

ASHLAND CITY COUNCIL MEETING
Tuesday, September 24, 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

- A. September 10, 2019 City Council and Committee of the Whole Meeting Minutes

4. CITIZEN PARTICIPATION PERIOD (Clerk reads rules prior to public comments)

5. MAYOR'S REPORT

- A. Announcements
- B. Appointments

6. CONSENT AGENDA

- A. Operator's Licenses

7. NEW BUSINESS

- A. Approve a Resolution Accepting the Workmanship of Ashland Construction, Inc, and Approval of Final Payment for the 2018 Main Street East and 14th Avenue East Resurfacing and Utility Replacement Project (*Public Works*) Roll
- B. Approve a Resolution to Issue a Conditional Use Permit to Allow Vehicle Repair/Service Use at 1100 Lake Shore Drive East in the Mixed Residential/Commercial (MRC) District, Parcel #201-01195-0000, Applicant: Richard Bloss (*Planning*) Voice
- C. Approval of the Updated City of Ashland Comprehensive Outdoor Recreation Plan (CORP), 2019-2024 (*Parks and Recreation*) Voice

8. CLOSED SESSION

- A. Closed Session per Wisconsin Statute 19.85(1)(e) “Deliberating or negotiating the purchasing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”** (*Modification of Contract with C&S Design & Engineering, Inc./Bray Architects, Inc. for the architectural and design work for the new police facility,*)
- B. Enter into Closed Session (*Roll*)**
- C. Return to Open Session**
- D. Report of Discussion or Action Taken During Closed Session**

9. ADJOURNMENT

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact Denise Oliphant at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

SUBJECT: September 10, 2019 City Council and Committee of the Whole Meeting Minutes

RECOMMENDATION:

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES:

EXHIBITS:

1. September 10, 2019 Council Minutes
2. September 10, 2019 Committee of the Whole minutes

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, September 10, 2019 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, September 10, 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

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

ABSENT: Jackie Moore (excused)

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Parks and Recreation Director Sara Hudson, Public Works Director John Butler, and other concerned citizens.

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

B. Moment of Silence

C. Pledge of Allegiance

2. APPROVAL OF AGENDA (Voice)

Haas moved, seconded by Franek to approve the agenda as presented. The motion carried unanimously by voice vote.

3. APPROVAL OF MINUTES

Whitebird asked to correct the minutes to correctly reflect a citizen comment made by E. Lindell regarding a conversion therapy resolution which Superior recently passed. Ullman asked to correct citizen comments made by Z. Jablonski regarding the debt service limit.

Pufall moved, seconded by Whitebird to approve the corrected minutes of the August 27, 2019 City Council and Committee of the Whole meetings. The motion passed unanimously by voice vote.

A. Minutes of the August 27, 2019 City Council and Committee of the Whole Meetings

4. CITIZEN PARTICIPATION PERIOD

The Clerk read the Rules for Citizen Participation, and the following offered their comments to the Council:

Magge Ericson, 5 Fifield Row, regarding the alleyway near her residence that has not yet been corrected, creating water flowing into their properties causing storm water overflow and flooding.

Presley Nuutinen, Washburn, organizer of the Chequamegon Area Climate Strike, announced a climate strike event to be held on September 20, 2019 ending with a rally at the Ashland Band Shell in the evening. She requested Council to discuss potentially adopting a resolution to declare a climate emergency to restore a safe climate.

Zygmund Jablonski, 916 6th Avenue West, commented on the Council agenda item regarding the request to allow waiving permit fees, and the Committee of the Whole item discussing City's I&I update.

Eric Lindell, 204 1/2 Main Street West, cautioned Council about bringing forth referendums for decisions on difficult items.

Elizabeth Franek, 407 Willis, was asked to speak on behalf of homeless citizens who are desperate for shelter with the oncoming colder weather and asking for housing assistance.

5. MAYOR'S REPORT

A. Announcements

Lewis had no announcements to share at this time.

6. CONSENT AGENDA

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

A. Operators' Licenses

The following individuals applied for an operator's license:

Ashley M. Schraufnagel
Kasey L. Day

B. Planning and Development Permit and Property Report, August 2019

C. Miscellaneous Minutes

7. NEW BUSINESS

A. Presentation on the International Joint Commission Listening Session on September 25, 2019 (*Councilor Ullman*)

Aiden Reilly and Emma Holten, students of Northland College and members of the Mary Griggs Burke Center for Freshwater Innovation, offered a presentation regarding the upcoming International Joint Commission Listening Session on September 25, 2019 at 7pm. Council was invited to be present to speak regarding water quality.

B. Approve to Reallocate the Remaining Balance from the Kreher Park Bathroom 2019 Capital Improvement Project to be Used to Retain a Consultant for a Concept Planning Project For Kreher Park (*Parks and Recreation*) Roll

George moved, seconded by Haas to approve to reallocate \$15,000 of the Kreher Park Bathroom 2019 Capital Improvement Project funding from the reconstruction of Kreher Park bathrooms, to hire a consultant to create a concept drawing/master plan for the whole Kreher Park area for redevelopment. The motion passed unanimously by roll call vote.

C. Approve a Resolution Adopting the Revised Ashland County All Hazards Mitigation Plan (*Mayor*) Voice

Franek moved, seconded by Whitebird to approve the resolution adopting the revised Ashland County All Hazards Mitigation Plan. The motion passed unanimously by voice vote. **File #17524**

D. Approve a Request for a Financial Commitment in the 2020 City of Ashland Budget Towards a Regional Housing Study (*Mayor*) Roll

Tochterman asked to correct verbiage within the agenda item to read *Center for Rural Communities* versus *Center for Rural Development*. George moved, seconded by Ortman to approve the request to appropriate \$5,619.90 in the 2020 budget toward the estimated required match for the Regional Housing Study, contingent upon the grant being awarded through CDBG. The motion passed unanimously by roll call vote.

