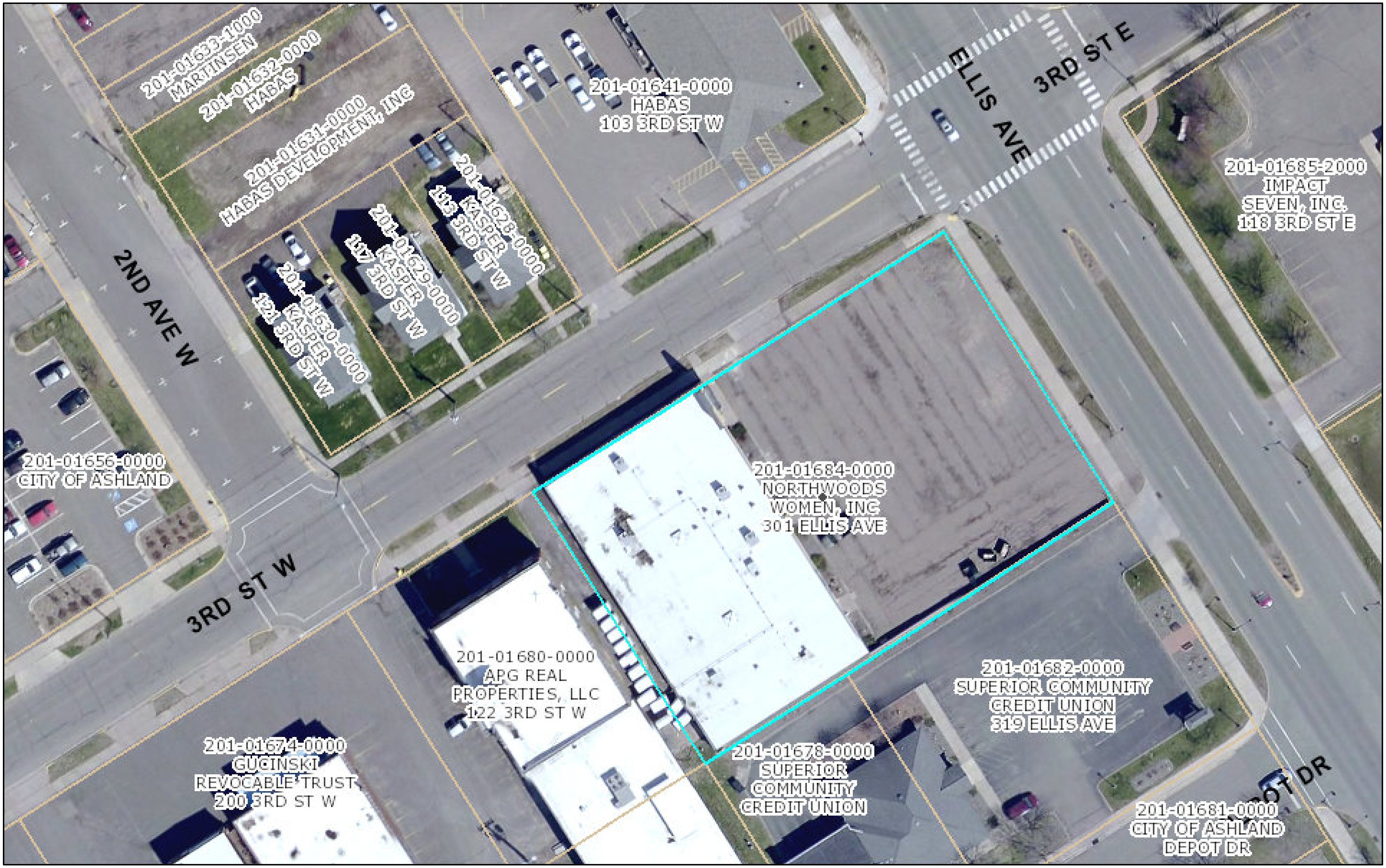
confidentiality, safety and privacy safeguards for our client families, a vulnerable population who is at great risk.

II. Change material for our Playground enclosure from board-on board with natural finish to vinyl privacy fencing to allow for low maintenance.
   - This low-maintenance vinyl privacy fence panel kit features a unique design that securely locks pickets into place.
   - Its glue- and fastener-free connection between pickets and rails provides a neighbor-friendly appearance that is the same on both sides.
   - The routed post design allows fence rails to securely lock into place without brackets or hardware.

