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ASHLAND CITY COUNCIL MEETING
Tuesday, July 13, 2021 – 5:30 PM

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 29, 2021 City Council and Committee of the Whole Meeting Minutes**
4. **CITIZEN PARTICIPATION PERIOD**
5. **MAYOR'S REPORT**
   - A. **Announcements**
6. **CONSENT AGENDA**
   - A. **Approve an Application Submitted by Patrick Hunt as New Agent for the Alcohol Beverage License for The 5th Quarter, 301 Main Street East, Ashland, WI** *(Clerk)*
   - B. **Approve to Submit Application for a Wisconsin Humanities Recovery Grant for 2022 Operating Expenses for the Vaughn Public Library** *(Library Director)*
   - C. **Miscellaneous Minutes**
7. **NEW BUSINESS**

A. **Approve to Award Contract to Scott Construction, Inc for the 2021 Roadway Chip Sealing Project** *(Public Works)* Roll

B. **Approve Change Order Number #2 for the 2021 Sanitary Sewer Collection System Repairs Project** *(Public Works)* Roll

C. **Approve a Resolution to Postpone a Public Hearing for the Vacation of Portions of Undeveloped Rights-of-Way Known as:**
• That Part of Platted but not Open 5th Avenue East Adjacent to Lots 1 through 12 Block 379 and Lots 13 through 24 of Block 380 of Ellis Division, and also that Part of Platted but not Open 5th Avenue East Adjacent to Lot 7 of Block 17 of Superior Addition to the City of Ashland, Wisconsin; and
• That Part of Platted but not Open Alleyway Adjacent to Lots 5 through 12 and 16 through 24 of Block 380 of Ellis Division to the City of Ashland, Wisconsin *(Planning)* Roll

D. **Approve to Allow Restructuring within the Police Rank Structure as Recommended by the Police Chief** *(Police Department)* Voice

8. ADJOURNMENT

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ASHLAND CITY COUNCIL MEETING MINUTES
Tuesday, June 29, 2021 – 5:30 PM
Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, June 29, 2021 Ashland City Council meeting was called to order by Council President Kevin Haas virtually via GoTo Meetings at 5:30 p.m.

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

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

PRESENT: Kevin Seefeldt, Laura Graf, Sarah Jackson, Anne Whiting, Ana Tochterman, Eric Lindell, Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, Jackie Moore

ABSENT: None

ALSO PRESENT: City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Planning Director Megan McBride , Police Chief Willis Hagstrom, Deputy Clerk Chelsea List, Planning Assistant Jaclynn Findlay, and other concerned citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. June 8, 2021 City Council and Committee of the Whole Meeting Minutes

Moore moved, seconded by Seefeldt to approve the 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:

Zygmund Jablonski, 916 6th Avenue West, spoke to the award of the 2021 LSL Contractor agreement approved by Council during the June 8, 2021 meeting.

5. MAYOR'S REPORT

A. Announcements

Council President Haas is conducting the meeting as Mayor Lewis was unable to attend after having a recent bicycle accident. Haas passed along a note of appreciation from the Mayor for the well wishes. Wishes were extended for a happy and safe Fourth of July, and offered an invitation to participate in working on a float and being part of the parade. The Policing Task Force will be hosting public hearing sessions in August. There will be a free concert at the Band Shell on July 24, 2021 at 7:30 pm.

B. Appointments

Moore moved, seconded by Lindell to approve the appointments. The motion passed unanimously by voice vote.

6. CONSENT AGENDA

A. Approve Memorandum of Agreement with Wisconsin Historical Society to Accept Historic Preservation Subgrant *(Planning & Development)* Voice

B. Approve an Application for Class B Combination Fermented Malt Beverage and Intoxicating Liquor License for Chequamegon Bay Golf Club, Inc., and Agent David Bretting *(Clerk)* Voice

C. Miscellaneous Meeting Minutes

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

7. OLD BUSINESS

A. Approve an Ordinance to Amend Chapter 165 Comprehensive Fee Schedule to Add a Six-Month Option for Mobile Food Vendor Permit Fee *(Clerk)* Roll

Lindell moved, seconded by Seefeldt to approve. After discussion, Moore called the question, seconded by Lindell. A voice vote to approve to end discussion passed 8-3; opposed were

Franek, Ortman and Pufall. The motion to approve the ordinance passed 9-2 by roll call vote; opposed were Franek and Pufall.

8. NEW BUSINESS

A. Public Hearing Regarding City of Ashland 2021 Community Development Block Grant-Coronavirus (CDBG CV) Application to Fund Acquisition/ Renovation of Homeless Shelter in the City of Ashland *(Mayor)*

Lindell moved, seconded by Jackson to enter into Public Hearing. The motion passed unanimously by roll call vote. There were no public comments made during this time. The motion was made by Moore, seconded by Lindell to close the public hearing, and was approved unanimously by voice vote.

B. Approve the Authorizing Resolution to Submit a Community Development Block Grant (CDBG) Application for Acquisition/Renovation of a Homeless Shelter in the City of Ashland on Behalf of the Northwest Community Services Agency (NWCSA) *(Mayor)* Roll

Haas noted that Mayor Lewis requested to amend the grant application to request $700,000 versus $500,000. Franek moved, seconded by Moore to approve the resolution and amendment to the grant application. The motion passed unanimously by roll call vote.

C. Approve an Ordinance to Amend chapter 781 (1764) Ashland City Ordinance, Unified Development Ordinance, to Allow for Emergency Residential Facilities as a Conditional Use in the Light Industrial Zoning District *(Planning)* Roll

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

D. Approve an Ordinance to Amend Chapter 889 (1536) Transient Merchants, solicitation in Residential Neighborhoods, and Mobile Concession Street Vendors, Ashland City Ordinances to Create a Special Event License *(Clerk)* Roll

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

E. **Discussion and Action Regarding Return to In Person City Council and Other City Committee Meetings** *(Mayor) Voice*

Lindell moved, seconded by Graf to approve to return to in person Council meetings. Seefeldt moved, seconded by Ortman to postpone the item until the August 10, 2021 City Council meeting. The motion to postpone passed 9-2 by roll call vote; opposed were Lindell and Graf.

9. ADJOURNMENT

Pufall moved to adjourn, seconded by Moore, and unanimously approved by voice vote.

Respectfully Submitted,

Denise Oliphant,
City Clerk

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COMMITTEE OF THE WHOLE MEETING MINUTES

The Common Council of the City of Ashland will meet as the Committee of the Whole on **June 29, 2021** immediately following the City Council meeting which begins at **5:30 PM** in the Ashland City Hall Council Chambers.

The following items will be considered:

1. Roll Call

   The Tuesday, June 29, 2021 City of Ashland Committee of the Whole Meeting was called to order by Council President Kevin Haas at 6:55 p.m. via GoTo Meetings.

   Roll Call
   Present: Kevin Seefeldt, Laura Graf, Sarah Jackson, Anne Whiting, Ana Tochterman, Eric Lindell, Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, Jackie Moore

   Others Present: City Administrator Brant Kucera, City Clerk Denise Oliphant, Police Chief Bill Hagstrom, Deputy Clerk Chelsea List, Planning Assistant Jaclynn Findlay, and other concerned citizens.

2. Council President's Report

   Haas noted that further work will be done on Chapter 889 of the Ashland City Ordinances later this fall.

