

COMMITTEE OF THE WHOLE MEETING

The Common Council of the City of Ashland will meet as the Committee of the Whole on February 11, 2020 immediately following the City Council meeting which begins at 5:30 PM in the Ashland City Hall Council Chambers.

The following items will be considered:

1. Roll Call
2. Council President's Report
3. Administrator's Report
4. Approval of Agenda
5. Committee Updates
6. Discussion Items
 - A. Discussion and Possible Action Regarding Downtown Parking on 9th Avenue West (*Councilor Ullman*)
 - B. Discussion and Possible Action Regarding a Proposal to Ban Conversion Therapy (*Councilor Whitebird*)
 - C. Discussion and Possible Action Regarding a Recommendation from Sustainability Committee on First Steps for 25 x 25 Plan (*Councilor Ullman*)
7. Adjournment

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SUBJECT: Committee Updates

RECOMMENDATION: Discussion only

DEPARTMENT OF ORIGIN:

CLEARANCES:

EXHIBITS:

FINANCIAL IMPACT:

SUMMARY STATEMENT:

HARBOR COMMISSION - D PUFALL

PLAN COMMISSION - M MACKENZIE

POLICE & FIRE COMMISSION - D LEWIS

LIBRARY BOARD - S JACKSON

HOUSING AUTHORITY - L FRANEK

HOUSING COMMITTEE - A TOCHTERMAN

PARKS & REC COMMITTEE - K HAAS

PUBLIC WORKS COMMITTEE - J MOORE

SUSTAINABILITY COMMITTEE - K ULLMAN

HISTORIC PRESERVATION - L FRANEK

DISABLED PARKING - W WHITEBIRD

SOURCE WATER PROTECTION - C ORTMAN/W WHITEBIRD

SUBJECT: Discussion and Possible Action Regarding Downtown Parking on 9th Avenue West (*Councilor Ullman*)

RECOMMENDATION: Option 3

DEPARTMENT OF ORIGIN: Planning & Development Department

CLEARANCES: Planning & Development Department
Public Works Department

EXHIBITS: 1. 9TH AVE (3) OPTIONS
2. 2018 Downtown Parking Study

FINANCIAL IMPACT: Option 1 \$1,500- 2,000
Option 2 \$1,500- 2,000
Option 3 \$ 300- 400

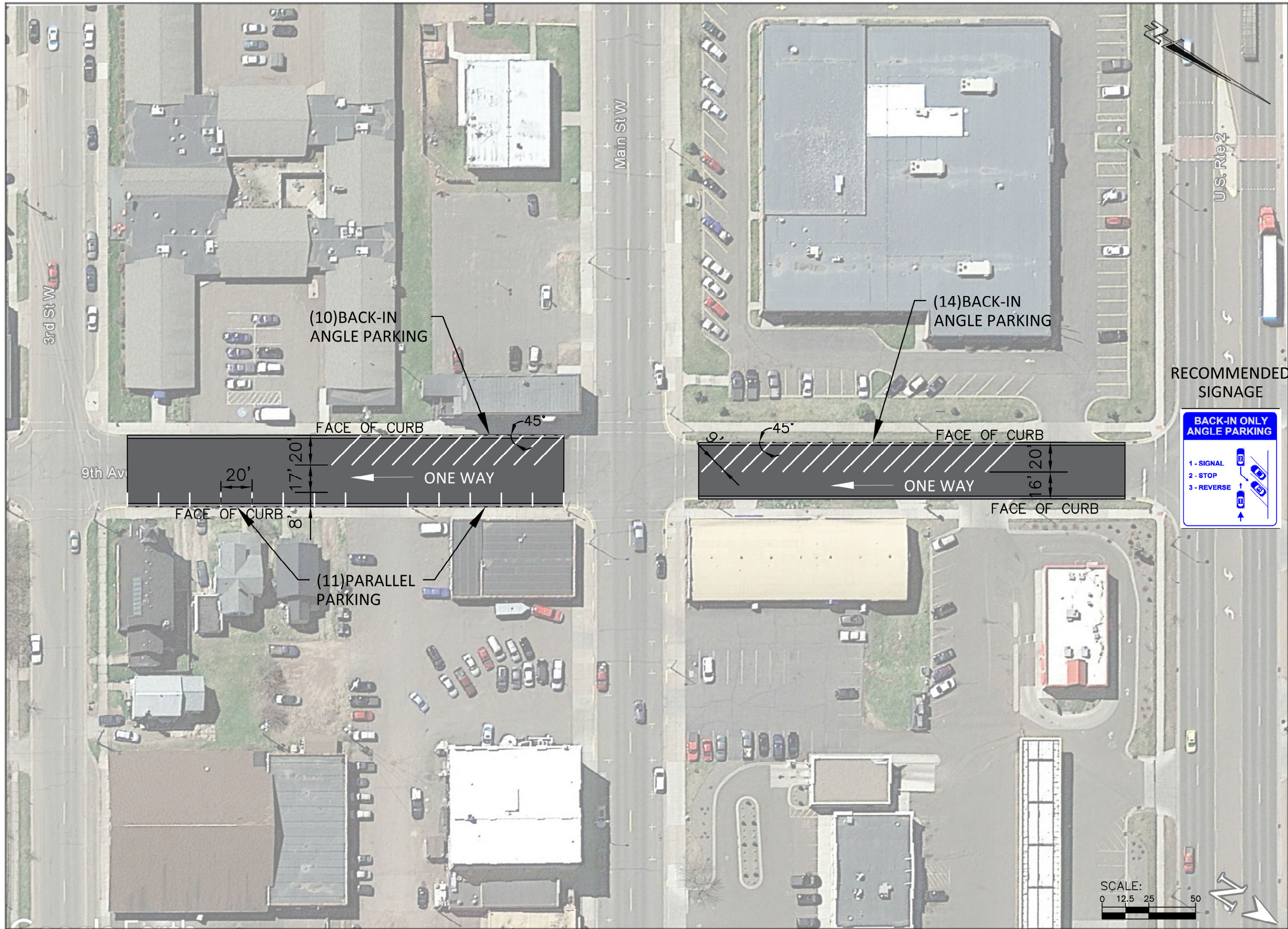
SUMMARY STATEMENT:

A downtown parking survey was conducted in 2018 (attached) which demonstrated that there is not an overall shortage of parking in the downtown, but identified strategic areas where additional parking and/or alternative ways of identifying parking should be considered. One such area is that around 9th Avenue West, near the Deepwater Grille and new Cobblestone Hotel.

Through the site plan review process for the 2018 construction of the Cobblestone Hotel it was determined that these businesses have adequate off-street parking (71 spaces to accommodate 51 hotel rooms and the restaurant). Additionally, street parking in downtown City cores is vitally important to ensure adequate access to downtown while preserving vibrancy and walkability, which is why this discussion item is being brought to Committee of the Whole. The requested outcome of this discussion is a clear directive from Council to pursue an implementable plan to increase understanding around existing parking opportunities so that on-street parking is being efficiently utilized, and evaluate how the City may take measures along the Main Street-adjacent avenues to alleviate community parking concerns as well.

Attached are three options provided by Cedar Corps which evaluate the three feasible approaches to designating parking along 9th Avenue West on the blocks of 9th Avenue West directly north and south of Main Street. Curlie Ledin, Public Works Foreman, was contacted for input and cost estimates. His recommendation would be Option 3, as he stated it would create the least confusion since it preserves two-way traffic and is consistent with other downtown parking. He estimated that Options 1 and 2 would cost between \$1,500- 2,000 to execute, and Option 3 would be between \$300- 400. Planning & Development staff agree with this recommendation, and feel that the additional striping of parking stalls will help clarify for residents and visitors

that parking is allowed and encouraged along 9th Avenue West. Additionally, it is requested that the Council consider the recommendations in the Parking Study associated with downtown parking signage in a future discussion to provide staff directive on their interest to obtain additional information about this possible capital expense.