III. Request permission to place a 10' W X 12' L X 10" H wooden storage shed on the property. Reasons for this request are as follows:
   - We require a place to be able to store equipment to maintain outside areas (mower, gas, snow shovels, etc.
   - The shed provides additional storage space to house children's large outdoor play toys and large donation items from the community, such as mattresses, bed frames, cribs, dressers, couches, end tables, lamps, microwave ovens, etc., which we give to clients as they obtain housing away from violence and furnish their new homes. As these donation items are currently kept on-site in our shed, clients are easily able to view them and make decisions about which donations to take with them
   - The shed also assists us in our bed bug prevention process. All cloth donations we receive, including purses, shoes, etc., are kept in large garbage bags and stored in the shed for a while before we bring them into the agency building to go through our bed bug prevention process, which includes killing possible bed bugs and bed bug eggs with the heat in a bed bug machine. In addition, the shed cancels out some of the bed bug process, thereby saving us a lot of staff time and utility expense. During the cold winter months, we do not need to put donations through our bed bugging machine, as the donations are left in the shed for a few weeks and any present bed bugs and bed bug eggs are killed by the cold outdoor temperatures.

- We are grateful to the students of a Construction Essentials class, a collaboration course between Northwest Wisconsin Investment Board, Inc. and WITC-Ashland, for building and donating this very useful shed to our agency. It will leave a huge gap in our ability to efficiently do our work without it.

Aerial Map of 301 Ellis Avenue



6/30/2019, 11:11:56 AM

Parcel Labels

Parcel Mapping

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL

Department of Public Works Engineering

Zoning Map of 301 Ellis Avenue

	City Center (CC) zoning district
	Gateway-Overlay district
	Single-Family Residential (R-1) zoning district
	Public Park (PP)

1:4,514

0 0.0375 0.075 0.15 mi

0 0.05 0.1 0.2 km

City of Ashland Public Works Department, GIS Division
City of Ashland Public Works and Planning Department

Department of Public Works Engineering

SUBJECT: **Approve a Resolution to Issue a Conditional Use Permit to Allow a New 165' Telecommunication Tower for Mobile Service Facilities at 2909 Toll Road, Zoned Heavy Industrial (HI). Applicants: PI Tower Development, LLC and Verizon Wireless (Voice) Planning and Development**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Planning & Development Department
Planning Commission (unanimously approved on 07/02/2019)
Public Works Department

EXHIBITS:

1. Proposed Resolution
2. Plan commission Staff Report, July 2, 2019
3. Request Letter from TON 80 Realty Services Inc., May 22, 2019
4. Aerial Map of 2909 Toll Road
5. Zoning Map of 2909 Toll Road

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed telecommunication tower promotes the goals and principles for future development in the Industrial Park/Heavy Industrial zoning district stated in the Comprehensive Plan. The Comp Plan emphasizes the importance of making Ashland a hospitable environment to support new businesses and more specifically recommends shifting the Industrial Park to also include industrial/technology-based uses to develop an Industrial/Technology Park as an economic node for the community. Reliable, high speed telecommunication services are important for the health of area businesses and the overall ability of the City to attract new developers and residents to the area.

SUMMARY STATEMENT:

See attached staff report and exhibits for additional details.

RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT TO ALLOW A NEW 165' TELECOMMUNICATION TOWER FOR MOBILE SERVICE FACILITIES AT 2909 TOLL ROAD, ZONED HEAVY INDUSTRIAL (HI). APPLICANTS: PI TOWER DEVELOPMENT, LLC AND VERIZON WIRELESS.

WHEREAS, the Common Council of the City of Ashland is authorized to approve Conditional Use Permits; and

WHEREAS, the Plan Commission held a Public Hearing on July 2, 2019, and has recommended approval of the Conditional Use Permit with the following conditions:

a. Approval of Site Plan by the Planning Commission

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit to allow construction of a new telecommunication tower for mobile service facilities at 2909 Toll Road is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: July 9, 2019

____
Councilperson

ATTEST: ______________________________
Denise Oliphant, City Clerk

____
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

____
Tyler W. Wickman, City Attorney

____
Applicant

____
Date

*Applicant understands and accepts the conditions of approval indicated in this Resolution
*Applicant was provided notice of the approval by Common Council within 5 business days of such approval

(2343)

Find yourself next to the water.