E. Approve to Waive Bid Requirements and Purchase Badger Books Electronic Voting Equipment from Wisconsin Elections Commission (WEC) (Clerk) Roll

George moved, seconded by Haas to approve to waive the bid requirements and purchase Badger Books electronic voting equipment from Wisconsin Elections Commission, including battery backup units, for the budgeted amount of \$23,979. The motion passed unanimously by roll call vote.

F. Approve to Waive Permit the Building Permit Fee for Roof Replacement at 618 Beaser Avenue. Applicant: CESA-12 (Planning) Voice

Haas moved, seconded by Franek to approve to waive the \$50 permit fee for roof replacement at 618 Beaser Avenue as requested by CESA-12. The motion failed 1-9 by roll call vote; opposed were George, MacKenzie, Jackson, Ullman, Tochtermann, Haas, Ortman, Franek, and Pufall.

8. ADJOURNMENT

Haas moved, seconded by Ortman to adjourn. The motion carried unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant,
City Clerk

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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 September 10, 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:

The Tuesday, September 10, 2019 Ashland Committee of the Whole meeting was called to order by Council President Kate Ullman in the Ashland City Hall Council Chambers at 6:30 p.m.

1. Roll Call

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

ABSENT: Jackie Moore (excused)

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, Public Works Director John Butler, and other concerned citizens.

2. Council President's Report

A moment of silence was recognized in honor of 9-11 per Councilor Franek's request. Ullman congratulated all for a successful start of the 2019-2020 school year and acknowledged the high enrollment number at Northland College this year. Ullman offered to reach out to Presley Nuutinen regarding the climate strike and resolution that was brought forward during the Council Citizen Comment Period.

3. Administrator's Report

Kucera commented about the rescheduling of the September 5, 2019 Budget Work Session, and asked for Council's preference in a date for rescheduling. It was determined by Council to reschedule to September 24, 2019 to be part of the regular Committee of the Whole meeting. Kucera also commented on the rumor of a tanking housing sales trend.

4. Approval of Agenda

Whitebird moved, seconded by George to approve the agenda. The motion passed unanimously by voice vote.

5. New Business

A. Presentation from Betsey Harries, Executive Director, Ashland Area Development Corporation

Betsey Harries was present to discuss the objectives and benefits of the Ashland Area Development Corporation and its need for the City's financial support.

B. I & I Update *Public Works*

Public Works Director John Butler was present for questions and discussion regarding his memo updating Council regarding I&I.

C. Discussion and Possible Action Regarding Snow Removal Recommendations *Public Works*

Public Works Director John Butler was present for discussion and questions from Council. After multiple suggestions were offered by Councilors, George moved to consider reviewing the ordinance pertinent to clearing snow from sidewalks, to allow for increased enforcement and penalty for noncompliance; Haas seconded. In light of further discussion, George rescinded her motion. MacKenzie suggested to have the Public Works Committee review the snow clearing ordinance for possible revisions.

D. Strategic Priorities Follow-Up *Councilor Ullman*

Whitebird motioned to postpone Agenda Item 5D to the next Committee of the Whole meeting due to time constraints; Ortman seconded. The motion passed unanimously by voice vote.

6. Adjournment

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

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: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: NA

SUMMARY STATEMENT:

The Mayor is recommending approval of the appointments as follows:

Sustainability Committee

Cheyenne Reeves, replacing Mary Ellen “La MER” Riehle (resigned)

Expires: June 28, 2021

Public Works Committee

Melodie Phipps (reappointment)

Expires: Sept. 30, 2024

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:

Nikie M. Buck
Katelynn R. Croteau
Pamela L. Green
Michele A. Tegen

SUBJECT: Approve a Resolution Accepting the Workmanship of Ashland Construction, Inc, and Approval of Final Payment for the 2018 Main Street East and 14th Avenue East Resurfacing and Utility Replacement Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Finance Department

EXHIBITS:

1. Proposed Resolution
2. Final Construction Report
3. Application for Payment No. 3 - Final

EXPENDITURES REQUIRED: Final Work Completed and Retainage due: **\$16,285.92**

\$ 359,181.39 Roadway, Sidewalk & Storm Sewer
 159,336.94 Water
35,859.29 Sanitary Sewer
\$ 554,377.62 Actual Final Contract Total (7.4% over)
 21,718.66 2018 Engineering/Admin/Materials Testing
1,000.00 Estimated City Engineering in 2019
\$577,096.28 PROJECTED TOTAL COST (2.95% under budget)

AMOUNT BUDGETED:	\$ 371,997.11	Roadway, Sidewalk & Storm Sewer
	157,304.71	Water
	<u>35,612.07</u>	Sanitary Sewer
	\$ 564,913.89	Total Base Bid
	<u>29,750.00</u>	Engineering Fund 100
	\$594,663.89	TOTAL AMOUNT BUDGETED

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on September 16, 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:

On May 8, 2018, the Ashland City Council awarded the contract for the Main Street East and 14th Avenue East Road Reconstruction and Utility Replacement Project to the low bidder, Ashland Construction, Inc.

The completed construction work on Main Street East between 11th Avenue and 14th Avenue East included the removal of the existing concrete surface, installing gravel base, new asphalt pavement and sanitary sewer pipe crossing replacement.

On 14th Avenue East, in addition to the road resurfacing, the water main and water services from Main Street to US Highway 2 were also replaced (eliminated several lead service connections). A new 8" storm sewer pipe was installed from the ravine at Main Street and 16th Avenue East to its outfall location at the north end of 16th Avenue East to address a longstanding drainage issue there.

The Public Works Department recommends approval of the resolution to accept the workmanship of Ashland Construction, Inc, and to make the final payment of \$16,285.92 due on the 2018 Main Street East and 14th Avenue East Resurfacing and Utility Replacement Project.