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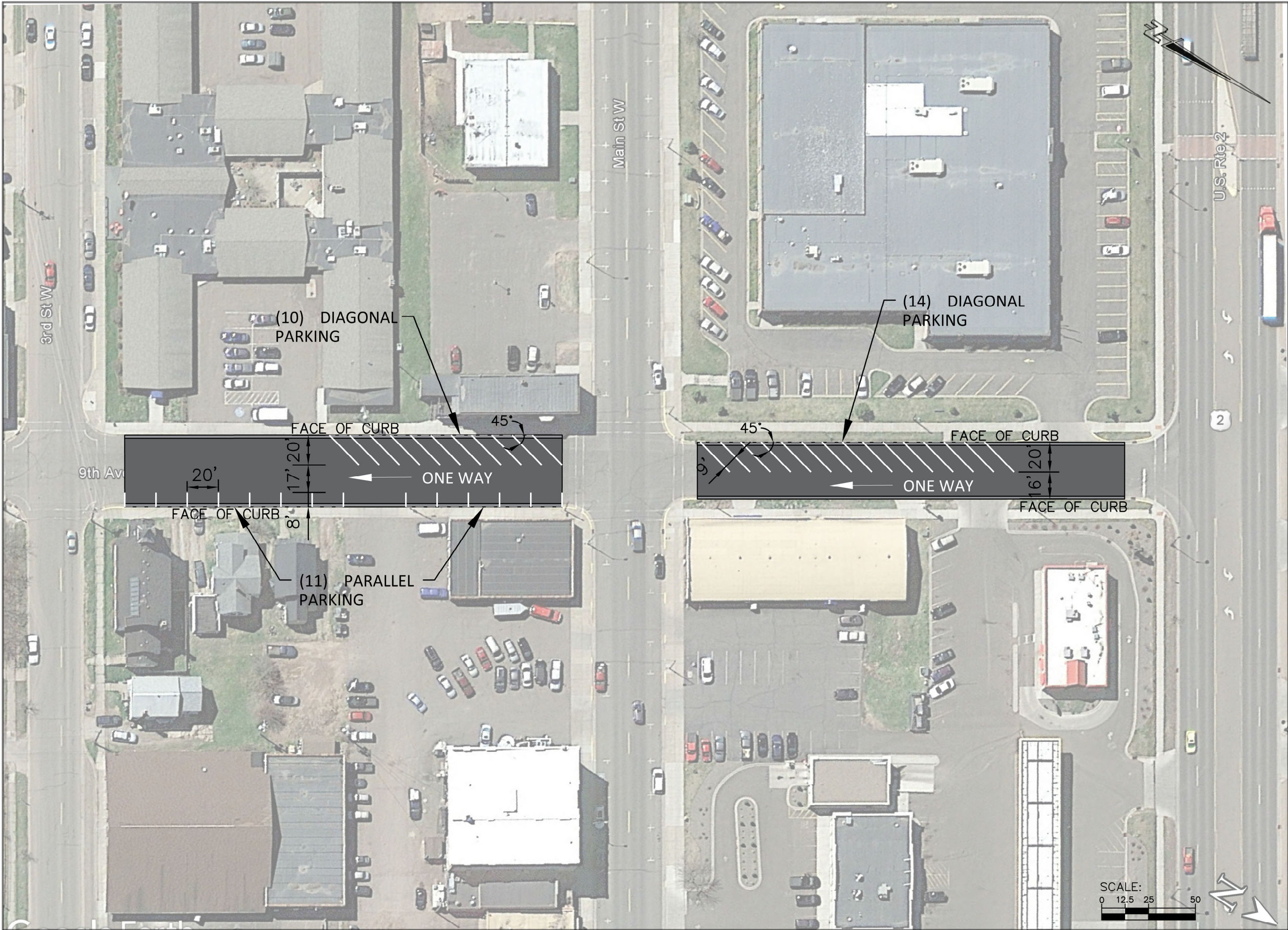
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CITY OF ASHLAND
9TH AVENUE
ASHLAND COUNTY, WISCONSIN
ONE WAY TRAFFIC - BACK IN PARKING LAYOUT

SHEET NO.
1



CITY OF ASHLAND
9TH AVENUE
ASHLAND COUNTY, WISCONSIN
ONE WAY TRAFFIC - DIAGONAL PARKING LAYOUT

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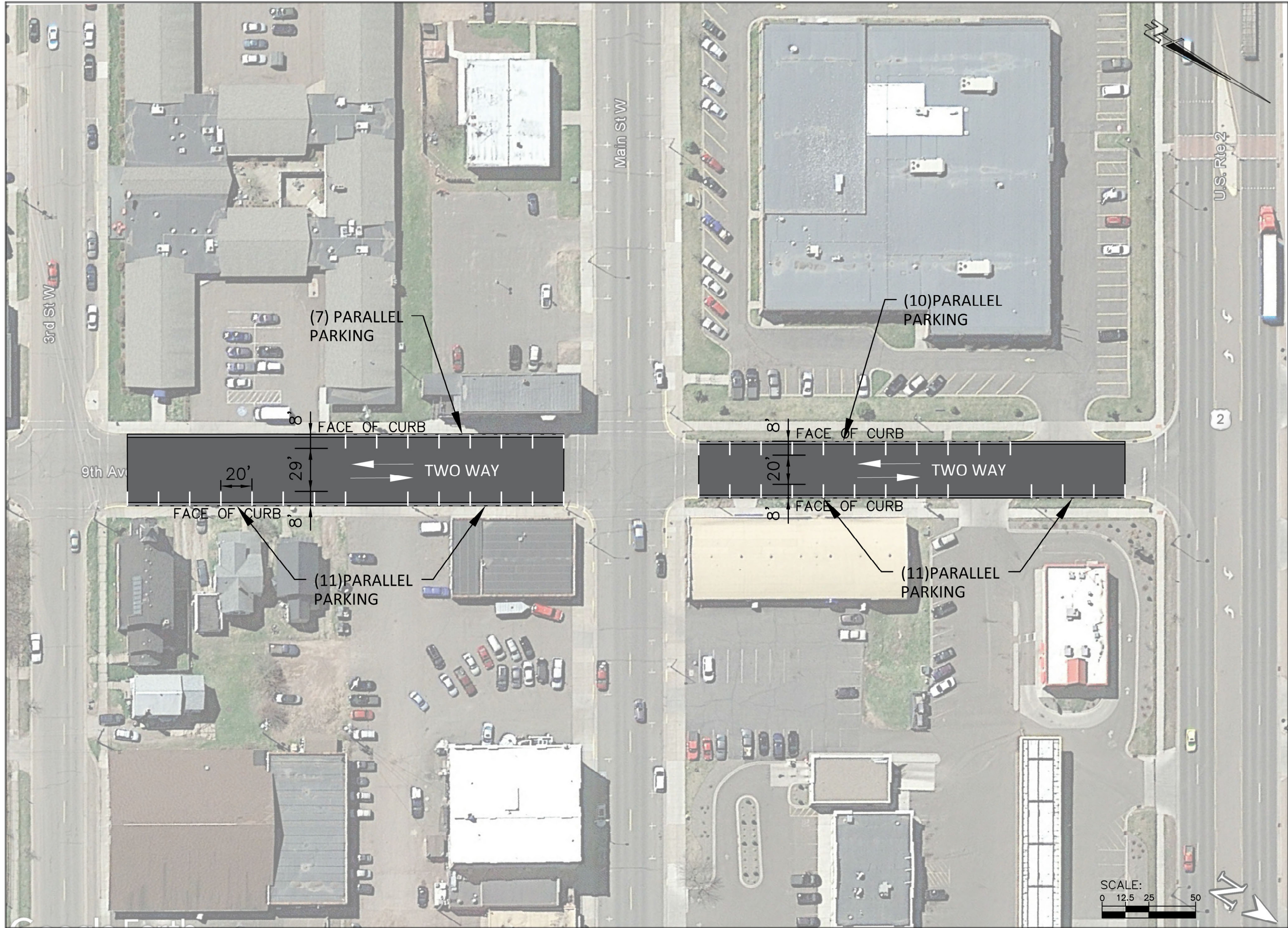
Cedar
corporation

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SHEET NO.
2



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CITY OF ASHLAND

9TH AVENUE

ASHLAND COUNTY, WISCONSIN

TWO WAY TRAFFIC - PARALLEL PARKING LAYOUT

SHEET NO.

3

City of Ashland

Parking Study

2018

Planning and Development
Department

Executive Summary

The Downtown Parking Analysis for the City of Ashland is a comprehensive study of parking resources in the downtown business district. The goals of the study are multifold: (1) to create a comprehensive database of all of the public parking in the core downtown, (2) to create parking maps for this district that can be accessed by the public to aid them in finding parking, (3) to educate downtown business owners regarding available parking for their customers and employees, and (4) to inform future development decisions, ensuring that parking needs can be met. The study does not take into account private parking that exists in the study area; the data collected is strictly limited to public parking that is owned by the City of Ashland.

The report contains the following findings:

- Accurate counts of available public parking, including permitted and non-permitted spaces
- Analysis of how current parking resources are being used
- Recommendations for how current resources could be better utilized
- Recommendations for infrastructure changes
- Recommendations for future parking

The study was a three-step process. The first step was to survey and catalog all of the available public parking in the study area. Second, this information was used to create a map using GIS. The third phase of analysis required collecting usage data for every parking spot in the study area. This data was then used for comparison to the available parking in the study area, and these tabulations provided results such as surplus/deficit parking and parking occupancy.

Parking Study Area

The study area encompasses the core of the downtown business district stretching north to south from Lake Shore Drive West to 3rd Street West, and east to west from Ellis Avenue to 9th Avenue West. This area contains 751 public parking spaces in a 30 block area.

Parking Supply

There are a total of 751 public parking spaces in the study area. Of these spaces, 310, 41%, are in surface lot¹, the other 441 spaces, 59%, are on-street parking spots.

Definitions

- **Parking Supply** - the number of available parking spaces in the study area
- **Occupancy** – the percentage of occupied spaces in a given area
- **Accumulation** – the number of cars present in a given area for a given time. The accumulation for each hour can be added to generate the number of cars that used the lot for the entire day.
- **Surplus** – the number of parking spaces in a given area that are unoccupied
- **Blocks** - a number was assigned to each block, these numbers are based on the address numbers for the block and which side of Main Street the block is on. For example, a block on the south side of Main Street is identified as 200 W South. The W referring to it being on West Main Street and the South identifying the side of Main Street where the address is located.
- **Turnover** – the number of cars present in one parking space over the course of the day. This data is used to determine if people are overstaying the time limits on parking spaces.

Findings

Occupancy Counts

- Occupancy for Main Street peaks at 12pm with a total occupancy of 49%.
- Main Street had the highest usage of on-street parking with a total occupancy averaging 70% at 12pm.
- The avenues had the second highest usage of on-street parking with a peak average occupancy of 45% at both 10am and 12 pm.
- 3rd Street West's on-street parking was underutilized on average with peak occupancy of 23% at 2pm.

¹ The total number of public parking spaces in city parking lots does not include the 18 spaces in City Lot A because it is currently a permit only parking lot.

- Public parking lots peaked with an average occupancy of 48% at 10am.
- Occupancy for the total study area peaked at 45% at noon.

Parking Surplus

The study highlights that there is an adequate amount of parking to meet current parking needs in the downtown district. Throughout the course of three complete parking surveys, no blocks showed occupancy rates exceeding 80%, which indicates that even the busiest blocks still have 20% surplus parking. In addition to these blocks having 20% of their parking as surplus, these busy blocks are within 400ft of consistently available parking.

Recommendations

- Educate the public about where public parking is available and the rules that apply to public parking.
- Encourage employees and visitors who wish to spend more than two hours in the downtown district to park on 3rd Street or in public lots which offer all day parking.
- Increase enforcement of 2hr parking and issue warnings to visitors that overstay the two hour limit.
- Explore adding a public parking lot behind the Vaughn Public Library to meet future parking needs.

Conclusions

The data gathered over the course of this study highlights that presently, Ashland does not appear to have a parking shortage, but rather a need to change how parking is perceived. The perception that there is a parking shortage can be corrected by having publicly available parking maps informing visitors of the full breadth of available parking, and signage that is easier to read from a passing vehicle. Through the use of parking maps, better signage, and increased enforcement, the current parking resources can be better utilized to provide a convenient and efficient parking system.

Introduction

The following study was undertaken to create a comprehensive understanding of the parking resources in the downtown district of Ashland, Wisconsin. Parking concerns have been at the forefront of many development discussions in recent years, with both business owners and downtown patrons expressing concern over a lack of adequate parking.

Although these discussions are an important part of the planning process, it can be challenging to have a productive exchange if insufficient data has been gathered about the current parking supply and demand. In addition to enlightening the conversation, this study can help to inform future development decisions by identifying underutilized parking spaces that can be used for future business development in the downtown.

By creating accurate maps and database of all public parking, surplus parking spaces can be allocated for new development that is interested in building or relocating to the downtown. Additionally, it will allow current businesses to effectively direct both their customers and employees to easily accessible open parking. By identifying parking usage and available resources, this study aims to allow current parking facilities to be used in the most efficient and convenient manner, thereby encouraging growth in the shopping base of Main Street which supports current and future development in the downtown.

Study Area

The study area encompasses a 30 block area, north to south from Lake Shore Drive West to 3rd Street West and west to east from 9th Avenue West to Ellis Avenue. In addition to this 30 block area, public parking lots that fall outside of the designated study area that are still within a reasonable walking distance of the downtown district are included in the study. The parking maps and database that were created included the public parking extending into Main Street East, running from 9th Avenue West to Stuntz Avenue on the east end. The area of study can be seen in Map 1, this includes both the area where occupancy counts were performed, and the further area that is included in the parking maps and database that were created.

Methodology

Before any analysis could be performed, accurate data needed to be gathered. This parking data encompassed the total study area from 9th Avenue West to Stuntz Avenue, in addition to the section of Main Street where occupancy counts were conducted. In order to create an accurate database of all public parking spaces, the city's old parking data was cross-referenced with both on-street and surface lot parking to verify consistency with the previously recorded information. If the parking spaces present on the street did not match the data recorded in the old database, it was updated to accurately reflect the actual parking present on the street. Not only were the number of parking spaces recorded, but also all of the rules and parameters that apply to each space. These parameters include such things as time limits (e.g. 2hour parking), rules (e.g. no overnight parking from 2am-6am), and whether it is a permitted space or not.

All of this information was used to create an updated database that accurately reflects the current parking resources in the study area. Once the parking database was updated, all of the information was imported into ESRI ArcGIS from which parking maps were created. Mapping all of the collected parking information allows for a city worker to click on an interactive parking map and view the information pertaining to a specific parking space. The map shows which parking spaces accommodate two hour parking, 15 minute parking, or no time limit. The map also includes the rules for the public parking lots. This map can also be printed and distributed for public use. Additionally, when used by city staff in ArcGIS, a block can be clicked on and all of the parking information for that block can be viewed from time limits to restrictions.

Once the parking maps were completed the process of designing the occupancy surveys began. To start, every parking spot in the study area was assigned a number per block, if there were ten spots on the block they were assigned a number one through ten. This was done for both sides of every street. By assigning each parking space a unique number it allowed for the usage rate of individual parking spaces to be recorded. This is important for the future if the city wants to remove a parking space or use it differently; underutilized spaces are identified.

After all of the parking spaces had been assigned a number, occupancy counts were performed for each parking space. Data was collected by walking and marking whether a car was present in each parking space. Due to the size of the study area, surveys were split into four different categories: (1) Main Street, (2) the Avenues, (3) 3rd Street West, and (4) City Parking

Lots. By splitting the area into these different categories it allowed for counts to be performed in an area that was small enough to be covered by one person in one hour. Surveys were performed every hour from 9am-3pm; a full 9am-3pm circuit was completed three times for each survey area. By performing every survey three times it established a comprehensive view of downtown parking and the wealth of data that was collected helped to even out abnormal spikes in parking which prevents skewed data. The surveys were conducted by one individual and due to the size of the study area and time commitment required, one circuit of surveys was not necessarily completed in one day. Some surveys were split between multiple days. This also contributed to lessening the effects of limited time increases in parking usage.

Once all three full surveys for all areas had been completed, the data was entered into Microsoft Excel, for statistical analysis. First, accumulation, the number of cars parked in each spot for a given time was calculated for each hour; secondly, occupancy was generated for each hour which was done by calculating the percentage of occupied spaces per hour. The last statistical measure that was calculated was surplus; to do this the proportion of open spaces was calculated. This allowed the number of open parking spaces in a given area to be identified.

Surplus proved to be the most informative of the statistical measures and this allowed surplus parking per block to be mapped using GIS. These maps show the average amount of surplus parking spaces that are available per block, and the average occupancy rate per block. By using both measures on the same map it allows the user to see both how many spaces are generally available, and what percentage of the total amount is open. Both measures are important because not all of the blocks have the same number of parking spaces. If the map only depicted one or the other of the measures, it would be misleading and it could appear that less or more parking is available than what is actually available.

Once surplus parking was mapped, radiuses were superimposed over the blocks that showed the fewest surplus parking spaces. These radiuses corresponded to walking distances of 200ft and 400ft respectively. This is to show the viewer that even if a block tends to be 80% full, there may be a large surplus of available parking spaces within 400ft of their destination. The radiuses of 200ft and 400ft were chosen because the 400ft radius is the accepted industry standard for the maximum distance that people will walk from a parking space to their destination without considering shopping somewhere else. The 400ft number is based on people who are walking in a shopping or downtown district. The maximum walking distance is greater

for areas with uses that are not shopping, and differs for employees working in downtown districts, who have been shown to be willing to walk much further distances from their parked vehicle to their destination (Smith and Butcher 2008).

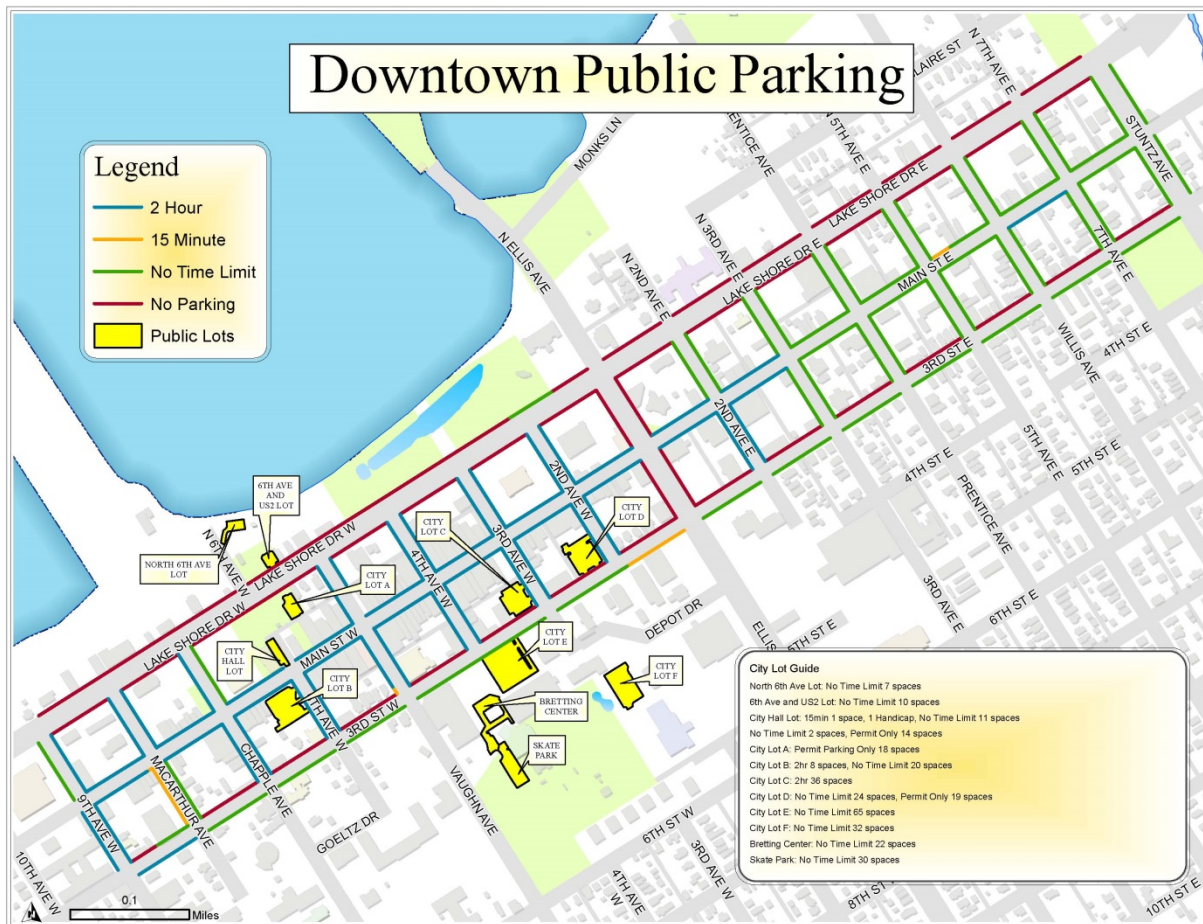
After all mapping had been completed graphs of occupancy for each survey where created, these graphs allowed for visual representations of the peaks and valleys in the parking system throughout the day.

Findings

The availability of close and convenient parking is a hot button issue throughout many towns and cities; the City of Ashland is no exception. Like other similar communities there is often discourse surrounding a parking shortage in the downtown district. The debate over parking has come to dominate much development discussion and leads to gridlock when the different parties cannot agree on whether there is sufficient parking or a severe shortage. Although these conversations can be an important part of the planning discussion, they become circular in nature due to a general lack of available data regarding Ashland's parking usage and resources. The following findings aim to provide a statistical and data driven foundation that can be used to inform future parking discussions, and ensure that the city's parking system is working as efficiently and effectively as possible.

The study evaluates the parking in the downtown district (Map 2) with a three pronged approach; first by evaluating on-street parking spaces, second by cataloging off-street parking lots, and lastly, by taking both into consideration to create a comprehensive understanding of how the parking system is functioning.

Map 2.



Comparing On-Street Parking and Off-Street Public Lots

There are slight differences in occupancy rates and parking habits between on-street parking and off-street parking lots. These differences indicate that drivers utilize the on-street and off-street parking slightly differently.

On-Street Parking

On-street parking serves the parking needs of the core downtown with the majority of the on-street parking in the study area being 2hour parking with no parking allowed overnight. The two hour time limit creates reasonable levels of parking turnover, allowing for multiple customers to use the parking spaces throughout the day instead of one vehicle monopolizing a parking stall all day. On-street parking occupancy totals peaked with a usage rate of 49% at

12pm, the next busiest hour was 1pm with a total of 43% of the 441 parking spots being filled. The standard deviation was 5% over the course of the day. This can be seen in Figure 1.

[Figure 1.](#)

Although the total occupancy for on-street parking reached its peak with 49% of parking spaces in use, these usage rates were not universal across all on-street parking in the study area. Main Street showed much higher usage rates than the study area as a whole, with Main Street occupancy peaking with 70% occupancy at noon and occupancy of 59% at 1pm; these results can be seen in Figure 2. Parking on Main Street remained between 39% and 70% full throughout the course of the day, with the lowest occupancy occurring between 9am and 10am.

Figure 2.

The avenues portion of the study area between 9th Avenue West and Ellis Avenue showed a much lower usage at their peak than the parking spaces on Main Street. The avenues parking saw its highest level with 45% of available parking occupied at 10am and 12pm; this can be seen in Figure 3. These results confirm that even when Main Street is at its peak occupancy of 70%, there is still ample parking available on the avenues. The avenues remained between 36% and 45% full over the course of the day; the lowest occupancy occurred between 9am and 10am.

[Figure 3.](#)

The lowest occupancy of the on-street parking in the study area was on 3rd Street with cars parked in only 23% of the available parking at its 2pm peak, and 18% at the second highest occupancy. Many of the blocks on 3rd Street had no vehicles parked along them for significant portions of the survey, with parking occupancy being between 15% at its lowest and 23% at its height. The lowest occupancy occurs between 9am and 10am; this can be seen in Figure 4.

[Figure 4.](#)

Usage of the on-street parking did appear to be greater in proximity of the 300 block of Main Street on days when court was in session; however, available parking was still available within a reasonable walking distance of the courthouse. Chapple Avenue between Main Street and 3rd Street showed consistently higher occupancy rates than other blocks, but the block of Chapple Avenue between Lakeshore Drive and Main Street was consistently underutilized, allowing for ample parking within a short walk of the destinations on Chapple Avenue.

Off-street Parking Lots

The off-street public lots show different usage patterns than that of their on-street parking counterparts. The public lots have less variance in occupancy rates with a standard deviation of 3%, and peak usage occurs earlier in the day than on-street parking. The peak occupancy for public lots occurred at 10am with vehicles parked in 48% of the available parking spaces. The second highest occupancy occurring at 9am, 11am, and 1pm with vehicles in 43% of the parking spaces. At their lowest usage, only 39% of parking spaces were filled with vehicles; this can be seen in Figure 5.

Figure 5.

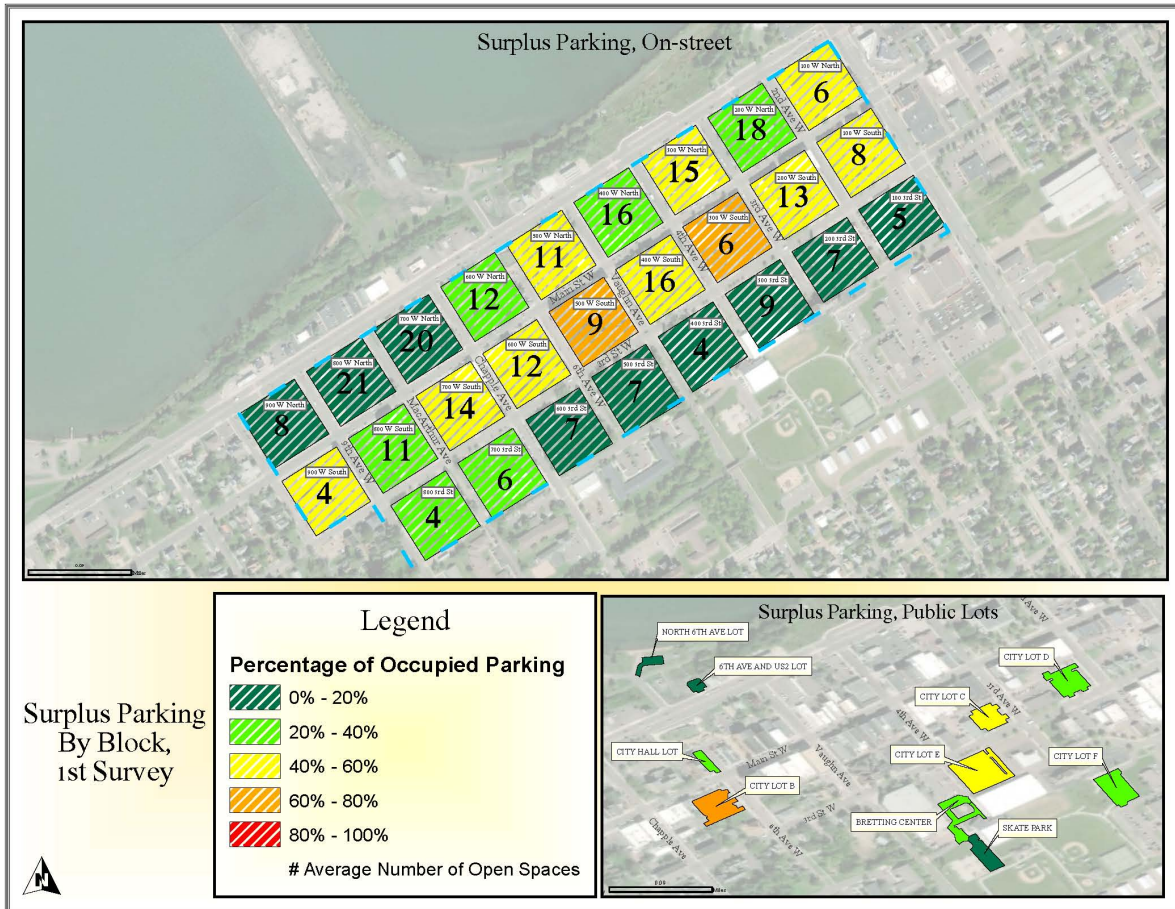
The total occupancy for the entirety of the study area reached its highest level at noon, with occupancy of 45%, followed by 44% at 1pm. Over the course of a day, parking was at its lowest at 9am with only 39% of all parking spaces being utilized; this can be seen in Figure 6.

Figure 6.

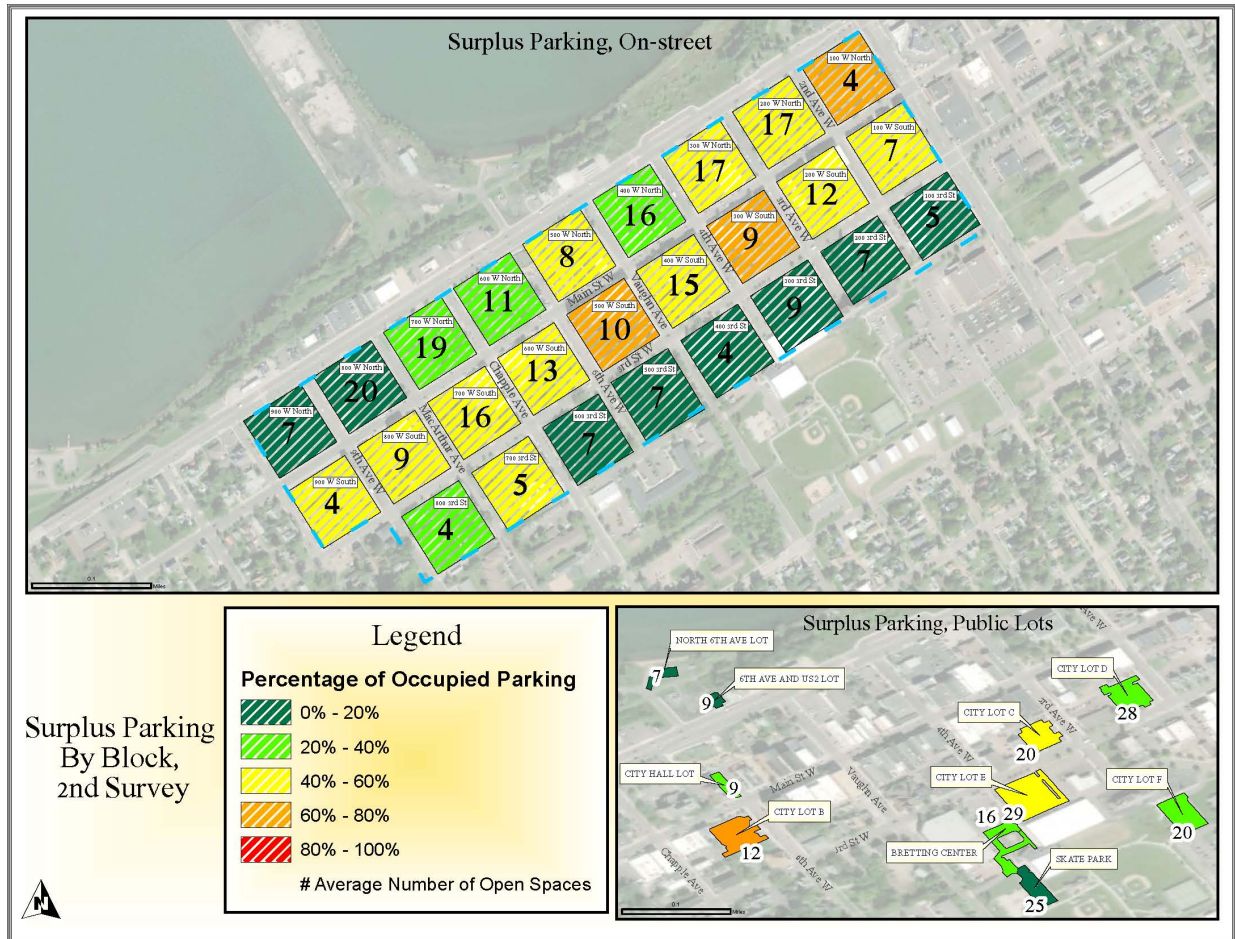
Surplus Parking

In order to better understand how parking in the downtown district is functioning, it is important to identify where surplus or deficit parking may occur. By determining where these surpluses and deficits are occurring indicates which blocks are being utilized and which blocks are not. This information then can be used to help highlight what parking is consistently available, and the proximity of available parking to the busiest blocks. Surplus for all three surveys can be seen in Map 3, Map 4, and Map 5.

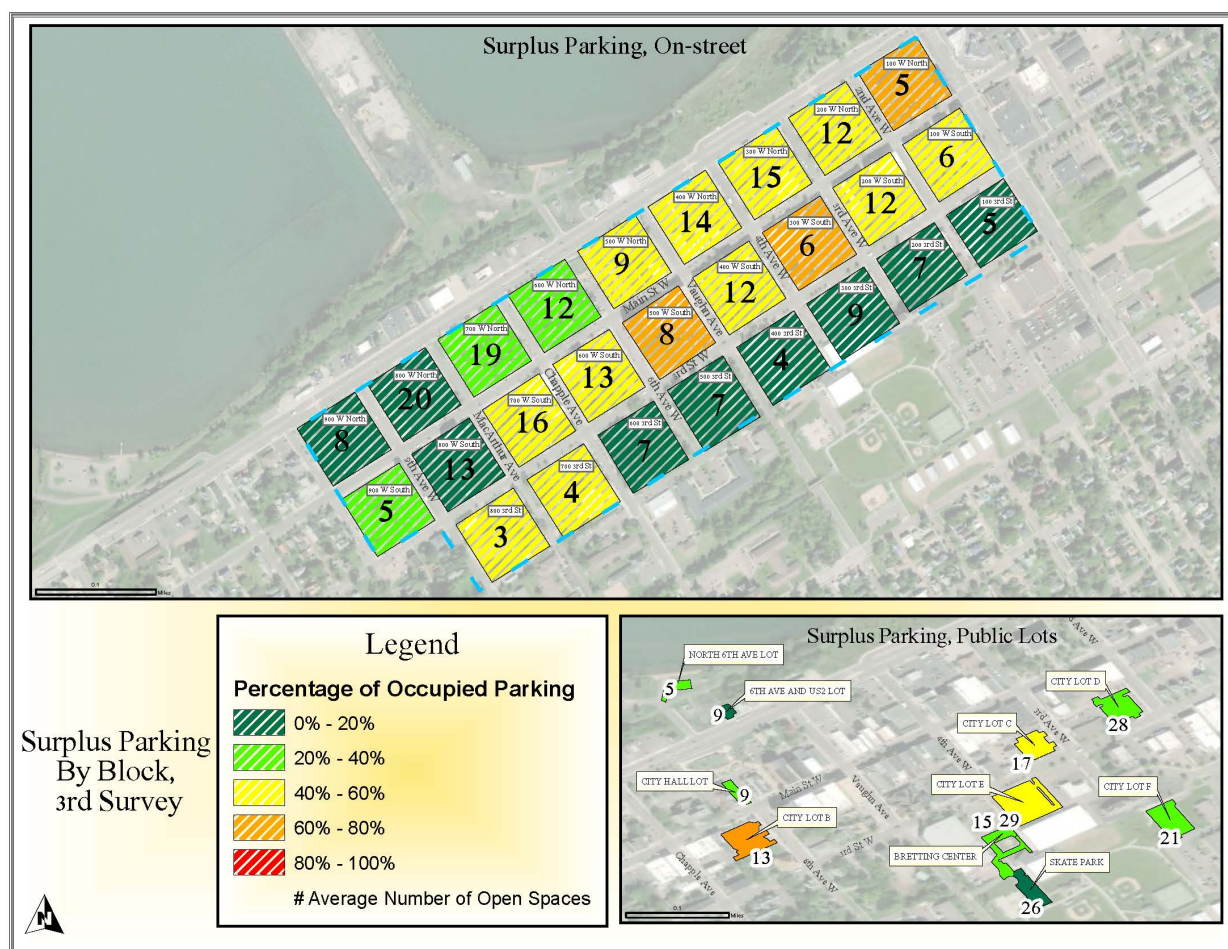
Map 3.



Map 4.



Map 5.

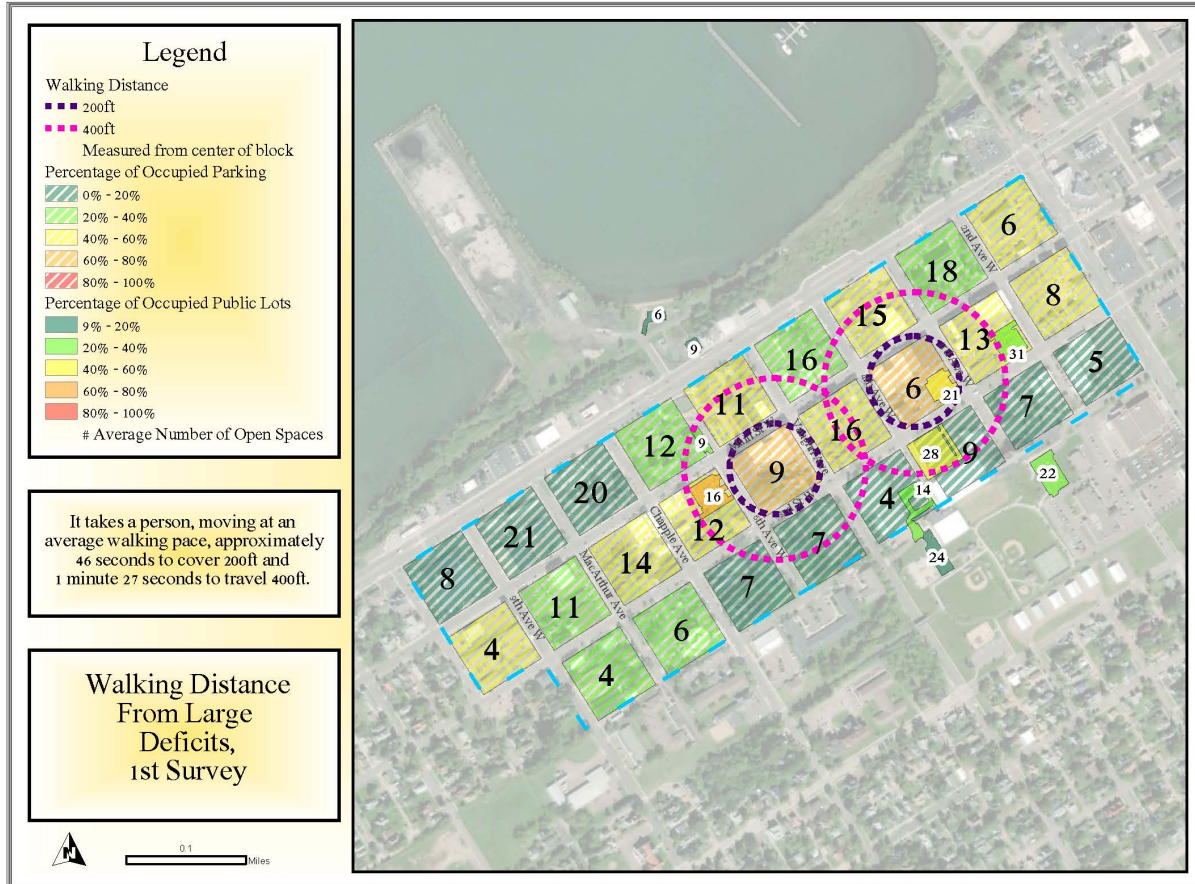


Throughout the course of the surveys, all blocks showed surplus parking with all but three blocks showing occupancy levels below 60%. The three blocks that showed the highest amount of parking spots in use, 500 West South, 300 West South, and 100 West North, all showed occupancy between 60-80%. Although these blocks showed the highest rate of use, they still have between 20% and 40% of their parking available on average. Even if parking on one of the three busiest blocks in the downtown is not available, the parking surplus maps highlight that there is adequate available parking nearby.

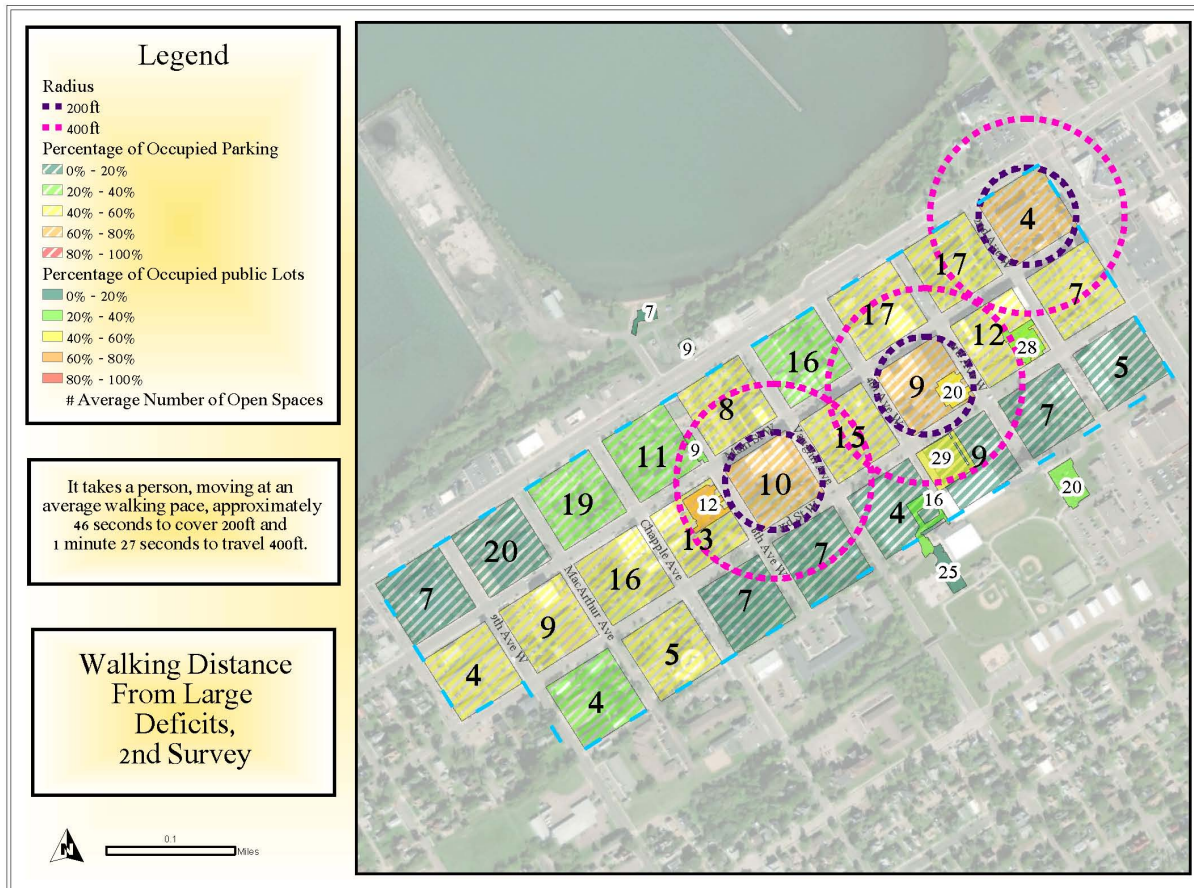
To further emphasize the proximity of available parking to the most occupied blocks, a 200ft and 400ft walking radius was superimposed over the surplus maps. These maps highlight that within a short walk of the busiest blocks, there are surplus parking spaces available. It takes the average person 46 seconds to walk 200ft and 1 minute 27 seconds to cover 400ft, making that

distance a reasonable walk from one's parked vehicle to their destination. Surplus parking within walking distance of busy blocks can be seen in Map 6, Map 7, and Map 8.

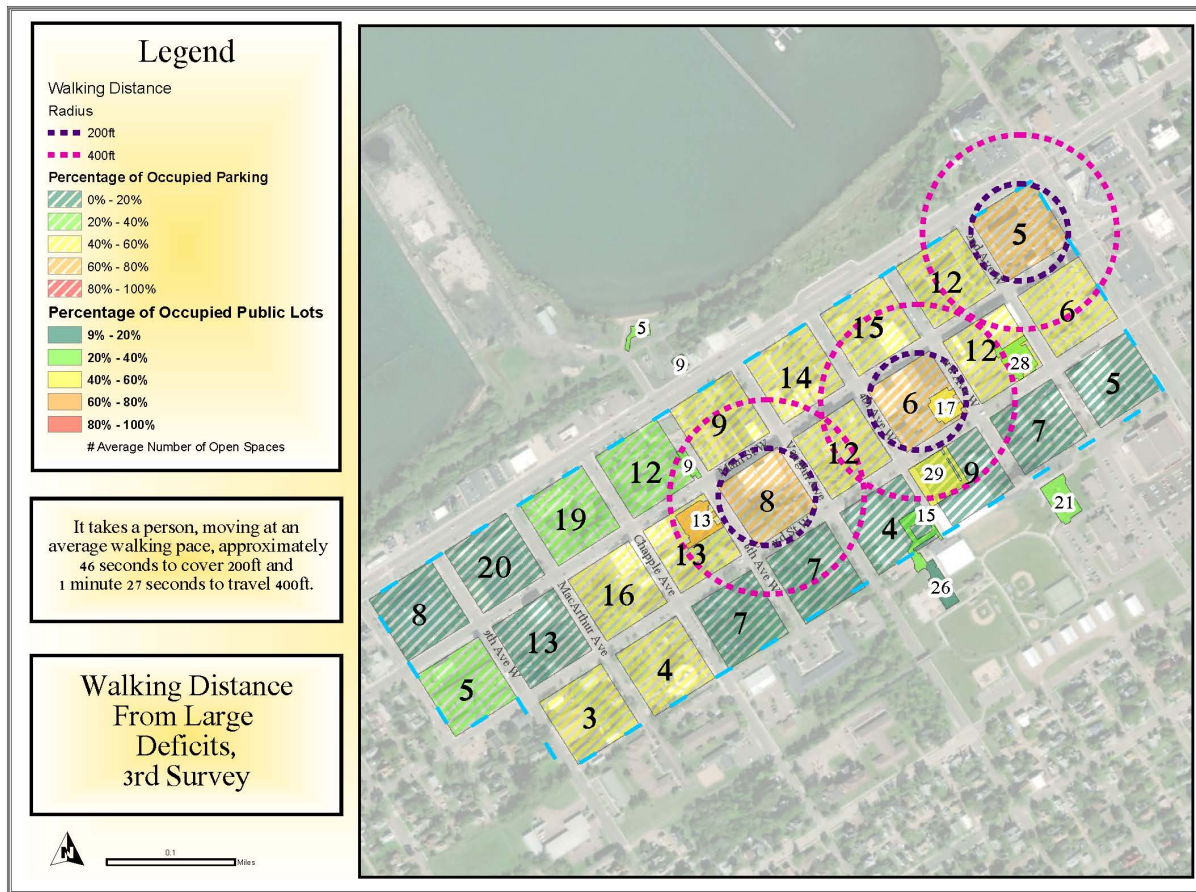
[Map 6.](#)



Map 7.



Map 8.



The walking distance maps illustrate that even when parking usage is at its most full, there is still ample surplus parking available within a short walking distance of any destination in the downtown district.

Wayfinding and Parking Signage

Prior to the completion of this study, there was no publicly available parking map to help people find free public parking throughout the downtown district. The lack of parking maps is then compounded by inconsistent parking signage that is not easily interpreted. There are three different types of signage commonly used throughout the downtown area: (1) 2hr parking signs that list the rules and hours of the associated parking spaces, (2) 15min parking signs, and (3) signs alerting drivers that there is no overnight parking from 2am-6am.

The first two types of signage, the 2hr parking and 15 minute parking signs, are both easy to read while passing by in a car and communicate well the rules of the parking spaces. They can be seen in Figure 7, and Figure 8.

[Figure 7.](#)



[Figure 8.](#)



The third most common parking signage found in the study area are signs alerting drivers that there is no overnight parking. These signs are placed by parking spaces that have no restrictions other than no parking between 2am and 6am; outside of those hours there is no time

limit on the amount of time a vehicle can be parked in one of these spaces. An example of these signs can be seen in Figure 9.

[Figure 9.](#)



Recommendations

Despite the frequent discussion of and persistent perception that the downtown district has a parking shortage, the data does not support this narrative. The study shows that it is not a parking shortage that is occurring but a misconception about a lack of available parking. This perceived parking shortage has caused many development discussions to revolve around a need for more parking however, before more parking is added, available preexisting parking infrastructure must be better utilized.

With peak occupancy for the entire parking study reaching its height with 49% of parking spaces full, there is consistently more than half of the parking infrastructure that is devoid of vehicles. Because of the vast numbers of open parking spaces, it stands to reason to first focus on strategies to fill available parking spaces before allocating resources to build new parking lots.

The first step in creating a more efficient and effective parking system should be replacing the no overnight parking signs. These signs, especially when passed in a traveling car, send the message that there is no parking on that block because the no parking symbol is very prominent on the sign. When driving past these signs it is very easy to miss the qualifier of

between the hours of 2am to 6am which prompts an assumption that one cannot park there. This can be seen in Figure 10.

[Figure 10.](#)



If the no overnight parking signs were replaced with parking signs that emphasize that parking is available all day, instead of when one cannot park in the space, it would help to inform visitors of the available parking options. An example of a sign emphasizing when parking is available can be seen in Figure 11.

[Figure 11.](#)



Signs such as the one shown Figure 11 highlight that parking is available during the day instead of emphasizing when one cannot park in the spot. This can help drivers to locate available parking instead of passing it by in search of a more clearly delineated parking spot. If the parking spaces without time limits were better marked it would help to take pressure off some of the 2hr parking that is currently being filled with regularity.

In addition to a signage change, the availability of parking maps should help the public to find open parking that they otherwise may not have known was available for public use. An example of spaces that could be better utilized through education is the south side of 3rd Street. This parking is currently underutilized and there is very little information informing drivers that they can park along the street. Better education of drivers, via maps and signage, would increase awareness of the availability of parking on 3rd Street and employees of downtown businesses and visitors who are going to be in the downtown district longer than two hours could park on 3rd Street. This would help to alleviate some of the parking pressures on the busiest downtown blocks.

Encouraging visitors of the downtown district to better utilize the available parking resources is only one part of creating the best parking system for Ashland. In addition to these changes, increased enforcement of parking rules is required to ensure that the 2hr parking spots in downtown are not being commandeered for longer than the allowable time. Currently, parking tickets or warnings are rarely issued; which provides little consequence for taking a premium 2hr spot in the downtown for longer than the allowable time. Through increased enforcement the city can ensure that parking rules are not being abused which would create turnover and allow for premium spaces to be used by more patrons.

In the future, with increased development in the downtown district, a need for additional public parking may arise. In order to accommodate this future demand, there is an opportunity to add a public lot on the site of the Barren Radiator building located just south of the Vaughn Public Library. This site could provide up to 20 additional off-street public parking spaces within close proximity to the library and the movie theater.

Conclusions

The data gathered over the course of this study strongly suggests that the City of Ashland does not have a parking shortage. It has a need to change how parking is perceived. The study shows that although a visitor may not be able to park directly in front of their destination, there is more than adequate parking available nearby to meet current demand.

Through proper signage and education, and minimal enforcement, Ashland can meet parking demand with current parking resources. Until the current parking infrastructure shows occupancy rates that are well above 50% in the downtown, there is no immediate need to add additional parking to the study area. As development increases, building additional parking can be considered. However, until this is the case it is more cost effective and beneficial to focus on getting vehicles in the parking spaces that currently sit vacant.

SUBJECT: Discussion and Possible Action Regarding a Proposal to Ban Conversion Therapy (*Councilor Whitebird*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Whitebird

CLEARANCES: Council President

EXHIBITS:

1. Superior Conversion Therapy Ordinance
2. Conversion Therapy Madison Sample

FINANCIAL IMPACT: Unknown

SUMMARY STATEMENT:

Councilor Whitebird has asked that the council discuss a possible ordinance banning the practice of conversion therapy in the city. Conversion therapy bans prohibit licensed mental health practitioners from attempting to change the sexual orientation or gender identity of a minor patient. Sample ordinances from the City of Madison and the City of Superior are attached for your review and feedback. Ten municipalities in Wisconsin have banned conversion therapy (Appleton, Cudahy, Eau Claire, Glendale, Madison, Milwaukee, Racine, Sheboygan, Shorewood, Superior). In addition, 19 states have banned the practice.

https://www.lgbtmap.org/equality-maps/conversion_therapy

Additional background information on the practice can be found in the sample ordinances.

ORDINANCE #O19-4163

AN ORDINANCE INTRODUCED BY COUNCILOR VAN SICKLE AND COUNCILOR LUDWIG PROHIBITING THE USE OF CONVERSION THERAPY IN THE CITY OF SUPERIOR.

The Common Council of the City of Superior, Wisconsin does ordain as follows:

SECTION 1. Creating Chapter 86, Article V, Entitled "Conversion Therapy Prohibited," is hereby created to read as follows:

Section: 186-124

Purpose. Definitions. Prohibited. Penalty.

Purpose.

A. This ordinance is adopted to protect the health, safety and welfare of the people of the City of Superior, especially the physical and psychological well-being of minors, including lesbian, gay, bisexual and transgender youth, and to protect them against the exposure to serious harms caused by conversion therapy.

B. It is the well documented, prevailing opinion of the medical and psychological community that conversion therapy has not been shown to be effective and that it creates a potential risk of serious harm to those who experience it.

C. The prevailing opinion of the medical and psychological community is documented in position statements, articles and reports published by the following organizations: the American Psychological Association, the American Psychiatric Association, the American School Counselor Association, the American Academy of Pediatrics, the American Medical Association, the National Association of Social Workers, the American Counseling Association, the American Psychoanalytic Association, the American Academy of Child and Adolescent Psychiatry and the Pan American Health organization.

D. In particular, the Task Force on Appropriate Therapeutic Responses to Sexual Orientation of the American Psychological Association conducted a systematic review of peer reviewed journal literature on sexual orientation change efforts, and issued a report in 2009. The report concluded that conversion therapy has not been demonstrated to be effective and that there have been anecdotal reports of harm, including depression, suicidal thoughts or actions, and substance abuse.

E. In addition other organizations concluded that homosexuality and bisexuality are not illnesses and do not require treatment (American School Counselor Association), being transgender is not a mental disorder, conversion therapy can promote guilt and anxiety (American Academy of Pediatrics), and it may contribute to an enduring sense of stigma and self-criticism (American Psychoanalytic Association).

Definitions. In this section:

A. "Conversion therapy" means any practices or treatments offered or rendered to consumers for a fee, in the marketplace, including psychological counseling, that seeks to change a person's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

Conversion therapy does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

Ordinance does not restrict the pulpit or pastoral work between a pastor and a parishioner.

The City of Superior recognizes and adheres to the United States Constitution which includes therein freedom of religion, a constitutionally protected right provided in the clauses of the First Amendment.

B. "Person" means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

Conversion Therapy Prohibited. It is unlawful for any person to practice conversion therapy with anyone under 18 years of age.

Penalty. Any person convicted of violating this section shall be subject to a forfeiture of not less than \$500 nor more than \$1,000 for each violation. For purposes of this section, each day a person is found to have practiced conversion therapy shall be considered a separate violation. Violators will be referred to the Department of Safety & Professional Services.

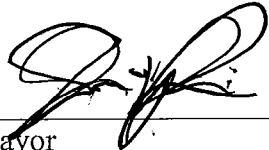
SECTION 2. All ordinance and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence or clause or phrase or portion thereof.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and publication, as provided by law.

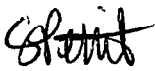
Passed and adopted this 20th day of August, 2019.

Approved this 20th day of August, 2019.



Mayor

Attest:



City Clerk, Deputy

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

PRESENTED
REFERRED

June 5, 2018
BOHMDC, CCEC

Creating Section 23.60 and renumbering current Section 23.60 to Section 23.70 of the Madison General Ordinances to prohibit the practice of conversion therapy in the City of Madison.

Drafted by: Steven Brist

Date: May 22, 2018

SPONSOR: Alders Martin, Bidar-Sielaff & Hall

DRAFTER'S ANALYSIS: This proposal prohibits the practice of conversion therapy on minors in the City of Madison, where the services are provided for a fee. Conversion therapy is a process by which practitioners attempt to eliminate same sex attraction in an individual.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 23.60 entitled "Conversion Therapy Prohibited" of the Madison General Ordinances is created to read as follows:

"23.60 CONVERSION THERAPY PROHIBITED.

(1) Intent and Purpose.

(a) The Common Council of the City of Madison finds that:

1. This ordinance is adopted to protect the health, safety and welfare of the people of the City of Madison, especially the physical and psychological well-being of minors, including lesbian, gay, bisexual and transgender youth, and to protect them against the exposure to serious harms caused by conversion therapy.
2. It is the well documented, prevailing opinion of the medical and psychological community that conversion therapy has not been shown to be effective and that it creates a potential risk of serious harm to those who experience it.
3. The prevailing opinion of the medical and psychological community is documented in position statements, articles and reports published by the following organizations: the American Psychological Association, the American Psychiatric Association, the American School Counselor Association, the American Academy of Pediatrics, the American Medical Association, the National Association of Social Workers, the American Counseling Association, the American Psychoanalytic Association, the American Academy of Child and Adolescent Psychiatry and the Pan American Health organization.
4. In particular, the Task Force on Appropriate Therapeutic Responses to Sexual Orientation of the American Psychological Association conducted a systematic review of peer reviewed journal literature on sexual orientation change efforts, and issued a report in 2009. The report concluded that conversion therapy has not been demonstrated to be effective and that there

Approved as to form:

have been anecdotal reports of harm, including depression, suicidal thoughts or actions, and substance abuse.

5. In addition other organizations concluded that homosexuality is not an illness and does not require treatment (American School Counselor Association), conversion therapy can promote guilt and anxiety (American Academy of Pediatrics), and it may contribute to an enduring sense of stigma and self-criticism (American Psychoanalytic Association).

(2) Definitions. In this section:

“Conversion therapy” means any practices or treatments offered or rendered to consumers for a fee, including psychological counseling, that seeks to change a person’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual’s sexual orientation or gender identity.

“Person” means any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization.

- (3). Conversion Therapy Prohibited. It is unlawful for any person to practice conversion therapy with anyone under 18 years of age.
- (4) Penalty. Any person convicted of violating this section shall be subject to a forfeiture of not less than \$500 nor more than \$1,000 for each violation. For purposes of this section, each day a person is found to have practiced conversion therapy shall be considered a separate violation.”

2. Current Section 23.60 entitled “Penalties for Violations of this Chapter” of the Madison General Ordinances is hereby renumbered to Section 23.70.

3. The City Attorney is directed to make corresponding changes to other City ordinances to reflect this updated reference.

SUBJECT: Discussion and Possible Action Regarding a Recommendation from Sustainability Committee on First Steps for 25 x 25 Plan (*Councilor Ullman*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Sustainability Committee

CLEARANCES: Council President

EXHIBITS:

FINANCIAL IMPACT: To be determined. No funds have been budgeted for this capital expense in the facilities or streets 5-year CIP budgets due to budgetary constraints and large number of high priority projects.

SUMMARY STATEMENT:

In 2018 the City of Ashland commissioned a report on how to source 25% of our energy needs from renewable sources by 2025. Plans for solar panel installation on the new Police facility, and the 2019 purchase of shares in the XCEL solar garden have been some initial steps towards this goal. Additionally, Facilities and Grounds Foreman Dan Homola has been converting lights to LED in City buildings as they need replacement to gradually improve the energy efficiency of City buildings.

The report details options for investing in renewables, and also opportunities for energy conservation and efficiency gains. The Sustainability Committee has worked to identify recommendations that represent “low hanging fruit” and has advanced an initial recommendation related to energy savings from switching to LED lighting. Because LED lights use a tiny portion of the energy of other lighting systems, conversion to LEDs has a very short payback period, ranging from a few months to a few years depending on the fixture type. The Sustainability Committee believes that converting to LEDs is a fast, effective, and cost effective way to realize significant energy savings. Because the upfront investment is offset by reduced energy costs in a very short time, this change will represent significant long term savings to the city in the operational budget. Opportunities to work with Focus on Energy and Xcel may provide significant additional savings through rebates or other incentive programs.

During the January meeting the Sustainability Committee unanimously voted to recommend that the City of Ashland convert all remaining lighting to LED in City buildings and street lights as soon as possible, or within the next 2 years. The Sustainability Committee asks that the Committee of the Whole endorse this recommendation, and request a plan be created by August 2020 which would achieve full conversion of all

interior and exterior lights to LED within 2 years.

The following links discuss the payback period for LEDs in commercial settings:

<https://thegrid.rexel.com/en-us/knowledge/lighting-design/w/wiki/80/payback-period-analysis-for-a-commercial-lighting-retrofit>

<https://sigmaluminous.com/the-truth-about-led-payback-periods/>

<https://www.buildings.com/news/industry-news/articleid/21740/title/good-roi-lighting-upgrade>

<https://www.creelighting.com/resources/payback-calculator>