

ASHLAND CITY COUNCIL MEETING
Tuesday, February 26, 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 18, 2019 Council and Committee of the Whole Minutes**

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

5. MAYOR'S REPORT

- A. Announcements**
- B. Appointments**

6. CONSENT AGENDA

- A. Miscellaneous Minutes**

7. OLD BUSINESS

- A. Approve the Resolution Creating the Redevelopment Authority of the City of Ashland, Wisconsin and Its By-Laws (Roll)**

8. NEW BUSINESS

- A. Public Hearing for Community Feedback on the 6th Street East Reconstruction Project Partly Funded through Community Development Block Grant-Public Facilities Grant Dollars (Roll)**
- B. Public Hearing and Approve a Resolution to Vacate Undeveloped Right-of-Way Adjacent to Lots 14 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin (Roll)**
- C. Approve a Resolution to Issue a Conditional Use Permit to Allow Long-Term Housing Pursuant to UDO Section 5.2, F: Social Services/Sober Living Home at 721 6th Street West in the Single and Two-Family Residential (R-2) District, Parcel #201-04354-0000, Applicant: Dave Gallup Foundation (Voice)**

- D. Approve to Purchase a 2019 Dodge Ram Full-Size Regular Cab Truck for the Public Works Street Division, and a 2019 Dodge Ram Full-Size Extended Cab Truck for the Ashland Water Utility, from Ashland Ford Chrysler (Roll)**
- E. Approve a Resolution to Proclaim the Third Weekend in May as the Observed International Migratory Bird Day in Ashland, Wisconsin (Voice)**
- F. Approve a Resolution to Submit an Application to the Wisconsin Department of Natural Resources, Boating and Fishing State and Federal Grant for Financial Assistance for the NSP Ashland Lakefront Superfund Site (AKA Kreher Park Redevelopment) (Voice)**

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 18, 2019 Council and Committee of the Whole Minutes

RECOMMENDATION:

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES:

EXHIBITS:

1. February 18, 2019 Council Minutes
2. February 18, 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 18, 2019 – 5:30 P.M.

Ashland City Hall Council Chambers

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PRESENT: Holly George, Richard Ketring, Kate Ullman, Ana Tochterman, Kevin Haas, Charlie Ortman, Elizabeth Franek, Dick Pufall, and Jackie Moore

ABSENT: Sara Jackson (excused), David Mettillie (excused)

ALSO PRESENT: Mayor Debra Lewis, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Finance Director Julie Vaillancourt, Public Works Director John Butler, 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

Lewis requested the agenda include items 8C: Return to Open Session and 8D: Action and/or Reporting on Closed Session Discussion and Action. Moore moved, George second a motion to approve the amended agenda. The motion passed unanimously by voice vote.

Agenda Item 3: Approval of Minutes

Pufall moved, Haas seconded a motion to approve the minutes of the February 5, 2019 Council and Committee of the Whole meetings. The motion passed unanimously by voice vote.

Agenda Item 4: Citizen Participation Period

No citizens present wished to speak.

Agenda Item 5: Mayor's Report

Agenda Item 5A: Announcements

Lewis reported on some of the topics discussed while attending Superior Days in Madison last week.

Agenda Item 5B: Appointments

Public Works Committee

Philip Sorensen Term expires September 30, 2023

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

Agenda Item 6: Consent Agenda

Agenda Item 6A: Operator's Licenses

Armando M. Hernandez, Caitlin R. Victrelli

Agenda Item 6B: Disabled Parking Enforcement Assistance Council (DPEAC)

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

Agenda Item 7: New Business

Agenda Item 7A: 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

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.

Ortman moved, Tochtermann seconded a motion to 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. The motion passed unanimously by voice vote. **(File #17493)**

Agenda Item 7B: Approve to Renew a Contract with Stephen G. Schraufnagel for Building, HVAC, Plumbing and Electrical Inspection Services

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 had been satisfied with the work performed by

Stephen Schraufnagel to date and wishes to continue to contract with him for Building Inspection services through February 29, 2020.

George moved, Franek seconded a motion to approve to renew a contract with Stephen G. Schraufnagel for Building, HVAC, Plumbing, and Electrical Inspection Services for the City of Ashland. The motion passed 7-2 by roll call vote; opposed were Ketring and Pufall.

Agenda Item 7C: Approval of Amendment to the Ashland Cobblestone LLC Development Agreement to Clarify Definition of Assessed Property

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 Avenue to 9th Avenue West.

The Council approved, at the April 18, 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 was to clarify the parties' understanding as to terminology used in this agreement, and this amendment did not materially alter any of the terms or the intent of the agreement as previously agreed upon by all parties. The term "Assessed Value," was 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 was 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 were 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	<u>480,300</u>
Total	\$4,330,300

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

Per the agreement, the developer guaranteed 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 was estimated to be around \$106,000 which was above the amount stated in the agreement.

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

George moved, Moore seconded a motion to approve the amendment to the Ashland Cobblestone LLC Development Agreement to clarify definition of assessed property. The motion passed unanimously by roll call vote.

Agenda Item 7D: Approve a Resolution to Combine Wards and Establish Polling Places for the April 2, 2019 Spring Election

The Spring Election would be held on April 2, 2019. The City Council is required by WI State Statutes to approve a resolution to combine wards and establish polling places.

Ketring moved, Moore seconded a motion to approve the Resolution to combine wards and establish polling places for the April 2, 2019 Spring Election. The motion passed unanimously by voice vote.
(File #17494)

Agenda Item 8: Closed Session

Agenda Item 8A: 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)

Agenda Item 8B: 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)

Haas moved, Pufall seconded a motion to move into Closed Session. The motion passed unanimously by roll call vote.

Agenda Item 8C: Return to Open Session

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

Agenda Item 8D: Action and/or Reporting on Closed Session Discussion and Action

Lewis reported Council had a discussion but took no action on Item 8A. Regarding Item 8B, George moved, Ketrings seconded a motion to approve the engagement letter from von Briesen & Roper, S.C. of Milwaukee, specifically with Attorney Roy Wagner, to include a conflict waiver with the insurance company. The motion passed unanimously by roll call vote.

Agenda Item 9: Adjournment

Moore moved, George 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 18, 2019

Ashland City Hall Council Chambers

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PRESENT: Holly George, Richard Ketring, Kate Ullman, Ana Tochtermann, Kevin Haas, Charlie Ortman, Elizabeth Franek, Dick Pufall, and Jackie Moore

ABSENT: Sara Jackson (excused), David Mettill (excused)

ALSO PRESENT: Mayor Debra Lewis, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, and other concerned citizens

Agenda Item 1: Roll Call

Roll call was taken by the Clerk.

Agenda Item 2: Council President's Report

There was no report due to the Council President's absence.

Agenda Item 3: Administrator's Report

The Administrator deferred a report.

Agenda Item 4: Approval of Agenda

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

Agenda Item 5: Discussion Items

Agenda Item 5A: Presentation and Discussion Regarding the 2019 Mill and Overlay Program (Public Works)

This presentation was meant to inform the Council on roadway segments that have been identified and meet the criteria for a mill and overlay as part of the City's Mill and Overlay Program.

A mill and overlay is a type of roadway improvement used to extend the life of the roadway. This process consists of two major steps: 1) milling the street and 2) laying the new asphalt (overlay). The benefits of asphalt are durability, cost effectiveness, smoothness and the ability to install it relatively quickly.

COMMITTEE OF THE WHOLE MEETING

Tuesday, February 18, 2019

Ashland City Hall Council Chambers

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A mill and overlay preserves the integrity and service life of City streets over the long term while reducing the costs associated with deferred maintenance.

The Public Works Department will be going out to bid for this project. After the bids are received, they will be presented to the Council for award.

Public Works Director John Butler offered a presentation and answered questions for Council.

Agenda Item 6: Adjournment

Pufall moved, Ketring seconded a motion to adjourn. The motion passed unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant
City Clerk

SUBJECT: Appointments

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Mayor

EXHIBITS: 1. Volunteer Form

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The Mayor is recommending approval of the appointments as follows:

Beautification Council

David Askue, replacing David Siegler Term expires: February 8, 2022

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:

ASHLAND BEAUTIFICATION COUNCIL

Brief statement of education and training:

4 YEARS COLLEGE - BS DEGREE
NYU - 1972, GANDEREN

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.)

I OWNED AND OPERATED MR CHIMNEY SWEEP
COMPANY FOR 38 YEARS - 1980-2018.
AS SUCH, I DEALT WITH PEOPLE ON A DAILY BASIS.
IN THEIR HOMES, AND ON THE PHONE.
I HAVE BEEN A GANDEREN ALL MY LIFE, I VOLUNTEER

Individual References or Referred by (include phone #):

KAY SAARI - REFERRED BY - [REDACTED]
BUSAN ASKUP - [REDACTED]

Contact Information:

DAVID ASKUP

Name (Print)

Phone Number

Address

ASHLAND, WI 54806

Date

2/10/19

SUBJECT: Miscellaneous Minutes

RECOMMENDATION:

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES:

EXHIBITS:

1. Police & Fire Commission, November 5, 2018
2. Police & Fire Commission Special Meeting, December 10, 2018
3. Airport Commission, December 20, 2018
4. Plan Commission minutes, December 4, 2018

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

**POLICE AND FIRE COMMISSION MEETING
ASHLAND FIRE DEPT MEETING ROOM**

November 5, 2018

1. Call to Order

The meeting was called to order at 5:15 p.m. by Gordon Gilbertson.