ASHLAND

City of Ashland, Wisconsin
601 Main Street West — Ashland, WI 54806 — www.coawi.org

DEPARTMENT OF PLANNING & DEVELOPMENT

601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – July 2nd, 2019

Agenda Item #4b: **Conditional Use Permit request to allow the construction of a wireless communication tower and installation of security fence with barbed wire**

Zoning District: **Heavy Industrial (HI)**

Property Address: **2909 Toll Road**

Parcel #: **201-05056-3000**

Applicant: **PI Tower Development, LLC and Verizon Wireless**

Staff Contact: **Megan McBride**

Background

The applicant PI Tower Development, LLC is requesting to construct a new wireless communication tower within their land lease area on the north portion of 2909 Toll Road, located within the Industrial Park in the Heavy Industrial (HI) district. The property is owned by Homer and Jamie Moore, and a signed letter of acknowledgement and consent to the location of the monopole on their property has been included in the attachments to this staff report.

PI Tower Development, LLC has thoroughly detailed in the attached Cover Letter the efforts that were made to collocate on an existing tower but were unable to identify one that met the needs of Verizon Wireless and was not so cost prohibitive that a new tower build would be significantly less expensive while creating opportunity for three additional entities to collocate in the future. Since the tower is unmanned it will not require staffing and thus will not generate noticeable increase in traffic in this area. The equipment that will be on site (equipment cabinet cluster, freestanding emergency generator, and antennas) will not generate a noise impact for neighboring properties, and the ground equipment and barbed wire fence will be thoroughly screened using evergreen trees.

In addition to their request to construct a new tower to support wireless telecommunication facilities, the applicants would like to install at fence 7 feet in height which would include 1 foot (or three strands) of barbed wire. Inclusion of barbed wire on fencing in any zoning district requires a conditional use permit per the UDO Section 6.5D, 2: *Barbed Wire and Security Fences.* The security fencing and interior equipment will be thoroughly screened using American Arborvitae which are a type of tall-growing evergreens which will provide sufficient, attractive screening in all seasons.

Standards for Review

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland.

Conditional Use Review

The following decision criteria were used to review the submitted conditional use:

1. **Consistency with Comprehensive Plan.** The proposed telecommunication tower promotes the goals and principals for future development in the Industrial Park/Heavy Industrial zoning district stated in the Comprehensive Plan. The Comp Plan emphasizes the importance of making Ashland a hospitable environment to support new businesses and more specifically recommends shifting the Industrial Park to also include industrial/technology-based uses to develop an Industrial/Technology Park as an economic node for the community. Reliable, high speed telecommunication services are important for the health of area businesses and the overall ability of the City to attract new developers and residents to the area.

2. **Compatibility.** The proposed use of a wireless telecommunication tower is compatible with the surrounding uses and overall intent of the Industrial Park and Heavy Industrial district. The intent of the Heavy Industrial (HI) District is to provide areas in the City for intense industrial uses which are separated from residential development and is intended to be limited to areas where adequate transportation and pertinent utilities and services exist. Since telecommunication towers are considered a heavy utility use and would not be appropriate to locate near existing or future residential development, the proposed location of a new telecommunication tower in the HI district/Industrial Park is compatible with surrounding uses and the best location for this type of facility. The requested barbed wire atop the security fencing is also most appropriately located in the HI district/Industrial Park. The only adjacent property that is not owned by the City of Ashland is Deltco Plastic, Inc. which is a heavy industrial manufacturing/recycling use that would not be adversely impacted by the addition of this tower. The tower will not generate additional traffic after completion of the build, will not create a noise disturbance for surrounding properties, and the ground equipment and barbed wire fence will be thoroughly screened by evergreen trees. The closest residential property is approximately 1,500 feet away from the proposed location of the tower.

3. **Importance of Services to the Community.** The installation of this tower will increase the quality of service for Ashland visitors and residents who are Verizon Wireless customers while also creating opportunity for lease by other entities to continue to improve the quality of wireless coverage in the Ashland area. Reliable, high speed telecommunication services are important for the health of area businesses and the overall ability of the City to attract new developers and residents to the area.

