

RESCHEDULED FROM FEBRUARY 12, 2019

**ASHLAND CITY COUNCIL MEETING
Monday, February 18, 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. February 5, 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
- B. Disabled Parking Enforcement Assistance Council (DPEAC)

7. NEW BUSINESS

- A. **Approve to Amend Chapter 544.22, Ashland City Ordinances, Reserved Parking Places, to Allow an Additional Disabled Parking Space at 808 Main Street West, the Deep Water Grille (Voice)**
- B. **Approve to Renew a Contract Stephen G. Schraufnagel for Building, HVAC, Plumbing and Electrical Inspection Services (Voice)**
- C. **Approval of Amendment to the Ashland Cobblestone LLC Development Agreement to Clarify Definition of Assessed Property (Roll)**

D. Approve a Resolution to combine Wards and Establish Polling Places for the April 2, 2019 Spring Election (Voice)

8. CLOSED SESSION

- A. 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.” (Jablonski lawsuit)(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.” (Consider retaining outside legal counsel for potential 6th Street West litigation)(City Attorney)**

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: February 5, 2019 City Council and Committee of the Whole meeting minutes

RECOMMENDATION:

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES:

EXHIBITS:

1. February 5, 2019 Council Minutes
2. February 5, 2019 Committee of 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

Tuesday, February 5, 2019 – 5:30 P.M.

Ashland City Hall Council Chambers

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PRESENT: Holly George, Richard Ketring, Sara Jackson, Kate Ullman (arrived 5:35), Ana Tochtermann, David Mettelle, Kevin Haas, Charlie Ortman, Elizabeth Franek, Dick Pufall, and Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Debra Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Finance Director Julie Vaillancourt, Police Chief James Gregoire, Police Captain Bill Hagstrom, Police Officers Ty Juoni, Mark Campy and Scott Morland, Planning and Development Interim Director Megan McBride, and other concerned citizens

Agenda Item 1: Call to Order

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

Agenda Item 2: Approval of Agenda

Haas moved, Moore seconded a motion to approve the agenda as presented. The motion passed unanimously by voice vote.

Agenda Item 3: Approval of Minutes

George moved, Franek seconded a motion to approve the minutes of the January 8, 2019 Council meeting. The motion passed unanimously by voice vote.

Agenda Item 4: Citizen Participation Period

Donna Blazek, 222 Prentice Avenue, spoke in reference to a Committee of the Whole agenda item regarding possibly renaming some City avenues after historical figures.

Kathy Draughon, 714 9th Avenue West, referenced the potential costs associated with renaming streets in the City.

Hannah Figgins, 1123 Ellis Avenue, spoke to the possibility of a community pool for the City.

David Martin, 1011 Willis Avenue, spoke of the need to proceed with a new Police facility.

Jim Gregoire, 812 3rd Avenue West, asked Council to make a determination regarding the proposal of creating a redevelopment authority.

Agenda Item 5: Mayor's Report

Agenda Item 5A: Introduction of District Attorney David Meany

District Attorney Meany spoke of his work history and background.

Agenda Item 5B: Announcements

A 3rd Annual Polka Party will be held in conjunction with the Book Across the Bay on Friday, February 15, 6-10 p.m. at the Maslowski Beach area. The Mayor offered her condolences to Chief Gregoire. The Police and Fire Commission chose to promote Captain David Wegener as the new Fire Chief upon retirement. The Mayor and Councilor Ketring will be attending Superior Days in Madison next week, with plans to lobby to raise the State's Medicaid reimbursement rates, and to request to allow Ashland County to increase the sales tax by 0.5%, among other topics.

Agenda Item 5C: Appointments

Harbor Commission

Keith Igo

Term expires: July 31, 2020

Gary Leino

Term expires: July 31, 2020

Beautification Council

Jeanne Spruell

Term expires: February 15, 2020

Board of Zoning Appeals

David Siegler, Second Alternate

Term expires: July 10, 2021

Ketring moved, Haas seconded a motion to approve the Mayor's appointments. The motion passed unanimously by voice vote.

Agenda Item 6: Consent Agenda

Agenda 6A: Vaughn Library Board Meeting Minutes

Agenda Item 6B: Operators' Licenses

Applicants: Casey S. Lind, Trista C. Paetow, Charles T. Potvin, Kristen A. Ramme, Hal P. Welch, Cory A. Sutarik

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

Agenda Item 7: Old Business

Agenda Item 7A: Creation of a Redevelopment Authority in the City of Ashland to Assist in Financing the Ashland Police Department Facility

This was a continuation of discussion that began on 11/13/18. The purpose of this discussion was to receive approval from Council to proceed with plans to create a Redevelopment Authority in the City of Ashland pursuant to Wis. Statute 66.1333 to assist with the acquisition of a USDA loan to finance a new police facility.

At two Committee of the Whole meetings on 11/13/18 and 12/11/18, the Council was provided information about a legally available tool: creation and collaboration with a Redevelopment Authority (RDA) to facilitate financing of the new facility through a USDA loan arrangement.

The advantage of using this approach is that a Redevelopment Authority would not be subject to the debt limit formulas affecting the tax levy as is the City. Creation of an independent Redevelopment Authority, initially to facilitate construction of a police facility, would also have the potential to enable other redevelopment projects in the future.

Listed below is an outline of the process for development using an RDA:

- The first steps would be to authorize creation of the RDA, to create by-laws, and to appoint seven members interested in redevelopment to serve on the RDA.
- Once the RDA is legally formed, the next step is for the RDA to make a finding that the proposed lot (former Brownfield site) for the APD is blighted based upon statutory guidelines. This may require a public hearing. The City Council would then also need to find by a 2/3 vote that the lot is blighted currently.