**RESOLUTION ACCEPTING THE WORKMANSHIP OF ASHLAND CONSTRUCTION, INC.
AND APPROVAL OF FINAL PAYMENT FOR THE 2018 MAIN STREET EAST AND 14TH
AVENUE EAST RESURFACING AND UTILITY REPLACEMENT PROJECT**

WHEREAS, the City of Ashland, hereinafter referred to as the City, and ASHLAND CONSTRUCTION, INC, hereinafter referred to as the Contractor, entered into a contract whereby the Contractor agreed to perform certain public works improvements under **Project No. 470201801 2018 Main Street East And 14th Avenue East Resurfacing and Utility Replacement Project** in the City of Ashland, in accordance with plans and specifications prepared by the City Engineering Department for the agreed price of \$554,377.62; and,

WHEREAS, said total final contract price has been determined to be \$554,377.62 as computed by the City Engineering Department using actual quantities as measured, change orders, additions, and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, John Butler, Director of Public Works, has submitted a final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account of work completed and retainage in the amount of \$16,285.95.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineering Department be accepted.

BE IT FURTHER RESOLVED that the City of Ashland does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Ashland hereby reserves, if any, and subject to the right of the City of Ashland to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Ashland as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$16,285.92 to the Contractor in full and final payment of the City's obligations under this contract.

PASSED: September 24, 2019

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

FINAL CONSTRUCTION REPORT

PROJECT: MAIN STREET EAST & 14TH AVENUE EAST RESURFACING AND UTILITY REPLACEMENT

SUBSTANTIAL COMPLETION DATE: October 19, 2018

REPORT DATE: September 16, 2019

CONTRACTOR: Ashland Construction, Inc.

Bid Amount:	\$515,956.50
Change Orders:	\$ 17,766.75
Net Quantity Variances:	<u>\$ 20,654.37</u>
Final Cost:	\$554,377.62

Project locations included Main Street East from 11th Avenue East to 14th Avenue East and 14th Avenue East from U.S.H. 2 to Main Street.

The work completed in general included water main replacement, sanitary sewer replacement, storm sewer construction, concrete curb replacement, and road resurfacing.

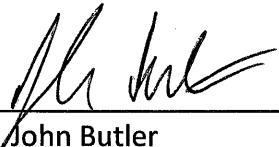
The materials incorporated in this project comply with the project specifications. Project inspection was made during installation of the materials and to verify that plans and specifications were adhered to.

The pay quantity items installed on the project were verified. Final measurements were taken as needed to complete the pay estimates. All work pay items have been completed.

The Contractor's Performance and Payment Bond will remain in effect until the end of the warranty period to cover any warranty issues that are identified. The warranty is in effect until one year from date of Substantial Completion.

I, the Director of Public Works for the City of Ashland, Wisconsin certify that the Main St E & 14th Ave E Resurfacing & Utility Replacement Project, Project Number 470201801, is complete. The Contractor has satisfactorily completed its obligation to the City as specified in the Contract Agreement and is worthy of final payment of all compensation due.

Certified by: _____


John Butler

Director of Public Works

APPLICATION FOR PAYMENT NO.

3 FINAL

To: City of Ashland (Owner)

From: Ashland Construction, Inc. (Contractor)

Project: Main Street East and 14th Ave. E. Road Reconstruction and Utility Replacement Project

For Work Period: From: November 8, 2018 Thru: June 11, 2019

1.	Original Contract Price:	\$515,956.50
2.	a) Net change by Change Orders and Written Amendments (+ or -)	\$17,766.75
	b) Net change by Quantity Variances (+ or -)	\$20,654.37
3.	Current Contract Price (Line 1 plus Line 2):	\$554,377.62
4.	Total completed and stored to date:	\$554,377.62
5.	Retainage (per Agreement):	
	0.00% of completed Work:	\$0.00
	0.0% of stored material:	\$0.00
	Total Retainage:	\$0.00
6.	Total completed and stored to date less retainage (Line 4 minus Line 5):	\$554,377.62
7.	Less previous Payments:	\$538,091.70
8.	DUE THIS APPLICATION (6 MINUS 7):	\$16,285.92