4. **Neighborhood Protections.** Few neighborhood protections are required due to the proposed location of the tower in the Heavy Industrial district and Ashland Industrial Park, but the proposed Site Plan does show landscaping surrounding the fenced in area which will screen views of equipment. The trees proposed to screen the site are American Arborvitae which are a type of tall-growing evergreens which will provide sufficient, attractive screening in all seasons.

5. **Conformance with Other Requirements:** The applicant will need to obtain a Building Permit prior to construction of the tower and a Fence Permit prior to installation of the security fencing. The tower will be required to meet the standards for wireless communication towers listed in the UDO.

6. **Other factors:** As a Public Hearing has been held for the requested Conditional Use Permit; the Plan Commission should hear and consider all input from the public prior to making a decision.

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit for PI Tower Development, LLC and Verizon Wireless to allow a wireless communication tower to be constructed at 2909 Toll Road, with the following conditions:

- Approval of Site Plan by the Planning Commission

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

TON 80

REALTY SERVICES, INC.

<u>Via: USPS Priority Mail</u>

May 22, 2019

Ms. Megan McBride
Interim Director of Planning & Development
City of Ashland
601 Main Street West
Ashland, WI 54981

Re: Conditional Use Permit Application Submittal/ PI Tower Development LLC & Verizon Wireless-New Mobile Service Support Structure and Mobile Service Facility/Ashland Mini Storage Property located at 2909 Toll Road, Ashland, WI 54806. Parcel ID #201-05056-3000.

Dear Ms. McBride,

On behalf of our client(s) PI Tower Development LLC ("Lendlease") and Verizon Wireless, enclosed please find the required project information along with a completed City of Ashland Conditional Use Permit and Site Plan Review Checklist forms. These applications and the corresponding submittal information have been prepared in accordance with the State of Wisconsin Mobile tower siting regulations found at Wis. Stat. Sect. 66.0404. The application procedures for a new mobile service support structure (tower) and mobile service facility (communications equipment) are found at Wis. Stat. Sect. 66.0404(2)(b) and list six (6) requirements for a completed application.

Below is a narrative on these six (6) requirements, including the specific project information. I have also enclosed a copy of the State of Wisconsin regulations for your reference as you review this submittal.

1. The name and business address of, and the contact individual of, the applicant.

<u>Applicant (s):</u>
PI Tower Development LLC
Attn: Jennifer Brown
2320 Cascade Pointe Blvd, Ste. 300
Charlotte, NC 28208

Verizon Wireless
1515 Woodfield Road
Schaumburg, IL 60173

<u>Contact Individual</u>:
Peter Schau
Ton 80 Realty Services, Inc.
P.O. Box 578790
Chicago, Il 60657

2. The location of the proposed support structure.

2909 Toll Road, Ashland, WI 54806
Parcel ID # 201-05056-3000

The location of the proposed 165' monopole tower structure (170' overall with lightning rod) is in the west half of the north end of the above referenced +/-2.33 acre parcel within a 70' x 70' lease area as depicted in the enclosed survey and construction drawings.

3. The location of the proposed mobile service facility.

2909 Toll Road, Ashland, WI 54806
Parcel ID # 201-05056-3000

Lendlease proposes to construct a 165' monopole type tower structure (170' overall with lightning rod) for the immediate use by Verizon Wireless in the west half of the north end of the +/-2.33 acre property at 2909 Toll Road, Ashland, WI 54806. This new tower structure will be located within a 70' x 70' ground lease area as depicted in the enclosed survey and construction drawings. Verizon Wireless will locate its antennas and equipment upon the tower at the 160' centerline, route its coax/cabling down the inside of the tower, and install an 8'0" x 9' 4" equipment cabinet cluster and freestanding emergency backup power generator upon new concrete pads near the base of the tower structure at grade all within the Lendlease ground lease area. Also, the monopole tower and compound is designed to accommodate at least three (3) additional similar wireless telecommunications equipment installations besides the one contemplated by Verizon Wireless.

4. If the application is to substantially modify an existing support structure...

The application is for a new 165' monopole tower (170' overall with lightning rod), therefore the submittal requirements of this section are not applicable.

