

May 5, 2020 City Council Meeting
Tue, May 5, 2020 5:30 PM - 8:30 PM (CDT)

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

Please silence all cell phones during the meeting

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

A. April 21, 2020 City Council Reorganizational Meeting and Committee of the Whole Meeting Minutes

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

A. Announcements

6. CONSENT AGENDA

A. Miscellaneous Meeting Minutes

7. OLD BUSINESS

A. Approve a Resolution to Repeal Resolution 17554 Final Resolution Authorizing Public Improvement and Levying Special Assessments against Benefitted Property in the City of Ashland, Ashland County, Wisconsin for the Vaughn & 7th Street West Reconstruction and Utility Replacement Project

8. NEW BUSINESS

- A. Approve to Award the Contract for the 2020 Crushed Aggregate Purchase to Angelo Luppino, Inc. (*Public Works*) Roll**
- B. Approval to Accept a Grant from the Natural Resources Foundation of Wisconsin - Norma & Stanley Deboer Quiet Trails Fund Grant in the Amount of \$1,000 to Support the Prentice Park Trail Repair Project (*Parks*) Voice**
- C. Approve to Waive Bid Requirements and Enter into a Contract with CivicRec for New Online and In-Person Registration Software for the Parks and Recreation Department (*Parks*) Roll**
- D. Approve to Accept Hoeft Builders as Construction Manager for the New Police Facility Project (*Administrator*) Roll**

9. CLOSED SESSION

- A. Move into Closed Session (*Roll*)**
- B. Closed Session Pursuant to Wis. Stat. 19.85 (1)(g): “Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation.” (*Maday Claim*) (*City Attorney*) Roll**
- 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.” (*Update and Discussion on 6th Street West Litigation*) (*City Attorney*)**
- D. Return to Open Session**
- E. Report of Discussion or Action Taken During Closed Session**

10. 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

VIA GOTO MEETING ONLY

FOLLOW INSTRUCTIONS BELOW:

April 21, 2020 City Council Meeting - Reorganizational Meeting
Tue, Apr 21, 2020 5:30 PM - 8:30 PM (CDT)

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ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, April 21, 2020 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, April 21, 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. Elected Councilors Oath of Office

The Oath of Office was given to newly re-elected Councilors by the Clerk.

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

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

ABSENT: None.

ALSO PRESENT: Mayor Deb Lewis, Administrator Brant Kucera, Clerk Denise Oliphant, Attorney Tyler Wickman, Police Chief James Gregoire, Finance Director Julie Vaillancourt, Public Works Director John Butler, Fire Chief Dave Wegener, Planning Director Megan McBride, Parks Director Sara Hudson, and other concerned citizens.

Moore requested that this evening's Moment of Silence be dedicated to the volunteers and staff who worked during the April 7, 2020 Spring Election. Franek requested to also dedicate the Moment of Silence to the Deragon and Ford families.

2. ELECTION OF COUNCIL PRESIDENT

A. Acceptance of Nominations from the Floor

Lewis opened the floor for nominations for Council President.

Ullman moved, seconded by Ortman to nominate MacKenzie; he accepted the nomination.
George moved, seconded by Jackson to nominate Haas; he accepted the nomination.
Whitebird moved, seconded by Jackson to nominate Ullman; she declined the nomination.

B. Close Nominations

Hearing no more nominations, Haas moved, seconded by Moore to close the nominations.
The motion carried unanimously by voice vote.

C. Vote by Secret Ballot

Calls were made to each of the Councilors by the Clerk with the City Attorney present, to ask for their vote. Votes were verified by both the Clerk and Attorney to name Councilor Haas voted as Council President, 6-5.

3. APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES

A. Minutes of the March 31, 2020 City Council Meeting

Whitebird moved, seconded by George to approve the minutes of the March 31, 2020 City Council meeting minutes. The motion passed unanimously by voice vote.

5. CITIZEN PARTICIPATION PERIOD

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

Mary Daugherty, Bayfield County resident, asked for an increase of routine communication and updates regarding the City of Ashland's overflows, and also regarding the Source Water Protection Plan.

6. MAYOR'S REPORT

A. Announcements

Lewis extended her appreciation to those who volunteered or dedicated their skills during Acts of Kindness week. She has received numerous gifts of masks for staff as they slowly return to work. This year's Earth Day theme is Climate Change. The Governor extended the Safer at Home order through May 26, 2020 while allowing some services to operate such as the boat launches and the library. She mentioned that the Brick reported as doing okay and are promoting Giving Tuesday Now on May 5, 2020, which is normally later in the year. Lewis ended her report with a quote by Victor Franco.

B. Appointments

Ortman moved, seconded by George to approve the appointments. The motion passed unanimously by voice vote.

7. CONSENT AGENDA

- A. Approve Moment of Silence or Invocation as Required by Chapter 51.06, Ashland City Ordinances** (*Mayor*)
- B. Reaffirmation of Resolution 16549 Accepting the Nine Tools of Civility and Communication Concerning Conduct of Council and Committee of the Whole** (*Mayor*)
- C. Approve to Accept Grant from Wisconsin Department of Justice for Assistance with Drug Trafficking for the Ashland Police Department** (*Police Department*)
- D. Planning and Development and Property Maintenance Monthly Report**

E. Miscellaneous Minutes

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

8. NEW BUSINESS

A. Approve a Resolution Authorizing the Issuance and Sale of a \$6,665,000 General Obligation Promissory Note, Series 2020C to Fund Capital Projects and Equipment (*Finance*) Roll

George moved, seconded by Haas to approve a resolution authorizing the issuance and sale of a \$6,545,000 General Obligation Promissory Note, Series 2020C to fund capital projects and equipment. The motion passed 8-3 by roll call vote; opposed were Ortman, Franek and Pufall.

B. Approve a Resolution to Accept the Recommendation of the City of Ashland Revolving Loan Fund (“RLF”) Committee to Lower Interest Rates to 0% and Defer Interest for Three (3) Months, beginning April 1, 2020, on All City RLF Loans (*Mayor*) Roll

Pufall moved, seconded by Haas to approve the resolution. The motion passed unanimously by roll call vote.