Accompanying Documents:
Itemization of Quantities

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated 9-11-19

Dave McCabe
By: Dave McCabe

Payment of the above AMOUNT DUE THIS APPLICATION is recommended

Dated 9/12/19

John Butler
By: John Butler, Public Works Director

Dated _____

By: Brant Kucera, City Administrator

Dated _____

By: Debra Lewis, Mayor

Dated _____

By: Barbara Clement, Comptroller

MAIN STREET EAST & 14TH AVENUE EAST RESURFACING AND UTILITY REPLACEMENTS											
BASE BID SCHEDULE 1A - MAIN STREET EAST FROM 11TH AVENUE TO 14TH AVENUE											
A. ROAD DIVISION				ASHLAND CONSTRUCTION BID		PAY REQUEST TOTALS					
PAY ITEM	ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	TOTAL PRICE	QTY. PREVIOUS PAY REQUEST	QTY. THIS PAY REQUEST	COMPLETED QUANTITY	TOTAL THIS PAY REQUEST	TOTAL WORK COMPLETED	
SCHEDULE A - ROAD DIVISION											
201.0105	CLEARING HDD STORM SEWER PIPE	LS	1	\$1,500.00	\$1,500.00	1.00	0.00	1.00	\$0.00	\$1,500.00	
205.0100	EXCAVATION COMMON	CY	1470	\$6.00	\$8,820.00	1470.00	0.00	1470.00	\$0.00	\$8,820.00	
204.0100	REMOVING CONCRETE PAVEMENT	SY	4403	\$4.00	\$17,612.00	4403.00	0.00	4403.00	\$0.00	\$17,612.00	
205.0100.1	EXCAVATION BELOW SUBGRADE	CY	100	\$9.00	\$900.00	0.00	0.00	0.00	\$0.00	\$0.00	
305.0120	10-INCH BASE AGGREGATE DENSE 1 1/4-INCH (ROAD BASE AND DRIVEWAY BASE)	TON	2510	\$14.00	\$35,140.00	2422.00	267.00	2689.00	\$3,738.00	\$37,646.00	
311.0110	BREAKER RUN	CY	100	\$30.00	\$3,000.00	0.00	0.00	0.00	\$0.00	\$0.00	
455.0605	TACK COAT	GAL	257	\$2.55	\$655.35	210.00	0.00	210.00	\$0.00	\$535.50	
460.5000	2.5-INCH HMA PAVEMENT 3- LT-58-28-S (LOWER LAYER)	TON	616	\$66.00	\$40,656.00	673.97	0.00	673.97	\$0.00	\$44,482.02	
460.5010	1.5-INCH HMA PAVEMENT 5- LT-58-28-S (UPPER LAYER)	TON	370	\$67.00	\$24,790.00	410.75	0.00	410.75	\$0.00	\$27,520.25	
601.0418	CONCRETE CURB AND GUTTER, 24-INCH TYPE L	LF	292	\$30.00	\$8,760.00	200.00	0.00	200.00	\$0.00	\$6,000.00	
628.7020	INLET PROTECTION TYPE D	EACH	8	\$55.00	\$440.00	8.00	0.00	8.00	\$0.00	\$440.00	
628.7560	TRACKING PAD	EACH	1	\$900.00	\$900.00	0.00	0.00	0.00	\$0.00	\$0.00	
643.0100	TRAFFIC CONTROL (PROJECT)	EACH	1	\$20,000.00	\$20,000.00	1.00	0.00	1.00	\$0.00	\$20,000.00	
645.0140	GEOGRID	SY	4088	\$2.00	\$8,176.00	4088.00	0.00	4088.00	\$0.00	\$8,176.00	
690.0250	SAWING CONCRETE	LF	2422	\$3.15	\$7,629.30	2300.00	0.00	2300.00	\$0.00	\$7,245.00	
611.8110	ADJUSTING MANHOLE COVERS	EACH	4	\$278.00	\$1,112.00	2.00	0.00	2.00	\$0.00	\$556.00	
630.0140	SEED RESTORATION	SF	3100	\$0.55	\$1,705.00	1972.00	5889.00	7861.00	\$3,238.95	\$4,323.55	
SUBTOTAL SCHEDULE A					\$181,795.65	SCHEDULE A PAY REQUEST TOTALS			\$6,976.95	\$184,856.32	
SCHEDULE B - STORM SEWER DIVISION											
606.0100	LIGHT RIPRAP	CY	10	\$57.00	\$570.00	5	0.00	5.00	\$0.00	\$285.00	
608.0508	HORIZONTALLY DIRECTIONAL BORING - 8 INCH PIPE	LF	370	\$68.50	\$25,345.00	385	0.00	385.00	\$0.00	\$26,372.50	
608.6008	C900 PVC STORM SEWER 8-INCH; OPEN CUT -	LF	98	\$33.50	\$3,283.00	98	0.00	98.00	\$0.00	\$3,283.00	
611.2600	36 INCH CONCRETE STORM SEWER MANHOLE (CITY PROVIDES FRAME & LID)	EACH	1	\$2,750.00	\$2,750.00	1	0.00	1.00	\$0.00	\$2,750.00	
SUBTOTAL SCHEDULE B					\$31,948.00	SCHEDULE B PAY REQUEST TOTALS			\$0.00	\$32,690.50	
SCHEDULE C - WATER DIVISION											
209.0100	SPECIAL BACKFILL GRANULAR	CY	50	\$15.00	\$750.00	0.00	0.00	0.00	\$0.00	\$0.00	
2000.0110	REMOVE EXISTING WATERMAIN	LF	140	\$5.00	\$700.00	146.00	0.00	146.00	\$0.00	\$730.00	
2000.0120	SALVAGE EXISTING HYDRANT	EACH	2	\$341.00	\$682.00	2.00	0.00	2.00	\$0.00	\$682.00	
2000.0125	PROVIDE, INSTALL, MAINTAIN AND REMOVE TEMPORARY WATER SERVICE	LS	1	\$832.00	\$832.00	0.00	0.00	0.00	\$0.00	\$0.00	
2000.0206	WATER MAIN PVC C900 PIPE 6-INCH	LF	28	\$30.00	\$840.00	26.00	0.00	26.00	\$0.00	\$780.00	
2000.0308	WATER MAIN PVC C900 PIPE 8-INCH	LF	70	\$70.00	\$4,900.00	74.00	0.00	74.00	\$0.00	\$5,180.00	
2000.0316	WATER MAIN PVC C900 PIPE 16-INCH	LF	70	\$95.00	\$6,650.00	72.00	0.00	72.00	\$0.00	\$6,840.00	
2000.0406	GATE VALVE AND BOX, 6-INCH	EACH	2	\$1,270.00	\$2,540.00	2.00	0.00	2.00	\$0.00	\$2,540.00	
2000.0408	GATE VALVE AND BOX, 8-INCH	EACH	4	\$1,650.00	\$6,600.00	2.00	0.00	2.00	\$0.00	\$3,300.00	
2000.0416	GATE VALVE AND BOX, 16-INCH	EACH	2	\$6,450.00	\$12,900.00	2.00	0.00	2.00	\$0.00	\$12,900.00	
2000.0500	FIRE HYDRANT	EACH	3	\$3,240.00	\$9,720.00	3.00	0.00	3.00	\$0.00	\$9,720.00	
2000.0806	8"X8"x6" DUCTILE IRON TEE (HYDRANT)	EACH	1	\$491.00	\$491.00	1.00	0.00	1.00	\$0.00	\$491.00	
2000.0816	16"X16"x6" DUCTILE IRON TEE (HYDRANT)	EACH	1	\$1,550.00	\$1,550.00	1.00	0.00	1.00	\$0.00	\$1,550.00	
2000.0900	CONNECT TO EXISTING WATER MAIN	EACH	4	\$1,730.00	\$6,920.00	4.00	0.00	4.00	\$0.00	\$6,920.00	
SUBTOTAL SCHEDULE C					\$56,075.00	SCHEDULE C PAY REQUEST TOTALS			\$0.00	\$51,633.00	
SCHEDULE D - SANITARY SEWER DIVISION											