5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile services support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

See the enclosed construction drawings depicting the proposed Lendlease and Verizon Wireless installations containing the above described information.

6. If the application is to construct a new mobile service support structure, an explanation as to why the application chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has the responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

The Verizon Wireless search ring is depicted in the enclosed Delorme Map labeled *"Verizon Wireless Search Area: Ashland Industrial Site"*, where there are no existing structures of any kind within the defined search area available for collocation by Verizon Wireless.

However, as a matter of industry best practices, Verizon Wireless always evaluates the closest existing structures to its defined search area to assess their viability prior to seeking approval for a site which will require the construction of a new mobile service support structure as contemplated under this application.

In this regard, there are three existing structures in nearby proximity to the Verizon Wireless search area which were evaluated prior to the selection of the subject location.

The first existing structure in close proximity to the defined search area that was evaluated by Verizon Wireless is the 300' tall State of Wisconsin Educational Communications Board guyed communications tower located at 324 Industrial Park Drive approximately 2,050' northeast of the proposed site location. Contact was made with the Educational Communications Board to confirm that this structure was available for lease and what locations upon the tower would be available for use by Verizon Wireless. The Educational Communications Board responded that it would consider leasing space to Verizon Wireless upon this tower, and performed a preliminary review of their file information to confirm what heights on the tower would be available for the installation of the Verizon Wireless tower mounted equipment and the estimated rental fee it would charge Verizon Wireless for its consideration. Verizon Wireless reviewed this information and determined that though this location could satisfy its RF engineering needs for this search area, it could not agree to the rental fees which the Educational Communications Board would demand for the use of its facility. In short, the first years rent would be almost three (3) times the amount Verizon Wireless would expect to pay for a similar installation in this market, the annual rental escalator would be 2 percentage points higher than the maximum escalator Verizon Wireless would expect to be included in similar agreements in this market, and is 3.5 percentage points more than found in its agreement for the subject site. These differences in rent and escalator would result in a **$2,029,742.57 cost increase** over a 25-year lease term to Verizon Wireless from the proposed site location under this application. As these amounts clearly illustrate, the rental fees sought by the Educational Communications Board are economically burdensome and make this location financially unviable for use by Verizon Wireless.

The next closest structure to the defined search area besides the aforementioned State of Wisconsin Educational Communications Board guyed communications tower is an existing 400' tall guyed tower structure owned by American Tower Corporation located at 2313 County Highway A approximately 4,942' southeasterly of the proposed site location. This tower was also evaluated for use by Verizon Wireless but determined not to be a viable option because it is too far south from the proposed search area to meet the engineering needs for the site.

After that, the next closest structure to the defined search area is a monopole tower located north of US Hwy 2 on Bad River Reservation lands approximately 1.08 miles northeasterly of the proposed site location. This tower was also evaluated for use by Verizon Wireless but determined not to be a viable option because it is too far east from the defined search area to meet the engineering needs for the site.

ADDITIONAL DISCUSSION

This is a joint application for a proposed new mobile service support structure (tower) which will be owned by PI Tower Development LLC ("Lendlease"), a national owner and operator of wireless communications infrastructure; and a mobile service facility (antenna and equipment) installation upon this new support structure by its proposed tenant, Verizon Wireless. It is not uncommon for wireless telecommunications service providers to engage the services of a tower company to construct, own, and operate the infrastructure upon which they desire locate their equipment. In this case, Verizon Wireless needs the site to meet its service needs for the defined search area, and has engaged Lendlease to participate as the tower developer/owner for the project.

As described above, the proposed project is for the construction, installation, and operation of an unmanned wireless communications tower facility upon the +/-2.33 acre property at 2909 Toll Road, Ashland, WI 54806. This facility will consist of Verizon Wireless antennas and equipment to be mounted at the 160' centerline of a newly constructed Lendlease owned 165' monopole tower (170' with lightning rod), associated coaxial/hybrid cable runs down the inside of the tower, and a 8'0" x 9' 4" equipment cabinet cluster and freestanding emergency backup power generator upon new concrete pads near the base of the tower all within the fenced Lendlease compound area as shown in the enclosed plans. Also, a 20' wide access and utility easement will be utilized to serve the site, both entering the property from the southern public way via the existing access point from Toll Road currently serving the parent parcel.