3. Administrator's Report

   Kucera updated Council on progress of the strategic planning. The community survey is now out in the public and the number of responses thus far have been good. He also mentioned there are plans for an in-person retreat for Council toward the end of August, date TBD, with the strategic planning consultant. He talked of the COVID status in the state, and noted the increase of visitors in the Ashland area. Finally he wished to correct any miscommunication there may be regarding City staff returning calls and responding to customer inquiries.

4. Approval of Agenda

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

5. Committee Updates

Harbor Commission - Pufall: Business has been good although no recent meeting
Housing Authority - Franek: Discussed plans to reopen offices, tree trimming, the significance of Juneteenth, and getting tuckpointing work done.
Housing Committee - Whiting: Worked on CDBG Grant which was discussed at the Council meeting earlier, does not yet have a specified location for a potential warming shelter, and noted many apartment units in Ashland are being sold and converted to Air B&Bs.
Library Board - Jackson: Continuing renovation conversation, meeting rooms on the second floor are now available, and the mobile book-mobile is at the Farmers' Markets
Parks Board - Haas: Toured the parks with public works staff and board
Planning Commission - Lindell: No update offered
Public Work Committee - Moore: Toured the parks with the parks staff and board, noted that water testing has been done via grants now
Source Water Planning Commission - Ortman: Plan is complete and will be coming to Council in the future.
Sustainability Committee - Graf: Native planting presentation by a Northland College student, mentioned availability of grants through Xcel Energy.

6. Discussion Items

   A. Discussion on Updates and Possible Action Regarding the Approved Resolution to Develop a School Resource Officer (SRO) Memorandum of Understanding (MOU) in Collaboration with the School District of Ashland to Include Data Gathering and Incorporating Wisconsin Department of Public Instruction (WDPI) Best Practices for SROs *(Councilor Tochterman)*

      The item was introduced by Councilor Tochterman, and comments were offered by Hagstrom. Lindell moved, seconded by Ortman, to recognize Eric Olson, Superintendent of Ashland Public Schools. The motion passed unanimously by voice vote.

7. Adjournment

   Lindell moved, seconded by Tochterman to adjourn. The motion passed unanimously by voice vote.

   Respectfully Submitted,

   Denise Oliphant,
   City Clerk

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SUBJECT: **Approve an Application Submitted by Patrick Hunt as New Agent for the Alcohol Beverage License for The 5th Quarter, 301 Main Street East, Ashland, WI *(Clerk)***

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: City Clerk

EXHIBITS: 1. Change of Agent application - Pat Hunt

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORD. 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:

SUMMARY STATEMENT:

The City Clerk is asking for Council's approval of the application from Patrick Hunt as new agent for the 5th Quarter at 301 Main Street East, Ashland, WI.

Pat Hunt has applied as new agent for the alcohol license in order to not disrupt business due to illness for the 5th Quarter Bar, currently owned by Bradley Hanson. Mr. Hunt also operates Super H Foods which has been recently approved as agent for a Class A Fermented Malt Beverage and Intoxicating Liquor License at 511 East Main Street, Ashland.

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 Brud/A Ha
(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

DBA 5th Quarter
(Trade Name)

located at 301 Main St. E, Ashland, WI 54806

appoints Patrick Hunt
(Name of Appointed Agent)

1505 9th Ave. W. 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).

KRPS Ashland, WI

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? 58 yrs.

Place of residence last year 1505 9th Ave. W. Ashland, WI 54806

For: Sandesiel 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, Patrick Hunt, 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] 6-21-21 Agent's age 58
(Signature of Agent) (Date)

1505 9th Ave. W. Ashland, WI 54806 Date of birth 7/3/62
(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 7/2/2021 by Bill Haughton #119 Title Police Chief
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

SUBJECT: **Approve to Submit Application for a Wisconsin Humanities Recovery Grant for 2022 Operating Expenses for the Vaughn Public Library** ***(Library Director)***

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Library

CLEARANCES: Library Director

EXHIBITS:

EXPENDITURES REQUIRED: $ 0.00

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: $ 0.00

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORD. 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

Sarah Adams, Vaughn Library Director is requesting approval to apply for a Wisconsin Humanities Recovery Grant for $12,700. The City of Ashland is the fiscal agent for the grant, and there is no match requirement.

The Vaughn Library has an opportunity to recover funds lost due to 2020 disruptions in services that impact County funding reimbursement formulas.

City of Ashland – Main Street Board Meeting Minutes

A meeting of the Main Street Board was held on **Wednesday, June 6th, 2021 at 8 a.m.** via GoToMeeting.

Present: Mary McPhetridge, Kyle Ellefson, Renee Britian, Kevin Porter, Carver Harries

Absent: Katie Gellatly, Kevin Stranberg, Danny Simpson, Sara Beadle

Staff Present: Megan McBride, Jaclynn Findlay

Megan McBride opened the meeting at 8:00 a.m.

Agenda

1) Call to Order and Roll Call

Mary McPhetridge called the meeting to order at 8:00 a.m.

2) Approval of Agenda

Motion to approve the agenda by Kyle Ellefson. Seconded by Kevin Porter. Passed unanimously.

3) Consent Agenda

a) Approval of minutes from the May 5, 2021 Main Street Board Meeting

Motion to approve minutes from the May 5, 2021 Main Street Board meeting by Mary McPhetridge. Seconded by Renee Britian. Passed unanimously.

4) Public Comment (non-agenda items)

No public comments.

5) Discussion Items

a) Overview and discussion of Main Street Program technical assistance team visit June 14-16, 2021

Jaclynn Findlay gave an overview of what to expect for the Resource Team visit. The WEDC Resource Team will be working in Ashland Monday, June 14th-Wednesday, June 16th. The purpose of the visit is to provide recommendations for Ashland's Main Street and help to prioritize projects and goals for the Main Street Program based on the Four-Point Approach. The Team will gather information through a variety of walking tours, meetings, interviews, and publications and then put together a report and presentation based on their findings with recommendations. It is most important for the Main Street Board members to attend the Main Street Board meeting session with the Resource Team on Tuesday, June 15th from 8:00-9:00 am. Board members are also invited to attend the Walking Tour on Monday, June 14th from 12:00-

1:00 pm. If Board members cannot attend the Tuesday session, they should attend the Walking Tour so they can meet the Resource Team and provide feedback. If unable to attend both the Main Street Board meeting session and the Walking Tour, Board members can also set up a one-on-one interview with the Resource Team during the Field Time session (9:00-11:00 am on Tuesday).

Mary McPhetridge suggested taking the WEDC Resource Team on a Trolley Tour.

b) Preliminary discussion about process and criteria for a downtown business plan competition

Megan McBride explained that within the Tax Incremental District there is funding set aside for three business plan competitions within the life of the TID (now-2045). Megan recommended doing the first business plan competition this summer, focusing on food-based uses. The winner of the business plan competition would receive start-up funding for their business. Megan suggested incentivizing a property owner to participate by giving them funding for façade improvements and the build out of a commercial kitchen in their storefront. Megan also suggested hosting a community taste-off at the Bretting Center as part of the judging criteria. This would encourage buy-in from the community for the new business.

Mary McPhetridge recommended using the criteria for the Opportunity Knocks business plan competition.

Carver Harries asked if the business plan competition would be exclusively for food-based businesses.

Megan McBride explained that food-based businesses are a need identified in the downtown resident survey and the Comprehensive Plan, however the business plan competition does not have to be exclusively for food-based uses.

Renee Britian commented that many existing businesses are struggling to stay open due to lack of staffing. Doing a business plan competition right now might be bad timing.

Kevin Porter asked what the buy-in for the business owner would be.