204.0155	REMOVING AND REPLACE CONCRETE SIDEWALK 8-INCH	SF	150	\$9.00	\$1,350.00	186.00	0.00	186.00	\$0.00	\$1,674.00	
209.0100	SPECIAL BACKFILL GRANULAR	CY	50	\$13.50	\$675.00	0.00	0.00	0.00	\$0.00	\$0.00	
3000.0110	REMOVE EXISTING SANITARY SEWER MAIN	LF	502	\$3.00	\$1,506.00	432.00	50.00	482.00	\$150.00	\$1,446.00	
3000.0115	REMOVE EXISTING SANITARY SEWER MANHOLE	EACH	1	\$341.00	\$341.00	1.00	0.00	1.00	\$0.00	\$341.00	
3000.0126	SANITARY SEWER PIPE 6-INCH PVC SDR 35	LF	15	\$45.00	\$675.00	40.00	0.00	40.00	\$0.00	\$1,800.00	
3000.0128	SANITARY SEWER PIPE 8-INCH PVC SDR 35	LF	502	\$35.00	\$17,570.00	432.00	50.00	482.00	\$1,750.00	\$16,870.00	
3000.0130	SANITARY SEWER MANHOLE TYPE B WITH CASTING	EACH	2	\$2,940.00	\$5,880.00	2.00	0.00	2.00	\$0.00	\$5,880.00	
3000.0135	8"X6" SEWER WYE	EACH	3	\$177.00	\$531.00	3.00	0.00	3.00	\$0.00	\$531.00	
3000.0145	CONNECT TO EXISTING SANITARY SEWER MAIN	EACH	5	\$341.00	\$1,705.00	5.00	0.00	5.00	\$0.00	\$1,705.00	
3000.0146	CONNECT TO EXISTING SANITARY SEWER SERVICE	EACH	3	\$225.00	\$675.00	3.00	0.00	3.00	\$0.00	\$675.00	
SUBTOTAL SCHEDULE D					\$30,908.00	SCHEDULE D PAY REQUEST TOTALS			\$1,900.00	\$30,922.00	
BASE BID SCHEDULE 1A TOTALS					\$300,726.65	TOTAL SCHEDULE A-D			\$8,876.95	\$300,101.82	
BASE BID SCHEDULE 1B - 14TH AVENUE EAST FROM MAIN ST. TO U.S.H. 2											
PAY ITEM	ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	TOTAL PRICE	PAY REQUEST	REQUEST	COMPLETED	PAY REQUEST	COMPLETED	
SCHEDULE A - ROAD DIVISION											
205.0100	EXCAVATION COMMON	CY	930	\$6.00	\$5,580.00	930.00	0	930.00	\$0.00	\$5,580.00	
204.0100	REMOVING CONCRETE PAVEMENT	SY	2800	\$4.00	\$11,200.00	2800.00	0	2800.00	\$0.00	\$11,200.00	
205.0100.1	EXCAVATION BELOW SUBGRADE	CY	100	\$9.00	\$900.00	0.00	0	0.00	\$0.00	\$0.00	
305.0120	10-INCH BASE AGGREGATE DENSE 1 1/4-INCH (ROAD BASE AND DRIVEWAY BASE)	TON	1800	\$15.00	\$27,000.00	1736.00	131.58	1867.58	\$1,973.70	\$28,013.70	
311.0110	BREAKER RUN	CY	100	\$30.00	\$3,000.00	0.00	0	0.00	\$0.00	\$0.00	
455.0605	TACK COAT	GAL	160	\$2.55	\$408.00	140.00	0	140.00	\$0.00	\$357.00	
460.5000	2.5-INCH HMA PAVEMENT 3- LT-58-28-S (LOWER LAYER)	TON	385	\$66.00	\$25,410.00	449.32	0	449.32	\$0.00	\$29,655.12	
460.5010	1.5-INCH HMA PAVEMENT 5- LT-58-28-S (UPPER LAYER)	TON	231	\$67.00	\$15,477.00	273.84	0	273.84	\$0.00	\$18,347.28	
601.0418	CONCRETE CURB AND GUTTER, 24-INCH TYPE L	LF	691	\$24.00	\$16,584.00	969.00	0	969.00	\$0.00	\$23,256.00	
611.2004	INSTALL MANHOLE 4-FT DIAMETER	EACH	1	\$1,360.00	\$1,360.00	1.00	0	1.00	\$0.00	\$1,360.00	
628.7020	INLET PROTECTION TYPE D	EACH	4	\$55.00	\$220.00	4.00	0	4.00	\$0.00	\$220.00	
628.7560	TRACKING PAD	EACH	1	\$900.00	\$900.00	0.00	0	0.00	\$0.00	\$0.00	
643.0100	TRAFFIC CONTROL (PROJECT)	EACH	1	\$10,000.00	\$10,000.00	1.00	0	1.00	\$0.00	\$10,000.00	
645.0140	GEOGRID	SY	2800	\$2.00	\$5,600.00	2800.00	0	2800.00	\$0.00	\$5,600.00	
690.0250	SAWING CONCRETE	LF	849	\$3.15	\$2,674.35	500.00	0	500.00	\$0.00	\$1,575.00	
611.8110	ADJUSTING MANHOLE COVERS	EACH	1	\$278.00	\$278.00	2.00	0	2.00	\$0.00	\$556.00	
630.0140	SEED RESTORATION	SF	2000	\$0.55	\$1,100.00	4814.00	0	4814.00	\$0.00	\$2,647.70	
SUBTOTAL SCHEDULE A					\$127,691.35	SCHEDULE A PAY REQUEST TOTALS			\$1,973.70	\$138,367.80	
SCHEDULE B - SIDEWALK DIVISION											
00204.02	REMOVE AND REPLACE CONCRETE SIDEWALK 4-INCH	SF	1350	\$5.25	\$7,087.50	2337	0	2337.00	\$0.00	\$12,269.25	
SUBTOTAL SCHEDULE B						SCHEDULE B PAY REQUEST TOTALS			\$0.00	\$12,269.25	
SCHEDULE C - WATER DIVISION											
209.0100	SPECIAL BACKFILL GRANULAR	CY	50	\$13.00	\$650.00	0.00	0	0.00	\$0.00	\$0.00	
2000.0110	REMOVE EXISTING WATERMAIN	LF	50	\$5.00	\$250.00	50.00	0	50.00	\$0.00	\$250.00	
2000.0115	ABANDON EXISTING WATER MAIN	EACH	6	\$123.00	\$738.00	6.00	0	6.00	\$0.00	\$738.00	
2000.0120	SALVAGE EXISTING HYDRANT	EACH	1	\$341.00	\$341.00	2.00	0	2.00	\$0.00	\$682.00	
2000.0125	PROVIDE, INSTALL, MAINTAIN AND REMOVE TEMPORARY WATER SERVICE	LS	1	\$1.00	\$1.00	0.00	0	0.00	\$0.00	\$0.00	
2000.0206	WATER MAIN PVC C900 PIPE 6-INCH	LF	50	\$35.00	\$1,750.00	68.00	0	68.00	\$0.00	\$2,380.00	
2000.0316	WATER MAIN PVC C900 PIPE 8 INCH	LF	773	\$45.00	\$34,785.00	780.00	0	780.00	\$0.00	\$35,100.00	
2000.0408	GATE VALVE AND BOX, 6-INCH	EACH	2	\$1,270.00	\$2,540.00	3.00	0	3.00	\$0.00	\$3,810.00	
2000.0416	GATE VALVE AND BOX, 8-INCH	EACH	2	\$1,650.00	\$3,300.00	4.00	0	4.00	\$0.00	\$6,600.00	
2000.0500	FIRE HYDRANT	EACH	1	\$3,240.00	\$3,240.00	1.00	0	1.00	\$0.00	\$3,240.00	
2000.0501	WATER SERVICE 1-INCH TYPE K COPPER	LF	556	\$35.00	\$19,460.00	547.00	0	547.00	\$0.00	\$19,145.00	
2000.0601	CORPORATION STOP 1-INCH	EACH	17	\$207.00	\$3,519.00	16.00	0	16.00	\$0.00	\$3,312.00	
2000.0701	CURB STOP AND BOX 1-INCH	EACH	15	\$247.00	\$3,705.00	16.00	0	16.00	\$0.00	\$3,952.00	
2000.0806	8"X8"x6" DUCTILE IRON TEE (HYDRANT)	EACH	1	\$491.00	\$491.00	2.00	0	2.00	\$0.00	\$982.00	
2000.0816	8"X8"x6" TEE	EACH	1	\$491.00	\$491.00	1.00					