This Conditional Use Permit will result in a great benefit for the community, in that it will allow for the continued provision of the highest quality, and most technologically advanced wireless communication services to the nearby resident and visitor populations of the City Ashland. Besides the services which will be provided by Verizon Wireless, the tower facility has been designed so it will be available for at least three (3) other comparable antenna and equipment installations, and shall conform to all applicable ANSI/TIA 222-G, FCC, and FAA regulations and standards governing such facilities. Multiple company collocations on its infrastructure is the core of Lendlease's business, and Lendlease actively markets its portfolio of tower sites for collocation to all communication users nationwide and will do so for this site as well.

The proposed facility will not require any public participation, or result in any public cost for public facilities and services which would be detrimental to the economic welfare of the community. In fact, the wireless communication services offered by Verizon Wireless are desired by both businesses and individuals, and will be an economic asset to the community. The enhanced E-911 services provided by facilities such as these will also assist in the protection of the public health, safety, and welfare of the community.

The equipment will operate continuously at this unmanned facility and will require no additional parking or facilities for employees. Verizon Wireless' cell site technicians will visit the site periodically, typically a couple hours once per month, for the testing and monitoring of the maintenance and security of its equipment. Lendlease personnel will also visit the site periodically to monitor the maintenance and security of the facility. The facility will not generate any substantial traffic, and besides the new tower structure, the remainder of the equipment has a minimal visual impact and generates very little noise.

This site is located upon a property in the HI-Heavy Industrial Zoning District on a parcel that abuts other Industrial zoned parcels on all sides, in a manner that provides the largest available buffer distance to the closest residentially zoned properties to the east. Also, the proposed site has been positioned upon the underlying +/-2.33 acre parcel to best conform with the current and potential future use(s) of the property. The location of the proposed tower upon the property is setback from the nearest property line by approximately 65', a distance that is less than the height of the proposed tower structure. However, enclosed please find a stamped engineering letter from Ehresmann Engineering Inc., Lendlease's tower manufacturer, ensuring that that the tower will be designed to collapse within the subject property in the event of structural failure. A landscaping buffer will also be installed around the north, west, and south sides of the compound to assist in minimizing any potential impacts to the viewsheds of the adjoining properties, public ways, and nearby pedestrian areas.

TON 80

REALTY SERVICES, INC.

Besides the six (6) application requirements defined by Wis. Stat. Sect. 66.0404(2)(b), I have also enclosed a copy of the FAA Determination of No Hazard to Air Navigation for the proposed tower at this location and a check made payable to the City of Ashland in the amount of $150.00 for the applicable application fee.

Finally, I believe the above information satisfies the applicable application requirements as defined by the City of Ashland Zoning Ordinance and as preempted by Wis. Stat. Sect. 66.0404; and is ready to be scheduled for consideration by the City of Ashland Planning Commission. I look forward to the public hearing for this request, and will be present at the meeting to address any remaining questions that the commission or members of the public may have regarding the application and proposed use of the site.