Once the lot is declared blighted, the City can then give authority to the RDA to pursue grants/loans through the USDA or other sources. The RDA is the applicant for these sources of funding. The City of Ashland would enter into a binding agreement with the RDA that would protect the interest of both the City and the Redevelopment Authority and clearly spell out liability for each party. Under the proposed arrangement, the City would temporarily transfer ownership of the police facility site to the RDA. The PD building would be constructed using loan/grant proceeds received by the RDA in its name. The APD would lease the constructed facility from the RDA at an amount sufficient to service the debt and expenses on any loan on the property. Once the debt is satisfied, the property can be returned to City ownership. (The City followed a similar process a few years ago for the former Roffers site along Beaser Avenue, when the City temporarily transferred title of the land to the Housing Authority which enabled the Housing Authority to secure a grant for remediation cleanup from the EPA which the City of Ashland was not eligible to receive. Following the cleanup,

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title was transferred back to the City.) The recommendation was to approve Resolution Authorizing Creation of a Redevelopment Authority.

At the January 8, 2019 Council meeting, the item was introduced by Councilor George. George moved, Moore seconded a motion to recess for 15 minutes to allow a tour of the current police facility. The motion to recess failed 3-6 by voice vote; opposed were Ortman, Franek, Pufall, Ketring, Jackson and Ullman. Tochtermann abstained.

A lengthy discussion ensued. Finance Director Vaillancourt presented and explained four options for funding, as well as financial projections for each. Ketring moved to postpone this item to the next Council meeting on January 29, 2019; Ortman seconded the motion. The motion carried unanimously by voice vote. *(NOTE: The January 29, 2019 Council meeting was cancelled and rescheduled to February 5, 2019 due to inclement weather.)*

George moved, Moore seconded a motion to approve the creation of a Redevelopment Authority in the City of Ashland to assist in financing the Ashland Police Department Facility. The motion passed 7-4 by roll call vote; opposed were Ketring, Ullman, Ortman, and Franek.

Agenda Item 8: New Business

Agenda Item 8A: Approve a Resolution to Authorize the Submittal of a Community Development Investment Grant Application to Financially Assist the Evergrow Learning Center

In an effort to further provide financial assistance for the redevelopment costs of the proposed Evergrow Learning Center in Ashland's core, the City of Ashland and the Planning Department have been asked by Ashland Area Development Corporation (AADC) to assist with an application for up to \$250,000 from the Wisconsin Economic Development Corporation (WEDC). WEDC has funds available to support small city redevelopment efforts by providing financial incentives for shovel-ready projects with an emphasis on downtown community-driven efforts through their Community Development Investment Grant. If awarded, these funds would go directly to the construction costs of redeveloping the former Evergreen Shopper building for purposes of a daycare facility. For this purpose, the City would not be required to contribute financially to the project if the grant is awarded. The contribution of the City would be the staff time required to manage the grant funds and comply with reporting requirements for the grant.

Ketring moved, George seconded a motion to approve a resolution to authorize the submittal of a Community Development Investment Grant application to financially assist the Evergrow Learning Center. The motion passed unanimously by voice vote. **(File #17490)**

Agenda Item 8B: Approve Rescheduling the Second Public Hearing for 2017-2018 CDBG-Public Facilities Project for the Reconstruction of 6th Street East

The Public Hearing for the 6th Street East Reconstruction project partially funded through Community Development Block Grant (CDBG) funding needed to be postponed to the February 26, 2019 Common Council meeting to provide adequate time to give public notice of the date change.

George moved, Mettille seconded a motion to approve rescheduling the second public hearing date to February 26, 2019 for the CDBG Public Facilities Project for the reconstruction of 6th Street East. The motion passed unanimously by roll call vote.

Agenda Item 8C: Approve a Resolution to Submit an Application for a Wisconsin Department of Natural Resources Sport Fish Restoration Grant for the Ashland Ore Dock Redevelopment Phase 1: Diamond Access

The City of Ashland requested to apply for assistance from the Wisconsin Department of Natural Resources Sport Fish Restoration Fund for the Ashland Ore Dock Redevelopment Phase 1: Diamond Access.

Funds from the Sport Fish Restoration Grant would be used to continue the construction that started in 2018 of the walkway to access the end of the ore dock and the famous diamonds. Funding from the Ore Dock Trust, Otto Bremer Trust, WDNR Stewardship/Land and Water Conservation Fund, and Wisconsin Coastal Management would be used as matching funds.

Ullman moved, Haas seconded a motion to approve the resolution to submit an application for a Wisconsin Department of Natural Resources Sport Fish Restoration Grant for the Ashland Ore Dock Redevelopment Phase 1: Diamond Access. The motion passed unanimously by voice vote. **(File #17491)**

Agenda Item 8D: Approve to Ratify the Previous Agenda Item Regarding the Indoor Playground at the Bretting Community Center

On January 8, 2019, Council was presented with the initial request to approve the installation of an indoor playground at the Bretting Community Center. The project was to be funded by the Ashland Rotary Club and two private donors.

The original agenda bill lacked bid information that should be made known to Council. The Director of Parks and Recreation did solicit bids from two different companies who supplied the equipment that the donors were interested in. Although the unapproved bid was less, the donors chose Soft Play, LLC, as they had the equipment more suited to their liking.

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Also, the exhibit, "Letter of Interest to Army Corp of Engineering" was incorrectly attached to the agenda bill.