C. Approve to Accept a Grant from the Wisconsin Coastal Management Program for \$150,000 for the Ashland Ore Dock Redevelopment Phase 1: Diamond Access (*Parks and Recreation*) Roll

Tochterman moved, seconded by George to approve. The motion passed unanimously by roll call vote.

D. Approve a Resolution to Accept the Workmanship of Northwoods Paving Company and Approve Final Payment for the 2019 Road Resurfacing Project (*Public Works*) Roll

Pufall moved, seconded by Moore to approve the resolution. The motion passed unanimously by roll call vote.

E. Approve to Award Contract to Endresen Sound Company Inc for the Bretting Community Center Fire Alarm System Upgrade Project (*Public Works*) Roll

Moore moved, seconded by Haas to approve . The motion passed unanimously by roll call vote.

F. Approve to Accept a Grant and Enter into a Project Partnership Agreement with the US Army Corp of Engineers for the City of Ashland New Water Intake Project (*Public Works*) Roll

Pufall moved, seconded by Franek to approve . The motion passed unanimously by roll call vote.

G. Approve the Purchase of a New Fire Engine for the Ashland Fire Department (*Fire Department*) Roll

Franek moved, seconded by Pufall to approve. The motion passed unanimously by roll call vote.

9. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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COMMITTEE OF THE WHOLE MEETING MINUTES

The Common Council of the City of Ashland will meet as the Committee of the Whole on April 21, 2020 immediately following the City Council meeting which begins at 5:30 PM in the Ashland City Hall Council Chambers.

The following items will be considered:

The Tuesday, April 21, 2020 Committee of the Whole meeting was called to order by Council President Kevin Haas via GoTo Meeting.

1. Roll Call

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

ABSENT: None.

ALSO PRESENT: Mayor Deb Lewis, Administrator Brant Kucera, Clerk Denise Oliphant, Attorney Tyler Wickman, Police Chief James Gregoire, Public Works Director John Butler, Fire Chief Dave Wegener, Planning Director Megan McBride, Parks Director Sara Hudson, and other concerned citizens.

2. Council President's Report

Council President Kevin Haas thanked all of those who are working on the front line during the health crisis.

3. Administrator's Report

Kucera reported that City staff will be working toward a slow return to regular staffing. Procedures have been set in place to maintain 6-foot distancing and wearing masks while in the workplace.

4. Approval of Agenda

George moved, seconded by Moore to approve the agenda. The motion carried unanimously by voice vote.

5. Committee Reports

Harbor Commission: Pufall - have not met
Plan Commission: McKenzie - have not met
Police & Fire Commission: Lewis - no report
Library Board: Jackson - plans for opening for curbside service next week
Housing Authority: Franek - no report
Housing Commission: Tochterman - scheduled for a meeting in May
Parks & Recreation: Haas - no report
Public Works Committee: Moore - no report
Sustainability Committee: Ullman - continuing with the rain barrel sale
Historic Preservation Committee: Franek - no report
Disabled Parking: Whitebird - have not met
Source Water Protection committee: Ortman - plans to meet in June/July

6. Discussion Items

A. COVID-19 Response

Ullman moved, seconded by George to establish an email subscription list for Citizens to opt into to receive notifications regarding City business and emergencies. Ullman offered an amendment to the motion to create a City of Ashland Facebook page. George did not accept this amendment and Ullman rescinded it. The motion carried unanimously by voice vote.

Tochterman moved, seconded by Franek to direct the Administrator to investigate and research available funding options in order to establish a relief fund including but not limited to the Cares Act. The motion carried unanimously by voice vote.

B. Discussion and Possible Action on Sidewalk Special Assessment Policy Application

Ullman moved, seconded by Tochterman that during the Vaughn Avenue reconstruction and other future projects that involve sidewalks, special assessments will only be levied based on an evaluation of the poor condition of the sidewalk itself, special assessments will not be levied for sidewalks in good condition but which are to be replaced for other reasons. Tochterman later rescinded her motion as a potential conflict of interest. Mackenzie seconded the motion. The motion carried 6-5 by roll call vote; opposed were George, Jackson, Haas, Franek, and Moore.

C. Discussion and Possible Action Regarding Polling Locations

Discussion occurred only.

7. Adjournment

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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ASHLAND BEAUTIFICATION COUNCIL

MEETING

Monday, March 2nd, 2020

6:00 PM

Vaughn Public Library Meeting Room, Ashland, WI

1. Roll Call

David Askue
Shawna Johnson
Donna Lanni
Elaine Peterson
Layne Richardson
Penny Rutyna
Kay Saari
Jeanne Spruell
Mary
Zinnecker

Volunteer hours

2
4
absent
2
2
3
2
2

3

2. Approval of February 3rd, 2020 Meeting Minutes

Motion: Elaine Second: Dave Vote: Aye

3. Administrative:

Log Volunteer Hours
Treasurer's Report: 2020 ABC budget of \$2000 reported

4. Old Business:

Review 2020 BC Budget: \$689.15 spent on Annuals flower order from Hauser's for 2020
Plaque for Jane Smith Memorial: Discussed wording options for the plaque. Layne will get estimate on cost.

5. New Business:

Calendar for 2020: Final work/event calendar approved by ABC.
Motion by Kay to keep existing ABC officers Second: Dave Vote: Aye
Mary to reach out to Ellis Ave. volunteers and order safety shirts for those interested in volunteering
Mary to contact Sandy Naas at the school to ask about her students starting our Cannas again in their greenhouse
Plan on asking the city to water garden at Memorial Park. Water source at the park has not been repaired and hauling water in to the garden is too difficult
Discussed the possibility of utilizing rain barrels at some garden sites around the city. Further research needed

6. Project Plans/Updates:

- * Crest Gardens
- * Pearson Plaza/Otis Park
- * Bayview Park
- * Ellis Avenue
- * Beaser Avenue-needs mulch
- * Parking Lot Gardens
- * City Hall-mulch trees
- * Public Works Planters
- * Boat Landing
- * Memorial Park
- * Jane Smith Memorial
- * Other

7. Schedule Next Meeting: Monday April 6th, 2020 @6pm, Vaughn Public Library 2nd floor meeting room, Ashland, WI

8. Adjourn: 6:40pm *Motion: Elaine Second: Penny Vote: Aye*

Respectfully Submitted,

Shawna Johnson

City of Ashland
Municipal Board of Canvass
Monday, April 13, 2020, 4:00 p.m.
Ashland City Hall

PRESENT: Chief Inspector Ernie Bliss, Leslie Jagger, John Morris, Cheryl Tveit, Sarah Beadle, Rowan Kiester-Jest, City Clerk Denise Oliphant, Deputy Clerk Sarah Szymaniak, Elections Clerk Kim Westman, and other poll workers.

Due to the COVID-19 epidemic, Governor Evers allowed for absentee ballots be accepted which were received or postmarked April 7, 2020 at the City Clerk's office. The M100 machines for each polling location were not closed.

The ballots within each M100 were removed, sorted and counted by ward. Each ward recorded the number of ballots cast on April 7, 2020. There were multiple ballots received for each ward. These were reviewed by the poll workers to determine whether to accept or reject the absentee ballot. Reasons for rejection were absence of a voter or witness signature, or postmarked or received after April 7, 2020. The accepted absentee ballots were recorded in Badger Book, given a voter number, opened to retrieve the ballot, then each inserted into the appropriate M100 machine. The accepted absentee certificate envelopes were placed into the appropriate EL-103 carrier envelope. Any rejected absentee certificate envelopes were recorded with reason for rejecting, placed into the appropriate EL-102 carrier envelope.

Ward 1

- Total ballots at end of night April 7, 2020: 245
- Absentee ballots to be processed: 4
- Total absentee ballots rejected: 2
- Total absentee ballots processed: 2
- Final number of ballots case April 13, 2020 247

Ward 2

- Total ballots at end of night April 7, 2020: 104
- Absentee ballots to be processed: 3
- Total absentee ballots rejected: 1
- Total absentee ballots processed: 2
- Final number of ballots case April 13, 2020 106

Ward 3

- Total ballots at end of night April 7, 2020: 169
- Absentee ballots to be processed: 8
- Total absentee ballots rejected: 5
- Total absentee ballots processed: 3
- Final number of ballots case April 13, 2020 172

City of Ashland
Municipal Board of Canvass
Monday, April 13, 2020, 4:00 p.m.
Ashland City Hall

Ward 4

- Total ballots at end of night April 7, 2020: 267
- Absentee ballots to be processed: 10
- Total absentee ballots rejected: 6
- Total absentee ballots processed: 4
- Final number of ballots cast April 13, 2020: 271

Ward 5

- Total ballots at end of night April 7, 2020: 211
- Absentee ballots to be processed: 10
- Total absentee ballots rejected: 3
- Total absentee ballots processed: 7
- Final number of ballots cast April 13, 2020: 218

Ward 6

- Total ballots at end of night April 7, 2020: 125
- Absentee ballots to be processed: 6
- Total absentee ballots rejected: 5
- Total absentee ballots processed: 1
- Final number of ballots cast April 13, 2020: 126

Ward 7

- Total ballots at end of night April 7, 2020: 166
- Absentee ballots to be processed: 12
- Total absentee ballots rejected: 9
- Total absentee ballots processed: 3
- Final number of ballots cast April 13, 2020: 169

Ward 8

- Total ballots at end of night April 7, 2020: 143
- Absentee ballots to be processed: 9
- Total absentee ballots rejected: 6
- Total absentee ballots processed: 3
- Final number of ballots cast April 13, 2020: 146

City of Ashland
Municipal Board of Canvass
Monday, April 13, 2020, 4:00 p.m.
Ashland City Hall

Ward 9

- Total ballots at end of night April 7, 2020: 140
- Absentee ballots to be processed: 7
- Total absentee ballots rejected: 4
- Total absentee ballots processed: 3
- Final number of ballots cast April 13, 2020: 143

Ward 10

- Total ballots at end of night April 7, 2020: 152
- Absentee ballots to be processed: 1
- Total absentee ballots rejected: 0
- Total absentee ballots processed: 1
- Final number of ballots cast April 13, 2020: 153

Ward 11

- Total ballots at end of night April 7, 2020: 196
- Absentee ballots to be processed: 8
- Total absentee ballots rejected: 5
- Total absentee ballots processed: 3
- Final number of ballots cast April 13, 2020: 199

Following are the results for City Alderperson:

Ward 1	Holly George	183 votes
Ward 3	Sarah Jackson	113 votes
Ward 5	Ana Tochtermann	158 votes
Ward 7	Kevin Haas	116 votes
Ward 9	Elizabeth Franek	103 votes
Ward 11	Jackie Moore	142 votes

The Summary Statement of the Board of Canvassers was completed.

The Board of Canvass completed all required paperwork and the Certification of the Board of Canvassers for the City of Ashland Spring Election of April 7, 2020 was signed by the Board members.

The Board of Canvass was adjourned at 8:00 p.m.

Denise Oliphant,
City Clerk

City of Ashland
Municipal Board of Canvass
Monday, April 13, 2020, 4:00 p.m.
Ashland City Hall

SUBJECT: Approve a Resolution to Repeal Resolution 17554 Final Resolution Authorizing Public Improvement and Levying Special Assessments against Benefitted Property in the City of Ashland, Ashland County, Wisconsin for the Vaughn & 7th Street West Reconstruction and Utility Replacement Project

RECOMMENDATION:

DEPARTMENT OF ORIGIN: Council President

CLEARANCES: Approved by Committee of the Whole 6-5 on April 21, 2020

EXHIBITS:

1. Proposed Resolution
2. Resolution 17554

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

At the April 21, 2020 Committee of the Whole meeting it was brought to the attention of the council that sidewalk special assessments for the Vaughn Ave & 7th St W Reconstruction and Utility Improvement Project are to be levied for sidewalks, regardless of the sidewalk condition, this included areas of sidewalk in which the water service lateral serving the abutting property required sidewalk replacement. After reviewing the current Sidewalk Special Assessment policy there was some questions regarding how the special assessments are being levied. The Public Works Director, John Butler shared with the council that similar work on past projects had been special assessed to abutting property owners. The Committee of the Whole, Council approved the proposed motion 6-5 by roll call vote.