Megan McBride explained that this type of grant program would need to be a competitive process, with two phases for identification of available storefront spaces and then a separate business plan competition phase. The initial idea is that the $10,000 budgeted for each of the competitions would be split 50/50, with half going to the property owner to subsidize the lease rate for a period of time, and the other half going directly to the property owner who wins the business plan competition. Since buildout of a commercial kitchen in historic buildings can be complex and expensive, so an additional $10,000 from TID #10 could go directly towards supporting buildout of a commercial kitchen. She emphasized that this is just an idea, so any input or suggestions on timeline and structure of this type of competition would be greatly appreciated.

Carver Harries emphasized Renee's point about timing. With the economic impacts of COVID-19, it is a very difficult time to start a business, especially a restaurant. Carver suggested waiting to do a restaurant business competition until a later and instead focus on retail or service businesses.

c) Updates on upcoming downtown events and programming

Renee Britian and Kyle Ellefson gave an overview of the downtown Wine Walk. Kyle Ellefson supports doing another Wine Walk in the Fall.

Mary McPhetridge commented that at the business owners at the EPC meeting were very happy with the event. Mary passed on a note from Katie Gellatly that in the future the Wine Walk should be on a Friday, instead of a Thursday. Mary also commented that the event will need more sponsorship in the future.

Mary gave an overview of the upcoming downtown/Chamber events:
- June 5th: Farmer's Market is starting for the season
- June 5th: House to House Garage Sale
- June 17th: Third Thursday
- July 1st-4th: Carnival in the downtown
- July 4th: Parade at 11:00 am, fly-over, and fireworks
- July 17th: Bay Days on Main
- August 7th: Downtown Days as an outdoor festival

6) Announcements/Reports/Comments/Questions

a) Updates on progress for locating and Electrical Vehicle (EV) charging station within the downtown

Megan McBride reported on the progress on the installation of two electrical vehicle charging stations in Ashland. One will be located in the downtown, likely in the public parking lot across from City Hall, and one at either Maslowski or Bayview Park.

b) Updates on Moore's on Main makeover and public unveiling event

Mary McPhetridge announced the public unveiling of the Moore's on main makeover event will take place on Wednesday June 16th at 8:00 am. There will likely be news coverage with before-and-after footage.

c) Updates on Downtown Building Improvement Grant Program projects

Megan McBride gave updates on the Downtown Building Improvement Grant Program:
- Home Expressions' project is completed. The Grant Program contributed $20,000 toward their new roof
- Copper Pasty is starting construction soon, they are currently waiting on state plan approval before they can move forwards
- The owners of 509-515 Main St W will begin façade work to remove non-historic materials and restore the brickwork underneath. The renderings for this work were created by Joseph Lawniczak with WEDC.
- She reached out to numerous contractors to see if there would be interest and availability in performing brickwork in the downtown, as this has proven very difficult

for property owners to find. One firm, Quality Brick & Stone, did respond that they would be open to providing quotes and will already be doing brickwork in the downtown this summer, so several grant recipients have already reached out to them and are receiving quotes.

Mary McPhetridge recommended having media coverage to promote the Grant Program.

Mary McPhetridge discussed Ashland's staffing issue. Businesses are struggling City-wide to hire enough employees. Deep Water is reducing hours due to lack of staffing. El Dorado is closing temporarily due to lack of staffing. Hotels in the area need housekeepers, especially service-based businesses.

Carver Harries commented that staffing issues were a problem before COVID-19. With that being said, there are several entrepreneurs looking to open businesses in Ashland in the near future.

Mary McPhetridge commented that staff issues are a nationwide trend.

7) Adjournment

Motion to adjourn by Carver Harries, seconded by Kyle Ellefson. Passed unanimously.

Meeting was adjourned at 8:45 a.m. Minutes done by Jaclynn Findlay.

City of Ashland – Public Works Committee Meeting Minutes
Thursday, December 10,2020, at 5:30 p.m.

Agenda Item 1: Roll Call
Present: Bill Kurtz, Ed Calhan, Melodie Phipps, Jackie Moore, John Butler-Public Works Director, Sharon Campbell-Administrative Manager Absent: Phil Sorensen - late

Agenda Item 2: Approval of Previous Meeting Minutes
Ed Calhan moved seconded by Jackie Moore to approve the minutes from the November 12, 2020 Committee meeting.

Agenda Item 3: Citizen Participation
None

Agenda Item 4: Unfinished Business

a. **Update on Installing Pedestrian Traffic Signal(s) on US 2**

The Committee discussed and agreed the installation of flashing pedestrian lights at US2 and 24th Ave E. (western entrance of WalMart) should be incorporated in the design of the Trail Project for the safety of trail users.

Agenda Item 5: Director's Report on Operations & Public Works Activities

a. **Operations Update**

Sewer Lining Project Continues
Jim Watson, Fleet Maintenance Manager retired
There are a few employees out due to COVID
Street Crew is out Tree Trimming
Vaughn Ave will be completed next year

Agenda Item 6: New Business

a. **General Information Regarding Utility Systems and Infrastructure Needs**

John presented information regarding the needs of the utilities and the dollars required to maintain the infrastructure. The document was presented to the council for review as well.

b. **Discussion and Recommendation on Sidewalks for Chapple Ave Road & Utility Improvements**

Chapple Ave. from 11th St W south to the terminus water main replacement project is scheduled in 2021. The project includes replacing a 6" water main and resurfacing the roadway and sidewalk replacement. There is concern replacing sidewalks could result in damaging the mature trees. The committee discussed reviewing the Comprehensive Sidewalk Policy to determine if sidewalks are required to be placed in the area and to have a public informational meeting informing residents of the scope of the project.

c. **Discussion on Waterfront Access Road Sanitary Sewer Improvements**

Sanitary Sewer laterals generally run in the alleys to the back of homes. On the Waterfront Access Road project, the sewers run in the project area. There is some question whether or not to require homeowners to have the laterals inspected and possibly replaced. Currently, there are ordinances in place requiring residents to maintain the sewer lateral, but are not enforced. The Committee discussed the possibility of special assessment for sewer lateral replacement, and creating an ordinance/policy to provide guidance. This topic will be discussed at the next Public Works Committee Meeting.

Agenda item 7: Items of Interest for Future Meetings

Review and Discuss Sewer Lateral Replacement Requirements
Review Chapple Ave Project Regarding Sidewalks and Trees

Agenda Item 8: Set Next Meeting Date

January 14, 2021

Agenda Item 9: Adjournment

Motion by Jackie to adjourn at 6:44PM, seconded by Bill. Motion Carried.

City of Ashland – Public Works Committee Meeting Minutes
Thursday, January 14, 2021

Agenda Item 1: Roll Call
Present: Ed Calhan, Melodie Phipps, Phil Sorensen, Jackie Moore, John Butler-Public Works Director, Sharon Campbell-Administrative, Chanz Green-Utility Operations Manager Absent: Bill Kurtz

Agenda Item 2: Approval of Previous Meeting Minutes
Jackie Moore moved seconded by Ed Calhan to approve the minutes from the January 14, 2021 Committee meeting.

Agenda Item 3: Citizen Participation
None

Agenda Item 4: Unfinished Business

a. **Review Chapple Ave Project Regarding Sidewalks and Trees**

The arborist hired to inspect trees on the Chapple Ave Watermain Replacement Project has reported back that by replacing the sidewalks it would most likely damage the trees and they will have to be removed. The Committee agrees it is important to inform the property owners in the project area of the scope of the project and provide information regarding the condition of the trees. A Public Informational meeting will be set for February.

Agenda Item 5: Director's Report on Operations & Public Works Activities

a. **Operations Update**

The crew has been in good health. With the lack of snow, many housekeeping and maintenance items are being completed.

Agenda Item 6: New Business

a. **Discussion and Recommendation on Creation of an Ordinance Mandating Replacement of Private Lead Water Service Laterals (LSLs)**

The Committee reviewed and discussed an ordinance rewrite for the replacement of private lead service lines. The Committee agrees private lead service lines should be replaced whenever possible, and should be mandatory when the City is replacing lead service lines on the public side. Moore moved to rewrite ordinance 705 to include language for mandatory private lead service line replacement and move it forward to the City Council, Sorensen seconded. Motion carried.

b. **Discussion and Recommendation on Method of Procurement for 2021 Private Lead Service Lateral Replacement Program**

The Public Works Staff presented the method in which the lead service line replacement projects have been bid in the past. The process consisted of a list of qualified contractors, the homeowner getting three bids and the lowest bidder would complete the project. This method is burdensome for staff working with multiple contactors. The grant administrator for the LSL Program has also received feedback from residents that it was difficult at times to get three bids from the contractors. Staff presented another method in which the City would be the Owner of the contract; and the project would be let as a public construction project. The department is accustomed to bidding out projects like this and didn't feel it would be difficult to prepare the bid package. Working with one contractor would free up time for the utility staff. Jackie moved to let the private lead service lateral replacement project under the public construction guidelines to the lowest responsible bidder, seconded by Ed Calhan. Motion passed.

c. **Discussion on Policy for Work on Private Sewer Laterals During City Projects**

John presented a draft policy for private sewer lateral replacement. Sewer laterals are another form if I&I that contribute to the overall I&I issues of the City. Residents own and are responsible for sewer laterals from the house to the sewer main. More discussion on the policy will follow at the next meeting to discuss finance options.

d. **Discussion on Evaluation of Responsible Bidders for City Projects**

The Committee discussed the process for selecting a responsible bidder for projects let by the City. Wisconsin State Statute 62.15 (1) reads: CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All public construction, the estimated cost of which exceeds $25,000, shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. Contracts are generally bid and awarded to the lowest bidder, the Public Works Director would like to establish some criteria for selecting the responsible bidder. This will be discussed further at the next Committee Meeting.

Agenda item 7: Items of Interest for Future Meetings

Agenda Item 8: Set Next Meeting Date

February 11, 2021

Agenda Item 9: Adjournment

Motion by Jackie to adjourn at 6:44PM, seconded by Phil. Motion Carried.

City of Ashland – Special Public Works Committee Meeting Minutes
Thursday, February 11, 2021 at 5:30 p.m.

Agenda Item 1: Roll Call

Present: Phil Sorensen, Ed Calhan, Melodie Phipps, Jackie Moore, Bill Kurtz (partial meeting attendance), John Butler-Public Works Director, Sharon Campbell-Administrative Manager, Chanz Green-Utility Operations Manager

Others in attendance: Sarah Szymaniak of 500 St. Claire St

Agenda Item 2: Approval of Previous Meeting Minutes

Ed Calhan moved seconded by Phil Sorenson to approve the minutes from the February 11, 2021 Committee Meeting. Motion Passed

Agenda Item 3: Citizen Participation

Agenda Item 4: Unfinished Business

a. **Review Chapple Ave Project Regarding Sidewalks and Trees- Public Informational Meeting. Feb 17, 2021 at 6:00PM**

John informed the Committee of the upcoming Public Informational Meeting on Feb. 17th for the Chapple Ave Reconstruction Project. The meeting will focus of the discussion will be on the removal of sidewalks and trees. John will bring the information back to the Committee at the March meeting for approval from the Committee.

b. **Discussion and Recommendation on Creation of an Ordinance Mandating Replacement of Private Lead Water Service Laterals (LSLs) – Feb 9th City Council Meeting**

At the February 9th City Council meeting the Council approved mandating private lead service laterals are replaced in coordination with municipal projects. This is a change is an amendment to Chapter 705, Ashland City Ordinances, Water Utility Rules, Rates, and Regulations.

c. **Discussion and Recommendation on Method of Procurement for 2021 Private Lead Service Lateral Replacement Program**

In past years the lead service lateral replacement program procurement method included private homeowners contracting with a city approved qualified contractor. Homeowners were required to get three bids and accept the lowest bidder, unless they wanted to pay the difference in bids. Feedback from the homeowners was that this was a cumbersome process. It also meant there were multiple contractors working in the distribution system and it was difficult for the utility crew to manage their time.

The PW Department is interested in procuring a contract with one contractor for the upcoming LSL program. To eliminate some of the known issues, the PW Department would let the project and be the owner of the contract. The Department will prepare a bid package and let the project in the spring.

The Committee members were in agreement with the PW Department letting the project.

Agenda Item 5: Director's Report on Operations & Public Works Activities

a. **Operations Update**

No Directors Report

Agenda Item 6: New Business

a. Discussion on Policy for Work on Private Sewer Laterals During City Projects

John presented the Interim Private Sewer Lateral Replacement Policy. Sarah Szymaniak of 500 St. Claire told her story of the failing sanitary sewer at the property recently purchased. She received a bid to replace the sewer from her home to the main, and explained she would appreciate any help or repayment method that the City could offer.

The goal of the interim policy is to replace sewer laterals to reduce I&I and to protect the cities infrastructure. Much of the discussion of the committee focused around the method of determining the cost of replacing the sewer lateral, and the assessment cost back to the property owner. There are two ways to assess the cost either as a lump sum or by lineal foot.

After further discussion on the policy, John requested to bring the policy back for review by the Committee after making some of the suggested changes.

b. Discussion on Evaluation of Responsible Bidders for City Projects

No discussion will bring to the next committee meeting.

Agenda Item 7: Items of Interest for Future Meetings

Agenda Item 8: Set next Meeting Date

March 11, 2021

Agenda Item 9: Adjournment

Phil Sorensen made a motion to adjourn at 7:00pm, Jackie Moore seconded. Motion carried.

City of Ashland – Special Public Works Committee Meeting Minutes
Thursday, February 25, 2021 at 5:30 p.m.

Agenda Item 1: Roll Call

Present: Phil Sorensen, Ed Calhan, Melodie Phipps, Jackie Moore, Bill Kurtz (partial meeting attendance), John Butler-Public Works Director, Sharon Campbell-Administrative Manager, Chanz Green-Utility Operations Manager

Others in attendance: Sarah Szymaniak

Agenda Item 2: Citizen Participation

Agenda Item 3: Unfinished Business

a. **Discussion on Policy for Work on Private Sewer Laterals During City Projects**

John Butler presented the Interim Policy for Level of Service Provided to Private Sewer Laterals During Capital Construction Projects to the Committee. Presented and discussed at the February 11, 2021 Public Works Committee Meeting was the policy, comments by the Committee from the meeting were incorporated into the draft policy.

The Committee focused their discussion at the February 25th meeting on specific sections of the policy to provide guidance to the Public Works Director who will then present the policy to the City Council. The Committee also established the intention of the policy is to protect the Cities infrastructure and reduce I&I.

The first section discussed was Section 4.0 Project Classifications. The Committee members agreed that Categories I-III should be treated equally and that all residents regardless of the location of the sewer lateral should have the opportunity to benefit from special assessments on all capital improvement projects.

Also discussed was Section 7.0 of the policy, Basis of Assessment & Assessable Project Elements. The Committee agreed a lump sum cost of the laterals based on the project costs is the amount assessed to each of the affected residents.

