

AMENDED AGENDA

August 4, 2020 Special Meeting of the City Council
5:30 PM - 6:30 PM (CDT)

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ASHLAND CITY COUNCIL MEETING

Tuesday, August 4, 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. CITIZEN PARTICIPATION PERIOD

4. NEW BUSINESS

A. Discussion and Approve a Resolution to Amend Chapter 201 (934) General Conduct Ordinance, Ashland City Ordinance (A) to Enact a Local Ordinance Requiring Face Coverings during the COVID-19 Pandemic, (B) Enforcement of Such Ordinance under Emergency Orders, and (C) to Establish Municipal Penalties for Violation *(Roll)*

B. Approve to Enter into a Contract with Ashland Construction, Inc. for the MacArthur Avenue and 9th Avenue West, South of 11th Street West, Sanitary Sewer Replacement Project *(Roll)*

5. ADJOURNMENT

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact Denise Oliphant at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

SUBJECT: Discussion and Approve a Resolution to Amend Chapter 201 (934) General Conduct Ordinance, Ashland City Ordinance (A) to Enact a Local Ordinance Requiring Face Coverings during the COVID-19 Pandemic, (B) Enforcement of Such Ordinance under Emergency Orders, and (C) to Establish Municipal Penalties for Violation (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: City Attorney
City Administrator
Council President

EXHIBITS:

1. Proposed Resolution
2. Proposed Ordinance
3. Gov Evers Executive Order #82 July 30, 2020

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

APPROPRIATION REQUIRED:

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

SUMMARY STATEMENT:

At the Committee of the Whole meeting on 7/28/20, Council voted unanimously 10-0 to pursue passage of a Municipal Ordinance to require the wearing of masks and limit the size of gatherings in City limits and establish local enforcement penalties for violation. It was suggested that monetary penalty should be limited to up to \$200.

On July 30, 2020, Governor Evers issued a statewide Executive Order Requiring Face Coverings in Certain Situations. A copy of the 7/30/2020 Executive Order is attached.

The City Attorney has drafted a proposed ordinance.

RESOLUTION No. 17582

RESOLUTION TO AMEND CHAPTER 201 (934) GENERAL CONDUCT ORDINANCE, ASHLAND CITY ORDINANCES (A) TO ENACT A LOCAL ORDINANCE REQUIRING FACE COVERINGS DURING THE COVID-19 PANDEMIC, (B) ENFORCEMENT OF SUCH ORDINANCE UNDER EMERGENCY ORDERS, AND (C) TO ESTABLISH MUNICIPAL PENALTIES FOR VIOLATION

WHEREAS, COVID-19 cases have been on the rise in Wisconsin, Ashland County, and the South Shore in recent weeks; and

WHEREAS, public spaces and businesses are open for in-person operations in the City of Ashland, increasing the potential for community spread of COVID-19; and

WHEREAS, COVID-19 is primarily spread via respiratory droplets when people are in close proximity with each other and people that are infected speak, sneeze, or cough. People can be infected and have no symptoms (asymptomatic) and they are still able to transmit the virus; and

WHEREAS, according to the Centers for Disease Control (CDC), there is emerging evidence from clinical and laboratory studies that demonstrates cloth face masks reduce the spray of respiratory droplets; and

WHEREAS, wearing a face mask is one of the most effective ways to reduce person to person transmission of COVID-19. Face masks serve as a protection to prevent droplets from entering the air, which is known as source control. When combined with other preventive measures, including physical distancing and proper hygiene practices, wearing face masks is a simple and effective way to reduce the risk of COVID-19 transmission; and

WHEREAS, the risk of COVID-19 transmission remains high, particularly in indoor settings with an increased likelihood of close contact and the sharing of air that may contain coronavirus contaminated respiratory droplets and/or aerosols; and

WHEREAS, evidence cited by the Centers for Disease Control and Prevention (CDC) indicates that a significant portion of individuals with the coronavirus are asymptomatic, and that pre-symptomatic persons can transmit the virus to others before showing symptoms; and

WHEREAS, the City of Ashland is a destination for travelers and visitors from all over Wisconsin and the United States, including from states with higher per capita rates of COVID-19 infection than the State of Wisconsin or Ashland County; and