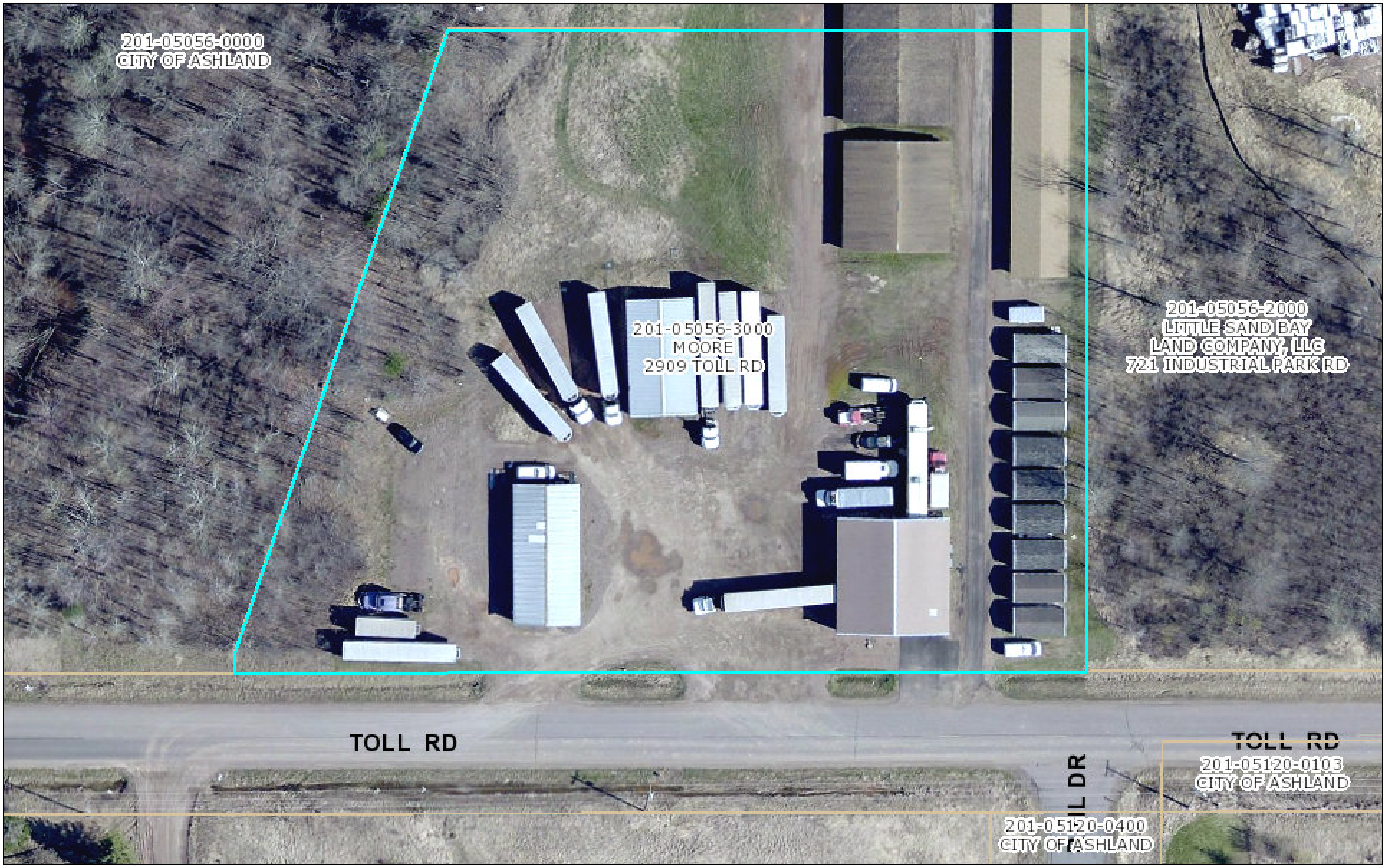
Should you have any additional information needs or questions regarding the application, the enclosed materials, or the proposed use of the site, please contact me directly at (773) 919-5112, or by e-mail at pschau@ton80realtyservices.com.

Sincerely,

Peter Schau

Peter Schau
Ton 80 Realty Services, Inc.,
on behalf of PI Tower Development LLC
and Verizon Wireless
Enclosures as described

Aerial Map of 2909 Toll Road



6/30/2019, 10:57:54 AM

Parcel Labels

Parcel Mapping

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL

Department of Public Works Engineering

Zoning Map of 2909 Toll Road

Heavy Industrial (HI) zoning district

Single-Family Residential (R-1) zoning district

Future Development (FD) zoning district

1:4,514

0 0.0375 0.075 0.15 mi

0 0.05 0.1 0.2 km

City of Ashland Public Works Department, GIS Division
City of Ashland Plublic Works and Planning Department

Department of Public Works Engineering

SUBJECT: **Approve to Reallocate Capital Improvement Plan (CIP) Funds from the Kreher Park Bathroom Project and Award a Contract to Ashland Construction for the 2019 Green Infrastructure and Parking Lot Improvements Contract *(Roll) Public Works***

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Public Works Director
Ashland Parks and Recreation Director

EXHIBITS: 1. Bid Tabulation Maslowski Beach

EXPENDITURES REQUIRED:
$ 146,595.00 Project Construction
14,659.00 Contingency
$ 161,254.00

AMOUNT BUDGETED:
$ 120,000.00 EPA Grants
41,254.50 CP Fund 481 Parks and Grounds
$ 161,254.50

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on June 27, 2019, that Ashland Construction, Inc. is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

In 2016, the City of Ashland was awarded a $175,000 grant to support the construction of green infrastructure at Maslowski Beach. The green infrastructure is intended to contribute to improved beach and water quality by reducing the discharge of untreated storm water into Chequamegon Bay.