A motion by Ed Calhan, to Recommend moving the Interim Policy for Level of Service Provided to Private Sewer Laterals During Capital Construction Projects with the changes to Sections 4.0 Project Classifications and 7.0 Basis of Assessment & Assessable Project Elements as discussed and agreed upon by the Public Works Committee to the City Council for approval, seconded by Phil Sorensen. Motion Carried.

Agenda Item 4: Adjournment

Motion by Ed to adjourn at 6:30PM, seconded by Phil. Motion Carried.

City of Ashland –Public Works Committee Meeting Minutes
Thursday, March 11, 2021 at 5:30 p.m.

Agenda Item 1: Roll Call

Present: Phil Sorensen, Ed Calhan, Melodie Phipps, Bill Kurtz, Jackie Moore (late) John Butler-Public Works Director, Sharon Campbell-Administrative Manager,

Agenda Item 2: Approval of Previous Meeting Minutes

Phil Sorenson moved seconded by Bill Kurtz to approve the minutes from the February 11, 2021 Committee Meeting. Motion Passed

Bill Kurtz moved seconded by Phil Sorenson to approve the minutes from the February 25, 2021 Special Committee Meeting.

Agenda Item 3: Citizen Participation

No Public Participation

Agenda Item 4: Unfinished Business

a. Discussion on Evaluation of Responsible Bidders for City Projects

John is proposing to include in the bid documents, EJCDC form 451 Contractor Qualifications Statement. This would be a method to consistently gather contractor information, it includes sections on financial stability, licensing, diverse business certifications, safety, insurance, construction experience. This documentation would be used as a part of the evaluation to determine a responsible bidder.

John also distributed an example of language used in bid documents from another community, suggesting that this language is also included in the bid specifications. It reads:

Bidding Requirements, Conditions and Contract Administration

Competency of Bidders

(a) The City Manager reserves the right to select bidders and may refuse to issue a proposal to any individual, partnership, firm or corporation based upon but not limited to one or more of the following facts:
    1) For having defaulted on previous contracts.
    2) For having preformed similar work in an unsatisfactory manner.
    3) When in the City Manager's judgement the bidder does not have the required experience in the class of work bid on, fails to have the proper labor and equipment, or fails to have sufficient capital or quick asset to finance the work.

After much discussion the Committee agreed that both the EJCDC form 451 and the Bidding Requirements, Conditions and Contract Administration is incorporated into future bid documents.
Bill Kurtz made a motion to recommend that EJCDC Form 451 and the Competency of Bidders language is incorporated into future city contract documents. Ed Calhan seconded the motion. Motion carried.

b. Recommendation to City Council Regarding the Removal of Sidewalk on Chapple Ave between 11th St W and the Dead End

The residents who attended the Chapple Ave public information meeting were in agreement that the sidewalks should be removed as part of the Chapple Ave reconstruction project. Bill Kurtz made a motion to remove sidewalks on both sides of Chapple Ave between 11th St W and the Dead End. Phil Sorensen seconded the motion. Motion carried.

Agenda Item 5: New Business

a. **Recommendation to City Council Regarding the Removal of Sidewalk on Prentice Ave between St Claire St and 215 N Prentice**

The condition of the sidewalk on Prentice Ave between St Claire and 215 N Prentice is in poor condition and should either be replaced or removed during the Waterfront Access Road Project. The residents abutting this sidewalk are in favor of having the sidewalk removed. When the sidewalk leading to the park is replaced it would be better suited on the East side from St Claire into Kreher Park. Bill Kurtz made a motion to remove the sidewalk on the west side of N Prentice from St. Claire to 215 N Prentice, Phil Sorensen seconded the motion. Motion carried.

Agenda Item 6: Director's Report on Operations & Public Works Activities

a. **Operations Update**

No report.

Agenda Item 7: Items of Interest for Future Meetings

Agenda Item 8: Set next Meeting Date

April 8, 2021

Agenda Item 9: Adjournment

Jackie Moore made a motion to adjourn at 6:48pm, Melodie Phipps seconded. Motion carried.

City of Ashland – Public Works Committee Meeting Minutes
Thursday, April 8, 2021 at 5:30 p.m.

Agenda Item 1: Roll Call
Present: Phil Sorensen, Ed Calhan, Melodie Phipps (late), Bill Kurtz, Jackie Moore, John Butler-Public Works Director, Sharon Campbell-Administrative Manager
Others in Attendance: Alex Faber-Executive Director from Superior Rivers Watershed Association and Sara Hudson Park and Recreation Director

Agenda Item 2: Approval of Previous Meeting Minutes
No minutes to approve.

Agenda Item 3: Citizen Participation
Alex Faber - Executive Director from Superior Rivers Watershed Association provided an overview of the mission, values and goals of the organization. Currently, the group has 17 active sites it is monitoring for water quality. The group provides educational programs to community informing them of how they can be good stewards of the regions watershed. The Superior Rivers Watershed Association is always looking for volunteers and encouraged members of the committee and community to get involved.

Agenda Item 4: Unfinished Business

a. Update on the Policy for Work on Private Sewer Laterals During City Projects

John Butler informed the Committee that the City Council unanimously approved the Sanitary Sewer policy for work to be completed on sanitary sewer laterals during capital improvement projects.

b. Update on Sidewalk Special Assessments Policy & Waterfront Access Road

John Butler informed the Committee that the City Council approved the sidewalk special assessments on both sides of the roadway on the Waterfront Access Road Project. The assessments will be a 50/50 cost share.

Agenda Item 5: New Business

a. Discussion on the Ore Dock Access Road & Park Project

The committee was informed that the light poles, Ashland Oredock sign and the overlook on the first four diamonds of the Oredock are complete. The next phase of the Oredock project to get completed is access out to the end of the Oredock. Getting access to the upland park area from USH 2 at Stuntz Ave is being looked at, WisDOT will review to verify there are no safety hazards. Funding for this access to the Oredock will come from Army Corp of Engineers. John, is suggesting that Oredock trust funds are held in reserve for maintenance on the Oredock. A schedule of possible expenses is being created to help identify an amount that would be acceptable for future maintenance. Members of the trust have been presented with this information and will continue to review.

b. Discussion on Sustainable Janitorial Supplies and Misc. Supplies used by the City

The committee was presented with a list of janitorial supplies used throughout city facilities. Jackie Moore appreciated receiving the information and will take the information back to the Sustainability Committee. Moore moved to forward the list on to the Sustainability Committee requesting that they search for alternative products and present the information back to Public Works, seconded by Ed Calhan. Motion moved.

Agenda Item 6: Director's Report on Operations & Public Works Activities

Operations Update – Waterfront Access Road Project bids were open the apparent low bidder was Northern Interstate Construction.

Agenda Item 7: Items of Interest for Future Meetings

Agenda Item 8: Set Next Meeting Date

May 13, 2021

Agenda Item 9: Adjournment

Phil Sorensen moved to adjourn, Bill Kurtz seconded the motion. Motion carried.

SUBJECT: **Approve to Award Contract to Scott Construction, Inc for the 2021 Roadway Chip Sealing Project *(Public Works)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director

EXHIBITS: 1. Bidding summary: 2021 Roadway Chipsealing Project

EXPENDITURES REQUIRED: $73,176.60 Construction Total
$ 7,317.60 Construction Contingency (10%)
$80,494.26 Project Total

AMOUNT BUDGETED: $80,500 -Fund 100 General Fund Roadway Maintenance O&M Public Works

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on July 7, 2021, that Scott Construction, Inc is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORD. 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: The proposed construction conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

Chipsealing is a construction technique intended to extend the useful life of asphalt pavement. Chipsealing, along with other similar treatments such as a fog or slurry seal, are collectively referred to as "pavement preservation". The Public Works Department recommends embracing the use of pavement preservation techniques in the City, as the difficulties associated with constructing roadways in clay soil and the limited availability of funds provide for a good return on investment in terms of maintaining satisfactory roadway condition throughout the City.

Pavement preservation, including chip seals, have been completed by the City in the past but not in recent years. Chip sealing is the most widely used pavement preservation technique and is a major component of the Wisconsin Department of Transportation's (WI DOT) pavement preservation program. The City of Ironwood has an annual chip sealing program while the City of Washburn completed a project in 2019.

The 2021 Public Works Roadway Maintenance includes approximately $80,000 in funds for chip sealing. The Wisconsin Department of Transportation (WI DOT) describes chip sealing as a layer of crushed stone placed on top of an application of liquid asphalt. The crushed stone is specifically manufactured for the use in chip sealing operations while the liquid asphalt is designed to allow the crushed stone to adhere to the existing pavement.

Generally speaking, it is estimated that the cost of chip sealing a given road is 20-25% of the cost of repaving the same road. Chip sealing is only an appropriate pavement preservation technique on roads in good to fair condition and does have some drawbacks. The crushed stone results in a rougher roadway surface that generates additional noise from vehicle traffic and loose stone that does not fully adhere to the existing pavement can result in issues such as crack windshields and/or be deposited into the stormwater system. The Public Works Department has attempted to mitigate these issues by selecting roads for chip sealing that are low volume, low speed, requiring the contractor to sweep the roadway immediately after application of the crush stone and requiring the use of stormwater inlet protection devices during construction.

Roads were selected for the project based on a combination of pavement condition, traffic volume, and condition of underlying utilities.

The total project cost with contingencies is expected to be $80,494.26. This only includes the work performed by the contractor as the Public Works Department independently developed the technical design, will complete necessary repairs to the existing roadway prior to chip sealing and will provide additional support to the contractor during construction.

The lowest responsible bidder was Scott Construction, Inc. The Public Works Department recommends awarding a contract to Scott Construction, Inc

Lake Superior's HOMETOWN Ashland WISCONSIN

BIDDING SUMMARY : 2021 Roadway Chipsealing Project

BID DATE: July 9, 2021 11:00AM

BIDDER	AMOUNT of BID	ADDENDUM
Scott Construction	Base: $59,662.40 Additive: $13,514.20 Total: $73,176.60	N/A
Farhner Asphalt	Base: $60,575.60 Additive: $13,721.05 Total: $74,296.65	N/A

WITNESS____________________ DATE 7/9/2021

WITNESS____________________ DATE 7/9/21

SUBJECT: **Approve Change Order Number #2 for the 2021 Sanitary Sewer Collection System Repairs Project *(Public Works)* Roll**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Finance Director
Public Works Director
Utility Manager

EXHIBITS:
1. SEH Change Order No. 2
2. Arial Map - District 11 Sewer Repairs

EXPENDITURES REQUIRED: $61,488.00 Construction Total
$ 6,148.00 Construction Contingency (10%)
$67,636.00 Change Order #2 Total Amount (Not to Exceed)

AMOUNT BUDGETED: -$0-

APPROPRIATION REQUIRED: $67,636.00 Fund 690- Fund Balance

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on July 7, 2021 that Michaels Corporation is in compliance with Ashland City Ordinance 923.10.

COMPLIANCE WITH ORD. 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: The proposed construction conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the March 30, 2021 meeting, Council approved to award the 2021 Sanitary Sewer Collection System Repairs Project to Michaels Corporation. The project is funded by the Wisconsin Department of Natural Resources' (WI DNR) Clean Water Loan Program (CWLP). A requirement of the WI DNR CWLP is to pre plan specific project areas, which the City did in Fall 2020. The project specifically focuses on sewer Districts 1, 2, 7 and 8 which previous studies have identified as significant contributors of infiltration and inflow (I&I) within the City of Ashland's sanitary sewer collection system.

Since the Fall of 2020, the Utility Manager has become aware of additional sewer mains in need of rehabilitation outside of the pre planned area defined for the WI DNR CWLP. A future WI DNR CWLP project will be planned to further ongoing efforts to improve the sewer collection system, but approximately 5 blocks should be addressed immediately. These mains are located in District 11 and have been prioritized for immediate attention due to a combination of pipe condition and a history of sewage back ups.

Staff is requesting Council's approval of Change Order #2 to the contract, which will provide approval to rehabilitate these sewer mains immediately, while Michaels Corporation is still mobilized to Ashland. Because these sewer mains are outside of the WI DNR CWLP project area, the cost of rehabilitation will not be eligible to be included in the loan that will be provided to the City. As a result, Change Order #2 will be funded by Wastewater Utility cash reserves.

Building a Better World
for All of Us®

CHANGE ORDER

City of Ashland	6/30/21
OWNER	*DATE*
DNR CWF 4525-13	2
OWNER'S PROJECT NO.	*CHANGE ORDER NO.*
2021 Sanitary Sewer Collection System Repairs	ASHLA 155364 71.50
PROJECT DESCRIPTION	*SEH FILE NO.*

The following changes shall be made to the contract documents:

Description:

Sanitary Sewer Cleaning and CCTV Inspection - $3.50 / LF X 2240 LF (approx.) = $7,840.00
8-Inch Sanitary Sewer CIPP Lining - $23.95 / LF X 2240 LF (approx) = $53,648.00
Estimated Total $61,488.00
Final cost will be calculated based on actual lengths performed. Located in District 11.

Purpose of Change Order:

City of Ashland desires to have Michels Pipe Services perform additional pipe lining in an area of concern outside of the current project area. This additional work is to be tracked separately and not included in the DNR CWF program, as it is outside of the sewer districts included in the project. Michels has agreed to use the same contract unit price for Cleaning and Televising, but is proposing a slightly higher cost for 8" CIPP sewer lining ($23.95 vs. $18 per foot). Their justification is that resin costs have significantly increased in the time between the project bid and the current market when this change was requested outside of the original project area. Michels is not proposing an other increase to the Temporary Conveyance lump sum or other items.

Basis of Cost: ☐ *Actual* ☒ *Estimated*

Attachments (list supporting documents)

Contract Status	*Time*	*Cost*
Original Contract		977,358.00
Net Change Prior C.O.'s 1 *to* 1		$23,173.00
Change this C.O.		$61,488.00
Revised Contract		1,062,019.00

Recommended for Approval: ***Short Elliott Hendrickson Inc.*** *by* Bryan Cunningham

Bryan Cunningham

Agreed to by Contractor:

BY Michels Pipe Services

TITLE

Approved for Owner:

BY City of Ashland

TITLE

Approved by DNR:

NOT REQUIRED – Additional work will not be included in DNR CWF program

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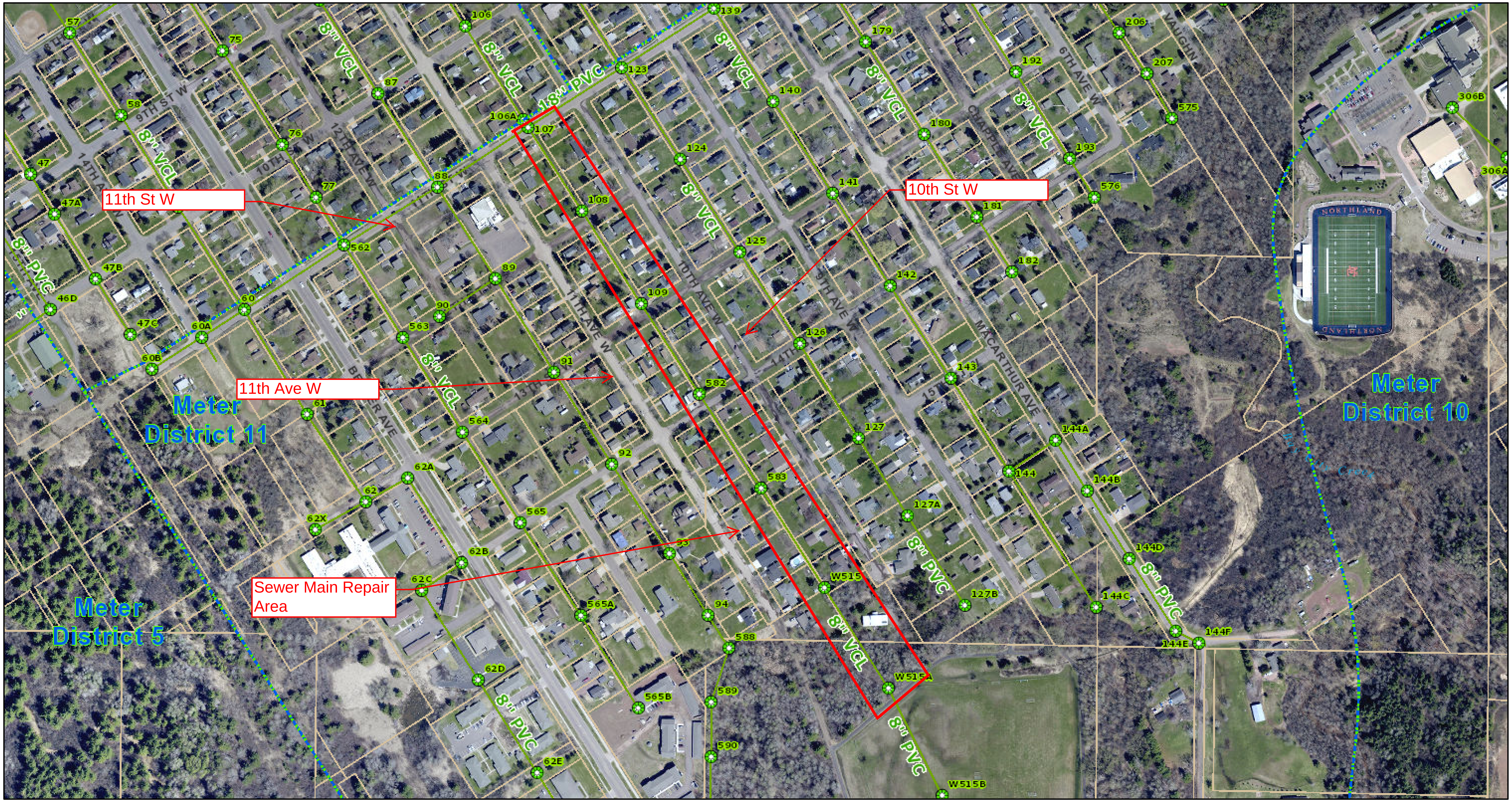
District 11 Sewer Repairs



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Meter Districts	Sanitary Structures	Sanitary_Discharge	Parcel Mapping
Sanitary_Forcemain	Monitoring Wells	Sanitary Manholes	Parcel Labels
Sanitary Main	Lift Stations	Lift Station Valves	

0 0.05 0.1 0.19 mi

0 0.07 0.15 0.3 km

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

Department of Public Works Engineering

SUBJECT: **Approve a Resolution to Postpone a Public Hearing for the Vacation of Portions of Undeveloped Rights-of-Way Known as:**
• That Part of Platted but not Open 5th Avenue East Adjacent to Lots 1 through 12 Block 379 and Lots 13 through 24 of Block 380 of Ellis Division, and also that Part of Platted but not Open 5th Avenue East Adjacent to Lot 7 of Block 17 of Superior Addition to the City of Ashland, Wisconsin; and
• That Part of Platted but not Open Alleyway Adjacent to Lots 5 through 12 and 16 through 24 of Block 380 of Ellis Division to the City of Ashland, Wisconsin *(Planning)* Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Planning Department

EXHIBITS:
1. Proposed Resolution
2. Staff Report - Plan Commission, July 2, 2021
3. Aerial Map

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: N/A

COMPLIANCE WITH ORD. 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:

SUMMARY STATEMENT:

The proposed Resolution would postpone the Public Hearing for vacation of two portions of undeveloped right-of-way to allow for Plan Commission review and sufficient input from neighboring property owners. The July 6, 2021 Plan Commission meeting was postponed due to illness of the Planning Director, and therefore will take place on July 20, 2021.

Additionally, one of the abutting property owners is located outside of the area, and has requested additional time to consider future development options for their property before they provide input on the requested right-of-way vacation.

Updated notice will be issued of the postponement, and the Public Hearing shall take place on July 27, 2021.

RESOLUTION NO. 17629

RESOLUTION TO RESCHEDULE A PUBLIC HEARING FOR THE VACATION OF PORTIONS OF UNDEVELOPED RIGHTS-OF-WAY KNOWN AS:

- **THAT PART OF PLATTED BUT NOT OPEN 5TH AVENUE EAST ADJACENT TO LOTS 1 THROUGH 12 BLOCK 379 AND LOTS 13 THROUGH 24 OF BLOCK 380 OF ELLIS DIVISION, AND ALSO THAT PART OF PLATTED BUT NOT OPEN 5TH AVENUE EAST ADJACENT TO LOT 7 OF BLOCK 17 OF SUPERIOR ADDITION TO THE CITY OF ASHLAND WISCONSIN; AND**
- **THAT PART OF PLATTED BUT NOT OPEN ALLEYWAY ADJACENT TO LOTS 5 THROUGH 12 AND 16 THROUGH 24 OF BLOCK 380 OF ELLIS DIVISION TO THE CITY OF ASHLAND WISCONSIN.**

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

- That part of platted but not open 5th Avenue East adjacent to Lots 1 through 12 Block 379 and Lots 13 through 24 of Block 380 of Ellis Division, and also that part of platted but not open 5th Avenue East adjacent to Lot 7 of Block 17 of Superior Addition to the City of Ashland Wisconsin; and
- That part of platted but not open alleyway adjacent to Lots 5 through 12 and 16 through 24 of Block 380 of Ellis Division to the City of Ashland Wisconsin.; and,

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

WHEREAS, the Common Council of the City of Ashland had previously set a public hearing by resolution for July 13, 2021. Due to postponement of the Plan Commission meeting for consideration of this item, the public hearing shall be postponed to allow sufficient time for review by the Plan Commission and input to be gathered from abutting property owners.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Ashland hereby sets a Public Hearing in compliance with Wisconsin State Statute 66.1003 for the presentation and discussion of the above mentioned undeveloped right-of-way vacation at the Tuesday, July 27, 2021 Council meeting.

PASSED: July 13, 2021

____
Councilperson

ATTEST:________________________________
Denise Oliphant, City Clerk

____
Debra S. Lewis, Mayor

APPROVED AS TO FORM

____
Tyler Wickman, City Attorney

Find yourself next to the water.

ASHLAND

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

DEPARTMENT OF PLANNING & DEVELOPMENT

601 Main Street West
Ashland, WI 54806
Phone: 715.682.7041

STAFF REPORT

Plan Commission – July 6, 2021

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

Applicant: **John and Jacqueline Ogilvie**

Background

John and Jacqueline Ogilvie are requesting vacation of 2 portions of undeveloped right-of-way, one undeveloped alleyway and the other is the undeveloped portion of 5th Avenue East. The purpose for the request to vacate the alleyway is that it currently subdivides 2 properties which are both owned by the Ogilvie's, and they would like to legally combine as a single parcel. The request to vacate the undeveloped avenue east of their property is to allow them to make improvements to stabilize pre-existing the small drive in the right-of-way, in order to have the ability to more easily access the garden in their rear yard with vehicles and gardening equipment. They have agreed to an access easement if the requested right-of-way vacation is granted, allowing continued use by the public to ensure that this would not land lock any properties.

The Plan Commission should review this request based on the standards of review outlined in the below staff report, as well as Public Works staff input, to make a recommendation to City Council regarding the requested right-of-way vacation.

Standards for Review

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

Review

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

1. Future Public Work's Plans for Rights-of-Way. City staff has no plans for the development of this ROW, and Public Works expressed that they do not have

any concerns about the request. The applicant shall also provide an access easement to ensure that surrounding properties owners and farmers continue to have the ability to access their properties via this right-of-way.

2. Neighborhood Impact. The portion of undeveloped right-of-way requested for vacation does abut 2 other property owners, who will each need to provide written consent to the proposed vacation prior to the July 13, 2021 public hearing. The provision of an access easement will mitigate any potential negative neighborhood impacts created by this transition from public land to private property.

3. Public Comment. Wisconsin State Statute dictates the procedure for approval if any adjacent landowners are in opposition to the proposal. A Public Hearing will be held before the Common Council on July 13, 2021 and a Class III Public Hearing notice was issued to invite the public to provide input on this proposed discontinuance. Abutting property owners were also notified, and they must provide consent no later than the date of the public hearing.

4. Other Factors. N/A

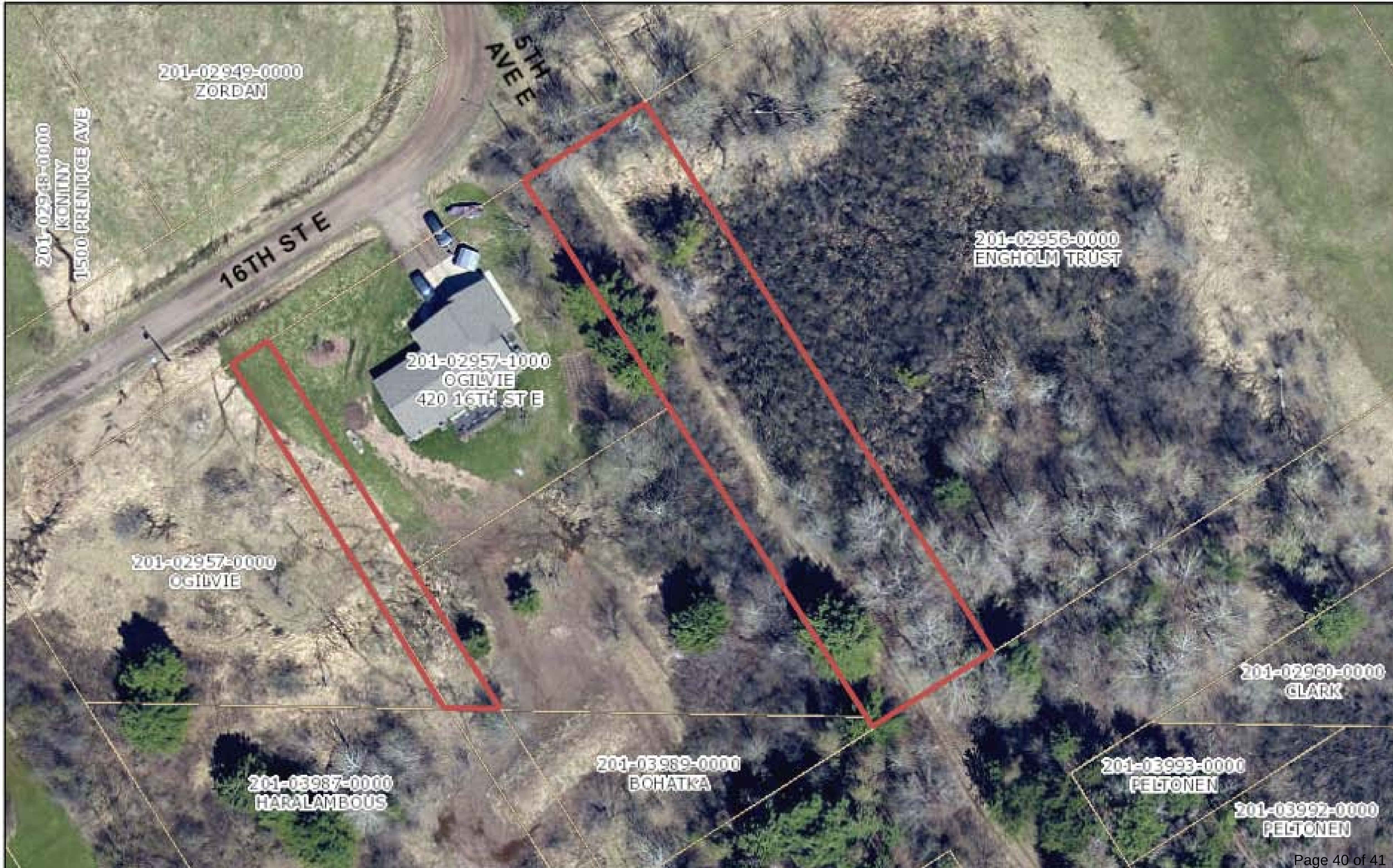
Review Recommendation

Staff recommends APPROVAL of this requested discontinuance contingent on the following conditions:

- The applicant shall legally combine all contiguous property into a single parcel ID with the Ashland County Register of Deeds office

- The applicant shall prepare and file an access easement to allow continued use by property owners located south of the proposed vacation area.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the permit may be made by the Plan Commission.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SUBJECT: **Approve to Allow Restructuring within the Police Rank Structure as Recommended by the Police Chief *(Police Department)* Voice**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Police Department

CLEARANCES: City Administrator
City Finance Director
Labor attorney

EXHIBITS:

EXPENDITURES REQUIRED: No change to budget

AMOUNT BUDGETED: No change to budget

APPROPRIATION REQUIRED: No change to budget

TREASURER'S CERTIFICATE:

COMPLIANCE WITH ORD. 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: N/A

SUMMARY STATEMENT:

Currently the Police Department rank structure has a vacant non union Captain position under the Chief and an occupied union Lieutenant position under the Captain. The Police Chief is recommending changing the rank structure to eliminate the Captain position and have two non union Lieutenant positions under the Chief. Both non union positions would be paid the current Captain wage.

There would be no change to the budget because the vacant position is budgeted for so it would be a title only change. The current union Lieutenant would retain his title but changed to a non union status and also receive that Captain wage. This change also wouldn't affect the budget because the yearly salaried position is within $250 per year of the estimated yearly union position with overtime and holiday pay added in based on the average year.

The change would benefit both the City and the Department because those positions would be both administrative and used to support the patrol and investigations divisions compared to the current Captain position which is 100% administrative.