500.06 - CHANGE ORDER

No. 1

DATE OF ISSUANCE: _____

EFFECTIVE DATE: 9/14/2018OWNER: CITY OF ASHLANDCONTRACTOR: ASHLAND CONSTRUCTION, INC.OWNER's Contract No: 470201801ENGINEER CITY OF ASHLANDMain Street East & 14th Avenue East
Resurfacing and Utility ReplacementPROJECT: Project

ENGINEER's Contract No _____

You are directed to make the following changes in the Contract Documents:

Description: See attached description.**Reason for Change Order:** See attachment**Attachments:** (List documents supporting change)

Change order summary document

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ <u>515,956.50</u>	Original Contract Times Substantial Completion: <u>8/31/2018</u> Ready for final payment: <u>9/14/2018</u> (days or dates)
Net Increase (Decrease) from previous Change Orders No. <u>0</u> to <u>0</u> \$ <u>0.00</u>	Net change from previous Change Orders No. <u>0</u> to <u>0</u> Substantial Completion: <u>0</u> additional days Ready for final payment: <u>0</u> additional days
Contract Price Prior to this Change Order \$ <u>515,956.50</u>	Contract Times prior to this Change Order Substantial Completion: <u>8/31/2018</u> Ready for final payment: <u>9/14/2018</u> (days or dates)
Net increase (decrease) of this Change Order \$ <u>13,396.75</u>	Net increase (decrease) this Change Order Substantial Completion: <u>14</u> additional work days Ready for final payment: <u>21</u> additional work days
Contract Price with all approved Change Orders \$ <u>529,353.25</u>	Contract Times with all approved Change Orders Substantial Completion: <u>9/14/2018</u> Ready for final payment: <u>10/5/2018</u> (days or dates)

RECOMMENDED BY:

Dan Malenec 10/8/18

ENGINEER (Authorized Signature)/Date

APPROVED:

Sharon Campbell 10/8/18

OWNER (Authorized Signature)/Date

ACCEPTED:

Dan P. McOle 10-2-18

CONTRACTOR (Authorized Signature)/Date

APPROVED:

Barbara Clement10/9/18

APPROVED:

[Signature]

APPROVED:

500.06 - CHANGE ORDER

No. 2

DATE OF ISSUANCE: _____

EFFECTIVE DATE: 11/5/2018OWNER: CITY OF ASHLANDCONTRACTOR: ASHLAND CONSTRUCTION, INC.OWNER's Contract No: 470201801ENGINEER CITY OF ASHLANDMain Street East & 14th Avenue East
Resurfacing and Utility ReplacementPROJECT: Project

ENGINEER's Contract No _____

You are directed to make the following changes in the Contract Documents:

Description: See attached description.**Reason for Change Order:** See attachment

Unknown storm sewer service pipe; Replaced 40 feet	\$ 1,400.00
Work delay due to City inability to shut down water for 16" water main work on 13th Ave E	\$ 2,670.00
Furnish and install 15 straw bales for erosion control in ravine	\$ 300.00
TOTAL	\$ 4,370.00

Attachments: (List documents supporting change)

Change order summary document

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ <u>515,956.50</u>	Original Contract Times Substantial Completion: <u>8/31/2018</u> Ready for final payment: <u>9/14/2018</u> (days or dates)
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>1</u> \$ <u>13,396.75</u>	Net change from previous Change Orders No. _____ to _____ Substantial Completion: <u>0</u> additional days Ready for final payment: <u>0</u> additional days
Contract Price Prior to this Change Order \$ <u>529,353.25</u>	Contract Times prior to this Change Order Substantial Completion: <u>8/31/2018</u> Ready for final payment: <u>9/14/2018</u> (days or dates)
Net increase (decrease) of this Change Order \$ <u>4,370.00</u>	Net increase (decrease) this Change Order Substantial Completion: _____ additional work days Ready for final payment: _____ additional work days
Contract Price with all approved Change Orders \$ <u>533,723.25</u>	Contract Times with all approved Change Orders Substantial Completion: <u>10/19/2018</u> Ready for final payment: <u>6/9/2019</u> (days or dates)