The 2016 storm resulted in significant damage at Maslowski Beach, requiring some elements of beach restoration to be incorporated into the project. The overall project is divided into two portions (1) East Beach and (2) West Parking Lot/Beach. The scope of work for each phase was reviewed and approved by the WI

DOT as it will impact the Right of Way for US-2.

Public Works will complete work on the East Beach, including the placement and grading of fill to improve site drainage, raising the elevation of existing structures (pavilion, playground), and planting of grass to stabilize the upland area.

Smith Group provide a design for the work on the West Parking Lot/Beach, which will include a new asphalt parking lot, retaining wall, and a biofiltration swale.

Advertisement for the project occurred on June 12th and 19th, bids were received on June 27 from two (2) bidders.

Ashland Construction, Ashland WI	$153,855.00
Angelo Luppino, Iron Belt, WI	$203,835.77

Both bids exceeded the Engineer’s Estimate of $129,650.00 for construction total.

Sidewalk reconstruction, pavement markings, and parking lot signage will be completed by Public Works to reduce the cost of Ashland Construction’s contract to $146,595.00.

Funds in the amount of $41,254.50 are requested from CP Fund 481 to address the remaining need. These funds will be reallocated from the Kreher Park Showers Upgrade project.

The Public Works Department recommends entering into an agreement with Ashland Construction for the 2019 Green Infrastructure and Parking Lot Improvements Contract at a cost of $161,254.50, including construction contingency.

BID TABULATION
MASLOWSKI BEACH **J. Butler** **7/2/2019**

BASE BID				Ashland Construction		Angelo Luppino		
PAY ITEM	ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	BID COST	UNIT PRICE	BID COST	
1	Erosion Control	LS	1	$3,650.00	$3,650.00	$4,709.93	$4,709.93	
2	Site Preparation	LS	1	$7,750.00	$7,750.00	$3,336.49	$3,336.49	
3	Unclassified Excavation	LS	1	$16,000.00	$16,000.00	$25,700.00	$25,700.00	
4	5" Asphalt Paving	SY	1,300	$29.00	$37,700.00	$32.86	$42,718.00	
5	6" Concrete Sidewalk	SF	600	$7.65	$4,590.00	$11.50	$6,900.00	By City
6	Control Structure (Overflow w/ Grates)	LS	1	$31,865.00	$31,865.00	$24,300.00	$24,300.00	
7	Tactile Warning Surfacing	SF	50	$31.00	$1,550.00	$70.00	$3,500.00	
8	Pavement Markings	LS	1	$1,670.00	$1,670.00	$1,600.00	$1,600.00	By City
9	Dense Graded Aggregate Base Course	TON	710	$16.50	$11,715.00	$26.16	$18,573.60	
10	Open Graded Base	TON	100	$39.00	$3,900.00	$66.30	$6,630.00	
11	Riprap	TON	525	$36.00	$18,900.00	$69.87	$36,681.75	
12	Signage - Salvage & Reinstall	LS	1	$1,000.00	$1,000.00	$500.00	$500.00	By City
13	Bioretention Soil Mix	CY	168	$40.00	$6,720.00	$105.00	$17,640.00	
14	Topsoil- Spreading & Fine Grading	LS	1	$3,575.00	$3,575.00	$3,660.00	$3,660.00	
15	Turf Seeding	SY	750	$3.00	$2,250.00	$4.00	$3,000.00	
16	Bioretention Seeding	SY	255	$4.00	$1,020.00	$17.20	$4,386.00	
				BID TOTAL	**$153,855.00**		**$203,835.77**	
				REVISED BID TOTAL	**$146,595.00**			

-Available construction budget from grant dollars is $120K. Items identified as "by City" to be completed by PW to save cost.

-Revised Bid Total = low bidder "bid total" less items to be completed by City. $146,595/$153,855 = 95%. OK per Article 11 of Supp. Conditions

REVISED BID TOTAL	$146,595.00
10% Contingency	$14,659.50
AWARD TOTAL	**$161,254.50**