Council was being asked to approve the ratified agenda bill and allowing the Parks and Recreation Director to proceed with a purchase agreement with Soft Play, LLC.

Tochterman moved, Franek seconded a motion to approve to ratify the agenda item regarding the indoor playground at the Bretting Community Center. The motion passed unanimously by voice vote.

Agenda Item 8E: Approve an ~~Resolution Ordinance~~ to Amend Chapter 530 (1692), Ashland City Ordinances, Sidewalk Construction, Maintenance and Use

The Property Maintenance Specialist, now a full-time year-round position, was responsible for enforcement of sidewalk snow clearance starting in 2019. The requested ordinance amendment to clarify the specific amount of snow accumulation (2 inches or greater) rather than the broader term of "measurable snow" will ensure transparency and a standard for enforcement. Similarly, clarifying that the entire width of the sidewalk must be shoveled was an effort to make the City's expectations clear and ensure that sidewalks were being adequately cleared to allow passage for all pedestrians.

George moved, Haas seconded a motion to approve ~~a resolution an ordinance~~ to amend Chapter 530 (1692), Ashland City Ordinances, Sidewalk Construction, Maintenance and Use. The motion passed unanimously by voice vote. **(File #17492)**

Agenda Item 8F: Approve the Request from Evergrow Learning Center to Waive Building Permit Fees for Renovations to Provide Child Care Facilities at 417 9th Avenue West

Representatives of the Evergrow Learning Center requested to waive the Building Permit fee required for interior renovation of the former Evergreen Shopper building located at 417 9th Avenue West into a child care facility. The estimated value of work for the project reported on the Building Permit application is \$300,000 which required a Building Permit fee of \$1,500 (\$5 per \$1,000 of project value).

While Planning & Development Department staff were fully in support of this project and the great community service it will provide, the recommendation was against approving this permit fee waiver. The reason for this was in no way related to the project itself, but rather because a clear and consistent policy was not currently in place to address fee waivers of this kind, and the purpose of charging Building Permit fees was to cover the costs of inspections and review both before and during construction. Upon researching policies that other Wisconsin communities have in place related to waiving permit fees, several offered demolition fee waivers under certain circumstances (i.e. if a structure is condemned). With this exception, the Planning Department was unable to find any examples of communities in Wisconsin that offer Building Permit fee waivers.

Ketring moved, Haas seconded a motion to deny the request from Evergrow Learning Center to waive the building permit fees for renovations to provide child care facilities at 417 9th Avenue West. The motion passed unanimously by roll call vote.

Agenda Item 8G: Approve the Request from Partners in Recovery to Waive Development Permit Fee for Change in Use at 410 Lake Shore Drive West

Representatives of the non-profit Partners in Recovery requested a waiver of the Development Permit fee of \$75 for the change in use at 410 Lake Shore Drive West. A Development Permit was required for any change in use of a property, with the new use being classified as a "club or association use" as defined in the Unified Development Ordinance. The property would be utilized as a drop-in recovery center to provide support and a sober, social environment for individuals in recovery from alcohol or drug addiction. The building would also be used as a meeting space for support groups related to addiction (i.e. AA, NA, ALANON).

While Planning & Development Department staff were fully in support of this project and the great community service it will provide, the recommendation was against approving this permit fee waiver. The reason for this was in no way related to the project itself, but rather because a clear and consistent policy was not currently in place to address fee waivers of this kind, and the purpose of charging Zoning Permit fees was to cover the administrative review costs. Upon researching policies that other Wisconsin communities have in place related to waiving permit fees, several offered demolition fee waivers under certain circumstances (i.e. if a structure is condemned). However, the Planning Department was unable to find any examples of communities in Wisconsin that offer Zoning Permit fee waivers.

Ketring moved, George seconded a motion to deny the request from Partners in Recovery to waive development permit fee for change in use at 410 Lake Shore Drive West. The motion passed unanimously by roll call vote.

Agenda Item 8H: Approve the Updated 25 x 25 Plan for Energy Independence for the City of Ashland

In 2009, the City of Ashland, among other communities in the Chequamegon Bay region, became a pilot Energy Independent Community (EIC). An EIC is "a community that is willing to set a goal of "25 by 25" to increase our energy independence, and promote a sustainable energy policy for the State of Wisconsin." Due to Ashland's participation in this program, a 25 by 25 Plan for Energy Independence was developed in 2009 by the Chequamegon Bay Region Energy Independence Team through the WI Office of Energy Independence. The plan analyzed the City's energy use trends and suggested methods for reaching the overall goal of obtaining 25% of the City's energy through renewable sources by the year 2025.

The Center for Rural Communities analyzed City energy usage to complete this update and provided numerous recommendations for energy efficiency upgrades as well as options for investment in additional renewable energy sources. With the understanding that priorities may shift as funding or other resources become available, the Sustainability Committee will work on a prioritized implementation strategy for the new 25 by 25 Plan and bring back to Council at a future date. This prioritized plan can then inform future planning and infrastructure improvement projects on City facilities.

Mettile moved, Jackson seconded a motion to approve the updated 25 x 25 Plan for Energy Independence for the City of Ashland. The motion passed unanimously by voice vote.

Agenda Item 8I: Approve to Waive the Bidding Requirements, per Ordinance 194, Ashland City Ordinances, and to Enter into a Contract with SmithGroup for Design and Engineering Services for the Ashland Ore Dock Redevelopment Phase 2: Stuntz Avenue Corridor

In 2015, the Common Council and Ashland Ore Dock Charitable Trustees approved the City signing a Master Agreement for Ore Dock Design Services with SmithGroup (formerly SmithGroupJJR). City staff has been pleased with the design, engineering, project coordination, project oversight, and document creation that the SmithGroup has provided in the past. SmithGroup will be charging the City 8.5% of the total project cost (estimated at \$1,333,333.00) which is a very competitive percentage rate for a project of this magnitude.