2. Roll Call

Present: Gordon Gilbertson, Ed Monroe, Kate Siegler and Sarah Granley

Excused: Matt Horning

Also present: Police Chief Jim Gregoire, Fire Chief Wayne Chenier and Mayor Deb Lewis

3. Approval of Agenda Items

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

4. Approval of Minutes from September 10, 2018 meeting

A motion was made by Kate Siegler, seconded by Sarah Granley to approve the minutes from September 10, 2018. The motion passed unanimously.

5. PFC Training

This training will be on Friday, November 9th. Those attending will be Ed Monroe, Gordy Gilbertson and Mayor Deb Lewis.

6. Police Department Report

A. Administrative Report

Chief Gregoire went over his report and mentioned the following highlights:

- Reported on stats from September 1 – October 29
- APD is still continuing their search for missing person. This includes statewide alerts sent out, several media notified, DNR plane search
- Investigations are bogged down with child neglect and abuse cases
- Responded to a domestic call with Bayfield County Tactical Team assistance
- Working on budget
- Contract negotiations
- Training
- K-9 Chase received a vest from Vested Interested in K-9's Inc.

A motion was made by Kate Siegler, seconded by Ed Monroe to approve the Police Department report. The motion passed unanimously.

7. Fire Department Report

A. Administrative Report

Chief Chenier reported the following:

- Reviewed stats which included a gas leak at Kwik Trip

- Structure fire on 11th Ave. W.
- October is extremely busy with Fire Prevention Month Includes visiting school classrooms, photos, station tours
- Lions Club donated 49 smoke detectors
- New employee Matthew Rochelle joined AFD
- WITC forcible entry trainer was held, all members of staff participated
- A new 2018 ambulance was delivered. This will primarily be used for City and contracted township calls. A much needed feature to this ambulance was the power -load cot.
- Captains Wegener and Thimm attended the WI International Association of Arson Investigations Conference. This is required to maintain credentials.

A motion was made by Sarah Granley, seconded by Kate Siegler, to approve the Fire Department Report and place it on file. The motion passed unanimously.

8. Next Meeting Date

The next regular meeting for the Police and Fire Commission was scheduled for Monday, January 7, 2018, at 5:15 p.m. at the Fire Department meeting room.

**9. Closed Session as authorized by Wisconsin State Statute 19.85(1)(c) to discuss:
a. Probationary Reports – Police Department**

A motion was made by Kate Siegler, seconded by Ed Monroe to go into closed session. On a roll call vote, the motion passed unanimously.

10. Return to Open Session

A motion was made by Ed Monroe, seconded by Kate Siegler to return to Open Session. On a roll call vote, the motion passed unanimously.

11. Report Action Taken in Closed Session

A motion was made by Ed Monroe, seconded by Sarah Granley to approve Chief Gregiore's promotions process as is, allowing him to proceed with upcoming promotions.

A motion was made by Ed Monroe, seconded by Kate Siegler to approve Brandon Marten be taken off probationary status as of December 14, 2018, contingent upon there being no problems or issues before that date.

A motion was made by Kate Siegler, seconded by Sarah Granley to give Chief Chenier authorization to proceed with hiring David Rekemeyer, providing he meets standards of Firefighter One and EMT (as outlined in the hiring process and offer letter).

12. Adjournment

A motion was made by Ed Monroe, seconded by Sarah Granley to adjourn. The motion passed unanimously and the meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Kathy Holevatz
Recording Secretary

**POLICE AND FIRE COMMISSION
(Special Meeting)
ASHLAND FIRE DEPARTMENT CONFERENCE ROOM
DECEMBER 10, 2018**

1. **Call to Order**
The meeting was called to order at 5:15 p.m. by Gordy Gilbertson.
2. **Roll Call**
Present: Gordon Gilbertson, Ed Monroe, Matt Horning and Kate Siegler
Excused: Sarah Nelson Granley
3. **Approval of Agenda Items**
A motion was made by Ed Monroe, seconded by Kate Siegler to approve the agenda items as is. The motion passed unanimously.
4. **Closed session as authorized by Wisconsin State Statute 19.85(1)(c) to discuss retirement of the Fire Department Chief**
A motion was made by Ed Monroe, seconded by Matt Horning to go into closed session as authorized by Wisconsin State Statute 19.85 (1) (c) to discuss the retirement of the Fire Department Chief. The motion passed unanimously.
5. **Return to Open Session**
A motion was made by, Kate Siegler seconded by Matt Horning, to return to Open Session. The motion passed unanimously.
6. **Report action taken in Closed Session**
The Commission unanimously approved proceeding with the hiring of the next Fire Chief for an interim basis, not to exceed six months from the date of appointment and that person will receive the rate of pay for a Fire Chief starting on that date.
7. **Adjournment**
A motion was made by Matt Horning, seconded by Ed Monroe to adjourn. The motion passed unanimously and the meeting adjourned at 5:53 p.m.

Respectfully Submitted,

Kathy Holevatz,
Recording Secretary
Police and Fire Commission

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

Present: Lloyd Orensten, Tom Bouchard, Rick Korpela, Ella Teague

Absent:

Excused: John Coffey

Also Present: John Sill, Interim Airport Manager; Harley Hagstrom

AGENDA ITEM 1: Roll Call

AGENDA ITEM 2: APPROVAL OF MINUTES (November 29, 2018).

A motion was made by Bouchard, seconded by Teague, to approve the November 29, 2018 minutes. The motion passed unanimously.

AGENDA ITEM 3: CITIZEN PARTICIPATION PERIOD

Korpela made a comment that it would be nice if the mounds in the fields could be smoothed out. Mounds were made when the county was doing some work for the airport. This could be a future agenda item.

AGENDA ITEM 4: COMMISSION ITEMS

→ New Lawn Mower Search

Moore is looking for a zero turn lawn mower, state will help fund it, need 3 bids. Sill called Gayle Stearn at the BOA for information on what kind of mowers other airports are purchasing but at this time has not heard back.

→ Proposed Airport Handling Fees

Moore is thinking about applying the following fees to bigger planes come into the airport:

- commercial twins buy 25 gallons fuel or pay \$25.00
- turbo props buy 50 gallons fuel or pay \$75.00
- light jets buy 100 gallons fuel or pay \$150.00
- medium jets buy 100 gallons fuel or pay \$200

The point is that a lot of bigger planes come in and there are a lot of things you have to do with them and they may only buy a minimum of fuel. By implementing these fees Moore can use his discretion to offset the sales; example, you buy 50 gallons of fuel so we may only charge \$100 in fees (light jet). At this time the airport has no handling fees. Commissioners discussed fees and would like Moore to check fees at other airports.

→ New Shell Sign installed at Avgas pump

The sign has been installed but the electricity has not been connected. Sill does not know the plan for when the electrical will be connected.

→ Shell Contract Fuel Program

This is in the works. If you have a Shell card or a contract for fuel with Shell and JFK sells the contract holder fuel, if they buy so many gallons, they get the contract fuel price. The airport does not lose on this deal; the airport still gets their percentage.

AGENDA ITEM 5: Managers Report

Moore wanted to point out to Commissioner's that Sill is being paid (during this 2 week period) at the rate he was making when he retired. Moore wanted Sill to cover for him since this is the end of the year there would not be a backlog of paperwork.

The City of Ashland IT department is working on setting up a security camera in the lobby to cover the doors and restrooms and will set up one pointing to the flight line to determine how much it has snowed.

Sill and commission discussed the septic system and ongoing problems. Commissioners recommend that Moore contact some people to find a solution and if that involves replacing the tank, get some quotes.

Sill brought up the fact that Hagstrom, Korpela and Sill had gone to look at the airport boundary that was fixed up, and as far as Sill can tell the project is complete. Bouchard told Hagstrom that he asked him twice in previous Airport Commission meetings if the airport had met their obligation with regard to the road to Hagstrom's property and Hagstrom agreed they had. Hagstrom was told that that the airport will not be doing any more work.

AGENDA ITEM 6: Approval of Bills

The list of bills was presented by Sill. The total amount of the bills came to \$5,671.80.

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

AGENDA ITEM 7: SET NEXT MEETING DATE

The next Airport Commission meeting will be held Jan 24, 2019, at 4:30 pm, at JFK Airport.

AGENDA ITEM 8: ADJOURNMENT

A motion was made by Teague, seconded by Korpela, to adjourn. The motion passed unanimously.

Kim Westman

Minutes of the City of Ashland Plan Commission

A meeting of the Plan Commission was called to order on **Tuesday, December 4, 2018** at 6:30 p.m. in the City Hall Council Chambers.

PRESENT: Mayor Lewis, John Beirl, Mike Amman, David Mettille, Katie Gellatly
EXCUSED: Laurie Gregor
STAFF: Megan McBride

1) Call to Order and Roll Call

Mayor Lewis called the meeting to order at 6:30 p.m.

2) Approval of Agenda

Motion to approve the Agenda by Katie Gellatly. Seconded by Mike Amman. Passed unanimously.

3) Consent Agenda

Motion to approve minutes from November 6, 2018 Plan Commission meeting by David Mettille. Seconded by Mike Amman. Passed unanimously.

4) Public Comment (non-agenda items)

No public comments.

5) Action Items

- a) Site Plan review for a building addition to the former urology building on the Memorial Medical Center campus, parcel #201048931000 in the Public/Institutional (PI) zoning district. Applicant: Green Branch Dental.

Megan McBride went through the Staff Report and explained the criteria that informed the recommendation to approve the proposed site plan.

Motion to approve the Site Plan with proposed conditions by David Mettille. Seconded by Mike Amman.

Mike Amman commented that the energy efficiency upgrades are nice and asked if any renewable energy options had been discussed for this building.

Megan McBride said that it had not been discussed as part of the site plan.

Mike Amman said he thinks it is a nice looking building and will be an improvement.

Motion passed unanimously.

6) Announcements / reports / comments / questions

Megan McBride announced that the Waterfront Development Planning process will be beginning in early 2019.

Mayor Lewis announced that the City received a \$1 million grant from the Army Corps of Engineers for the extension of Stuntz Avenue, construction of an ADA drop-off terminus by the

base of the Oredock, and construction of a restroom facility as part of the overall Oredock Redevelopment Plan.

Katie Gellatly commented that this will be very positive as it is currently very difficult to direct people to the Oredock.

Mayor Lewis also announced that the City received a \$99,000 grant from the Public Service Commission to assist with funding solar panels for the new Police Station. She also announced that the Cobblestone Hotel had its grand opening. In addition, she updated the Planning Commission that she and the Planning Department are continuing to work with Commonwealth on redevelopment of the Beaser Avenue site.

7) Adjournment

Motion to adjourn by Mayor Lewis. Seconded by Mike Amman. Passed unanimously.

The meeting was adjourned at 6:50 p.m. Minutes by Megan McBride.

SUBJECT: Approve the Resolution Creating the Redevelopment Authority of the City of Ashland, Wisconsin and Its By-Laws (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: City Administrator, Police Chief, City Attorney

EXHIBITS:

1. Proposed Resolution
2. Exhibit A: Bylaws of the Authority
3. WI Statute 66.1333

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

This is a housekeeping matter to follow up on the action taken by Council on February 5, 2019 to authorize staff to move forward to create a Redevelopment Authority in the City of Ashland.

At the February 5, 2019 City Council meeting 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.

Pursuant to the previous directive of the Council, the City Attorney has drafted a resolution and bylaws for approval by the Council.

COMMON COUNCIL
OF THE
CITY OF ASHLAND, WISCONSIN

Resolution No. _____

RESOLUTION CREATING THE REDEVELOPMENT AUTHORITY
OF THE CITY OF ASHLAND, WISCONSIN

WHEREAS, the City of Ashland, Wisconsin (the "City") is a municipal corporation organized and existing under and pursuant to the laws of the State of Wisconsin and is authorized by Section 66.1333, Wisconsin Statutes (the "Redevelopment Authority Law"), by proper resolution of the Common Council, to declare that there is a need in the City for a redevelopment authority which, upon the making of certain findings and declarations by this Common Council, shall be a public body corporate and politic authorized to transact business and exercise any and all powers, duties and functions set out in Section 66.1333, Wisconsin Statutes for redevelopment authorities; and

WHEREAS, it is the finding, determination and declaration of this Common Council that there exists within the City a need for blight elimination, slum clearance and urban renewal programs and projects; and

WHEREAS, it is the finding, determination and declaration of this Common Council that the City would derive public benefits from the creation of a redevelopment authority and the exercise by the redevelopment authority of its powers under the Redevelopment Authority Law, including by way of illustration but not limitation, the following public benefits: the elimination or prevention of substandard, deteriorated, unsanitary, and blighted areas; the provision and retention of gainful employment opportunities for the citizens of the City; an increase in the City's tax base; and the stimulation of the flow of investment capital into the City with resultant beneficial effects upon the economy in the City; and

WHEREAS, it is the finding, determination and declaration of this Common Council that the public interest will be served if the City were to create a redevelopment authority in the City.

NOW, THEREFORE, BE IT RESOLVED:

1. On the basis of the findings and determinations herein recited, this Common Council declares that there is a need for and does hereby create a redevelopment authority in the City, to be known as the "Redevelopment Authority of the City of Ashland, Wisconsin" (the "Authority"), authorized to transact business and exercise any and all powers granted to a redevelopment authority under the Redevelopment Authority Law as amended from time to time.

2. This Resolution shall be effective immediately upon its passage and approval. Upon such approval, the City Clerk shall promptly notify the Mayor of the adoption of this Resolution by delivering a certified copy hereof to him or her, and the Mayor shall, with the confirmation of a four-fifths vote of this Common Council, appoint seven (7) qualified resident persons to serve as commissioners of the Authority for the staggered initial terms provided in Section 66.1333(3)(b) of the Wisconsin Statutes. One commissioner shall be a member of this Common Council and no more than 2 commissioners shall be officers of the City.

3. This Common Council hereby approves the Bylaws of the Authority in the form attached hereto as Exhibit A.

Adopted and approved this 26th day of February, 2019.

(SEAL)

Councilor

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

EXHIBIT A

Bylaws of the Authority

(See Attached)

**BYLAWS OF THE
REDEVELOPMENT AUTHORITY OF THE
CITY OF ASHLAND, WISCONSIN**

Adopted _____, ____

Effective _____, ____

**ARTICLE I
THE AUTHORITY**

Section 1. Name of Authority. The name of the Authority shall be Redevelopment Authority of the City of Ashland, Wisconsin.

Section 2. Seal of Authority. The Authority shall have no seal.

Section 3. Offices of the Authority. The principal offices of the Authority shall be at 601 Main Street West, Ashland, Wisconsin. In addition, the Authority may from time to time have offices at such other place or places as it deems necessary. The location of the Authority's principal offices may be changed by appropriate resolution of the Authority.

**ARTICLE II
OFFICERS**

Section 1. Officers. The officers of the Authority shall be a Chairperson, a Vice-Chairperson and a Secretary (who shall be Executive Director) who shall be elected or appointed as hereinafter set forth.

Section 2. Chairperson. The Chairperson shall preside at all meetings of the Authority. The Chairperson and Executive Director are authorized to execute on behalf of the Authority all contracts, deeds, notes and other forms of obligations or instruments when duly authorized by the Commissioners of the Authority to do so. At each meeting the Chairperson shall submit such recommendations and information as the Chairperson may consider proper concerning the business, affairs, and policies of the Authority.

Section 3. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and in case of the resignation or death of Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall appoint a new Chairperson.

Section 4. Secretary. The Secretary shall keep the records of the Authority, shall act as Secretary of the meetings of the Authority and record all votes, and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office.

The Secretary shall have the care and custody of all funds of the Authority and shall deposit the

same in the name of the Authority in such bank or banks as the Authority may select. The Secretary shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Authority. Except as otherwise authorized by resolution of the Authority, all such orders and checks shall be countersigned by the Chairperson. The Secretary shall keep regular books or accounts showing receipts and expenditures and shall render to the Authority, at least quarterly (or oftener when requested), an account of the Authority's transactions and also of the financial condition of the Authority. The Secretary shall give such bond for the faithful performance of the Secretary's duties as the Authority may determine.

Section 5. Executive Director. The Executive Director shall serve as Secretary to the Authority and shall be the chief administrative officer of the Authority and shall direct, manage and supervise the Authority's administrative operation and technical activities in accordance with and subject to the direction of the Authority.

Section 6. Deputy Executive Director. The Deputy Executive Director shall serve as the Deputy Secretary to the Authority and shall perform the duties of the Executive Director and Secretary in the Executive Director's absence.

Section 7. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time-to-time be required by the Authority or by the bylaws or rules and regulations of the Authority.

Section 8. Election or Appointment. The Chairperson and Vice-Chairperson shall be elected from among the Commissioners of the Authority immediately following adoption of these bylaws and thereafter at the first regular or special meeting of the Authority held in the month of March in each calendar year and shall hold office until the next succeeding first day of April, or until their successors are elected and qualified.

The Executive Director and Deputy Executive Director shall be appointed by the Authority. Any persons appointed to fill the office of Executive Director or Deputy Executive Director, or any vacancy therein, shall have such term as the Authority fixes.

Section 9. Vacancies. Should the offices of Chairperson or Vice-Chairperson become vacant, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. When the office of Secretary becomes vacant, the Authority shall appoint a successor, as aforesaid.

Section 10. Additional Personnel. The Authority may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the applicable laws of the State of Wisconsin. The selection and compensation of such personnel shall be determined by the Authority, subject to compliance with any ordinances of the City of Ashland and laws of the State of Wisconsin.

ARTICLE III MEETINGS

Section 1. Meetings. The Chairperson of the Authority may call all meetings when he/she deems it expedient. All regular and special meetings of the Authority shall be held at 601 Main

Street West, Ashland, Wisconsin, or in such other public place as the Authority deems appropriate and is physically accessible to persons with disabilities. All regular and special meetings, hearings, records and accounts of the Authority shall be open to the public and in compliance with the ordinances of the City of Ashland, Wisconsin.

Section 2. Special Meetings. The Chairperson of the Authority shall call a special meeting upon the request of two members of the Authority or the Chairperson for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Authority or may be mailed to the business or home address of each member of the Authority at least two days prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call.

Section 3. Order of Business - Agenda. The Secretary shall prepare an agenda for each meeting. The order of business shall generally be as follows:

- I. ROLL CALL - (RECOGNITION OF GUESTS OPTIONAL)
- II. APPROVAL OF MINUTES
- III. COMMUNICATIONS AND PUBLIC APPEARANCES
- IV. SECRETARY'S REPORT
- V. OLD BUSINESS
- VI. NEW BUSINESS
- VII. ADJOURNMENT

Section 4. Motions. The name of the maker of the motion and the second to the motion shall be duly recorded in the minutes of the meeting.

Section 5. Voting. The voting on all questions coming before the Authority shall be by a roll call vote.

Section 6. Parliamentary Procedure. The parliamentary procedure in Authority meetings shall be governed by Roberts Rules of Order.

Section 7. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present.

ARTICLE IV AMENDMENTS

Section 1. Amendments to Bylaws. The bylaws of the Authority may be amended after an amendment has been introduced at any regular meeting or special meeting and referred to the next regular special meeting. Adoption of an amendment shall be by a two-thirds vote of the members of the Authority, provided, however that the Common Council must also approve any amendment by 2/3 vote.

66.1333 Blight elimination and slum clearance.

- (1) SHORT TITLE. This section shall be known and may be cited as the "Blight Elimination and Slum Clearance Act".
- (2) FINDINGS. In addition to the findings and declarations made in ss. [66.1331 \(2\)](#) and [66.1337](#), it is found and declared that the existence of substandard, deteriorated, slum and blighted areas and blighted properties is a matter of statewide concern. It is the policy of this state to protect and promote the health, safety, morals and general welfare of the people of the state in which these areas and blighted properties exist by the elimination and prevention of these areas and blighted properties through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in these areas and blighted properties. The purposes of this section are to provide for the elimination and prevention of substandard, deteriorated, slum and blighted areas and blighted properties through redevelopment and other activities by state-created agencies and the utilization of all other available public and private agencies and resources. State agencies are necessary in order to carry out in the most effective and efficient manner the state's policy and declared purposes for the prevention and elimination of substandard, deteriorated, slum and blighted areas and blighted properties. State agencies shall be available in all the cities in the state to be known as the redevelopment authorities of the particular cities and carry out and effectuate the provisions of this section when the local legislative bodies of the cities determine there is a need for them to carry out within their cities the powers and purposes of this section. Assistance which may be given by cities or any other public bodies under this section is a public use and purpose for which public money may be expended. The necessity in the public interest for the provisions of this section is declared a matter of legislative determination. Nothing in this subsection contravenes, repeals or rescinds the finding or declaration of necessity before the recreation of this subsection on June 1, 1958.
- (2m) DEFINITIONS. In this section, unless the context clearly indicates otherwise:
- (a) "Abandoned highway corridor" means land in any city designated by the department of transportation for use as part of an expressway or a freeway, which is no longer designated by the department for that purpose.
- (am) "Arts incubator" has the meaning given in s. [41.60 \(1\) \(a\)](#).
- (ar) "Authority" means a redevelopment authority.
- (b) "Blighted area" means any of the following:
1. An area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.
 2. An area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.
 3. An area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

- (bm)** “Blighted property” means any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.
- (c)** “Blight elimination, slum clearance and urban renewal program,” “blight elimination and urban renewal program,” “redevelopment, slum clearance or urban renewal program,” “redevelopment or urban renewal program,” and “redevelopment program,” mean undertakings and activities for the elimination and for the prevention of the development or spread of blighted areas.
- (d)** “Blight elimination, slum clearance and urban renewal project,” “redevelopment and urban renewal project,” “redevelopment or urban renewal project,” “redevelopment project,” “urban renewal project,” and “project” mean undertakings and activities in a project area for the elimination and for the prevention of the development or spread of slums and blight, and may involve clearance and redevelopment in a project area, or rehabilitation or conservation in a project area, or any combination or part of the undertakings and activities in accordance with a “redevelopment plan,” “urban renewal plan,” “redevelopment or urban renewal plan,” “project area plan,” or “redevelopment and urban renewal plan,” either one of which means the redevelopment plan of the project area prepared and approved as provided in sub. (6). These undertakings and activities include all of the following:
1. Acquisition of all or a portion of a blighted area.
 2. Demolition and removal of buildings and improvements.
 3. Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the project area the objectives of this section in accordance with the redevelopment plan.
 4. Disposition of any property acquired in the project area, including sale, initial leasing or retention by the authority itself, at its fair value for uses in accordance with the redevelopment plan.
 5. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the redevelopment plan.
 6. Acquisition of any other real property in the project area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.
 7. Studying the feasibility of and initial design for an arts incubator, developing and operating an arts incubator, and applying for a grant or loan under s. [41.60](#) in connection with an arts incubator.
 8. Studying the feasibility of an initial design for a technology-based incubator and developing and operating a technology-based incubator.
- (e)** “Bonds” means any bonds, including refunding bonds; notes; interim certificates; certificates of indebtedness; debentures; or other obligations.

- (g) "Local legislative body" means the board of alderpersons, common council, council, commission or other board or body vested by the charter of the city or other law with jurisdiction to enact ordinances or local laws.
- (h) "Project area" means a blighted area which the local legislative body declares to be in need of a blight elimination, slum clearance and urban renewal project.
- (i) "Public body" means the state or any city, county, town, village, town board, commission, authority, district, or any other subdivision or public body of the state.
- (j) "Real property" includes all lands, together with improvements and fixtures, and property of any nature appurtenant to the lands, or used in connection with the lands, and every estate, interest, right and use, legal or equitable, in the lands, including terms for years and liens by way of judgment, mortgage or otherwise.
- (t) "Technology-based incubator" means a facility that provides a new or expanding technically-oriented business with all of the following:
 1. Office and laboratory space.
 2. Shared clerical and other support service.
 3. Managerial and technical assistance.

66.1333(3) (3) REDEVELOPMENT AUTHORITY.

- (a)
 1. It is found and declared that a redevelopment authority, functioning within a city in which there exists blighted areas, constitutes a more effective and efficient means for preventing and eliminating blighted areas in the city and preventing the recurrence of blighted areas. Therefore, there is created in every city with a blighted area a redevelopment authority, to be known as the "redevelopment authority of the city of". An authority is created for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects as set forth in this section, together with all powers necessary or incidental to effect adequate and comprehensive blight elimination, slum clearance and urban renewal programs and projects.
 2. An authority may transact business and exercise any of the powers granted to it in this section following the adoption by the local legislative body of a resolution declaring in substance that there exists within the city a need for blight elimination, slum clearance and urban renewal programs and projects.
 3. Upon the adoption of the resolution by the local legislative body by a two-thirds vote of its members present, a certified copy of the resolution shall be transmitted to the mayor or other head of the city government. Upon receiving the certified copy of the resolution, the mayor or other head of the city government shall, with the confirmation of four-fifths of the local legislative body, appoint 7 residents of the city as commissioners of the authority.
 4. The powers of the authority are vested in the commissioners.
 5. In making appointments of commissioners, the appointing power shall give due consideration to the general interest of the appointee in a redevelopment, slum clearance or urban renewal program and shall, insofar as is possible, designate representatives from the general public, labor, industry, finance or business group, and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially in the fields of finance and management, to assure efficiency in the redevelopment program, its planning and direction. One of the 7 commissioners shall be a member of the local legislative body. No more than 2 of the commissioners may be officers of the city in which the authority is created.
 6. Commissioners shall receive their actual and necessary expenses, including local traveling expenses incurred in the discharge of their duties.
- (b) The commissioners who are first appointed shall be designated by the appointing power to serve for the following terms: 2 for one year, 2 for 2 years, one for 3 years, one for 4 years, and one for 5 years, from the date of their appointment. After the first appointments, the term of office is 5 years. A commissioner

holds office until a successor is appointed and qualified. Removal of a commissioner is governed by s. [66.1201](#). Vacancies and new appointments are filled in the manner provided in par. [\(a\)](#).

(c) The filing of a certified copy of the resolution adopted under par. [\(a\)](#) with the city clerk is prima facie evidence of the authority's right to proceed, and the resolution is not subject to challenge because of any technicality. In any suit, action or proceeding commenced against the authority, a certified copy of the resolution is conclusive evidence that the authority is established and authorized to transact business and exercise its powers under this section.

(d) Following the adoption of a resolution, under par. [\(a\)](#), a city is precluded from exercising the powers provided in s. [66.1331 \(4\)](#), and the authority may proceed to carry on the blight elimination, slum clearance and urban renewal projects in the city, except that the city is not precluded from applying, accepting and contracting for federal grants, advances and loans under the housing and community development act of 1974 (P.L. [93-383](#)).

(e)

1. An authority has no power in connection with any public housing project.

2. Persons otherwise entitled to any right, benefit, facility, or privilege under this section may not be denied the right, benefit, facility, or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed, sexual orientation, status as a victim of domestic abuse, sexual assault, or stalking, as defined in s. [106.50 \(1m\) \(u\)](#), or national origin.

(f) An authority is an independent, separate and distinct public body and a body corporate and politic, exercising public powers determined to be necessary by the state to protect and promote the health, safety and morals of its residents, and may take title to real and personal property in its own name. The authority may proceed with the acquisition of property by eminent domain under ch. [32](#), or any other law relating specifically to eminent domain procedures of redevelopment authorities.

(g) An authority may employ personnel as required to perform its duties and responsibilities under civil service. The authority may appoint an executive director whose qualifications are determined by the authority. The director shall act as secretary of the authority and has the duties, powers and responsibilities delegated by the authority. All of the employees, including the director of the authority, may participate in the same pension system, health and life insurance programs and deferred compensation programs provided for city employees and are eligible for any other benefits provided to city employees.

(5) POWERS OF REDEVELOPMENT AUTHORITIES.

(a) An authority may exercise all powers necessary or incidental to carry out and effectuate the purposes of this section, including the power to do all of the following:

1. Prepare redevelopment plans and urban renewal plans and undertake and carry out redevelopment and urban renewal projects within the corporate limits of the city in which it functions.

2. Enter into any contracts determined by the authority to be necessary to effectuate the purposes of this section. All contracts, other than those for personal or professional services, in excess of \$25,000 are subject to bid and shall be awarded to the lowest qualified and competent bidder. The authority may reject any bid required under this paragraph. The authority shall advertise for bids by a class 2 notice, under ch. [985](#), published in the city in which the project is to be developed. If the estimated cost of a contract, other than a contract for personal or professional services, is between \$3,000 and \$25,000, the authority shall give a class 2 notice, under ch. [985](#), of the proposed work before the contract is entered into.

3. Within the boundaries of the city, acquire by purchase, lease, eminent domain, or otherwise, any real or personal property or any interest in the property, together with any improvements on the property, necessary or incidental to a redevelopment or urban renewal project; hold, improve, clear or prepare for redevelopment or urban renewal any of the property; sell, lease, subdivide, retain or make available the property for the city's use; mortgage or otherwise encumber or dispose of any of the property or any interest in the property; enter into contracts with redevelopers of property containing covenants, restrictions and conditions regarding the use of the property in accordance with a redevelopment or urban

renewal plan, and other covenants, restrictions and conditions that the authority considers necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this section; make any restrictions, conditions or covenants running with the land and provide appropriate remedies for their breach; arrange or contract for the furnishing of services, privileges, works or facilities for, or in connection with a project; temporarily operate and maintain real property acquired by it in a project area for or in connection with a project pending the disposition of the property for uses and purposes that may be deemed desirable even though not in conformity with the redevelopment plan for the area; within the boundaries of the city, enter into any building or property in any project area in order to make inspections, surveys, appraisals, soundings or test borings, and obtain a court order for this purpose if entry is denied or resisted; own and hold property and insure or provide for the insurance of any real or personal property or any of its operations against any risks or hazards, including paying premiums on any insurance; invest any project funds held in reserves or sinking funds or the funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control; redeem its bonds issued under this section at the redemption price established in the bonds or purchase the bonds at less than redemption price, all bonds so redeemed or purchased to be canceled; develop, test and report methods and techniques, and carry out demonstrations and other activities, for the prevention and elimination of slums and blight; and disseminate blight elimination, slum clearance and urban renewal information.

4.

- a.** Borrow money and issue bonds; execute notes, debentures, and other forms of indebtedness; apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the city in which it functions, from the federal government, the state, county, or other public body, or from any sources, public or private for the purposes of this section, and give such security as may be required and enter into and carry out contracts or agreements in connection with the security; and include in any contract for financial assistance with the federal government for or with respect to blight elimination and slum clearance and urban renewal such conditions imposed pursuant to federal laws as the authority considers reasonable and appropriate and that are not inconsistent with the purposes of this section.
- b.** Any debt or obligation of the authority is not the debt or obligation of the city, county, state or any other governmental authority other than the redevelopment authority itself.
- c.** Issue bonds to finance its activities under this section, including the payment of principal and interest upon any advances for surveys and plans, and issue refunding bonds for the payment or retirement of bonds previously issued by it. Bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in connection with its undertaking and carrying out of projects or activities under this section. Payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of all or a part of the projects or activities. Bonds issued under this section are not an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and are not subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest and income, are exempt from all taxes. Bonds issued under this section shall be authorized by resolution of the authority, may be issued in one or more series and shall bear a date, be payable upon demand or mature at a time, bear interest at a rate, be in a denomination, be in a form either with or without coupon or registered, carry conversion or registration privileges, have rank or priority, be payable in a medium of payment, at a place, and be subject to terms of redemption, with or without premium, be secured in a manner, and have other characteristics, as provided by the resolution, trust indenture or mortgage issued pursuant to the transaction. Bonds issued under this section shall be executed as provided in s. [67.08 \(1\)](#) and may be registered under s. [67.09](#). The bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters as the authority provides. The bonds may be sold or

exchanged at any price that the authority determines. If sold or exchanged at public sale, the sale shall be held after a class 2 notice, under ch. [985](#), published before the sale in a newspaper having general circulation in the city and in any other medium of publication that the authority determines. Bonds may be sold to the federal government at private sale, without publication of any notice, at not less than par, and, if less than all of the authorized principal amount of the bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority that does not exceed the interest cost to the authority of the portion of the bonds sold to the federal government. Any provision of law to the contrary notwithstanding, any bonds issued under this section are fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this section or the security for any bond, any bond reciting in substance that it has been issued by the authority in connection with a project or activity under this section is deemed to have been issued for that purpose and the project or activity is deemed to have been planned, located and carried out in accordance with this section.

5. Establish a procedure for preservation of the records of the authority by the use of microfilm, another reproductive device, optical imaging, or electronic formatting, if authorized under s. [19.21 \(4\) \(c\)](#). The procedure shall assure that copies of the records that are open to public inspection continue to be available to members of the public requesting them. A photographic reproduction of a record or copy of a record generated from optical disc or electronic storage is deemed the same as an original record for all purposes if it meets the applicable standards established in ss. [16.61](#) and [16.612](#).
6. Authorize the chairperson of the authority or the vice chairperson in the absence of the chairperson, selected by vote of the commissioners, and the executive director or the assistant director in the absence of the executive director to execute on behalf of the authority all contracts, notes and other forms of obligation when authorized by at least 4 of the commissioners of the authority to do so.
7. Commence actions in its own name. The authority shall be sued in the name of the authority. The authority shall have an official seal.
8. Exercise other powers that may be required or necessary to effectuate the purposes of this section.
9. Exercise any powers of a housing authority under s. [66.1201](#) if done in concert with a housing authority under a contract under s. [66.0301](#).

SUBJECT: Public Hearing for Community Feedback on the 6th Street East Reconstruction Project Partly Funded through Community Development Block Grant-Public Facilities Grant Dollars (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Department of Planning & Development
Department of Public Works

EXHIBITS: 1. Overview of 6th Street East Reconstruction Project
2. Project map for 6th Street East reconstruction

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: This conforms to the goals and recommendations of the Comprehensive Plan, which encourages the City to prioritize strategic infrastructure improvements in ways that leverage public funding to create the greatest impact. The plan also identifies repair of major streets as central to promoting the economic and environmental sustainability of the City. Providing opportunities through Public Hearings for residents to provide feedback on projects is important to inform future planning efforts as well.

SUMMARY STATEMENT:

The City of Ashland received grant funding through the Community Development Block Grant-Public Facilities (CDBG-PF) program in 2017 to assist with the reconstruction of 6th Street East. Per the grant agreement the City must hold a total of two Public Hearings throughout the course of the project. The first Public Hearing was held on May 9, 2017 (prior to grant application submission) to receive public input related to the scope and intent of the proposed project. This second Public Hearing is meant to provide updates to the Common Council and community about the work completed and provide an opportunity for residents to provide input on the project process and outcomes.

Overview of 6th Street East Reconstruction Project

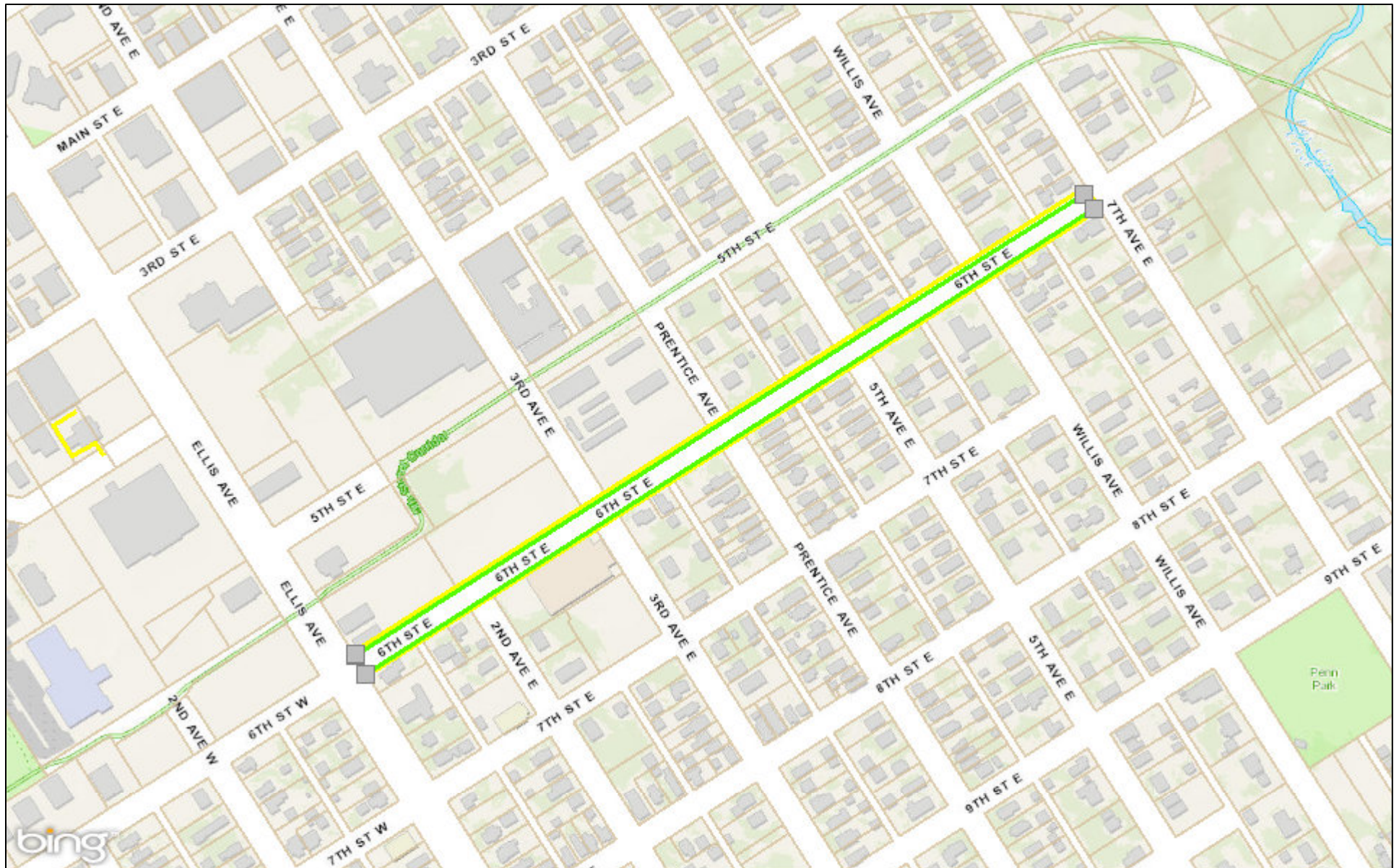
Provided by Dan Maderich, Civil Engineering Technician for the City of Ashland

The 6th Street East Project, Ellis Avenue to 7th Avenue East, was constructed in 2018. The project was constructed by Jake's Landscaping and Excavating under the supervision of the City of Ashland Engineering Department. The work included replacing the existing water main and services; replacing storm sewer, replacing sanitary sewer mains, installation of new sidewalks, and road reconstruction.

All work to date has been satisfactorily completed in accordance with the plans and specifications. A Substantial Completion Certificate was issued on October 26, 2018. There is a one year warranty on the work from the date of Substantial Completion.

The work will be further inspected during the warranty period to verify the integrity of the work. The Contractor will be required to correct deficient work during the warranty period found to be due to the Contractors negligence.

City Base map



April 12, 2017

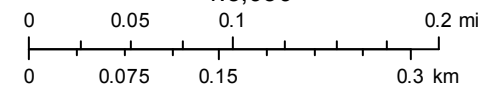
Line_Updates

Parcel Mapping

Change Information

Parcel Labels

1:5,939



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

SUBJECT: Public Hearing and Approve a Resolution to Vacate Undeveloped Right-of-Way Adjacent to Lots 14 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Planning & Development Department
City GIS Specialist

EXHIBITS:

1. Proposed Resolution
2. Staff Report, February 19, 2019; Swanson
3. Ariel Map; 3801 Lake Park Rd ROW Vacation Request
4. Ariel Map; Proposed ROW Vacation
5. Resolution 17489

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed request for vacation of undeveloped right-of-way conforms to the goals of the Comprehensive Plan. The Comp Plan encourages protection of the Lake which will be achieved through the repair work that will be done to the shoreline which initially prompted the request for vacation. Additionally, since the City has no intention of developing this right-of-way and it does not serve any other property owners, vacating and returning the land to the tax roll is the highest and best use of the land.

SUMMARY STATEMENT:

Eric and Joann Swanson are requesting the vacation of portions of undeveloped right-of-way indicated on the attached map, legally described as “undeveloped public right-of-way adjacent to Lots 14 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin.” A Public Hearing has been scheduled to take place at the Ashland City Council meeting on Tuesday, February 26th, 2019 as is

required per Wisconsin State Statutes.

The larger, northern portion adjacent to Lake Superior is being requested for vacation so that the owners can perform work to repair the shoreline that is currently located partly in this section of undeveloped right-of-way. The smaller, southern portion is requested for vacation as it contains the residents' existing driveway. The vacation of the requested undeveloped right-of-way would not impact other property owners, nor would it prohibit any future right-of-way development. Once vacated, the property owners will work with Ashland County to consolidate all of their land into a single parcel.

RESOLUTION

No. _____

RESOLUTION TO VACATE UNDEVELOPED PUBLIC RIGHT-OF-WAY ADJACENT TO LOTS 14 THROUGH 16, AND LOTS 19 THROUGH 20, IN BLOCK 8 OF COMMERCIAL ADDITION OF THE CITY OF ASHLAND, WISCONSIN

WHEREAS, the Plan Commission has approved a request to vacate the portions of unimproved rights-of-way known as:

- Undeveloped public right-of-way adjacent to lots 14 through 16, and lots 19 through 20, in block 8 of Commercial Addition of the City of Ashland, Wisconsin; and

WHEREAS, a public hearing was held on February 26, 2019, notification of which was given by publishing the Class 3 notice of the hearing in the newspaper and notifying abutting property owners as required by Wisconsin Statute 66.1003, and the Common Council does deem it in the best interest of the City to vacate said alley right-of-way; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Ashland hereby vacates the above described undeveloped right-of-way, and relinquishes all claims and responsibilities pertaining thereto.

PASSED: February 26, 2019

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler Wickman, City Attorney



City of Ashland, Wisconsin

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

**DEPARTMENT OF
PLANNING &
DEVELOPMENT**

601 Main Street West
Ashland, WI 54806
Phone: 715.682.7041

STAFF REPORT

Plan Commission – February 19th, 2019

Agenda Item #5a: Review and make a recommendation to council on the discontinuance of a portion of undeveloped right-of-way (ROW).

Applicant: Eric and Joann Swanson

Background

Eric and Joann Swanson are requesting the vacation of portions of undeveloped right-of-way indicated on the attached map, legally described as “Undeveloped public right-of-way adjacent to lots 14 through 16, and lots 19 through 20, in block 8 of Commercial Addition of the City of Ashland, Wisconsin.” A Public Hearing has been scheduled to take place at the Ashland City Council meeting on Tuesday, February 26th, 2019 as is required per Wisconsin State Statutes.

The larger, northern portion adjacent to Lake Superior is being requested for vacation so that the owners can perform work to repair the shoreline that is currently located partly in this section of undeveloped right-of-way. The smaller, southern portion is requested for vacation as it contains the residents existing driveway. The vacation of the requested undeveloped right-of-way would not impact other property owners, nor would it prohibit any future right-of-way development. Once vacated, the property owners will work with Ashland County to consolidate all of their land into a single parcel.

Standards for Review

Wisconsin State Statute 66.1003 DISCONTINUANCE OF A PUBLIC RIGHT OF WAY (all subsections thereof), create the legal framework to regulate, administer, and enforce the review and approval process for the City of Ashland.

Review

The following criteria were used to review the requested right-of-way discontinuance:

1. Future Public Work’s Plans for Rights-of-Way. City staff has no plans for the development of this ROW. The location of the portions requested for vacation

would also not prohibit any future right-of-way development in the vicinity as right-of-way does not extend past the portion requested for vacation.

2. Neighborhood Impact. The portion of undeveloped right-of-way requested for vacation does not abut any other properties, and does not provide access to any property now owned by the applicant. The small, southern portion requested for vacation is requested for the purpose of including the applicant's private drive into their property, which also would not impact neighboring properties or property owners. Therefore, there would be no negative neighborhood impacts associated with this vacation.
3. Public Comment. Wisconsin State Statute dictates the procedure for approval if any adjacent landowners are in opposition to the proposal. A Public Hearing will be held before the Common Council on February 26th, 2019 and a Class III Public Hearing notice was issued to invite the public to provide input on this proposed discontinuance.
4. Other Factors. N/A

Review Recommendation

Staff recommends APPROVAL of this requested discontinuance.

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

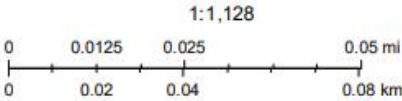
3801 Lake Park Rd ROW Vacation Request



11/8/2018, 3:12:41 PM



Proposed undeveloped right-of-way to vacate
Applicant: Swansons at 3801 Lake Park Rd



City of Ashland Public Works Department, GIS Division
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Licensed to City of Ashland by Pictometry Intl.

Department of Public Works Engineering
Copyright 2018 City of Ashland

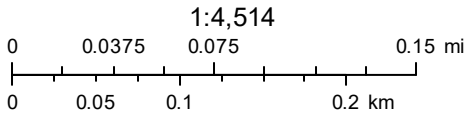
Proposed Right-of-Way Vacation



2/17/2019, 10:43:51 AM

Lines
— Override 1
Parcel Labels

Parcel Mapping



City of Ashland Public Works Department, GIS Division
Copyright City of Ashland Public Works Department, GIS Division

RESOLUTION

No. 17489

RESOLUTION TO SET A PUBLIC HEARING DATE FOR THE VACATION OF UNDEVELOPED PUBLIC RIGHT-OF-WAY ADJACENT TO LOTS 14 THROUGH 16, AND LOTS 19 THROUGH 20, IN BLOCK 8 OF COMMERCIAL ADDITION OF THE CITY OF ASHLAND, WISCONSIN

WHEREAS, the Common Council of the City of Ashland has received a request to vacate a portion of undeveloped right-of-way located within the City, legally described as follows:

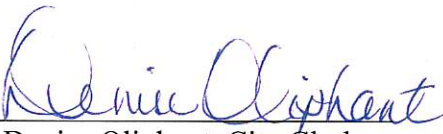
- Undeveloped public right-of-way adjacent to Lots 14 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin; and

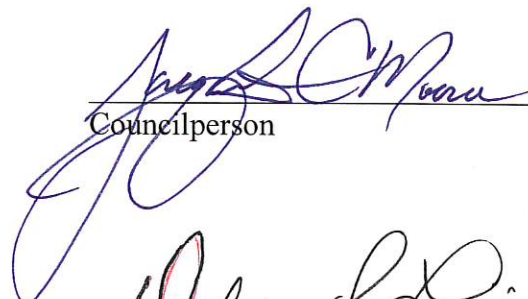
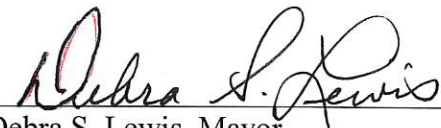
WHEREAS, the Common Council of the City of Ashland wishes to gather public input to determine if it is in the best interests of the City to vacate the above mentioned right-of-way, with the exception of any needed easements for public utilities and access to public utilities, including but not limited to water, sewer, electric and natural gas utilities, which interests are specifically reserved by and for the benefit of the City of Ashland and any other public utility; and,

WHEREAS, the Planning Commission will consider this matter at their February 5, 2018 meeting.

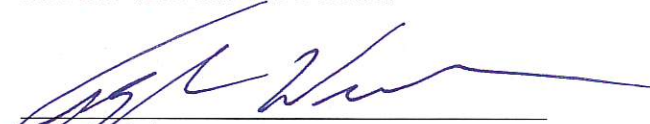
NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Ashland hereby sets a Public Hearing in compliance with Wisconsin State Statute 66.1003 for the presentation and discussion of the above mentioned undeveloped right-of-way vacation for Tuesday, February 26, 2019 at 5:30 p.m. in the Ashland City Hall Council Chambers.

PASSED: January 8, 2019

ATTEST: 
Denise Oliphant, City Clerk


Councilperson

Debra S. Lewis, Mayor

APPROVED AS TO FORM:


Tyler Wickman, City Attorney

SUBJECT: Approve a Resolution to Issue a Conditional Use Permit to Allow Long-Term Housing Pursuant to UDO Section 5.2, F: Social Services/Sober Living Home at 721 6th Street West in the Single and Two-Family Residential (R-2) District, Parcel #201-04354-0000, Applicant: Dave Gallup Foundation (*Voice*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Department of Planning & Development

EXHIBITS:

1. Proposed Resolution
2. Public Hearing Comments, February 19, 2019
3. Staff Report, February 19, 2019; Dave Gallop Foundation
4. Aerial Map, 721 6th Street West
5. Zoning Map (R-2), 721 6th Street West

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. One of the City's core values identified in the plan is to cultivate and promote "neighborliness and citizenship," which means "we choose to double down as good neighbors, strengthen our civic bonds, and ensure that our City's balance sheet is strong" (p. 19). Substance abuse within our community puts strain on our community services and law enforcement resources as well as social and civil ties between residents and neighbors. The current inadequate provision of housing options for individuals coming out of treatment programs exacerbates this problem and makes it difficult for individuals to transition back into the community and form new social groups who are supportive of their continued sobriety. The proposed sober living facility would help to address this and in turn benefit the overall community as individuals can receive the supports they need to remain sober, ultimately reducing the social and economic costs that result from untreated addiction to drugs and alcohol. Incorporating the home into this residential area embodies the type of "neighborliness and citizenship" that residents identified as being central to the Ashland community through the Comprehensive Plan process.

SUMMARY STATEMENT:

See attached staff report for details.

RESOLUTION

No. _____

RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT TO ALLOW LONG-TERM HOUSING PURSUANT TO UDO SECTION 5.2, F: SOCIAL SERVICES/SOBER LIVING HOME AT 721 6TH STREET WEST IN THE SINGLE AND TWO-FAMILY RESIDENTIAL (R-2) DISTRICT, PARCEL #201-04354-0000, APPLICANT: DAVE GALLUP FOUNDATION

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

WHEREAS, the Plan Commission held a Public Hearing on February 19, 2019, and has recommended approval of the Conditional Use Permit with the following conditions:

- a. No more than 8 individuals may occupy the property at one time.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit to Allow Long-Term Housing Pursuant to UDO Section 5.2, F: Social Services/Sober Living Home at 721 6th Street West is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: February 26, 2019

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

Applicant

Date

*Applicant understands and accepts the conditions of approval indicated in this Resolution

*Applicant was provided notice of the approval by Common Council within 5 business days of such approval

**February 19, 2019 Planning Commission Meeting
Public Hearing Comments**

5a) Public Hearing and Vote on a Conditional Use Permit request to allow long-term housing/sober living facility at 721 6th Street West, zoned Single- an Two-Family Residential (R-2). Applicant: Dave Gallup Foundation.

Nancy Garrett (609 MacArthur) commented that parking tends to be an issue in this neighborhood with the church there, but she doubts there will be any parking issues caused by the sober living home. She asked if the Dave Gallup Foundation will continue to pay property taxes. She said that she thinks that having a cap of eight people sounds good based on the size of the home, and that she is glad there will be a residential manager on-site as a point of contact for neighbors.

Find yourself next to the water.



City of Ashland, Wisconsin

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

**DEPARTMENT OF
PLANNING &
DEVELOPMENT**

601 Main Street West
Ashland, WI 54806

STAFF REPORT

Planning Commission – February 19th, 2019

Agenda Item # 5b: Conditional Use Permit Request to allow long-term housing pursuant to UDO Section 5.2, F: Social Services/Sober Living Home

Zoning District: Single- and Two-Family Residential (R-2)
Property Address: 721 6th Street West
Parcel #: #201-04354-0000
Applicant: Dave Gallup Foundation
Staff Contact: Megan McBride

Background

The Dave Gallup Foundation is requesting a Conditional Use Permit to allow long-term housing pursuant to UDO Section 5.2, F: Social Services/Sober Living Home in the Single- and Two-Family Residential (R-2) zoning district at 721 6th Street West. The home has 4 bedrooms and 4 bathrooms, and would house a maximum of eight (8) tenants. There is adequate on site and adjacent street parking to accommodate tenants, as well as ample lawn area which can provide parking during the winter time if needed. Tenants will pay monthly rent to cover utilities, ongoing operations, and salary for the onsite supervisor (Curtis Gauthier). The foundation fundraises to offer a first month scholarship on rent for new residents to give them time to get settled and find a job.

The City's UDO indicates that "Social service uses may not be located within 1,200 feet from another social service use unless the Plan Commission determines that the cumulative impacts of the existing and proposed uses will not adversely affect the living and working conditions of the properties located within 1,200 feet of the proposed uses" (UDO Section 5.2F: Social Services). The Prentice House (also a Social Service use) at 820 6th Street W is located less than 300 feet from the proposed use. As such, Plan Commission will need to determine if having the two social service located in this proximity will adversely affect the surrounding properties.

Standard regulations for sober living homes which will be implemented at this location include:

1. A drug and alcohol free living environment;
2. No treatment services are provided on-site but tenants are required to attend five 12-step meetings per week;

3. Residents are required to comply with house rules including paying rent, random urine drug tests, performing household chores, and eating dinner as a community;
4. Financing for utilities, rent, salary for the supervisor, and other operational costs come from rents collected monthly from tenants; and
5. Residents are able to stay in the home as long as they'd like and are complying with house rules and paying rent.

The anticipated opening date will be April 1, 2019.

Standards for Conditional Use Review

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

1. **Consistency with Comprehensive Plan.** The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. One of the City's core values identified in the plan is to cultivate and promote "neighborliness and citizenship," which means "we choose to double down as good neighbors, strengthen our civic bonds, and ensure that our City's balance sheet is strong" (p. 19). Substance abuse within our community puts strain on our community services and law enforcement resources as well as social and civil ties between residents and neighbors. The current inadequate provision of housing options for individuals coming out of treatment programs exacerbates this problem and makes it difficult for individuals to transition back into the community and form new social groups who are supportive of their continued sobriety. The proposed sober living facility would help to address this and in turn benefit the overall community as individuals can receive the supports they need to remain sober, ultimately reducing the social and economic costs that result from untreated addiction to drugs and alcohol. Incorporating the home into this residential area embodies the type of "neighborliness and citizenship" that residents identified as being central to the Ashland community through the Comprehensive Plan process.
2. **Compatibility.** The property is predominately surrounded by single and two-family residential homes. It is also located near the 5th Street Corridor and downtown. As stated previously, the Prentice House is located within approximately 300 feet of the proposed use. Planning staff believes that the proximity of these two uses will not adversely affect the living and working conditions of the properties located within 1,200 feet, given the different purposes and populations served by each, and the rules in place for occupants of both.
3. **Importance of Services to the Community.** According to data compiled by Ashland's Memorial Medical Center Ashland County has the state's highest rate per 100,000 people for opioid related hospitalizations, and the estimated rate of alcohol abuse is 26% (higher than the state average of 23% and national of 16%). While there are many individuals and organizations working to address this in our community, lack of housing for individuals coming out of recovery programs often forces them to return to the same places they were living and possibly using drugs/alcohol prior to treatment. The proposed sober living home would serve the community by providing a sober living environment with support provided by both a full-time onsite manager and peers to, which has been identified as a best practice in addressing substance abuse by the Substance Abuse and Mental Health Services Administration.

4. **Neighborhood Protections.** The rent paid by tenants will partly go towards ongoing maintenance of the property to ensure they can provide a safe, healthy, attractive living environment that complements the surrounding neighborhood. There will be full-time on site managerial supervision and residents are subject to random urine drug tests to ensure all are complying with the rules and overall intent of the sober living home.
5. **Conformance with Other Requirements:** The applicant will need to conform to all UDO standards, including (but not limited to):
 - Obtaining building permits for any renovations that will take place on the home.

Review Recommendation

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

- No more than 8 individuals may occupy the property at one time.

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

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

721 6th Street West



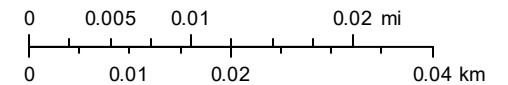
2/16/2019, 9:29:02 PM

Parcel Labels



Parcel Mapping

1:750



City of Ashland Public Works Department, GIS Division
Copyright City of Ashland Public Works Department, GIS Division

721 6th Street West Zoning (R-2)



-  Single- and Two-Family Residential (R-2)
-  Mixed Residential/Commercial (MRC)

SUBJECT: Approve to Purchase a 2019 Dodge Ram Full-Size Regular Cab Truck for the Public Works Street Division, and a 2019 Dodge Ram Full-Size Extended Cab Truck for the Ashland Water Utility, from Ashland Ford Chrysler (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Director of Public Works
Water/ Waste Water Operations Manager
Street Foreman
Fleet Manager Foreman

EXHIBITS: 1. Bid Results

EXPENDITURES REQUIRED: \$24,225.00 Vehicle Purchase (Fund 680)
70.50 Title & Licensing (Fund 680)
\$24,295.50 TOTAL (Fund 680)

\$21,251.00 Vehicle Purchase (Fund 460)
70.50 Title & Licensing (Fund 460)
\$21,321.50 TOTAL

AMOUNT BUDGETED: \$25,000 Fund 680

\$30,000 Fund 460

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on February 20, 2019, that Ashland Ford Chrysler is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: N/A

SUMMARY STATEMENT:

The Public Works Department advertised for two new pick up trucks, one for the Ashland Water Utility the

other for the Street Department. Bids were received from two vendors, and Ashland Ford Chrysler was the lowest responsible bidder and is being recommended as the preferred vendor.

A 2019 Dodge Ram 1500 Quad Cab 4x4 Tradesman will replace the Water Utilities 2007 Ford F150. The 2017 Ford F150 will be deemed surplus equipment, the condition is poor and will be evaluated as to whether it will be sold or disposed of. A 2019 Dodge Ram 1500 Reg Cab 4x4, 8-foot bed Tradesman will replace the 2001 Shop Truck. The Shop Truck will be transferred to the Park Caretaker and the 1998 Park Caretaker Truck will be deemed surplus equipment, the condition is poor and will be evaluated as to whether it will be sold or disposed of. The cost of the two vehicles does not include title, plates, and transfer fee. Delivery for the vehicles will take approximately 6-14 weeks.

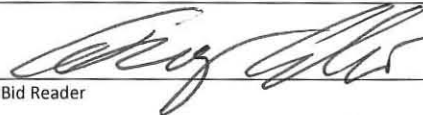
CITY OF ASHLAND

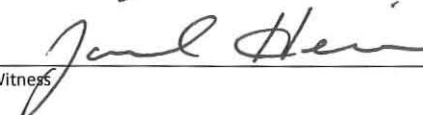
2019 ½ Ton 4WD Pickup Truck, Full-Size Regular Cab, 8 Foot Box - PW

2019 ½ Ton 4WD Pickup Truck, Full-Size Extended Cab, 6 1/2 Foot Box - Utility

BID OPENING: Thursday, January 24th 2019 @ 2:00PM

Bid #	VENDOR	MAKE- PW Shop Truck	Bid Amount	MAKE - Utility Truck	Bid Amount
1	Ewalds N48 W36833 E. Wisconsin Ave. Oconomowoc, WI 53066	2019 RAM 1500	\$ 21,679.50	2019 RAM 1500	\$ 24,745.50
1b	Ewalds N48 W36833 E. Wisconsin Ave. Oconomowoc, WI 53066	2019 FORD F-150	\$ 25,674.50	2019 FORD F-150	\$ 28,456.50
2	Ashland Ford Chrysler 28715 USH 2 Ashland, WI 54806	2019 RAM 1500	\$ 21,251.00	2019 RAM 1500	\$ 24,225.00
4					
5					
6					
7					
8					
9					
10					


 Bid Reader


 Bid Witness

SUBJECT: Approve a Resolution to Proclaim the Third Weekend in May as the Observed International Migratory Bird Day in Ashland, Wisconsin (*Voice*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: City Administrator
Finance Director
Mayor
Parks and Recreation Committee

EXHIBITS: 1. Proposed Resolution

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: This item conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan, Authentic Ashland 2035.

SUMMARY STATEMENT:

The Ashland Parks and Recreation Department is seeking the approval of the Resolution to Proclaim the Third Weekend in May as the Observed International Migratory Bird Day (IMBD) in Ashland, WI.

With the help of the Ryan Brady, Wisconsin Department of Natural Resources (WDNR) Research Scientist, the City of Ashland is reapplying to become a Bird City of Wisconsin for its sixth year. Being recognized as a Bird City has many benefits including tourism dollars, habitat conservation information, and networking. Bird watching is the one of the fastest growing form of outdoor recreation in the US.

This year will mark the 12th Annual Chequamegon Bay Birding and Nature Festival in Ashland, Wisconsin on May 17-19, 2019. This festival takes place each year on the third weekend in May and brings in birder watchers from all over the US. Ashland's observance of IMBD will nicely coincide with the birding celebration

and encourage even more visitors to our beautiful area.

The City received a donation to cover the cost of the application process.

RESOLUTION TO PROCLAIM THE THIRD WEEKEND IN MAY AS THE OBSERVED INTERNATIONAL MIGRATORY BIRD DAY IN ASHLAND, WISCONSIN

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that share our communities, and many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; *and*

WHEREAS, these migrant species play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; *and*

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes, and in both their summer and winter homes, making public awareness and concern a crucial component of migratory bird conservation; *and*

WHEREAS, since 1993 International Migratory Bird Day (IMBD) has become a primary vehicle for focusing public attention on the nearly 350 bird species that travel between nesting habitats in our communities and throughout North America, and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern United States; *and*

WHEREAS, while IMBD officially is held each year on the second Saturday in May elsewhere, Ashland, WI will celebrate its observance on the third weekend in May as part of the Chequamegon Bay Birding and Nature Festival; *and*

WHEREAS, IMBD is not only a day to foster appreciation for wild birds and to celebrate, but also support migratory bird conservation.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland to recognize this observance and support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Councilperson

PASSED: February 26, 2019

ATTEST: _____
Denise Oliphant, City Clerk

Debra Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

SUBJECT: Approve a Resolution to Submit an Application to the Wisconsin Department of Natural Resources, Boating and Fishing State and Federal Grant for Financial Assistance for the NSP Ashland Lakefront Superfund Site (AKA Kreher Park Redevelopment) (*Voice*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Finance Department
Harbor Commission
Parks and Recreation Committee
City Administrator

EXHIBITS: 1. Proposed Resolution

EXPENDITURES REQUIRED: To be determined

AMOUNT BUDGETED: 0

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed development conforms to the goals and community values identified in Authentic Ashland 2030.

SUMMARY STATEMENT:

The City of Ashland is requesting assistance from the Wisconsin Department of Natural Resources for a Sport Fish Restoration Grant for the redevelopment of the western portion of the Superfund Site to install a new four bay boating landing, boat/trailer parking, pedestrian trail(s) and potential thoroughfare. The grant would be used ONLY for the redevelopment of the western portion of the Superfund Site.

This is a 50/50 match grant. Match for this grant can be in the form of labor, cash, donations, etc. and will be determined when the amount of the Grant is known.

The City has a contract with AMI Consulting Engineers PA (AMI) to create design and engineering documents for the site at a cost yet to be determined. The Parks and Recreation Department and Marina will work with the Finance Department and City Administrator to determine the match.

The City of Ashland has been encouraged to apply for this grant by WDNR Waterways Commission, Xcel Energy, WDNR Staff, and the other parties involved with the Superfund Site cleanup. The aforementioned parties have agreed that the redevelopment of the Superfund Site with a the boat launch, fish cleaning station, bathrooms, parking lot, trail, thoroughfare and utilities throughout the site should coincide the with final cap of the site. This will keep construction costs reasonable and lessen the instances that the cap will need to be disturbed.

The submerged land lease refers to the area of land adjacent to the Lake, from Ellis Ave to Willis Ave as Kreher Park.

Resolution to Submit an Application to the Wisconsin Department of Natural Resources, Boating and Fishing State and Federal Grant for Financial Assistance for the NSP Ashland Lakefront Superfund Site (A.K.A. Kreher Park Redevelopment)

WHEREAS, The City of Ashland hereby requests assistance for the purpose of the Ashland Ore Dock Redevelopment - Phase 1. Funds will be used for the continued construction of the walkway on the 1923 section to provide access the end of the ore dock and for fishing opportunities in the diamonds and along the edge; and

WHEREAS, financial aid is required to carry out the project; and

THEREFORE, BE IT RESOLVED, that the City of Ashland has budgeted a sum sufficient to complete the project; and

HEREBY AUTHORIZES Sara Hudson, Director of Ashland Parks and Recreation to act on behalf of the City of Ashland to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available
- Sign documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED, Ashland Parks and Recreation will comply with State or Federal rule for the program; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain approval from the Wisconsin Department of Natural Resource before any changes are made in the use of the project site (if applicable).

PASSED: February 26, 2019

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney