June 30, 2020 City Council and Committee of the Whole Meetings
Tue, Jun 30, 2020 5:30 PM - 8:30 PM (CDT)

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ASHLAND CITY COUNCIL MEETING
Tuesday, June 30, 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. **June 9, 2020 City Council Meeting Minutes**
4. **CITIZEN PARTICIPATION PERIOD**
5. **MAYOR'S REPORT**
   - A. **Recognition of Retiring Police Chief Jim Gregoire**
   - B. **Announcements**
   - C. **Appointments**
6. **CONSENT AGENDA**
   - A. **Miscellaneous Meeting Minutes**
   - B. **Approve a Class B Combination Alcohol Beverage License for Anchor Islands LLC, 315 Turner Avenue, Ashland, WI, and its Agent Michele Tegen** *(Clerk)*

C. **Approve a Class A Fermented Malt Beverage and Class C Wine Alcohol Beverage License for Starlit Gardens, 210 Main Street West, Ashland, WI, and its Agent Anna M Hill** *(Clerk)*

7. **NEW BUSINESS**

A. **Approve to Apply for a USDA Grant for Cooperative Agreement for Community Compost and Food Waste Reduction** *(Parks)* Voice

B. **Approve to Create Chapter 50, Ashland City Ordinances, Ordinance to Create a Main Street Board** *(Planning)* Roll

C. **Update on Sanitary Sewer Investigations and Improvements** *(Director of Public Works)*

D. **Approve a Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing through the State of Wisconsin Environmental Improvement Fund for the 2021 Sanitary Sewer Rehabilitation & Replacement Project** *(Public Works)* Roll

E. **Approve Ratification of the Purchase of Three (3) Pumps from Xylem Water Solutions USA by the Waste Water Utility** *(Public Works)* Voice

F. **Approve a Resolution Adopted by the Common Council for the City of Ashland Pursuant to Section 62.15(1b) WI Statues to Declare an Emergency for the Purpose of Permitting the Timely Repairs of a Portion of the City's Sanitary Sewer between MacArthur Ave and 9th Avenue West South of 11th Street** *(Public Works)* Voice

G. **Approve the Revised State Municipal Agreement (SMA), Dated May 20, 2020, for the Highway 13 Pavement Replacement Project and the State/Municipal Maintenance Agreement (SMMA) for State Highway 13** *(Public Works)* Roll

H. **Approve to Award the Base Bid Contract to Northwoods Paving Inc. for the 2020 Road Resurfacing Project** *(Public Works)* Roll

I. **Approve a Class B Combination Fermented Malt Beverage and Intoxicating Liquor License for Nick McGee at Spot Bar, 116 N 14th Avenue East, Ashland, and its Agent Nick McGee** *(Clerk)* Voice

J. **Approve an Ordinance to Amend Chapter 922 (1488) Ashland City Ordinances, Alcohol Beverage Licenses, to Increase the Quota for "Class A" Intoxicating Liquor Licenses from Four (4) to Five (5), and Approve the Class A Intoxicating Liquor License Application for Chequamegon Food Cooperative at 700 Chapple Avenue, and its Agent Kiersten Galazen** *(Clerk)* Roll

8. **ADJOURNMENT**

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ASHLAND CITY COUNCIL MEETING MINUTES
Tuesday, June 9, 2020 – 5:30 PM
Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, June 9, 2020 Ashland City Council meeting was called to order by Mayor Debra Lewis, via GoTo Meeting 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. Councilor Franek requested that tonight's Moment of Silence be dedicated to the George Floyd family.

PRESENT: Holly George (5:40), Matthew MacKenzie (5:50), Sarah Jackson, Kate Ullman, Ana Tochterman, Wahsayah Whitebird, Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, 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, Police Chief James Gregoire, Planning Director Megan McBride, and other concerned citizens.

2. APPROVAL OF AGENDA

Ullman asked to move Agenda Item 6A from the Consent Agenda to New Business. Haas moved, seconded by Whitebird to approve the amended agenda. The motion passed unanimously by voice vote.

3. APPROVAL OF MINUTES

A. May 26, 2020 City Council and Committee of the Whole Meeting Minutes

Whitebird moved, seconded by Moore to approve the minutes of the May 26, 2020 City Council and Committee of the Whole meeting minutes. The motion 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:

Dani O'Brien, 615 Vaughn Avenue/Ward 6, spoke regarding the potential polling locations within the City's wards.
Anne Chartier, 1203 6th Avenue West/Ward 4, also spoke regarding the polling locations within the City.
Kiersten Galazen, 5505 US Highway 63, Mason and representative of Chequamegon Foods Cooperative, spoke in reference to the proposed change in the Class A Liquor license quota.
Michael Parent, Town of Bayfield and representative of Chequamegon Foods Cooperative, also spoke in reference to the Class A Liquor license item asking for fairness from Council to those who applied and were denied for the same license in the past.
Nick Patel, owner of Star Liquor, spoke in opposition of increasing the quota of a Class A Liquor license.
Kelly Maday, 1721 MacArthur Avenue, referenced a claim made of a sewage backup at her home.
Jim Gregoire, Ashland Chief of Police, spoke of policy changes that can be done locally for the City's Police Department.
Pat Hunt, owner of Super H Foods (letter to Council read into record by Wickman), proposing a Class B license for Tastes of Wisconsin as a potential option to be considered.

5. MAYOR'S REPORT

A. Announcements

Lewis thanked Chief Gregoire for his comments regarding policing policies for the City in light of current events. She acknowledged today's issues as trying for most and suggested listening sessions to bring communities back together. The State of Wisconsin received Federal monies to be allocated through "Routes to Recovery" grants, and the City will be expecting approximately $130,000 to help recovery efforts due to shortfalls caused by the COVID-19 pandemic. Ashland was officially named a Main Street Community and the Planning department is currently looking for a Main Street Manager. The beaches were recently opened for the public, and the Fire Department's call volume has returned to normal. At a recent Ore Dock Trust meeting, continued development of the walkway was determined to be put on hold as recent bids for the project came in higher than expected. The Finance department has been busy preparing for the 2019 Audit which is scheduled for next week. The Public Works department recently put out a public notice regarding upcoming sewer maintenance.

B. Appointments

There were no appointments to be approved.

6. CONSENT AGENDA

A. Approve a Resolution to Combine Wards and Establish Polling Places for the August 11, 2020 Partisan Primary Election, and the November 3, 2020 General Election *(Clerk)*

Moved from Consent Agenda to New Business for Council discussion.

Ullman moved, seconded by Whitebird to amend the resolution to move Ward 6 voting location to the Bretting Center. The motion carried 6-5 by roll call vote; opposed were Ortman, Franek, Pufall, Moore and George.
FILE #17570

B. **Approve a Resolution to Reduce Renewal Fees for Class B Combination Alcohol Beverage Licenses for the Licensing Year of 2020-2021** *(Approved by COW 11-0)*

FILE #17571

C. Miscellaneous Minutes

Franek moved, seconded by Haas approve the amended Consent Agenda. The motion passed unanimously by voice vote.

7. OLD BUSINESS

A. Approve a Resolution in Support of Northland College's Efforts to Re-Open Safely in the Fall of 2020 *(Approved by COW 10-1)*

Lewis noted a couple of changes to the resolution made by Northland College staff. George moved, seconded by Moore to approve the amended resolution. The motion passed unanimously by roll call vote.
FILE #17572

8. NEW BUSINESS

A. Approve a Contract with Wetlands & Waterways, LLC for 2020 Wetland Mitigation Site Monitoring *(Planning)* Roll

Jackson moved, seconded by Franek to approve the contract with Wetlands & Waterways LLC for the amount of $6,500. The motion passed unanimously by roll call vote.

B. Approve an Agreement between the City of Ashland and Premier Prairie & Wetland Restorations, LLC for Required Wetland Mitigation Vegetation Management Activities (Planning) Roll

Jackson moved, seconded by Tochterman to approve the agreement with Premier Prairie & Wetland Restorations LLC for the amount of $5950. The motion passed unanimously by roll call vote.

C. Approve to Amend Chapter 922 (1488) Ashland City Ordinances, Alcohol Beverage Licenses, to Increase the Quota for "Class A" Intoxicating Liquor Licenses from Three (3) to Four (4) *(Clerk)* Voice

Ortman moved, seconded by George to amend the ordinance by removing the quota for a Class A Intoxicating Liquor license. This motion failed 3-8 by voice vote.

George moved, seconded by Moore to approve to amend Chapter 922 (1488) to increase the quota for a Class A Intoxicating Liquor license from three to four, and award the now available license to applicant Tastes of Wisconsin. The motion carried 9-1; Tochterman opposed, Jackson abstained.
FILE #17573

D. Approve License Applications for Alcohol Beverages, Including New Officers/Agents, Arcade, Recycling Facility/Salvage Operation, Pawn Broker, Taxicab, and Mobile Home Parks *(Clerk)* Voice

Haas moved, seconded by George to approve all licenses as contingencies are met. Tochterman asked for a friendly amendment to ask the Building Inspector work with the Planning Department to correct issues noted with the mobile home parks; this was accepted by both Haas and George. The Clerk also noted that The Well rescinded their application for a Combination Class B license and the license will remain under Anchor Islands LLC. The motion passed unanimously by voice vote.

9. CLOSED SESSION

Before moving into Closed Session, Mayor Lewis asked if Council wished, to move to extend the meeting to finish the Closed Session items. Whitebird moved, seconded by Haas to extend the meeting until the Closed Session business were addressed. This motion carried unanimously by voice vote.

A. Enter into Closed Session (Roll)

Haas moved, seconded by Moore to enter into Closed Session. The motion passed unanimously by roll call vote.
Public Works Director John Butler was approved unanimously to remain while discussing Items 9B and 9C.
Police Chief Jim Gregoire was approved unanimously to remain while discussing Item 9D

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."

(Reinke Claim) (City Attorney) Roll

D. Closed Session pursuant top 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."

(Rodriguez Claim) *(Mayor)* Roll

E. Return to Open Session (Voice)

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

F. Report on Closed Session Discussion and/or Action Taken

Lewis reported that the Council voted to deny both claims in Items 9B and 9C. There was no action taken on Item 9D.

10. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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SUBJECT: **Appointments**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Mayor

EXHIBITS:

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The Mayor is recommending approval of the appointments as follows:

B.A.R.T. Board
Carl Doersch, re-appointment, term ends July 14, 2022

Board of Review
Ryan Long, re-appointment, term expires: June 10, 2025

Board of Zoning Appeals
David Eades, re-appointment, term expires, July 14, 2023
Alex Mohrbacher, replacing Michael Hines, term expires, July 9, 2022

Harbor Commission
Keith Igo, re-appointment, term expires: July 31, 2023
Gary Leino, re-appointment, term expires: July 2023

Police and Fire Commission
Ed Monroe, re-appointment, term expires May 5, 2025

Volunteer Forms will be forthcoming.

THE ASHLAND ORE DOCK CHARITABE TRUST
BOARD OF TRUSTEES MEETING
Thursday January 30, 2020, 8:00-8:45 am
City Hall Council Chambers
601 Main St W
Ashland, WI 54806

Expected Meeting Outcomes:

- Approval of Task Order #6: Ashland Ore Dock Phase I, Part 2 Diamond Access Construction Documents and Construction Administration with SmithGroup

I. Call to order.

a. Roll Call.
   - i Present: LaPean, Monroe, Beirl, Ronning, Rivard, Lewis, Hudson, George (arrived 8:10)
   - ii Excused; Pufall
   - iii Others: Butler and McBride

b. Agenda discussion / modification/approval
   - i Motion by Monroe, Second by Lewis. All in favor

c. Approval of Minutes – November 21, 2019 Minutes
   - i Motion by Lewis, second by LaPean. All in favor

II. Citizens wishing to address the board on agenda items.

III. Financial Updates

a. President Beirl
   - i Beirl handed out the financials from each account. Between the 7 accounts at 5 local institutions, the Trust has $2,921,528.87. Butler confirmed that this does not include the deduction of funds committed to phases of the project. This number does reflect that money paid to consultants, the intial dock improvements, dock repairs, etc. Motion to approve the financials report LaPean, second by Monroe. All in favor.

IV. Business Items

a. Discussion and Approval of Task Order #6: Ashland Ore Dock Phase I, Part 2 Diamond Access Construction Documents and Construction Administration with SmithGroup
   - i Hudson explained that after the Phase 1, Part 1 project, the City/Trust has $1.6M to use towards the Phase 1, Part 2 project. Hudson then introduced the three options SmithGroup and Westbrook came up to get the public to the end of the Oredock. Options 1 and 2 plus contingencies are within the allotted budget. Option 3 is more than the allotted budget. Monroe stated he liked the terminus of Option 1 the best.

Discussion happened on each option. The Trust decided they liked option 3 plus the terminus of option 2 the best as it is the closest to the original design created in 2016. Trust and City Staff discussed how to make up the difference between what is allotted and estimated project cost (~$600,000). The Trust also discussed what to do with the remaining fund balance after the already allocated money is used for Phases 1 and 2. That balance will be around $1M. The Trust discussed what a maintenance fund for the Oredock could/should be. Butler mentioned that the City would like a fund of some sort to use for repairs and basic maintenance to the Oredock. The Trust briefly talked about what the fund would look like: endowment, special revenue fun, etc. The Trust will discuss this more at a future meeting.

Motion by Monroe to do option 3 but with the end landing like option 2 and appropriate up to an additional $600,000 to use towards the project (total Trust contribution to the project would be $1.6 M and total project be ~$2.2M) second by LaPean. Beirl called for a roll call, Hudson took roll:

Yes = LaPean, Monroe, Beirl, George, Ronning, Rivard, Lewis, and Hudson

Beirl mentioned if bids come in not close to the estimates the Trust and city needs to reevaluate the project. City staff and Trust agreed.

V. Comments/Questions

VI. Next meeting date.

a. Sometime in March/April to review/approve construction contract

IIX. Adjourn.

Motion by LaPean, second by Monroe. Adjourned at 8:45am

Historic Preservation Commission (HPC)
February 24, 2020
Meeting Minutes

Present: Stephen G. Schraufnagel, Magge Ericson, Jeff Muse, Joan Haukaas, Allan Smiles and Megan McBride

Absent: Elizabeth Madsen-Genszler

Called to Order: 5:00 P.M. Adjourned 6:00 P.M.
Location: Council Chambers on the main level at the Ashland City Hall
Email Addresses: Joan Haukaas hawk722@charter.net, Allan Smiles ashjewel@cheqnet.net, Stephen G. Schraufnagel stephenschrauf@gmail.com, Magge Ericson magge.e@charter.net, Joe DeRose joe.derose@wisconsinhistory.org, Aland Daily Press pressnews@ashlanddaily press.net, Jeff Muse jmuse@nwcep.org, Megan McBride mmcbride@coawi.org, Elizabeth Madsen/Genszler madsen.genszler@gmail.com

Minutes: A motion to approve the December 16, 2019 meeting minutes was made by Jeff Muse and seconded by Magge Ericson. **Motion carried**.

Public Input (five minutes max)**:** No comments at this time.

Old Business

Update on Histoic Tax Credit Marketing: Megan McBride gave us an updated report on the marketing of tax credits in our area. Ashland's first commercial Historic Tax Credit application in several years was submitted and approved by Wisconsin Economic Development Corporation for the building at 417 Main Street W. A commercial kitchen is being installed in this building, with the anticipated use being a local pasty shop.

A grant had been submitted for the development of the Fifield Place Historic District. The City will not be notified if they are awarded funds in summer, 2020.

New Business

Certificates of Appropriateness: None at this meeting.

Update on Plaques and their Placement in the Community: For the record, all the plaques and fasteners are now being stored in City Hall. There are about 12 plaques in inventory.

Announcements/Reports/Comments/Questions: The following items were discussed:

1. Megan McBride explained to the commission that the City currently hopes to utilize a portion of its CDBG-CLOSE funds to fund a façade and building improvement grant program for downtown buildings. The City will release a Request for Proposals for projects and will use this to guide maximum project awards and approved projects.

2. The Commission discussed the former Main Street Program, and was updated that the City will be applying in partnership with the Chamber of Commerce to establish a new Main Street Program for the City in 2020.

3. Megan McBride indicated that the COA's Demolition Ordinance will be updated in the near future.

4. Megan McBride will issue a new plaque for her (Magge Ericson) historic house on Fifield Row. A photo will be taken and put in the Ashland Daily Press.

5. Consideration for future Historic Listings in the City of Ashland (COA):

    a. SOO Line Depot – Megan to check on if they are presently listed.
    b. St. Andrew's Building (former church)
    c. Former Hank Martinsen Jr. house on Chapple Avenue (across from Wilmarth Mansion)
    d. Chapple Avenue Condo buildings – just the former Depot, not any other new buildings on site.
    e. All area churches should be considered, such as Saron Lutheran, Good Shepherd Lutheran Church, etc.
    f. Elizabeth Franek will be our new member on the HPC committee, after approved by the City Council. She will be the City's representative.

Set Future Meeting Dates: The next HPC meeting is set for May 18, 2020 @ 5:00 P.M. The upcoming meeting dates are as follows:

August 3, 2020 @ 5:00 P.M., in the Council Chambers

October 19, 2020 @ 5:00 P.M., in the Council Chambers

A motion to adjourn this meeting was made by Magge Ericson at 6:00 p.m. The motion was seconded by Joan Haukaas. **Motion carried.**

Respectfully submitted,

Stephen G. Schraufnagel, Architect
Chairman of the City of Ashland
Historic Preservation Commission

Lloyd Orensten called the Airport Commission meeting to order at 4:30 p.m. This is a tele-conferenced meeting due to COVID 19.

Present: Rick Korpela, Lloyd Orensten, Tom Bouchard
Absent:
Excused: John Coffey, Richard Huber
Also Present: John Sill, Interim Airport Manager; Clark Schroeder, Ashland County Administrator

AGENDA ITEM 1: Roll Call

AGENDA ITEM 2: APPROVAL OF MINUTES (February 27, 2020)

A motion was made by Bouchard, seconded by Korpela, to approve the February 27, 2020 minutes. The motion passed unanimously.

AGENDA ITEM 3: CITIZEN PARTICIPATION PERIOD

None.

AGENDA ITEM 4: COMMISSION ITEMS

- NextGen update (land clearing)

The BOA has a new proposal for airports

A new program from the BOA is proposing that airports that voluntarily declare themselves a NextGen Airport could be eligible to have trees/brush cleared from their runway approaches, paid for by the BOA.
The head of the BOA has not made any decisions at this time, however, Sill's contact at the BOA has told him that Ashland is way up on the list and is pretty sure that Ashland will get approved. If it's a go, this would happen sometime this summer, and would save the airport considerable money in clearing land around the airport.

- SRE Update

This issue has still not been resolved and does not look like the SRE will be here before winter. Commission suggested Sill/Moore talk to state/federal representatives to see if they can help move this along.