RECOMMENDED BY:Dan Malenich 12/10/18

ENGINEER (Authorized Signature)/Date

APPROVED:Barbara Clement**APPROVED:**B. O. 12/13/18

OWNER (Authorized Signature)/Date

APPROVED:**ACCEPTED:**Dan P. McClellan 12-3-18

CONTRACTOR (Authorized Signature)/Date

APPROVED:Treasurer 12/13/18

SUBJECT: Approve a Resolution to Issue a Conditional Use Permit to Allow Vehicle Repair/Service Use at 1100 Lake Shore Drive East in the Mixed Residential/Commercial (MRC) District, Parcel #201-01195-0000, Applicant: Richard Bloss (*Planning*) Voice

RECOMMENDATION: Approval with recommended conditions

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Department of Planning & Development
Planning Commission - *Approved with Conditions, September 17, 2019 Meeting 5-1; John Beirl Abstained*

EXHIBITS:

1. Proposed Resolution
2. Staff Report - Plan Commission, September 17, 2019
3. Public Hearing Comments and Staff Responses, September 17, 2019
4. Correspondence from Richard Bloss Jr, September 9, 2019
5. Aerial Map 1100 Lake Shore Drive East
6. Zoning Map 1100 Lake Shore Drive East

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed use conforms to the Comprehensive Plan recommendations for this area of the City, as it will result in a currently vacant, formerly commercial building being revitalized for a similar business use. The Comprehensive Plan also identifies this area as a commercial corridor in the recommended Future Land Use map, and encourages land use planning to promote uses that are compatible with existing residences in mixed residential/commercial areas along US Hwy 2. With the recommended conditions, this business would fit with the existing neighborhood character and add additional vibrancy/activity along this commercial corridor.

SUMMARY STATEMENT:

See attached staff report.

RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT TO ALLOW VEHICLE REPAIR/SERVICE USE AT 1100 LAKE SHORE DRIVE EAST IN THE MIXED RESIDENTIAL/COMMERCIAL (MRC) DISTRICT, PARCEL #201-01195-0000, APPLICANT: RICHARD BLOSS.

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 September 17, 2019, and has recommended approval of the Conditional Use Permit with the following conditions:

- a. Applicant shall install landscaping to meet minimum screening requirements for outdoor parking area, and submit plan to Planning & Development Department for approval prior to installation.
- b. All vehicle repair work must be done within an enclosed structure.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit to allow vehicle repair/service use at 1100 Lake Shore Drive East is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: September 24, 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

STAFF REPORT

Plan Commission – September 17th, 2019

Agenda Item # 5A: Conditional Use Permit Request to allow vehicle service/repair
Zoning District: Mixed Residential Commercial (MRC) and Gateway Overlay District
Property Address: 1100 Lake Shore Drive East
Parcel #: 201-01195-0000
Applicant: Richard Bloss
Staff Contact: Megan McBride

Background

Richard Bloss is requesting a Conditional Use Permit to operate a vehicle repair/service use at 1100 Lake Shore Drive East. While this property has been used for a similar vehicle repair use in the past, there was no Conditional Use Permit in place to do so which is why a CUP is required in order to reinstate this use at this property within the Mixed Residential/Commercial and Gateway-Overlay district.

The definition for a vehicle repair and/or service use in the Unified Development Ordinance is “An establishment providing the repair or servicing of vehicles, including the sale, installation, and servicing of related equipment and parts, where all such work is performed within an enclosed building. This term includes, but is not limited to, the repair or servicing of batteries, tires, mufflers, brakes, shocks, transmissions, or engines, and it includes paint and body work. This term includes, but is not limited to, an auto repair shop, auto body shop, wheel and brake shop, or tire sales and installation shop.” Therefore, all vehicle repair activities must be conducted within an enclosed structure, with outdoor storage of vehicles prior to and after work is completed being allowed. Minimum landscaping/screening will be required to screen views of the parking area from the adjacent

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 use conforms to the Comprehensive Plan recommendations for this area of the City, as it will result in a currently vacant, formerly commercial building being revitalized for a similar business use. The Comprehensive Plan also identifies this area as a commercial corridor in the recommended Future Land Use map, and encourages land use planning to promote uses that are compatible with existing residences in mixed residential/commercial areas along US Hwy 2. With the recommended conditions, this business would fit with the existing neighborhood character and add additional vibrancy/activity along this commercial corridor.
2. **Compatibility.** The proposed use is compatible with that of existing development within 200 feet of the site, within 500 feet along the same street, and with anticipated future development in the vicinity. The property is

surrounded by other similar and compatible uses including an existing vehicle repair shop (Eder Bros) and a commercial and industrial contractor's yard (KBK Services) less than a block from the property. Additionally, its location on US Highway 2 and in the Mixed Residential/Commercial district is appropriate to accommodate the traffic generated by a commercial use without creating disturbances to nearby residences, and its location along a major highway is compatible with vehicle service use.

3. **Importance of Services to the Community.** Vehicle repair is an important service for Ashland area residents, and remaining open seven (7) days a week will allow them to respond to more emergency/short term vehicle repair needs.
4. **Neighborhood Protections.** To meet UDO standards and the definition for vehicle repair and/or service use landscaping will be required to be installed to screen the parking area, and all vehicle repairs must take place in an enclosed structure. This will be an improvement for the neighborhood and ensure that this use will be compatible with the mixed use nature of the zoning district in which it's located.
5. **Conformance with Other Requirements:** The development must conform to all other provisions of the UDO, including but not limited to:
 - o Obtain a Sign Permit for new signage

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- a. Applicant shall install landscaping to meet minimum screening requirements for outdoor parking area, and submit plan to Planning & Development Department for approval prior to installation
- b. All vehicle repair work must be done within an enclosed structure.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The required Class 2 Public Hearing notice was issued and discretionary letters were sent to property owners within 200 feet of the proposed development.

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.

Public Hearing Comments and Staff Responses 9/17/2019

Agenda Item: Conditional Use Permit (CUP) request to operate vehicle repair/service use at 1100 Lake Shore Drive East, zoned Mixed Residential/Commercial (MRC). Applicant: Richard Bloss.

Megan McBride stated for the record the Class 2 Public Hearing notice that was issued, and that discretionary letters were sent to neighbors within 200 feet of the proposed development.

A neighbor who preferred to remain confidential asked several questions and expressed the following concerns:

- 1) The neighbor was confused why a Conditional Use Permit (CUP) was needed at this time as the property has been utilized for similar uses in the past.
 - a. Staff response: No Conditional Use Permit or other zoning permit were ever acquired for this property. Therefore, a CUP is needed to continue this use on the property at this time. The property owner came in to discuss this with Planning staff and wants to ensure that all proper permitting is obtained before he reinstates this use at the property.
- 2) The neighbor expressed concerns about the number of vehicles parked on the site at a time, the lack of screening from the adjacent right-of-way, and about the late hours of operation for pick-up and drop off of supplies, materials and vehicles in the past.
 - a. Staff response: Megan McBride explained to the concerned neighbor that the conditions for approval would include that the property meet minimum screening requirements and that all operations on vehicles take place inside an enclosed structure.

Craig Gilbaugh who owns the building directly across the street (1022 Lake Shore Drive East) asked Mr. Bloss to provide some information about his intended use of this property.

Richard Bloss explained that he purchased the property to operate as a business with his son who would eventually take it over. He explained that has worked in the vehicle repair business for a long time, including for Tomlinson Towing for 3 years, so he knows the needs of the community and will model his business to meet those needs. Specifically, he will be open 7 days per week to provide service to residents and tourists in need of vehicle repair on weekends, and he also charges by the job as opposed to per hour which makes his services more affordable. He expressed a strong desire to be a good neighbor, and that he would be agreeable to making changes to the site to help it be a good fit for the neighborhood moving forwards.

Janice Matyas (1117 Front Street East) explained that she lives directly next to this use and has for some time. She spoke in favor of the proposed use, stating that Mr. Bloss has been a good neighbor and kept the operations on site very quiet so she had no objections to the proposed CUP.

Craig Gilbaugh (1022 Lake Shore Drive East) expressed concerns for the number of vehicles parked on site at a time, and that he has had issues with the late hours of operation in the past. He suggested that a limit to the number of vehicles on site be considered as this has been applied to other similar vehicle-related uses in the City in the past.

Richard Bloss said he understands and feels these concerns are legitimate, and would like to correct them moving forwards. He said that he would have no issue installing a screening fence along the west side of the property, but did express concern for limiting the number of vehicles on the property at a time as this could limit his business and require him to turn customers away. He also explained that he shares the parking area behind his building to the east with the neighboring bar which is why he does not park vehicles over there. He also said that deliveries are received within business hours (8:00am to 5:00pm) which should alleviate noise/traffic concerns related to deliveries.

Laurie Gregor, David Mettillie and Matt Mackenzie all expressed concerns about setting limits on the number of vehicles allowed on the site or the hours of operation. They felt that the proposed conditions would address neighbor concerns, and the City's noise ordinance can be enforced if any related issues arise in the future.

9-9-19

D-M Automotive

Good morning,

My Name is Richard A Bloss Jr I Am

The Proud owner of 1100 Lake Shore Dr E in
Ashland I wanted to take the Time to give u
a vision of my Plan for the property. My Goal
is to run a succell Tire shop an Repair shop
7 Days a week with my Son Michael Bloss Jr
Beside me, I sent my Son to IL to Unversal
Tecal instatue For 2 years my son is A.S.E Certified
Technision I Ben Fixing an repairing cars all my Life
my son an I will B. The only shop that works
7 Day's a week an Doesn't charge by the Hr
my son an I would Love the opportunity to
set are roots Down in a town we Love Thank
u For the consideration of working in this Great
Town

Owner Richard Bloss Jr

Owner 

1100 Lake Shore Drive East



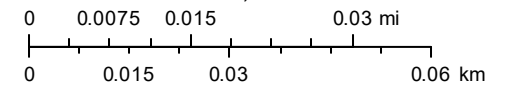
9/13/2019, 3:59:27 PM

Parcel Labels



Parcel Mapping

1:1,128

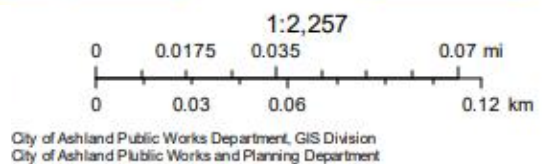


City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL

City of Ashland Base Map



- Mixed Residential/Commercial (MRC)
- Gateway-Overlay District
- Single- and Two-Family Residential (R-2)
- Waterfront Mixed Residential/Commercial (W-MRC)



Department of Public Works Engineering
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SUBJECT: Approval of the Updated City of Ashland Comprehensive Outdoor Recreation Plan (CORP), 2019-2024 (*Parks and Recreation*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Parks and Recreation Director

EXHIBITS:

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, permit the Mayor and/or Clerk to schedule items directly for Council action when a timely decision is needed by the City. The City Clerk has chosen to direct this item directly to Council pursuant to the authority granted to her in Chapter 51, Ashland City Ordinances.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: This is an update to a comprehensive plan for the City and directly relates to Authentic Ashland 2035.

SUMMARY STATEMENT:

The Parks and Recreation Department is seeking approval of the updated City of Ashland Comprehensive Outdoor Recreation Plan (CORP) 2019-2024.

In 2018, the City contracted with Graef to update the 2013-2018 CORP. Once approved by Council, it will go the Wisconsin Department of Natural Resources (WDNR) for approval. Upon WDNR approval, it will allow the City to continue to qualify for WDNR Grants.

This project is funded in part by Wisconsin Coastal Management.

The updated CORP will made available to Councilors closer to the meeting date.