WHEREAS, Wisconsin Statutes Chapter 252 authorizes and requires Local Health Officers to perform certain duties and take certain action; and

WHEREAS, pursuant to Wis. Stat. §252.25, orders rendered by a Local Health Officer are enforceable by adoption of municipal ordinances; and

WHEREAS, pursuant to Wis. Stat. § 323.10, authorizes the Governor of Wisconsin to declare a state of emergency via executive order, including public health emergencies and may designate the Department of Health Services as the lead agency to respond to the emergency; and

WHEREAS, pursuant to Wis. Stat. §323.12, if the Governor declares an emergency the Governor has several powers that may be exercised including but not limited to the authority to “Issue such orders as he or she deems necessary for the security of persons or property”; and

WHEREAS, pursuant to Wis. Stat. §323.11 and §323.14, local governments may declare emergencies and may make orders as necessary for the health, safety, protection, and welfare of person and property within the local unit of government.

THEREFORE, BE IT RESOLVED THAT the City of Ashland Common Council hereby amends Chapter 201 General Conduct Ordinance, Ashland City Ordinances to add Section 201.35 Face Covering Requirements during the COVID-19 Pandemic, 201.36 Enforcement of Public Health Order and Section 201.37 Enforcement of Emergency Orders as made by local health officers and the Governor during a declared emergency.

PASSED: August 4, 2020

Councilperson

ATTEST:

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

Approved as to Form:

Tyler W. Wickman, City Attorney

Sequential Ordinance No. 2020-1936
Chapter No. 201 (934)

ORDINANCE TO AMEND CHAPTER 201 (934) GENERAL CONDUCT ORDINANCE.
ASHLAND CITY ORDINANCES,

An ordinance adopted by the Common Council for the City of Ashland at a special meeting of August 4, 2020, for the purpose of amending Chapter 201 (934) General Conduct Ordinance, Ashland City Ordinances.

Section I:

Section 201.35 shall be added as follows:

201.35 Face Covering Requirements during the COVID-19 Pandemic

(a) Definitions. As used in this Ordinance, the following terms shall have the meaning indicated:

“Commercial business” means any for-profit business open to the general public for the purchase of goods, entertainment or services, including by way of example but not limited to retail stores (such as grocery stores, convenience stores), restaurants, and service businesses.

“City and public buildings” means any buildings owned by local government or not for profit organizations, including public restrooms.

"Face covering" means a material covering the nose and mouth for the purpose of ensuring the physical health or safety of the wearer or others. A face covering can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels. Acceptable, reusable face covering options for the general public include bandanas, neck gaiters, homemade face coverings, scarves, or tightly woven fabric such as cotton t-shirts and some types of towels.

“Outdoor Spaces” means any outdoor location where people are unable to distance themselves a minimum of six feet.

(b) Mask Required. While indoors in any commercial business or City office, and in an Outdoor Space that is open to the general public, all customers, employees, and any other occupants or users of such area shall wear a face covering. While wearing a face covering, social distancing (6') shall still be maintained so far as possible as described by the Center for Disease Control and Prevention.

(c) Exceptions. Exceptions for face coverings will be made under the following circumstances:

i. A person who cannot wear a face covering due to a medical or behavioral health condition, including but not limited to anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance;

ii. Children who are under (5) years of age;

iii. A customer dining in a restaurant, while that customer is sitting at his or her table;

iv. A law enforcement officer or any emergency responder who reasonably deems it necessary to remove a face covering in the course of his or her duties;

v. A person who reasonably deems it necessary to remove his or her face covering for safety reasons or in order to carry out his or her job duties.

vi. Persons in settings where it is not practical or feasible to wear face coverings, including when obtaining or rendering goods or services, such as the receipt of dental services or medical treatments.

(d) Penalty. Any violation of this Ordinance will be subject to the issuance of a citation as provided in City of Ashland Ordinances, Chapter 279, and penalties imposed shall be as described in Section 201.91 of the City's ordinances.

(e) Expiration. Unless abolished at an earlier date by the City of Ashland Common Council, this Ordinance shall be effective for so long as any national, state, or local health official and/or health department continues to declare the Covid-19 Pandemic a public health emergency.

Section II:

Section 201.36 shall be added as follows:

201.36 Enforcement of Public Health Order

(a) Authority. Pursuant to the authority of Chapters 252, Wisconsin Statutes, the City of Ashland Common Council does hereby establish an ordinance regarding enforcement of orders issued by Local Health Officers. The provisions and definitions of §§ 252.01 to 252.25, Wis. Stats., and DHS Ch. 145, Wis. Adm. Code, as they may be from time-to-time amended, are adopted by reference and incorporated into this section as if fully set forth herein.

(b) Violations. Any person who willfully violates or obstructs the execution of any Local Health Officer Order issued under Ch. 252, Wis. Stats., and/or DHS Ch. 145, Wis. Adm. Code, relating to the public health, for which no other penalty prescribed, shall, in addition to being subject to all other legal and equitable actions and relief available to the City of Ashland, be subject to a forfeiture of not more than \$200 for each violation.

Section III:

Section 201.37 shall be added as follows:

201.37 Enforcement of Emergency Orders

(a) Authority. Pursuant to the authority of Chapters 323, Wisconsin Statutes, the City of Ashland Common Council does hereby establish an ordinance regarding enforcement of orders issued by the Governor or the designate agency to lead emergency response and emergency orders issued by the City of Ashland. The provisions and definitions of Ch. 323, Wis. Stats, as they may be from time-to-time amended, are adopted by reference and incorporated into this section as if fully set forth herein.

(b) Violations. Whoever intentionally fails to comply with an order issued by an agent of the state or of a local unit of government who is engaged in emergency management activities under this chapter, including training exercises, is subject to a forfeiture of not more than \$200.

Section IV:

Effective Date of Ordinance: This ordinance shall take effect upon passage and publication

PASSED: August 4, 2020
PUBLISHED: August 8, 2020

Councilperson

ATTEST:

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney



EXECUTIVE ORDER #82

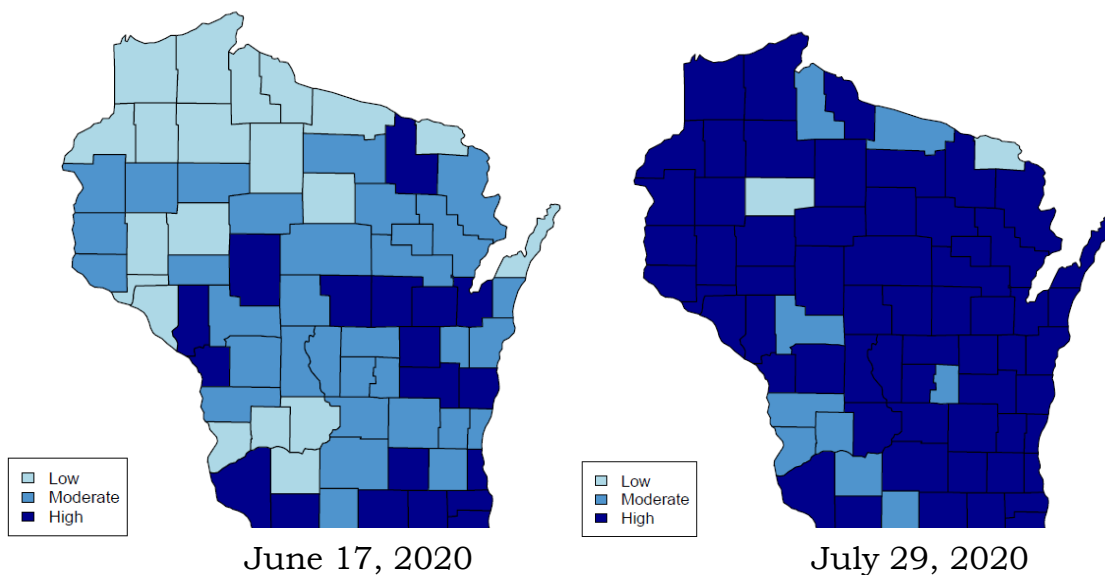
Relating to Declaring a Public Health Emergency

WHEREAS, the COVID-19 pandemic has impacted the lives of Wisconsinites throughout the state;

WHEREAS, despite the hard work Wisconsinites have done to slow the spread of COVID-19, data shows a new and concerning spike in infections;

WHEREAS, based on data collected by the Department of Health Services, the State of Wisconsin has experienced a drastic rise in COVID-19 cases throughout the entire state, with 61 of 72 counties (84 percent) representing 96 percent of the state's population experiencing high COVID-19 activity;

WHEREAS, this is a dramatic increase from where Wisconsin was in June, when only 19 of 72 counties (26%) were experiencing high COVID-19 activity, as depicted in the maps below:

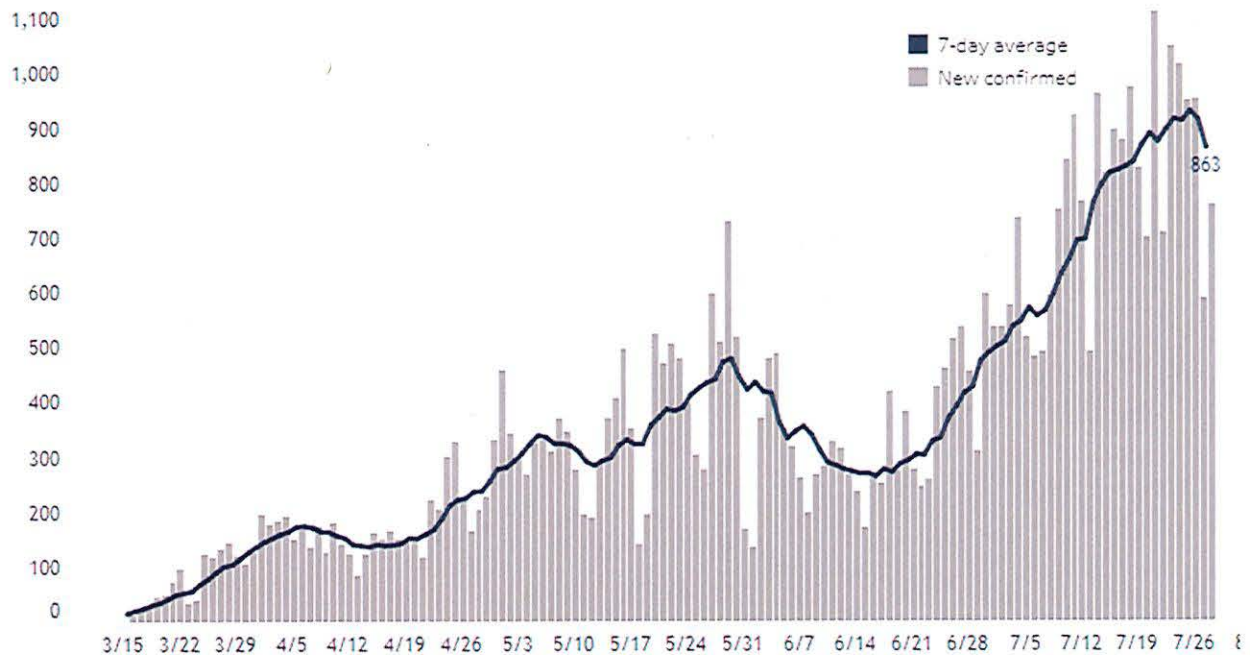


WHEREAS, on June 1, 2020, there were 18,543 confirmed cases of COVID-19 in Wisconsin; on July 1, 2020, there were 29,199 confirmed cases of COVID-19, a 57 percent increase from June 1; and on July 29, 2020, there were 51,049 confirmed cases of COVID-19, a 75 percent increase from July 1;

WHEREAS, Wisconsinites successfully “bent the curve” in May, but a drastic new spike has occurred due to the unprecedented number of new confirmed COVID-19 cases, including 43 percent of all Wisconsin COVID-19 cases occurring since July 1:

New confirmed COVID-19 cases by date confirmed, and 7-day average

Updated: 7/28/2020



WHEREAS, the average number of new confirmed cases of COVID-19 has drastically increased throughout July, with an average of 556 new cases each day between July 1-7, an average of 764 new cases each day between July 8-14 (a 37 percent increase from the previous week), an average of 890 new cases each day between July 15-21 (a 16 percent increase from the previous week), and an average of 938 new cases each day between July 22-26 (a 5 percent increase from the previous week);

WHEREAS, in a report dated July 26, 2020, the President’s COVID-19 Task Force identified Wisconsin as a “red zone” state, along with 21 other states where there is significant, uncontrolled spread of COVID-19;

WHEREAS, the federal report noted that the increasing number of cases “continues to be driven by increases in Milwaukee and Green Bay [core-based statistical areas], but also includes an increasing number of counties throughout the state, including in the west (Trempealeau, Pepin) and northwest (Iron County)”;

WHEREAS, with the increase in COVID-19 cases, there is also an increased strain on our health care system, with a growing number of hospitalized patients and patients in intensive care units;

WHEREAS, the number of confirmed deaths as a result of COVID-19 has also drastically increased; from the first death in March to June 1, 595 Wisconsinites having passed away, and by July 29, 911 people having lost their lives;

WHEREAS, an increase in deaths serves as an indicator of increased disease burden; growth in deaths from the last two weeks of July was 1.9 times the growth in deaths for the first two weeks of July, a statistically significant measure of accelerating death rates;

WHEREAS, the Centers for Disease Control has forecasted that with Wisconsin’s current disease growth, deaths will continue to increase and could reach 1,800 deaths by fall;

WHEREAS, pandemics come in waves of acceleration and deceleration of disease; because COVID-19 is a novel virus and there remain only limited effective treatments for infection and no vaccines to prevent spread of the disease, community mitigation strategies are the recommended intervention during acceleration phases;

WHEREAS, the vast majority of Wisconsin is now experiencing high virus activity levels, with some experiencing uncontrolled spread, and without quick intervention, there will be uncontrolled spread of COVID-19 infections statewide, which will lead to unnecessary serious illness or death, overwhelm our healthcare system, prevent schools from fully reopening, and unnecessarily undermine economic stability; and

WHEREAS, in order to protect the health and wellbeing of its residents, and to secure our best chances for economic success, Wisconsin must avail itself of all resources needed to respond to and contain the presence of COVID-19.

NOW, THEREFORE, I, TONY EVERS, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this state, and specifically by Sections 321.39, 323.10, 323.12, and 323.13 of the Wisconsin Statutes, hereby:

1. Proclaim that a public health emergency, as defined in Section 323.02(16) of the Wisconsin Statutes, exists for the State of Wisconsin.
2. Designate the Department of Health Services as the lead agency to respond to the public health emergency and direct the Department to take all necessary and appropriate measures to prevent and respond to COVID-19.
3. Authorize the Adjutant General to activate the Wisconsin National Guard as necessary and appropriate to assist in the State's response to the public health emergency, including providing personnel to support the August 11 primary election and personnel to operate community testing sites throughout Wisconsin.
4. Direct all state agencies to assist as appropriate in the State's ongoing response to the public health emergency.
5. Pursuant to Section 323.10 of the Wisconsin Statutes, this Public Health Emergency shall remain in effect for 60 days, or until it is revoked by the Governor or by joint resolution of the Wisconsin State Legislature.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this thirtieth day of July in the year of two thousand twenty.

TONY EVERS
Governor

By the Governor:

Douglas La Follette

DOUGLAS LA FOLLETTE
Secretary of State

SUBJECT: Approve to Enter into a Contract with Ashland Construction, Inc. for the MacArthur Avenue and 9th Avenue West, South of 11th Street West, Sanitary Sewer Replacement Project (*Roll*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Director of Public Works
Finance Director

EXHIBITS:

1. Excerpt of Minutes, June 30, 2020 City Council Meeting
2. Agenda Bill, June 30, 2020
3. Resolution 17576

EXPENDITURES REQUIRED: \$284,620 Construction Total
\$ 93,925 Construction Contingency (33%)
\$378,545 Project Total Amount not to exceed \$378,545

AMOUNT BUDGETED: -\$0-

APPROPRIATION REQUIRED: \$378,545 Fund 690 - Fund Balance

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on July 31, 2020, that Ashland Construction, Inc. is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORDINANCE 51: The Mayor and/or Clerk has consented to placement of this agenda item on the Council agenda as timely action is needed.

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

SUMMARY STATEMENT:

On June 30, 2020 the Council approved a resolution declaring an emergency related to the condition and history of sewer backups associated with a portion of the City's sanitary sewer system between MacArthur Avenue and 9th Avenue West, south of 11th Street West.

The emergency declaration was for the purpose of permitting timely repair of the sanitary sewer system in order to protect public health and safety.

Cedar Corporation has developed a 95% complete technical design and cost estimate for the work. The Public Works Department is requesting approval of project costs up to \$378,545 to allow for timely negotiation of costs and execution of a construction contract by City staff, which will allow Ashland Construction, Inc. to begin work as soon as possible. The amount requested includes a large project contingency to account for some uncertainty in the technical design related to the presence of an existing natural gas main and the potential need for additional engineering support for construction management during the project. The contract will be a standard form but executed at a later date, following the negotiation of costs and project schedule.

- 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)**

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

7. NEW BUSINESS

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

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

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

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

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

Public Works Director John Butler offered a presentation to Council to update the progress made of the City's I&I system.

- 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**

Kevin Haas moved, seconded by Sarah Jackson to approve. The motion passed unanimously by roll call vote.

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

Charlie Ortman moved, seconded by Jackie Moore to approve. The motion passed unanimously by voice vote.

- F. Approve a Resolution Adopted by the Common Council for the City of Ashland Pursuant to Section 62.15(1b) WI Statutes 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**

Charlie Ortman moved, seconded by Kevin Haas to approve. The motion passed unanimously by voice vote.

SUBJECT: Approve a Resolution Adopted by the Common Council for the City of Ashland Pursuant to Section 62.15(1b) WI Statutes 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 COUNCIL FOR THE CITY OF
ASHLAND PURSUANT TO SECTION 62.15(1b) WI STATUTES 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 AVENUE 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:

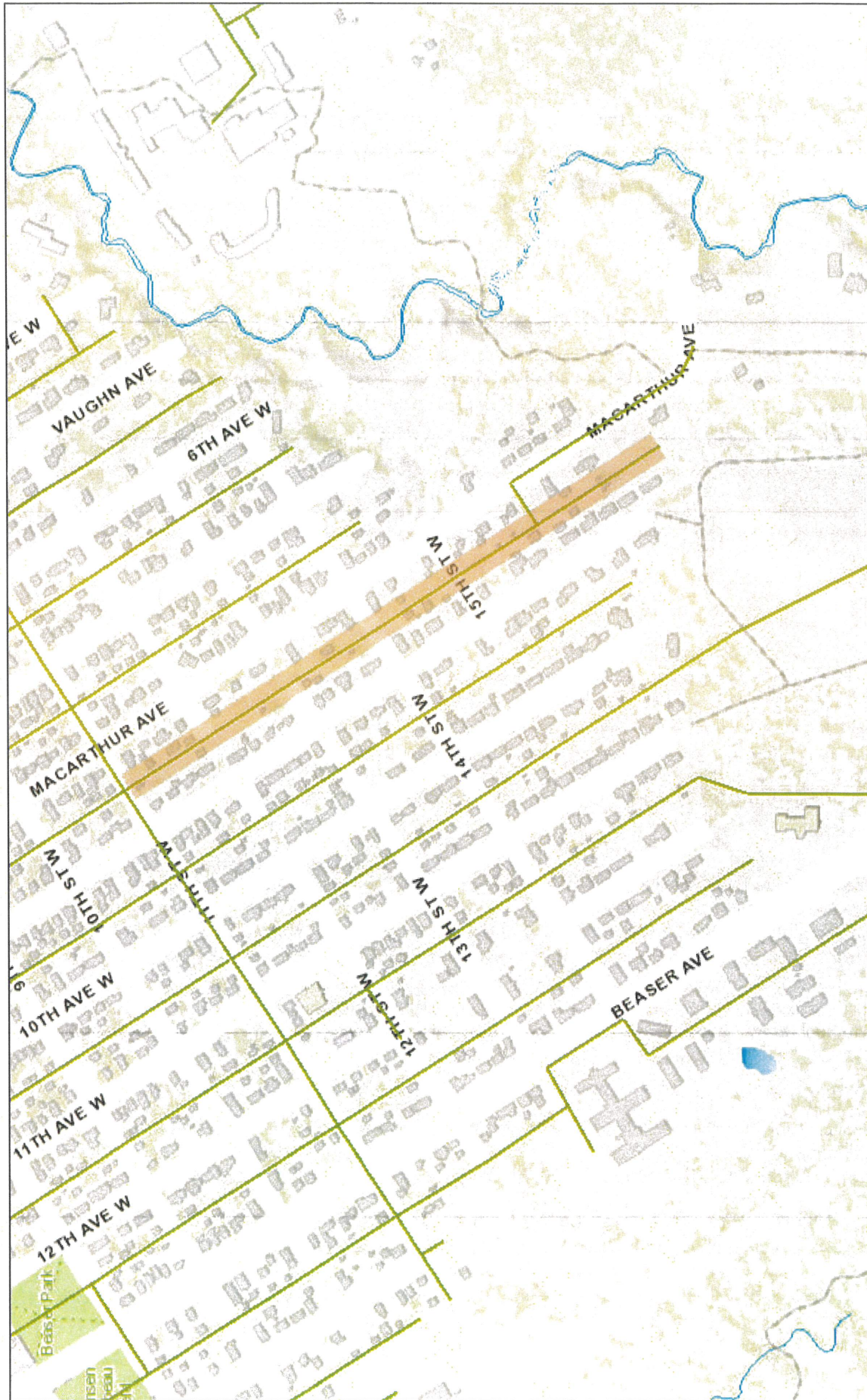
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

MacArthur Ave. Sanitary Sewer



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

- Lines
 - Sanitary_Discharge
 - Sanitary_Main
 - Sanitary_Forcemain
- Override 1
- Override 2
- Lift Stations
- Sanitary Structures

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
Copyright: 2020

RESOLUTION

No. 17576

RESOLUTION ADOPTED BY THE COMMON COUNCIL FOR THE CITY OF ASHLAND PURSUANT TO SECTION 62.15(1b) WI STATUTES 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,

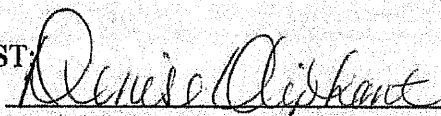
WHEREAS, under Wisconsin Statute 62.15(1b), the emergency will need to be declared over by the Common Council once it no longer exists.

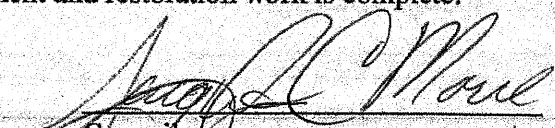
NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Ashland hereby declares an emergency pursuant to Section 62.15(1b), Wisconsin Statutes and directs the Public Works Director to undertake the work necessary to provide for the general welfare and safety of the community by completing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

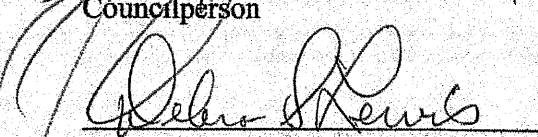
BE IT FURTHER RESOLVED that the emergency declared in this Resolution shall continue until such time the required replacement and restoration work is complete.

PASSED: June 30, 2020

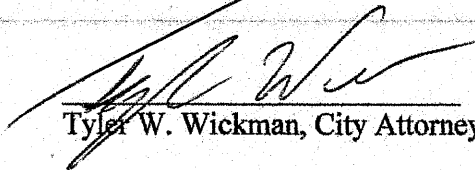
ATTEST:


Denise Oliphant, City Clerk


Councilperson


Debra S. Lewis, Mayor

APPROVED AS TO FORM:


Tyler W. Wickman, City Attorney