AGENDA ITEM 5: Manager's Report

Aviation and jet fuel sales have been slow, helicopter traffic has been somewhat busy. Due to COVID 19, although the airport must remain open to traffic, Sill does not have to be at the airport for any specific time, but does come in the morning and checks on things, cleans, etc. Overall, pretty quiet at the airport.

The commissioners may recall that the airport was notified a while ago that it is required to have a containment sump under the fuel pump. The requirement has been extended one more year from this year to next year. Sill has started to get things going and was informed that bids from three vendors is needed. Sill has contacted O'Day Petroleum (they installed the fuel card reader), and they will get an estimate in the next couple of weeks. Northwest Petroleum who we use for a lot of our petroleum needs will give us an estimate, and Walt's Petrol from Wausau will be up in the next couple of weeks to give an estimate.
Once the estimates are in, the commission can vote and the project can get started. Orensten asked if Shell Oil had any recommendations; Sill will check with them.

Clark Schroeder was recognized by the commission. Schroeder mentioned that the county was starting to look at long range capital improvements for the next few years. Schroeder noted that the budget season was coming up and if there was information on long range airport projects for the runway or whatever; this would be a good time to bring it forward to the county. Sill will see what he can put together to send to them.

At the last meeting the commissioner's approved getting new tires for the tractor. However, when Sill went to purchase the tires from National Tire Service the cost was $5178 and was over the allotted money of $5000 in the budget line item major equipment repairs. Sill is requesting that the commission approve moving the money from the line item travel/training to major equipment repairs to cover the additional cost.

A motion was made by Bouchard, seconded by Korpela, to approve the expenditure for the new tractor tires and moving the necessary money from the airport travel/training line item to the major equipment repair line item to cover the cost overage. The motion passed unanimously.

AGENDA ITEM 6: Approval of Bills

The list of bills was presented by Moore. The total amount of the bills came to $25,215.90.

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 May 28, 2020, at 4:30 pm, at JFK Airport.

AGENDA ITEM 8: ADJOURNMENT

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

Kim Westman

City of Ashland - Housing Committee Meeting Minutes

A meeting of the Ashland Housing Committee was held on Tuesday, May 13th, 2020 at 8:30 a.m. via Go To Meetings.

Committee Members Present: Elizabeth Franek, Sam Ray, Eric Lindell, Megan McBride, Mayor Lewis, Ana Tochterman

Committee Members Absent: Kathy Beeksma, Kaas Baichtal

Staff Present: Christine Luebben (Property Maintenance Specialist)

Citizens Present: Betsey Harries

Mayor Lewis opened the meeting at 8:30 a.m.

Agenda

1) Consent Agenda and Approval of Minutes

Minutes tabled to next meeting as some committee members did not receive prior to the meeting.

2) Public Comment (non-agenda items)

None.

3) Old Business

a) Updates on property maintenance, CDBG, and HIP

Property Maintenance

Christine Luebben updated the committee about current property maintenance enforcement taking place, which has been limited to only focus on cases with significant amounts of garbage in lawns. Letters are being sent out to people who received property maintenance letters in the past with due dates of this summer, extending their timelines to the end of summer 2021. This has been done in recognition of the financial hardships and uncertainty many people are facing related to the COVID-19 health crisis.

Housing Improvement Program (HIP)

Christine Luebben informed the committee that advertisements for contractors for the HIP program had been posted in the newspaper, the City website, social media, and hardware stores. As of the May 11, 2020 deadline, the City had not received any bids and several contractors who typically submit estimates for the HIP program reached out to indicate that they are too busy to take on additional jobs at this time. The City will continue to do outreach to new contractors and work directly with paint distributors to attempt to find available painting contractors. A second round of bid solicitation will take place in June.

Christine Luebben also updated the committee that she received her Lead Safe Renovator Certification in March to assist with supervision and training as needed for contractors working on HIP projects which may include lead paint. It is currently a requirement of any contractors placing bids for paint projects that they provide proof that they also have their Lead Safe Renovator Certification.

Megan McBride updated the committee that this time is being used to identify additional funding sources to support the HIP program. Chelsea List, who is interning in the Planning Department, is working on a budget summary from 2015-present which can be shared with potential grantors and donors in the future to clearly demonstrate impact and need for the program.

Community Development Block Grant Revolving Loan Fund (CDBG-RLF)
Megan McBride updated the committee that Northwest Regional Planning Commission was not doing inspections at this time out of safety related to the COVID-19 public health crisis. A pre-scheduled advertisement of available funds was released on Facebook, which has generated additional contacts and potential applicants. Once inspections are taking place again, an additional advertisement will go out on social media and in the newspaper to get the word out about the program. Information on the CDBG program as well as HIP is also being sent with property maintenance letters as applicable.

b) Update on ordinance amendments related to ADU's

Megan McBride updated the committee that the recommended revisions to the City's Unified Development Ordinance related to Accessory Dwelling Units (ADU's) had been postponed due to cancelled meetings related to COVID-19. This item will be placed on the next Plan Commission meeting for review and approval, followed by approval by City Council.

4) New Business

a) Discuss 2020 tangible goal for addressing housing needs through public-private partnership

Mayor Lewis explained that the committee has had a number of conversations to strategize about short- and long-term steps for addressing homelessness in Ashland. She requested that the committee focus on identifying one tangible goal based on resources the City currently possesses and potential community partnerships. She noted that one major asset the City currently owns to help facilitate needed types of housing development is land.

Megan McBride updated the committee that after thoroughly reviewing all City-owned land, the City does not own small or irregular pieces of land that would be available for housing development. This would be the case even if setbacks and minimum lot sizes were reduced to incentivize tiny home development. The majority of smaller lots owned by the City either have legal restrictions prohibiting development, or are located along the ravine and therefore have too steep of slopes to be available for housing development. However, the City's Public Works Department has the ability to demolish homes to support strategic demolition efforts identified in the City's Comprehensive Plan and Strategic Housing Plan. Funding was approved in the Planning & Development Department budget in the amount of $3,500 in 2020 to assist with strategic demolition activities. These 1-2 demolition projects which the budget could support in

2020 are still being identified, but create an opportunity to facilitate new infill housing. Megan McBride will bring updates to the committee on this as more details are determined.

Mayor Lewis informed the committee that she had been contacted by a developer who has experience in constructing and managing affordable housing and has interest in developing in Ashland. Mayor Lewis and Megan McBride will be following up with this individual to learn more about what they would be interest in doing in Ashland and identify what City-owned land could best support this.

b) Review and discuss future RFP for housing on City-owned Timeless Timber site

Megan McBride explained that the City will be soliciting proposals for residential redevelopment of the southern ~22.5 acres of the Timeless Timber site (2200 Lake Shore Dr E) in 2020 with anticipated construction in 2021. Wetland delineation of the site took place in 2019, and it was determined that all wetlands on site were created as a result of the demolition process. Exemption of these human-made wetlands from wetland mitigation standards has been requested and approved by the Wisconsin DNR, and the City is awaiting approval from the Army Corps of Engineers. Once both approvals are secured, the City will be ready to release the Request for Proposals and development costs will be significantly reduced as a result of the wetland exemption approvals.

Recommendations by the Committee for goals that should be included in the 2020 Request for Proposals for residential development of the Timeless Timber site included:

- Providing options for affordable home ownership to help young families and first-time homebuyers stay in the community and begin to build wealth in this way;

- Facilitating a mix of different housing styles (i.e. townhomes styles, traditional multi-family, tiny homes, etc.) to help diversify Ashland's housing options for a variety of age and income ranges;

- Creating additional housing to support identified community needs, including housing that is attractive and accessible to seniors, quality new-build rental housing, supportive housing or housing that includes some level of services; and

- Encouraging housing development that is compatible with and takes advantage of the surrounding amenities including the adjacent pedestrian trail, nearby St. Luke's Clinic, public transit access, existing stream on the east side of the property, and future anticipated commercial development just north of the residential redevelopment site.

Follow-up actions based on this will be:

- Megan McBride will reach out to Impact 7 to determine their interest and ability to partner on housing development on the Timeless Timber site. In past discussions, Impact 7 indicated that they do not have the capability to be the developer or provide financing for a Community Land Trust (CLT). She will discuss their ability and interest in partnering on an alternative type of housing development that still meets identified community needs;

- Mayor Lewis will reach out to Becki Schillinger with Northwest Wisconsin Community Service Agency (NWCSA) to discuss their needs and capacity to partner on a housing development project as well; and

- Megan McBride will write a draft Request for Proposals based on the Housing Committee's feedback, and will bring this to the next meeting for review and feedback.

c) Set next meeting date and discuss possible agenda items

Mayor Lewis asked the group if the current meeting time of 8:30am on the second Wednesday of each month.

Ana Tochterman requested that the meeting be moved up to take place at 8:00am.

After discussion, the committee agreed that Housing Committee meetings starting in June will take place at 8:00am.

5) Adjournment

Motion to adjourn by Eric Lindell. Seconded by Megan McBride. Unanimously approved.

Meeting was adjourned at 9:43 am. Minutes done by Megan McBride and Lucas Phillips.

City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, May 19, 2020 at 6:30 p.m.** via GoToMeeting.

Committee Members Present: Katie Gellatly, John Beirl, Ella Syverson, Laurie Gregor, Matt Mackenzie, Mayor Lewis

Committee Members Absent: David Mettille

Staff Present: Megan McBride, Lucas Phillips

Mayor Lewis opened the meeting at 6:30 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by John Beirl, seconded by Matt Mackenzie. Passed unanimously.

2) Consent Agenda

John Beirl requested clarification regarding a second to a motion on the January 7, 2020 Plan Commission minutes, where the second appeared to be missing. Megan McBride stated that there was a second, and that it was accidentally left out of the minutes. This will be amended in the revised minutes.

Motion to approve the minutes from the January 7, 2020 Plan Commission meeting with this amendment by Matt Mackenzie. Seconded by John Beirl. Passed unanimously.

3) Public Comment (non-agenda items)

None

4) Projects/Discussions

a) Site Plan review and approval of an addition to existing structure and parking area to be constructed at 2301 Lakeshore Drive E, zoned Waterfront Mixed Residential/Commercial (W-MRC). Applicant: Ashland Honda/Toyota.

Megan McBride provided background and context regarding the proposed addition to the Ashland Honda/Toyota service department. She stated that this site plan has been in the works for around 6 months, and the design team has been meticulous in going through all aspects of its planning, including getting a stormwater report which conforms to DNR standards, when such stormwater standards are not required due to the area being disturbed.

Major points from the staff report included that an additional 71' of frontage on the west side of their building would be added to expand their service department, which will allow them to hire an additional 10 FTE employees with an average annual salary of approximately $65,000. It will also expand their parking lot, and will add additional stormwater management features, including green infrastructure on the north side of the lot, to account for the additional impervious surface coverage.

Megan McBride explained that some aspects of the proposed addition do not conform to the comprehensive plan, which encourages preserving north-south view corridors for lake views. However, in the Comp Plan this view shed is already categorized as obstructed, and the proposed 71' of additional building frontage would not block a substantial amount of the view shed beyond what is obscured by the existing building. She also pointed out that St. Luke's Clinic was approved and constructed adjacent to the Honda/Toyota site since the passage of the Comp Plan, blocking a previously unobstructed view corridor.

John Beirl expressed concerns over setting a precedent for blocking viewsheds. He questioned if the owners of the building have considered expanding the business towards the east or north side of the existing building.

Richard Bierman, consultant for the project, advised that these options had been considered, but that it would not be efficient for workflow. Mr. Bierman stated that if they expanded to the north, they would likely lose service stalls due to accommodating additional space for moving vehicles.

Megan McBride explained that this was a significant consideration when writing the staff report, but explained that the building is already there, and it will not be going anywhere anytime soon, so the secondary concern should be another comprehensive plan goal of supporting businesses. She worked with the designers to evaluate alternatives, but the location of the public Waterfront Trail on Toyota's private property on the north and east sides of the building makes this a unique lot and expansion considerations very limited.

Mayor Lewis explained that she had serious concerns about the water quality impacts of adding additional impervious surface coverage to the lot. She noted that the fact that the designers provided a Stormwater Management Report demonstrating that they will meet Wisconsin DNR stormwater management standards, though they are not required to based on the area being disturbed, also helped address her concerns for water quality impacts.

Laurie Gregor questioned what makes this site unique, in particular, how the Commission would be able to potentially deny future requests for blocking lake views on other lakefront sites.

Megan McBride explained that this site is constrained on two sides by the Waterfront Trail, and that the designers have considered all other options for expansion and found them to not be feasible.

Matt Mackenzie noted that the commission is in a difficult position – if the expansion is approved, the community may be upset over the loss of the viewshed, but if the expansion is denied, the commission may be criticized for stifling business expansion. He stated that at the end of the day, it is still a car lot and even if the expansion is denied, the City would not have the ability to change this existing use in the foreseeable future.

Laurie Gregor asked what impact this expansion will have on the city tax roll.

Richard Bierman stated that they are estimating construction costs will come in at about $1.5 million, and more precise valuation will be determined as construction bids are submitted in the coming weeks.

Motion to approve the site plan with the conditions set forth in the site plan by Matt Mackenzie. Seconded by Mayor Lewis. Passed 5-1, with Ella Syverson opposed.

b) Review and vote on proposed Unified Development Ordinance amendments related to Accessory Dwelling Units (ADU's)

Item tabled due to ambiguity in the agenda, which did not clearly state that this was meant to be a public hearing.

Motion to table this item until the next meeting by Matt Mackenzie. Seconded by John Beirl. Passed unanimously

5) Discussion Items

a) Discussion of 2020 Request for Proposals for Commercial Development on Timeless Timber Site

Megan McBride updated the commission on the history of the Request for Proposals process at the Timeless Timber site. In the past, this site had been marketed as one whole site (approximately 27 acres), and have received no proposals in the past. This time, as discussed with the Joint Finance Committee in 2019, the City is planning to split the site into two different portions – a commercial site towards the northern side adjacent to US Highway 2, and a residential redevelopment site on the southern portion of the site – in order to better market the site to developers. Megan explained that the City completed wetland delineation of the site in 2019, and has already received exemption of identified wetlands from wetland mitigation requirements by the Wisconsin DNR due to the wetlands being manmade, and is waiting on the Army Corps of Engineers approval. This will reduce overall development costs and make both sites more desirable for potential developers.

Megan McBride explained that the current goals for the site are fairly vague, due to it previously being marketed as one site, but with the proposed split, the City can be more specific in what it hopes to see at this site. She specifically requested feedback from the Plan Commission on the commercial redevelopment goals, as the City Housing Committee will work on the residential redevelopment goals at their next meeting.

Commission members brainstormed desirable potential uses for this site, including:

- health/fitness uses;
- restaurants;
- entertainment establishments (a bowling alley, arcade, possibly combined with a bar/restaurant use); and
- indoor year-round activities such as batting cages or driving ranges.

The Plan Commission expressed that they would like to see something other than a standalone fast food franchise in this location.

Megan McBride explained the timeline for this project, and that the Tax Incremental District in which the site is located in will close out expenditures after 2021. Therefore, it is important to market the site in 2020 with the hopes of late 2020 or summer 2021 construction. It is anticipated that a Wisconsin Economic Development Corporation (WEDC) Idle Sites Grant will be utilized to assist with cost of utilities associated with the City-approved development.

6) Announcements/Reports/Questions

a) Update on City 2020 Main Street application

Megan McBride provided updates on the Main Street Community application. She stated that the City, in conjunction with the Chamber of Commerce, has submitted its application to become a Main Street Community. This was identified in the Comp Plan as a short-term goal. The City has an interview with WEDC on May 21st and acceptance into the program will be determined shortly thereafter.

Megan McBride also announced that the City has received a $15,000 grant from the Wisconsin Coastal Management Association to update the UDO in order to incentivize green infrastructure to improve stormwater management, and also implement some of the waterfront zoning recommendations identified in the City's recently completed Waterfront Development Plan.

7) Adjournment

Motion to adjourn by John Beirl. Seconded by Laurie Gregor. Passed unanimously.

Meeting was adjourned at 7:45 pm. Minutes done by Lucas Phillips.

SUBJECT: **Approve a Class B Combination Alcohol Beverage License for Anchor Islands LLC, 315 Turner Avenue, Ashland, WI, and its Agent Michele Tegen *(Clerk)***

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Police and Fire Inspections

EXHIBITS: 1. Anchor Islands LLC Application

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified that Anchor Islands LLC is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

Anthony Jennings of Anchor Islands LLC has applied to renew a Class B Combination Alcohol license for Anchor Pub at 315 Turner Road, Ashland. This license was originally obtained as a Reserve license.

In February 2020, Mr. Jennings intended to surrender his license to Jessica Pergolski with the intention of establishing The Well at the same location. Just prior to the applications going to Council for approval on June 9, 2020, Ms. Pergolski asked to retract her application, rescinding the surrender of license by Mr. Jennings. The license remains with Anchor Islands LLC and expires on June 30, 2020 as regulated by the State.

Mr. Jennings is now submitting his application of the Class B Combination Alcohol Beverage license for renewal on July 1, 2020. This application has been noticed in the Daily Press three times, Anchor Islands LLC has been cleared by the Treasurer according to Chapter 923, the building has been inspected and cleared by the Fire Department, and a background check was done by the Police Department.

Council is asked to approve the renewal application made by Mr. Jennings and Anchor Islands, LLC.

Renewal Alcohol Beverage License Application

(Submit to municipal clerk. **Read instructions on page 3.)**

For the license period beginning: 07-01-20 (mm dd yyyy) ending: 06-30-21 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } Ashland

County of Ashland

Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☒ Limited Liability Company ☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
456-1029491627-04	
FEIN Number 84-3013863	
TYPE OF LICENSE REQUESTED	**FEE**
☐ Class A beer	$
☑ Class B beer	$ 50
☐ Class C wine	$
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☑ Class B liquor	$ 250
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$ 50
TOTAL FEE	$ 350

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Full Name (Last)	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

B. LLC or Corporation (and Agent):

Full Legal Name of Corporation / Nonprofit Organization / Limited Liability Company	Address of Corporation / Limited Liability Company (if different from licensed premises)
Anchor Islands LLC	315 Turner Ave, Ashland, WI 54806

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent.

Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Tegen	Michele		1101 Chapple Ave, Ashland WI 54806

All Officer(s) Director(s) of Corporation and Members / Managers of Limited Liability Company:

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Jennings	Anthony	Isidore	608 Chapple Av Ashland, WI 54806
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

C. Business Information

1. Trade Name Anchor Rub Business Phone Number 715.209.6513
2. Address of Premises 315 Turner Rd Post Office & Zip Code Ashland
3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? . . . . . Yes ☑ ☐ No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 315 Turner Rd Ashland, WI 1st floor inc dining rooms and bar, decks and lawn.

5. Legal description (omit if street address is given on previous page): _____

6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, or nonprofit organization licensee been **convicted of any offenses** (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? **If yes, complete page 3** . . . . . ☐ Yes ☒ No

   b. Are **charges** for **any offenses** presently **pending** (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? **If yes, explain fully on page 3.** . . . . . ☐ Yes ☒ No

7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? **If yes, explain** . . . . . ☐ Yes ☒ No

8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? **If not, explain** . . . . . ☐ Yes ☒ No

   We never opened as we leased the premises prior to having income

9. Does the applicant understand they must hold a Wisconsin Seller's Permit? . . . . . ☒ Yes ☐ No
   [phone (608) 266-2776]

10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? . . . . . ☒ Yes ☐ No

11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? . . . . . ☐ Yes ☒ No

12. Does the applicant owe municipal property taxes, assessments, or other fees? . . . . . ☒ Yes ☐ No
    (**Note:** Renewal of licenses may be denied pursuant to a local ordinance, if the licensee owes municipal taxes, assessments or other fees).

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

Contact Person's Name (Last, First, M.I.)	Title / Member	Date
Jennings Anthony I	Pres	6.12.20
Signature	Phone Number	Email Address
	715.209.6841	anthony@ajjennings.co

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date license granted
6-12-20	6-30-20	6-30-20
License number issued	Date license issued	Signature of Clerk / Deputy Clerk
1740		Denise A Dupont

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of Ashland County of Ashland

The undersigned duly authorized officer/member/manager of Anchor Islands LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Anchor Pub
(Trade Name)

located at 315 Turner Rd, Ashland, WI 54806

appoints Michele Tegen
(Name of Appointed Agent)

1101 Chapple Ave, Ashland, WI 54806
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin?

Place of residence last year 1101 Chapple Ave, Ashland WI 54806

For: Anchor Islands LLC
(Name of Corporation / Organization / Limited Liability Company)

By: [signature]
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than $1,000.

ACCEPTANCE BY AGENT

I, Michele Tegen, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[signature] (Signature of Agent) _____ (Date) Agent's age 50

1101 Chapple Ave, Ashland, WI 54806 (Home Address of Agent) Date of birth 4.24.69

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ (Date) by _____ (Signature of Proper Local Official) Title _____ (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*		
Jennings	Anthony	Isidore		
Home Address *(street/route)*	Post Office	City	State	Zip Code
608 Chapple Ave	Ashland	Ashland	WI	54806
Home Phone Number	Age	Date of Birth	Place of Birth	
715. 209. 6841	60	4. 6. 60	Ladysmith, WI	

The *above named individual* provides the following information as a person who is *(check one)*:

☒ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☐ _____ of _____
(Officer / Director / Member / Manager / Agent) *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 60 yrs
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? . . . . . ☐ Yes ☒ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
   _____
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? . . . . . ☐ Yes ☒ No
   If yes, describe status of charges pending. _____
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? . . . . . ☐ Yes ☒ No
   If yes, identify. _____
   (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? . . . . . ☐ Yes ☒ No
   If yes, identify.
   _____ *(Name of Wholesale Licensee or Permittee)* _____ *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Anthony Jennings + GenRE	315 Turner Rd, Ashland, WI 54806	5, 1994	Present
Employer's Name	Employer's Address	Employed From	To

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

_____
(Signature of Named Individual)

WISCONSIN DEPARTMENT OF REVENUE
PO BOX 8902
MADISON, WI 53708-8902

Contact Information:

2135 RIMROCK RD PO BOX 8902
MADISON, WI 53708-8902
ph: 608-266-2776 fax: 608-264-6884
email: DORBusinessTax@wisconsin.gov
website: revenue.wi.gov

Letter ID L2020469136

ANCHOR ISLANDS LLC
315 TURNER RD
ASHLAND WI 54806-2598

Wisconsin Department of Revenue Seller's Permit

Legal/real name: ANCHOR ISLANDS LLC

Business name: ANCHOR ISLANDS
315 TURNER RD
ASHLAND WI 54806-2598

- This certificate confirms you are registered with the Wisconsin Department of Revenue and authorized in the business of selling tangible personal property and taxable services.
- You may not transfer this permit.
- This permit must be displayed at the place of business and is not valid at any other location.
- If your business is not operated from a fixed location, you must carry or display this permit at all events.

Tax Type	Account Type	Account Number
Sales & Use Tax	Seller's Permit	456-1029491627-04

WINPAS - atL020 (R.01/17)

WISCONSIN DEPARTMENT OF REVENUE
PO BOX 8902
MADISON, WI 53708-8902

Contact Information:

2135 RIMROCK RD PO BOX 8902
MADISON, WI 53708-8902
ph: 608-266-2776 fax: 608-264-6884
email: DORBusinessTax@wisconsin.gov
website: revenue.wi.gov

Letter ID L0074312080

ANCHOR ISLANDS LLC
315 TURNER RD
ASHLAND WI 54806-2598

Wisconsin Business Tax Registration Certificate

Expiration date: **September 30, 2021**

Legal/real name: **ANCHOR ISLANDS LLC**

- This certificate confirms that you are registered with the Wisconsin Department of Revenue for the tax types shown below.
- This registration certificate is not a seller's permit, and should not be used as proof that you hold a seller's permit.
- You may not transfer this certificate to any other individual or business.

Tax Type	Account Type	Number
Sales & Use Tax	Sales & Use Tax	456-1029491627-04
Withholding Tax	Withholding Tax	036-1029491627-02

WINPAS - atl018 (R.01/16)

SUBJECT: **Approve a Class A Fermented Malt Beverage and Class C Wine Alcohol Beverage License for Starlit Gardens, 210 Main Street West, Ashland, WI, and its Agent Anna M Hill *(Clerk)***

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Treasurer, Police and Fire Departments

EXHIBITS: 1. Starlit Gardens Class A beer & Class C wine Application

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on that Starlit Gardens 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:

Anna M. Hill has applied for a Class A Fermented Malt Beverage and a Class C Wine Alcohol Beverage license for Starlit Gardens at 210 Main Street West, Ashland, WI.

Ms. Hill opened Starlet Gardens in late May as a cafe and is wishing to serve local craft beer and wines to compliment its menu. She will also be selling locally produced jams and condiments along with articles from regional artisans. Currently her cafe is open a couple of days per week and often features live music from local artists.

The Class A Fermented Malt Beverage license allows for serving beer for on-site consumption only. Similarly, the Class C Wine license allows for serving wine for on-site consumption only. Neither of these licenses allow for the business to sell unopened containers for off-site consumption.

The Clerk recommends Council approval of the Class A Fermented Malt Beverage and Class C Wine only

alcohol beverage license applications made by Anna Hill of Starlit Gardens at 210 Main Street West, Ashland.

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07-01-2020 (mm dd yyyy) ending: 06-30-2021 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☑ City of } Ashland

County of Ashland

Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☑ Individual ☐ Partnership ☐ Limited Liability Company ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
FEIN Number	
TYPE OF LICENSE REQUESTED	**FEE**
☑ Class A beer	$ 100
☐ Class B beer	$
☑ Class C wine	$ 100
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☐ Class B liquor	$
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$ 50
TOTAL FEE	$ 250

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

HILL, ANNA MARIAN

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name STARLIT GARDENS Business Phone Number 608-719-9159
2. Address of Premises 307 MAIN STREET WEST Post Office & Zip Code ASHLAND WI 54806
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

4. Legal description (omit if street address is given above): _____
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? . . . . . ☐ Yes ☑ No

   (b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ..... ☑ Yes ☐ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ..... ☐ Yes ☑ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ..... ☐ Yes ☑ No

9. (a) **Corporate/limited liability company applicants only:** Insert state _____ and date _____ of registration.

   (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ..... ☐ Yes ☐ No

   (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☐ No
   If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ..... ☑ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ..... ☑ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ..... ☑ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
HILL, ANNA MARIAN	OWNER	
Signature	Phone Number	Email Address
	608-719-9159	starlitgardens@yahoo.(

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AT-106 (R. 3-19)

SUBJECT: **Approve to Apply for a USDA Grant for Cooperative Agreement for Community Compost and Food Waste Reduction *(Parks)* Voice**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Administration

EXHIBITS:

EXPENDITURES REQUIRED:

$ 5,000.00	Town of LaPointe
$ 5,000.00	In Vessel from Northland College
$ 12,500.00	City Land and Staff Time
$ 22,500.00	25% Match

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED:

$ 1,000.00	1 Acre Land Donation at Landfill
$11,500.00	PW Staff Time
$12,500.00	

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 grant application conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan: Authentic Ashland 2035.

SUMMARY STATEMENT:

The City of Ashland is the applicant in a cooperative grant proposal to create a community compost program in the Chequamegon Bay region. This planning grant/proposal is to expand the current composting capabilities at Northland College.

Part of the 25% match will come from the ability to use 1 acre of land at the CIty's landfill and current staff time taking compost (yard waste) to the landfill. Part of this proposal will also to have Odanah and the Town of LaPointe be pilot projects for the initial start of a program.

Other partners include Ashland School District, Memorial Medical Center, and Bodin's Fisheries.

More information on the grant can be found at https://www.fsa.usda.gov/news-room/news-releases/2020/usda-announces-cooperative-agreements-for-community-compost-and-food-waste-reduction

Summary of grant proposal will be given to councilors prior to the meeting.

SUBJECT: **Approve to Create Chapter 50, Ashland City Ordinances, Ordinance to Create a Main Street Board *(Planning)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Planning & Development Department
City Attorney
City Clerk

EXHIBITS: 1. Proposed Ordinance

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: Establishing a state affiliated Main Street Program is identified as a short-term goal in the City's Comprehensive Plan. Having been accepted into the program in May, establishing the Main Street Board through the proposed ordinance will allow the City to convene the board in late July (contingent on member availability) and begin implementing this Comp Plan goal established in 2017.

SUMMARY STATEMENT:

The City's Comprehensive Plan, adopted in February 2017, identified implementing a State-affiliated Main Street Program as a short-term goal. The justification for this community goal was to provide better structure for cross-sector partnership, community engagement, and professional technical support to help Ashland's Main Street thrive while protecting and improving its historic resources. The 4-Point approach to the Main Street Program consists of:

1) Economic Vitality;
2) Design
3) Promotion
4) Organization

The Main Street Board will be responsible for:

-Providing leadership and input to promote sustainable downtown development;
-Serving as a consistent, structured connection between the City, Ashland Area Chamber of Commerce, Ashland Area Development Corporation, downtown property owners, tenants, and other stakeholders;
-Assisting in developing ideas for new events and promotions which the City does not currently offer;
-Prioritizing projects based on established program goals, existing community plans such as the Comprehensive Plan, and future community input through forums, surveys, etc.;
-Encouraging citizen participation and volunteerism in the downtown to further program goals, diversify City-hosted events, and continue to promote local support for downtown businesses; and
-Generating an annual report for the Plan Commission and Ashland City Council to update on program activities and projects.

ORDINANCE TO CREATE A MAIN STREET BOARD

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of June 30, 2020, for the purpose of creating a Main Street Board.

Section I:

Chapter 50, The Main Street Board, will be created as follows:

CHAPTER 50: Main Street Board.

50.01 Purpose
50.02 Membership and Organization
50.03 Duties
50.04 Meetings and Public Notice
50.05 Quorum
50.06 Reports and Record Keeping
50.07 Referrals to the Board
50.08 Miscellaneous Provisions

50.01: Purpose

The Main Street Board was created to advise the Main Street Manager, as well as the City of Ashland's Planning and Development Department, to promote and improve downtown Ashland through prioritizing historic preservation and community revitalization in order to enhance the downtown for residents, visitors, business owners, and the larger regional community. The goals of this ordinance will be accomplished with the assistance of the Wisconsin Main Street program, and will be focused on organization, design, promotion, and economic vitality within the downtown.

The Main Street Board will study and make recommendations regarding various aspects of the downtown affecting Ashland community members, and direct and undertake such projects as requested by the City's governing body and the Main Street Manager. The Board shall meet from time to time as it deems necessary and shall:

(a) Present or discuss policies and programs affecting all aspects of downtown preservation, promotion, and development;

(b) Recommend cooperation with all agencies, groups, clubs, and individuals concerned with downtown promotion, economic development, and coordination of additional downtown amenities and events;

(c) Make recommendations to the Main Street Manager, Planning and Development Department, and Common Council for maintaining and improving overall vitality of the downtown;

(d) Work to assist outside organizations as requested such as the Ashland Area Chamber of Commerce, Ashland Area Development Corporation, and other community entities directly involved in downtown promotion and support.

50.02. Membership and Organization.

(a) The Main Street Board shall be composed of nine (9) members, appointed by the Mayor and confirmed by the Common Council, to serve staggered two year terms commencing from the date of their approval. For the first year of the program, four (4) members shall be appointed for a duration of only one (1) year to ensure the board will not have complete turnover at any time.

(b) At all times, a minimum of 50% of board members must be made up of downtown businesses, non-profits, and property owners.

(c) The Main Street Board shall represent a broad array of community interests and downtown stakeholders, including:

a. Representative of Ashland Area Chamber of Commerce
b. Representative of Ashland Area Development Corporation
c. Representatives of a minimum of 3 downtown business or property owners
d. Representative from at least one (1) downtown non-profit entity
e. Representative of a downtown tenant
f. Representative of a local realtor OR representative of a downtown volunteer organization
g. Representative from private community stakeholder outside of the downtown

(d) At the first meeting of the board and the first meeting after July 1 of any given year, the board shall elect a chairperson.

(e) If any board member has three unexcused absences or resigns, the Board may declare the position vacant and request the Mayor to fill the vacancy (for the remainder of the term) pursuant to the provisions of this section.

50.03. Duties.

Unless otherwise expressly provided, the Board may perform its duties without first obtaining the consent of the Common Council, but in no event is the board empowered to financially obligate the City of Ashland in any manner without the consent of the Common Council.

Central duties of Board members shall include:

(a) Providing leadership and input to promote sustainable downtown development;

(b) Serving as a consistent, structured connection between the City, Ashland Area Chamber of Commerce, Ashland Area Development Corporation, downtown property owners, tenants, and other stakeholders;

(c) Assisting in developing ideas for new events and promotions which the City does not currently offer;

(d) Prioritizing projects based on established program goals, existing community plans such as the Comprehensive Plan, and future community input through forums, surveys, etc.;

(e) Encouraging citizen participation and volunteerism in the downtown to further program goals, diversify City-hosted events, and continue to promote local support for downtown businesses; and

(f) Generating an annual report for the Plan Commission and Ashland City Council to update on program activities and projects.

50.04. Meetings and Public Notice.

(a) The Board shall meet monthly, and special meetings can be held as determined by the Board and Main Street Manager.

(b) All agenda items will be reviewed by the Board Chair and Main Street Manager for validity and urgency of the request and determined when and if that item should be placed on a Board agenda.

(c) The Board shall operate under Robert's Rules of Order.

(d) All regular and special meetings of the Board shall comply with the open meeting requirements as outlined in Wisconsin State Statutes.

(e) All meeting notices shall comply with the public meeting notice requirements set forth by Wisconsin State Statues and the City of Ashland.

(f) All meeting notices and agendas shall be issued by the Main Street Manager, in conjunction with the City's Planning and Development Department.

50.05. Quorum.

A quorum shall be a majority of the full Board.

50.06. Reports and Record Keeping.

(a) Minutes of all meeting will be recorded by the Main Street Manager, or a member of the Planning and Development Department staff. A written record of all meetings shall be kept and approved at the next subsequent meeting of the Board.

(b) Board reports and recommendations shall be submitted for review by the Ashland Committee of the Whole or Common Council as appropriate.

(c) All Board minutes and records shall be approved by Ashland City Council and filed with the City Clerk.

50.07. Referrals to the Board.

The Common Council of the City of Ashland may refer any matter pertaining to the Main Street Program or downtown programs and projects to the Main Street Board for review, study, and reports.

50.08 Miscellaneous Provisions

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

SECTION II:

This ordinance shall take effect after its passage and publication, as provided by law.

PASSED: June 30, 2020
PUBLISHED: July 11, 2020

_____
Councilperson

ATTEST:

_____ _____
Denise A. Oliphant, City Clerk Debra S. Lewis, Mayor

APPROVED AS TO FORM:

_____
Tyler W. Wickman, City Attorney

SUBJECT: **Update on Sanitary Sewer Investigations and Improvements** ***(Director of Public Works)***

RECOMMENDATION: Presentation Only

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Mayor
Council President

EXHIBITS:

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

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:

SUMMARY STATEMENT:

John Butler, Director of Public Works offered a presentation to Council to give updates and answer questions regarding the sanitary sewer investigations and progress toward improvements.

SUBJECT: **Approve a Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing through the State of Wisconsin Environmental Improvement Fund for the 2021 Sanitary Sewer Rehabilitation & Replacement Project *(Public Works)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Director of Public Works
Finance Director

EXHIBITS: 1. Proposed Resolution

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The City of Ashland's issues with infiltration and inflow can be correlated to the age and condition of the sewer collection system, with 28% of the pipes being 100 yrs or older and 43% being 60 yrs or older. This issue should be addressed through the annual identification and delivery of capital projects for the renewal and replacement of sewer pipes. Public Works has identified the WI DNR's Clean Water Loan Program (CWLP) as a source of funding for these projects due to the low interest rate, 40 yr payback period, and opportunity for principal forgiveness.

In 2019 and 2020, the City contracted with Hydro Klean to clean and televise significant portions of the sewer collection system. The information gathered via televising is being used to prioritize mains for renewal/replacement and develop the scope of capital projects. In March 2020, the Council approved a contract with Short Elliot Hendrickson (SEH) to provide the technical design and assistance in obtaining CWLP funding. Public Works is currently working with SEH to complete the technical design for the 2020 Sanitary Sewer Rehab project, which will be funded by the City and will consist of a Cure in Place Pipe (CIPP)

project to be completed in late 2020 and early 2021. The City will also soon begin work with SEH to submit a CWLP application for another project with a larger scope that will be completed in 2021. The 2021 Sanitary Sewer Rehab & Replacement Project is expected to include a mixture of direct replacement and CIPP. Manhole rehab may be included in the 2021 project or identified as a separate project.

The Council is being asked to adopt the attached Resolution to insure that it will be possible to reimburse municipal funds from the future CWLP to support municipal investments required for the 2021 Sanitary Sewer Rehabilitation & Replacement Project. The City is not guaranteed approval of CWLP funds but has remained in contact with WI DNR staff about the application and need for the project.

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING THROUGH THE STATE OF WISCONSIN ENVIRONMENTAL IMPROVEMENT FUND FOR THE 2021 SANITARY SEWER REHABILITATION & REPLACEMENT PROJECT

WHEREAS, the City of Ashland, Wisconsin intends to file an application for State financial assistance for rehabilitation improvements to the sanitary sewer system WDNR project number 4525-13 (referred to as the "Project"), under the Wisconsin Environmental Improvement Fund; And,

WHEREAS, the City of Ashland expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior to of June 2021, the City of Ashland City Council must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and,

WHEREAS, it is necessary, desirable, and in the best interests of the City of Ashland to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

THEREFORE BE IT RESOLVED by the City of Ashland City Council that:

Section 1) Expenditure of Funds. The City of Ashland City Council shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

Section 2) Declaration of Official Intent. The City of Ashland City Council hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expended to exceed an estimated amount of **One million two hundred thousand and 00/100 Dollars $1,200,000.00.**

Section 3) Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4) Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the City Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5) Effective Date. This Resolution shall be effective upon its adoption and approval.

Passed and adopted this 30th day of June, 2020
City of Ashland, Ashland County, Wisconsin

_____
Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

_____
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

_____
Tyler W. Wickman, City Attorney

(2393)

SUBJECT: **Approve Ratification of the Purchase of Three (3) Pumps from Xylem Water Solutions USA by the Waste Water Utility *(Public Works)* Voice**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Utility Manager
Finance Director

EXHIBITS:
1. CHAPTER 194-Compliance Form More than $30,000
2. Xylem Water Solutions

EXPENDITURES REQUIRED: $40,612.00

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: $40,612.00 Fund 690 Equipment Replacement Fund

TREASURER'S CERTIFICATE: N/A

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

The retention basin has three pumps to pump down the basin when it fills after heavy rain events. These pumps are needed for the operations of the wastewater utility and help to reduce the frequency of sewer overflows. One of the pumps was no longer operable the other two have reached their life expectancy.

In January, the Utility solicited bids from three vendors for the purchase of the pumps. Xylem was the low bid. It took several months to get the pumps, and were installed by Utility staff once received. The purchase exceeded $30,000.

Per Ordinance 194.04, Purchases more than $30,000 may be authorized by the City Council upon advertisement, unless the advertisement requirements 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.

The City Council is asked to ratify the purchase made in January in accordance to Ordinance 194.04.

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

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. 194.06. 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.

Department Requesting Authorization: Public Works Department

Vendor Name: Xylem Water Solutions U.S.A.

Vendor Address: N26 W23445 Paul Rd, Pewaukee, WI 53072

City: Pewaukee **ST** WI **ZIP** 53072

Total Purchase Amount: $40, 612.00

Funds Budgeted for in Account: Equipment Replacement Fund

Description of Purchase: Replace 3 pumps in retention basin. The pumps were ordered in January in order to receive and install them prior to the spring run-off and rainy season. The pumps in the retention basin reached their life expectancy and were not working properly. One pump was not operating at all.

Reason to Waive Advertisement or Solicitation: The Utility did solicit bids from 3 vendors for the pumps. The quote from Wisconsin Pump Works did not bid a Flygt Pump and was not accepted. Xylem was the low bid the pumps were received and have been installed.

Department Head Signature: John Butler 2020.06.03 11:51:28 -05'00' **Date:** 6/3/2020

This purchase has been approved and authorization has been granted to waive the advertising or solicitation requirement. Purchase to be ratified at the June 30, 2020 Council meeting.

Mayor: _____ **Date:** _____

Administrator: _____ **Date**: _____

Vendor Complies with Chapter 923, Ashland City Ordinances

Comptroller/Treasurer: _____ **Date**: _____

Xylem Water Solutions U.S.A., Inc.

N26 W23445 PAUL ROAD
PEWAUKEE, WI 53072
Tel.(262)544-1922 Fax:(262)544-1399

*D*U*P*L*I*C*A*T*E

INVOICE			YOUR PURCHASE ORDER 207-20
INVOICE NO. 3556B19953	FUS NO. C78731	DATE SHIPPED 4/30/20	DELIVERY NOTE G49721
INVOICE DATE 4/30/20	TRN A3	WHS 088	PAYMENT TERMS 100% N30 FROM INVOICE

REMIT TO
26717 Network Place
Chicago, IL 60673-1267

Customer No. 091744
Global No. 5011792

Sold To:
CITY OF ASHLAND

PO BOX 747
2020 6TH ST E
ASHLAND WI 54806-0747

Ship To:
CITY OF ASHLAND
TODD DEETH 715/682-7058
1901 KNIGHT ROAD
ASHLAND WI 54806

FREIGHT TERMS	DELIVERY TERMS	ORDER PROCESSED BY
Jobsite	PP/Add Order Positio	FLYGT-MILWAUKEE,WI BRANCH
SHIP VIA	ORDER TEXT	CUSTOMER TEXT
Shipper choice-Ground	TODD DEETH	Theresa Pirozzoli

LINE	ITEM/DESCRIPTION	QUANTITY SHIPPED UM	UNIT PRICE DISCOUNT/CHARGE	NET PRICE	EXTENDED AMOUNT
	Quote# 2019-PEW-0593				
001	0031270600013 NP439-6 7.5/460/3 50' FLS FV S/N:2020142 D/N G49721 S/N:2020143 D/N G49721 S/N:2020144 D/N G49721	3 EA	10,702.00	10,702.000	32,106.00
002	1400000699830N SHIPPING AND HANDLING-NO TAX TOTAL WEIGHT 1,138.500 LBS	1 EA	1,417.00	1,417.000	1,417.00
	NET AMOUNT BEFORE TAXES USD				33,523.00

4/30/20-US PORT expected exit date of 04/30/20
TOTAL WEIGHT ON D/N:G49721
DISPATCH INFO: 579441

ORDER TOTAL USD
33,523.00

(3) Flygt Pumps - Retention Basin
690-18600-2380 = $33,523.00

Equipment Replacement

IMPORTANT - This invoice is governed by and subject to TERMS AND CONDITIONS OF SALE - XYLEM AMERICAS. Different terms are hereby rejected unless expressly assented to in writing. Terms are accessible at http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx

Xylem Water Solutions U.S.A., Inc.

N26 W23445 PAUL ROAD
PEWAUKEE, WI 53072
Tel.(262)544-1922 Fax:(262)544-1399

REMIT TO

26717 Network Place
Chicago, IL 60673-1267

INVOICE			YOUR PURCHASE ORDER 207-20
INVOICE NO. 3556B16549	FUS NO. C78731	DATE SHIPPED 4/07/20	DELIVERY NOTE G45118
INVOICE DATE 4/07/20	TRN A3	WHS 115	PAYMENT TERMS 100% N30 FROM INVOICE

Sold To:

Customer No. 091744
Global No. 5011792

CITY OF ASHLAND

PO BOX 747
2020 6TH ST E
ASHLAND WI 54806-0747

Ship To:

CITY OF ASHLAND
TODD DEETH 715/682-7058
1901 KNIGHT ROAD
ASHLAND WI 54806

FREIGHT TERMS	DELIVERY TERMS	ORDER PROCESSED BY
Jobsite	PP/Add Order Positio	FLYGT-MILWAUKEE,WI BRANCH
SHIP VIA: FedEx PKG Ground Business	ORDER TEXT: TODD DEETH	CUSTOMER TEXT: Theresa Pirozzoli

LINE	ITEM/DESCRIPTION	QUANTITY SHIPPED UM	UNIT PRICE DISCOUNT/CHARGE	NET PRICE	EXTENDED AMOUNT
	Quote# 2019-PEW-0593				
001	1400000407130 SOCKET,11-PIN BACK MOUNTING	3 EA	83.00	83.000	249.00
	NET AMOUNT BEFORE TAXES USD				249.00
	DISPATCH INFO: 176475112334			ORDER TOTAL USD	249.00

Mounting Brackets for (3) Retention Basin Pumps

690-18600-2300 = $249.00

Equipment Replacement

IMPORTANT - This invoice is governed by and subject to TERMS AND CONDITIONS OF SALE - XYLEM AMERICAS. Different terms are hereby rejected unless expressly assented to in writing. Terms are accessible at http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx

Xylem Water Solutions U.S.A., Inc.

N26 W23445 PAUL ROAD
PEWAUKEE, WI 53072
Tel.(262)544-1922 Fax:(262)544-1399

REMIT TO

26717 Network Place
Chicago, IL 60673-1267

INVOICE				YOUR PURCHASE ORDER 207-20
INVOICE NO. 3556B16375	FUS NO. C78731		DATE SHIPPED 4/06/20	DELIVERY NOTE G44796
INVOICE DATE 4/06/20	TRN A3	WHS 115	PAYMENT TERMS 100% N30 FROM INVOICE	

Sold To:

Customer No. 091744
Global No. 5011792

CITY OF ASHLAND

PO BOX 747
2020 6TH ST E
ASHLAND WI 54806-0747

Ship To:

CITY OF ASHLAND
TODD DEETH 715/682-7058
1901 KNIGHT ROAD
ASHLAND WI 54806

FREIGHT TERMS	DELIVERY TERMS	ORDER PROCESSED BY
Jobsite	PP/Add Order Positio	FLYGT-MILWAUKEE,WI BRANCH
SHIP VIA FEDEX FREIGHT (FORM AM TRAN	ORDER TEXT TODD DEETH	CUSTOMER TEXT Theresa Pirozzoli

LINE	ITEM/DESCRIPTION	QUANTITY SHIPPED UM	UNIT PRICE DISCOUNT/CHARGE	NET PRICE	EXTENDED AMOUNT
	Quote# 2019-PEW-0593				
001	1400000407129 MINI-CASII/FUS 120/24VAC,24VDC OLD NUMBER: AMINICAS	3 EA	520.00	520.000	1,560.00
002	0000004447006 CONNECTION,DISCH 5½X6" CI	3 EA	1,169.00	1,169.000	3,507.00
003	1400000589535 HARDWARE,DISC CONN ASSY 304SS	3 EA	380.00	380.000	1,140.00
004	0000006136804 BRACKET,GUIDE BAR UPPER 2" 316 OLD NUMBER: APUMPDPGBRKTSS	3 EA	211.00	211.000	633.00
	TOTAL WEIGHT 516.000 LBS				
	NET AMOUNT BEFORE TAXES USD				6,840.00

DISPATCH INFO: 5275214792

ORDER TOTAL USD
6,840.00

Hardware, Brackets for (3) Retention Basin Pumps
690-18600-2380 = $6,840.00

lc

Equipment Replacement

IMPORTANT - This invoice is governed by and subject to TERMS AND CONDITIONS OF SALE - XYLEM AMERICAS. Different terms are hereby rejected unless expressly assented to in writing. Terms are accessible at http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx

PURCHASE ORDER

ASHLAND PUBLIC WORKS
2020 East Sixth Street
Ashland, WI 54806
Phone: 715-682-7061
Fax: 715-682-7907

- [ ] Engineering
- [ ] Water
- [x] Wastewater
- [ ] Streets
- [ ] Parks
- [ ] General

P/O#: 207-20

DATE: 27-Jan-20

Ordered From: Xylem Water Solutions USA
N28 W23240 Roundy Drive
Pewaukee, WI 53072

Ship To: ASHLAND WWTP
1901 KNIGHT ROAD
ASHLAND, WI 54806

Acct. No.:

Contact Person: Todd Deeth

Vendor Contact: Matthew Mueller
262-506-2356

Phone: 715-682-7058

Fax#: 715-682-7193

Phone: 262-282-1978

Fax#: 262-544-1399

Equipment Replacement Retension Basin Lift pumps

ITEM NO.	QUANTITY	CATALOG NO	DESCRIPTION	PRICE/UNIT	AMOUNT
1	3	3127.060-0013	Retention Basin Lift Pumps	$10,702.00	$32,106.00
2	3	14-40 71 29	MINI-CASII/FUS	$520.00	$1,560.00
3	3	14-40 71 30	Socket, 11-PIN BACK MOUNTING	$83.00	$249.00
4	3	444 70 06	CONNECTION, DISCH 51/2 X6"	$1,169.00	$3,507.00
5	3	14-58 95 35	HARDWARE, DISC CONN ASSY 304SS	$380.00	$1,140.00
6	3	613 68 04	BRACKET, GUIDE BAR UPPER 2" 316	$211.00	$633.00
7	1	14-69 00 09	START UP CHARGE FLYGT	$1,299.00	$1,299.00
	690-83800-400				
		TBD			
			Shipping		$1,417.00
					$41,911.00

SALES TAX: The City of Ashland is a Wisconsin government. All purchases are exempt from Wisconsin sate and local sales taxes under sec. 77.54. Sales taxes may apply in other jurisdictions.

Purchase Approved By: Chanz Green

Date: 1/27/2020

207-20

xylem

Xylem Water Solutions USA, Inc.
Flygt Products

N26 W23345 Paul Road
Pewaukee, WI 53072
Tel (262) 544-1922
Fax (262) 544-1399

August 16, 2019

CITY OF ASHLAND
WASTEWATER UTILITY
2020 6TH ST E PO BOX 747
ASHLAND WI 54806

Quote # 2019-PEW-0593
Re:Ashland WWTP Pump Replacement

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

N3127 Pump

Qty	Part Number	Description	Unit Price	Extended Price
3	3127.060-0013	Flygt Model NP-3127.060 6" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 7.5 HP 1750 RPM motor, 439 impeller, 1 x 50 Ft. length of SUBCAB 4G6+2x1,5 submersible cable, FLS leakage detector, volute is prepared for Flush Valve	$ 10,702.00	$ 32,106.00
3	14-40 71 29	MINI-CASII/FUS 120/24VAC,24VDC	$ 520.00	$ 1,560.00
3	14-40 71 30	SOCKET,11-PIN BACK MOUNTING	$ 83.00	$ 249.00
3	444 70 06	CONNECTION,DISCH 5½X6" CI	$ 1,169.00	$ 3,507.00
3	14-58 95 35	HARDWARE,DISC CONN ASSY 304SS	$ 380.00	$ 1,140.00
3	613 68 04	BRACKET,GUIDE BAR UPPER 2" 316	$ 211.00	$ 633.00
1	14-69 00 09	START UP CHARGE FLYGT 1-TP MODELS: 3000,7000,8000	$ 1,299.00	$ 1,299.00
		Total Project Price		**$ 40,494.00**
		Freight Charge		**$ 1,417.00**
		Total Project Price		**$ 41,911.00**

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at http://www.xyleminc.com/en-us/Pages/terms-

FLYGT
a xylem brand

xylem

conditions-of-sale.aspx and incorporated herein by reference and made a part of the agreement between the parties.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per IncoTerms 2010)
See Freight Payment (Delivery Terms) below.

Taxes: State, local and other applicable taxes are not included in this quotation.

Back Charges: Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.

Shortages: Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report damages or shortages so that replacement items can be shipped and the appropriate claims made.

Schedule: Submittals are not applicable. Delivery lead times are XX weeks after order acceptance.

Terms of Delivery: PP/Add Order Position

Terms of Payment: 100% N30 after invoice date.
Xylem's payment shall not be dependent upon Purchaser being paid by any third party unless Owner denies payment due to reasons solely attributable to items related to the equipment being provided by FLYGT.

Validity: This Quote is valid for ninety (90) days.

Exclusions: This Quote includes only the items listed specified above.

Thank you for the opportunity to provide this quotation. Please contact us if there are any questions.

Sincerely,

Matthew Mueller
Outside Sales Representative
Phone: 262-506-2356
Cell: 262-282-1978
Matthew.mueller@xyleminc.com

Nick Walloch
Inside Sales Engineer
Phone: 262/506-2341
Cell: 262/200-1885
nicholas.walloch@xyleminc.com

Customer Acceptance

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx and incorporated herein by reference and made a part of the agreement between the parties.

A signed copy of this Quote is acceptable as a binding contract.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Quote #:	2019-PEW-0593
Customer Name:	CITY OF ASHLAND
Job Name:	
Total Amount: (excluding freight)	$ 40,494.00

Signature: _____ Name: _____ (PLEASE PRINT)

Company/Utility: _____ PO: _____

Address: _____ Date: _____

_____ Phone: _____

_____ Email: _____

_____ Fax: _____

FLYGT a xylem brand

Wisconsin Pump Works
654 Armour Rd
Oconomowoc, WI 53066

Quote

Prepared By	Dillon Braith	Created Date	1/29/2020
Phone	877-645-8004	Quote Number	00006740
Email	info@wisconsinpumpworks.com	Terms	NET 30
		Sales Rep	Sven Fielder
		Expiration Date	3/2/2020

Bill To	Ashland WI WWTP, City of 2020 6th St E Ashland, WI 54806	Ship To	Ashland WI WWTP, City of 2020 6th St E Ashland, WI 54806 USA
Phone	(715) 682-7058		

Quote for 3 - HOMA 8.3 HP pump to replace existing Flygt Pumps.

Note: Freight and Installation are not included.

Product Code	Product	Comment	Quantity	Rate	Total
9716941	HOMA PUMP AMS646-250/8.3T/C FM PUMP, 8.3HP/230-460V/3PH 30FT CABLE		3.00	$7,770.00	$23,310.00
ADDER: CABLE	ADDER: CABLE	ADDER FOR 50' OF POWER CABLE FOR EACH PUMP	3.00	$353.00	$1,059.00
GS1050	HOMA PUMP GO SWITCH SEAL FAIL/THERMAL RELAY		3.00	$650.00	$1,950.00
7321921	HOMA GUIDE RAIL ADAPTERS 6" FLYGT (2" RAILS) FOR 6" A SERIES		3.00	$1,036.00	$3,108.00

Subtotal	$29,427.00
Total	$29,427.00

Pricing valid for 30 days and does not include freight charges or applicable taxes.

800 6th St. N.W.
New Prague, MN 56071
Office: (952) 758-9445
Fax: (952) 758-9661

Quotation

To: Ashland, WI

Date: 1/10/2020

From: John Tacheny

Phone: (952) 292-5795

Attn: Chanz Green

Re: Ashland, WI Flygt Replacement Retention Pond Pumps

Item A
Replacement Retention Pond Pumps;
This will consist of supply and install of three new Flygt heavy duty submersible pumps.
To include:

Qty	Description
3	Flgyt NP3127 460V 1750RPM 7.5HP Heavy Duty Submersible Pumps to Include: 439 Impeller • 50' Of power and sensor cable • Hard iron impeller and wear plate • 6" Discharge • Over-temp/ Seal fail built into pump • Double mechanical seals
1	Installation/labor

Total Sell Price for Item A is $47,400.00 (plus any applicable taxes)

Terms:
Quotation is valid for 30 days. Based upon Quality Flow Systems Standard Terms and Conditions of Sale; copy provided upon request.

Proposed Delivery Schedule:
Delivery: 4-6 Weeks

Thank you for this opportunity to be of service to you. If you have any questions, please don't hesitate to call. 952-292-5795

Sincerely,

John Tacheny

John Tacheny

SUBJECT: **Approve a Resolution Adopted by the Common Council for the City of Ashland Pursuant to Section 62.15(1b) WI Statues to Declare an Emergency for the Purpose of Permitting the Timely Repairs of a Portion of the City's Sanitary Sewer between MacArthur Ave and 9th Avenue West South of 11th Street *(Public Works)* Voice**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES:
City Administrator
Public Works Director
Utility Manager
Finance Director

EXHIBITS:
1. Proposed Resolution
2. Map of MacArthur Avenue Sanitary Sewer Location

EXPENDITURES REQUIRED: Expected to exceed $25,000 per 62.15 (1) Public Construction threshold

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: Fund 690 Pooled Cash

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:

SUMMARY STATEMENT:

Hydro Klean, LLC was contracted by the Public Works Department Sanitary Sewer Division to clean and televise sanitary sewers located within the City of Ashland's sanitary sewer collection system. There is a section of sanitary sewer pipe between MacArthur Avenue and 9th Avenue West that has been identified as a area of known back-ups. Hydro Klean, LLC identified that there is approximately 2,400 feet of pipe in poor

condition, beginning at manhole #144C and heading north to manhole #139 at 11th Street West.

This section of pipe requires immediate replacement to avoid further sewer back-ups, which will present risks to human health and the property of residents served by the pipe. Residents have reported and the City has documented 6 different sewage backups since 2017, with 3 occurring in the past year. The Public Works Director and Utility Manager agree this should be done as soon as possible.

The Public Works Director has reviewed the work with Ashland Construction, the contractor currently completing the Vaughn Ave/7th St W Project regarding the sanitary sewer project. The Contractor has agreed he can move his crew onto the replacement of the sanitary sewer and complete the work in the 2020 construction season. The Public Works Director recommends award of the sewer main replacement work to Ashland Construction in the interest of completing the repairs in a timely manner due to the current availability of Ashland Construction's equipment and skilled labor.

The Public Works and Utilities departments are requesting Council's approval of a resolution declaring an emergency to permit the repairs to be completed in a timely manner.

RESOLUTION ADOPTED BY THE COMMON CUNCIL FOR THE CITY OF ASHLAND PURSUANT TO SECTION 62.15(1b) WI STATUES TO DECLARE AN EMERGENCY FOR THE PURPOSE OF PERMITTING THE TIMELY REPAIRS OF A PORTION OF THE CITY'S SANITARY SEWER BETWEEN MACARTHUR AVENUE AND 9TH AVE NUE WEST SOUTH OF 11TH STREET

WHEREAS, Hydro Klean, LLC has identified a collapsed sanitary sewer pipe between MacArthur Ave and 9th Ave West from manhole #144C and north to manhole #139 at 11th Street West, approximately 2,400 feet; and,

WHEREAS, this is a known area of sanitary sewer back-ups and there is a risk of additional back-ups in which the public health and safety is threatened; and,

WHEREAS**,** bidding for the repair of the sanitary sewer system would be delayed if specs and bidding documents are prepared, bids advertised and solicited, and reviewed and approved by the City; a delay that is unacceptable for the protection of the general public; and,

WHEREAS, under Wisconsin Statute 62.15(1b), the emergency will need to be declared over by the Common Council once it no longer exists.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Ashland hereby declares an emergency pursuant to Section 62.15(1b), Wisconsin Statutes and directs the Public Works Director to undertake the work necessary to provide for the general welfare and safety of the community by completing the sanitary sewer replacement as quickly and expeditiously as possible; and

BE IT FURTHER RESOLVED that the emergency declared in this Resolution shall continue until such time the required replacement and restoration work is complete.

PASSED: June 30, 2020

_____
Councilperson

ATTEST:

_____
Denise Oliphant, City Clerk

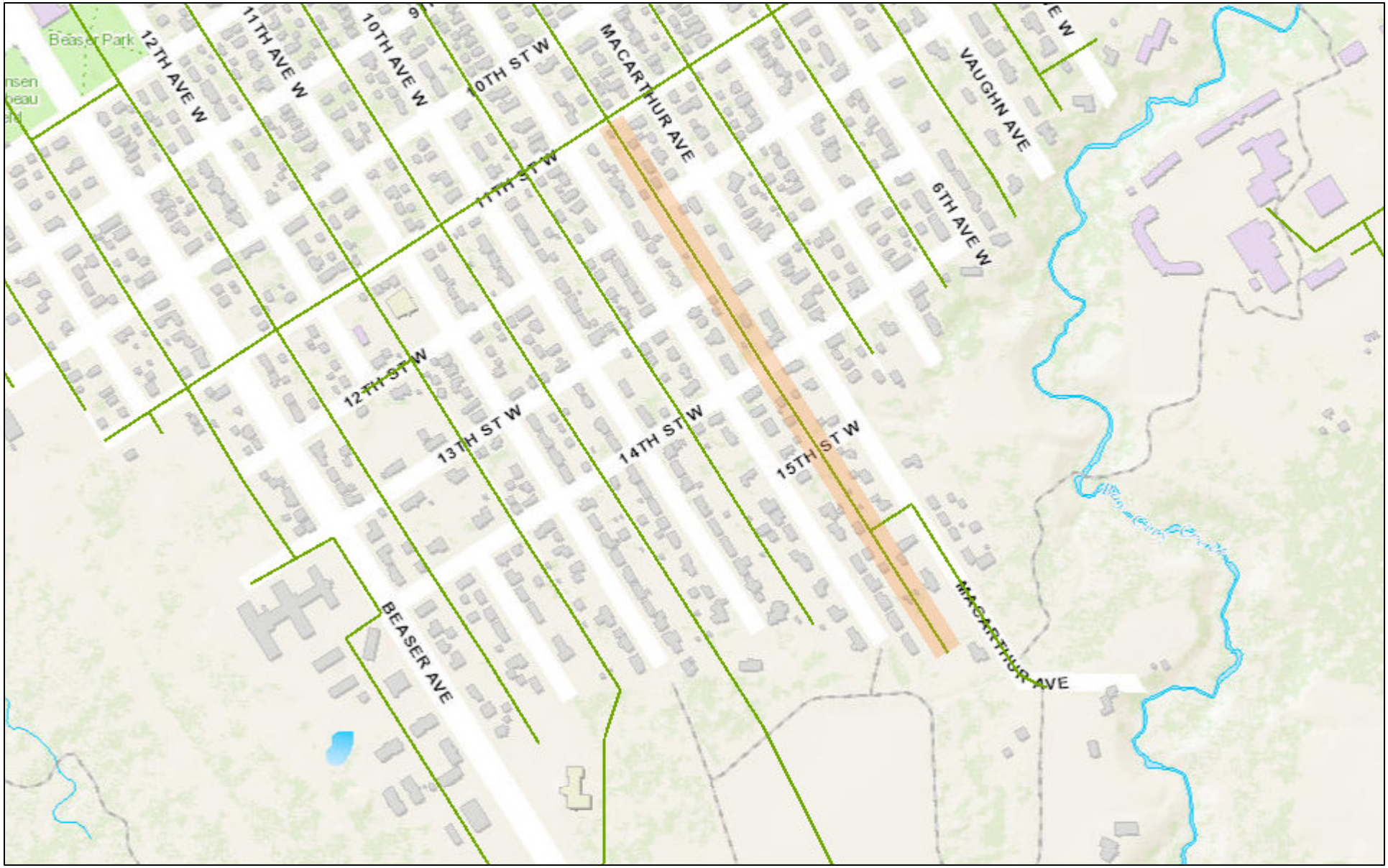
_____
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

_____
Tyler W. Wickman, City Attorney

(2394)

MacArthur Ave. Sanitary Sewer



6/24/2020, 1:25:01 PM

Lines

- Override 1
- Override 2
- Sanitary_Discharge
- Lift Stations
- Sanitary Structures
- Sanitary Main
- Sanitary_Forcemain

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

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

Department of Public Works Engineering
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SUBJECT: **Approve the Revised State Municipal Agreement (SMA), Dated May 20, 2020, for the Highway 13 Pavement Replacement Project and the State/Municipal Maintenance Agreement (SMMA) for State Highway 13 *(Public Works)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Finance Director

EXHIBITS:

1. Agenda Bill 005, January 14, 2020
2. Excerpt of Council Minutes, January 14, 2020
3. Revision #1 State/Municipal Financial Agreement, May 20, 2020
4. State/Municipal Maintenance Agreement, May 20, 2020

EXPENDITURES REQUIRED:

City Share of Project:	Preliminary Engineering	$17,570
	Parking Lanes	$210,600
Non Participating Cost:	Water Utility (Fund 680)	$600,000
	Sidewalks (Fund 470)	$10,000
	Storm Water (Fund 470)	$65,000
		$903,170

AMOUNT BUDGETED: To be budgeted for in 2022

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE: N/A

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

At the January 14, 2020 City Council meeting the Council approved a State Municipal Agreement for the State Highway 13 Pavement Replacement Project. After further discussions with Wisconsin Department of Transportation (WisDOT), it was determined that WisDOT did not provide the agreement that included the entire scope of the project.

Since then, the Public Works Department and the Design Engineer with WisDOT have discussed the project further and have agreed upon the scope of the project. The City will be responsible for 25% of 22.1% of design costs (or $17,570). And 100% of the cost of the parking lanes ($210,600).

WisDOT's project limits are Highway 13 from Butterworth Road to US Highway 2, a length of 3.657 miles. The connecting highway within the City of Ashland for .809 miles, or 22.1% of the total project length. The proposed roadway improvements include rural resurfacing and urban pavement replacement work.

The urban pavement replacement, including parking lanes (from 360-ft south of 12th Street West to 6th Street) is proposed to be 9-inches of concrete pavement, 6-inches of base aggregate, and 12-inches of granular sub-base. Pavement replacement from 6th Street to US Highway 2 will be a 9-inch concrete replacement. Other project work will include culverts, water main, storm sewer, concrete curb & gutter, streetlight adjustments, signing, pavement markings, gravel shouldering, and turf restoration.

Non-Participating Work included in the project will be 100% municipal funding. This includes water main and water service lateral work from 6th Street to 11th Street and storm sewer work on 9th Street West. This work is expected to be completed as part of the WisDOT project.

The Public Works department also recommends replacement of existing water main in Ellis Ave from US 2 to 3rd St. This work will be 100% municipal funding and is expected to be completed ahead of the WisDOT project.

The WisDOT project is expected to be let for the 2024 construction season while.

The Public Works Department recommends that both the State Municipal Agreement and the State Municipal Maintenance Agreement be approved.

SUBJECT: **Approve the State Municipal Agreement (SMA) for Engineering Design of the Highway 13 Pavement Replacement Project *(Public Works)* voice**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Public Works Director

EXHIBITS:
1. State/Municipal Financial Agreement for a State-Let Highway Project

EXPENDITURES REQUIRED: $11,050

AMOUNT BUDGETED: To be budgeted for in 2021

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: N/A

COMPLIANCE WITH ORDINANCE 51: N/A

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

SUMMARY STATEMENT:

The Wisconsin Department of Transportation (Wis-DOT) has budgeted $200,000 for engineering associated with the planned roadway improvements along Ellis Avenue. The City is responsible for a 25% share of these costs based on the status of Ellis Avenue as a connecting highway.

The total project length (Butterworth Road to US Highway 2) will be 3.657 miles and Ellis Avenue represents 22.1% of this total length.

The City's share of the engineering cost is calculated as shown below. In order to secure funding for the project, the City needs to approve the SMA regardless of the outcome of discussions related to elimination or maintenance of on-street parking.

Expenditures calculation:
$200,000 x 25% = $50,000 x 22.1% = $11,050

B. Appointments

The following is a list of proposed appointees to the Source Water Protection Plan (SWPP):

Ashland City Administrator Brant Kucera
Ashland Public Works Director John Butler
Ashland Water Utility Director, Chanz Green
2 City Council Representatives (Charles Ortman and Waysayah Whitebird have previously expressed an interest in serving)
Local DNR water specialist, Dan Harrington
Representative from Bad River Tribe, TBD
Representative of Superior Rivers Watershed Association, TBD
Burke Center representative, (Matthew Hudson has expressed an interest)
Ashland County Board Chair or designee, TBD
Bayfield County Board Chair or designee, TBD
UW Extension designee, TBD

Franek moved, seconded by Ullman to approve the Mayor's appointments and those yet to be designated to this committee. The motion passed unanimously by voice vote.

The Council is being asked to approve the re-appointment of the listed positions.

6. CONSENT AGENDA

Ortman moved, seconded by Haas approve the Consent Agenda. The motion passed unanimously by voice vote.

A. Miscellaneous Minutes

B. Planning and Development and Property Maintenance Monthly Report

7. NEW BUSINESS

A. Approve a Preliminary Resolution Declaring Intent to Levy Special Assessments under Municipal Police Power Pursuant to Sec. 66.0703, WI State Statute for the Vaughn Avenue and 7th Street West Reconstruction and Utility Replacement Project *(Public Works)* Voice

George moved, seconded by Whitebird to approve the preliminary resolution. The motion passed unanimously by voice vote.

File #17543

B. Approve the State Municipal Agreement (SMA) for Engineering Design of the Highway 13 Pavement Replacement Project *(Public Works) V*oice

George moved, seconded by Haas to approve the State Municipal Agreement. The motion passed unanimously by voice vote.

REVISION #1 **STATE/MUNICIPAL FINANCIAL AGREEMENT FOR A STATE- LET HIGHWAY PROJECT** *This agreement supersedes the agreement signed by the Municipality on January 14, 2020 and signed by DOT on January 31, 2020.*	Revised Date: May 20, 2020 Date: August 27, 2019 I.D.: 1610-00-07/27/77/80 Road Name: STH 13 Title: Mellen – Ashland Limits: Butterworth Road to USH 2 County: Ashland Roadway Length: 3.657 miles

The signatory, City of Ashland, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: The existing facility is a connecting highway within the City of Ashland for 0.809 miles (from 13th Street W to USH 2), or 22.1% of the total project length of 3.657 miles. The facility is a NHS facility, and is a Federal and State long truck route. The existing pavement has reached the end of its useful life.

Proposed Improvement - Nature of work: The proposed roadway improvements include rural resurfacing and urban pavement replacement work.

Rural resurfacing (Butterworth Road to 360-FT south of 12th Street W.) is proposed to be a 3.25-IN mill and 3.25-IN HMA Overlay. Urban pavement replacement, including parking lanes (From 360-FT south of 12th Street W. to 6th Street) is proposed to be 9-IN of Concrete Pavement, 6-IN of Base Aggregate, and 12-IN of Granular Sub-base. Pavement replacement from 6th Street to USH 2 will be a 9-IN concrete replacement.

Other project work includes culverts, water main, storm sewer, concrete curb & gutter, street-light adjustments, signing, pavement markings, gravel shouldering, and turf restoration. The project is proposed to be staged under traffic utilizing lane closures and flagging operations.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: The City of Ashland will include water main and water services lateral utility work, from 6th Street to 11th Street, and local storm sewer work, on 9th Avenue West, at 100% municipal funding. Any sidewalk replacement or repairs necessitated by City utility work will be 100% locally funded. Landscaping will not be included in this project. Should the City desire any future landscaping work, it will be undertaken independently by the City.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
1610-00-07					
Preliminary Engineering:					
Plan Development	$ 318,000	$ 300,431	BAL	$ 17,570	LS*
1610-00-27					
Real Estate Acquisition**	$ 14,500	$ 14,500	100%	$ -	0%
1610-00-77					
Construction:					
General Roadway (CAT 10)	$ 5,104,080	$ 5,104,080	100%	$ -	0%
Parking (CAT 20)***	$ 210,600	$ -	0%	$ 210,600	100%
1610-00-80					
Non-Participating					
Utilities (Water)	$ 600,000	$ -	0%	$ 600,000	100%
Sidewalks****	$ 10,000	$ -	0%	$ 10,000	100%
Utilities (City Storm Sewer)	$ 65,000	$ -	0%	$ 65,000	100%
Total Cost Distribution	**$ 6,322,180**	**$ 5,419,011**		**$ 903,170**	

*LS = Lump Sum
The total project length will be 3.657 miles. The Connecting Highway portion within the City of Ashland is approximately 0.809 miles, or 22.1% of the project. The Municipality share will be 25% of 22.1% of Design Costs (or $17,570).

**Real estate necessitated by the roadway construction or for ADA curb ramp upgrades will be funded by the State. Acquisition of any parcels within the connecting highway limits will be done by State forces and will be purchased on behalf of the Municipality.
Any real estate acquistion for Municipal utility work not necessitated by roadway construction will be funded and acquired by the Municipality.

***Costs for parking lanes will be 100% locally funded.

Costs for Project 1610-00-77 include estimated 9% contingency and 8% construction delivery.

Non-participating utility costs for 9th Avenue W Storm sewer and water main will be 100% Municipally funded.
****Costs for repairs or replacement of sidewalks due to water utility work and not necessitated by roadway construction will be 100% locally funded.

This request is subject to the terms and conditions that follow (pages 3 – 5) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State, and upon fully executed signature of applicable State Municipal Maintenance Agreement, and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement.

Signed for and in behalf of the **City of Ashland** (please sign in blue ink)

Name Title Date

Signed for and in behalf of the **State** (please sign in blue ink)

Name Title Date

TERMS AND CONDITIONS:

1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.

2. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement that exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality.

3. Funding of each project Phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:

   (a) Design engineering and state review services.

   (b) Real Estate necessitated for the improvement. The State will acquire the real estate necessitated by ADA curb ramp upgrades. Acquisition of parcels within the connecting highway limits will be done with State acting as agent on behalf of the Municipality.

   (c) Compensable utility adjustment and railroad force work necessitated for the project.

   (d) The grading, base, pavement, curb and gutter, and bridge costs to State standards, excluding the cost of parking areas.

   (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.

   (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.

   (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.

   (h) Replacement of existing sidewalks necessitated by construction.

   (i) Replacement of existing driveways, in kind, necessitated by the project.

   (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.

4. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or Facility Owner includes the following items:

   (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.

   (b) Design of the City of Ashland water main and storm sewer work (provided by the City or hired consultant):

      1. 60% design plans, specifications and estimates along with the required real estate needs shall be provided by the City of Ashland to WisDOT no later than 7/1/2022. (4 months prior to DSR)
         a. WisDOT will review and provide comments on the required documents. Updates to the documents shall be provided one month from when WisDOT provides the City of Ashland comments.

2. 100% complete design plans, specifications and estimates shall be provided by the City of Ashland to WisDOT no later than 1/2/2024. (4 months prior to PSE)
    a. WisDOT will review and provide comments on the required documents. Updates to the documents shall be provided one month from when WisDOT provides the City of Ashland comments.

(c) Real estate acquisition not necessary for roadway construction or ADA sidewalk. The Municipality shall pursue acquisition of any construction permits or temporary limited easements for any real estate needed for utility work.

(d) New installation or replacement of sidewalks not necessitated by roadway construction or for ADA compliance.

(e) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.

(f) Roadway and bridge width in excess of standards.

(g) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.

(h) Parking lane costs.

(i) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.

(j) Damages to abutting property due to change in street or sidewalk widths, grades or drainage within the connecting highway portion of the project.

(k) Conditioning, if required and maintenance of detour routes.

(l) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.

5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.

6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.

7. The work will be administered by the State and may include items not eligible for federal/state participation.

8. The Municipality shall at its own cost and expense:

(a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This agreement does not remove the current municipal maintenance responsibility.

(b) Maintain all items outside the travel lane along the project, to include but not limited to parking lanes, curb and gutter, drainage facilities, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands, landscaping features and amenities.

(c) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the lighting system.

(d) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the traffic signal systems at the STH 13 and Main Street intersection and at the STH 13 and USH 2 intersection.

(e) Prohibit angle parking.

(f) Regulate parking along the highway. The Municipality will file a parking declaration with the State.

(g) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.

(h) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.

(i) Provide complete plans, specifications, and estimates for 9th Avenue West storm sewer and the water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the 9th Avenue West storm sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.

(j) Coordinate with the State on changes to highway access within the project limits.

(k) In cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.

9. Basis for local participation:

(a) 1610-00-07 Design: Design costs for connecting highway are 75% funded with Federal/State funds when the Municipality provides the remaining 25%, based on the Department's policy for connecting highways. The portion of the project that is connecting highway is 22.1% (13th Street West to USH 2). Based on total estimate design costs of $393,750, the Municipality will contribute a lump sum payment of $17,570.

(b) 1610-00-27 Real Estate: Real estate acquisition necessitated by the roadway construction for ADA curb ramps will be state/federally funded. The State will purchase on behalf of the Municipality for any acquisitions within the connecting highway limits. Any acquisition attributable to local need for utility work will be funded by the Municipality.

(c) 1610-00-77 Construction: There is no cost share for the general roadway construction.

i. Parking: Costs for parking lanes from 6th Street to 350 feet south of 12th Street West will be funded 100% by the Municipality.

(d) Non-participating, Construction 1610-00-80:

i. Costs for City of Ashland water main utilities and 9th Avenue West storm sewer work are ineligible for state/federal funding and will be 100% funded by the Municipality.

ii. Sidewalks: Replacement of sidewalks not necessitated by the roadway construction and due to City water utilities will be funded 100% by the Municipality.

(e) The estimated costs shown on the funding table on page 2 of this document are based on preliminary data and may change significantly when based on completed bid documents and plans. Final local cost share will be determined by utilizing the stated cost share percentages applied to the actual cost of the phase/item.

[END]

	STATE/MUNICIPAL **MAINTENANCE** **AGREEMENT**	Date: May 20, 2020 ID: 1610-00-77/80 Road Name: STH 13 Limits: Butterworth Road to USH 2 County: Ashland

The signatory, City of Ashland, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect this agreement to include the associated maintenance responsibilities hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 84.07(1) of the Statutes. Wisconsin statutes, Wisconsin Administrative Code, and State policy serve as the defining documents for State Highway maintenance responsibilities.

DESCRIPTION OF FACILITY:

Facility description upon completion of State project – As determined by project ID 1610-00-77/80

Facility description upon signature – The proposed roadway improvements include rural resurfacing and urban pavement replacement work.

Rural resurfacing (Butterworth Road to 360-FT south of 12th Street W.) is proposed to be a 3.25-IN mill and 3.25-IN HMA Overlay. Urban pavement replacement, including parking lanes (From 360-FT south of 12th Street W. to 6th Street) is proposed to be 9-IN of Concrete Pavement, 6-IN of Base Aggregate, and 12-IN of Granular Sub-base. Pavement replacement from 6th Street to USH 2 will be a 9-IN concrete replacement.

Other project work includes culverts, water main, storm sewer, concrete curb & gutter, street-light adjustments, signing, pavement markings, gravel shouldering, and turf restoration. The project is proposed to be staged under traffic utilizing lane closures and flagging operations.

The City of Ashland will include water main and water services lateral utility work, from 6th Street to 11th Street, and local storm sewer work, on 9th Avenue West. Any sidewalk impacted by water utilities will be repaired/replaced and will be locally funded.

Maintenance commitments for the connecting highway limits (13th Street West to USH 2) do not change. This agreement pertains to the non-connecting highway limits (Butternut Road to 13th Street West).

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 2 – 3); is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State, delivery to the Municipality and upon fully executed signature of associated, applicable State Municipal Financial Agreement for project 1610-00-77/80. The initiation and signature of the agreement will be subject to all the applicable federal and state regulations. No term or provision of neither the State/Municipal Maintenance Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Maintenance Agreement.

Signed for and in behalf of the **City of Ashland** (Please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and in behalf of the **State** (Please sign in blue ink)	
Name	Title **WisDOT Region Maintenance Chief**
Signature	Date

TERMS AND CONDITIONS:

1. In order to guarantee the Municipality's foregoing agreements to maintain the facility to State standards, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold General Transportation Aids or monies otherwise due and payable by the State to the municipality, as determined by the State, for any maintenance the State must perform to the facility should the Municipality fail to comply with the agreement.

2. The State will not install any additional items, not necessitated for the safe and efficient flow of traffic, to a state highway facility without the Municipality agreeing to maintain those items. The State is responsible for maintaining the through travel way of any given non-connecting highway facility under the State's jurisdiction including:

   (a) The energy, operation, repair and replacement of traffic signals and associated street lighting required for the non-connecting highway signalized intersections within the limits of this agreement for:

      1. Signalized intersections

   (b) Signing and pavement marking necessitated for the safe and efficient flow of traffic except those items listed in #3.

   (c) Permitting authority of utilities and access control on all State Trunk, US and Interstate Highways.

3. The Municipality shall at its own cost and expense maintain all portions within the specified limits of this agreement that lie within its jurisdiction for such maintenance through statutory requirements in a manner satisfactory to the State and shall make ample provision for such maintenance each year to include:

   (a) Maintain all items outside, and under, the travel way to include, but not limited to, parking lanes, curb and gutter, drainage facilities, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands and landscaping features.

   (b) Remove snow and ice from sidewalks, multi-use paths, and pedestrian refuge islands.

   (c) Implement a street sweeping program to help prevent the accumulation of dirt, sand, leaves, paper, or other clogging debris.

   (d) Maintain the storm sewer system to provide a free flow condition throughout the life of the facility.

   (e) Maintain and accept responsibility for the energy, operation, maintenance, repair, and replacement of the street lighting system and the STH 13 traffic signals at the intersections of Main Street and USH 2.

i. The Municipality shall obtain a permit from the State for any street lighting outside of connecting highway limits.

ii. The Municipality shall accept responsibility for locating utilities for Digger's Hotline.

iii. If at any time the Municipality should choose to turn off or remove street lighting, in part or in whole, funded with federal/state dollars, the State will determine potential conflicts and approve/disapprove such request. If removal is approved by the State, the Municipality will reimburse to the State an amount determined by Federal and State coordination.

(f) Maintain clear right-of-way of all encroachments.

(g) Maintain crosswalk pavement markings. The municipality shall obtain a permit with the State.

(h) Maintain signs and pavement markings not necessary for the safe and efficient movement of traffic (no parking signs, wayfinding signs, etc).

4. The Municipality, within the specified limits, agrees to:

(a) Prohibit angle parking.

(b) Regulate parking along the highway. The Municipality will file a parking declaration with the State.

(c) Regulate or prohibit all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.

5. The Municipality will coordinate with the State to obtain any necessary Work on Right-of-Way Permits for maintenance performed on or within the state highway facility or state right-of-way.

6. This agreement does not remove the current municipal maintenance responsibility.

7. The State or Municipality may request an amendment to this agreement to include specific features later requested by the Municipality throughout the design process.

8. Upon completion of construction project, 1610-00-77/80, the Municipality will assume all afore mentioned maintenance responsibilities.

SUBJECT: **Approve to Award the Base Bid Contract to Northwoods Paving Inc. for the 2020 Road Resurfacing Project *(Public Works)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Finance Director
Public Works Director

EXHIBITS:
1. Bid Results COA 2020 Road Resurfacing Project
2. Notice of Award
3. 2020 Road Resurfacing Project Selections, June 23, 2020
4. City of Ashland 2020 Road Resurfacing Location Map

EXPENDITURES REQUIRED: $287,450.47 Base Bid
$ 14,372.52 Contingency (5%)
$301,822.99 Project Total

AMOUNT BUDGETED: $316,785 Capital Projects 470

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on June 23, 2020, that Northwoods Paving Inc. 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 2020 Road Resurfacing Project focuses on improvement to roadway surfaces in the City's residential areas that have deteriorated significantly, but not to the extent that reconstruction is required, or are an existing gravel surface. Resurfacing of deteriorated roads allows for an improved roadway without the additional cost of reconstruction while paving of existing gravel surfaces reduces maintenance costs (grading, dust control) to the Public Works Department. The Project includes roads that are primarily free of concerns regarding the

condition of underlying utilities, and include base structures that can be adequately reused. Roads included in the Project that do have concerns about underlying utilities will be addressed such that utility repair/replacement is competed in coordination with paving, including some work that will be completed in 2021. The project locations are indicated on the attached exhibits and roads not identified for 2021 construction will be completed this summer.

The City independently developed a contract package for the 2020 Road Resurfacing Project that was advertised on June 10th and June 17th. Bids were received from Northwoods Paving, Inc. and Angelo Luppino, Inc.

Funding of $301,822.99 for this project was provided in the City's 2020 budget and allows for completion of the Base Bid only.

Public Works staff recommends entering into an agreement Northwoods Paving, Inc. at a cost of $301,822.99, including project contingency.

The roadways shown on the attached location map will either receive an overlay or have the existing asphalt pulverized and relayed. The pulverized asphalt will be crushed onsite, graded, and compacted and reused as the new road base. A 3-1/2 inch asphalt pavement will be placed on the compacted pulverized base material while grading of the base will allow the new asphalt surface to tie into existing driveways and connecting roadways at approximately the same elevation as the existing road surface. Chapple Avenue, a portion of Front Street, and 12th Avenue East will be paved in 2021 in order to allow water main replacement to be completed in early 2021.

The City Public Works Department will complete drainage and/or base improvements at selected locations prior to the contracted work being initiated. Public Works will also place and compact gravel shoulders following paving operations. Funding for this work is available in existing Roadway Maintenance funds included in the City's 2020 budget.

BID RESULTS 2020 ROAD RESURFACING PROJECT - THURSDAY, JUNE 18, 2020 2:30 PM

BASE BID				ANGELO LUPPINO INC		NORTHWOODS PAVING INC	
PAY ITEM	**ITEM DESCRIPTION**	**UNIT**	**QTY**	**UNIT PRICE**	**BID COST**	**UNIT PRICE**	**BID COST**
325.01	PULVERIZE & RELAY	SY	4,741	$2.80	$13,274.80	$2.20	$10,430.20
305.012	BASE AGGREGATE DENSE (1 1/4-INCH)	TON	400	$17.00	$6,800.00	$19.00	$7,600.00
455.0605	TACK COAT	GAL	432	$4.00	$1,728.00	$2.70	$1,166.40
465.0105	ASPHALTIC SURFACE 2.25-INCH (3-LT-58-28-S)	TON	2,048	$75.79	$155,217.92	$76.28	$156,221.44
465.0106	ASPHALTIC SURFACE 1.25-INCH (5-LT-58-28-S)	TON	1,257	$78.04	$98,096.28	$75.19	$94,513.83
611.811	ADJUSTING MANHOLE COVERS	EACH	17	$250.00	$4,250.00	$432.00	$7,344.00
611.812	ADJUSTING WATER VALVES	EACH	1	$100.00	$100.00	$71.00	$71.00
619.1	MOBILIZATION	LS	1	$6,471.93	$6,471.93	$7,750.00	$7,750.00
643.01	TRAFFIC CONTROL (PROJECT)	LS	1	$10,000.00	$10,000.00	$400.00	$400.00
690.015	SAWING ASPHALT	LF	888	$3.00	$2,664.00	$2.20	$1,953.60
			BASE BID TOTAL		**$298,602.93**		**$287,450.47**

BID ALTERNATE 1 - PULVERIZE & RELAY 14th ST W BEASER-9th AVE W				ANGELO LUPPINO INC		NORTHWOODS PAVING INC	
PAY ITEM	**ITEM DESCRIPTION**	**UNIT**	**QTY**	**UNIT PRICE**	**BID COST**	**UNIT PRICE**	**BID COST**
305.0120	BASE AGGREGATE DENSE (1 1/4-INCH)	TON	50	$20.00	$1,000.00	$19.00	$950.00
325.0100	PULVERIZE & RELAY	SY	3,300	$2.89	$9,537.00	$2.20	$7,260.00
455.0605	TACK COAT	GAL	231	$4.00	$924.00	$2.70	$623.70
465.0105	ASPHALTIC SURFACE 2.25-INCH (3-LT-58-28-S)	TON	401	$80.21	$32,164.21	$76.28	$30,588.28
465.0106	ASPHALTIC SURFACE 1.25-INCH (5-LT-58-28-S)	TON	223	$80.21	$17,886.83	$75.19	$16,767.37
611.8110	ADJUSTING MANHOLE COVERS	EACH	4	$250.00	$1,000.00	$432.00	$1,728.00
611.8120	ADJUSTING WATER VALVES	EACH	1	$100.00	$100.00	$71.00	$71.00
690.0150	SAWING ASPHALT	LF	46	$3.00	$138.00	$2.20	$101.20
			BID ALTERNATE 1 TOTAL		**$62,750.04**		**$58,089.55**

BID ALTERNATE 2 - PULVERIZE & RELAY 14TH ST W 9TH AVE W-6TH AVE W				ANGELO LUPPINO INC		NORTHWOODS PAVING INC	
PAY ITEM	**ITEM**	**UNIT**	**QTY**	**UNIT PRICE**	**BID COST**	**UNIT PRICE**	**BID COST**
305.0120	BASE AGGREGATE DENSE (1 1/4-INCH)	TON	50	$20.00	$1,000.00	$19.00	$950.00
325.0100	PULVERIZE & RELAY	SY	2,396	$2.89	$6,924.44	$2.20	$5,271.20
455.0605	TACK COAT	GAL	168	$4.00	$672.00	$2.70	$453.60
465.0105	ASPHALTIC SURFACE 2.25-INCH (3-LT-58-28-S)	TON	291	$81.85	$23,818.35	$76.28	$22,197.48
465.0106	ASPHALTIC SURFACE 1.25-INCH (5-LT-58-28-S)	TON	162	$81.85	$13,259.70	$75.19	$12,180.78
611.8110	ADJUSTING MANHOLE COVERS	EACH	1	$250.00	$250.00	$432.00	$432.00
611.8120	ADJUSTING WATER VALVES	EACH	1	$100.00	$100.00	$71.00	$71.00
690.0150	SAWING ASPHALT	LF	44	$3.00	$132.00	$2.20	$96.80
			BID ALTERNATE 2 TOTAL		**$46,156.49**		**$41,652.86**

$407,509.46 **$387,192.88**

SECTION 00 51 00

NOTICE OF AWARD

Date of Issuance:	June 22, 2020		
Owner:	City of Ashland	Owner's Project No.:	N/A
Engineer:	City of Ashland		
Project:	2020 Road Resurfacing		
Contract Name:	2020 Road Resurfacing		
Bidder:	Northwoods Paving Co.		
Bidder's Address:	610 Industrial Park Rd Ashland, WI 54806		

You are notified that Owner has accepted your Bid dated **June 18, 2020** for the above Contract, that you are the Successful Bidder and will be recommended for award of a Contract at the June 30 City Council meeting for:

Road resurfacing, including overlay and pulverize and relay

The Contract Price of the awarded Contract is **$287,450.47**. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

One unexecuted counterparts of the Agreement will follow this Notice of Award, and the Contract Documents have been made available to Bidder electronically.

☐ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner **one** counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any): **None**

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner:	**City of Ashland, WI**
By *(signature)*:	John Butler 2020.06.22 17:33:18 -05'00'
Name *(printed)*:	John Butler
Title:	Public Works Director

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MEMORANDUM

To: Record

From: John Butler, Public Works Director

Date: June 23, 2020

RE: 2020 Road Resurfacing Project Selections

The City of Ashland's 2020 Budget includes $300,000 in Street Improvements (CP 470) dedicated to a mill and overlay program. While "mill and overlay" refers to a specific construction technique intended to preserve the lifetime of roads in fair condition, roads selected for construction in 2020 will be improved by overlay or asphalt pulverization. Segments to be improved by overlay will receive a new layer of asphalt on top of the existing gravel or asphalt road surface. Asphalt pulverization consists of mechanically grinding the existing asphalt surface and recycling it in place to avoid hauling costs and add to the underlying pavement base.

The use of overlay and asphalt pulverization will allow for the improvement of roads in poorer condition than those suitable for mill and overlay, as identified by the City's Pavement Surface Evaluation and Rating (PASER) system. Roadway resurfacing in 2019 totaled $370,000 and focused on the east side so effort was made in 2020 to identify roads on the west side.

Roads were selected for work in 2020 based on an assessment of existing pavement condition, desire to reduce the amount of gravel roads in City residential areas, age/condition of underlying utilities, observed traffic patterns, and plans for future capital projects.

Existing gravel roads to be improved via overlay include 12th St W, 13th St W, 3rd Ave W and Front St. 3rd Ave W will receive a thin overlay intended as a short term improvement of the driving surface. Existing asphalt roads to be improved via pulverization include 12th St W, and 13th St W, MacArthur Ave. Coordination with planned sewer improvement projects along Front St resulted in the incorporation of some work on the east side in 2020, with sewer mains in the road to be lined by a separate contract later in 2020, after paving. Existing lead water service laterals on 13th St W and MacArthur will be changed out by City staff prior to paving. The work on 13th St W will allow for the elimination of a dead end watermain that will improve water quality for homes in the area.

Finally, Chapple Ave (11th-dead end) and Front St/12th Ave E will have watermain replacement work completed in early 2021, allowing for paving to be completed shortly thereafter via the 2020 Road Resurfacing project. The watermain replacement work is currently in the design stage.

The attached map shows the specific roadway segments that will be included in the scope of the 2020 Road Resurfacing project.

City of Ashland 2020 Road Resurfacing Location Map

= 3.5" Overlay of Existing Roadway

= Pulverize & 3.5" Relay

= 1.25" Overlay of Existing Roadway

= Pavement Replacement or Overlay in 2021

For Chapple Ave, the City will complete pavement replacement, gravel base replacement, curb & gutter repair and watermain replacement prior to paving in summer 2021.
For Front St (as indicated) and 12th Ave E, the City will complete watermain replacement, and gravel base replacement prior to paving in summer 2021.

12th St W & 13th St W

5/20/2020, 5:27:56 PM

1:3,556

0 0.0425 0.085 0.17 mi

0 0.05 0.1 0.2 km

Hydrants
- Red 100-499
- Orange 500 - 999
- Green 1000 - 1350
- Unknown Flow

Water Structures
- <all other values>
- Ashland Water Tower
- Binsfield Rd Booster Station
- Binsfield Rd Standpipe
- Water Treatment Plant

- Water Main
- Lift Station Valves
- Sanitary Manholes
- Sanitary_Discharge
- Lift Stations
- Monitoring Wells

- Sanitary Structures
- Sanitary Main
- Sanitary_Forcemain
- Manhole

Outlet
- Outfall

- Outlet

StormMain
- Collector
- Lateral
- Culvert
- Open Channel

- Under Drain
- BMP

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

Department of Public Works Engineering
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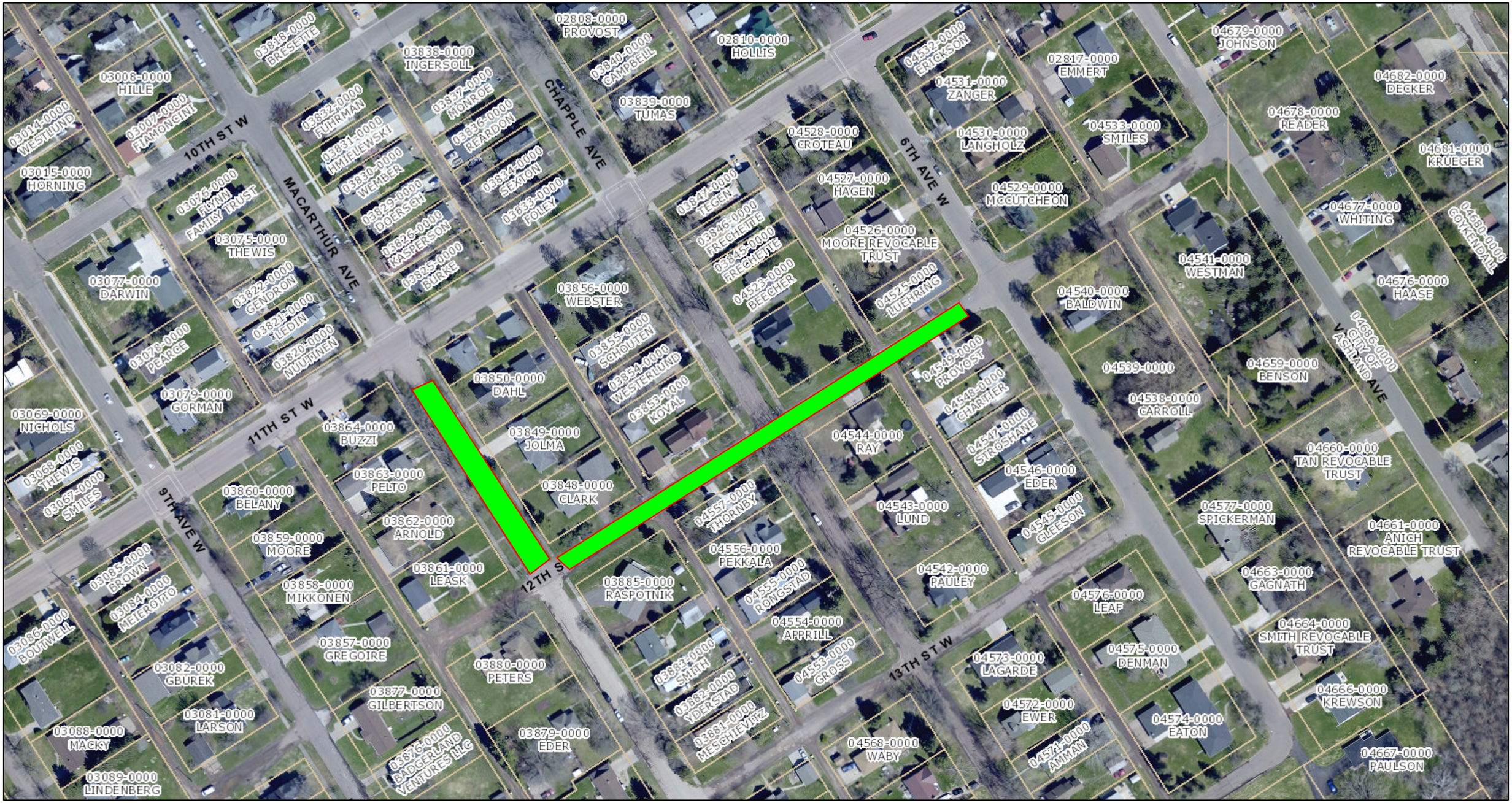
12th St W & MacArthur Ave



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Parcel Labels

Parcel Mapping

1:2,245

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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PICTOMETRY INTL

Department of Public Works Engineering
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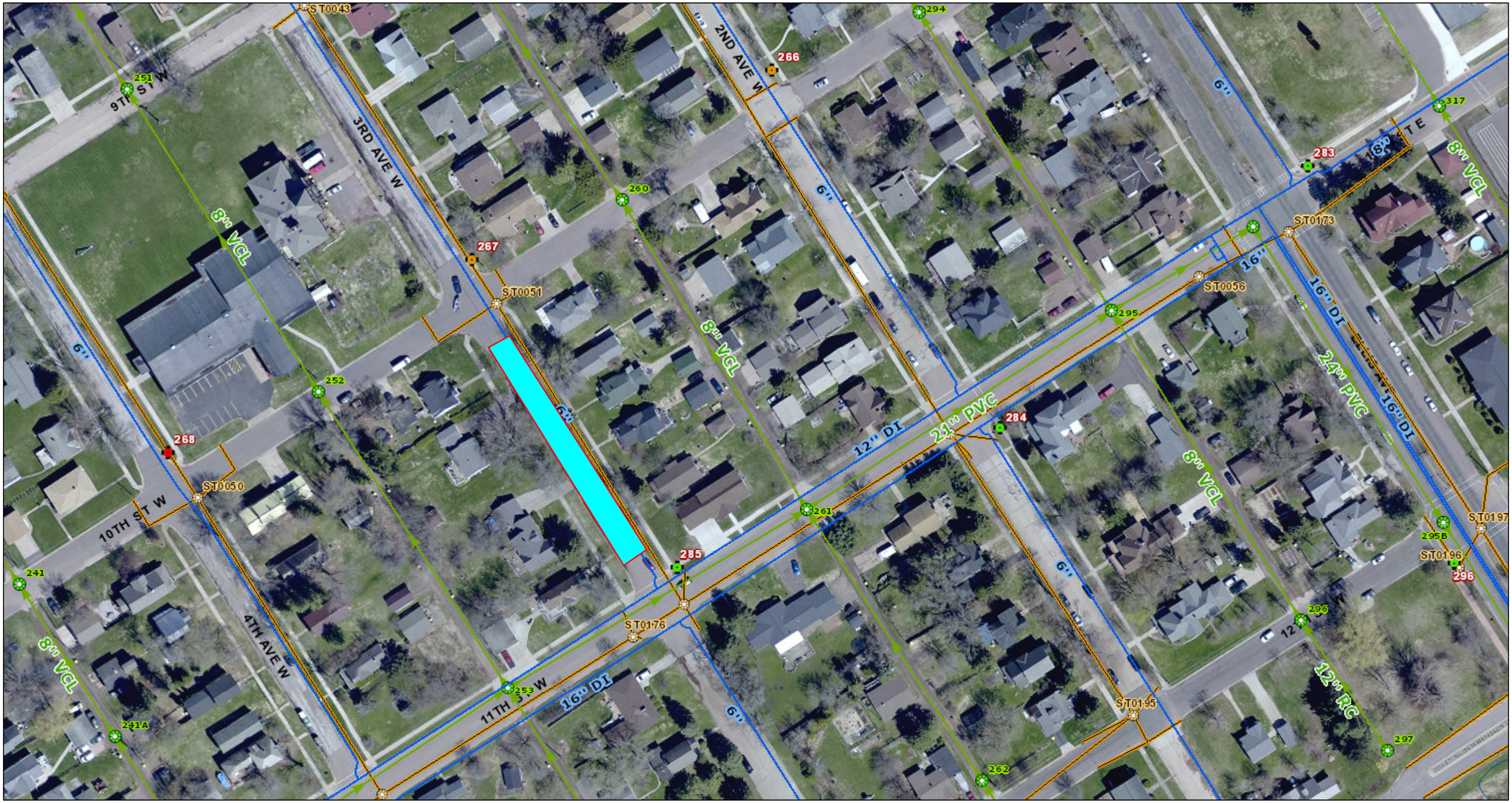
3rd Ave W



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0 0.0325 0.065 0.13 km

Hydrants
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- Orange 500 - 999
- Green 1000 - 1350
- Unknown Flow

Water Structures
- <all other values>
- Ashland Water Tower
- Binsfield Rd Booster Station
- Binsfield Rd Standpipe
- Water Treatment Plant

- Water Main
- Lift Station Valves
- Sanitary Manholes
- Sanitary_Discharge
- Lift Stations
- Monitoring Wells

- Sanitary Structures
- Sanitary Main
- Sanitary Flow Direction
- Sanitary_Forcemain
- Manhole

Outlet
- Outfall
- Outlet

StormMain
- Collector
- Lateral

- Culvert
- Open Channel
- Under Drain
- BMP

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Chapple Ave (2021)

5/20/2020, 5:36:28 PM

1:3,418

0 0.0425 0.085 0.17 mi

0 0.05 0.1 0.2 km

Hydrants
- Red 100-499
- Orange 500 - 999
- Green 1000 - 1350
- Unknown Flow

Water Structures
- <all other values>
- Ashland Water Tower
- Binsfield Rd Booster Station
- Binsfield Rd Standpipe
- Water Treatment Plant

- Water Main
- Lift Station Valves
- Sanitary Manholes
- Sanitary_Discharge
- Lift Stations
- Monitoring Wells

- Sanitary Structures
- Sanitary Main
- Sanitary_Forcemain
- Manhole

Outlet
- Outfall

- Outlet

StormMain
- Collector
- Lateral
- Culvert
- Open Channel

- Under Drain
- BMP

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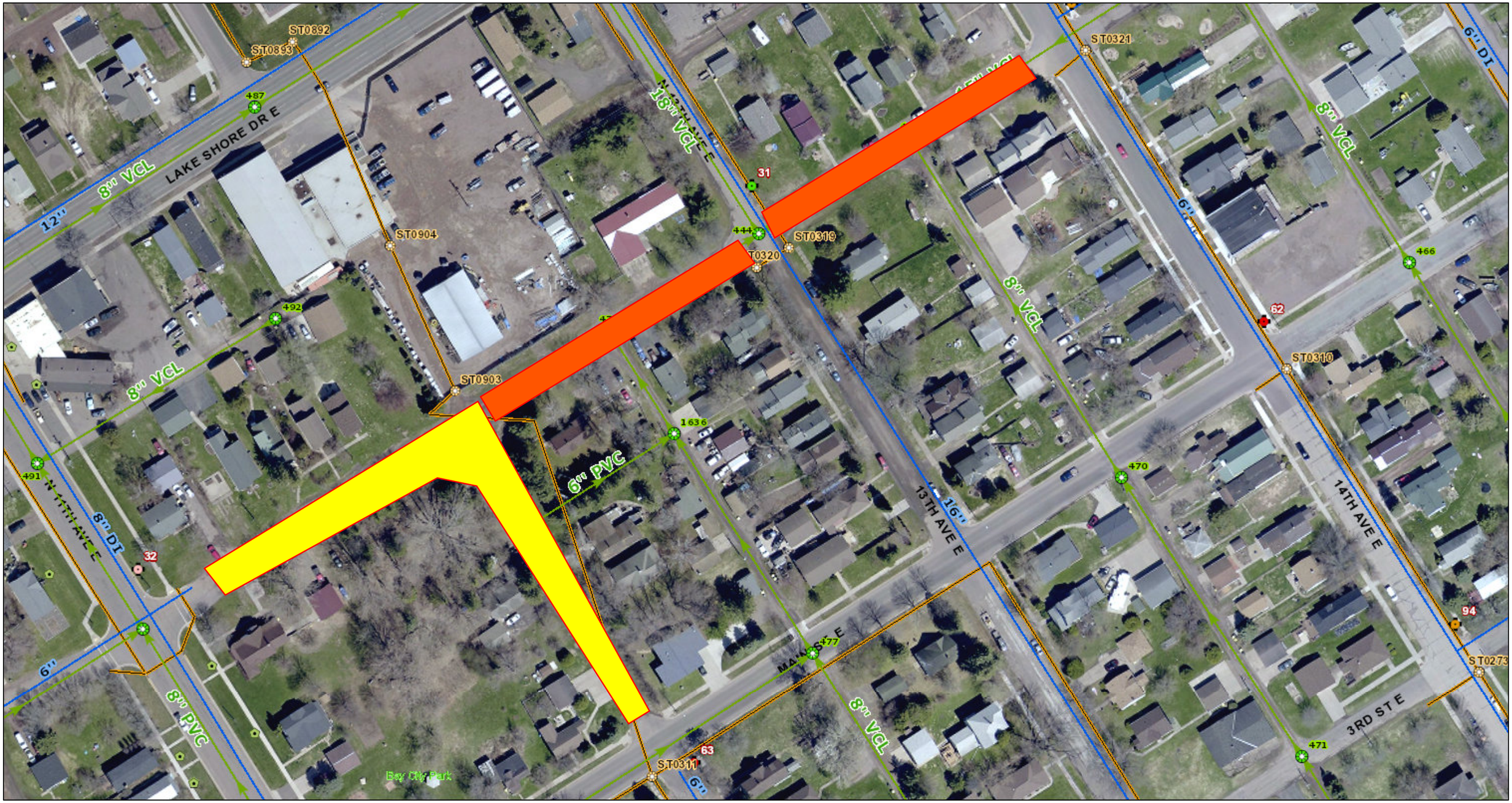
Front St & 12th Ave E (2020 & 2021)



5/20/2020, 5:32:44 PM

1:1,709

0 0.02 0.04 0.08 mi

0 0.0325 0.065 0.13 km

Hydrants
- Red 100-499
- Orange 500 - 999
- Green 1000 - 1350
- Unknown Flow

Water Structures
- <all other values>
- Ashland Water Tower
- Binsfield Rd Booster Station
- Binsfield Rd Standpipe
- Water Treatment Plant

- Water Main
- Lift Station Valves
- Sanitary Manholes
- Sanitary_Discharge
- Lift Stations
- Monitoring Wells

- Sanitary Structures
- Sanitary Main
- Sanitary Flow Direction
- Sanitary_Forcemain
- Manhole

Outlet
- Outfall
- Outlet

StormMain
- Collector
- Lateral

- Culvert
- Open Channel
- Under Drain
- BMP

City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL
City of Ashland Public Works Department

Department of Public Works Engineering
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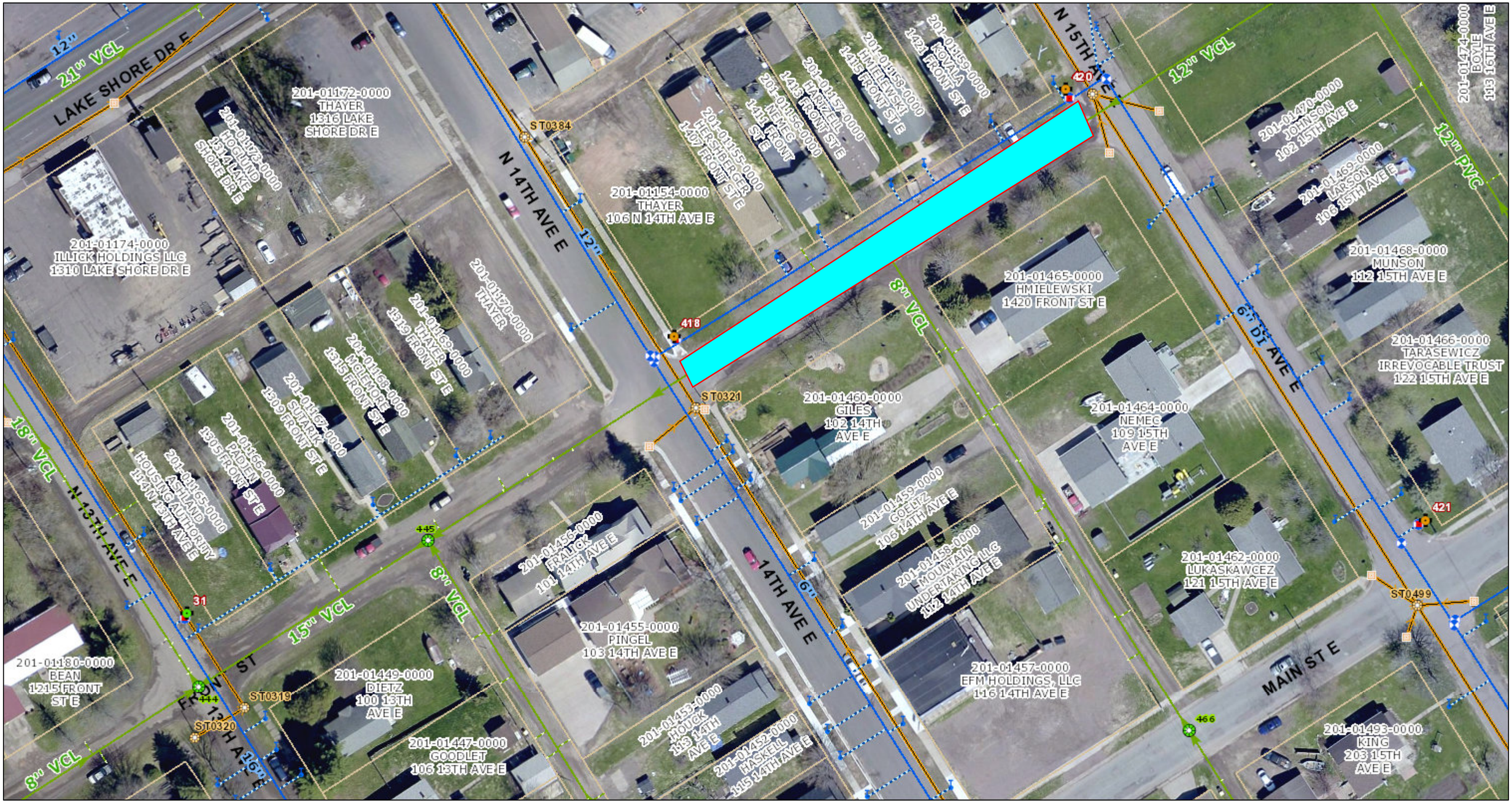
Front St



6/4/2020, 6:08:25 PM

1:1,122

0 0.0125 0.025 0.05 mi

0 0.02 0.04 0.08 km

Hydrants
- Red 100-499
- Orange 500 - 999
- Green 1000 - 1350
- Unknown Flow
- HydrantValves
- Main Valves

Water Vaults
- Meter Pit
- Pressure Reducing Vault
- Other
- Junctions

Water Structures
- <all other values>
- Ashland Water Tower

- Binsfield Rd Booster Station
- Binsfield Rd Standpipe
- Water Treatment Plant
- Water Main
- Water Laterals
- Curb Stops
- Lift Station Valves
- Sanitary Manholes
- Sanitary_Discharge
- Lift Stations
- Monitoring Wells
- Sanitary Structures
- Sanitary Lateral
- Sanitary Main
- Sanitary Flow Direction
- Sanitary_Forcemain
- CleanOut

Inlet
- Grated Catch Basin
- Grated Surf. Drain
- Open Surf. Drain
- Culvert End
- Manhole

StormMain Flow
- Collector
- Lateral

Outlet
- Outfall
- Outlet

StormMain
- Collector

- Lateral
- Culvert
- Open Channel
- Under Drain
- BMP
- Parcel Labels
- Parcel Mapping

City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL
City of Ashland Public Works Department

Department of Public Works Engineering
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5th Ave E Patch

5/20/2020 8:32:19 AM

1:500

Lines

- Override 1
- Parcel Labels
- Parcel Mapping

0 0.005 0.01 0.02 mi

0 0.0075 0.015 0.03 km

City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL

Department of Public Works Engineering
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SUBJECT: **Approve a Class B Combination Fermented Malt Beverage and Intoxicating Liquor License for Nick McGee at Spot Bar, 116 N 14th Avenue East, Ashland, and its Agent Nick McGee *(Clerk)* Voice**

RECOMMENDATION: As Recommended by Staff

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Treasurer, Fire and Police Departments

EXHIBITS:

1. The Spot - Class B Combination Application
2. Chequamegon Food Cooperative - Class B Combination Application
3. Letter from Chequamegon Foods Cooperative to Council, June 24, 2020

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified that The Spot, 114 N 16th Avenue East, Ashland, WI 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:

Nick McGee has submitted his application for a Class B Combination Alcohol Beverage license for The Spot at 116 N 14th Avenue East, Ashland.

Eric Staggs, DBA HPL, rented the main floor of the building at 116 N 14th Avenue East, Ashland from Mr. McGee to operate HPL until the recent closing of his business in June 2020. Mr. Staggs has signed a Letter of Surrender to return the Class B Combination Alcohol Beverage license back to the City of Ashland.

Mr. McGee is requesting approval from Council to acquire the surrendered alcohol license formerly held at his

facility, instead of allowing the license to be retired, in order to attract another business into his building. He has been cleared by the Treasurer according to Chapter 923, the building has been inspected and approved by the Fire Department, and has been cleared by the Police Department.

The Chequamegon Food Cooperative has also submitted an application for the Class B combination Alcohol Beverage License to expand their options for serving wine on premises at 700 Chapple Avenue, Ashland. Further, the Cooperative has submitted an application for a Class A Intoxicating Liquor license with a request to increase the City's quota, for selling local wines for off-premises consumption; they currently hold a Class A Fermented Malt Beverage (beer) and Class A-Cider only license.

As this license is surrendered to the City, it is Council who determines the outcome:
1. Award the surrendered Class B Combination license to Mr. McGee;
2. Award the surrendered Class B Intoxicating Alcohol license to Chequamegon Food Cooperative; or
3. Retire the license in order to reduce the number of Class B Combination licenses as approved by Council in 2017.

The Clerk's office recommends to approve the original application for a Class B Combination Alcohol Beverage license made by Mr. McGee for The Spot at 116 N 14th Avenue East, Ashland, WI.

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 7/1/2020 *(mm dd yyyy)* ending: 6/30/2021 *(mm dd yyyy)*

To the Governing Body of the: ☐ Town of ☐ Village of ☑ City of } ASHLAND

County of ASHLAND

Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☐ Partnership ☑ Limited Liability Company ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
FEIN Number 84-4002794	
TYPE OF LICENSE REQUESTED	**FEE**
☐ Class A beer	$
☑ Class B beer	$
☐ Class C wine	$
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☑ Class B liquor	$ 300
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$
TOTAL FEE	$ 300

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

EFM HOLDINGS, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
MCGEE	NICHOLAS	TRACY	818 W. 3RD STREET WASHBURN,WI 54891
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name THE SPOT Business Phone Number 512-438-9886
2. Address of Premises 116 N. 14TH AVENUE E. Post Office & Zip Code ASHLAND WI 54806
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

   FIRST FLOOR BAR AREA, ENCLOSED BACK YARD OF BAR, BASEMENT COOLER/KEG/ STORAGE AREA. THERE IS AN UPSTAIRS EVENT SPACE ABOVE THE BAR THAT MAY BE USED FOR SPECIAL EVENTS. THE PARKING LOT MAY ALSO BE USED FOR SPECIAL EVENTS, AS PERMITTED BY THE CITY COUNCIL.

4. Legal description (omit if street address is given above): _____
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ..... ☑ Yes ☐ No

   (b) If yes, under what name was license issued? HPL, LLC

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ..... ☐ Yes ☑ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ..... ☐ Yes ☑ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ..... ☐ Yes ☑ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WISCONSIN and date 09/26/19 of registration.

   (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ..... ☐ Yes ☑ No

   (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☑ No
   If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ..... ☑ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ..... ☑ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ..... ☑ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
McGee, Nicholas T.	Member	06/18/20
Signature	Phone Number	Email Address
	512-438-9886	mcgeen01@gmail.com

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
6-20-20	6-30-20		
Date license granted	Date license issued	License number issued	

AT-106 (R. 3-19)

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☑ City of ASHLAND County of ASHLAND

The undersigned duly authorized officer/member/manager of EFM HOLDINGS, LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

THE SPOT
(Trade Name)

located at 116 N. 14TH AVENUE E., ASHLAND, WI 54806

appoints NICHOLAS MCGEE
(Name of Appointed Agent)

818 W. 3RD STREET, WASHBURN WI 54891
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/ organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☑ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☑ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? FIVE YEARS

Place of residence last year 818 W. 3RD STREET, WASHBURN WI 54891

For: EFM HOLDINGS, LLC
(Name of Corporation / Organization / Limited Liability Company)

By: _____
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than $1,000.

ACCEPTANCE BY AGENT

I, NICHOLAS TRACY MCGEE, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

_____ 6/18/2020 Agent's age 30
(Signature of Agent) *(Date)*

818 W. 3RD STREET WASHBURN, WI 54891 Date of birth 04/27/1990
(Home Address of Agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ *(Date)* by _____ *(Signature of Proper Local Official)* Title _____ *(Town Chair, Village President, Police Chief)*

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*
MCGEE	NICHOLAS	TRACY

Home Address *(street/route)*	Post Office	City	State	Zip Code
813 W. 3RD STREET		WASHBURN	WI	54891

Home Phone Number	Age	Date of Birth	Place of Birth
(512) 438-9886	30	04/27/1990	AUSTIN, TX

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☑ MANAGER *(Officer / Director / Member / Manager / Agent)* of EFM HOLDINGS, LLC *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? FIVE YEARS
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ..... ☐ Yes ☑ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ..... ☐ Yes ☑ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ..... ☐ Yes ☑ No
   If yes, identify. *(Name, Location and Type of License/Permit)*
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ..... ☐ Yes ☑ No
   If yes, identify. *(Name of Wholesale Licensee or Permittee)* *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
THE SNUG	308 W BAYFIELD, WASHBURN	10/01/2019	06/18/2020
Employer's Name	Employer's Address	Employed From	To
VON HOLZEN GM	1606 US 2, ASHLAND 54806	09/15/2017	06/18/2020

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

(Signature of Named Individual)

AT-103 (R. 7-18)

Wisconsin Department of Revenue

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/2020 (mm dd yyyy) ending: 06/30/2021 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } Ashland, WI

County of Ashland, WI Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
456000037688803	
FEIN Number	
TYPE OF LICENSE REQUESTED	**FEE**
☐ Class A beer	$
☒ Class B beer	$
☐ Class C wine	$
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☒ Class B liquor	$
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$
TOTAL FEE	$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Chequamegon Food Cooperative

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Nagro	Laura	L	2206 Maple Lane Ashland, WI 54806
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Parent	Michael	A	33425 Star Route Rd PO. Box 60 Bayfield, WI 54814
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Abeles-Allison	Mark		400 Woodland Dr., Washburn, WI 54819
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
" "	" "		" "
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Galazen	Kiersten	Ann	55050 Hwy 63 Mason, WI 54856
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Adams	John	C.	30900 Cty Hwy C. Washburn, WI 54891

1. Trade Name Chequamegon Food Cooperative Business Phone Number (715) 682-8251
2. Address of Premises 700 Main st W Ashland, WI Post Office & Zip Code Ashland, WI 54806
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
   First floor of building (including sales floor & backstock area) and basement of building (storage only).
4. Legal description (omit if street address is given above): _____
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ..... ☒ Yes ☐ No
   (b) If yes, under what name was license issued? Same - Chequamegon Food Cooperative

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ..... ☐ Yes ☒ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ..... ☐ Yes ☒ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ..... ☐ Yes ☒ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 3/09/1976 of registration.

   (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ..... ☐ Yes ☒ No

   (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No
   If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ..... ☒ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ..... ☒ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ..... ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
Galazen, Kiersten, A	General Manager	6/8/2020
Signature	**Phone Number**	**Email Address**
Kiersten Galazen	715-682-8251	kiersten@chegfood.coop

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
6-16-20			
Date license granted	**Date license issued**	**License number issued**	

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of Ashland, WI County of Ashland, WI

The undersigned duly authorized officer/member/manager of Chequamegon Food Cooperative
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Chequamegon Food Cooperative
(Trade Name)

located at 700 Main St. West, Ashland, WI 54806

appoints Kiersten A Galazen
(Name of Appointed Agent)

55050 Hwy 63, Mason, WI 54856
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 39 yrs

Place of residence last year 55050 Hwy 63, Mason, WI 54856

For: Chequamegon Food Cooperative
(Name of Corporation / Organization / Limited Liability Company)

By: Kiersten Galazen
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than $1,000.

ACCEPTANCE BY AGENT

I, Kiersten A. Galazen, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Kiersten Galazen (Signature of Agent) 6/12/2020 (Date) Agent's age 39

55050 Hwy 63 Mason, WI 54856 (Home Address of Agent) Date of birth 11/13/1980

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ (Date) by _____ (Signature of Proper Local Official) Title _____ (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*		
Galazen	Kiersten	Ann		
Home Address *(street/route)*	Post Office	City	State	Zip Code
55050 Hwy 63	Mason	Mason	WI	54856
Home Phone Number	Age	Date of Birth	Place of Birth	
(715) 763-3383	39	11/18/80	WI	

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual.**

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☒ General Manager of Chequamegon Food Cooperative
(Officer / Director / Member / Manager / Agent) *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 39 yrs
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ..... ☒ Yes ☐ No
   If yes, identify. Chequamegon Food Cooperative, 700 Main St. W. Ashland, WI, Class A Beer/cider have applied for Class A liquor
   (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ..... ☐ Yes ☒ No
   If yes, identify.
   (Name of Wholesale Licensee or Permittee) *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Chequamegon Food Coop	700 Main St W, Ashland, WI 54806	Oct 2004	Current
Employer's Name	Employer's Address	Employed From	To

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

Kiersten Galazen
(Signature of Named Individual)

CHEQUAMEGON
FOOD CO-OP

700 Main St. W.
Ashland, WI 54806
Phone: 715-682-8251

June 24, 2020

Dear Members of Ashland City Council:

I am writing to inform the council that the Chequamegon food Co-op is applying for a Class A & Class B Combined Liquor License from the city of Ashland. We are applying due to the June 9 approval of amending Chapter 922 (1488) Ashland City Ordinances to increase the licensee quota from three to four. We find it appropriate that the council take into consideration approving the application of our co-op.

In 2014, the Chequamegon Food Co-op's "Class A" license application was denied. The reason given was, that if an increase to the quota was made on our behalf, it would need to be made for all other interested parties in town. The council has approved newly formed business, Taste of Wisconsin, LLC to hold the 4th license and thus it only seems fair that action should be taken to approve additional businesses, especially those who have been turned down prior to the June 9 amendment approval.

As you know, Chequamegon Food Co-op is a community owned business with over 3000 member-owners, most of whom reside in the greater Ashland area. We have long been an anchor business to downtown Ashland. We are members of the Ashland, Washburn and Bayfield Chambers of Commerce, and have been strong supporters of local businesses, events and charities since 1976. We carry many local products from people who grow and make goods within 100 miles of our address. We support community members who are looking to produce locally with no-interest micro-loans, one of which we have even awarded to a local winery. We have been in business since 1976 and field customer requests for organic and local wines on a weekly basis. We have no intention of becoming a liquor store but would like to offer a small display of carefully selected local, organic, regional and fair-trade wines. The value added to our local economy, our customers, and our members would be immense.

Our applications have been previously submitted, including the necessary fees. We made the decision to additionally apply to a Class B combined license because we were informed the city had one in its possession. Although we have applied to both licenses, it is not necessary for the co-op to hold dual liquor licenses in the city of Ashland. Our hope is to be awarded the first license that becomes available.

Thank you,

Kiersten Galazen
General Manager/Store Operations Manager
Chequamegon Food Coop
kiersteng@cheqfood.coop

SUBJECT: **Approve an Ordinance to Amend Chapter 922 (1488) Ashland City Ordinances, Alcohol Beverage Licenses, to Increase the Quota for "Class A" Intoxicating Liquor Licenses from Four (4) to Five (5), and Approve the Class A Intoxicating Liquor License Application for Chequamegon Food Cooperative at 700 Chapple Avenue, and its Agent Kiersten Galazen *(Clerk)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Clerk

EXHIBITS:

1. Proposed Ordinance
2. Chequamegon Food Cooperative - Class A Application
3. Letter from Chequamegon Foods Cooperative to Council, June 24, 2020

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified that Chequamegon Food Cooperative is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

Chequamegon Food Cooperative submitted an application for a Class A Intoxicating Liquor license for the Chequamegon Food Cooperative at 700 Chapple Avenue, Ashland, in order to incorporate locally produced wines with the already popular local products available at their store. Council is also being asked to increase this quota by one (1) to allow for Chequamegon Food Cooperative to be approved for this license. As of June

9, 2020, Chapter 922.30(a) states the current quota for a Class A Intoxicating Liquor license for the City of Ashland as four (4).

The Chequamegon Food Cooperative had applied, amongst other businesses, for the exact license in the past with efforts to compete in the sales of wines to compliment their product line. Although denied, the Cooperative holds a Class A Fermented Malt Beverage and a Class A Cider license to offer locally produced craft beers and ciders to its customers. Due to recent events, the Cooperative has asked for the ability to expand its market to also offer wines.

Past reasoning for the City to set a quota for such license is not being argued as a policy set for the health and welfare of its community. During discussion at the June 9, 2020 Council meeting regarding increasing the quota from then three to four, it was noted that Council recognized the need for local businesses to compete economically, and to set undetermined parameters of the types of businesses should be opened up for the sales of more than fermented malt beverages (beer). The Cooperative is potentially an ideal and logical market to justify its request to sell beer.

It is the request of the Clerk's office to approve to amend Chapter 922 (1488), Ashland City Ordinances, to increase the self-induced quota for "Class A" Intoxicating Liquor licenses from four (4) to five (5), and to approve said license be approved for Chequamegon Food Cooperative at 700 Chapple Avenue, Ashland as applied.

ORDINANCE TO AMEND CHAPTER 922 (1488), ASHLAND CITY ORDINANCES, ALCOHOLIC BEVERAGES REGULATION TO INCREASE THE QUOTA FOR "CLASS A" INTOXICATING LIQUOR LICENSES FROM FOUR (4) TO FIVE (5)

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of June 30, 2020 for the purpose of amending section 922.30(a) Quotas to increase the "Class A" Intoxicating Liquor licenses quota of four (4) to five (5)

SECTION I:

Section 922.30(a) shall be amended to read:

"Class A" Intoxicating Liquor. The quota for "Class A" intoxicating liquor licenses in the City shall be five (5) licenses.

SECTION II

This ordinance shall take effect upon passage and publication.

_____
Councilperson

PASSED: June 30, 2020
PUBLISHED: July 11, 2020

ATTEST: _____
Denise Oliphant, City Clerk

_____
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

_____
Tyler W. Wickman, City Attorney

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 06/09/2020 (mm dd yyyy) ending: 06/08/2021 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☐ Village of ☒ City of } Ashland, WI

County of Ashland, WI Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☐ Limited Liability Company ☐ Partnership ☒ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number: 456000037688803	
FEIN Number: 391263745	
TYPE OF LICENSE REQUESTED	**FEE**
☐ Class A beer	$
☐ Class B beer	$
☐ Class C wine	$
☒ Class A liquor	$ 500
☐ Class A liquor (cider only)	$ N/A
☐ Class B liquor	$
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$ 40
TOTAL FEE	$ 540 -

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name): Chequamegon Food Cooperative

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Nagro	Laura	L	2206 Maple Lane Ashland, WI 54806
Vice President / Member Last Name	**(First)**	**(Middle Name)**	**Home Address (Street, City or Post Office, & Zip Code)**
Parent	Michael	A	33425 Star Route Rd, P.O. Box 60 Bayfield, WI 54814
Secretary / Member Last Name	**(First)**	**(Middle Name)**	**Home Address (Street, City or Post Office, & Zip Code)**
Abeles-Allison	Mark		400 Woodland Drive, Washburn, WI 54891
Treasurer / Member Last Name	**(First)**	**(Middle Name)**	**Home Address (Street, City or Post Office, & Zip Code)**
Abeles-Allison	" "		" "
Agent Last Name	**(First)**	**(Middle Name)**	**Home Address (Street, City or Post Office, & Zip Code)**
Galazen	Kiersten	Ann	58050 Hwy 63 Mason, WI 54856
Directors / Managers Last Name	**(First)**	**(Middle Name)**	**Home Address (Street, City or Post Office, & Zip Code)**
Adams	John	C.	30900 City Hwy C, Washburn, WI 54891

1. Trade Name Chequamegon Food Cooperative Business Phone Number (715) 682-8251
2. Address of Premises 700 Main St. West Post Office & Zip Code Ashland, WI 54806
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

   First floor (including sales floor & backstock room) & basement of building

4. Legal description (omit if street address is given above): _____
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? . . . . . ☒ Yes ☐ No

   (b) If yes, under what name was license issued? SAme - Chequamegon Food Cooperative

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ☐ Yes ☒ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ☐ Yes ☒ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 3/09/1976 of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ☐ Yes ☒ No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No
If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
Galazen, Kiersten, A	General Manager	6/3/2020
Signature	**Phone Number**	**Email Address**
Kiersten Galazen	715-682-8251	kiersten@chegfood.coop

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
6-08-20	6-30-20		
Date license granted	**Date license issued**	**License number issued**	

AT-106 (R. 3-19)

6-15-20 James C Gregoire Chief of Police

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of Ashland, WI County of Ashland, WI

The undersigned duly authorized officer/member/manager of Chequamegon Food Cooperative
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Chequamegon Food Cooperative
(Trade Name)

located at 700 Main St. West, Ashland, WI 54806

appoints Kiersten A Galazen
(Name of Appointed Agent)

55050 Hwy 63, Mason, WI 54856
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 39 yrs

Place of residence last year 55050 Hwy 63, Mason, WI 54856

For: Chequamegon Food Cooperative
(Name of Corporation / Organization / Limited Liability Company)

By: Kiersten Galazen
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than $1,000.

ACCEPTANCE BY AGENT

I, Kiersten A. Galazen, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Kiersten Galazen (Signature of Agent) 6/12/2020 (Date) Agent's age 39

55050 Hwy 63 Mason, WI 54856 (Home Address of Agent) Date of birth 11/18/1980

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ (Date) by _____ (Signature of Proper Local Official) Title _____ (Town Chair, Village President, Police Chief)

CHEQUAMEGON
FOOD CO-OP

700 Main St. W.
Ashland, WI 54806
Phone: 715-682-8251

June 24, 2020

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General Manager/Store Operations Manager
Chequamegon Food Coop
kiersteng@cheqfood.coop