Ashland Ore Dock Redevelopment Phase 2: Stuntz Avenue Corridor would consist of Stuntz Avenue being extended to US Hwy 2, and the complete reconstruction of Stuntz Avenue to accommodate the redevelopment of the land vacated by railroad. The reconstruction of Stuntz Avenue would require new water, sanitary and storm sewer services to new and existing homes and businesses. This phase would also include the creation of new pedestrian infrastructure, where native plantings and historical Ore Dock artifacts would be implemented. This project also included a drop off area/pick up area and public restrooms at the Stuntz Avenue North terminus.

The City was also hoping this project can be a catalyst to get additional grant funding to implement green infrastructure and restoration riparian habitat in the Bay City Creek area.

Council was requested to approve to waive the bidding requirements, per Ordinance 194, Ashland City Ordinances, and to enter into a contract with SmithGroup for design and engineering services for the Ashland Ore Dock Redevelopment Phase 2: Stuntz Avenue Corridor.

Mettile moved, George seconded a motion to approve to waive the bidding requirements, per Ordinance 194, Ashland City Ordinances, and to enter into a contract with SmithGroup for design and

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engineering services for the Ashland Ore Dock Redevelopment Phase 2: Stuntz Avenue Corridor. The motion passed unanimously by roll call vote.

Agenda Item 9: Adjournment

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

Respectfully Submitted,

Denise Oliphant
City Clerk

COMMITTEE OF THE WHOLE MEETING

Tuesday, February 5, 2019

Ashland City Hall Council Chambers

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PRESENT: Holly George, Richard Ketring, Sarah Jackson, Kate Ullman, Ana Tochtermann, Kevin Haas, David Mettillie, Charles Ortman, Elizabeth Franek, Dick Pufall, and Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Debra Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, Finance Director Julie Vaillancourt, Police Chief James Gregoire

Agenda Item 1: Roll Call

Roll call was taken by the Clerk.

Agenda Item 2: Council President's Report

The Council President deferred a report due to time constraints.

Agenda Item 3: Administrator's Report

The Administrator deferred a report due to time constraints.

Agenda Item 4: Approval of Agenda

Moore moved, George seconded a motion to approve the agenda.

Agenda Item 5: Discussion Items

Agenda Item 5A: Discussion and Possible Action Regarding Renaming Select Numbered Avenues in Honor of Local Figures of Historical Importance (Councilor George)

Councilor George would like to discuss with the Committee of the Whole the possibility of renaming select numbered avenues in honor of local figures of historical importance. Suggestions for purpose of discussion include renaming 9th Avenue West to Leahy Avenue and 2nd Avenue West to Wheeler Avenue. It was noted that changing street names will require 911 to update their Master Street Address Guide (MSAG) and residents/businesses to file a change of address.

After recognizing Rick Olivo to speak, George moved, Ketring seconded a motion to postpone the discussion indefinitely. The motion passed unanimously by voice vote.

COMMITTEE OF THE WHOLE MEETING

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Agenda Item 5B: Discussion and Possible Action on the Intended Purpose and Process for Bringing Committee of the Whole Items Forward for Discussion *(Administration)*

This discussion is meant to allow for a policy discussion on the intended purpose of the Committee of the Whole and to help provide clarity and focus going forward on the proper and most efficient process for bringing forward items for discussion by the Council at the Committee of the Whole.

Ortman moved, Ketring seconded a motion to revisit and review Ordinance 51 at a future meeting. The motion carried unanimously by voice vote.

Agenda Item 6: Adjournment

Pufall moved, George seconded a motion to adjourn. The motion carried unanimously by voice vote.

Respectfully submitted,

Denise Oliphant,
City Clerk

SUBJECT: Appointments

RECOMMENDATION:

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Mayor

EXHIBITS: 1. Volunteer Form

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

Public Works Committee

Philip Sorensen Term expires: September 30, 2023

OFFER TO VOLUNTEER FORM

Mayor Debra Lewis, City of Ashland, 601 Main Street West, Ashland, WI 54806
Phone: 715-682-7071 Fax: 715-682-7048 dlewis@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Public Works

Brief statement of education and training:

Mellen High School
B.S. History / Poli. Sci., The Colorado College; J.D. Univ. North Dakota;

Asst City Attorney, Duluth 4 yrs.; solo law practice in Ashland 23 yrs. including
municipal law for several local political subdivisions.

Biography:

(Need a sense of who you are as an individual. Examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc.)

Prior to law school, well steeped in common laborer jobs, both locally and in several
states; have travelled in 49 states and half as many foreign countries;

currently serving on Faith in Action Advisory Bd, Essential Patient & Family Advisory Bd,

Wis. Judicial Board of Directors. Law license maintained as Ashland County

Circuit Court Commissioner. Interests include silent sports, athletics,
Packers, family, and wood heat

Individual References or Referred by (include phone #):

Deb Lewis

715-682-7033

(7071)

Contact Information:

Philip J. Sorensen
Name (Print)

715-292-1137
Phone Number

723 Stuntz Ave
Address

Ashland

pj's law@gmail.com
Email:

Feb. 2, 2019
Date

SUBJECT: Operator's Licenses

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Police Department

EXHIBITS:

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, (Council Rules) 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: NA

SUMMARY STATEMENT:

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

Armando M. Hernandez

Caitlin R. Victrelli

DISABLED PARKING ENFORCEMENT ASSISTANCE COUNCIL MEETING
Tuesday, October 16, 2018

Agenda Item 1: Call to Order and Attendance

PRESENT: Brian Munson, Carol Ante, Mary Jane Grande, Jay Gurske, Cheryl Wiezorek and Donna Griffiths

ABSENT:

EXCUSED:

Also Present: Kim Westman, Imelda Dickinson, Julie St. George

Grande called the meeting to order.