Council is now asked to approve a Resolution to Repeal Resolution 17554, previously approved 8-3 on February 25, 2020, a Final Resolution Authorizing Public Improvement and Levying Special Assessments against Benefitted Property in the City of Ashland, Ashland County, Wisconsin for the Vaughn & 7th Street West Reconstruction and Utility Replacement Project.

**RESOLUTION TO REPEAL RESOLUTION 17554 FINAL RESOLUTION
AUTHORIZING PUBLIC IMPROVEMENT AND LEVYING SPECIAL
ASSESSMENTS AGAINST BENEFITTED PROPERTY IN THE CITY OF
ASHLAND, ASHLAND COUNTY, WISCONSIN FOR THE VAUGHN & 7TH
STREET WEST RECONSTRUCTION AND UTILITY REPLACEMENT
PROJECT**

WHEREAS, on February 25, 2020 the Common Council approved levying sidewalk special assessment against benefited property owners in the City of Ashland, Ashland County, Wisconsin for the Vaughn & 7th Street West Reconstruction and Utility Replacement Project; and

WHEREAS, on April 21, 2020 the Common Council at the Committee of the Whole meeting approved repealing the special assessments on the Vaughn & 7th Street West Reconstruction and Utility Replacement Project.

NOW, THEREFORE, BE IT RESOLVED, the Common Council for the City of Ashland repeals Resolution #17554 Final Resolution authorizing Public Improvements and Levying Special Assessments against Benefited Property in the City of Ashland, Ashland County, Wisconsin for the Vaughn & 7th Street West Reconstruction and Utility Replacement Project.

PASSED: May 5, 2020

Councilperson

ATTEST: _____

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENT AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY IN THE CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN FOR THE VAUGHN & 7TH STREET WEST RECONSTRUCTION AND UTILITY REPLACEMENT PROJECT

WHEREAS, the Common Council for the City of Ashland, Ashland County, Wisconsin, held a Public Hearing at Ashland City Hall, 601 Main Street West, Ashland, Wisconsin, at 5:30 p.m. on February 25, 2020 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Ashland Department of Public Works, including preliminary assessments against benefited property, and heard all persons who desired to speak at the hearing.

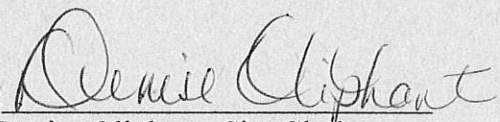
NOW, THEREFORE, BE IT RESOLVED, the Common Council for the City of Ashland determines as follows:

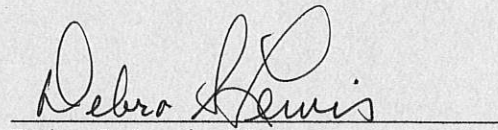
1. The report of the Ashland Department of Public Works, a copy of which is attached hereto and incorporated herein as if fully set forth herein, including the plans and specifications and assessments set forth therein, is adopted and approved.
2. The project engineer shall advertise for bids and supervise construction of the improvements in accordance with the report hereby adopted.
3. The estimated cost of the sidewalk improvements is \$115,620.00, the total assessable costs are \$21,507.35, 40% shall be paid by special assessment against the property benefited as indicated in the report.
4. Assessments shown on the report represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.
5. Assessments shall be due within 45 days of billing date. Assessments may be paid in cash or in twenty annual installments to the City of Ashland Treasurer. Installments shall be placed on the next tax roll after the due date for collection and the interest rate will be the true interest cost of the 2020 general obligation promissory note issue plus 1% per annum on the unpaid balance from January 1 of the year following the levy.
6. The City Clerk shall publish this resolution as a Class 1 notice under Ch. 985, Stats., and mail a copy of this resolution and a statement of the final assessment against the benefited property together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

BE IT FURTHER RESOLVED that the Common Council of the City of Ashland approve the final resolution authorizing public improvement and levying special assessment against benefitted properties in the City of Ashland, Ashland County, Wisconsin for the Vaughn Avenue & 7th Street West Reconstruction and Utility Replacement Project.

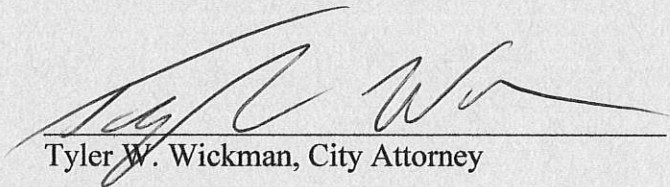
PASSED: February 25, 2020


Councilperson

ATTEST: 
Denise Oliphant, City Clerk


Debra S. Lewis, Mayor

APPROVED AS TO FORM:


Tyler W. Wickman, City Attorney

SUBJECT: Approve to Award the Contract for the 2020 Crushed Aggregate Purchase to Angelo Luppino, Inc. (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Director of Public Works

EXHIBITS:

EXPENDITURES REQUIRED: \$ 40,600.00 Fund 100 PW Maintenance O&M Budget
5,800.00 Fund 680 Water Utility O&M Budget
\$ 46,400.00

AMOUNT BUDGETED: \$45,000.00 Fund 100 General Fund Roadway Maintenance O&M
6,000.00 Fund 680 Water Utility O&M

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on April 28, 2020, that Angelo Luppino, Inc is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The Public Works Department advertised bids for 3500 tons of crushed aggregate for annual roadway maintenance and 500 tons for water utility repairs. The bids include furnishing a delivering 4000 tons of aggregate for the Public Works stockpile. This aggregate will be used over the course of the year on city alleys, utility street cuts and miscellaneous job sites. The City received one bid from Angelo Luppino, Inc., the per unit price remained the same as 2019.

The Public Works Department recommends awarding Angelo Luppino, Inc the contract for the 2020 crushed aggregate purchase in the amount of \$46,400.00.

SUBJECT: Approval to Accept a Grant from the Natural Resources Foundation of Wisconsin - Norma & Stanley Deboer Quiet Trails Fund Grant in the Amount of \$1,000 to Support the Prentice Park Trail Repair Project (*Parks*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Finance Department
Public Works

EXHIBITS: 1. Norma & Stanley DeBoer Quiet Trails Fund Grant Application

EXPENDITURES REQUIRED: \$1000.00 - Grant
\$2000.00 - General Parks Budget
\$1000.00 - PW Labor
\$4000.00 -Total

AMOUNT BUDGETED: -0-

APPROPRIATION REQUIRED: \$1000.00 - Grant
\$3000.00 - General Fund Parks & Public Works Budget
\$4000.00

TREASURER'S CERTIFICATE:

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan and CORP.

SUMMARY STATEMENT:

The purpose of this grant is to assist in funding the rehabilitation of up to two miles of ADA trail in Prentice Park. Prentice Park is the largest (99 acres) and oldest (established in 1921) park in the City of Ashland. This unique park is home to a campground, playground, two pavilions, numerous artesian wells, a kayak/canoe

landing, fishing bridge, boreal forest ecosystem and the headwaters to one of the fingers of the sloughs of Fish Creek. In 2013, the City received a grant from Wisconsin Coastal Management and Wisconsin DNR to redevelop these trails and the campground. Severe windstorms, heavy snow and elevated water levels have caused large trees to uproot and damaged these quiet walking/hiking trails and boardwalks.

If awarded, grant funds will purchase gravel for rebuilding the base and ADA gravel for the top, and for the trail reconstruction. The City will use in-house labor and the general budget to purchase the additional supplies.

The objective of this project to once again allow access to ALL people, regardless of ability into Prentice Park to experience and explore the natural world around them.

For additional information please see attached grant application.



Norma & Stanley DeBoer Quiet Trails Fund Grant Application

I. Overview

Project Title	Prentice Park Trail Repair
Organization Name	City of Ashland, WI
Contact Information <i>Name, Title, Email, Phone</i>	Sara Hudson, Director City of Ashland Parks and Recreation shudson@coawi.org 715-685-1644
Check Payable <i>Organization Name, c/o, Address, City, State, Zip</i>	City of Ashland 601 Main St West Ashland, WI 54806
Project Timeframe <i>Project Start and End Date</i>	July 1, 2020 – Sept 1, 2020
Project County <i>County impacted by this project</i>	Ashland
Amount Requested (\$)	\$1,000
Total Project Cost (\$)	\$4,000
Purpose <i>2 sentence description of your project</i>	The purpose of the grant application is to fund the rehabilitation of up to 2 miles of ADA trail in Prentice Park. Severe windstorms, snow and elevated water levels causing large trees to uproot have damaged these quiet walking/hiking trails.
How did you hear about this grant program?	Website
Grant Eligibility <i>Required</i>	☒ Yes, I have reviewed the eligibility guidelines and my project meets all requirements.
Supporting Documentation <i>Required</i>	☒ Yes, I have included proof of tax-exempt status.
Applicant Commitment <i>Required</i>	☒ To the best of my knowledge, all information provided in this grant application is true and accurate. I understand that the Natural Resources Foundation has sole discretion in awarding grants. I understand that if I am awarded a grant, the Natural Resources Foundation shall have the right to provide others with the project description. I understand that if I am awarded a grant, I will be required to submit a grant report within 1 year of receiving the grant to be considered for future funding.

Send application and supporting documents via email to caitlin.williamson@wisconservation.org by April 1st.
Please list the organization name in the subject line.

II. Narrative

1. Summary of the project, including purpose, activities, and objectives (250 words)

The purpose of this grant is to assist in funding the rehabilitation of up to 2 miles of ADA trail in Prentice Park. Prentice Park is the largest (99 acres) and oldest (established in 1921) park in the City of Ashland. This unique park is home to a campground, playground, two pavilions, numerous artesian wells, a kayak/canoe landing, fishing bridge, boreal forest ecosystem and the headwaters to one of the fingers of the sloughs of Fish Creek. In 2013, the City received a grant from Wisconsin Coastal Management and Wisconsin DNR to redevelop these trails and the campground. Severe windstorms, heavy snow and elevated water levels have caused large trees to uproot and damaged these quiet walking/hiking trails and boardwalks. If awarded, grant funds will purchase gravel, for rebuilding the base and ADA gravel for the top, for the trail reconstruction. The City will use in house labor and the general budget to purchase the additional supplies. The objective of this project to once again allow access to ALL people, regardless of ability, into Prentice Park to experience and explore the natural world around them.

2. Describe the project's methods (i.e., timeline, activities, etc.) (250 words)

June 2020 – Purchase of materials for project: ADA Gravel, base gravel, lumber, etc.

July 2020 – Construction/Repair of boardwalks

August 2020 – Construction/Repair of Trail(s) and Completion of Project

3. Describe how your project aligns with the purpose of this grant program (250 words)

The purpose of this project is to allow public access for people of all abilities to explore and experience the artesian wells, natural springs, wildlife, Fish Creek Sloughs, and boreal forest that exists in Prentice Park on foot. Prentice Park is a destination for birders, fisher people, and families looking to gain some time to be in nature. There are approximately three and half (3.5) miles of trail within the park (majority of this park is a wetland) and only about .5 miles is currently ADA compliant. The request would assist in make around 2 miles of trail ADA compliant once again.

4. Why is this project important? What gaps or challenges does it address? (250 words)

Public access to the Lake Superior is not only a goal of the City of Ashland's Comprehensive Plan: Authentic Ashland 2035, by the "continu[ation] to link the City and its people to Lake Superior by developing a collection of exceptional and connected public spaces"; but is also a goal of Wisconsin Coastal Management Program through "preserving and improving access to the natural and historic resources of Wisconsin's Great Lakes coasts". The project also meets the future goals of the Wisconsin State Comprehensive Outdoor Recreation Plan (SCORP) by assisting to "boost participation in outdoor recreation" and "provide high-quality experiences" (SCORP pg. 50). The City of Ashland does have 11.5 miles of ADA trail meant for multimodal transport that takes you in and around the City. This proposal will address a gap in trail access for people of all abilities to a unique forest environment.

5. Describe the intended impact of this project, including goals, objectives, and measurable outcomes (250 words)

Currently there are approximately three and half (3.5) miles of trails located within Prentice Park, of which only .5 is currently ADA-compliant. These improved trails will provide access to Prentice Park where there was limited access before. This project will provide the citizens of Ashland and the region an ADA-compliant eco-tourism opportunity.

Project Outcomes: Prentice Park Outcomes:

- Significantly improved access in Prentice Park to Fish Creek and the sloughs of Lake Superior;

*Send application and supporting documents via email to caitlin.williamson@wisconservation.org by April 1st.
Please list the organization name in the subject line.*

- Two (2) trail loops within the park will be repaired and converted into ADA-compliant hiking trails;
- Increased recreational opportunities for all

6. When time allows, we like to schedule site visits to see the work of our grant recipients in action. Please indicate two opportunities (i.e. time of year, or specific date) for the Natural Resources Foundation to visit your project.

September or October are some of the best times to visit Lake Superior, Ashland, and Prentice Park.

III. Budget

1. In the table below, enter budget information for the project. The total for the "Norma & Stanley DeBoer Quiet Trails Fund" column may not exceed \$1,000.

2. List any other pending or received funding support for this project. Include the dollar amount and status of those requests.

There are no other requests for funding for this project. The remaining funds will come the Parks: Materials and Supplies Budget and Public Works Staff Budget.

Line Item	Norma & Stanley DeBoer Quiet Trails Fund Portion (\$)	Other Funding (List Source, \$)	Total Cost (\$)
ADA Rock	\$ 600.00	\$ 0	\$ 600.00
Gravel Base	\$ 400.00	\$ 0	\$ 400.00
Mini Skid Steer Rental	\$ 0	\$ 700.00 General Parks Budget	\$ 700.00
Labor	\$ 0	\$ 1000.00 Public Works Staff/General Budget	\$ 1,000.00
Lumber, screws, etc.	\$ 0	\$ 1,300.00 General Parks Budget	\$ 1,300.00
	\$	\$	\$
	\$ 1,000.00	\$ 3,000.00	\$4,000.00

Send application and supporting documents via email to caitlin.williamson@wisconservation.org by April 1st.
Please list the organization name in the subject line.

SUBJECT: Approve to Waive Bid Requirements and Enter into a Contract with CivicRec for New Online and In-Person Registration Software for the Parks and Recreation Department (*Parks*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: IT
Finance

EXHIBITS:

1. CivicRec Price Quote with CP Pay
2. CP Pay Pricing Sheet Information - March 2020
3. Chapter 194 Procurement of Goods and Services and Approval of Change Orders for Public Construction Projects

EXPENDITURES REQUIRED: \$7,838.00

AMOUNT BUDGETED: -0-

APPROPRIATION REQUIRED: \$1,500.00 - APR General Budget
\$6,338.00 - IT General Budget
\$7,383.00 - Total

TREASURER'S CERTIFICATE:

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan and CORP.

SUMMARY STATEMENT:

The Ashland Parks and Recreation current registration software was purchased in 2010 and no longer meets the needs of the department and patrons.

CivicRec will easily integrate into the City's existing web page (hosted by CivicPlus), be more user friendly for patrons and staff, and in the long run cost approximately the same as the current system.

**CivicPlus**

302 South 4th St. Suite 500
 Manhattan, KS 66502
 US

Quote #:

Q-07440-1

Date:

2/20/2020 11:25 AM

Expires On:

8/28/2020

Product:

CivicRec

Ship To

Sara Hudson
 Ashland WI - CivicRec

Bill To

Ashland WI - CivicRec

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Nicholas Glasgow	x	nicholas.glasgow@civicplus.com		Net 30

Exhibit A.1 - Statement of Work

QTY	Product Name	DESCRIPTION	TOTAL
1.00	CivicRec Annual Fee	CivicRec Annual Fee	USD 4,500.00
1.00	CivicRec Standard	Standard package -Project Coordination - Branded Public Portal -Help Center Access	USD 1,838.00
2.00	CivicRec Virtual Training (Half Day Block)	Training (Virtual) - half day, up to 4 hours	USD 1,500.00
1.00	CP Pay Annual Fee	CP Pay Annual Fee	USD 0.00
1.00	CP Pay Implementation	CP Pay Implementation Fee	USD 0.00
TOTAL:			USD 7,838.0000

Total Days of Quote:364

One Time Costs	USD 3,338.00
Recurring Costs	USD 4,500.00

* Recurring Costs stated herein are based upon the number of days stated above.
 Upon renewal of this SOW, the Recurring Costs will reflect a 365 day calendar year.

1. Performance and payment under this SOW shall be subject to the terms & conditions of the Agreement by and between Client and CivicPlus, to which this Statement of Work (SOW) is hereby attached.

2. This SOW shall remain in effect for an initial term of one year (12 months) from signing. In the event that neither party gives 60 days' notice to terminate prior to the end of the initial or any subsequent renewal term, this Agreement will automatically renew for an additional 1-year Renewal Term.

3. The Total First Year Fees (total of One-Time Costs and Recurring Cost) shall be invoiced as follows:

a. Upon signing of this SOW – one half of the Total First Year Fees;

V. PD 06.01.2015-0048

Page 1 of 5

b. The earlier of 6 months from signing or upon completed implementation of the CivicRec Recreation Management Software – the remaining half of the Total First Year Fees.

4. Renewal Term Annual Services Fees (Recurring Costs) shall be invoiced on the date of signature of relevant calendar years beginning with the second year of service. Annual services, including but not limited to hosting, support and maintenance services, shall be subject to a 5% annual increase beginning in Year 3 of service.

5. The Client's Annual Services Fees agreed upon herein are based on Client processing up to USD 200,000.00 of revenue per year ("Predicted Processing Volume"). Starting with the first renewal year of this SOW, CivicPlus reserves the right (but not the obligation) to audit Client once every 12 months to determine Client's actual processing volume ("Actual Processing Volume"). In the event Client's Actual Processing Volume exceeds the Predicted Processing Volume, CivicPlus will notify client within 30 days of the audit of the Actual Processing Volume and the applicable increase in the Annual Fees resulting from such Actual Processing Volume. The increase in the Annual Fees shall be implemented the first of the month following the notice.

6. All amounts owed to CivicPlus hereunder are fully-earned upon provision of the Services Provided, as described in Addendum 1, and are not subject to withholding or off-set in any manner whatsoever, such amounts are non-refundable upon payment subject only to a clear demonstration of an accounting error. Client expressly acknowledges and agrees that Client is familiar with the proposed Services Provided and CivicPlus' billing process.

7. For the purposes of obtaining merchant account services through CP Pay, Client may utilize the designated merchant account for CivicRec through an integrated partnership with OpenEdge ("CP Pay Merchant"). In the event Client chooses CP Pay Merchant, Client will enter into a merchant account agreement with OpenEdge. Such agreement's terms and conditions will solely enure to the benefit and obligation of Client; CivicPlus shall not be a party to such agreement. In the event Client chooses CP Pay Merchant, CivicPlus will facilitate Client and CP Pay Merchant communication for contracting purposes and shall integrate the CP Pay Merchant account processor at no charge to Client. Client agrees to comply with all terms and conditions of the resulting merchant account agreement and pay all fees required to maintain the services. If Client desires to use an integrated merchant account processor gateway besides the designated CP Pay Merchant, an integration fee will be included in Client's implementation fees. Client agrees to comply with all terms and conditions of the resulting merchant account agreement and pay all fees required to maintain the services. Client acknowledges that the fees set forth in this SOW do not include any transaction, processing or other fees imposed by Client's merchant account processor. Client is fully responsible for their relationship with their selected processor. In no event will CivicPlus: (i) take part in negotiations, (ii) pay any fees incumbent on the Client or merchant account, or (iii) acquire any liability for the performance of services of any chosen merchant account processor, including CP Pay Merchant.

8. When Client uses CP Pay, then Client may take online credit card payments for certain services or products they provide via the Client websites supported by CivicPlus. As such, through CP Pay, CivicPlus facilitates an automated process for redirecting credit card payments to Client's chosen payment gateways / merchant account processors. For card payments, CivicPlus will redirect any payments processing to the Client's merchant account processor gateway, and the merchant account processor gateway presents the payment form page and processes the card payment. CivicPlus does not transmit, process or store cardholder data and does not present the payment form. CivicPlus implements and maintains PCI compliant controls for the system components and applications that provide the redirection services only.

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

By: _____
Client

By: _____
CivicPlus

Name: _____
Title: _____
Date: _____

Name: _____
Title: _____
Date: _____

Addendum 1 to Exhibit A.1 – Services Provided

Services provided by CivicPlus to the Client under this agreement include the following:

Access: CivicPlus hereby grants a nonexclusive license during the term of the Agreement for the Client to access, use and display the CivicPlus item(s) listed in the SOW in accordance with the terms of the Agreement. Excluding occasional maintenance, the Software shall be available 24 hours per day, seven days per week with a guaranteed uptime of 99%. The Portal is accessible via the public Internet from any device with an Internet connection and browser. .

Documentation: All CivicPlus startup and user's guides are maintained electronically in the system and can be accessed through the "Help Center" from within CivicPlus. CivicPlus does not provide paper copies of its guides and help files.

Data Backups: CivicPlus currently performs backups daily of all of its data (6:00 AM). In case of emergency, CivicPlus may restore data to the point of the previous backup.

Enhancements: New features will be added throughout the term of this Agreement. Client will have full access to all of these new features without additional charge. Client is also encouraged to submit change requests as they see opportunities for improvement. CivicPlus will attempt to implement any and all changes that improve the value of CivicPlus to all of our Clients at no charge. Notwithstanding the foregoing, all custom work will be estimated and agreed upon in writing by the parties hereto prior to work start.

Client Support: CivicPlus shall provide an online utility for problem reports and change requests. Client may also reach CivicPlus by phone at 1-800-335-1863 between the hours of 7:00 AM and 7:00 PM Central Standard Time, Monday through Friday and excluding national holidays. E-mail support is also available at support@CivicPlus.com. Non-emergency after-hours support may be subject to additional fees. Emergencies will be handled as soon as possible. Enhancement requests will be queued based on priority and implemented on a schedule. CivicPlus shall have sole and absolute discretion as to whether support requests exceed reasonable use or exceed the scope of services outlined in this Agreement.

Data: In the event Client no longer wishes to use CivicPlus, CivicPlus will export Client data based on a requested format (in most cases). If the data exporting request is initiated by Client, additional fees may apply. All work will be estimated and agreed upon in writing by the parties hereto prior to work start.

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

Client

By: _____

Name: _____

Title: _____

Date: _____

CivicPlus

By: _____

Name: _____

Title: _____

Date: _____

Contact Information

*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

Organization	URL	
Street Address		
Address 2		
City	State	Postal Code
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.		
Emergency Contact & Mobile Phone		
Emergency Contact & Mobile Phone		
Emergency Contact & Mobile Phone		
Billing Contact	E-Mail	
Phone	Ext.	Fax
Billing Address		
Address 2		
City	State	Postal Code
Tax ID #	Sales Tax Exempt #	
Billing Terms	Account Rep	
Info Required on Invoice (PO or Job #)		
Contract Contact	Email	
Phone	Ext.	Fax
Project Contact	Email	
Phone	Ext.	Fax



Pricing Information Sheet

As with any payment processing services, there are possible annual fees. Credit card processing fees vary and are based on your business and how you accept payments. The following list of fees will show on your monthly statement when they've been collected.

CP Pay Merchant		
CP Pay Merchant Credit Card Processing		3% + \$.30
FEES	DETAILS OF THE FEE	COST OF THE FEE
Support Fee (monthly)	For any technical support needed	\$5
PCI Program Fee (Quarterly)	PCI Assure annual fee for enrollment in the program and assistance from ControlScan to complete the questionnaires.	\$14.75/month
Regulatory Compliance Fee (monthly)	For IRS reporting	\$1
POTENTIAL FEES	DETAILS OF THE FEE	COST OF THE FEE
Monthly Minimum Fee	A minimum of \$20 processed every month is necessary to avoid the fee.	\$20
PCI Non-compliance Fee	Until SAQs are complete and certificate of attestation is presented, this fee will occur each month.	\$39/month

Supported Gateway Options (If CP Pay Merchant not selected)		
▪ Braintree ▪ Authorize.net ▪ Forte ▪ OpenEdge (Separate Gateway – Not CP Pay Merchant)	▪ Tempus ▪ Converge ▪ Cybersource ▪ Paypoint	\$3,000 each + \$1500 Annual Maintenance Fee beginning year 1

CHAPTER 194. PROCUREMENT OF GOODS AND SERVICES AND APPROVAL OF CHANGE ORDERS FOR PUBLIC CONSTRUCTION PROJECTS.

Sec. 194.01. Definitions. As used in this chapter, the following terms shall have the meanings listed below.

(a) “Bid” means a bid or quote or, in the case of a service, a proposal or a statement of qualifications.

(b) “If sufficient funds are budgeted” means, in the case of operation expenditures, that the funds are in the current year’s budget; or in the case of capital expenditures, that the funds are in the current year’s budget and that the City Council has approved an expenditure for the particular capital item; or in either case, that the expenditure will be reimbursed to the City by a third-party, and if not so reimbursed may be placed on the tax roll against real property in the City, as a special tax, special charge, or special assessment.

(c) The cost of a purchase means the gross cost of the purchase, including the dollar value of any allowance for a trade-in, and in the case of a capital expenditure includes all costs capitalized with the purchase, including all costs of putting the purchase into service, such as transportation, modifications, or repairs.

Sec. 194.02. Purchases of \$15,000 or less. Purchases of \$15,000 or less may be authorized by the Department Director if sufficient funds are budgeted, but if the cost is over \$5,000 then bids or proposals must be sought by advertisement or by solicitation, in which case three bids or proposals must be obtained unless the City Administrator waives the advertising or solicitation requirement, or any part thereof. The City Administrator may review any purchase or proposed purchase under this section, and may override the Department Director’s authority under this section if the City Administrator deems such action in the public interest. This section applies to the purchase of tangible personal property and to services, including construction contracts for \$15,000 or less.

Sec. 194.03. Purchases of more than \$15,000 and less than \$30,000. Purchases of more than \$15,000 and less than \$30,000 may be authorized by the City Administrator if sufficient funds are budgeted, but bids or proposals must be sought by advertisement or by solicitation, in which case three bids or proposals must be obtained unless the City Administrator and Mayor waive the advertising or solicitation requirement, or any part thereof. This section applies to the purchase of tangible personal property and to services, including construction contracts for more than \$15,000 and less than \$25,000 (or such other amount as by future statutory amendment sec. 62.15, Wis. Stats., requires advertisement and contracting with the lowest responsible bidder).

Sec. 194.04. Purchases of more than \$30,000. Purchases of more than \$30,000 may be authorized by the City Council upon advertisement, unless the advertisement requirement is waived by a majority vote of the City Council. Advertisement may be supplemented by

solicitation or, upon approval by a majority vote of the City Council, may be substituted for advertisement. This section applies to the purchase of tangible personal property and to services, but does not apply to construction contracts under sec. 62.15, Wis. Stats.

Sec. 194.05. Construction contracts.

(a) Construction contracts equal to and exceeding \$25,000 (or such other amount as by future statutory amendment sec. 62.15, Wis. Stats., requires advertisement and contracting with the lowest responsible bidder) shall be let according to the requirements contained in state statutes.

(b) Construction contracts for projects where the estimated cost is greater than \$5,000 but less than \$25,000 (or such other amount as by future statutory amendment sec. 62.15, Wis. Stats., requires advertisement and contracting with the lowest responsible bidder), may be procured by requests for proposals or for bids, sought by advertisement or by specific solicitation as directed by the City Administrator or the Administrator's designee. If a request for proposals or for bids is not advertised, then proposals or bids shall be sought from at least three contractors. Prior to the letting of any contract under this section, a class 1 notice must be published of the intended construction and contracting, unless the material or labor for the project are donated, or unless the project is for repair and reconstruction due to an emergency. Any contract under this subsection may be authorized by the City Administrator or the Administrator's designee if sufficient funds are budgeted.

(c) Any of the following classes of public construction or any part thereof may be done by the City without submitting the same for bids:

(1) Roadway work, including: Storm Water system repair, replacement and reconstruction; sidewalk repair, replacement and reconstruction; curb/gutter repair, replacement and reconstruction; replacement of street lighting; addition and replacement of street signage; street painting; and replacement and conditioning of gravel and paving.

(2) Water utility work, including: Distribution system repair, replacement and reconstruction; treatment plant & storage facilities component repair and replacement.

(3) Wastewater Work, including: Collection system repair, replacement and reconstruction; treatment plant & pumping facilities component repair and replacement.

(d) Any other class approved by a vote of three-fourths of the members-elect of the City Council.

Sec. 194.06. Exceptions. Bids are not required for the following purchases:

(a) Operating supplies and maintenance agreements, except items budgeted under series 800 object codes.

(b) Products for which only one supplier exists.

(c) Emergency purchases, such that the time spent to obtain bids would threaten health, safety, the environment, and public or private property.

Sec. 194.07. Change orders.

(a) Change orders on City contracts may be approved by the City Administrator if the amount of the change order is less than \$25,000 and if there is a contract contingency fund sufficient to cover the amount of the change order.

(b) Change orders on City contracts may be approved by the City Administrator in excess of the total budgeted amount for a project, including the contingency fund, upon request of the Department Director and the approval of the Finance Director to rebudget department funds but for no more than \$25,000.

(c) All other change orders must be approved by the City Council.

Sec. 194.08 Federal procurement standards.

(a) Procurement of goods and services that pertain to the expending of federal grant dollars shall follow guidelines per the Office of Management and Budget (OMB) Uniform Guidance procurement standards 2 CFR 200.318 through 200.326 or Sections 194.01 through 194.08 of this Chapter whichever is more stringent.

ADOPTED: 194 (2015-1848) 8-11-2015

AMENDMENTS: 194 (2018-1910) 12-11-2018

SUBJECT: Approve to Accept Hoeft Builders as Construction Manager for the New Police Facility Project (*Administrator*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Administrator

CLEARANCES: City Administrator

EXHIBITS:

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on May 1, 2020 that Hoeft Builders is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The City received one response for proposals for a construction manager for the new police department building. Attached is the proposal from Hoeft Builders and it is recommended that council approve the award of the construction management agreement with them.