ASHLAND CITY COUNCIL MEETING MINUTES
Tuesday, February 25, 2020 – 5:30 PM
Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, February 25, 2020 Ashland City Council meeting was called to order by Mayor Debra Lewis, in the Ashland City Hall Council Chambers at 5:30 p.m.

A. Roll Call, Moment of Silence, and Pledge of Allegiance

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

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

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Library Director Sarah Adams, Planning Director Megan McBride, Human Resources Director Jennifer Boulley, Fire Lieutenant Stuart Matthias, and other concerned citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. February 11, 2020 City Council and Committee of the Whole Meeting Minutes

Whitebird moved, seconded by Haas to approve the minutes of the February 11, 2020 City Council Meeting minutes. Ullman asked to review the minutes of Item 6C of the February 11, 2020 Committee of the Whole meeting to state that the motion was to ask the Public Works Director to bring back a two-year plan to convert City facilities lighting to LED before the next budget cycle. Whitebird and Haas agreed to the request to postpone approval of the Committee of the Whole minutes at this time. The motion to approve the Council minutes passed unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

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

Zyg Jablonski, regarding Closed Session Item 8C/Building Inspection, expressed that he felt that this item should be discussed in open session.

Donna Blazek, representing Enercept, commented about the builders of the Blue Wave building.

Eric Lindell, 204 1/2 West Main Street, spoke regarding the number of abstaintions recently by the Ward 6 Councilor.

5. MAYOR'S REPORT

A. Announcements

Lewis had the Boy Scout Troop 331 visit City Hall on February 24, 2020. She congratulated the Chamber of Commerce on their 100 year anniversary of operation, and the League of Women Voters for their 50 year anniversary of organization in 2020. The Source Water Protection Plan Committee is in the process of setting a meeting date for March. A big thank you went out to the Fire Department for a save during a recent house fire. The bid opening for the police facility will be on March 6, 2020 at 10:00 a.m. in the City Hall Chambers. The Downtown Survey is being compiled and will be made available to the Committee of the Whole in March. There has been an increase of activity as new businesses are looking to take root in the downtown district. A regional housing study has begun with the help of a recent grant award, for new housing development in the area. Kucera asked to note that Intern Chelsea List has nearly completed a "Citizen's Guide to the Budget" which will be made available to the public in the near future.

6. CONSENT AGENDA

A. Miscellaneous Minutes

B. Operators' Licenses

The following applied for an operator's license: Cailin Louise Bender, Krysten Marie Grosjean, and Nataliya Williamson.

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

7. NEW BUSINESS

A. Public Hearing for Sidewalk Special Assessments Associated with the Vaughn Avenue & 7th Street West Reconstruction & Utility Replacement Project *(Public Works)* Roll

Holly George moved, seconded by Kevin Haas to move into Public Hearing. The motion passed unanimously by roll call vote.

Zyg Jablonski, Triangle Holdings LLC, 609 Vaughn Ave stated that this was the third special assessment notice for sidewalk improvements, and did not understand why the property owner should pay for sidewalk repair if it is not currently in poor shape.

Darwin Matthias, Trinity Lutheran Church, asked for a map of which portions of sidewalk were being replaced, and asked if their property was not on the plan to be replaced, how can they get their sidewalk replaced.

George moved, seconded by Haas to move out of public hearing. The motion passed unanimously by voice vote.

B. Approve Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in the City of Ashland, Ashland County, Wisconsin for the Vaughn Avenue & 7th Street West Reconstruction and Utility Replacement Project *(Public Works)* Voice

George moved, seconded by Jackson to approve the resolution. The motion passed 8-3 by roll call vote; opposed were Ortman, Franek and Moore. **FILE #17554**

C. Approve a Resolution to Accept the Workmanship of the Jamar Company and Approve Final Payment for the 2019 HVAC Improvements Contract for Public Works and Utility Buildings *(Public Works)* Roll

Moore moved, by Kevin Haas to approve the resolution and final payment to Jamar Company in the amount of $10,874.15 through Fund 680. The motion passed unanimously by roll call vote. **FILE #17555**

D. Approve Contract with Enviro World for 2020 Rain Barrel Sale *(Planning)* Roll

George moved, seconded by Franek to approve the contract. The motion passed unanimously by roll call vote.

E. Approve an Agreement for the Proposed Schematic Design for the Vaughn Public Library Building with Engberg Anderson *(Library)* Roll

Ortman moved, seconded by Jackson to approve the agreement. Ortman then rescinded his motion. Jackson moved, seconded by Whitebird to approve the agreement. The motion passed unanimously by roll call vote.

F. Approve to Waive the Advertisement and Bidding Requirement Set Forth in Chapter 194.04, Ashland City Ordinance, and Approve to Purchase Equipment for the Ashland Fire Department/EMS from Master Medical Equipment *(Fire Department)* Roll

Franek moved, seconded by Haas to approve the purchase of equipment from Master Medical equipment with donated funds. The motion passed unanimously by roll call vote.

G. Approve to Apply for an Assistance to Firefighters Grant for the Purchase of Power-Load Systems and Cots for the Fire Department/EMS *(Fire Department)* Voice

Tochterman moved, seconded by Haas to approve. The motion passed unanimously by voice vote.

H. Approve a Memorandum of Understanding (MOU) between the Ashland Fire Department and Bayfield County for the Purchase of Radios *(Fire Department)* Roll

Whitebird moved, seconded by Ortman to approve. The motion passed unanimously by roll call vote.

I. Approve an Ordinance to Amend Chapter 926 (1729), Implementation of Wisconsin's Smoke-Free Law, Ashland City Ordinances *(Mayor)* Roll

Tochterman moved, seconded by Haas to approve the ordinance. The motion passed unanimously by roll call vote. **FILE #17556**

J. Approve a Request for a Gratis Lease at the Vaughn Library Building Office Space *(Clerk)* Roll

George moved, seconded by Ortman to recognize Jerry Moore of One Drum Solutions, to speak. The motion passed unanimously by voice vote. Ullman moved, seconded by George to recognize Christine Kelly, Alliance for Sustainability, to speak. The motion passed unanimously by voice vote. Library Director Sarah Adams spoke to the potential future use of the third floor by the Library.

After much discussion, George moved, seconded by Haas to to maintain a gratis lease of office space to Alliance for Sustainability, a 501 (c)(3) organization, for One Drum Solutions, at the Vaughn Library Building through June 30, 2020, and to direct the City Administrator and Library Director to develop a leasing policy of City-owned space to bring back to the Council for approval . The motion passed 10-1 by roll call vote; opposed was Jackson.

8. CLOSED SESSION (Roll Call)

A. Enter Into Closed Session - Roll

Whitebird moved, seconded by Ortman to enter into Closed Session. The motion passed unanimously by roll call vote.

B. CLOSED SESSION Pursuant to Wis. Stat. 19.85(1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation." *(Northern Lakes Amusement, Inc. assessment dispute) (City Attorney)*

C. 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.” *(Building Inspection Claim at 707 Main Street West) (Attorney)*

D. CLOSED SESSION per Wisconsin Statute 19.85(1)(c) “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” *(City Administrator Review)*

E. Return to Open Session (Voice)

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

F. Report of Discussion or Action Taken During Closed Session

Lewis reported action taken by Council during closed Session: Regarding Item 8B Council voted 11-0 by voice to formally deny the claim as recommended by the City Attorney; regarding Item 8C, Council voted 10-1 by voice to formally deny the claim as recommended by the City Attorney; regarding Item 8D, Council voted by voice unanimously to allow Councilors until March 5, 2020 to complete and return the City Administrator's evaluatuation, which will be compiled by the Human Resources Director and reviewed together by the City Administrator and Councilors Ullman, Tochterman, and Moore. The item will not be brought back to Council unless it is felt at that time that further discussion with the entire Council is necessary.

9. ADJOURNMENT

Kevin Haas moved, seconded by Jackie Moore to adjourn. The motion carried unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant,
City Clerk

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