Agenda Item 2: Approval of February 27, 2018 Minutes

Ante moved, Munson seconded a motion to approve the February 27, 2018, minutes. The motion carried unanimously.

Agenda Item 3: Old Business

- A. Informational Item on how approving requests for residential disabled parking will be handled moving forward.

DPEAC Council was informed of the change in procedure for handling approval of residential disabled parking signs. Moving forward Ashland City Council stated that if DPEAC approved residential signage, the requests did not have to come before the City Council for approval; DPEAC approval is all that is required.

Agenda Item 4: New Business

- A. Harold Eastman requests a residential disabled parking sign in front of residence at 622 Prentice Avenue.

Council members discussed the request.

Ante moved, Munson seconded a motion to approve the request from Harold Eastman, to install a disabled parking sign on 7th Street East. The motion carried unanimously.

- B. Harold Thornton requests a residential disabled parking sign in front of the residence at 609 5th Avenue East.

Council members discussed the request.

Ante moved, Griffiths seconded a motion to approve the request from Harold Thornton, to install a disabled parking sign in front of his residence. The motion carried unanimously.

DISABLED PARKING ENFORCEMENT ASSISTANCE COUNCIL MEETING
Tuesday, October 16, 2018

- C. William Parker requests a residential disabled parking sign in front of the residence at 822 3rd Avenue West.

Council members discussed the request.

Ante moved, Munson seconded a motion to approve the request from William Parker, to install a disabled parking sign in front of his residence. The motion carried unanimously.

- D. Imelda Dickinson requests a residential disabled parking sign in front of the residence at 210 MacArthur Avenue.

Council members discussed the request

Ante moved, Wiezorek seconded a motion to approve the request from Imelda Dickinson, to install a disabled parking sign in front of her residence. The motion carried unanimously.

Agenda Item 5: Items for Next Meeting

At the east end boat landing, the disabled parking sign has foliage obscuring the sign and parking area that needs to be trimmed back. Ante will report at the next meeting about the situation.

Agenda Item 6: Next Meeting Date

The next meeting will be called as needed.

Agenda Item 7: Adjournment

Ante moved to adjourn. Munson seconded. The meeting was adjourned.

Kim Westman

SUBJECT: Approve to Amend Chapter 544.22, Ashland City Ordinances, Reserved Parking Places, to Allow an Additional Disabled Parking Space at 808 Main Street West, the Deep Water Grille (Voice)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Disabled Parking Enforcement Assistance Council *approved unanimously, 02-05-2019*

EXHIBITS:

1. Proposed Ordinance
2. Proposed Ordinance Change
3. Disabled Parking Enforcement Assistance Council meeting minutes (unapproved), 02-05-2019

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: NA

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.

This item was brought before the Disabled Parking Enforcement Assistance Council on February 5, 2019, and approved unanimously.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The Disabled Parking Enforcement Assistance Council (DPEAC) meets as they receive requests from the Citizens of Ashland regarding the need for a disabled designated parking space. It had been determined by Council to allow the DPEAC to approve such requests as they see fit in residential locations. Requests or

changes which involve the Downtown and/or business district are required by Ordinance to be approved by Council.

The DPEAC received a request from the Deep Water Grille to install an additional disabled parking space in front of their building, adjacent to the existing disabled parking space, for the restaurant's customers.

The DPEAC determined to approve unanimously the request but not at the requested location but instead, just west of the alleyway between the restaurant and the Cobblestone Hotel, along the south side of the 800 block of Main Street West.

The City's Public Works department will be asked to assist placing signage in the spring of 2019.

ORDINANCE TO AMEND CHAPTER 544 (1026), ASHLAND CITY ORDINANCES, VEHICULAR STOPPING AND PARKING

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of February 18, 2019, for the purpose of adding Section 544.22(ee) of Chapter 544, Ashland City Ordinances, Vehicular Stopping and Parking, Reserved Parking Places.

SECTION I:

The following shall be added to Section 544.22; Reserved Parking Spaces:

(ee) The first space west of the alleyway on the south side of the 800 Block of Main Street West.

SECTION II:

This ordinance shall take effect upon passage and publication.

PASSED: February 18, 2019
PUBLISHED:

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

Proposed Ordinance Change (in red)

544.22. Reserved Parking Places. The City of Ashland specifically designates the following parking spaces as reserved for parking for motor vehicles used by physically disabled persons:

- (a) On the north side of Main Street West, west of its intersection with Tenth Avenue West.
- (b) First space on the east side of 6th Avenue West south of the intersection of Main Street West.
- (c) One space on the west side of Sixth Avenue West, north of the intersection with Third Street West.
- (d) Two spaces on the west side of the 200 block of Vaughn Avenue; one north of the alley and one south of the alley.
- (e) On the east side of Fourth Avenue West, north of its intersection with Main Street West.
- (f) On the east side of the 200 block of 3rd Avenue West.
- (g) On the west side of the 100 block of Third Avenue West north of the intersection with Main Street.
- (h) On the north side of the 600 block of Main Street West west of the emergency exit of City Hall.
- (i) On the boulevard on the east side of the 100 block of Prentice Avenue adjacent to Country Kitchen.
- (j) On the east side of the 700 block of Beaser Avenue in front of the CESA building.
- (k) On the east side of 10th Avenue West in the first space north of Main Street.
- (l) On the east side of 3rd Avenue East in the 100 north block adjacent to the NSP building.
- (m) On the east side of the 200 Block of Chapple Avenue.
- (n) On the South Side of the 100 Block of 10th Street East, adjacent to the Middle School.
- (o) On the North Side of the 100 Block of 11th Street East, adjacent to the Middle School.
- (p) Two spaces on the south side of Admiral Leahy Drive adjacent to the Sigurd Olson Environmental Institute.
- (q) On the south side of the 1300 Block of 7th Street West, adjacent to the Beaser Park Little League Field.

- (r) On the north side of the 1200 block of Main Street West.
- (s) On the west side of the 200 block of 3rd Avenue East, south of the intersection with Main Street.
- (t) On the west side of the 200 block of 2nd Avenue West, south of the intersection with Main Street.
- (u) On the south side of the 800 block of Main Street West, east of the parking lot entrance.
- (v) On the north side of the 400 block of Main Street East, east of the intersection with Prentice Avenue.
- (w) On the north side of the 400 block on Main Street East, west of the intersection of 5th Avenue East
- (x) In Central Railyard Park, closest to the entrance of the playground.
- (y) One space on the northeast intersection of Main Street and Sixth Avenue West, adjacent to the Golden Glow Restaurant.
- (z) The first space on the intersection of Main Street and 2nd Avenue East.
- (aa) One space in front of 220 6th Street East, on the west side of the stairway for Ashland County Law Enforcement offices.
- (bb) On the east side of the 300 Block of Third Avenue West, the third parking space north of the intersection of 3rd Street.
- (cc) On the east side of the 300 block of Beaser Avenue.
- (dd) 311 Main Street East.
- (ee) The first space west of the alleyway on the south side of the 800 Block of Main Street West.

These locations may be changed from time to time upon Parking System recommendation by Council action and appropriate notice thereof.

DISABLED PARKING ENFORCEMENT ASSISTANCE COUNCIL MEETING
Tuesday, February 5, 2019

Agenda Item 1: Call to Order and Attendance

PRESENT: Brian Munson, Mary Jane Grande, Jay Gurske, Cheryl Wiezorek and Donna Griffiths

ABSENT: Carol Ante

EXCUSED:

Also Present: Kim Westman

Grande called the meeting to order.

Agenda Item 2: Approval of October 16, 2018 Minutes

Griffiths moved, Munson seconded a motion to approve the October 16, 2018, minutes. The motion carried unanimously.

Agenda Item 3: New Business

None.

Agenda Item 4: Deepwater Grille requests another disabled parking space in front of their building, adjacent to the existing disabled parking space.

Council members discussed the request. DPEAC Council members felt for a variety of reasons that there should be another disabled parking space in this block, but felt the space would be best suited west of the alley on Main Street near the Deepwater Grille.

Wiezorek moved, Munson seconded a motion to approve the request from Deepwater Grille to install a disabled parking sign on the South side of the 800 block of Main Street West, to the west of the parking lot entrance. The motion carried unanimously.

Agenda Item 5: Debra Rabideau –Stevens requests a disabled parking space in front of her residence at 1015 Vaughn Avenue.

Council members discussed the request.

Gurske moved, Griffiths seconded a motion to approve the request Debra Rabideau-Stevens to install a disabled parking sign in front of her residence at 1015 Vaughn Avenue. The motion carried unanimously.

Agenda Item 5: Items for Next Meeting

At the October DPEAC meeting Ante mentioned that at the east end boat landing, the disabled parking sign has foliage obscuring the sign and parking area. This item should be revisited at the next spring/summer DPEAC meeting.

DISABLED PARKING ENFORCEMENT ASSISTANCE COUNCIL MEETING
Tuesday, February 5, 2019

Agenda Item 6: Next Meeting Date

Consensus of the group is to schedule meetings as needed and determined by requests made to the City Clerk's office and/or the DPEAC Chairperson.

Agenda Item 7: Adjournment

Gurske moved to adjourn. Munson seconded. The meeting was adjourned.

Kim Westman

SUBJECT: Approve to Renew a Contract Stephen G. Schraufnagel for Building, HVAC, Plumbing and Electrical Inspection Services (Voice)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Planning & Development Department
City Administrator

EXHIBITS: 1. Agreement for Building, HVAC, Plumbing and Electrical Inspection Services

EXPENDITURES REQUIRED: Up to \$35,000

AMOUNT BUDGETED: \$35,000 Fund 100- Building Inspections

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on February 7, 2019, that Stephen Schraufnagel is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51: The Mayor has consented to placement of this agenda item on the Council agenda as timely action is needed to renew a contract for the City's Building Inspector.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed contract for Building Inspection services conforms to the goals and principles of the Comprehensive Plan. Having a knowledgeable, licensed commercial and residential Building Inspector helps to further the Comp Plan goals of strategic code enforcement as well as assistance with business expansion and development. Additionally, the Comp Plan states that the City will make financially sound decisions that help stabilize finances and ensure that limited funds are able to go as far as possible. Contracting for Building Inspection services as outlined in the proposed contract ultimately saves the City money while providing the same level of service to residents, businesses and potential members of the Ashland community.

SUMMARY STATEMENT:

A Request for Proposals for Building Inspection services was issued with a due date of February 1, 2019. Only one proposal was received.

The City has been satisfied with the work performed by Stephen Schraufnagel to date and would like to continue to contract with him for Building Inspection services through February 29, 2020 (see attached contract).

AGREEMENT FOR BUILDING, HVAC, PLUMBING AND ELECTRICAL INSPECTION SERVICES

The City of Ashland, hereinafter "City", and Stephen G. Schraufnagel of 811 Chapple Avenue, Ashland, WI 54806, hereinafter "Contractor", as and for an Agreement for Contractor to provide Building, HVAC, Plumbing and Electrical inspection services to the City, agree as follows:

1. Contractor warrants and represents that he is certified and licensed by the State of Wisconsin to perform Uniform Dwelling Code inspections in the categories of Construction, HVAC, Plumbing and Electrical, along with Inspector Certifications in Rental Weatherization, Home Inspection, and Commercial Buildings. The Contractor is an Architect licensed in the State of Wisconsin.
2. Contractor will perform the Building, HVAC, Plumbing and Electrical inspections on all new construction and remodeling projects in the City of Ashland as requested by the City during the term of this Agreement.
3. Contractor shall be compensated as per the following fee schedule:

(Item)	(Fee)
a. UDC Construction Inspections	\$95.00/trip
UDC HVAC Inspections	\$95.00/trip
UDC Plumbing Inspections	\$95.00/trip
UDC Electrical Inspections	\$95.00/trip
b. Home Inspections (Non-UDC Related)	\$95.00/trip
c. Commercial Buildings, Multi-Family Dwellings, etc., which includes a Certified Commercial Inspection and plan review for Building, HVAC, Plumbing, Electrical	\$125.00/trip/category
d. UDC Plan review for Construction, HVAC, Plumbing and Electrical	\$95.00/category
e. Consulting for UDC projects	\$95.00/Hour
f. Registered Architect Services	\$125.00/Hour
g. Requested Meeting Attendance	\$95.00/Hour

Payment of the fee will be monthly upon receipt of an invoice from contractor.

4. In connection with inspections, to ensure compliance with the subject codes, Contractor will prepare documentation of all disputes, prepare noncompliance orders and prepare full and complete written reports on inspections performed, which reports shall be turned over to the City of Ashland Planning & Development Department.

5. It is mutually agreed and understood that in the performance of the professional services to be rendered under this Agreement, the Contractor shall act as an independent contractor in relation to the City and not as an employee of the City. The City shall not have the right to direct or control the details, method or means in which the Contractor performs his inspection services under this Agreement. The contractor warrants that his services will be involved and the Contractor holds himself out and available to the public for performance of services. Contractor reserves the right to offer said services to the public.

Contractor's obligation under this Agreement is to provide services in a timely and professional manner. Contractor has no obligation to work any particular hours or days or any particular number of hours or days other than what is required to perform the inspection services needed.

Contractor shall not be deemed an employee of the City for any purpose whatsoever, including, but not limited to: 1) Inclusion in any City or Wisconsin Retirement Fund, Retirement or Pension Plans; 2) Sick Pay; 3) Holidays; 4) Vacation; 5) Inclusion in any City Insurance Programs.

6. Contractor agrees that he is solely responsible for the payment of those taxes or contributions (including, but not limited to, individual income taxes, self-employment taxes, and unemployment insurance contributions) as may be in connection with fees received by Contractor pursuant to the Agreement, whether such taxes, contributions or payments are owed pursuant to the laws of the United States or any state or municipality.
7. No taxes, contributions, payments or deductions of any type shall be withheld by the City on fees paid to the Contractor for services rendered under this Agreement and contractor agrees to indemnify and hold City, its officers, directors and employees harmless from and against any and all liability, costs and expenses (including attorney's fees) incurred by the City in contesting or defending against any liability for taxes, contributions, or other payments which may be asserted against City by any third party as a result of City's failure to withhold such taxes, contributions or deductions.
8. Contractor further acknowledges and agrees that the City will not make disability insurance contributions on Contractor's behalf nor obtain or pay for worker's compensation insurance coverage for Contractor or Contractor's employees, if any.
9. In performance of the inspection services pursuant to this Agreement, Contractor will be acting as the agent of the City. The City of Ashland liability insurance coverage will extend to cover the Contractor while acting within the scope of the duties performing inspection services. Contractor shall hold the City harmless and indemnify the City of any loss, liability or damages sustained by any party as a result of the inspector's acts or omissions outside the scope of his inspection services.

10. The Contractor will be required to pay for all his supplies (paper, code books, etc.), continuing education expenses, travel expenses, and licensing renewals and fees while he is rendering his services to the City.
11. The City is to provide the Contractor with visible identification credentials, such as business cards, letterhead, envelopes, as required to perform his services in the capacity of the City.
12. This Contract shall commence on the 13th of February, 2019 and runs through February 29, 2020.
13. This Agreement may be terminated by either the City or Contractor on 90 days written notice to the other party.

CITY OF ASHLAND

CONTRACTOR: Stephen G. Schraufnagel

Brant Kucera
City Administrator

Stephen G. Schraufnagel,
Architect/Building Inspector

Date:

Date:

Denise Oliphant
City Clerk
Date:

SUBJECT: Approval of Amendment to the Ashland Cobblestone LLC Development Agreement to Clarify Definition of Assessed Property (Roll)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Finance

CLEARANCES: Administrator

EXHIBITS: 1. Amendment, Ashland Cobblestone LLC Development Agreement

EXPENDITURES REQUIRED: None

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: None

TREASURER'S CERTIFICATE: The Treasurer's Office has certified that Ashland Cobblestone LLC 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:

The Council approved, at the May 30, 2017 meeting, the Ashland Cobblestone LLC development agreement for a hotel located in Tax Increment District No. 10. TID No. 10 includes various properties located on Main Street from Vaughn Ave to 9th Ave West.

The Council approved, at the April 18th, 2018 meeting, the first amendment to this agreement to extend the project completion date to November 30, 2018. The Cobblestone Hotel was open for business on October 26, 2018.

The second amendment is to clarify the parties' understanding as to terminology used in this agreement, and this amendment does not materially alter any of the terms or the intent of the agreement as previously agreed upon by all parties. The term "Assessed Value," is being clarified to include the combined value of real property and personal property. Real and Personal property within a tax increment district becomes part of the base value and increment value.

Per the agreement, the City is to provide development incentive progress payments up to \$800,000 for the project. The City received a \$250,000 grant from the Wisconsin Economic Development Corporation for the project and borrowed \$550,000 from the Wisconsin State Trust Fund Loan Program at 4% for a ten year term. The progress payments are as follows:

1 - \$250,000 is to be paid upon execution of the agreement and the developer securing sufficient financing. Paid 12/20/2017.

2 - \$250,000 to be paid when developer has provided the City documentation that \$500,000 of the developer's equity has been spent on the project. Paid – 5/08/2018.

3 – Final payment due on the project is \$300,000 and when:

The assessed value of project is \$4,000,000 or greater, and

The Developer has provided verification that it does not intend to appeal the assessment.

The City's Assessor has completed the value of the project as follows:

Land and Building \$3,850,000

Personal Property 480,300

Total \$4,330,300

The Ashland Cobblestone, LLC has agreed to provide the City with a signed affidavit stating that it will not appeal the tax assessment of \$4,330,300.

Per the agreement, the developer guarantees a minimum annual property tax payment associated with the project of \$95,808 for a period of twelve years. The 2019 taxes payable in 2020 is estimated to be around \$106,000 which is above the amount stated in the agreement.

The City's annual payment on the State Trust Fund Loan is \$75,472.54 and the tax increment levy estimate for all taxing jurisdictions for TID No. 10 is around \$100,000. The loan payments and the tax increment collection both start in 2020.

**AMENDMENT TO THE
CITY OF ASHLAND DEVELOPMENT AGREEMENT
TAX INCREMENT DISTRICT NO. 10**

By and Between

City of Ashland and Ashland Cobblestone LLC

WHEREAS, on June 15, 2017, the parties previously entered into a Development Agreement for development in the City of Ashland Tax Increment District No. 10; and

WHEREAS, the purpose of this amendment is to clarify the parties' understanding as to terminology used in this agreement and this amendment does not materially alter any of the terms or the intent of the agreement as previously agreed upon by all parties.

NOW, THEREFORE, the parties agree as follows:

1. The term "Assessed Value," whether capitalized or lower case, includes the combined value of Real Property and Personal Property located at the Project Site, the value of which is determined by the City of Ashland Tax Assessor.
2. As of the most recent assessment, the total Assessed Value of the Project Site is \$4,330,300, which consists of Real Property of \$3,850,000, and Personal Property of \$480,300.

ASHLAND COBBLESTONE LLC

By:

Mark Gutteter
Member

Date: _____

CITY OF ASHLAND

By:

Attest:

Debra S. Lewis
Mayor

Denise Oliphant
Clerk

Date: _____

Date: _____

ACKNOWLEDGMENT

STATE OF _____)
)ss.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2019,
by Mark Gutteter as Member of Ashland Cobblestone, LLC.

Notary Public, State of _____
My commission expires: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
)ss.
COUNTY OF ASHLAND)

This instrument was acknowledged before me on _____, 2019,
by Debra Lewis and Denise Oliphant, as Mayor and City Clerk, respectively, of the City of
Ashland.

Notary Public, State of Wisconsin
My commission expires: _____

Approved as to form:

Tyler W. Wickman
City Attorney

This instrument drafted by:
Dallenbach, Anich & Wickman, S.C
Max T. Lindsey
SBN: 1112865

220 Sixth Ave. W.
Ashland, WI 54806
715-682-9114

SUBJECT: Approve a Resolution to Combine Wards and Establish Polling Places for the April 2, 2019 Spring Election (Voice)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES:

EXHIBITS: 1. Proposed Resolution

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: NA

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:

SUMMARY STATEMENT:

The Spring Election will be held on April 2, 2019.

WI State Statutes requires the City Council approve a resolution to combine wards and establish polling places.

RESOLUTION

No. _____

RESOLUTION TO COMBINE WARDS AND ESTABLISH POLLING PLACES FOR THE APRIL 2, 2019 SPRING ELECTION

WHEREAS, the City of Ashland will hold a Spring Election on April 2, 2019; and

WHEREAS, the Council must establish official polling places for elections; and

WHEREAS, combining wards whenever possible will reduce election costs.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that Wards shall be combined and Polling Places shall be designated as follows for the April 2, 2019 Spring Election:

Combined Wards

1, 3, 5
2
4
6
7, 9, 11
8
10

Polling Places

Bretting Center, 400 4th Avenue West
Ashland Senior Center, 400 Chapple Avenue
Bretting Center, 400 4th Avenue West
Ashland Senior Center, 400 Chapple Avenue
Bretting Center, 400 4th Avenue West
Bretting Center, 400 4th Avenue West
Bretting Center, 400 4th Avenue West

PASSED: February 18, 2019

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney