

**THE CITY OF ASHLAND IS RETURNING TO CONDUCTING THEIR MEETINGS IN PERSON
WITH THE AVAILABILITY TO ATTEND VIRTUALLY**

Please contact the Clerk's office if you require accommodations to attend the meeting.

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Access Code: 286-115-293

**ASHLAND CITY COUNCIL MEETING
Tuesday, August 31, 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. August 10, 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 a Schedule of Appointment of Agent Application for Kwik Trip #110, 1814 Lake Shore Drive West, Ashland, WI, Applicant Brenda Herlevi (*Clerk*)

B. Miscellaneous Meeting Minutes

7. NEW BUSINESS

- A. Approve a Resolution to Amend the 2020 General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, and Internal Service Funds Per Wis. State Statute 65.90(5)(a) (Finance) Roll**
- B. Approve to Apply for Loan as a Pass Through for Ashland Area Development Corporation Solar Array Installation (Finance/Planning) Voice**
- C. Approve to Accept Wisconsin Humanities Recovery Grant (Library Director) Voice**
- D. Approve a Resolution by the Common Council for the City of Ashland, Wisconsin, Authorizing the Renewal of the Annual School Resource Officer (SRO) Agreement with the School District of Ashland for the 2021-2022 School Year (Police Chief) Roll**
- E. Discussion and Possible Action on Final Payment to A to Z Plumbing & Heating for the Bretting Community Center HVAC Replacement Project (City Administrator) Roll**
- F. Approve a Development Agreement with Lumi Norr Properties, LLC for a TID #10 Development Incentive to Support Buildout of a Commercial Kitchen and Pasty Shop at 417 Main Street West, Ashland (Planning) Roll**
- G. Approve a Resolution to Approve a Request for a Conditional Use Permit (CUP) to Operate a Nonmetallic Mine (Sand Pit) on Parcel #201-04924-0000. Applicant: Ashland Sand & Gravel Properties, LLC (Planning) Roll**
- H. Approve the Sidewalk Special Assessment Policy (Public Works) Roll**

8. CLOSED SESSION

- A. Closed Session pursuant to sec.19.85(1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation." (City Attorney)(Notice of Claim(s) Jablonski) Roll**
- B. Return to Open Session (Voice)**
- C. Report of Action Taken During Closed Session**

9. 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

**FOR THE SAFETY FOR OUR CITIZENS AND STAFF, THE CITY OF ASHLAND
CONTINUES TO CONDUCT THEIR MEETINGS VIRTUALLY**

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ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, August 10, 2021 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, August 10, 2021 Ashland City Council meeting was called to order by Mayor Debra Lewis, 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 Tochtermann (5:32), Eric Lindell (5:55), Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, Jackie Moore (5:32)

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Max Lindsey, Public Works Director John Butler, Planning Director Megan McBride, Finance Director Julie Vaillancourt, Human Resources Director Jennifer Boulley, Main Street Manager Jacklyn Findlay, and other concerned citizens.

2. APPROVAL OF AGENDA

Haas moved, seconded by Jackson to approve the agenda as presented. Ortman moved, seconded by Franek to amend the agenda by removing Item 8A. A roll call vote approved to remove Item 8A from the agenda 8-2; opposed were Jackson and Moore. The motion to approve the amended agenda passed 9-1; Moore opposed.

3. APPROVAL OF MINUTES

A. July 27, 2021 City Council and Committee of the Whole Meeting Minutes

Ortman moved, seconded by Seefeldt to approve the minutes. The motion passed unanimously voice vote.

4. CITIZEN PARTICIPATION PERIOD

There were no Citizens present wishing to address the Council.

5. MAYOR'S REPORT

A. Announcements

Lewis reviewed a flyer recently sent out to the public regarding the upcoming Policing public forums, the first to be held on August 11, 2021 virtually. She thanked Findlay and McBride for their hard work and the success of Downtown Days. A staff newsletter went out to the Councilors and staff, put together by the department directors posting their updates and recent news.

B. Appointments

Ortman moved, seconded by Haas to approve the appointment of McBride as Weed Commissioner. The motion passed unanimously by voice vote.

6. CONSENT AGENDA

A. Approve the Source Water Protection Plan *(Approved Unanimously by Committee of the Whole, July 27, 2021)*

Haas moved, seconded by Franek to approve the Plan. Lewis asked that Carl Doersch and Richard Ketring be added as contributors to the plan. The motion carried unanimously by voice vote.

7. OLD BUSINESS

A. Approve an Ordinance to Amend Chapter 51 City Council Procedure, Ashland City Ordinances to Allow for City Council and Committee of the Whole Meetings to be Held both Virtually and In-Person *(Approved unanimously at COW 7-27-2021)* Roll

Haas moved, seconded by Seefelt to approve the amendment. The motion carried unanimously by roll call vote.

8. NEW BUSINESS

A. Accept Community Development Block Grant Public Facilities (CDBG-PF 21-03) Award of \$1,000,000 for the Reconstruction of 6th Street East from 13th Avenue East to 19th Avenue East *(Planning)* Roll

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

B. Approve a Contract with Cedar Corporation for Administration of Community Development Block Grant (CDBG) Funds for Reconstruction of 6th Street East from 13th Avenue East and 19th Avenue East (*Public Works*) Roll

Ortman moved, seconded by Pufall to approve the contract for \$25,000. The motion passed unanimously by roll call vote.

C. Approve a Resolution to Accept an Offer to Purchase City-Owned Parcel No. 201-01412-0000 to Robert Forster (*Planning*) Roll

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

D. Approve Memorandum of Understanding (MOU) Grant Agreement between the City of Ashland and AARP to Accept a \$10,000 Community Challenge Grant for Downtown Benches (*Planning*) Roll

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

E. Approve an Ordinance to Amend Chapter 922, Alcoholic Beverages Regulation, Ashland City Ordinances to Update 922.40(g) Failure to do Business (*Clerk*) Roll

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

F. Approve to Waive Chapter 922.40(g) for EFM Holdings dba The Spot Bar at 220 Main Street East, Ashland through November 30, 2021 (*Clerk*) Voice

Pufall moved, seconded by Graf to approve. The motion passed unanimously by voice vote.

G. Approve an Application for Class B Combination Fermented Malt Beverage and Intoxicating Liquor License for Samdesiel LLC, and Agent Pat Hunt at 305 Main Street East, Ashland (*Clerk*) Voice

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

H. Approve an Application for Class B Combination Fermented Malt Beverage and Intoxicating Liquor License for Stokes Smokehouse, and Agent Karly Schultz at 315 Main Street East, Ashland (*Clerk*) Voice

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

I. Approve to Hire a Utility Administrative Manager for the City of Ashland Water and Wastewater Utilities (*Public Works*) Roll

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

J. Approve to Accept \$700,000 2021 Community Development Block Grant (CDBG-CV) for Emergency Homeless Shelter on Behalf of Northwest Community Services Agency Inc. (*Mayor*) Roll

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

9. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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COMMITTEE OF THE WHOLE MEETING MINUTES

The Common Council of the City of Ashland will meet as the Committee of the Whole on **August 10, 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, August 10, 2021 City of Ashland Committee of the Whole Meeting was called to order by Council President Kevin Haas at 6:25 pm via GoTo Meetings.

PRESENT: Kevin Seefelt, Laura Graf, Sarah Jackson, Anne Whiting, Ana Tochtermann, Eric Lindell, Kevin Haas, Charlie Ortman, Elizabeth Frank, Dick Pufall, Jackie Moore.

ABSENT: None.

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, Public Works Director John Butler, Planning Director Megan McBride, Main Street Manager Jacklyn Findlay, and other concerned citizens.

2. Council President's Report

Haas noted that, as the ordinance amendment was approved regarding conducting Council meetings virtually, in-person, or both, another amendment will need to be brought forward to include City boards and commissions if they wish to follow this structure of conducting their meetings. Haas will be meeting with the Clerk and IT Director to determine potential changes to technology to enable hybrid meetings.

3. Administrator's Report

Kucera noted a final walk-through of the new police facility is tentatively scheduled in a week with the construction manager, contractor and engineer, and the open house will likely take place after Labor Day. He thanked Jacklyn and Megan for their work on the Downtown Days event. As COVID has been taking a down-turn with increased infections, administration has reinstated the mask requirements at City Hall.

4. Approval of Agenda

Lindell moved, Seefelt seconded a motion to approve the agenda. The motion carried unanimously by voice vote.

5. Discussion Items

A. Discussion Only Regarding the American Rescue Plan Act (ARPA) Funds (Administration)

Kucera introduced his presentation by explaining the ARPA Funds Act, and the steps the City has already taken to begin the process of determining the expenditures and projects that qualify under the rules of the act.

6. Adjournment

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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SUBJECT: Approve a Schedule of Appointment of Agent Application for Kwik Trip #110, 1814 Lake Shore Drive West, Ashland, WI, Applicant Brenda Herlevi (*Clerk*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Clerk

EXHIBITS: 1. Schedule of Appointment of Agent & Auxiliary Questionnaire Application - B Herlevi

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

**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:

Notice was received from Kwik Trip #110, 1814 Lake Shore Drive West, Ashland, WI, of a request for Change of Agent for their Class A Beer Alcohol Beverage License. Brenda Herlevi completed the application for Schedule for Appointment of Agent and Auxiliary Questionnaire as required.

The Clerk's office is recommending approval of the Change of Agent application for Kwik Trip #110.

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Herlevi		(first name) Brenda		(middle name) Lynn		WI Dr. Lic. # [REDACTED]
Home Address (street/route) 216 7th Ave. E.		Post Office		City Ashland	State WI	Zip Code 54806
Home Phone Number [REDACTED]		Age 53	Date of Birth [REDACTED]		Place of Birth Washburn, WI	

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

- ☐ Applying for an alcohol beverage license as an **individual**.
- ☐ A member of a **partnership** which is making application for an alcohol beverage license.
- ☒ **Agent**

(Officer / Director / Member / Manager / Agent)

of **Kwik Trip, Inc.**

(Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? **Since 2001**
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☐ Yes ☒ No
If yes, identify. (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify. (Name of Wholesale Licensee or Permittee)
6. Named individual must list in chronological order last two employers. (Address By City and County)

Employer's Name Kwik Trip, Inc.	1626 Oak St., La Crosse, WI 54601	Employed From June 2017	To Present
Clarity Insurance	Ashland, WI	Employed From 2002	To Present

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

Brenda L Herlevi

(Signature of Named Individual)

Brenda L. Herlevi

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 of Ashland County of Ashland
☒ City

The undersigned duly authorized officer/member/manager of KWIK TRIP, INC.
(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
Kwik Trip 110

(Trade Name)

located at 1814 Lake Shore Dr. W., Ashland, WI 54806

appoints Brenda L. Herlevi

(Name of Appointed Agent)

216 7th Ave. E., Ashland, WI 54806

(Home Address of Appointed Agent)

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

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

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

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? Since 2001

Place of residence last year 216 7th Ave. E., Ashland, WI 54806

For: KWIK TRIP, INC.

By: Ronald J. Herlevi (Name of Corporation / Organization / Limited Liability Company)

(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, Brenda L. Herlevi, 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.

Brenda L. Herlevi
(Signature of Agent)

7/29/2021
(Date)

Agent's age 53

216 7th Ave. E., Ashland, WI 54806

(Home Address of Agent)

Date of birth [REDACTED]

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

**ASHLAND BEAUTIFICATION COUNCIL
MEETING
Monday, June 7th, 2021
6:00 PM
Prentice Park Pavilion**

1. Roll Call

David Askue	27
Shawna Johnson	20.25
Chris Oreskovich	26
Elaine Peterson	9
Layne Richardson	17
Kay Saari	29
Jeanne Spruell	5
Beth Strauss	15
Mary Zinnecker	9.5

Volunteers:

Marla Mattson	2
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Guest: Jaclynn Findlay City of Ashland Interim Assistant Planner

2. Approval of May 3rd, 2021 Meeting Minutes

Motion: Layne Second: Kay Vote: Aye

3. Administrative:

Log Volunteer Hours

Treasurer's Report: \$825.55 spent, \$870.43 remaining from 2021 budget

4. Old Business:

Review 2021 BC Budget

Review Upcoming Calendar Events:

Saturday June 19th @ 9 am – Pearson Plaza/Otis Park

Plaque for Jane Smith Memorial – Installed! Layne offered to take pictures to be sent to newspaper

Plant Sale Recap: Mary is waiting to hear our profit from Monday Club plant sale. The sale and our Cannas were a hit.

Annuals Planting Update: Most have been planted, finishing at city hall tomorrow evening

5. New Business:

Garden Tour This Year: Jaclynn asked if ABC would consider garden tours, plant sale and marketing from a booth during Downtown day Aug. 6, 2021. ABC members should bring names of potential featured gardens to the next ABC meeting July 5, 2021. Finalize a garden tour list at that meeting. ABC has concerns about a plant "sale" and having enough volunteers to sit at a booth.

Storage: Mary proposed a shed for storing ABC garden equipment instead of having ABC members storing it. Layne offered to draw the plan. Jaclynn suggested a grant for electricity. Mary to talk to Sarah at Parks & Rec about the shed idea. **Motion to pursue shed options: Jeanne Second: David Vote: Aye**

Other New Business: Mary to ask city to also water pots at public works, at Bayview under the sign, Beaser Ave. & Ellis Ave plots in addition to 3rd st pots.

Consider transplanting some of the creeping phlox from west end of Crest garden to the east end of Crest garden. Work day at Crest July 9th.

6. Project Plans/Updates:

- | | | |
|---|--|--|
| • Crest Gardens: mulch/weed
July 9th | • Pearson Plaza/Otis Park:
Weed/mulch June 19th | • Bayview Park: annuals
added, may need more
marigolds |
|---|--|--|

- Ellis Avenue: Mary to send reminder email to volunteers
- Beaser Avenue: shrubs added
- 3rd Street Planters: annuals planted. Perennials were moved last week. Mary to ask for city mulch.
- City Hall: finish planting tomorrow
- Public Works Planters: planted
- Boat Landing: can we consider shrubs?
- Memorial Park: planted
- Jane Smith Memorial: consider moving perennials from middle and South plots but leave shrubs and grasses for easier maintenance. Jane Smith garden (North plot) will remain unchanged.

7. Next Meeting: Monday, July 5th at 6 pm, Prentice Park Pavilion

8. Adjourn: 7:30 pm

Motion: David Second: Elaine Vote: Aye

Respectfully Submitted,

Shawna Johnson

City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held
on **Tuesday, August 3rd, 2021 at 6:30 p.m.** via
GoToMeeting.

Committee Members Present: Ana Tochtermann, David Mettillie,
Mayor Lewis, Laurie Gregor, Eric Lindell, John Beirl

Committee Members Absent: Katie Gellatly

Staff Present: Megan McBride

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

Agenda

1) Approval of Agenda

Motion to approve the agenda by Eric Lindell. Seconded by David Mettillie. Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the July 20th, 2021 Plan Commission meeting

Motion to approve minutes from the July 20th, 2021 Plan Commission meeting by Eric Lindell.
Seconded by John Beirl. Passed unanimously.

3) Public Comment (non-agenda items)

None.

4) Action Items

**a) Public Hearing and Vote on a request to purchase a piece of City- owned
land, parcel #201-01412-0000. Applicant Robert Forster**

Motion to go into public hearing by David Mettillie. Seconded by Eric Lindell. Passed
unanimously.

Megan McBride summarized the public hearing notice that was issued, and the staff report
detailing the review criteria and staff recommendation for approval.

Mayor Lewis asked about the size of the parcel and appraised value. Megan explained that we don't know the appraised value, but estimated it to be around \$100 as this is what the City sold similarly sized irregular parcels for in the past. Since the cost of an appraisal was roughly \$400 and area appraisers are very busy, the applicant offered \$500 to the City for this parcel. There is nothing in our ordinance requiring that an appraisal take place, so the request is being brought forward as received.

John Beirl asked about the land auction process, and how it is determined which parcels will be sold. Megan answered that the Ashland County Register of Deeds office compiles a list of tax delinquent properties which can be taken on tax deed, and then holds auctions as they accumulate enough properties for a sale.

John Beirl also asked if the City keeps track of what land is being auctioned off by the County through these sales.

Megan responded that she is sent a list of upcoming land which will be for sale, and typically gets quite a few questions about developability and eligible uses for parcels that are for sale. There are typically quite a few properties which do not sell each time, so it is difficult to know what land will transfer each time.

John asked if sale of this property would impact the anticipated Bay City Creek trail which will be located in this area in the future.

Megan McBride said that she did have the Parks and Public Works Departments both review the request, and confirmed that this parcel would not impact future trail development. The trail would utilize Stuntz Avenue to cross Main Street East, and the trail would likely pick up south of Main Street East given the challenges of crossing the ravine/bridge. Therefore, sale of the requested parcel would not impact any future City development plans or projects.

Motion to go out of public hearing by Mayor Lewis. Seconded by Ana Tochtermann. Passed unanimously.

Motion to approve offer to purchase parcel #201-01412-0000 by Robert Forster by Eric Lindell. Seconded by David Mettillie. Passed unanimously.
--

b) Site Plan review and vote for an expansion to the Lakeview Dental building located at 615 Lake Shore Drive West, parcel #201-00711-0000. Applicant: Brad Allen on behalf of Lakeview Dental.

Megan McBride summarized the proposed site plan for expansion of the existing dental clinic

located at 615 Lake Shore Drive West, and the recommendation for approval with conditions identified in the staff report.

Mayor Lewis asked how the view shed will be impacted by this project, and if anything could be done to enhance lake views from U.S. Highway 2. Megan responded that the property owner plans to have the excavator hired for the project trim and remove unhealthy trees during construction which will likely improve views. She said that trees also provide stormwater management and erosion control benefits on this steep slope adjacent to the Waterfront Trail, so there will be a balance between maintaining healthy trees and enhancing lake views.

Ana Tochtermann asks what the plan for public sidewalk is for this project. Megan answered that the sidewalk will be replaced where driveways are being taken out. She explained that the brickwork will also be restored to match the surrounding right-of-way, so areas where driveways are being removed will blend seamlessly with the surrounding infrastructure.

Motion to approve Site Plan with staff recommended conditions by Eric Lindell. Seconded by Mayor Lewis. Passed unanimously, with John Beirl abstained.
--

5) Announcements/Reports/Comments/Questions

Megan McBride informed the committee that The Commonwealth Companies will be coming forward with a Development Agreement for approval, with planning activities taking place over the winter for construction in 2022.

6) Adjournment

Motion to adjourn by David Mettelle. Seconded by Eric Lindell. Passed unanimously.
--

Meeting was adjourned at 7:16 pm. Minutes done by Jaclynn Findlay.

City of Ashland - Housing Committee Meeting Minutes

A meeting of the Ashland Housing Committee was held on **Wednesday, June 9, 2021 at 8:00 a.m. via GoTo Meetings.**

Committee Members Present: Liz Franek, Sam Ray, Kaas Baichtal, Anne Whiting, and Megan McBride

Committee Members Absent: Kathy Beeksma

Staff Present: Chris Luebben, Mayor Lewis

Citizens Present: Millie Rounsville

Mayor Lewis opened the meeting at 8:00 a.m.

Agenda

1) Consent Agenda

Motion to approve the agenda by Sam Ray. Seconded by Kaas Baichtal. Passed unanimously.

2) a.) Approve minutes from the May 12, 2021 Housing Committee meeting

Motion to table approval of the minutes from May 12, 2021 Housing Committee meeting by Sam Ray, seconded by Kaas Baichtal. Passed unanimously.

3) Citizen Comments

None.

4) Old business

a) Updates on progress with CDBG, HIP, and property maintenance

Community Development Block Grant (CDBG) –Megan McBride informed the committee that an updated flyer with the 2021 household income limits has been created, and was sent to a variety of community partners to post. Information will also be provided to realtors to provide to prospective homebuyers. A project totaling approximately \$15,000 in project cost recently was completed, bringing the overall fund balance to approximately \$175,000. Multiple loans are anticipated to be repaid in the near future, so additional efforts will be done to market the variety of project types which CDBG funds can support.

HIP – Chris Luebben said that she recently received two (2) new HIP applications.

Kaas Baichtal inquired if we can start earlier in the year seeking contractors for HIP work. Chris Luebben responded that ads to solicit bids from contractors were released in November of 2020 and again in May of 2021, with no results. Chris explained that she will continue to work to find qualified contractors and/or volunteers to move approved projects forward.

Property Maintenance – Chris Luebben explained that that property maintenance continues to focus on issues involving garbage and long grass in the City.

b) Updates and discussion regarding Task Force to address homelessness

Millie Rounselle with Northwest Wisconsin Community Services Agency explained that the Task Force is working to open a 24 hour shelter in Ashland this fall. An offer was put in on a property contingent upon receipt of a grant to support the project, and the location will be announced if the purchase offer is accepted.

Mayor Deb Lewis noted that a new council member was sworn in the previous evening and expressed concerns that a homeless shelter would draw people from other areas. She asked if there are requirements or restrictions that other communities utilize to limit this.

Millie Rounselle responded that there isn't evidence to suggest that a homeless shelter will draw in people from other areas, but a local need has been identified which the shelter would be designed to serve.

5) New Business

a) Review and vote on Resolution to submit a Community Development Block Grant Coronavirus (CDBG-CV) application

Mayor Lewis explained that the proposed resolution is for the City to apply for Community Development Block Grant funding, which is specifically designated for COVID-19 relief. The grant application is to secure funds for acquisition of a suitable building for a homeless shelter, with the remaining grant funding used for necessary renovations. The City would be a pass-through for this grant, and NWCSA would own and operate the shelter.

Millie Rounselle explained that the issue of homelessness was worsened by COVID-19 in many ways, which is why this proposed use is an eligible activity with CDBG-CV funding.

Motion to recommend approval of the Resolution to submit a CDBG-CV grant for acquisition and renovation of a homeless shelter by Liz Franek, seconded by Sam Ray. Passed unanimously.

b) Discussion about zoning and licensing regulations for rooming houses

Mayor Deb Lewis reviewed the definition of rooming house, which typically has separate living spaces with shared kitchen, restrooms and common spaces. Rooming houses are inspected and licensed.

Millie Rounselle noted that rooming houses can meet the needs of people who need affordable housing and do not need a lot of space, while ensuring that proper licensing and inspections are completed to promote health and safety.

Liz Franek said she feels that the addition of more rooming houses in the community could really help with the homeless situation.

Kaas Baichtal expressed that the definition and regulations should be reviewed and clarified.

Mayor Deb Lewis suggested that this topic be discussed at a future meeting, after examples from other communities are gathered and relevant community partners are contacted for their input in any local policy changes related to rooming houses.

- c) Discussion and recommendations regarding future fundraising strategies and program goals for the Housing Improvement Grant Program

Tabled until the next Housing Committee meeting.

6) Announcements

The next meeting is scheduled for July 14, 2021 at 8:00 am via Go To Meetings.

7) Adjournment

Motion to adjourn made by Kaas Baichtal, seconded by Anne Whiting. Passed unanimously.
--

Meeting was adjourned at 9:15 am. Minutes by Chris Luebben and Megan McBride.

City of Ashland - Housing Committee Meeting Minutes

A meeting of the Ashland Housing Committee was held on **Wednesday, May 12, 2021 at 8:00 a.m. via GoTo Meetings.**

Committee Members Present: Liz Franek, Sam Ray, Kathy Beeksma, Kaas Baichtal, Anne Whiting, and Megan McBride

Committee Members Absent: N/A

Staff Present: Chris Luebben, Mayor Lewis

Citizens Present: Millie Rounsville

Mayor Lewis opened the meeting at 8:00 a.m.

Agenda

1) Consent Agenda

Motion to approve the agenda by Sam Ray. Seconded by Kaas Baichtal. Passed unanimously.

2) a.) Approve minutes from the April 14, 2021 Housing Committee meeting

Motion to approve minutes from April 14, 2021 Housing Committee meeting, after the following changes were made:

Also present at the April 14, 2021 meeting was Liz Franek, B&B clarification, and voucher clarification.

Motion to approve made by Sam Ray, seconded by Liz Franek. Passed unanimously.

3) Citizen Comments

Kaas Baichtal said that the Ashland Business Alliance recently had a discussion regarding housing development at their meeting. They identified the need for housing for new professionals, particularly healthcare professionals, who would like to relocate to Ashland for work but struggle to find quality rental housing. An idea that came out of this discussion was for the City to extend utilities to desirable areas of the community which would be suitable for housing development.

4) Old business

a) Updates on progress with CDBG, HIP, and property maintenance

CDBG - Megan McBride noted that two projects were completed within the last month, one project which involved extensive basement repairs and the other was the replacement of a roof.

Property Maintenance – Chris Luebben commented that property maintenance violations continue for garbage issues around the City. She included Community Springtime clean-up flyers with letters sent out the past 2 weeks.

The Mayor noted that the Community Springtime clean-up on May 8, 2021 was highly successful. The City Administrator would like to schedule a second clean-up possibly in the Fall.

HIP – Chris Luebben noted that she recently received two (2) new HIP applications, which will be reviewed for program eligibility.

b) Updates and discussion regarding Task Force to address homelessness

The Task Force has identified the need for a 24-hour shelter as a priority. Logistics which are involved in this effort include building a shelter, staffing, coordinating supportive services, and funding. The City is exploring the possibility of applying for Community Development Block Grant funding for COVID-19 relief (CDBG-CV), and has received approval of the Letter of Intent to do so. The full application will be due in July.

Millie Rounselle explained challenges that they are experiencing through their voucher program, which can provide vouchers to homeless individuals for hotel stays. Both funding and the ability to find available hotel rooms are challenges, prompting the need for a more permanent shelter to address these growing community needs. The Task Force has been exploring several different locations for a shelter, and is in negotiation with one property owner.

Liz Franek suggested that public input be gathered related to the location and need for a homeless shelter, particularly once a location is determined.

The Mayor agreed that public outreach and education will be very important during the planning and renovation of a new shelter.

5) New Business

a) Discussion of opportunities and strategies for facilitating additional housing development to meet identified community needs

Megan McBride provided a presentation highlighting language from the Comprehensive Plan and Housing Strategic Plans related to Ashland's housing needs, and in-fill sites which could be amenable to housing development. She explained that Commonwealth will be moving forward in 2022-2023 with their 51-unit affordable housing development, and asked the committee for input regarding priorities and strategies for attracting other types of housing which have been identified as community needs.

Mayor Lewis said that the City's focus needs to be on affordability since these projects are less likely to happen otherwise. She also emphasized the importance of developing underutilized infill lots, which can use existing infrastructure and add vibrancy.

Anne Whiting noted the need for housing for middle income people as well, including both rental and ownership options.

Millie Rounselle said that City of Superior is exploring offering buildable parcels for free to people who can demonstrate approved financing for construction of a new home on the lot as a means of incentivizing infill development.

Mayor Lewis suggested that additional outreach and education about Accessory Dwelling Units (ADU's) could also help to promote desirable infill development.

Anne Whiting emphasized the need for all types of housing, and that promoting affordable housing does not preclude development of needed market rate housing as well.

Mayor Lewis said that the City's role in facilitating housing development is in connecting opportunities with developers.

Millie Rounselle asked if Ashland allows boarding/rooming houses, and if we currently have any in the City.

Mayor Lewis suggested that the Housing Committee further discuss the topic of boarding and rooming houses to review current regulations.

6) Announcements

None

The next meeting is scheduled for June 9, 2021 at 8:00 am via Go To Meetings.

7) Adjournment

Motion to adjourn made by Kaas Baichtal, seconded by Anne Whiting. Passed unanimously.
--

Meeting was adjourned at 9:18 am. Minutes by Chris Luebben and Megan McBride.

SUBJECT: Approve a Resolution to Amend the 2020 General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, and Internal Service Funds Per Wis. State Statute 65.90(5)(a) (*Finance*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Finance

CLEARANCES: Administrator

EXHIBITS:

1. Proposed Resolution
2. Proposed 2020 Budget Amendment with Resolution
3. TIF District 6 Boundaries map
4. Tax Increment Finance Districts 7, 8, & 9

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

The 2020 audit is still in progress and one of the final items to be completed is the 2020 budget amendment.

The annual budgets are formulated based on the best information at the time of preparation, which is usually around four months before the budget year begins. For 2020, the preliminary actual results vary from the budgets formulated and some departments are over budget while other departments are under budget. This results in the need for the Council to re-appropriate the 2020 budget for expenditures. The budget amendment will bring the expenditures and transfers into compliance with Wis. Stats. 65.90(5)(a) Municipal Budgets. The total amount of the general fund budget stays at the original approved amount of \$10,869,015. The appropriations between the "transfers to other funds" and "general fund operations" is what is being requested to be amended.

The 2020 year resulted in actual general fund revenues being under budget by \$394,953, expenditures being under budget by \$769,574, which resulted in actual net revenue of \$374,621. The Administrator is requesting

that net revenue in the amount of \$300,000 be re-appropriated to future capital projects. The requested re-appropriation of \$56,250 to internal service funds and \$4,524 to special revenue funds are to cover additional 2020 expenditures. Net 2020 revenue after the proposed amendment would be \$13,847.

The following is the proposed budget amendment:

General Fund Transfers to Other Funds

<i>Original General Fund Transfers to Other Funds</i>	\$ 805,920
Fund 260 Recycling – Increase transfer - recycling costs more than anticipated	1,875
Fund 277 Wetland Mitigation – monitoring costs more than anticipated	2,649
Fund 450 Building – transfer for City Hall Improvements	40,000
Fund 454 Equipment Leases - Vehicle leases City Hall and Public Works	10,000
Fund 463 Computer Software – Election Equipment	15,000
Fund 470 Streets - Mill and overlay projects	215,000
Fund 481 Parks Improvements - new playground equipment	20,000
Fund 750 Post Retirement Benefits – employee retirement payouts over expected	56,250
<i>Proposed General Fund Transfers to Other Funds</i>	<u>\$1,166,694</u>

General Fund Expenditures for Operations

<i>Original General Fund expenditures for operations</i>	\$10,063,095
Reduce elections budget for transfer to Fund 260 recycling	(1,875)
Reduce election budget for transfer to Fund 277 Wetland Mitigation	(2,649)
Reduce election budget for transfer to Fund 463 Tech Equipment	(15,000)
Reduce election budget for transfer to Fund 454 Equipment Leases	(10,000)
Reduce building & facilities budget for transfer to Fund 450 Building Improv.	(40,000)
Reduce building & facilities budget for transfer to Fund 481 Parks Improvements	(20,000)
Reduce fire budget for transfer to Fund 750 post-retirement benefits	(56,250)
Reduce public works budget for transfer to Fund 470 Streets	(189,000)
Reduce parks budget for transfer to Fund 470 Streets	(26,000)
Transfer of under-expended department budgets to over-expended department budgets with -0- net effects. See exhibit A.	<u>-0-</u>
<i>Proposed General Fund Expenses for Operations</i>	\$ 9,702,321
<i>Proposed General Fund Transfers to Other Funds & Expenditures for Operations</i>	<u>\$10,869,015</u>

The approval of the proposed amended budgets includes the transfer from Tax Increment District (TID) #6 as “donor” to TID #9 as “distressed” to reduce the accumulated deficit in TID #9: (see attached maps for TID #6 & #9)

TID #6 transfer out	\$(331,293)
TID #9 transfer in	331,293

The 12/31/2020 ending deficit of TID #9 is (\$1,578,947) after the above transfer of funds.

RESOLUTION No. 17635

RESOLUTION TO AMEND THE 2020 GENERAL FUND, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, CAPITAL PROJECT FUNDS, AND INTERNAL SERVICE FUNDS BUDGETS PER WIS. STATE STATUTE 65.90(5)(a)

WHEREAS, the Common Council for the City of Ashland, Wisconsin, at the August 31, 2021 meeting, has deliberated the formation of the 2020 municipal budget amendment; and

WHEREAS, the Common Council for the City of Ashland, Wisconsin has concluded that budget appropriation adjustments are necessary for the General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, and Internal Service Funds.

NOW, THEREFORE, BE IT RESOLVED that the Common Council for the City of Ashland, Wisconsin hereby adopts the 2020 Budget Amendment for appropriation adjustments as summarized on the attachment to this Resolution.

PASSED: August 31, 2021

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

RESOLUTION

No. _____

RESOLUTION TO AMEND THE 2020 GENERAL FUND, SPECIAL REVENUE FUNDS, DEBT SERVICE FUNDS, CAPITAL PROJECT FUNDS, AND INTERNAL SERVICE FUNDS BUDGETS PER WIS. STATE STATUTE 65.90(5)(a)

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PASSED: August 31, 2021

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

(2399)

CITY OF ASHLAND - 2020 AMENDED BUDGET SUMMARY
Common Council approved per Wis. State Statute 65.90(5)(a) August 31, 2021

General Fund Detail

			Adopted	PROPOSED
	ADOPTED	AMENDED	to Amended	
	2020	2020	Percent	
Sources of Funds	Budget	Budget	Change	
Revenues:				
Taxes:				
General Property Taxes	\$2,776,476	\$2,776,476	0.00%	
Other Taxes	460,620	460,620		
Special Assessments	0	0		
Intergovernmental Revenues	4,654,826	4,654,826		
Licenses & Permits	166,928	166,928		
Fines, Forfeitures & Penalties	25,000	25,000		
Public Charges for Service	1,766,700	1,766,700		
Intergovernmental Charges for Service	770,195	770,195		
Miscellaneous Revenues	103,320	103,320		
Other Financing Sources	144,950	144,950		
Total General Fund Revenues	10,869,015	10,869,015	0.00%	
Fund Balance Applied	0	0		
Total Sources of General Funds	\$10,869,015	\$10,869,015	0.00%	
Uses of Funds				
Expenditures:				
General Government	\$2,047,556	\$1,958,032		
Public Safety	5,067,580	5,011,330		
Public Works	2,058,794	1,869,794		
Health & Human Services	147,930	147,930		
Culture, Recreation & Education	554,045	528,045		
Conservation & Development	187,190	187,190		
Total General Fund Expenditures	10,063,095	9,702,321	-3.59%	
Other Financing Uses:				
Transfers to Special Revenue Funds	430,920	435,444		
Transfers to Debt Service Funds	0	0		
Transfers to Capital Projects Funds	245,000	545,000		
Transfers to Enterprise Funds	45,000	45,000		
Transfers to Internal Service Funds	85,000	141,250		
Total Other Financing Uses	805,920	1,166,694	44.77%	
Current Year Fund Balance Reserved	0	0		
Total Uses of General Funds	\$10,869,015	\$10,869,015	0.00%	

The amended budget redistributes the appropriation of funds for Expenditures and for Other Financing Uses for 2020.

Amending All Governmental & Internal Service Funds

(Enterprise Funds shown as originally approved by respective commission or City Council)

	Fund Bal. 12/31/19	Total Revenues	Total Expenditures	Est. Fund Bal. 12/31/20	Property Tax Contribution
General Fund	\$4,708,844	\$10,869,015	\$10,869,015	\$4,708,844	\$2,776,476
Special Revenue Funds	332,697	2,331,426	1,425,828	1,238,295	234,690
Debt Service Funds	310,797	1,225,433	1,225,398	310,832	1,149,937
Capital Projects Funds	1,090,162	7,607,857	4,950,451	3,747,568	0
Enterprise Funds - Original Budgets	28,946,753	4,964,682	5,055,520	28,855,915	0
Internal Service Funds	295,469	295,693	267,896	323,266	0
Total	\$35,684,722	\$27,294,106	\$23,794,108	\$39,184,720	\$4,161,103

Mill Rate Calculation

	2017 Actual	2018 Actual	2019 Actual	2020 Budget	Percent Change
Amount to be Raised by Taxes	\$4,021,290	\$4,024,512	\$4,040,950	\$4,161,103	2.97%
Assessed Value	412,459,670	415,577,050	413,813,750	420,745,300	1.68%
Mill Rate (\$ per \$1,000 assessed value)	9.7495	9.6842	9.7651	9.8898	1.28%

CITY OF ASHLAND

**2020 PROPOSED BUDGET AMENDMENT
SUMMARY WORKSHEET**

Property Tax Levy

Assessed Value	420,745,300	420,745,300	-	-	420,745,300	
Mill Rate	9.8898	9.8898	0.0000	0.0000	9.8898	
Gross Levy	\$ 4,161,103	\$ 4,161,103	\$ -	\$ -	\$ 4,161,103	No change

Less Restricted Levy:

TIF Levy	(234,690)	(234,690)	-	-	(234,690)	
Debt Service Levy						
Total G.O. Debt Service	(1,149,937)	(1,149,937)	-	-	(1,149,937)	
Debt Service Reserve Applied	-	-	-	-	-	
Net Debt Service Levy	(1,149,937)	(1,149,937)	-	-	(1,149,937)	
Total Restricted Levy	(1,384,627)	(1,384,627)	-	-	(1,384,627)	
Net Expendable Levy	\$ 2,776,476	\$ 2,776,476	\$ -	\$ -	\$ 2,776,476	No change

Net Levy Available for General Fund

Post-Levy Property Tax Adjustments	-	387	(387)	-	-	
Non-Tax General Fund Revenues	8,092,539	7,697,199	395,340	-	8,092,539	
Appropriation of Fund Balance	-	-	-	-	-	
Total General Fund Revenues	\$ 10,869,015	\$ 10,474,062	\$ 394,953	\$ -	\$ 10,869,015	No Change

Uses of General Funds

General Fund Transfer to Other Funds:

SR 215 - Vaughn Library	(322,320)	(322,320)	-	-	(322,320)	
SR 245 - Planning & Redevelopment	(14,000)	(14,000)	-	-	(14,000)	
SR 246 - Home Improvement Programs	(5,000)	(5,000)	-	-	(5,000)	
SR 260 - Recycling	(78,600)	(80,475)	(1,875)	(1,875)	(80,475)	From General Government Election Budget
SR 277 - Wetland Mitigation	(11,000)	(13,649)	(2,649)	(2,649)	(13,649)	From General Government Election Budget
CP 450 - Building Facilities.	-	(40,000)	(40,000)	(40,000)	(40,000)	From General Government - Buildings and Facilities
CP 454 - Equipment Leases	-	(10,000)	(10,000)	(10,000)	(10,000)	From General Government Election Budget
CP 460 - Public Works Capital Equip.	(50,000)	(50,000)	-	-	(50,000)	
CP 463 - Computer Capital Equip.	-	(15,000)	(15,000)	(15,000)	(15,000)	From General Government Election Budget
CP 470 - Capital Street Improvements	(190,000)	(405,000)	(215,000)	(215,000)	(405,000)	From Public Works \$189,000; From Parks \$26,000
CP 481 - Parks & Rec	-	(20,000)	(20,000)	(20,000)	(20,000)	From General Government - Buildings and Facilities
EF 610 - JFK Airport	(45,000)	(45,000)	-	-	(45,000)	
IS 750 - Post Retirement Benefits Reserve	(85,000)	(141,250)	(56,250)	(56,250)	(141,250)	From Public Safety Fire Budget
CP 491 / TA 810 - Landfill (LTC)	(5,000)	(5,000)	-	-	(5,000)	
Total Transfers to Other Funds	\$ (805,920)	\$ (1,166,694)	\$ (360,774)	\$ (360,774)	\$ (1,166,694)	
Net Available for General Fund Operations	\$ 10,063,095	\$ 9,307,368	\$ 755,727	\$ (360,774)	\$ 9,702,321	

CITY OF ASHLAND

**2020 PROPOSED BUDGET AMENDMENT
SUMMARY WORKSHEET**

General Fund Operations

GENERAL GOVERNMENT

	Approved 2020 Budget	2020 Preliminary	Preliminary (Over) Under 2020 Budget	Proposed Budget Adjustment	Proposed Amended Budget	Budget Amendment Notes
Mayor	(30,740)	(24,957)	5,783	-	(30,740)	
City Council	(66,400)	(36,386)	30,014	-	(66,400)	
City Administrator	(136,175)	(136,222)	(47)	(50)	(136,225)	From Misc & Insurance - \$50
Police & Fire Commission	(5,300)	(7,651)	(2,351)	(2,355)	(7,655)	From Misc & Insurance - \$2355
City Attorney	(70,000)	(55,506)	14,494	-	(70,000)	
City Clerk	(98,640)	(96,826)	1,814	-	(98,640)	
Personnel	(55,120)	(65,868)	(10,748)	(10,750)	(65,870)	From Misc & Insurance - \$10,750
Elections	(107,765)	(63,135)	44,630	29,524	(78,241)	Transfer to CP463 Technology for Election Equip; Fund 260 Recycling \$1875; Fund 277 Wetland Mitigation \$2649; Fund 454 Equipment Leases \$10,000
Technology Services	(282,320)	(267,329)	14,991	-	(282,320)	
Other City Hall	(124,230)	(111,095)	13,135	-	(124,230)	
Finance	(419,165)	(422,908)	(3,743)	(3,745)	(422,910)	From Misc & Insurance - \$3745
Assessor	(62,650)	(62,464)	186	-	(62,650)	
Buildings & Facilities Maintenance	(457,951)	(394,741)	63,210	60,000	(397,951)	Transfer to CP 450 Buildings & Facilities \$40,000; CP Fund 481 Parks Improvements \$20,000
Misc & Insurance	(131,100)	(106,185)	24,915	16,900	(114,200)	Transfer to various budgets above
TOTAL GENERAL GOVERNMENT	\$ (2,047,556)	\$ (1,851,273)	\$ 196,283	\$ 89,524	\$ (1,958,032)	

PUBLIC SAFETY

Police	(2,111,480)	(2,111,042)	438	-	(2,111,480)	
Fire	(1,416,790)	(1,122,412)	294,378	67,400	(1,349,390)	Transfer to Internal Service Fund 750 Retirements \$56,250; Building Inspection \$11,150
Ambulance	(1,411,060)	(1,387,767)	23,293	-	(1,411,060)	
Public Fire Protection Fee	(19,200)	(19,141)	59	-	(19,200)	
Building Inspection	(109,050)	(120,196)	(11,146)	(11,150)	(120,200)	Transfer from Fire Budget
TOTAL PUBLIC SAFETY	\$ (5,067,580)	\$ (4,760,558)	\$ 307,022	\$ 56,250	\$ (5,011,330)	

HEALTH & SOCIAL SERVICES

Animal Control	(78,930)	(74,996)	3,934	94	(78,836)	Transfer to Pest Control
Pest Control	(8,000)	(8,094)	(94)	(94)	(8,094)	Transfer from Animal Control Budget
Mt. Hope Cemetery	(61,000)	(61,000)	-	-	(61,000)	
TOTAL HEALTH & SOCIAL SERVICES	\$ (147,930)	\$ (144,090)	\$ 3,840	\$ -	\$ (147,930)	

PUBLIC WORKS

Public Works	(1,651,902)	(1,462,011)	189,891	189,000	(1,462,902)	Transfer to Capital Fund 470 Streets
Transportation	(30,000)	(30,000)	-	-	(30,000)	
Sanitation	(376,892)	(371,036)	5,856	-	(376,892)	
TOTAL PUBLIC WORKS	\$ (2,058,794)	\$ (1,863,047)	\$ 195,747	\$ 189,000	\$ (1,869,794)	

LEISURE ACTIVITIES

Community Programs	(26,550)	(27,300)	(750)	(750)	(27,300)	Transfer from Municipal Band
Parks	(221,105)	(172,047)	49,058	26,000	(195,105)	Transfer to CP 470 Streets \$26,000
Recreation Programs (APR)	(301,440)	(291,759)	9,681	-	(301,440)	
Municipal Band	(4,950)	-	4,950	750	(4,200)	Transfer to Community Programs
TOTAL LEISURE ACTIVITIES	\$ (554,045)	\$ (491,106)	\$ 62,939	\$ 26,000	\$ (528,045)	

CONSERVATION & DEVELOPMENT

Planning and Development	(187,190)	(183,447)	3,743	-	(187,190)	
TOTAL CONSERVATION & DEVELOPMENT	\$ (187,190)	\$ (183,447)	\$ 3,743	\$ -	\$ (187,190)	

Total General Fund Expenditures for Operations

\$ (10,063,095) \$ (9,293,521) \$ 769,574 \$ 360,774 \$ (9,702,321)

Total Uses of General Funds

\$ (10,869,015) \$ (10,460,215) \$ 408,800 \$ - \$ (10,869,015)

Net (Expenditures) over Revenue

- \$ 13,847 \$ 13,847 \$ - \$ -

CITY OF ASHLAND
2020 PROPOSED BUDGET AMENDMENT
GENERAL FUND REVENUES

ACCOUNT DESCRIPTION		Approved 2020 Budget	2020 Preliminary	Preliminary Over (Under) 2020 Budget	Proposed Budget Adjustment	Proposed Amended Budget	Budget Amendment Notes
TAXES							No amendment
100	41110 GENERAL PROPERTY TAXES	2,776,476	2,776,863	387	0	2,776,476	
100	41140 MOBILE HOME TAXES	24,000	24,060	60	0	24,000	
100	41210 MOTEL/HOTEL TAXES	10,000	7,908	(2,092)	0	10,000	
100	41222 SALES TAX - CITY SHARE	120	141	21	0	120	
100	41310 TAXES - WATER UTILITY PILOT	392,000	400,184	8,184	0	392,000	
100	41320 TAXES - TAX EXEMPT PILOT	32,000	40,356	8,356	0	32,000	
100	41800 PENALTIES ON DELINQUENT TAXES-PP	1,000	2,445	1,445	0	1,000	
100	41810 PENALTIES ON DELINQUENT TAXES-Utilities	1,500	1,210	(290)	0	1,500	
100	41900 OTHER TAXES	0	10,148	10,148	0	0	
TOTAL TAXES:		3,237,096	3,263,315	26,219	0	3,237,096	
SPECIAL ASSESSMENTS							
100	42000 SPECIAL ASSESSMENTS	0	0	0	0	0	
TOTAL SPECIAL ASSESSMENTS:		0	0	0	0	0	
INTERGOVERNMENTAL							
100	43300 FEDERAL GRANTS	0	34,562	34,562	0	0	
100	43410 SHARED REVENUES	3,723,661	3,701,429	(22,232)	0	3,723,661	
100	43411 EXPENDITURE RESTRAINT	115,497	115,497	0	0	115,497	
100	43412 EXEMPT COMPUTER AID	19,000	18,529	(471)	0	19,000	
100	43413 PERSONAL PROPERTY TAX AID	47,871	47,871	0	0	47,871	
100	41314 VIDEO SERVICE PROVIDER AID	9,527	9,527	0	0	9,527	
100	43420 STATE FIRE DUES	20,000	21,057	1,057	0	20,000	
100	43529 OTHER PUBLIC REVENUE	34,000	57,568	23,568	0	34,000	
100	43531 STATE GENERAL TRANS AID	598,513	598,513	0	0	598,513	
100	43530 STATE GRANT REVENUE	100	5,081	4,981	0	100	
100	43533 STATE CONNECTING HWY AID	73,907	73,907	0	0	73,907	
100	43610 PAYMENT FOR MUNICIPAL SERVICE	12,500	12,386	(114)	0	12,500	
100	43799 OTHER LOCAL GOVT GRANTS	250	3,776	3,526	0	250	
TOTAL INTERGOVERNMENTAL:		4,654,826	4,699,703	44,877	0	4,654,826	
LICENSES & PERMITS							
100	44100 LICENSES - BUSINESS & OCCUPATIONAL	31,400	23,160	(8,240)	0	31,400	
100	44110 CABLE FRANCHISE FEE	81,673	84,163	2,490	0	81,673	
100	44200 LICENSES - NON BUSINESS	10	7	(3)	0	10	
100	44300 BUILDING & STREET-CUT PERMITS	45,000	57,024	12,024	0	45,000	
100	44400 ZONING PERMITS & FEES	8,845	2,750	(6,095)	0	8,845	
TOTAL LICENSES & PERMITS:		166,928	167,104	176	0	166,928	
FINES, FORFEITS & PENALTIES							
100	45100 LAW & ORDINANCE VIOLATIONS	25,000	18,882	(6,118)	0	25,000	
TOTAL FINES, FORFEITS & PENALTIES:		25,000	18,882	(6,118)	0	25,000	
PUBLIC CHARGES FOR SERVICES							
100	46100 OTHER REVENUES - GENERAL GOVT	9,000	10,584	1,584	0	9,000	
100	46210 POLICE SERVICES	3,500	4,998	1,498	0	3,500	
100	46220 FIRE PROTECTION FEES	1,000	0	(1,000)	0	1,000	
100	46230 AMBULANCE/EMS FEES	1,069,000	901,148	(167,852)	0	1,069,000	
100	46231 AMB PROTECTION FEES	13,400	6,904	(6,496)	0	13,400	
100	46290 SPECIAL CHARGES	5,800	150	(5,650)	0	5,800	
100	46310 PUBLIC WORKS CHARGES	49,000	63,935	14,935	0	49,000	
100	46330 PARKING RENT & FINES	14,500	7,343	(7,157)	0	14,500	

CITY OF ASHLAND
2020 PROPOSED BUDGET AMENDMENT
GENERAL FUND REVENUES

ACCOUNT DESCRIPTION		Approved 2020	2020	Preliminary Over (Under)	Proposed Budget	Proposed Amended	Budget Amendment Notes
PUBLIC CHARGES FOR SERVICES Cont.							
100	46420 REFUSE/GARBAGE COLLECTION FEES	348,000	349,178	1,178	0	348,000	
100	46421 RECYCLING FEES	19,300	19,270	(30)	0	19,300	
100	46431 SPRING CLEANUP FEES/WEED & NUISANCE	1,800	4,658	2,858	0	1,800	
100	46510 ANIMAL CONTROL FEES	2,500	2,368	(132)	0	2,500	
100	46720 PARKS REVENUE	136,000	109,833	(26,167)	0	136,000	
100	46721 PW FUEL TAX REFUND	3,500	3,414	(86)	0	3,500	
100	46722 PW ADMIN FEE	5,400	3,478	(1,922)	0	5,400	
100	46755 LEISURE PROGRAMS & REC FEES	85,000	32,261	(52,739)	0	85,000	
TOTAL PUBLIC CHARGES:		1,766,700	1,519,522	(247,178)	0	1,766,700	
INTERGOVERNMENTAL CHARGES FOR SERVICES							
100	47321 LIAISON OFFICER-REIMBURSE	75,000	46,079	(28,921)	0	75,000	
100	47323 FIRE- TOWNSHIP CONTRACTS	170,600	136,386	(34,214)	0	170,600	
100	47324 AMBULANCE - TOWNSHIP CONTRACTS	233,475	233,477	2	0	233,475	
100	47330 GIS REIMBURSEMENT (COUNTY)	0	1,650	1,650	0	0	
100	47400 ATTORNEY - UTILITY REIMBURSE	5,000	0	(5,000)	0	5,000	
100	47401 UTILITY COST SHARE	235,620	234,094	(1,526)	0	235,620	
100	47403 AIRPORT ADMIN REIMBURSEMENT	8,000	8,000	0	0	8,000	
100	47405 CHARGES TO LIBRARY	42,500	42,456	(44)	0	42,500	
TOTAL INTERGOVERNMENTAL CHARGES:		770,195	702,142	(68,053)	0	770,195	
MISCELLANEOUS REVENUES							
100	48110 INTEREST ON CASH & INVESTMENTS	40,000	22,504	(17,496)	0	40,000	
100	48200 PROPERTY RENTS & LEASES	30,000	20,632	(9,368)	0	30,000	
100	48440 INS CLAIMS REIMB - OTHER	0	2,077	2,077	0	0	
100	48500 GENERAL DONATIONS & GIFTS	1,000	2,051	1,051	0	1,000	
100	48900 WORKERS COMP WAGE REIMB	2,000	10,940	8,940	0	2,000	
100	48901 MISCELLANEOUS	320	4,305	3,985	0	320	
100	48910 INSURANCE DIVIDENDS	30,000	40,885	10,885	0	30,000	
TOTAL MISCELLANEOUS:		103,320	103,394	74	0	103,320	
OTHER FINANCING SOURCES & TRANSFERS							
100	49220 TRANS FROM SPEC REVENUE	2,800	0	(2,800)	0	2,800	
100	49240 TRANS FROM CAPITAL PROJ (Waterfront)	17,700	0	(17,700)	0	17,700	
100	49270 TRANS FROM INTERNAL SERVICE FUND	124,450	0	(124,450)	0	124,450	
TOTAL OTHER FIN. SOURCES:		144,950	0	(144,950)	0	144,950	
TOTAL GENERAL FUND REVENUES:		10,869,015	10,474,062	(394,953)	0	10,869,015	
Non Property Tax GF Revenues		8,092,539	7,697,199	(395,340)	0	8,092,539	

CITY OF ASHLAND	GENERAL FUND - PRELIMINARY				
FOR THE 12 MONTHS ENDING DECEMBER 31, 2020					
			BUDGET		
	ACTUAL	BUDGET	VARIANCE	PCNT	GENERAL NOTES ON VARIANCES
REVENUE					
TAXES	3,263,314.74	3,237,096	(26,218.74)	100.8	
INTERGOVERNMENTAL REVENUE	4,699,703.24	4,654,826	(44,877.24)	101	Increase in Payment in Lieu of Property Tax on Tax Exempt Property
LICENSES & PERMITS	167,103.62	166,928	(175.62)	100.1	
FINES, FORFEITS, & PENALTIES	18,881.84	25,000	6,118.16	75.5	
PUBLIC CHARGES FOR SERVICE	1,519,521.61	1,766,700	247,178.39	86	Decrease in: ambulance billings; parks revenue; APR revenue
INTERGOV CHARGES FOR SVCS	702,142.28	770,195	68,052.72	91.2	Decreases: School Resource Officer; Township fire contract termination
MISCELLANEOUS REVENUES	103,394.91	103,320	(74.91)	100.1	
OTHER FIN SOURCES & TRANS	-	144,950	144,950.00	0	Transfers from other City funds-not needed for 2020
TOTAL REVENUE	10,474,062.24	10,869,015	394,952.76	96.4	
EXPENDITURES					
CITY COUNCIL	36,385.64	66,400	30,014.36	54.8	Strategic Plan postponed
POLICE/FIRE COMMISSION	7,651.80	5,300	(2,351.80)	144.4	
CITY ATTORNEY	55,505.95	70,000	14,494.05	79.3	Services under budget
MAYOR	24,957.25	30,740	5,782.75	81.2	
CITY ADMINISTRATOR	136,222.05	136,175	(47.05)	100	
CITY CLERK	96,826.04	98,640	1,813.96	98.2	
PERSONNEL	65,867.91	55,120	(10,747.91)	119.5	Increase HR Director hours from 23 to 28 per week
ELECTIONS	63,135.05	107,765	44,629.95	58.6	Personnel/Poll Workers/Professional services less than expected
TECHNOLOGY SERVICES	267,329.08	282,320	14,990.92	94.7	Operating supplies under budget by \$12,490
OTHER CITY HALL	111,094.97	124,230	13,135.03	89.4	Personnel under budget by \$6,053; operating supplies under by \$7,082
FINANCE DEPT	422,908.50	419,165	(3,743.50)	100.9	City temporarily paid fees for customers for online utility payments
ASSESSING DEPT	62,463.80	62,650	186.20	99.8	
MAINT - CITY HALL	394,741.46	457,952	63,210.54	86.2	Personnel costs under budget \$59,675
UNCOLL TAXES/SA REFUNDS	1,307.13	2,500	1,192.87	52.3	
VEHICLE INSURANCE	29,394.49	30,000	605.51	98	
LIABILITY INSURANCE	39,961.76	44,000	4,038.24	90.8	
STATE FIRE INSURANCE	35,522.00	54,600	19,078.00	65.1	Insurance increase was less than expected
POLICE DEPT	2,111,041.96	2,111,480	438.04	100	
FIRE DEPT	1,122,411.42	1,416,790	294,378.58	79.2	Personnel under budget \$268,678; Other exp under budget by \$48,993
AMBULANCE	1,387,767.38	1,411,060	23,292.62	98.4	Budget is for 24 FTEs Firefighters - actual ave for year is 20.67FTEs FF
FIRE PROTECTION HYDRANT R	19,141.34	19,200	58.66	99.7	
BUILDING INSPECTION	114,595.99	103,450	(11,145.99)	110.8	Professional inspection services over estimated budget
WEIGHTS/MEASURES OTHER S	5,600.00	5,600	-	100	
PUBLIC WORKS - ADMIN	190,343.88	213,846	23,502.12	89	\$189,893 under budget in total
ENGINEERING	110,102.72	181,384	71,281.28	60.7	Personnel under budget by \$46,893 - Civil Tech position vacant
ROADWAY MAINT	926,400.36	969,854	43,453.64	95.5	Operating supplies & gas and oil under budget by \$85,553
PW-STREET LIGHTING	150,278.52	161,702	11,423.48	92.9	PW utilities and service contracts under budget by \$29,727
SIDEWALK MAINT-PW	3,906.09	20,308	16,401.91	19.2	Repairs and Maintenance under budget by \$13,632
STORM WATER MAINT-PW	79,834.43	101,893	22,058.57	78.4	
PARKING FAC-PW	1,143.35	2,914	1,770.65	39.2	
BAY AREA RURAL TRANSIT	30,000.00	30,000	-	100	
REFUSE/GARBAGE COLL	334,096.28	336,560	2,463.72	99.3	
LANDFILL OPER-PW	36,940.18	40,332	3,391.82	91.6	
ANIMAL CONTROL	74,996.44	78,930	3,933.56	95	
PEST CONTROL	8,093.66	8,000	(93.66)	101.2	
MOUNT HOPE CEMETERY	61,000.00	61,000	-	100	
PARKS	172,046.85	221,105	49,058.15	77.8	Personnel under budget by \$39,277; Utilities under budget by \$9,500
LEISURE	291,758.97	301,440	9,681.03	96.8	
CITY BAND	-	4,950	4,950.00	0	City Bank cancelled for 2020
COMMUNITY EVENTS	-	250	250.00	0	
OTHER COMMUNITY CONTRIB	1,600.00	1,600	-	100	
SOCIAL/HEALTH CONTRIBUTIO	23,700.00	22,700	(1,000.00)	104.4	
BEAUTIFICATION	2,000.00	2,000	-	100	
AADC CONTRIBUTION	50,000.00	50,000	-	100	
SUPERIOR DAYS/TECH CONFER	-	500	500.00	0	
HISTORIC PRESERVATION	120.00	600	480.00	20	
COMMUNITY DEVELOPMENT	133,326.53	136,090	2,763.47	98	
TRANSFER TO SPECIAL REVENUE	435,443.85	430,920	(4,523.85)	101.1	\$360,774 over budget, is part of the budget amendment for 2020
TRANSFER TO CAPITAL PROJEC	545,000.00	245,000	(300,000.00)	222.5	
TRANSFER TO ENTERPRISE FUN	45,000.00	45,000	-	100	
TRANSFER TO INTERNAL SERVI	141,250.00	85,000	(56,250.00)	166.2	
TOTAL EXPENDITURES	10,460,215.08	10,869,015	408,799.92	96.2	
NET REVENUE	13,847.16	-	(13,847.16)		

City of Ashland

Proposed Amended 2020 Special Revenue Funds - Budget Summary

Fund Name	Fund	Estimated Fund Balance Jan 1, 2020	Tax Levy	General Fund Transfers In	Special Revenue Transfers In	Other Revenue	Total Revenues	Expenditures	Transfer out to Debt Service	Transfer out to Other Funds	Total Expenditures	Estimated Fund Balance Dec 31, 2020	Notes
Library Donations	214	189,175	0	0	0	30,376	30,376	18,365	0	0	18,365	201,186	State statute & Donor restricted; includes grants; includes fundraising for library renovations
Library Operations	215	92,990	0	322,320	0	161,690	484,010	503,700	0	0	503,700	73,300	State statute restricted; Revenues & expenses as originally approved by the Library Board
Insurance Loss Deductible Reserv	229	19,426	0	0	0	29,120	29,120	15,827	0	0	15,827	32,719	Restricted-City's insurance claims deductible
State Hazmat Contract	230	0	0	0	0	26,731	26,731	32,044	0	0	32,044	(5,313)	State Grant- Training/equipment/hazmat events
Police Programs	233	30,575	0	0	0	27,247	27,247	23,464	0	0	23,464	34,358	Grant & Donor - restricted - K-9 program; training; equipment
Revolving Loan Fund - Housing	240	196,516	0	0	0	92,926	92,926	23,140	0	0	23,140	266,302	State Grant - restricted
Revolving Loan Fund - Economic	241	489,905	0	0	0	161,457	161,457	2,267	0	0	2,267	649,095	2021 transfer to State - DOA Close-Out; to be administered by the State
Comprehensive Planning	245	55,018	0	14,000	0	119,939	133,939	151,149	0	0	151,149	37,808	Donor restricted; Sustainability Initiatives; UDO updates; etc.
Home Improvement Programs *	246	(90,172)	0	5,000	0	182,602	187,602	76,426	0	0	76,426	21,004	Donor restricted
Breakwall Maintenance **	250	537,287	0	0	0	1,366	1,366	0	0	0	0	538,653	Breakwater Agreement - NSP WI
City-wide recycling	260	3	0	80,475	0	56,546	137,021	137,020	0	0	137,020	4	State Grant restricted
CRYP Donations (Teen Center)	272	44,859	0	0	0	8,689	8,689	6,191	0	0	6,191	47,357	Grant/Donor restricted; Scholarships BCC programs
Community Imprv (Beautification)	274	12,224	0	0	0	2,121	2,121	7,063	0	0	7,063	7,282	Donor restricted - downtown flowers
Wetland Mitigation	277	(501)	0	13,649	0	0	13,649	12,448	0	0	12,448	700	Required wetland "bank" maintenance
Tax Increment #6 (Donor)	281	0	115,388	0	0	216,055	331,443	150	0	331,293	331,443	0	State restricted-Super One & Depot area
Tax Increment #9 (Distressed)	284	(1,244,608)	83,697	0	331,293	149,390	564,380	0	0	0	0	(680,228)	State restricted-Timeless Timber & Honda area
Tax Increment #10 (New 2017)	280	0	35,605	0	0	63,744	99,349	0	75,473	9,808	85,281	14,068	State restricted-Cobblestone & Main St W (First increment and debt payment in 2020)
Totals		332,697	234,690	435,444	331,293	1,329,999	2,331,426	1,009,254	75,473	341,101	1,425,828	1,238,295	
							2,331,426					1,425,828	1,238,295

NOTE: * - HOUSING PROGRAM - 246

The Housing Improvement Program (HIP) was started in 2015 through the generous donation from an anonymous donor of \$25,000 to the City of Ashland to be used towards repairs to single-family owner-occupied homes. An additional contribution from the donor, as well as budgeted funds from the City and grant funding through Associated Bank, have enabled the City to broaden the program starting in 2018. The primary goal of the program is to assist homeowners in making necessary repairs and addressing property maintenance violations, who otherwise would not have the financial and/or physical capability to accomplish these projects.

NOTE: ** - BREAKWALL MAINT - 250

Deposit 7/31/2015-\$100,000 from NSP for the superfund site breakwall permitting process. Per the agreement, any remaining balance may be used by the City for other purposes. Expenses for various professional and miscellaneous fees was \$15,456. Deposit 12/10/2018-\$450,000 from NSP for the breakwall conveyance to the City. These funds were provided in recognition of the operation, repair, maintenance, and other similar costs with the breakwall.

City of Ashland

Proposed Amended 2020 Debt Service Funds -Budget Summary

Fund Name	Fund #	Estimated Fund Balance Jan 1, 2020	Tax Levy	Other Funds Transfers In	Interest Subsidy & Other	Total Revenues	Principal	Interest	Fees	Transfer	Total Expenditures	Estimated Fund Balance Dec 31, 2020	Notes
2007 Safe Drinking Water Loan-Street Portion-Turner Road	310	848	13,310	0	0	13,310	11,966	1,344	0	0	13,310	848	Year 2027 final pmt
GO Promissory Note 2011	361	151	110,288	0	0	110,288	105,000	4,788	500	0	110,288	151	Year 2021 final pmt
GO Bonds 2015A - 4/01/2015	362	-50	434,931	0	0	434,931	320,000	114,431	500	0	434,931	-50	Year 2035 final pmt
GO Promissory Note 2015B	363	11	127,285	0	0	127,285	109,000	18,273	0	0	127,273	23	Year 2025 final pmt
GO Promissory Note 2017B	367	55	464,123	0	23	464,146	415,000	48,673	450	0	464,123	78	Year 2027 final pmt
State Trust Fund Loan TID #10	392	0	0	75,473		75,473	41,900	33,573	0	0	75,473	0	Year 2028 final pmt
GO Promissory Notes 2007B	393	10,017	0	0		0	0	0	0	0	0	10,017	Balance to be researched for proper use of remaining funds
Extreme Makeover - for Leveling Annual Debt Payments	395	299,765	0	0		0	0	0	0	0	0	299,765	Available for future debt payments
Totals		310,797	1,149,937	75,473	23	1,225,433	1,002,866	221,082	1,450	0	1,225,398	310,832	

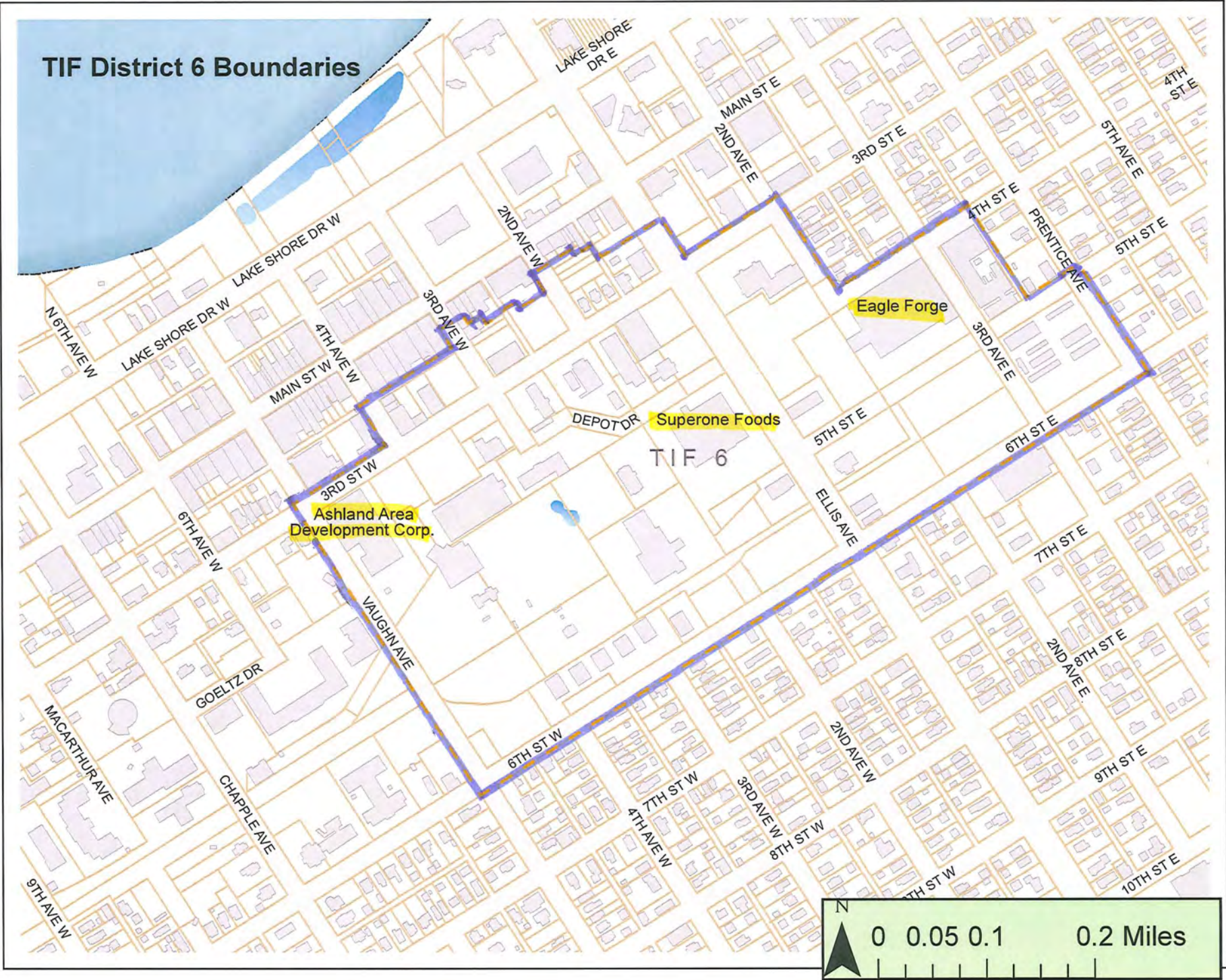
City of Ashland
Proposed Amended 2020 Capital Project Funds - Budget Summary

Fund Name	Fund #	Estimated Fund Balance Jan 1, 2020	Tax Levy	General Fund Transfers In	Cap Proj Special Revenue Transfers In	Other Revenue	Total Revenues	Expenditures	Transfers out to other funds	Total Expenditures	Estimated Fund Balance Dec 31, 2020	Notes
TID #9-Mixed Use	413	(746,085)	0	0	0	0	0	152,634	0	152,634	(898,719)	Expenditure period ends 8/8/2021 (RESTRICTED) Expenses/transfer are payments on development agreements/interest expense/WIDOR fees
TID #10	414	(9,634)	0	0	9,808	0	9,808	174	0	174	0	Expenditure period ends 5/30/2039 (RESTRICTED)
Public Transportation	415	22,000	0	0	0	0	0	0	0	0	22,000	Restricted-BART transportation capital
Building Facilities Fund	450	349,448	0	40,000	0	4,760,956	4,800,956	2,922,254	0	2,922,254	2,228,150	New buildings; repair/maintenance of existing buildings
Waterfront Development	453	249,219	0	0	0	110,937	110,937	0	67,935	67,935	292,221	Restricted - Room Tax Revenue Fund for Waterfront parks/trails improvements.
Equipment Leases	454	17,108	0	10,000	0	16,460	26,460	11,339	0	11,339	32,229	Vehicle leases
Land Acquisition	455	(110,499)	0	0	0	4,597	4,597	0	0	0	(105,902)	Future land sales to recover costs
Public Works Capital	460	37,026	0	50,000	0	5,941	55,941	5,829	0	5,829	87,138	Equipment replacement
Fire Department Capital	461	74,174	0	0	0	752,599	752,599	231,108	0	231,108	595,665	Equipment replacements
Police Department Capital	462	30,852	0	0	0	22,470	22,470	27,243	0	27,243	26,079	Police vehicle leases and equipment
Technology Capital Equipment	463	64,813	0	15,000	0	0	15,000	54,697	0	54,697	25,116	Technology hardware and software
Capital Street Improvement including storm	470	856,886	0	405,000	70,600	1,154,974	1,630,574	1,202,950	0	1,202,950	1,284,510	Street reconstruction; mill & overlay of streets; etc
Capital Sidewalk Improvement including special assessments	471	226,731		0	0	9,201	9,201	0	0	0	235,932	Sidewalk Special Assessments and Capital Projects
Urban Forestry	480	11,063	0	0	0	0	0	0	0	0	11,063	2021 forestry grant match
Parks and Recs Improvements	481	(26,553)	0	20,000	22,908	121,406	164,314	274,288	0	274,288	(136,527)	City parks and trails improvements
Landfill Improvement	491	43,613	0	5,000	0		5,000	0	0	0	48,613	Equipment replacement and site improvements
Total Capital Project Funds		1,090,162	0	545,000	103,316	6,959,541	7,607,857	4,882,516	67,935	4,950,451	3,747,568	
							7,607,857			4,950,451	3,747,568	

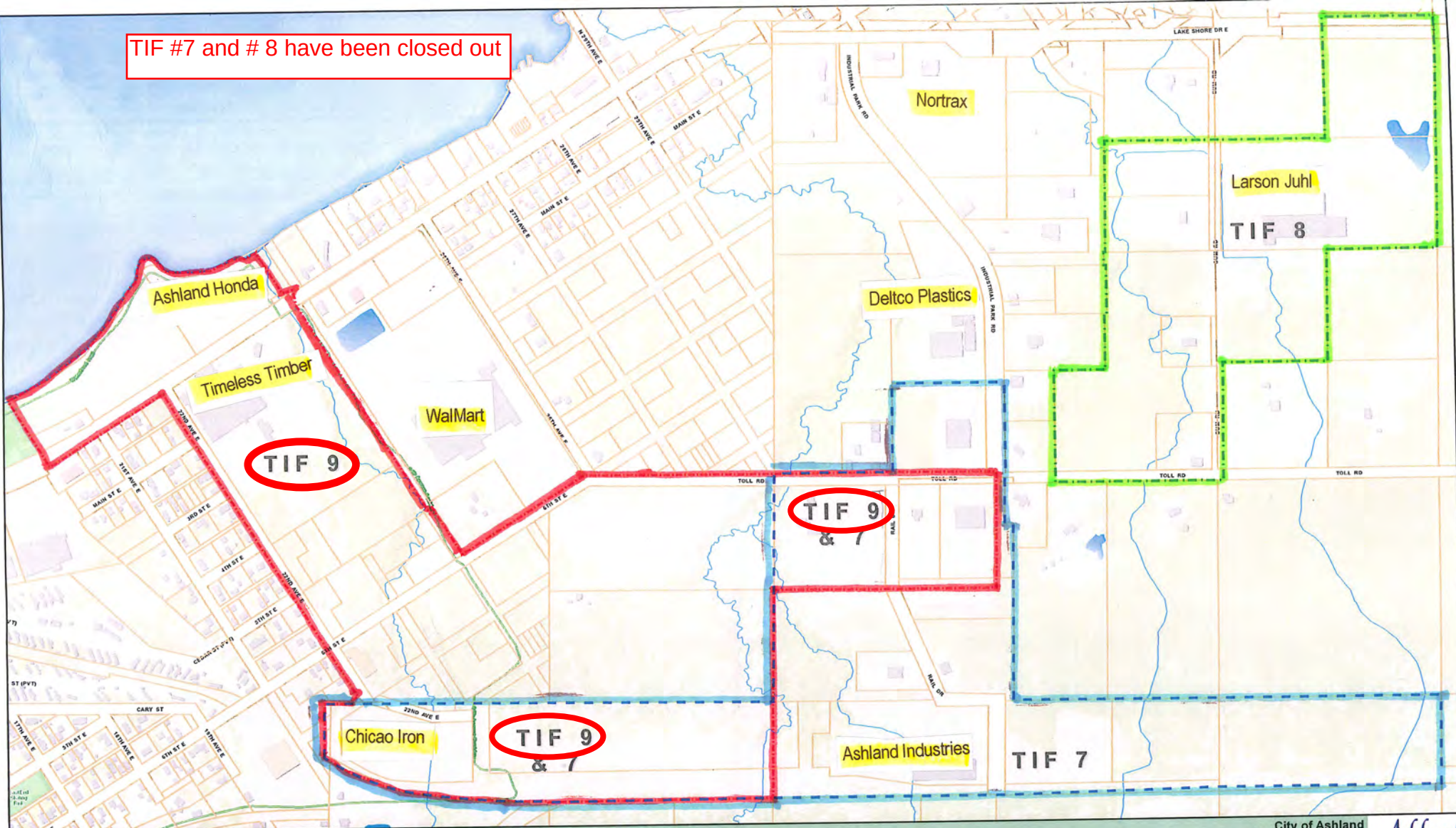
City of Ashland

Proposed Amended 2020 Internal Service Funds - Budget Summary

Fund Name	Fund #	Fund Balance Jan 1, 2020	General Fund CIAC	Special Revenue Transfers In	Appropriate Fund Balance	Other Revenue	Total Revenues	Expenditures	Interest	Transfer to General Fund	Depreciation	Total Expenditures	Estimated Fund Balance Dec 31, 2020
(NOT AMENDING ENTERPRISE FUNDS BUDGETS - SHOWN AS APPROVED BY COUNCIL AND COMMISSIONS)													
Airport	610	2,274,500	0	45,000	0	215,770	260,770	260,770	0	0	143,000	403,770	2,131,500
Marina	620	2,238,134	0	0	0	195,330	195,330	177,566	0	0	69,000	246,566	2,186,898
Water	680	10,149,019	1,350	0	0	2,340,547	2,341,897	1,631,518	131,320		440,166	2,203,004	10,287,912
Sewer	690	14,285,100	22,500			2,144,185	2,166,685	1,354,643	42,597		804,940	2,202,180	14,249,605
Total Enterprise		28,946,753	23,850	45,000	0	4,895,832	4,964,682	3,424,497	173,917	0	1,457,106	5,055,520	28,855,915
Internal Service Funds							4,964,682					5,055,520	
EE Flex/Dental	723	295,465	0	0	0	153,222	153,222	125,425	0	0	0	125,425	323,262
Retirement Benefits	750	4	0	141,250	0	1,221	142,471	142,471	0	0	0	142,471	4
Total Internal Service		295,469	0	141,250	0	154,443	295,693	267,896	0	0	0	267,896	323,266



TIF #7 and #8 have been closed out



TAX INCREMENT FINANCE DISTRICTS 7, 8, & 9

TIF 7 TIF 8 TIF 9

* Ownership Information Source: Office of Land Description/Tax
Lister Ashland County, WI, Tax Roll Data current as of: 10/07/13

1 inch = 524 feet
0 500 1,000 Feet



City of Ashland
Dept. of Public Works
Geographic Information
Systems Division
Created: 10/11/2013
Updated: 01/12/2015

Map for informational purposes only.



SUBJECT: Approve to Apply for Loan as a Pass Through for Ashland Area Development Corporation Solar Array Installation (*Finance/Planning*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Finance Director
City Administrator
Mayor

EXHIBITS:

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**TREASURER'S
CERTIFICATE:** N/A

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

Ashland Area Development Corporation (AADC) has their offices and provides incubator space for businesses in the former Larson Juehl building located at 422 Third Street West, Ashland. AADC is a non-stock corporation which provides valuable start-up assistance to new businesses in the community. AADC would like to install solar energy panels on the roof of their building and is working with Chequamegon Bay Renewables to investigate the cost through a special program benefiting non-profit organizations. AADC would realize tremendous energy savings from the installation of the panels, in addition to reducing their carbon footprint by installing the solar array.

AADC is seeking \$70,000 in start-up cost for the solar array for the building and has approached the City of Ashland for the following request:

- The City would borrow approximately \$70,000 over 10 years from the WI State Trust Fund Loan Program (STF), which provides lower interest loans than the general market. This loan program is not available to non-profits.
- The City would loan the \$70,000 to Ashland Area Development Corp. (AADC for solar panels/energy.

- AADC would make annual payments to the City which would be equal in amount to the City debt payment to the STF each year.
- The City debt levy would not be affected by this loan due to the debt payments that the City would receive each year from AADC.

The only consequence to the City for this loan would be in the unlikely event that AADC would default, the City would need to levy the annual amount then owing to STF for remaining loan amounts at the time of such hypothetical default.

The Finance and Executive Committee of AADC has recommended this project to the full AADC board subject to City willingness to acquire the pass-thru loan.

The City Finance Director has confirmed with the City Auditor, Kim Shult at Baker Tilley and the City Financial Legal Advisor, Bridgette Keating, at Quarles and Brady, LLP that there is no legal impediment to this proposal provided that the Council states in its Motion to Approve that the loan is for a public purpose and that the Council understands the risk of loss in the event of default.

SUBJECT: Approve to Accept Wisconsin Humanities Recovery Grant (*Library Director*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Library

CLEARANCES: Library Board

EXHIBITS: 1. Wisconsin Humanities Recovery Grant Award Notice

EXPENDITURES REQUIRED: \$6350 expenditures from the COA Vaughn Library 2022 budget

AMOUNT BUDGETED: \$0

APPROPRIATION REQUIRED: No appropriation required, all expenditures are from the grant

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:

Due to reduced library use during 2020 which has a direct impact on the funding formula for ACT 150/420 reimbursement for rural library use from Ashland and Bayfield Counties, the Vaughn Public Library has successfully applied for operating funds from the Wisconsin Humanities Recovery Grant program in the amount of \$6,350.00 to help offset the reduction in funding from the counties. These funds will support material expenditures in the 2022 library budget.



WISCONSIN HUMANITIES RECOVERY GRANT AWARD NOTICE

Wisconsin Humanities
3801 Regent Street, Suite 101
Madison, WI 53705
Phone 608-262-0706, Fax 608-263-7970

WH Grant: FYR21-033-WHRG

TO: Sarah Adams
Cc: Julie Vaillancourt, Fiscal Agent

Congratulations! Wisconsin Humanities, serving as the administering agency for the National Endowment for the Humanities' state-based program, has approved the support of the project described below, subject to the certifications made in the original application for these funds and subject to WH rules and regulations as described in the WH's "WHRG-Fiscal Rules and Regulations", which can be found [here](#).

Project Title: *WHRG-Reliable Library Services Support Grant*

Fiscal Sponsor Organization: City of Ashland
Fiscal Sponsor Organization DUNs number: 134723188
Grant Project Period: 08/16/2021-10/31/2022

WH Funds Awarded: \$6,350.00

TOTAL APPROVED BUDGET: \$6,350.00

Signed:  Date: 08/17/2021
Associate Director Wisconsin Humanities

Authorized by WH Board Action: Board Meeting, 08/11/2021

(Original document on file at Wisconsin Humanities)

Please note: This grant award was funded by the NEH program described in CFDA section 45.129. Federal Award Identification Number (FAIN) SO-267495-20, awarded 11/1/19-10/31/24 to support local humanities initiatives and state council operations, with supplemental funding provided by the American Rescue Plan (ARP), (FAIN) ZSO-283167-21 awarded 6/15/21-4/30/23 to prevent, prepare for, respond to, and recover from the coronavirus.

WH approves advance payment of \$0.00 to the above organization.

Check to be made payable to:
City of Ashland
502 Main St. West
Ashland, WI 54806

Attn: UWSA Accounting NEH Funding (144 \$6,350.00): AAJ4641 (CFDA #45.129)

SUBJECT: Approve a Resolution by the Common Council for the City of Ashland, Wisconsin, Authorizing the Renewal of the Annual School Resource Officer (SRO) Agreement with the School District of Ashland for the 2021-2022 School Year (*Police Chief*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Police Department

CLEARANCES: Police Chief, Mayor

EXHIBITS:

1. Proposed Resolution
2. School District of Ashland School Resource Officer Contract for Working Agreement 2021-2022 School Year
3. Side Agreement

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: The wages and benefits of the SRO have been provided within the Annual Operating Budget of the Police Department

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on August 25, 2021, that the School District of Ashland is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

Annually, the City of Ashland and the School District of Ashland renew an agreement to provide an officer to be accessible to staff and students of the school system. The School Resource Officer works within the facilities of the School District during the school year and is available for scheduling traditional patrol duties when school is not in session. The School District reimburses the City for the personnel costs of this position for those periods of time in which the Officer is available to the District.

The agreement for the 2021-2022 school year is unchanged from previous years except for the dates and adding a line that both parties will consider the guidance outlined in the WI DPI Best Practices for SRO programs. An additional side agreement was added outlining how the City of Ashland and School District of Ashland will follow the data portion of the SRO best practices guidelines.

RESOLUTION No. 17634

RESOLUTION BY THE COMMON COUNCIL FOR THE CITY OF ASHLAND, WISCONSIN AUTHORIZING THE RENEWAL OF THE ANNUAL SCHOOL RESOURCE OFFICER (SRO) AGREEMENT WITH THE SCHOOL DISTRICT OF ASHLAND FOR THE 2021-2022 SCHOOL YEAR

WHEREAS, the School District of Ashland and the Common Council for the City of Ashland, Wisconsin have jointly determined that the presence of a School Resource Officer (SRO) is mutually beneficial; and,

WHEREAS, the SRO duties include law enforcement, serving as a liaison for District staff, and serving as an educational resource to students and parents during the school year and performing general law enforcement duties with the Police Department when school is not in session; and,

WHEREAS, the School District and the City have jointly provided for an SRO within the facilities of the School District of Ashland for a number of years; and,

WHEREAS, the School District and the City desire to renew the annual SRO Agreement through the end of the 2021-2022 school year.

NOW, THEREFORE, BE IT RESOLVED that the Common Council for the City of Ashland hereby approves the renewal of the School Resource Officer (SRO) Agreement and authorizes the Mayor and Police Chief to enter into the new SRO Agreement on behalf of the City.

Councilperson

PASSED: August 31, 2021

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

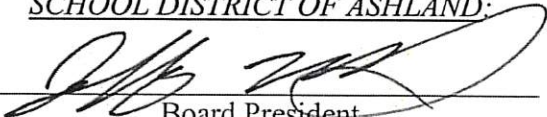
Tyler W. Wickman, City Attorney

SCHOOL DISTRICT OF ASHLAND - CITY OF ASHLAND
School Resource Officer
Contract for Working Agreement – 2021-2022 School Year

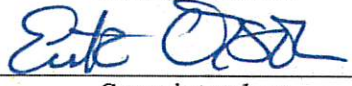
1. The School Resource Officer (SRO) shall be employed by the City of Ashland and is covered by the Police Officer's Collective Bargaining Agreement with the City of Ashland. The SRO will be assigned to the School District of Ashland for a total of 182 days. Those days include the calendar worked by the professional teaching staff beginning with the first day of the regular school year [9/1/21]. The ending date of this contract shall be the last school day of 2022 [6/09/22]. These dates may be modified in the event of a school closure order, other than weather related, or other circumstances that results in change to the academic year. The SRO is subject to be called away for police emergencies; a log of such emergencies shall be attached to the monthly billing. The District shall not be charged for such time when a SRO is called away from the building for emergencies to fulfill other police matters. In the event of a school closure order, other than weather related, the District will not be charged for the SRO during the period of such closure.
2. The SRO is an employee of the City, and will report to the Police Department Lieutenant of Police or designee. The day to day direction of PLSO activities will be the responsibility of the High School and Middle School Principals or designee, subject to overriding consideration as determined by the Lieutenant of Police.
3. The hours of work for the SRO shall include a duty-free lunch period. The SRO shall report for duty at the School District at 7:30 AM and the regular work day shall end at 3:30 PM.
4. The Lieutenant of police or designee shall notify the High School and Middle School Principal or designee on any day the SRO is not available to work because of illness or for any other reason. The SRO shall notify the high school and middle school principals or designee at least two weeks or as soon as practicable prior to any planned absences.
5. The Lieutenant of Police or designee and the High School and Middle School Principals and/or designee will meet at least monthly to review and discuss the SRO program and expectations.
6. The High School Principal or designee may provide a performance evaluation of the SRO to the Lieutenant of Police or designee. The evaluation will be completed twice during the school year; once at the end of the fall semester, and once at the end of the spring semester. Notwithstanding this paragraph, the City expects the District to promptly notify the Chief of Police or designee of the facts involving any performance-related problem involving the SRO. The SRO will have an opportunity to speak with the superintendent to express progress or concerns with the program.
7. During the school year, the District shall be responsible for the overtime incurred because of school functions and will be covered as per the Police Officer's Collective Bargaining Agreement. A log shall be attached to the monthly billing. The vacation incurred by the SRO shall be divided between the School District of Ashland and the City of Ashland Police Department at a 75/25 % split. The SRO shall be entitled to a two-week prime time vacation during the summer months. Any training required to fulfill the duties of the SRO program will be the responsibility of the District and all costs associated with this training shall be paid for by the District.
8. The District shall be billed by the City of Ashland for a total of 100% of the salary, fringe benefits, and all other associated costs for this position while the officer is assigned to the school. This billing shall occur at the end of each month while the officer is working at the school. Final billing must be received by the District by June 15th.
9. The District shall have one (1) School Resource Officer assigned to the School District of Ashland. The District shall provide a site for the SRO which will include a desk, telephone, locking file cabinet, and a computer. A cell phone shall be provided by the District.

10. This position will be filled with a sworn police officer and therefore the officer will carry a weapon at all times while on duty with the District. These weapons will be carried in a concealed manner whenever possible.
11. The estimated budget shall be approved in advance of contract signing by both parties.
12. Variations from the budget will require the approval of both parties.
13. Overtime shall have prior approval of building level supervisors.
14. The SRO essential duties and responsibilities are outlined in the Ashland Police Department School Resource Officer job description.
15. The District and the City of Ashland will consider the guidance outlined in the WI DPI Best Practices for School Resource Officer Programs.
16. This agreement may be modified by the mutual written agreement of the parties. This agreement may be terminated for any reason by either party giving the other party sixty (60) days written notice.

SCHOOL DISTRICT OF ASHLAND:



Board President

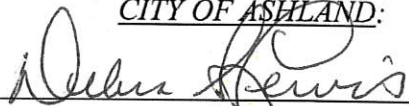


Superintendent

6/28/21

Date

CITY OF ASHLAND:



Mayor



Chief of Police

8-19-2021

Date



Ashland

WISCONSIN

ASHLAND POLICE
DEPARTMENT



601 Main Street West
Ashland, WI 54806
Phone: 715.682.7062
Fax: 715.682.7051

8/10/2021

As directed by the Ashland City Council, the Ashland Police Department and School District of Ashland have committed to following the data portion of the Best Practices for School Resource Officer Programs.

The Ashland Police Department will collect, maintain, and share data as requested on:

- a. The number of students arrested or ticketed by a SRO or other member of law enforcement on school property. This information will include the type of offense and if the case was referred for charging and the demographic data such as the student's age, gender, race, disability if known, and name of school. This information will be tracking using the Ashland Police Department's records management system, (RMS), which is currently the Cody system. The data will be posted yearly on the website.
- b. Information on daily interactions a SRO has with students and staff. The data should capture what a SRO does on a typical day. This information may be used to evaluate programming.

The School District of Ashland will collect, maintain, and share data as requested on:

- c. Results of school and community climate surveys that contain questions related to the SRO program. This will done by either a stand-alone survey on the SRO, if possible, or by having the buildings conduct focus group student sessions and provide a narrative of student experiences.

SUBJECT: Discussion and Possible Action on Final Payment to A to Z Plumbing & Heating for the Bretting Community Center HVAC Replacement Project (*City Administrator*) Roll

RECOMMENDATION: N/A

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator

EXHIBITS:

1. Certificate of Substantial Completion
2. Pay Request Application #11

EXPENDITURES REQUIRED:

Final Settlement Due: \$10,094.00

(included in final project cost of \$201,880)

Project Base Bid	\$ 199,664.00
Change Orders No. 1 through 4	<u>2,216.00</u>
Final Project Cost	\$ 201,880.00

AMOUNT BUDGETED:	Project Base Bid	\$ 199,664.00
	10% Contingency	<u>19,966.40</u>
	Total Budget	\$ 219,630.40

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: N/A

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: N/A

SUMMARY STATEMENT:

The Public Works Department makes no recommendation on approval of the final settlement with A to Z of \$10,094.00, which is the balance presently outstanding under the contract for the Bretting Community Center HVAC Replacement Project.

A certificate of substantial completion from C&S Design and Engineering has been provided.

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Ashland Owner's Project No.: 450202001
Engineer: C&S Design & Engineering, Inc. Engineer's Project No.: 20-3433
Contractor: A to Z Plumbing & Heating, Inc. Contractor's Project No.: N/A
Project: Bretting Center AHU 1,2,3 Replacement
Contract Name: N/A

This ☐ Preliminary ☒ Final Certificate of Substantial Completion applies to:

☒ All Work ☐ The following specified portions of the Work:

Date of Substantial Completion: **May 14, 2021**

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated above is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in the final Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

Amendments of contractual responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance, and warranties upon Owner's use or occupancy of the Work must be as provided in the Contract, except as amended as follows:

Amendments to Owner's Responsibilities: ☒ None ☐ As follows:

Amendments to Contractor's Responsibilities: ☒ None ☐ As follows:

The following documents are attached to and made a part of this Certificate:

Final Punch List dated June 11, 2021

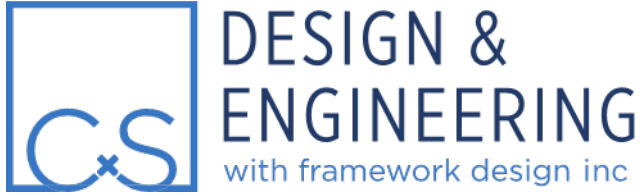
This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Engineer

By (signature): 

Name (printed): Trevor Provost

Title: Senior Building Designer



2023 6th Street West, Ashland, WI 54806

Phone: (715) 682-0330

www.csdesignengineering.com

June 11, 2021

Mr. Zygmund Jablonski, Jr.
A to Z Plumbing & Heating, Inc.
1110 West Lake Shore Drive
PO Box 615
Ashland, WI 54806

RE: Bretting Community Center – AHU-1,2,3 Replacement FINAL Punch List

Dear Zyg,

As part of the Substantial Completion paperwork, the following items need to be taken care of before final payment takes place:

1. A site visit from the air handling unit factory representative is scheduled. They will instruct city staff on operation and maintenance of the air handling units, review the installation of the air handling units, and investigate the noise that AHU-3 is making and complete start-up of condensing units.
2. All close out documentation required from the owner in the May 26, 2021 email is submitted.

If you should have questions, please call me at (715) 685-1067.

Sincerely,

Trevor L. Provost
Building Designer

Cc: John Butler
City of Ashland

Dan Homala
City of Ashland

Lauren Dahl, RA
C&S Design & Engineering, Inc.

APPLICATION AND CERTIFICATE FOR PAYMENT

PAGE ONE OF 2 PAGES

TO OWNER:

City of Ashland
2020 - 6th Street East
Ashland, WI 54806

FROM CONTRACTOR:

A to Z Plumbing & Heating, Inc.
PO Box 615
Ashland, WI 54806

PROJECT:

Bretting Community Center
Air Handling Units 1,2,3

VIA ARCHITECT:

C & S Design & Engineering Inc
2023 6th Street West
Ashland, WI 54806

APPLICATION #: 11
PERIOD TO: 07/15/21
PROJECT NOS: 20-3433

CONTRACT DATE: 08/04/20

Distribution to:

☐	Owner
☐	Const. Mgr
☐	Architect
☐	Contractor

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM-----	\$	199,664.00
2. Net change by Change Orders-----	\$	2,216.00
3. CONTRACT SUM TO DATE (Line 1 +/- 2)	\$	201,880.00
4. TOTAL COMPLETED & STORED TO DATE-\$		201,880.00

(Column G on Continuation Sheet)

5. RETAINAGE:

a. _____ of Completed Work \$ _____
(Columns D+E on Continuation Sheet)

b. 5.0% of Stored Material \$ _____
(Column F on Continuation Sheet)

Total Retainage (Line 5a + 5b or

Total in Column 1 of Continuation Sheet----- \$ _____

6. TOTAL EARNED LESS RETAINAGE----- \$ 201,880.00
(Line 4 less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT

(Line 6 from prior Certificate)----- \$ 191,786.00

8. CURRENT PAYMENT DUE----- \$ 10,094.00

9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$ _____

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$2,216.00	
Total approved this Month		
TOTALS	\$2,216.00	
NET CHANGES by Change Order	\$2,216.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown therein is now due.

CONTRACTOR:

By: _____ Date: 7/19/21

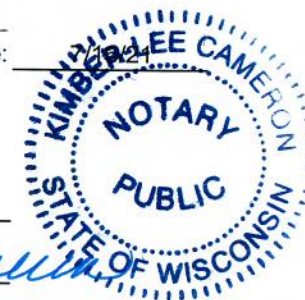
State of: Wisconsin

County of: Ashland

Subscribed and sworn to before
me this 16th day of July, 2021

Notary Public: *Kimberlee Cameron*

My Commission expires: 10/19/23



CERTIFICATE FOR PAYMENT

In accordance with Contract Documents, based on on-site observations and the data comprising application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ----- \$ 10,094.00

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:

By: *Kevin Probst* Date: 7/21/21

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

CONTINUATION SHEET

ATTACHMENT TO PAY APPLICATION

PROJECT:
Bretting Community Center
Air Handling Units 1,2,3

Page 2 of 2 Pages

APPLICATION NUMBER: 11
APPLICATION DATE: 07/16/21
PERIOD TO: 15-Jul-21
ARCHITECT'S PROJECT NO: 20-3433

A Item No.	B Description of Work	C Scheduled Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G		H Balance To Finish (C - G)	I Retainage
			From Previous Application (D + E)	This Period		Total Completed And Stored To Date (D + E + F)	% (G/C)		
1	General Conditions	5,000.00	5,000.00			5,000.00	100%		
2	Equipment	100,000.00	100,000.00			100,000.00	100%		
3	Ductwork	18,000.00	18,000.00			18,000.00	100%		
4	Piping	17,000.00	17,000.00			17,000.00	100%		
5	Refrigerant Piping	8,000.00	8,000.00			8,000.00	100%		
6	Roof Patch	1,800.00	1,800.00			1,800.00	100%		
7	Insulation	13,000.00	13,000.00			13,000.00	100%		
8	Electrical	6,300.00	6,300.00			6,300.00	100%		
9	Temperature Control	30,000.00	30,000.00			30,000.00	100%		
10	Miscellaneous	564.00	564.00			564.00	100%		
11									
12	CO #2 Boiler Drains	162.00	162.00			162.00	100%		
13	CO #3	1,248.00	1,248.00			1,248.00	100%		
14	CO #4	806.00	806.00			806.00	100%		
15									
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	SUBTOTALS PAGE 2	201,880.00	201,880.00			201,880.00	100%		

SUBJECT: Approve a Development Agreement with Lumi Norr Properties, LLC for a TID #10 Development Incentive to Support Buildout of a Commercial Kitchen and Pasty Shop at 417 Main Street West, Ashland (*Planning*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Ehlers Public Finance Advisors

EXHIBITS: 1. Proposed Remodeling for Lumi Norr Properties, LLC

EXPENDITURES REQUIRED: \$15,000 from Tax Incremental District #10

AMOUNT BUDGETED: \$10,000 estimated through Council approved Project Plan (updated April 20, 2021)

APPROPRIATION REQUIRED: \$5,000 of additional funds through Tax Incremental District No. 10. Ehlers Public Financial Advisers have reviewed and confirmed that TID No. 10 can support the additional incentive requested, and will be repaid through the tax increment generated

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on August 23, 2021, that Lumi Nor Properties, LLC is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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: The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. The Comp Plan encourages the City to invest in programs that promote downtown revitalization and economic development which is authentic to Ashland's character. Adaptive reuse of the building at 417 Main St W as proposed in this Development Agreement will create a new use in a currently vacant storefront, diversify downtown food options, and create a new commercial kitchen in a historic building.

SUMMARY STATEMENT:

The Tax Incremental District (TID) No. 10 Project Plan and boundary amendments approved by City Council on April 20, 2021 included the building located at 417 Main Street West (parcel #201-04244-0000) within the boundary of TID No. 10, and also estimated a \$10,000 development incentive to support adaptive reuse of the building. Based on increases in project costs, the developer is requesting an incentive of \$15,000 to ensure successful completion of this project. The \$15,000 incentive request was evaluated by Ehlers Public Financial

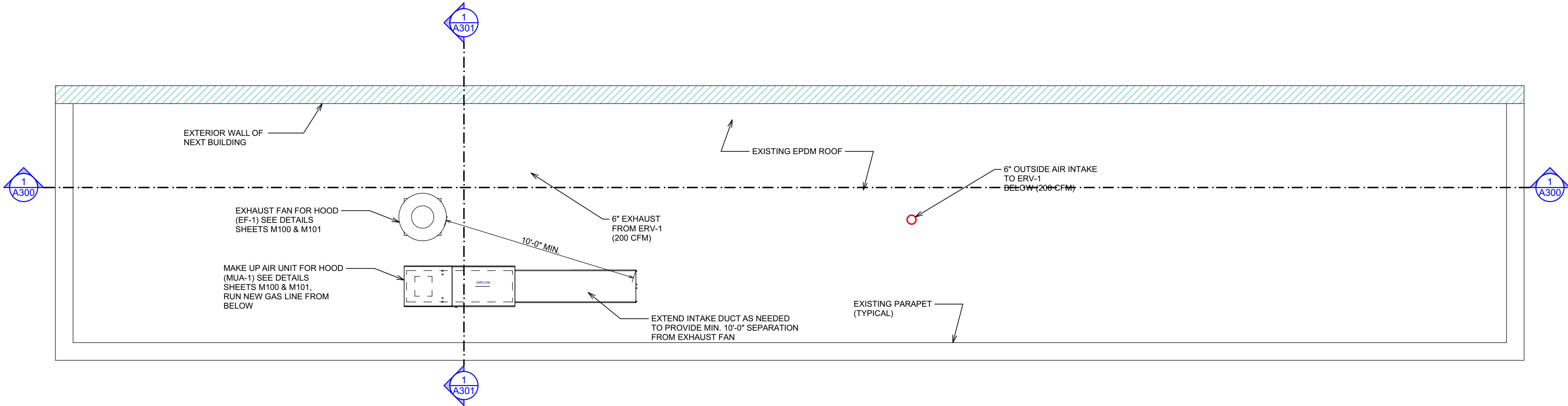
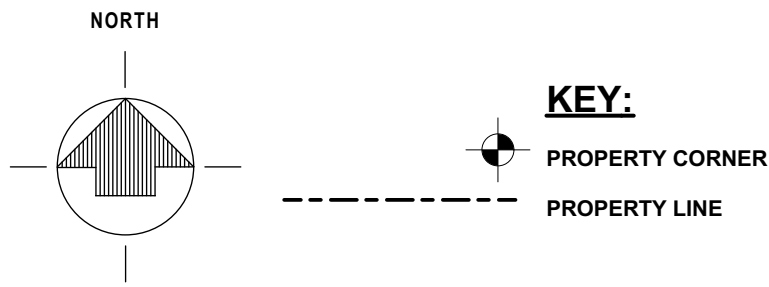
Advisers, who confirmed that TID No. 10 is both able to support the full request at this time, and the tax increment generated would repay the incentive in approximately 2- 3 years. This will generate both short- and long-term benefits for TID No. 10, the downtown, and the broader community.

The agreement attached is a draft not yet approved by the City Attorney, and a final draft (if changes are made) will be provided prior to the meeting.



SITE PLAN

NOT TO SCALE



ROOF PLAN

SCALE: 1/4" = 1'-0"

PROPOSED REMODELING FOR:

LUMI NORR PROPERTIES, LLC.

908 9th AVENUE WEST, ASHLAND, WI 54806

SITE PLAN & ROOF PLAN



DESIGNED: **L.D.**

DRAWN: **T.L.P.**

SCALE: **AS NOTED**

DATE: **DECEMBER, 2020**

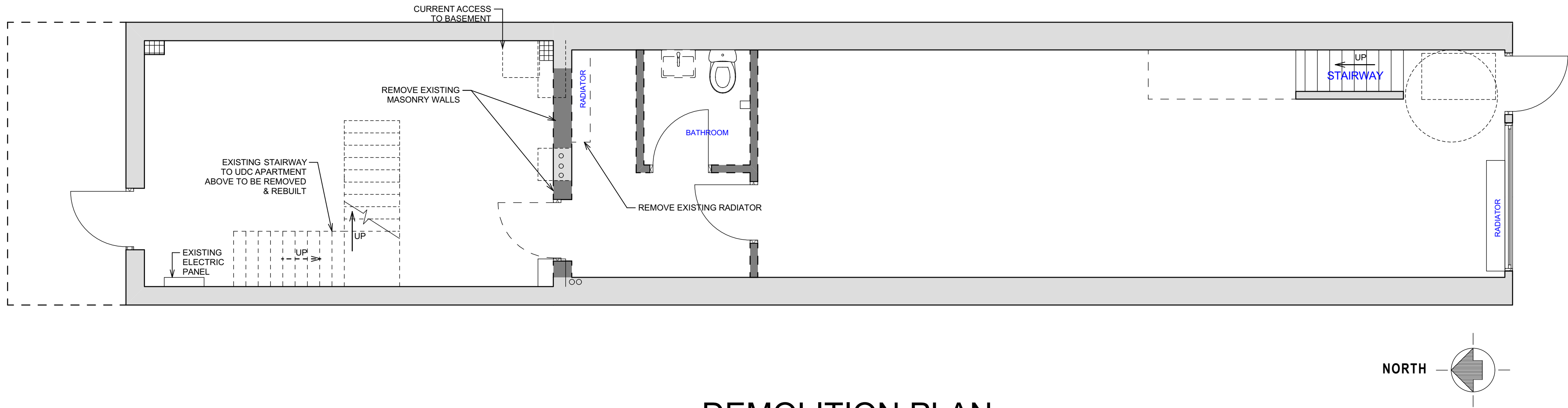
PROJECT NO. **20-3441**

REVISIONS:

APPROVED:

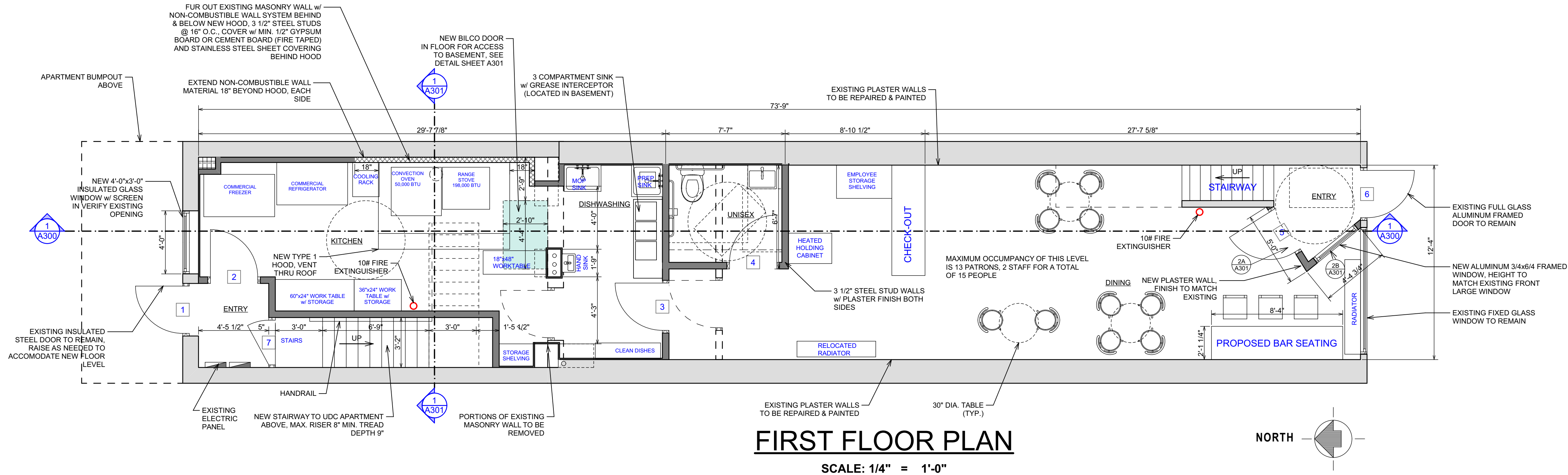
SHEET NO.

C100



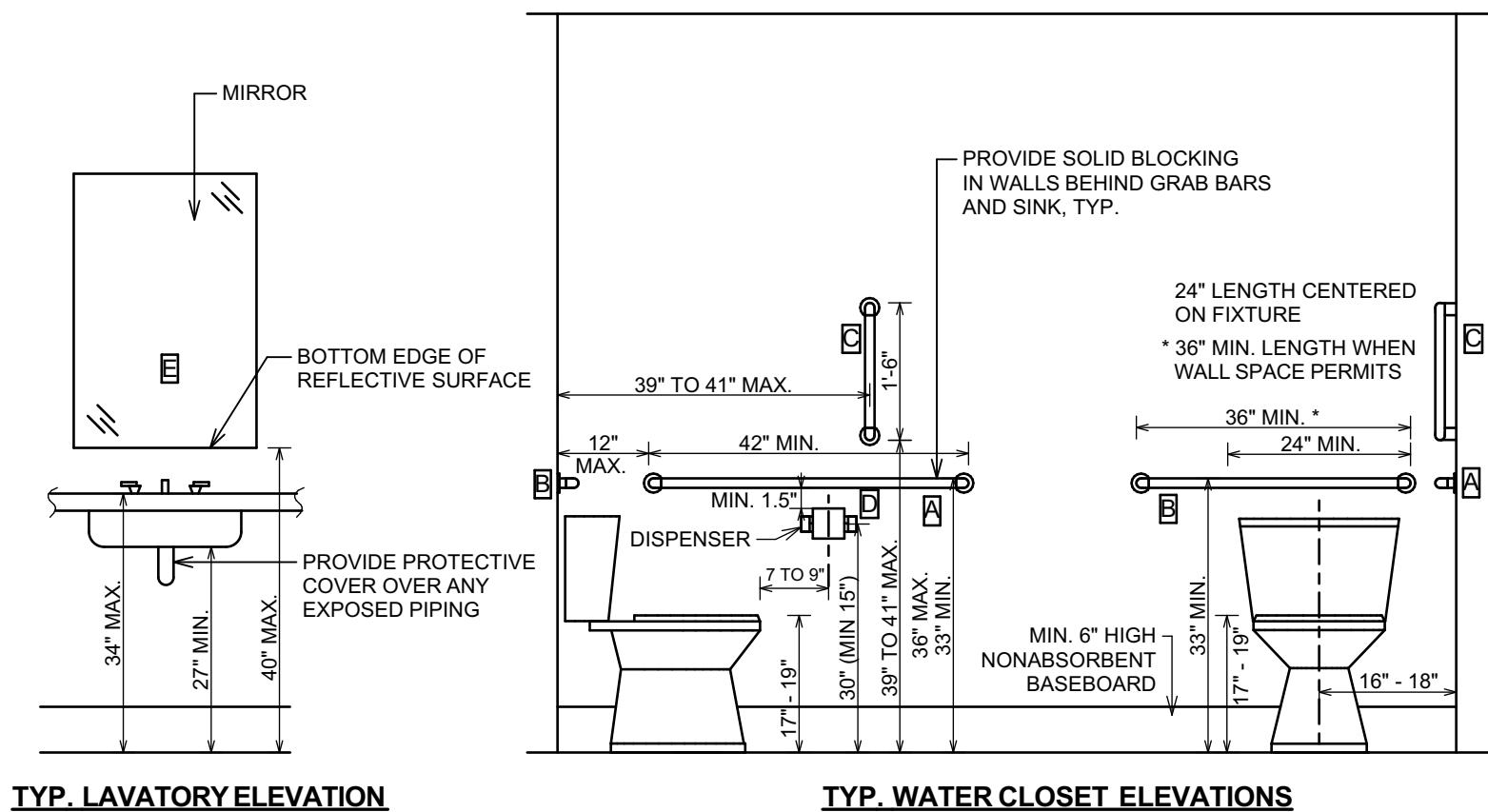
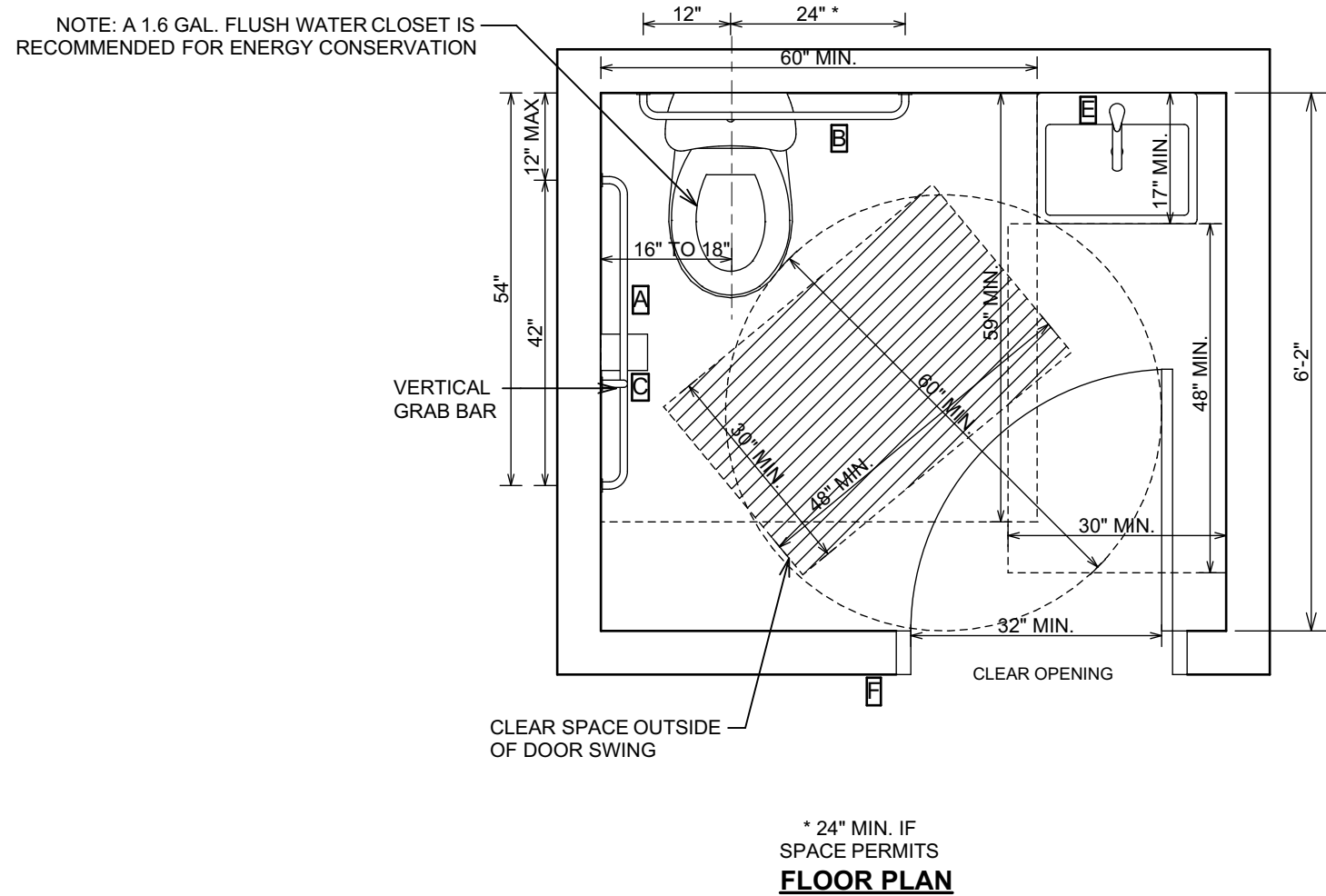
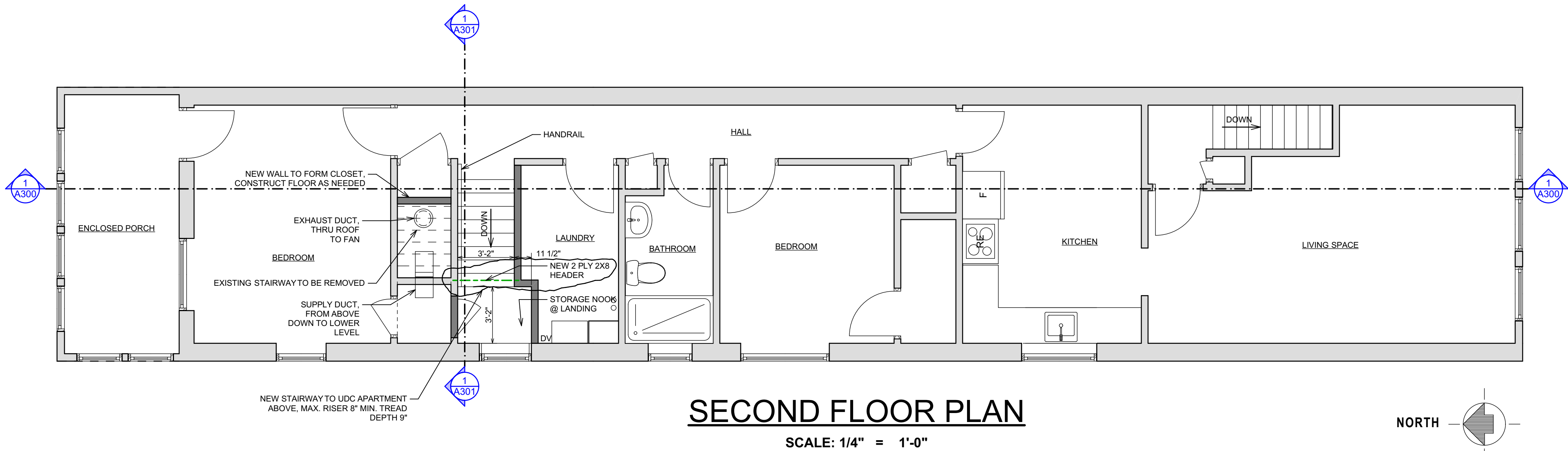
DEMOLITION PLAN

SCALE: 1/4" = 1'-0"



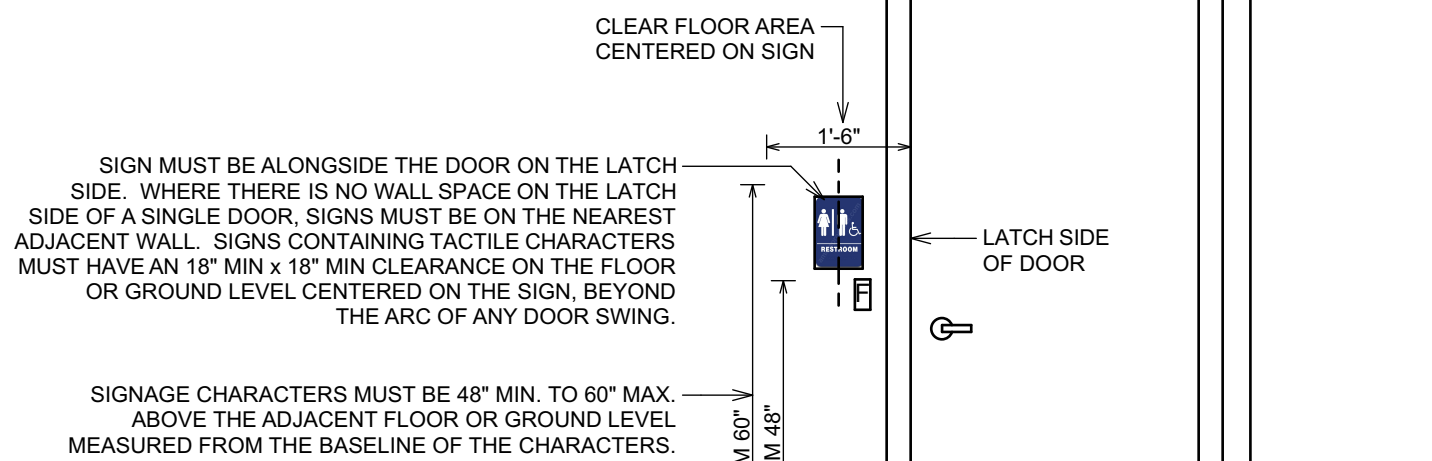
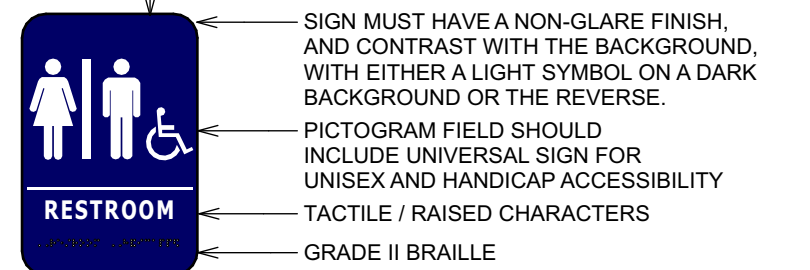
FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



ACCESSIBLE RESTROOM DETAILS
SCALE: 1/2" = 1'-0"

UNISEX
RESTROOM



HC RESTROOM SIGNAGE
SCALE: 1/2" = 1'-0"

INTERIOR ROOM FINISH SCHEDULE									
ROOM		FLOOR		WALL		CEILING			
NO.	NAME	SUBSTRATE	FINISH	BASE FINISH	SUBSTRATE	FINISH	SUBSTRATE	FINISH	HEIGHT
100	ENTRY	EXISTING	RESTORE EXISTING WOOD FLOOR	WOOD	5/8" GYPSUM BOARD	PAINT	5/8" GYPSUM BOARD	PAINT	10'-7"
101	UNISEX RESTROOM	1/4" UNDER-LAYMENT	LVT	4" VINYL	PLASTER	PAINT	PLASTER	PAINT	10'-7"
102	SEATING & RECEPTION	EXISTING	RESTORE EXISTING WOOD FLOOR	WOOD	REPAIR EXISTING PLASTER	PAINT	NEW / REPAIR EXISTING PLASTER	PAINT	10'-7"
103	DISHWASHING / FOOD PREP.	EXISTING	LVT	4" VINYL	REPAIR EXISTING PLASTER	SEALED FRP	NEW / REPAIR EXISTING PLASTER	PAINT	10'-7"
104	KITCHEN	NEW COLORED CONCRETE	SEALER	4" VINYL	DRYWALL	STAINLESS STEEL / SEALED FRP	NEW PLASTER	SEMI GLOSS PAINT	9'-0" +/-
NOTES: 1. ALL PAINTING: PRIMER WITH TWO (2) FINISH COATS OF PAINT. 2. ALL WOOD MILLWORK SHALL MATCH EXISTING w/ FINISH TO MATCH EXISTING. 3. EAST WALL OF KITCHEN TO HAVE STAINLESS STEEL IN COOKING AREA, SEALED FRP ON OTHER WALLS.									

DOOR SCHEDULE						
SYMBOL	DOOR TYPE	SIZE W H	FRAME TYPE	DOOR HEADER	HARDWARE LOCK FUNCTION	REMARKS
1	EXISTING INSULATED STEEL	3'-0" 6'-8"	EXISTING STEEL	EXISTING	EXISTING KEYED ENTRY LOCKSET	
2	INSULATED STEEL	3'-0" 6'-8"	HOLLOW METAL	2 PLY 2x6	KEYED ENTRY LOCKSET	20 MIN. FIRE RATING, MATCH EXISTING 5 PANEL WOOD DOORS LOOK, w/ CLOSER
3	EXISTING WOOD	3'-0" 6'-8"	EXISTING WOOD	2 PLY 2x6	PASSAGE LOCKSET	
4	PREHUNG WOOD	3'-0" 6'-8"		2 PLY 2x6	PRIVACY LOCKSET	MATCH EXISTING 5 PANEL WOOD DOORS LOOK, w/ CLOSER
5	FULL GLASS ALUMINUM	3'-0" 6'-8"	ALUMINUM	2 PLY 2x6	KEYED ENTRY LOCKSET	
6	EXISTING FULL GLASS ALUMINUM	3'-0" 6'-8"	ALUMINUM	EXISTING	EXISTING KEYED ENTRY LOCKSET	
7	INSULATED STEEL	3'-0" 6'-8"	HOLLOW METAL	2 PLY 2x6	KEYED ENTRY LOCKSET	20 MIN. FIRE RATING, MATCH EXISTING 5 PANEL WOOD DOORS LOOK, w/ CLOSER
1. CONTRACTOR SHALL VERIFY ALL SIZES WITH MANUFACTURER BEFORE ORDERING OR INSTALLING. 2. ALL DOORS SHALL BE PRE-FINISHED IN A COLOR SELECTED BY THE OWNER AND ARCHITECT.						

BATHROOM ACCESSORY SCHEDULE			
SYM.	DESCRIPTION	MOUNTING HEIGHT	MFR'S CATALOG No.
1	1 1/2" DIA. 42" GRAB BAR w/ NONSLIP TEXTURE	34.5" ABOVE FINISHED FLOOR	BOBRICK B-6806x 42 SATIN FINISH
2	1 1/2" DIA. 36" GRAB BAR w/ NONSLIP TEXTURE	34.5" ABOVE FINISHED FLOOR	BOBRICK B-6806x 36 SATIN FINISH
3	1 1/2" DIA. 18" GRAB BAR w/ NONSLIP TEXTURE	40" ABOVE FINISHED FLOOR	BOBRICK B-6806x 18 SATIN FINISH
4	TOILET PAPER DISPENSER	HORIZONTAL CENTERLINE 30" ABOVE F.F.	BOBRICK B-7685
5	ACCESSIBLE 24" x 36" MIRROR	BOTTOM EDGE OF REFLECTIVE SURFACE TO BE 40" ABOVE F.F.	BOBRICK B-293 2436
6	ACCESSIBLE SIGNAGE FOR RESTROOM	BOTTOM EDGE TO BE 48" ABOVE F.F.	
7	FOLD DED PAPER TOWEL DISPENSER	HORIZONTAL CENTERLINE 44" ABOVE F.F.	BOBRICK B-262
8	SURFACE-MOUNTED SOAP DISPENSER	HORIZONTAL CENTERLINE 44" ABOVE F.F.	BOBRICK B-42
NOTES: 1. ALL ACCESSORIES TO HAVE BLOCKING IN THE WALL. 2. ALL HARDWARE SHALL BE MEDIUM DUTY USE. 3. PROVIDE 3/4" PLYWOOD BACKING BEHIND ALL GRAB BARS. 4. MANUFACTURER TO BE BOBRICK, OR EQUAL.			

PROPOSED REMODELING FOR:
LUMI NORR PROPERTIES, LLC.
908 9th AVENUE WEST, ASHLAND, WI 54806

SECOND FLOOR PLAN & SCHEDULES

DESIGNED: **L.D.**
DRAWN: **T.L.P.**
SCALE: **AS NOTED**
DATE: **DECEMBER, 2020**
PROJECT NO. **20-3441**

REVISIONS:

APPROVED:

--

SHEET NO. **A102**



EXISTING BUILDING
SOUTH ELEVATION,
NO EXTERIOR WORK

SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

EXISTING BUILDING
NORTH ELEVATION,
NO EXTERIOR WORK



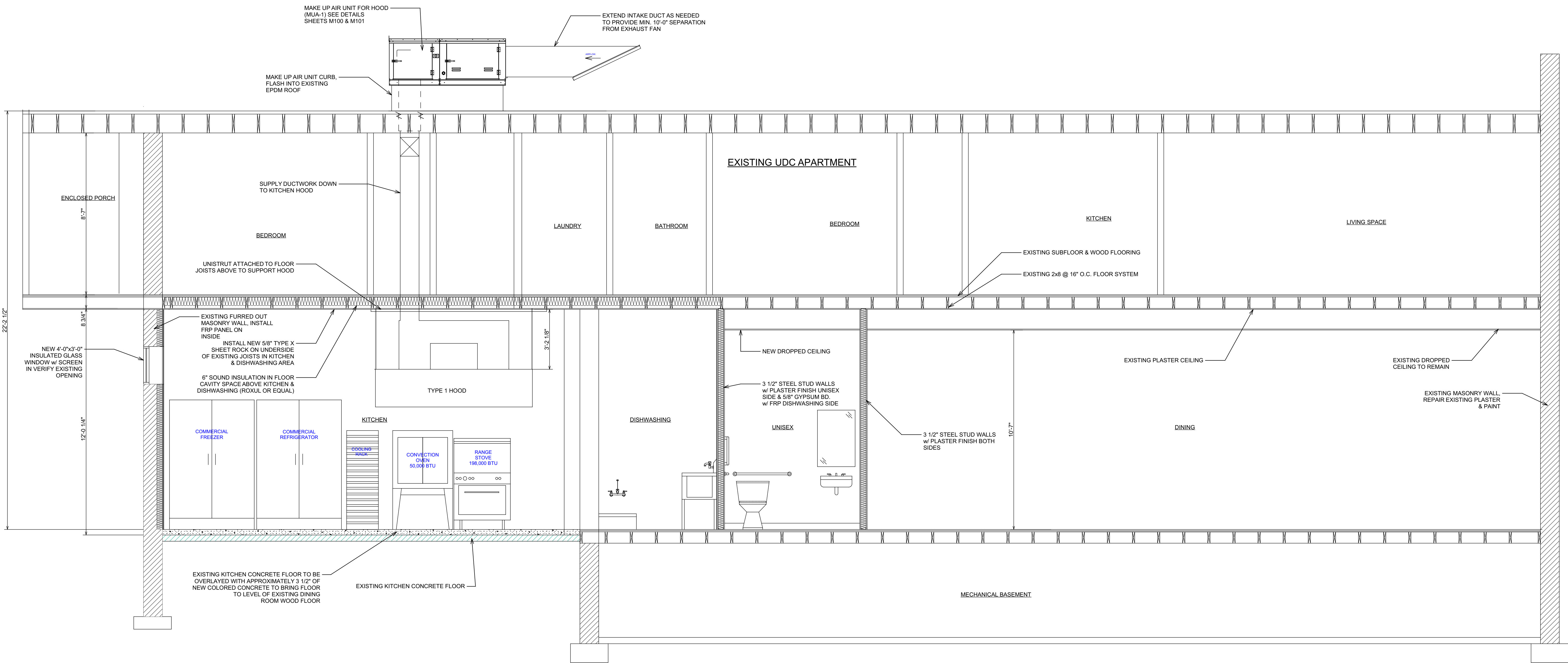
NEW 4'-0"x3'-0"
FIXED GLASS
WINDOW IN VERIFY
EXISTING OPENING

NORTH ELEVATION

SCALE: 1/16" = 1'-0"

PROPOSED REMODELING FOR:	
LUMI NORR PROPERTIES, LLC.	
908 9th AVENUE WEST, ASHLAND, WI 54806	
ELEVATIONS	

 DESIGN & ENGINEERING with framework design inc 2023 6th Street West, Ashland, WI 54806 Telephone (715) 682-0330 www.csdesignengineering.com	DESIGNED: L.D.
	DRAWN: T.L.P.
	SCALE: AS NOTED
	DATE: DECEMBER, 2020
	PROJECT NO. 20-3441
REVISIONS:	
APPROVED:	
SHEET NO.	A200

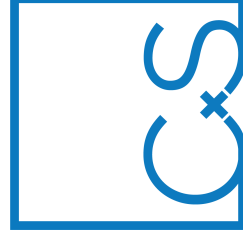


1
A300 **CROSS SECTION**
SCALE: 3/8" = 1'-0"

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PROPOSED REMODELING FOR:
LUMI NORR PROPERTIES, LLC.
908 9th AVENUE WEST, ASHLAND, WI 54806

CROSS SECTION

**DESIGN & ENGINEERING**
with *framework design inc*
2023 6th Street West, Ashland, WI 54806
Telephone (715) 682-0330 www.csdesignengineering.com

DESIGNED: **L.D.**

DRAWN: **T.L.P.**

SCALE: **AS NOTED**

DATE: **DECEMBER, 2020**

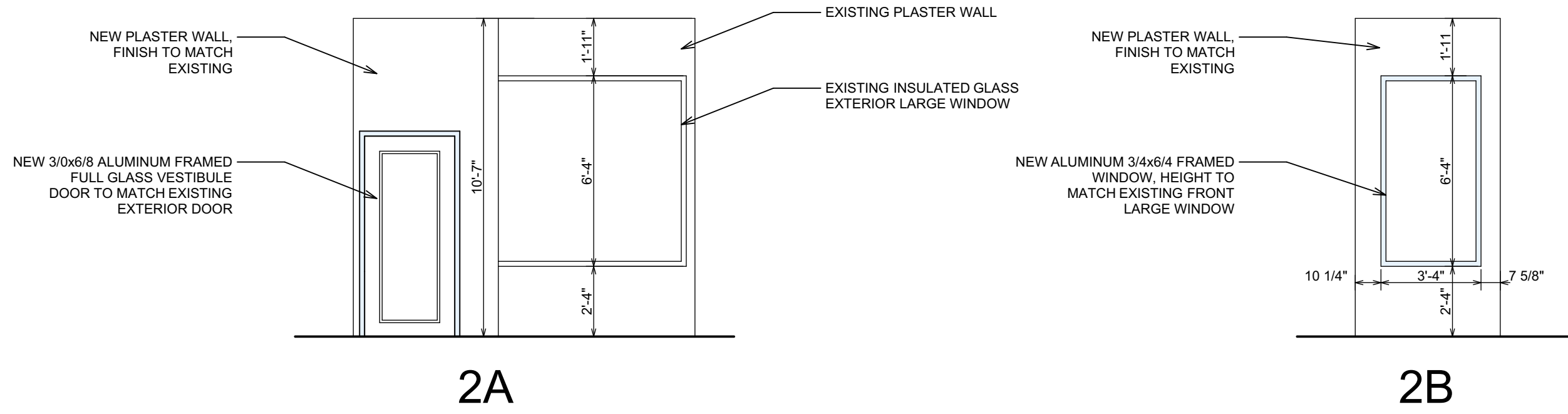
PROJECT NO.: **20-3441**

REVISIONS:

APPROVED:

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SHEET NO.: **A300**



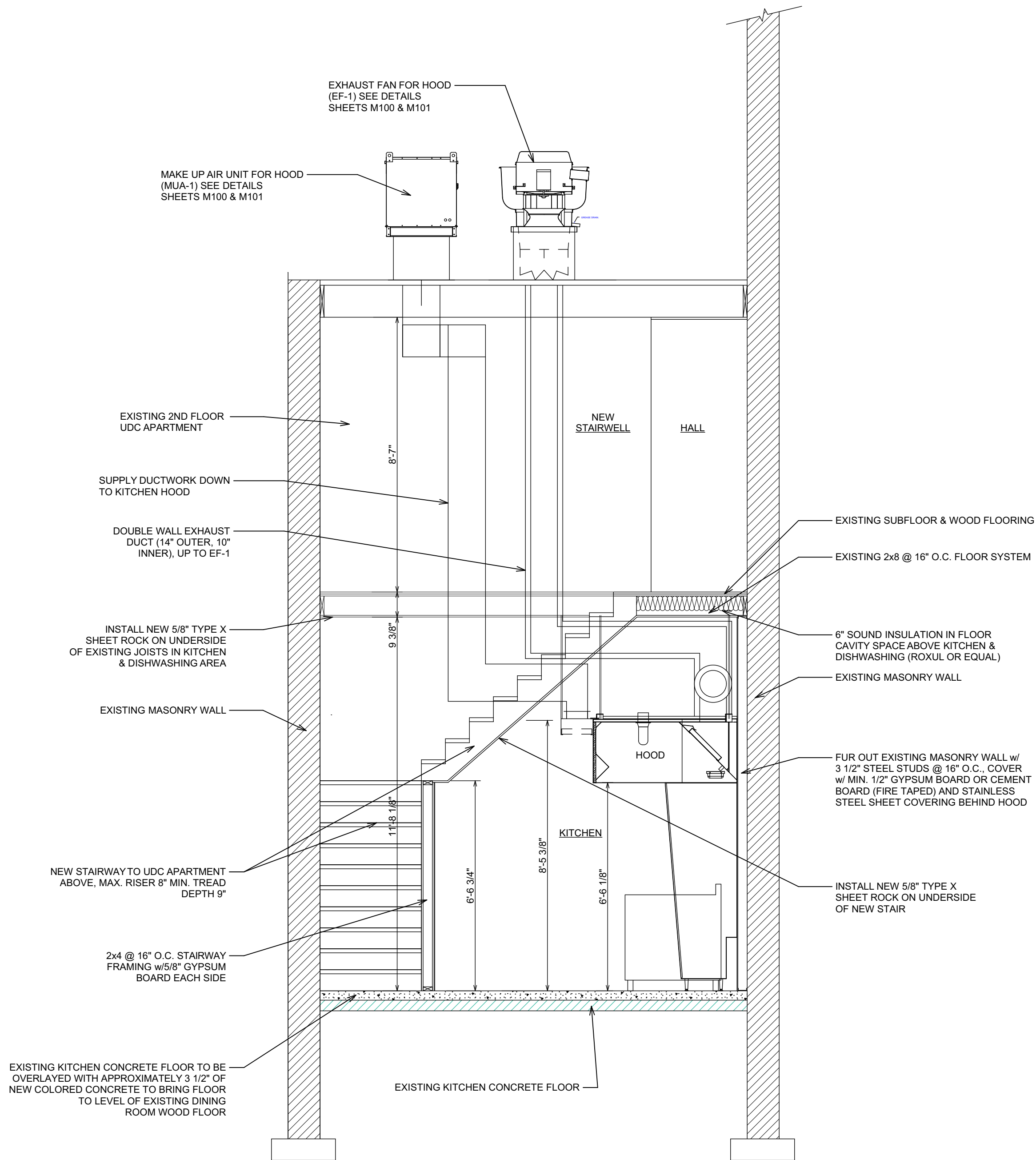
2 DOOR PANEL AND FRAMES

A301 SCALE: 1/4" = 1'-0"



BASEMENT ACCESS DOOR DETAIL

NOT TO SCALE



1 CROSS SECTION

A301 SCALE: 3/8" = 1'-0"

PROPOSED REMODELING FOR:

LUMI NORR PROPERTIES, LLC.

908 9th AVENUE WEST, ASHLAND, WI 54806

CROSS SECTION



DESIGNED:	L.D.
DRAWN:	T.L.P.
SCALE:	AS NOTED
DATE:	DECEMBER, 2020
PROJECT NO.	20-3441
REVISIONS:	
APPROVED:	
SHEET NO.	A301

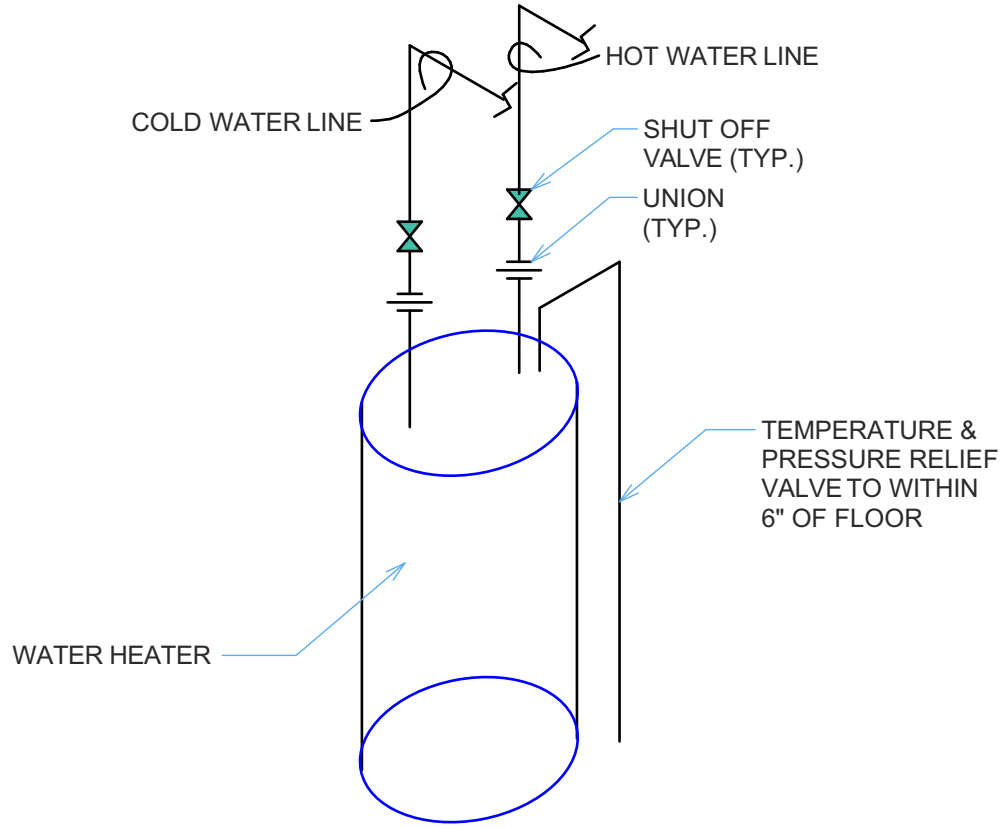
PLUMBING FIXTURE SCHEDULE								
SYM	TYPE OF FIXTURE	QTY.	CATALOG NO.	PLUMBING FIXTURE PIPE SIZES				REMARKS
				WASTE	VENT	COLD	HOT	
WC-1	H/C WATER CLOSET	1	AMERICAN STANDARD 2467.016	4"	2"	1/2"	-	PROVIDE OPEN FRONT SEAT; 16 1/2" BOWL HEIGHT; 1.6 gpf. HANDLE ON RIGHT SIDE OF TANK
L-1	H/C WALL-HUNG LAVATORY	1	AMERICAN STANDARD 0355.012	2"	1 1/2"	1/2"	1/2"	INSTALL @ 34" HEIGHT ABOVE FF.
	LAVATORY FAUCET	1	CHICAGO FAUCET 2200-4ABCP	-	-	-	-	
MB-1	20"x16"x6" STAINLESS MOP BASIN	1	BY OWNER	3"	2"	1/2"	1/2"	PROVIDE APPROVED BACKFLOW PREVENTION 3/4" HOSE THREAD ON SPOUT; ADJUSTABLE WALL BRACE; PAIL HOOK; WALL GUARDS; MOP BRACKETS; AND HOSE RACK
	MOP BASIN FAUCET	1	CHICAGO FAUCET NO. 897RCF w/ WATTS 8BC VACUUM BREAKER	-	-	-	-	
S-1	3 COMP. SINK	1	BY OWNER	2"	2"	1/2"	1/2"	WASH COMP. PIPED INTO GREASE INTERCEPTOR LOCATED IN BASEMENT
	SINK FAUCET	1	BY OWNER	-	-	-	-	
S-2	FOOD PREP. SINK	1	BY OWNER	2"	2"	1/2"	1/2"	PROVIDE AIR GAP / BREAK, DRAIN INTO FS-1
	SINK FAUCET	1	BY OWNER	-	-	-	-	
S-3	HAND WASH SINK	1	BY OWNER	2"	2"	1/2"	1/2"	PROVIDE WRIST BLADE HANDLES
	SINK FAUCET	1	BY OWNER	-	-	-	-	
FS-1	FLOOR SINK	1	12"x12" w/ 3" HUB DRAIN	3"	1 1/2"	-	-	
GI-1	GREASE INTERCEPTOR	1	ROCKFORD R-POLY-15 w/ 2" CONNECTIONS	-	-	-	-	LOCATE IN BASEMENT. CONNECT TO EXISTING WASTE LINE
WH-1	WATER HEATER	1	A.O. SMITH MODEL GPVT-50	-	-	-	-	PROVIDE T&P RELIEF TO FLOOR
NOTES: 1. ALL FIXTURES SHALL BE WHITE UNLESS NOTED. 2. ALL FAUCETS SHALL BE POLISHED CHROME. 3. SEE SPECIFICATIONS FOR ADDITIONAL INFORMATION. 4. PROVIDE REQUIRED AIR GAP, BACKFLOW PROTECTION, ETC.								

PLUMBING NOTES

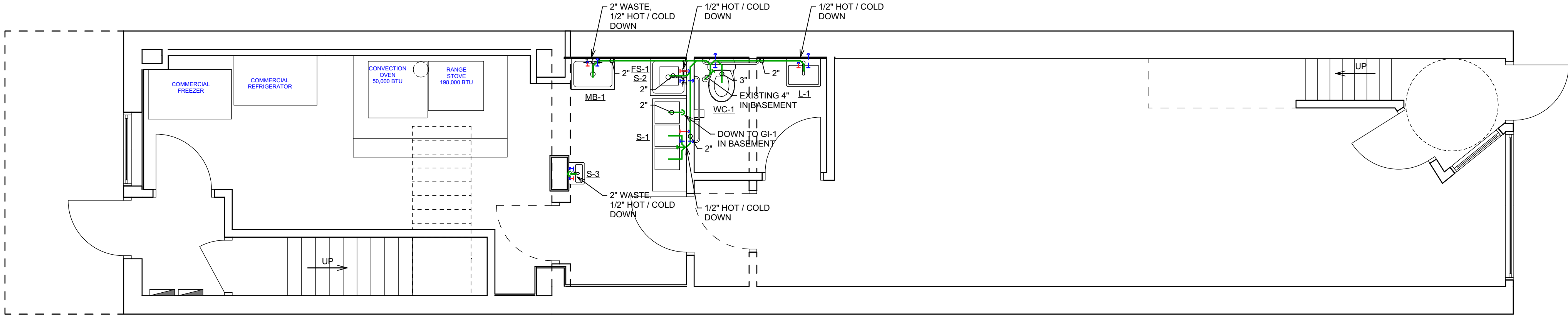
- EACH FIXTURE IS TO HAVE A HOT & COLD SHUTOFF VALVE.
- H.C. - HANDICAP ACCESSIBLE.
- N.I.C. - NOT IN CONTRACT.
- V.S.T.R. - VENT STACK THRU ROOF.
- ALL FIXTURES AND FLOOR DRAINS ARE TO BE PROVIDED WITH A TRAP AND BE PROPERLY VENTED.
- ALL PLUMBING TO BE INSTALLED IN ACCORDANCE WITH STATE OF WISCONSIN PLUMBING CODE.

PLUMBING LEGEND

- COLD WATER
- HOT WATER
- SHUT OFF VALVE
- UNION
- WASTE LINE
- VENT LINE
- 3" VENT STACK THRU ROOF
- FIXTURE DRAIN
- VERTICAL VENT
- FLOOR OR CEILING PENETRATION
- BALL VALVE
- C.O. CLEAN OUT

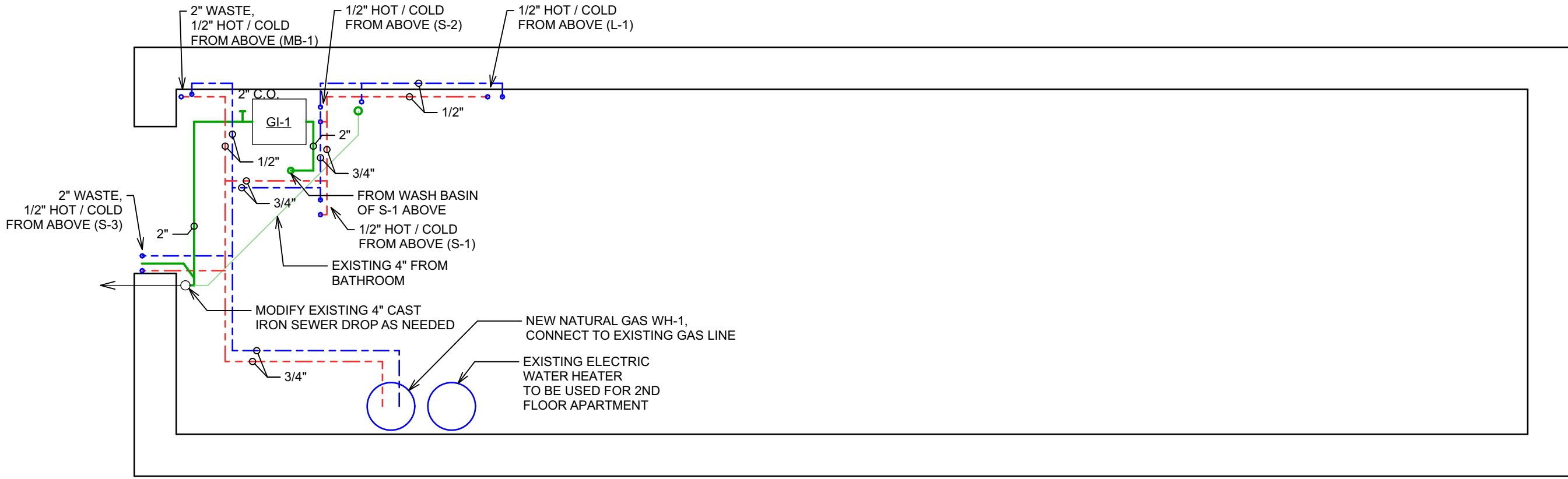
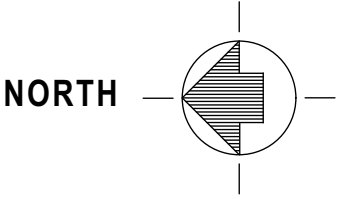


3 P-1 WATER HEATER DETAIL NOT TO SCALE



FIRST FLOOR PLUMBING PLAN

SCALE: 1/4" = 1'-0"



BASEMENT PLUMBING PLAN

SCALE: 1/4" = 1'-0"

PROPOSED REMODELING FOR:
LUMI NORR PROPERTIES, LLC.

908 9th AVENUE WEST, ASHLAND, WI 54806

PLUMBING PLAN

DESIGN & ENGINEERING
with framework design inc

2023 6th Street West, Ashland, WI 54806
Telephone (715) 682-0330 www.csdesignengineering.com

DESIGNED: **L.D.**

DRAWN: **T.L.P.**

SCALE: **AS NOTED**

DATE: **DECEMBER, 2020**

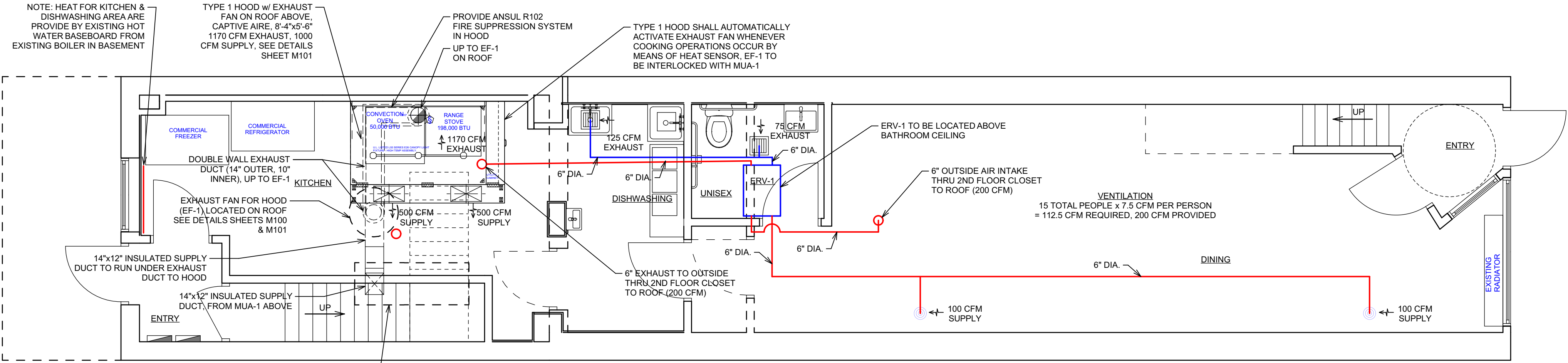
PROJECT NO.
20-3441

REVISIONS:

APPROVED:

SHEET NO.

P100

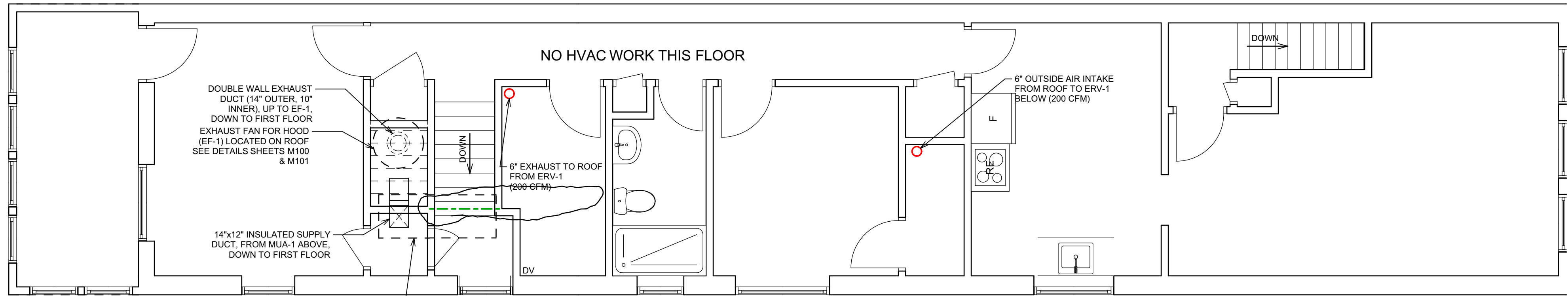


SEE ROOF PLAN SHEET C100 FOR ROOF TOP MECHANICAL

FIRST FLOOR HVAC PLAN

SCALE: 1/4" = 1'-0"

NORTH



SEE ROOF PLAN SHEET C100 FOR ROOF TOP MECHANICAL

SECOND FLOOR HVAC PLAN

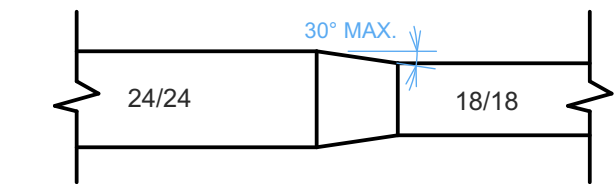
SCALE: 1/4" = 1'-0"

NORTH

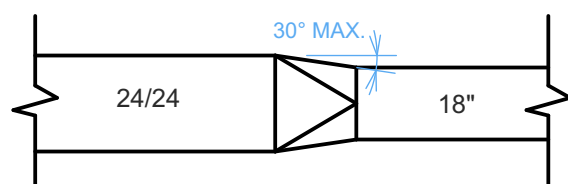
ENERGY RECOVERY VENTILATOR SCHEDULE								
MARK	QTY	TYPE	EFF% SUMMER / WINTER	CFM	MOTOR	OA DAMPER	ELEC. CHAR.	BASED ON
ERV	1	STATIC PLATE, HEAT AND HUMIDITY TRANSFER	56% / 70%	200 @ 0.1" E.S.P.	0.1 HP	GRAVITY	120/60/1 1.5 FLA	RENEWAIRE EV200

HVAC NOTES:

1. ALL MECHANICAL CONTROLS SHALL BE LOCATED A MINIMUM OF 16" AND A MAXIMUM OF 48" ABOVE THE FINISHED FLOOR.
2. ALL HVAC EQUIPMENT IS TO BE CONTROLLED BY THERMOSTATS LOCATED IN AREAS AS SHOWN ON THE PLAN.
3. ALL GAS PIPING INSTALLATIONS SHALL COMPLY WITH NFPA 54.
4. HVAC CONTRACTOR TO PROVIDE OPERATION AND MAINTENANCE (O&M) MANUALS TO OWNER AND HVAC DESIGNER AT END OF PROJECT.
5. ALL REQUIRED TESTING AND BALANCING IS TO BE COMPLETED BY THE HVAC CONTRACTOR AT THE END OF THE PROJECT. A REPORT IS TO BE PROVIDED TO THE ARCHITECT AND OWNER.
6. ALL DUCTWORK IS TO BE SEALED AND KEPT FREE FROM DEBRIS, DUST, ETC. DURING THE CONSTRUCTION PHASE OF THE PROJECT WORK. THE HVAC CONTRACTOR WILL BE RESPONSIBLE FOR THIS TASK.
7. ALL SUPPLY DUCTS IN ATTICS SHALL BE INSULATED TO A MIN. OF R-8. ALL OTHER DUCTS SHALL BE INSULATED TO A MIN. OF R-6.
8. ALL DUCTS, AIR HANDLERS, AND FILTER BOXES SHALL BE SEALED. JOINTS AND SEAMS SHALL COMPLY WITH IMC SECTION 603.9. ALL JOINTS, LONGITUDINAL AND TRANSVERSE SEAMS AND CONNECTION IN DUCTWORK SHALL BE SECURELY FASTENED AND SEALED WITH WELDS, GASKETS, MASTICS, MASTIC-PLUS-EMBEDDED-FABRIC SYSTEMS, LIQUID SEALANTS OR TAPES.
9. ON ALL BOILERS, PROVIDE A MINIMUM OF 1" (R-3.7) PIPING INSULATION FOR AUTOMATIC-CIRCULATING HOT WATER SYSTEM PIPING. THE FIRST 8 FT. OF PIPING IN NON-CIRCULATING SYSTEMS SERVED BY EQUIPMENT WITHOUT INTEGRAL HEAT TRAPS SHALL BE INSULATED WITH A MIN. OF 0.5 INCHES (R-1.85).
10. THE HVAC CONTRACTOR SHALL REGISTER ANY BOILERS INSTALLED AS PART OF THIS PROJECT WITH THE STATE OF WISCONSIN BEFORE THE SYSTEM IS PLACED IN OPERATION PER SPS 341.41.1 ON FORM SBD-8314.
11. UNDERCUT THE DOORS 3/4" IN ALL ROOMS THAT DO NOT HAVE A RETURN AIR GRILLE IN THEM.

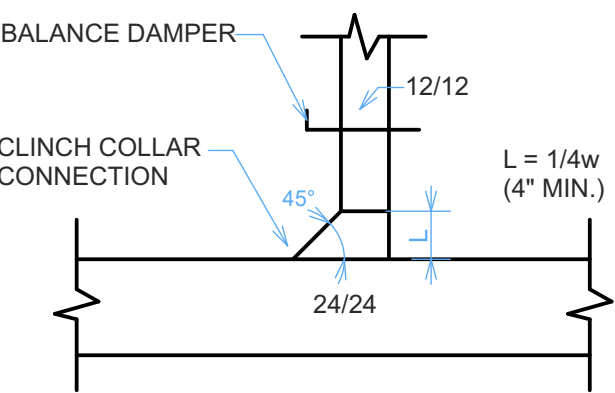


RECTANGULAR TO RECTANGULAR

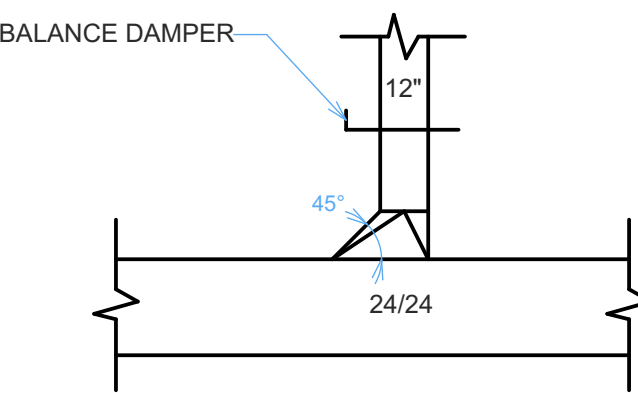


RECTANGULAR TO ROUND

ALL DUCTWORK SHALL BE CONSTRUCTED TO MEET SMACNA STANDARDS



RECTANGULAR TO RECTANGULAR BRANCH



RECTANGULAR TO ROUND BRANCH

DUCTWORK DETAILS

SCALE: 1/4" = 1'-0"

PROPOSED REMODELING FOR:

LUMI NORR PROPERTIES, LLC.

900 9th AVENUE WEST, ASHLAND, WI 54806

HVAC PLANS

DESIGN & ENGINEERING
with framework design inc

2023 6th Street West, Ashland, WI 54806
Telephone (715) 682-0330 www.csdesignengineering.com

DESIGNED: L.D.

DRAWN: T.L.P.

SCALE: AS NOTED

DATE: DECEMBER, 2020

PROJECT NO.

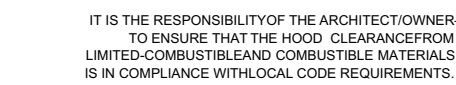
20-3441

REVISIONS:

APPROVED:

SHEET NO.

M100

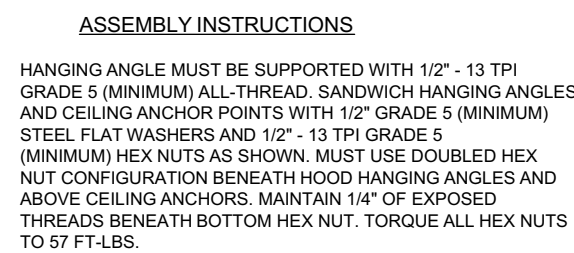
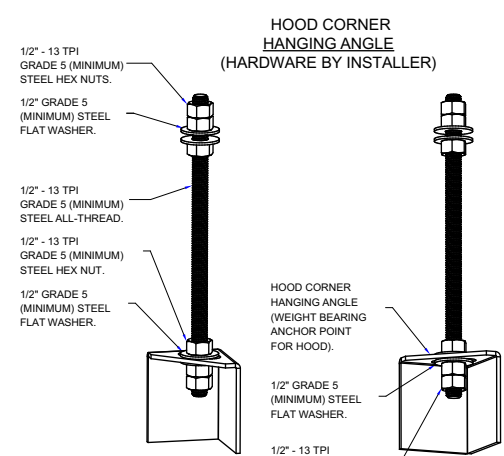
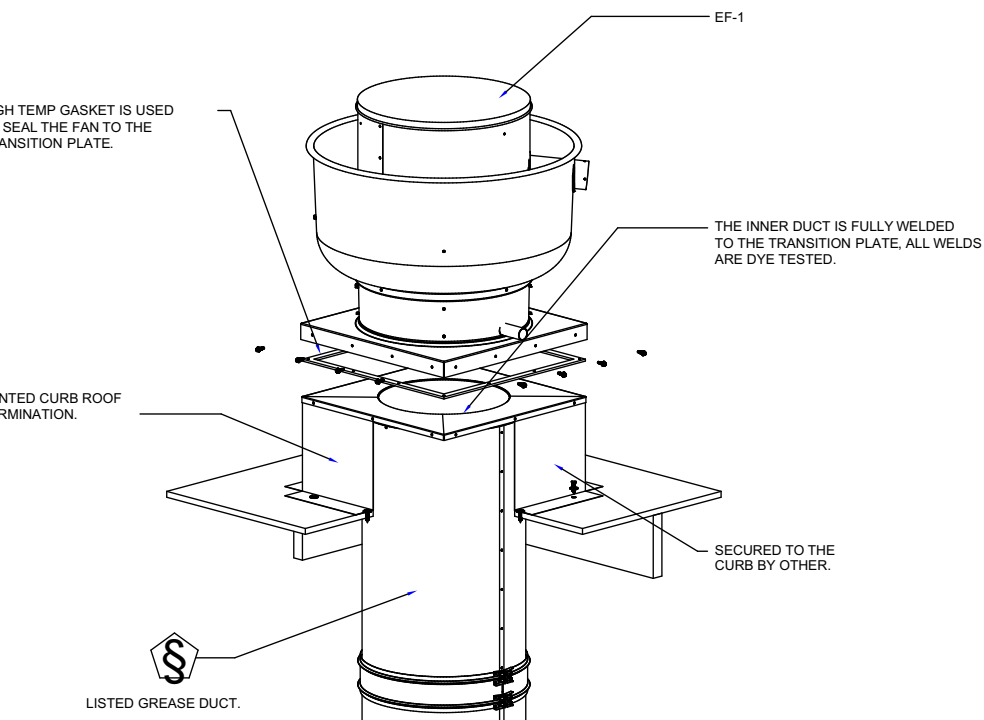
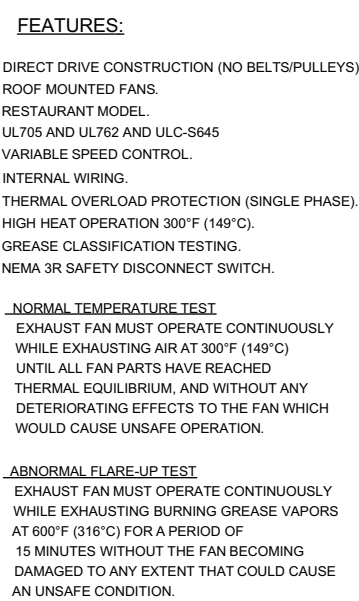


PATENT NUMBERS
AC-PSP (UNITED STATES) - US PATENT 7963830 B2.
AC-PSP WALL (CANADA) - CA PATENT 2820509.
AC-PSP ISLAND (CANADA) - CA PATENT 2520330.

HOOD OPTIONS		
HOOD NO	TAG	OPTION
1		FIELD WRAPPER 42.00" HIGH FRONT, LEFT, RIGHT.
		BACKSLASH 78.00" HIGH X 100.00" LONG 430 SS VERTICAL.
		RISER SENSOR INSTALL 6IN. PLAN.
		RIGHT VERTICAL END PANEL 27" TOP WIDTH, 21" BOTTOM WIDTH, 78" HIGH INSULATED 430 SS.
		LEFT VERTICAL END PANEL 27" TOP WIDTH, 21" BOTTOM WIDTH, 78" HIGH INSULATED 430 SS.

	GREASE DUCT & CHIMNEY SPECIFICATIONS: PROVIDE GREASE DUCT EQUAL TO ECON-AIR MODEL "EDW" ROUND 20 GAUGE 430 STAINLESS STEEL DUCTWORK. MODEL "EDW" IS LISTED TO UL-1978 AND IS INSTALLED USING "V" CLAMP LOCKING CONNECTIONS SEALED WITH 3M FIRE BARRIER 2000 PLUS. MODEL "EDW" DOES NOT REQUIRE WELDING PROVIDED IT HAS BEEN INSTALLED PER THE MANUFACTURES INSTALLATION GUIDE. PROVIDE RATED ACCESS DOORS AT EVERY CHANGE IN DIRECTION AND EVERY 12' ON CENTER. PER MANUFACTURES LISTING MODEL "EDW" HORIZONTAL RUNS LESS THAN 75 FT. CAN BE SLOPED 1/16" PER 12'; HORIZONTAL RUNS MORE THAN 75 FT. CAN BE SLOPED 3/16" PER 12". DUCT SHOULD BE SLOPED AS MUCH AS POSSIBLE TO REDUCE THE CHANCE OF GREASE ACCUMULATION IN HORIZONTAL RUNS. IF THE DUCT OR CHIMNEY IS WITHIN 18 INCHES OF COMBUSTIBLE MATERIAL, PROVIDE UL-2221 OR UL-103 HT LISTED DOUBLE WALL GREASE DUCT OR DOUBLE WALL CHIMNEY EQUAL TO ECON-AIR MODEL "EDW- 2R, 2R TYPE HT, 3R, OR 3Z" ROUND 20 GAUGE 430 STAINLESS INNER DUCT INSULATED WITH A 24 GAUGE 430 STAINLESS OUTER SHELL.
---	---

EF-1 DURSHEA - EXHAUST FAN



PROPOSED REMODELING FOR:

LUMI NORR PROPERTIES, LLC.

908 9th AVENUE WEST, ASHLAND, WI 54806

HOOD DETAILS

DESIGN & ENGINEERING
with framework design inc

CS

2023 6th Street West, Ashland, WI 54806
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DESIGNED: **L.D.**

DRAWN: T.L.P.

SCALE: **AS NOTED**

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PROJECT NO

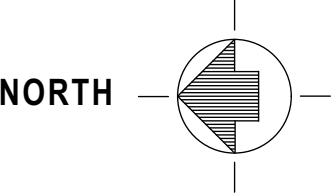
20-3441

REVISIONS:

APPROVED

SHEET NO.

M101



 CO2 DETECTOR

NOTES: 1. PROVIDE FIXTURES AS NOTED ABOVE OR APPROVED EQUAL.
2. LAMPS LISTED ARE MAXIMUM WATTAGE OF FIXTURE.
3. CONTRACTOR SHALL PROVIDE ALL LAMPS WITH FIXTURES.
4. DO NOT SUPPORT FIXTURES FROM THE CEILING MATERIALS. USE PROPER BACKING

SHEET NO.

E100

SUBJECT: Approve a Resolution to Approve a Request for a Conditional Use Permit (CUP) to Operate a Nonmetallic Mine (Sand Pit) on Parcel #201-04924-0000. Applicant: Ashland Sand & Gravel Properties, LLC (*Planning*) Roll

RECOMMENDATION: Approval (*unanimously recommended for approval with conditions by Plan Commission on August 17, 2021*)

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Plan Commission (unanimously recommended approval with conditions on August 17, 2021)

EXHIBITS:

1. Ashland Sand & Gravel Properties LLC Request Letter
2. Ashland Sand & Gravel/T&M Pit Conditional Use Permit Application 2021
3. Zoning Map of Parcel 201-04924-0000
4. Aerial Map of Parcel 201-04924-0000
5. FINAL STAFF REPORT - Ashland Sand & Gravel Sand Pit CUP Request 8-17-2021
6. Plan Commission Public Hearing Summary August 17, 2021

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

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: The proposed use is not consistent with Comprehensive Plan objectives or the identified future land use plan for this area of the City. Environmental sustainability was identified as a central tenet of the community, and as such states that the City “will make policies and take actions to help protect and make vital the expanse of rich and fertile countryside that surrounds Ashland so that it will remain visually beautiful and ecologically sustainable” (p. 18).

Additionally, the proposed development is inconsistent with the Comp Plan’s recommended future and transitional land use plans. The area identified for development of the proposed sand pit lies within the “do not

harm” zone or conservation buffer. The Comp Plan states that Ashland should strive to become “a community that protects its waterfront and conservation buffer areas” (p. 32). Allowing a new nonmetallic mining/sand pit use within the conservation buffer zone would not promote this Comp Plan recommendation, as the plan urges the City to move away from extractive and other types of heavy impact land uses within the City when possible. However, the proposed additional jobs and contribution to local construction material availability will provide community services, and the proposed berm and landscaping for screening will make visual impacts of the sand pit minimal.

Transitional Land Use Plan

SUMMARY STATEMENT:

See additional project information in attached Plan Commission Staff Report, Applicant Cover Letter and site plans.

Conditional Use Permit (CUP) legislation changed within the state of Wisconsin in 2018, providing additional guidance and requirements for communities associated with the types of conditions that can be required of applicants, the reasoning for requiring certain development conditions be met, and the community's ability to approve or deny CUP's. The role of City Planning staff in evaluating CUP's is to notify residents through the required Class 2 public hearing notice, consider the proposed development's consistency with pre-determined review criteria (listed in the attached staff report), and recommend conditions that ensure the development meets City standards, addresses compatibility concerns to the maximum extent practical, and remain consistent with City and state standards for CUP conditions. Therefore, input received from the adjacent cemetery property through the public hearing (summary attached) was used to recommend a condition requiring that noise-producing activities cease on site during funeral services, if the cemetery provides the adequate 48-hour notice of such services. Additionally, the other proposed conditions which were unanimously recommended by the Plan Commission on August 17, 2021 would ensure compliance with City, County and State standards. City Council has the authority to include additional conditions to the CUP prior to final approval, and any conditions approved through the CUP resolution would be required to be met in order for the approved use to operate on the property. All conditions must comply with City standards for CUP conditions, must be based in fact and/or City ordinance, and be measurable to the maximum extent practical.

The City of Ashland's Unified Development Ordinance Chapter 781 identifies the following as types of conditions which may be applied to a CUP:

- 1) Minimize any adverse impact of development upon other land, including the hours of use and operation and the type and intensity of activities that may be conducted;
- 2) Control the sequence of development, including when it must be commenced and completed;
- 3) Control the duration of use of development and the time within which any structures must be removed;
- 4) Ensure that development is maintained properly in the future;
- 5) Designate the exact location and nature of development; and
- 6) Establish more detailed records by submission of drawings, maps, plats, or specifications.

Ashland Sand & Gravel Properties LLC

E. Summit Road Nonmetallic Mine (T & M Pit)

Ashland Sand & Gravel Properties LLC is requesting a Conditional Use Permit for a Nonmetallic Mine (a.k.a. the T & M Pit), a sand pit, to be located on their 30 acre parcel, Parcel# 201-04924-0000 further described as the North $\frac{3}{4}$ of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) located in Section 8, Township 47 North, Range 4 West, Ashland County, Wisconsin. The property is within the boundaries of the City of Ashland. There had been a sand pit previously located on the property. The existing pit will be expanded to approximately 14 acres.

Ashland Sand & Gravel is a local company located in Ashland. The company is owned by Anthony A. Roffers. Mike Pagac will be the pit operations manager.

Currently there are no sand pits in the City of Ashland. The soils in the surrounding area are predominately clay. Sand is a vital element of most construction projects. Having a local source will reduce project costs due to the reduced costs of transportation of the material. This will reduce impacts on local roads as the material is being sourced close to the anticipated market.

Pit operations will commence with the removal of the overburden. The overburden will be used to construct a berm on portions of the Northern and Western property lines to visually screen the pit and provide a sound barrier. Existing vegetation will be left between the berm and the property lines to further screen the operations and reduce noise. Additional vegetation will be planted to provide additional screening. State of Wisconsin Best Management Practices will be followed to reduce any impacts on the surrounding properties. The pit will be internally drained. No run-off will leave the site minimizing any impacts on surface waters or wetlands. A Port-a-Potty will be on-site to provide sanitation. Upon approval of the Conditional Use Permit, Weyandt Engineering will submit to the WDNR the application for the nonmetallic mining operation/stormwater permit.

E. Summit Road will be used to access Sanborn Avenue to haul all loads from the pit. Summit Road is a gravel road and will be watered to reduce any dust and graded by the pit operators as necessary.

Operation of this pit will create up to 4 new jobs paying \$40,000-80,000 (\$20-40/hour).

A post mining reclamation plan has been submitted to the Ashland County Highway Department that meets all requirements of the WDNR. Final corrections to the reclamation plan are being made. After mining operations are complete the property will consist of residential lots surrounding a man-made pond. An access road may be built to Maple Lane to provide two potential ingress and egresses. The land the access road to Maple Lane may be constructed upon is currently owned by A, S & G Properties LLC.

CONDITIONAL USE PERMIT REQUEST APPLICATION

Property Address: XXX E Summit Road
 Parcel # 201-04924-000
 Zoning District: FD
 Applicant: AS & G Properties LLC
 E-mail/Mailing Address of Applicant: agent - m.furtak11@gmail.com
 Phone Number (daytime): 715-817-2034

This Request is for the Following Use:

Nonmetallic mine (sand pit)

A Conditional Use is development that would not generally be appropriate within a district but might be allowed in certain locations within the district if specific requirements are met. Before a Conditional Use Permit may be issued, the use must first go through a Public Hearing process, and gain approval from both the Plan Commission and the Common Council. Special requirements may be placed on the use during this approval process.

Signature of Applicant: <u>Michael Furtak-agent</u>	Date: <u>7-22-2021</u>
Signature of Property Owner (if different): <u>Michael Furtak</u>	Date: <u>July 27 2021</u>

Proposed conditional use must meet the requirements of the Unified Development Ordinance (No. 781). Per Wisconsin's Open Meeting Law, comments on this permit application, either by the applicant or concerned citizen, shall be raised in person at the scheduled meeting or brought up to City Staff (through conversation, written letter or email) for review at the scheduled meeting. Due to Wisconsin's Open Meeting Law, Plan Commissioners and Councilors are unable to discuss this matter privately. Thank you.

Application Checklist:

- ☒ Overview/ Cover Letter Describing the following:
- ▶ Detailed Description of Proposed Use Including compadibility with nearby uses, importance of services to the community, and neighborhood protections
- ☒ Site Plan (if applicable)
- ☒ \$150 Permit Application Fee (Payable to the City of Ashland)
If incomplete, no further processing of the application will occur until the deficiencies are corrected.

For Office Use:

Approved ☐ Approval Date: _____ Paid ☐ Valid through: _____
 Conditions (if applicable): _____

RECLAMATION PLAN
PREPARED FOR:

The property is owned by:

AS&G Properties LLC
Anthony A Roffers
P.O. Box 235
Solon Springs, WI 54873
715-816-4025

The mine will be operated by:

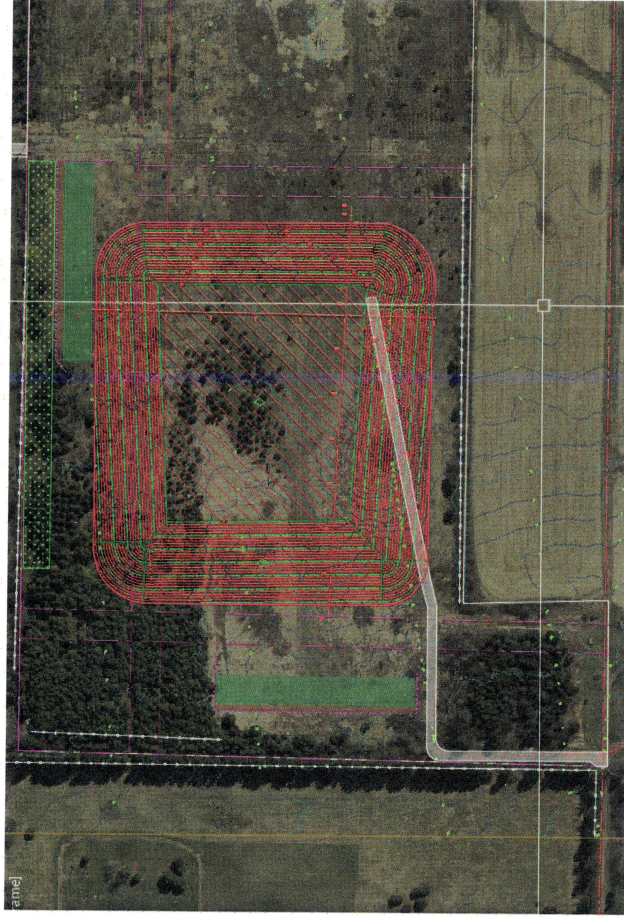
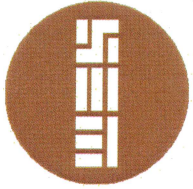
AS&G Properties LLC
Mike Pagac
67320 Hwy 2
Ashland, WI 54806
715-292-3786

The reclamation plan was designed by:

Weyandt Engineering Services
Scott Weyandt
65635 Shady Lane
Iron River, WI 54847
218-393-1915

Ashland Sand & Gravel is proposing to construct a non-metallic mine in the City of Ashland. The property is located in the SE ¼ of the SW ¼, Section 8, T47N, R4W in the City of Ashland, Ashland County, Wisconsin. The proposed mine and buffer areas are approximately 25 acres.

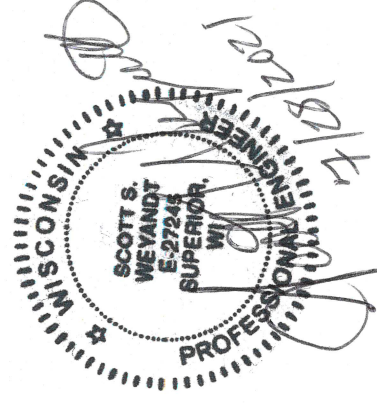
The mine is named "T&M Pit".



July 28,
2021

T&M Pit – Reclamation Plan

Ashland County, Wisconsin



T&M PIT - RECLAMATION PLAN
PREPARED FOR:
ASHLAND SAND & GRAVEL T&M PIT

PREPARED BY:
WEYANDT ENGINEERING SERVICES
65635 SHADY LANE
IRON RIVER, WI 54847

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Ashland Sand and Gravel T&M Pit – Reclamation Plan

City of Ashland

Prepared for Ashland Sand & Gravel

1.0 Introduction

Ashland Sand & Gravel is proposing to construct a non-metallic mine in the City of Ashland. The property is located in the SE ¼ of the SW ¼, Section 8, T47N, R4W in the City of Ashland, Ashland County, Wisconsin. The proposed mine and buffer areas are approximately 25 acres. The mine is named “T&M Pit”.

The property is owned by:

AS&G Properties LLC
Gary Roffers
30635 State Hwy 2
Ashland, WI 54806
715-682-3608

The mine will be operated by:

AS&G Properties LLC
Mike Pagac
67320 Hwy 2
Ashland, WI 54806
715-292-3786

The reclamation plan was designed by:

Weyandt Engineering Services
Scott Weyandt
65635 Shady Lane
Iron River, WI 54847
218-393-1915

2.0 Property Ownership

The property is owned by AS&G Properties LLC. The parcel number is 201049240000.

See quit claim deed in **Appendix A**. Adjacent landowner information is also included in **Appendix A**.

3.0 Zoning and Land Use

Current zoning of the parcel is Future Development (FD). Currently the land is not used. There is an existing gravel access road that travels east-west through the parcel.

4.0 Biological Resources

This property has been previously disturbed and is vegetated in a variety of non-mature colonizing species of grasses and brush. In the northwest portion of the property, approximately 7 acres of pine plantation exist. No wetlands have been observed except for non-jurisdictional wetlands within the footprint of the existing mine pit which will be expanded as part of the proposed mine reclamation geometry. Wildlife which frequents the site includes deer, bear, turkey and birds local to northern Wisconsin.

5.0 Reserves and Mining Extent

The T&M Pit is a sand mine pit. The surface extent of the proposed mining area is approximately 14 acres. The total area impacted by mining, including overburden and topsoil stockpiling, planting buffers, and access roads is approximately 25 acres.

See drawings in **Appendix B** for existing and proposed conditions and planned extents of mining.

6.0 Topsoil and Overburden

Average topsoil depth is 4" across the site resulting in 7,500CYD of topsoil to be stockpiled onsite for use in future reclamation. The thickness of clay overburden is an average of 12.5' thick across the area and results in 282,000CYD of overburden that will be moved and stockpiled on site. This is based on owner test pits and construction reports of adjacent wells.

7.0 Groundwater

Well construction reports place ground water at 128' below the surface near the mine site. The proposed bottom of pit is 50' below the existing surface. The pit could extend down another 10' vertically to extract more reserves, resulting in a minimum of 68' +/- of separation from groundwater.

See **Appendix B Well Constructor's Report** for more information.

8.0 Surface Waters

An unnamed tributary stream to Bay City Creek is located 400' to the East of the proposed mine pit. Mapped wetlands are located 400' to the East of the proposed pit. The old mine pit to be expanded as part of this mine reclamation plan occasionally retains surface water. Regulatory guidance indicates this is classified as an isolated non-jurisdictional remnant of recent construction.

See **Appendix C for WDNR Surface Water Data Viewer Map.**

9.0 Post Mining Land Use

Following stable reclamation, the proposed post mining land use is a combination of recreational, natural wildlife habitat and potential residential development. In the event that residential development is pursued, the reclaimed mine pit location is intended to serve as a common use area and stormwater treatment. The existing tree plantings which are being expanded during reclamation on the north property limits (approximately 60 feet wide) will serve as a buffer to the existing residential area to the north.

10.0

Reclamation Measures

Concurrently with the start of mine stripping a 60' wide vegetative buffer of trees will be planted on the north line of the property. The trees will consist primarily of spruce and red pine. South of the vegetative buffer will be the topsoil and overburden stockpiles. These stockpiles will be constructed in a linear fashion to provide a screening berm to the residents to the north.

When mining is finishing the overburden stockpile material will be used to stabilize slopes and construct the final desired contouring of the pit. Topsoil will be placed to an average thickness of 4". A portion of the overburden and topsoil stockpiles may remain on the northern boundary to continue providing screen to neighbors to north. The exact extent that will remain is dependent upon how much material is needed for final reclamation.

See drawings in **Appendix D** for existing and proposed conditions and extents of mining.

10.1

Revegetation Measures

After subsoil and topsoil reapplication, the seedbed will be prepared by discs, harrows or other equipment to obtain an even and loose seedbed. Seeding will occur during the growing season when soil conditions are suitable. WisDOT type 70 seed mix will be used for the final reclamation areas. Seed type 70 seed mix at 11b/1,000sf with a nurse crop. An estimated 1,089lbs of type 90 seed mix will be needed for reclamation.

When a nurse crop is required for spring seeding before June 15, or if the engineer allows seeding between June 15 and October 15, use annual oats. For fall seeding after October 15, use winter wheat, or annual ryegrass. Seed nurse crop at 11b/1,000sf in addition to seed mix type 70. An estimated 1,089lbs of nurse crop seed mix will be needed for reclamation.

10.2

Temporary Seed

Stockpiles of overburden and topsoil will be temporary seeded. Seeding with the temporary stabilization seed mix will occur during the growing season. A nurse crop may be necessary where seeding must be performed outside of the normal growing season. Annual Ryegrass or Winter Wheat will be used where fall or winter planting is necessary. The proposed temporary stabilization seed mix is Wisconsin Department of Transportation Seed Mix No. 20. An estimated 220 lbs of temporary seed mix will be needed.

10.3

Fertilizer & Mulch

Fertilizer mixture used is 12-22-10 with an application rate of 150 pounds per acre. Straw mulch will be applied at a rate of 2ton/acre and will be crimped in utilizing a straight line disc or equivalent. Approximately 3,750lbs of fertilizer will be needed and 50 tons of straw mulch.

10.4

Topsoil Balance

With an average thickness of four inches over the 11 acre pit, 5,600CYD of topsoil are expected to be salvaged on the site. During final reclamation of the pit a portion of the pit will be designated for stormwater treatment and may not be revegetated and thus not require topsoil. The estimated area for future stormwater treatment is 3 acres leaving 8 acres to be re-topsoiled. The 8 acres of reclamation will consume 4,300CYD of topsoil. The remaining 1,300CYD of topsoil will be used on what remains of the overburden screening berm on the north.

10.5

Cost Estimate for Reclamation

The owner estimates the time for reclamation once mining is finished is 4 weeks or 160 hours of work time for three operators each. The average cost for an operator is \$35/hr, backhoe rental is

\$45/hr, dozer rental is \$35/hr, and truck rental is about \$30/hr. Total cost per hour is \$145/hr. Labor and equipment is estimated to total 160hrs X \$145/hr = \$23,200. The cost for seed, mulch, and fertilizer is approximately \$1,000/acre. Therefore estimated cost for seed, mulch, and fertilizer for the 25 acre site is \$25,000. This includes labor and materials.

Total estimated cost for final reclamation is \$48,200.

11.0

Criteria for Successful Reclamation

In order to determine successful revegetation for final vegetation cover, reclaimed areas will be assessed for density of the perennial vegetative cover. Reclamation will be considered complete when "final stabilization" has been achieved, as defined in Wisconsin Code NR 216. This standard states that final stabilization is achieved when a "uniform perennial vegetative cover has been established with a density of at least 70 percent of the cover for unpaved areas and areas not covered by permanent structures." Once reclaimed areas have achieved the aforementioned vegetative cover results, the areas will be considered successfully reclaimed and no further reclamation activities shall be required for that location.

12.0

Certification of Reclamation Plan

I hereby certify, as duly authorized representative or agent that Ashland Sand & Gravel will comply with the provisions of this reclamation plan, the Ashland County nonmetallic mining reclamation ordinance, as well as the statewide nonmetallic mining reclamation standards established in ss.NR 135.05 through NR 135.15 Wis. Admin. Code.



Signature of Applicant or Duly Authorized Agent

7-29-2021
Date Signed

APPENDIX A

Ownership

U 0656 P 867

QUIT CLAIM DEED

THIS DEED, made between GARY ROFFERS AND KAY A. ROFFERS, husband and wife and RONALD ROFFERS AND ANN ROFFERS, husband and wife ("Grantor," whether one or more), and RRGR ENTERPRISES, LLC, a Wisconsin limited liability company ("Grantee," whether one or more).

Grantor quit claims to Grantee the following-described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Ashland County, State of Wisconsin:

DOCUMENT NO 311411
Received for Record
at 10:40 AM duly recorded in
Vol. 656 on Page 667-669
of Records
April 28 2008

KAREN M. MILLER
REGISTER OF DEEDS
ASHLAND COUNTY, WI

RETURN TO:

Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street, Suite 700
Duluth, MN 55802

201-04924-0000; 201-04935-0000 & 201-04926-0000

Parcel Identification Number (PIN)

See Exhibit A attached hereto

This is not homestead property.

Dated April 16, 2008

FEE EXEMPT
#77.25 (15s)

Gary A. Roffers
GARY ROFFERS

Kay A. Roffers
KAY A. ROFFERS

STATE OF Wisconsin) ss.
COUNTY OF Ashland)

Personally came before me on April 16th, 2008, the above-named GARY ROFFERS AND KAY A. ROFFERS, husband and wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

NOTARIAL STAMP OR SEAL (OF OTHER TITLE OR RANK)



Angela M. Truchon

Angela M. Truchon

Notary Public, State of Wisconsin

My Commission (is permanent) (expires: 8-1-2010)

0656 P 668

Ronald Roffers
RONALD ROFFERS

Ann Roffers
ANN ROFFERS

STATE OF Wisconsin)
COUNTY OF Ashland) ss.

Personally came before me on April 16th, 2008, the above-named RONALD ROFFERS AND ANN ROFFERS, husband and wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC STAMP OR SEAL (OR OTHER TITLE OR RANK)



Angela M. Truchon
Angela M. Truchon
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

THIS INSTRUMENT DRAFTED BY:
Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street, Suite 700
Duluth, Minnesota 55802-1863
MBM1/a/jl

*Type name below signatures.

44-1500351 (rev. 01/00)0000-03503513556.D2X1

U 0656 P 669

EXHIBIT A

The North three-fourths (N $\frac{3}{4}$) of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

AND

The North three-fourths (N $\frac{3}{4}$) of Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ - SE $\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

AND

The Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ - SW $\frac{1}{4}$ - SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

APPENDIX A

Lot	Owner
201049220000	Mt. Hope Cemetery Association
201049150600	Daniel and Katie Bratney
201049150800	Herry G. Polencheck
201049151000	Eric and Martha Maynes
201049320000	James A. Pufall
201049350000	RRGR Enterprises, LLC.
201049360000	Carol Lumberg
201049250000	Carol Lumberg
201049260000	RRGR Enterprises, LLC.
201049230000	Mt. Hope Cemetery Association
008002930300	Ralph and Tina Mashlan
008002920200	Deron W. Austin



APPENDIX B

Well Constructor's Report

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH

See Instructions on Reverse Side

1. County Ashland Town ☐ Village ☐ City ☒ Ashland Check one and give name

2. Location Maple Lane Road - NW 1/4 - SE 1/4 - S8 - T47N - R9W Name of street and number of premises or Section, Town and Range numbers

3. Owner ☒ or Agent ☐ Richard Wartman - NW - SE 1/4 - S8 - T47N - R9W Name of individual, partnership or firm

4. Mail Address R.T. 2 - Ashland Wis Complete address required

RECEIVED

5. From well to nearest: Building 8 ft; sewer 10 ft; drain 12 ft; septic tank 30 ft; dry well or filter bed 60 ft; abandoned well None ft.

MAR 16 1961

6. Well is intended to supply water for: Household

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
8	0	20	4	20	202

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
4	Well Drillers pipe	0	192

9. GROUT:

Kind	From (ft.)	To (ft.)
Clay Grout	0	20

11. MISCELLANEOUS DATA:

Yield test: 72 Hrs. at 4 GPM.

Depth from surface to water-level: 130 ft.

Water-level when pumping: 115 ft.

Water sample was sent to the state laboratory at: Madison on March 7 - 1961

Signature Theodore Melvin Registered Well Driller

Rec'd MAR 10 1961 No. 7147

And'd UNSAFE - DETERGENT PRESENT

Interpretation WATER IS RECEIVING WASTE

SLEPAGE

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
Top soil + Clay	0	4
Hard Pan	4	25
Day sand	25	120
Hard Pan	120	126
Fine water sand	126	135
Hard Pan	135	178
Brown Stone	178	202

RECEIVED

Construction of the well was completed JAN 23 1962

March 6 - 1961

The well is terminated 8 ft. in 4 inches RIN

☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

Complete Mail Address 1104 - Front St. W. Ashland Wis

10 ml 10 ml 10 ml 10 ml

Gas - 24 hrs.

48 hrs.

Confirm

B. Coll

Examiner

Page 91 of 130

APPENDIX C
WDNR Surface Water Data Viewer

This aerial map shows a rural landscape with various land parcels. A red dashed rectangle in the upper right quadrant is labeled 'PROPOSED PIT' with a red arrow pointing to it. An orange dashed line, labeled 'EIKV', runs horizontally across the middle of the map. The map is oriented with North at the top. In the bottom left corner, there is a north arrow and a small locator map of Wisconsin showing the project's location in the central part of the state. The map includes labels for 'Summit Road East' and 'Maplehurst'. The bottom of the map shows a road labeled '13KJ'.

1: 7,920

0.3 0 0.13 0.3 Miles

Notes

Wetland Identifications and Confirmations

- Wetland Class Points
- Filled Areas
- Wetland Class Areas
- Wetland
- Upland
- Filled Points
- Dammed pond
- Excavated pond
- Filled excavated pond
- Filled/drain/wetland
- Wetland too small to delineate

County Boundaries

- Municipality
- Filled Areas
- State Boundaries
- County Boundaries

Major Roads

- Interstate Highway
- State Highway
- US Highway
- County HWY
- Local Road



APPENDIX D

Reclamation Drawings

Ashland County Map

Legend

- Rivers and Streams
- Villages
- Lake Superior
- County Boundary
- Surrounding Counties
 - MI
 - MN
 - WI
- Roads
 - Principal Arterial
 - Minor Arterial
 - Major Collector
 - Minor Collector
 - Local
 - Private
- WROC 6-Inch 2020 Color Ortho
- Red, Band_1
- Green, Band_2
- Blue, Band_3

0 5 10 15mi

DISCLAIMER: This map is not guaranteed to be accurate, correct, or complete and conclusions drawn are the responsibility of the user.



Author:

Date Printed: 06/23/21 11:16 AM

Sources:



Ashtand County Zoning Map

Legend

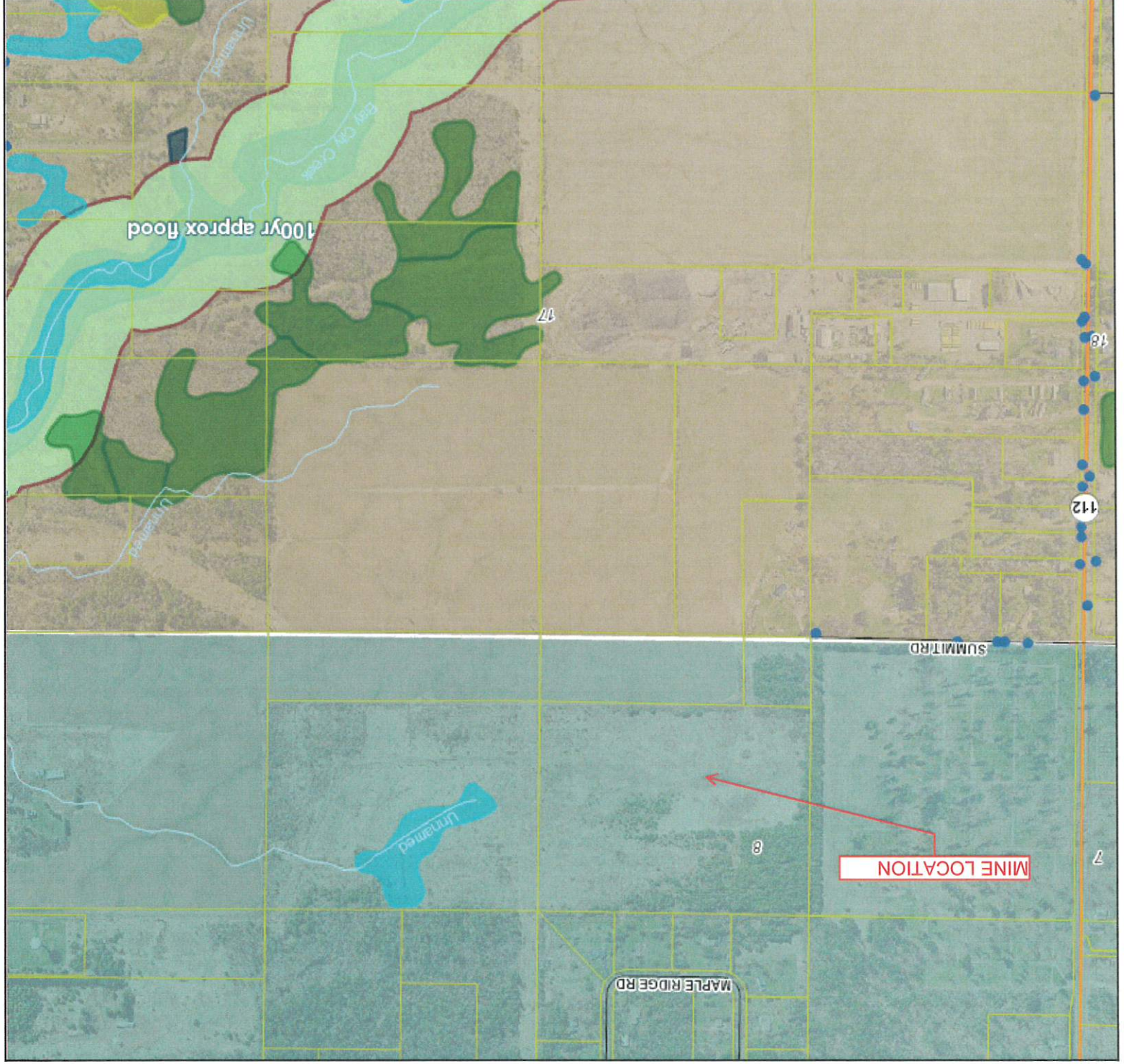
- Blue: Band 3
- Green: Band 2
- Red: Band 1
- WROC 6-inch 2020 Color Ortho
- Railroads
- Roads
- Surrounding Counties
- County Boundary
- Lake Superior
- Sections
- Lakes and Rivers
- Rivers and Streams
- Driveway Access Address Points
- Parcels
- Official Zoning Map
- Lake Classification
- Wetlands
- Flood Poly Data
- Flood Image Data
- Flood Map Index

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

0 200 400 600ft



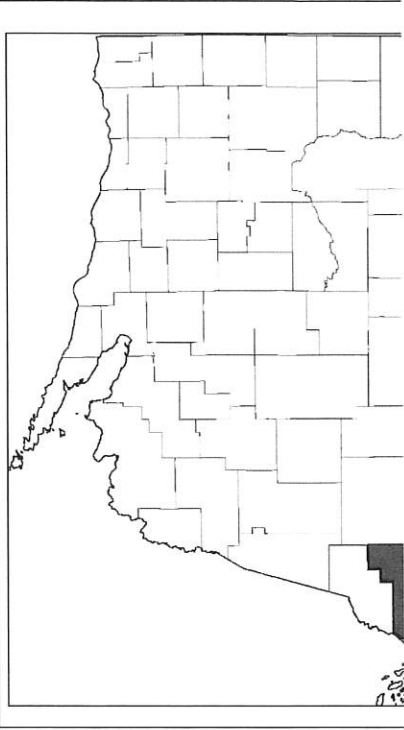
Author:
Date Printed:
06/23/21 11:19 AM
Sources:



T&M PIT

SE 1/4 OF SW 1/4 SECTION 08, T47N, R04W

CITY OF ASHLAND



CITY OF ASHLAND
ASHLAND COUNTY WISCONSIN



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State Highway 112

Summit Rd

Mount Hope Cemetery
St Agnes Cemetery

Hole Ridge

Beaser Ave

Bay City Creek

HAUL ROUTE

PROPERTY BOUNDARY

PROPOSED MINE PIT

ASHLAND SAND & GRAVEL

T&M PIT

SE¹/₄ OF SW¹/₄ SECTION 08, T47N, R04W

CITY OF ASHLAND

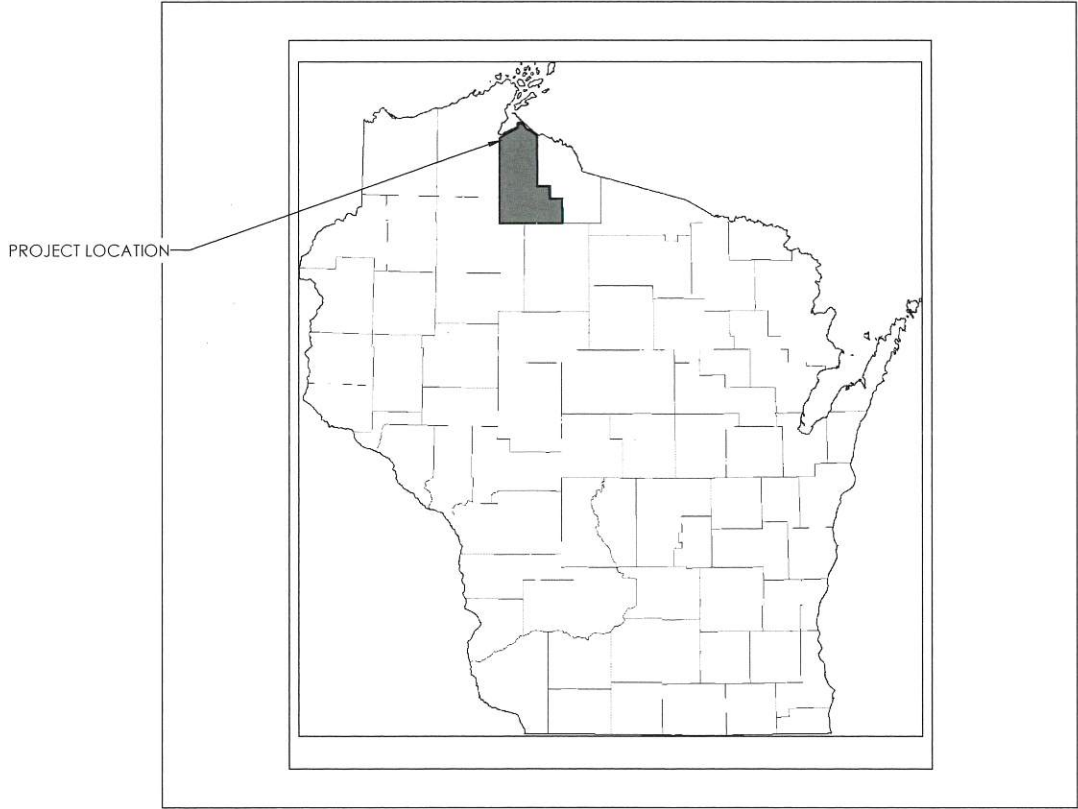


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5	RECLAMATION
6	PROFILES



Weyandt Engineering Services

65635 Shady Lane - Iron River, WI 54847
218-393-1915
scott@weyandtingeering.com

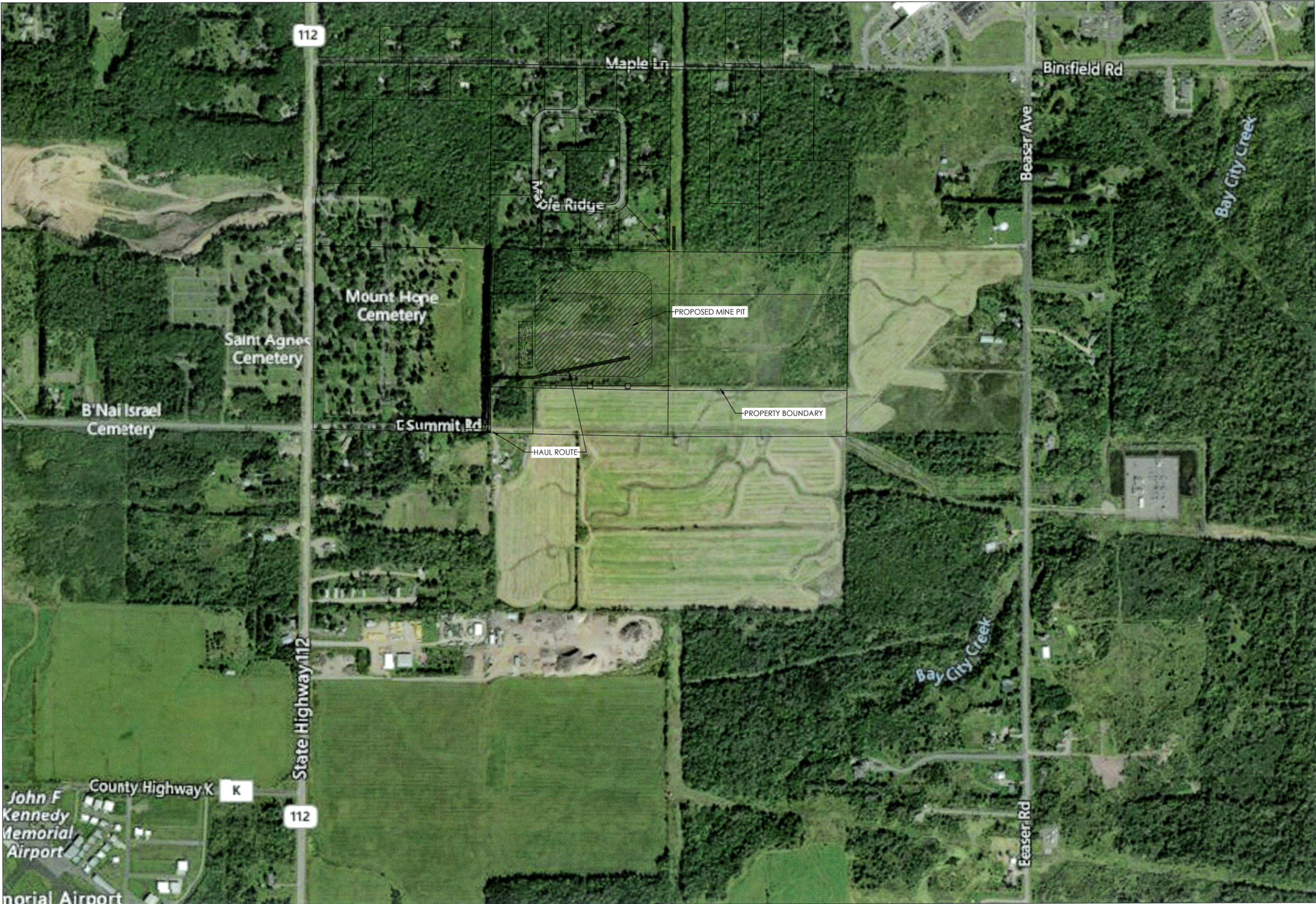
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COVER PAGE
T&M Pit
Ashland Sand & Gravel
City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



DRAWN BY
DATE 6/24/21
FILE NO.
SHEET NO.



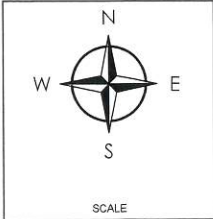
Weyandt Engineering Services

65035 Shady Lane - Iron River, WI 54847
218-393-1915
scott@weyandtingeering.com

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LOCATION MAP
T&M Pit
Ashland Sand & Gravel
City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



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Weyandt Engineering Services

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218-393-1915

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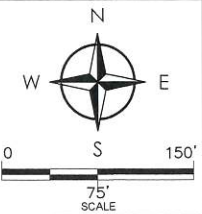
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EXISTING CONDITIONS

T&M Pit
Ashland Sand & Gravel

City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



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- GENERAL MINING SEQUENCE:
1. PLANT TREE BUFFER ON NORTHERN PROPERTY BOUNDARY.
 2. INSTALL PERIMETER SILT FENCE ON TOPSOIL AND OVERBURDEN STOCKPILE LOCATIONS.
 3. ESTABLISH HAUL ROUTE
 4. STRIP TOPSOIL AND OVERBURDEN FROM PROPOSED MINE PIT. MAINTAIN SEGREGATION OF TOPSOIL AND OVERBURDEN.
 5. CONSTRUCT TOPSOIL AND OVERBURDEN STOCKPILES.
 6. SEED AND MULCH STOCKPILES.
 7. CONDUCT MINING OPERATIONS MAINTAIN INTERNAL DRAINAGE OF MINE PIT.



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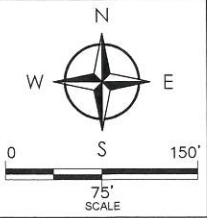
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START MINING
T&M Pit
Ashland Sand & Gravel

City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



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- GENERAL MINING SEQUENCE:
8. MOVE OVERBURDEN AND SHAPE MINE PIPE TO ACCOMPLISH 3:1 OR FLATTER SLOPES.
 9. APPLY TOPSOIL TO A MINIMUM THICKNESS OF 2 INCHES.
 10. SEED AND MULCH ALL DISTURBED AREAS.
 11. REMOVE TEMPORARY EROSION CONTROL ITEMS.

NOTES:
TOTAL MINE AREA = 14 ACRES
TOTAL RECLAIMED AREA = 14 ACRES
TOTAL DISTURBED AREA ~ 25 ACRES

OVERBURDEN AND TOPSOIL NOT USED DURING FINAL RECLAMATION WILL BE LEFT IN PLACE ON EASTER PORTION OF STOCKPILES

MAJORITY OF OVERBURDEN AND TOPSOIL STOCKPILES WILL BE CONSUMED DURING FINAL RECLAMATION

DURING FINAL RECLAMATION REMOVE EQUIPMENT LAYDOWN AND STORAGE FUEL STORAGE & OFFICE LOCATION

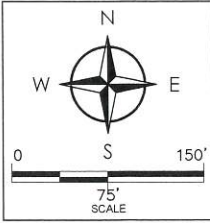


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RECLAMATION
T&M Pit
Ashland Sand & Gravel
City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



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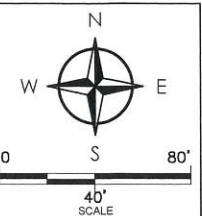
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PROFILES

T&M Pit

Ashland Sand & Gravel

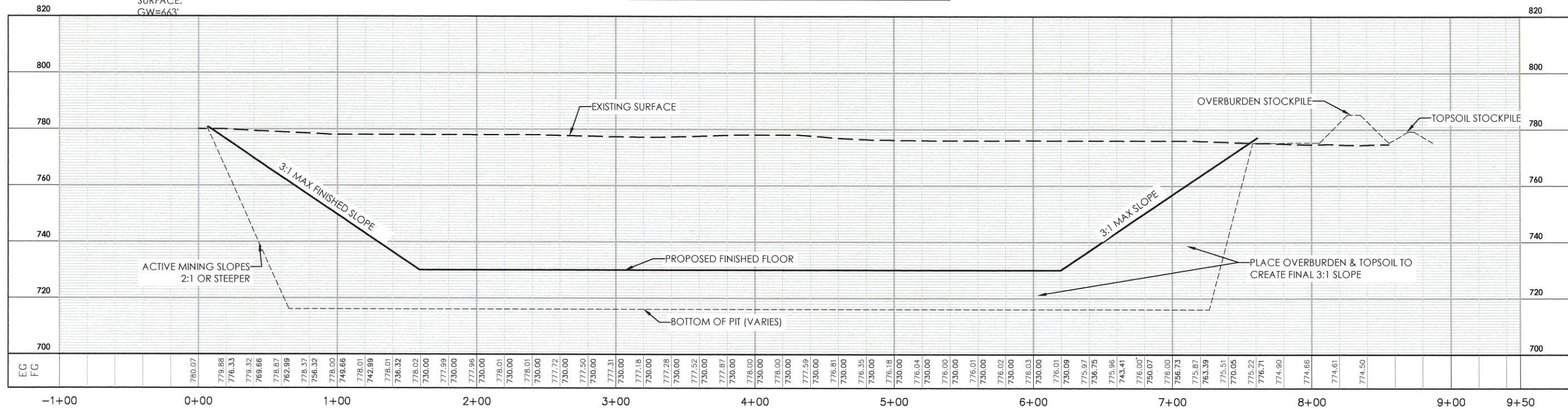
**City of Ashland
Ashland County, WI**

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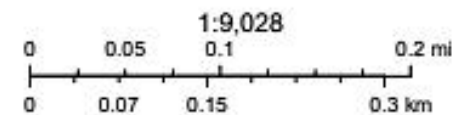
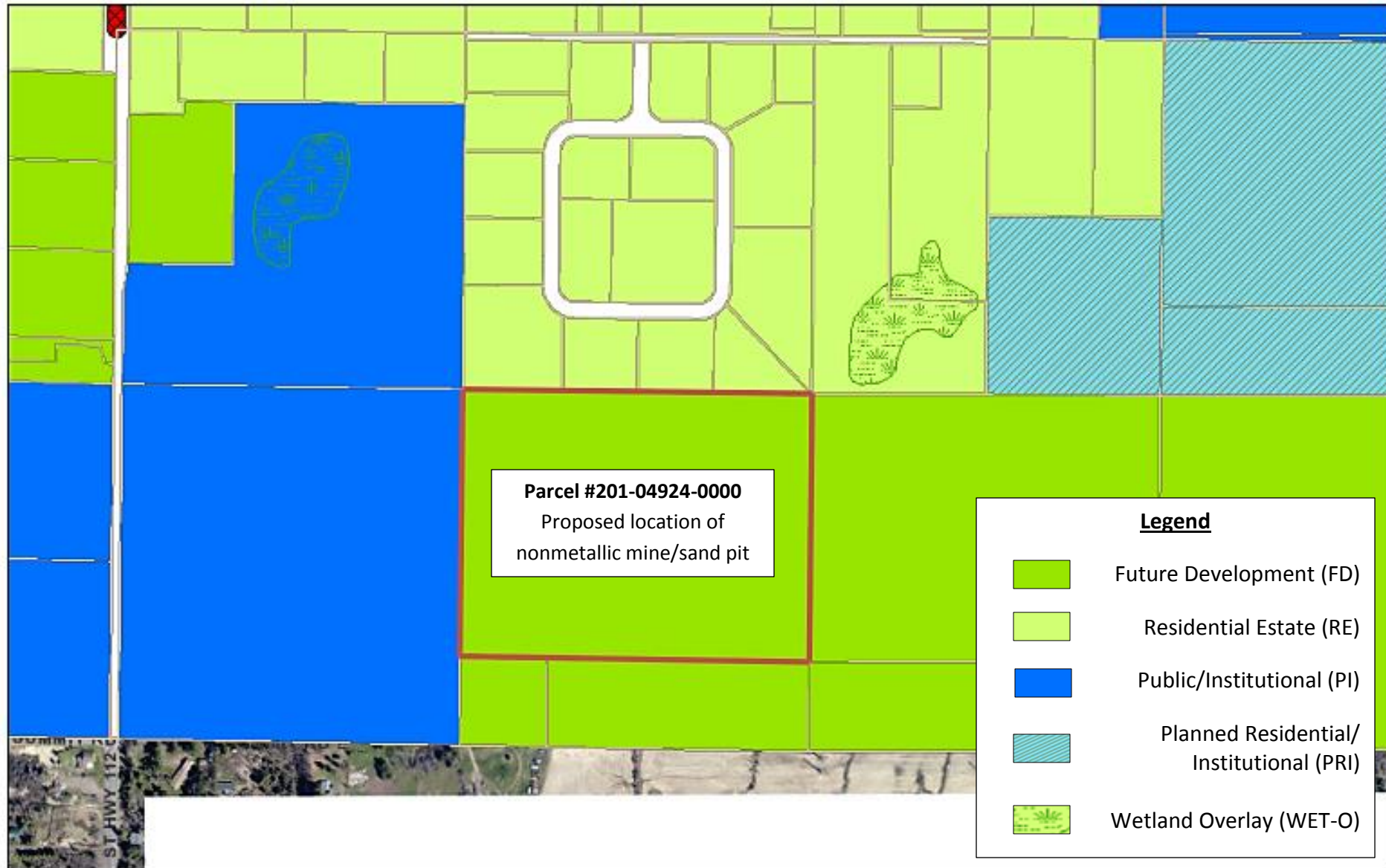
NOTE: GROUNDWATER IS APPROXIMATELY 128' BELOW SURFACE.
GW=663'



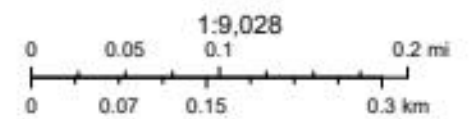
Longitudinal profile view of the proposed mine floor and existing surface. The profile shows the existing surface (dashed line) and the proposed mine floor (solid line). The mine floor is 3:1 max finished slope from station 2+00 to 3+00, and 3:1 max slope from station 10+00 to 11+00. The profile also shows the topsoil stockpile, overburden stockpile, and equipment laydown area. The vertical axis shows elevation from 700 to 820 feet. The horizontal axis shows stationing from 0+00 to 11+25. The profile includes labels for 'TOPSOIL STOCKPILE', 'OVERBURDEN STOCKPILE', 'EQUIPMENT LAYDOWN, STORAGE, FUELING, & OFFICE LOCATION', 'ACTIVE MINING SLOPES 2:1 OR STEEPER', 'EXISTING SURFACE', 'PROPOSED MINE FLOOR', 'BOTTOM OF PIT (VARIES)', and 'PLACE OVERBURDEN & TOPSOIL TO CREATE FINAL 3:1 SLOPE'.

Station	Existing Surface Elevation (ft)	Proposed Mine Floor Elevation (ft)	Bottom of Pit Elevation (ft)
0+00	797.21		
0+10	796.00		
0+20	795.95		
0+30	795.83		
0+40	795.73		
0+50	795.44		
0+60	794.61		
0+70	793.78		
0+80	792.95		
0+90	792.34		
1+00	791.48		
1+10	790.82		
1+20	790.71		
1+30	790.51		
1+40	788.71		
1+50	790.14		
1+60	782.05		
1+70	769.59		
1+80	775.38		
1+90	788.55		
2+00	788.71		
2+10	787.60		
2+20	782.05		
2+30	786.82		
2+40	755.38		
2+50	786.02		
2+60	748.71		
2+70	785.05		
2+80	742.05		
2+90	784.34		
3+00	735.38		
3+10	783.62		
3+20	730.00		
3+30	782.88		
3+40	730.00		
3+50	782.42		
3+60	730.00		
3+70	781.81		
3+80	730.00		
3+90	781.06		
4+00	730.00		
4+10	780.17		
4+20	730.00		
4+30	780.15		
4+40	730.00		
4+50	780.15		
4+60	730.00		
4+70	780.08		
4+80	730.00		
4+90	780.15		
5+00	730.00		
5+10	780.08		
5+20	730.00		
5+30	780.15		
5+40	730.00		
5+50	780.09		
5+60	730.00		
5+70	780.00		
5+80	730.00		
5+90	779.99		
6+00	730.00		
6+10	779.99		
6+20	730.00		
6+30	779.58		
6+40	730.00		
6+50	779.24		
6+60	730.00		
6+70	779.01		
6+80	730.00		
6+90	778.72		
7+00	730.00		
7+10	778.23		
7+20	730.00		
7+30	778.10		
7+40	730.00		
7+50	778.02		
7+60	730.00		
7+70	778.04		
7+80	730.00		
7+90	778.00		
8+00	730.00		
8+10	777.59		
8+20	730.00		
8+30	777.17		
8+40	730.00		
8+50	776.75		
8+60	730.19		
8+70	776.33		
8+80	736.85		
8+90	776.39		
9+00	743.52		
9+10	776.08		
9+20	750.19		
9+30	775.51		
9+40	756.85		
9+50	774.88		
9+60	763.52		
9+70	774.11		
9+80	770.19		
9+90	773.91		
10+00			
10+10			
10+20			
10+30			
10+40			
10+50			
10+60			
10+70			
10+80			

Zoning Map Parcel #201-04924-0000



Aerial Map Parcel #201-04924-0000



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

Department of Public Works Engineering
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Find yourself next to the water.



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

STAFF REPORT

Plan Commission – August 17, 2021

Agenda Item # 5a: Conditional Use Permit Request to allow a nonmetallic mining use/sand pit

Zoning District: Future Development (FD)

Parcel #: #201-04924-0000

Applicant: Ashland Sand & Gravel LLC

Staff Contact: Megan McBride

Background

Ashland Sand and Gravel is requesting approval of a Conditional Use Permit (CUP) for a mining use/sand pit on their parcel #201-04924-0000, located on Summit Rd and directly south of the Maple Ridge subdivision, zoned Future Development (FD). The proposed operation would include a sand pit approximately 14 acres in size, located entirely on parcel #201-04924-0000 and using parcel #201-04932-0000 for site access off of Summit Rd. This development is anticipated to generate up to four (4) new jobs paying between \$40,000 and \$80,000 annually.

A 60 foot vegetative buffer of trees (primarily spruce and red pine) will be planted along the northern property line to screen from the adjacent residential properties, with a screening berm located directly south of the landscaping buffer constructed from on-site topsoil and overburden. The hours of operation would be from 7:00am-5:00pm Monday-Friday, and 7am-2pm Saturday. No activity would take place on Sundays or holidays.

The draft reclamation plan for the project site has been provided to the City, as is pending approval by the Ashland County Highway Department. The reclamation plan does not identify a concluding year for operation of the sand pit, but does identify the methods for restoration of the site and potential residential development as the future intended use.

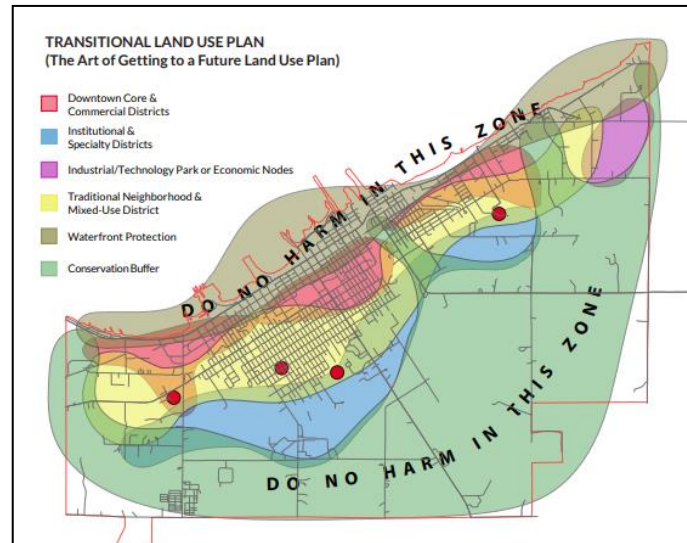
Standards for Conditional Use Review

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

1. **Consistency with Comprehensive Plan.** The proposed use is not consistent with Comprehensive Plan objectives or the identified future land use plan for this area of the City.

Environmental sustainability was identified as a central tenet of the community, and as such states that the City “will make policies and take actions to help protect and make vital the expanse of rich and fertile countryside that surround Ashland so that it will remain visually beautiful and ecologically sustainable” (p. 18).

Additionally, the proposed development is inconsistent with the Comp Plan’s recommended future and transitional land use plans. The area identified for development of the proposed sand pit lies within the “do not harm” zone or conservation buffer. The Comp Plan states that Ashland should strive to become “a community that protects its waterfront and conservation buffer areas” (p. 32). Allowing a new nonmetallic mining/sand pit use within the conservation buffer zone would not promote this Comp Plan recommendation, as the plan urges the City to move away from extractive and other types of heavy impact land uses within the City when possible. However, the proposed additional jobs and contribution to local construction material availability will provide community services, and the proposed berm and landscaping for screening will make visual impacts of the sand pit minimal.



Transitional Land Use Plan identified in Authentic Ashland 2035: A Comprehensive Plan for Ashland, WI

2. **Compatibility.** The proposed use is compatible with the intent and allowable uses of the Future Development (FD) district in which it is located, but would be incompatible with existing and future surrounding uses. The FD zoning district is primarily located on the fringes of City limits, and as such may be appropriate for a variety of agricultural, industrial, and residential uses depending on location. The subject parcel directly abuts the Residential Estate (RE) zoning district (to the north), and is adjacent to the Public Institutional (PI) district (to the west). The neighboring cemetery performs approximately 50 burials per year, and these services typically last approximately one (1) hour. The sand pit operations would be very disruptive to the tranquility of any funeral and/or burial service conducted at the cemetery. A proposed condition based on public input would be to allow cemetery management to contact the mine operator at least 48-hours in advance of a planned ceremony and the operations at the mine must cease any excessive noise-producing activities, i.e. trucks/machinery backing and crushing activities. Particularly given the anticipated expansion of the cemetery in future years to the south, which would directly abut the proposed sand pit, this condition would proactively anticipate this community need and ensure continued compatibility of these potential neighboring uses.

The developer has identified several protections to promote compatibility with existing and anticipated future uses. Since adjacent residential property owners obtain their drinking water from private wells, mining activity impacts on water quality was a major consideration for compatibility. The bottom of the pit would be 50 feet +/- 10 feet, for a maximum depth of 60 feet. The included well construction report indicates a ground water depth of 128 feet, maintaining a minimum 68 foot separation from mining activities and groundwater. The identified pit location will remain approximately 400 feet from any surface water sources, including the Bay City Creek and mapped wetlands on site.

The berm along the western and northern property lines combined with the additional proposed landscaping to screen views and noise will minimize impacts on surrounding properties. The City of Ashland's assessor contracted through Associated Appraisals Inc. was consulted about anticipated impacts of the proposed development on surrounding property values. In his opinion, "such a pit with an earthen berm surrounding the pit would have very little to no impact on the surrounding property values. Only time will tell what the true impact would be regarding resale value of these properties, I feel that it will not harm or negatively affect the sale values" (Walt Hughes email from 8/10/2021).

3. **Importance of Services to the Community.** Availability of affordable construction materials has consistently proven to be a barrier for contractors across the country in completing construction projects, which can slow housing and economic development if projects are delayed. The proposed use would help to serve the local construction community, providing locally-sourced and therefore more affordable fill material that will reduce transportation costs and demands. Reduction of trucking traffic in this way can also help lower the overall environmental footprint of local construction projects, and ensure that projects related to economic development, public infrastructure improvements, and other types of private development projects will have access to the materials they need.

There are currently a total of 34 issued sand pit permits within Ashland County according to Ashland County Highway Commissioner (email from August 12, 2021).

4. **Neighborhood Protections.** Proposed neighborhood protections to screen noise, dust and other impacts of the proposed development from the adjacent residential properties include a 60 foot landscaping buffer between an earthen berm and the northern and western property lines. A recommended condition of approval is for evidence to be provided to City staff upon construction of the earthen berm that City of Ashland Ordinance Chapter 202 standards regarding allowable noise levels at the property lines will be met. For preservation of water quality, the maximum pit depth will be 50 feet +/- 10 feet, which will remain well above the 128 foot ground water depth as verified in the included Well Constructor's Report.

Additional neighborhood protections may be added by the Plan Commission and City Council based on public input gained through the Public Hearing.

5. **Conformance with Other Requirements:** The applicant will need to conform to all UDO standards, including (but not limited to):
 - Approval of the associated reclamation plan by the Ashland County Highway Department
 - Approval of nonmetallic mining operation and stormwater permits from the Wisconsin Department of Natural Resources
 - Compliance with City of Ashland Ordinance Chapter 202 for Noise Pollution Prevention Section 202.06 for machines and equipment

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- Approval of the associated Reclamation Plan by the Ashland County Highway Department

- Approval of nonmetallic mining operation and stormwater permits from the Wisconsin Department of Natural Resources
- Demonstration upon construction of the berm that City of Ashland Ordinance Chapter 202 for Noise Pollution Prevention decibel limits at the property line are met for machines and equipment per Section 202.06
- Allow the Cemetery management to contact the mine operator at least 48-hours in advance of a planned ceremony and the operations at the mine must cease any excessive noise-producing activities, i.e. trucks/machinery backing up and crushing activities

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The required Class 2 public hearing notice was issued, and discretionary letters were sent to all surrounding property owners within 300 feet of the proposed development.

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 approvals may be made by the Plan Commission and Common Council.

Plan Commission Public Hearing Summary August 25, 2021

- a) Public Hearing and vote on a Request for a Conditional Use Permit (CUP) for a nonmetallic mine (sand pit) to be located on parcel #201-04924-0000. Applicant: Ashland Sand & Gravel Properties, LLC

Motion to go into public hearing by Eric Lindell, seconded by David Mettelle. Unanimously approved.

Megan McBride summarized the Class 2 public hearing notice that was issued, and detailed the review criteria and staff recommendation as identified in the staff report.

Mayor Lewis asked Megan McBride to share any public comments which were provided before the meeting. Megan McBride shared all comments received prior to the meeting for the record.

Dan Bratley with Bratley Funeral Homes provided the following comments:

“Something to consider regarding the location of the proposed mining/sand pit. The location they are considering is adjacent to the Mt. Hope Cemetery, in fact the new expanded section of the cemetery would border the Sand Pit. As a local funeral director serving the Ashland Community you may be unaware of the frequency of services being held in the cemetery. As of today, there were 8 services in Mt. Hope in the month of August and June and July had much more than that. Due to covid and social distancing for services, the cemetery burial has become a place for not just interment but for the funeral itself. It is not unusual to have family and friends gathering for an hour or two. The thought of loud noise and the distraction of construction going on at the Sand Pit during these times would be frustrating. I hope you will consider this for all the families of Ashland when making this decision.”

Sally Simmons from Mount Hope Cemetery provided the following comments:

“The Mount Hope Cemetery’s main concern is the noise level that might be generated with the operation of some of the machinery in the sand pit. I noticed that they plan on some noise abatement, but if it is not enough, would they be willing to suspend operations temporarily during burial services?”

We typically do not have a burial every day. Although we had been extremely busy in June & July because of family members waiting for Covid restrictions to allow for gatherings.

If the operators of the sand pit would give us a name/number of someone to contact, we could give them a day or two notice of when a service was going to be held to allow for a ‘peaceful, tranquil’ service.”

Mayor Lewis asked if anyone had questions.

John Beirl acknowledged that this is a sensitive issue, and asked what the approval process moving forward will be.

Megan McBride explained that the Plan Commission will provide a recommendation to City Council regarding approval and any associated conditions for the development, and City Council will take final action on August 31, 2021.

John Beirl asked what surrounding property owners were notified prior to the meeting.

Megan explained that letters were sent to property owners within 300 feet, which would include the adjacent Maple Ridge residents, cemetery properties, the hospital, owners of surrounding vacant land, and residents located in Gingles just on the other side of Summit from the proposed development. She explained that the site maps and applicant cover letter were also provided to give additional details to neighbors before the meeting.

John asked who would be responsible for ongoing monitoring of site operations included depth of the mine, noise levels, and other activities.

Megan McBride explained that within the City it would be the Police Department responsible for monitoring noise levels and complaints, and that the Building Inspector would ensure compliance with depth and other site plan elements through the construction process. She pointed out that the WDNR will also be issuing permits for this project, so they would be an additional regulatory authority monitoring site activities.

Eric Lindell expressed concern for property values of neighboring properties.

Megan McBride explained that she consulted with Walt Hughes, the City Assessor, who stated that based on the berm and landscaping proposed he anticipates little to no negative impact on surrounding property values. This is based on his professional experience, as well as experience in working with other similar sand pits throughout Wisconsin.

Davie Mettillie asked if the cemetery is aware of the condition proposed related to ceasing noise-producing activities during funeral services, and any feedback they provided on the proposed condition.

Megan explained that the condition was created based on input from the cemetery, and the condition language was provided to them in advance for review.

Katie Gellatly asked who would be responsible for costs of improving the roadway to meet City standards as identified in the proposed condition.

Megan said that based on Comp Plan recommendations for the City to not invest public funds in building out additional infrastructure within this conservation buffer area, the costs for improving the roadway would be the responsibility of the developer.

Eric Lindell asked if a shared maintenance agreement or other similar condition could be used for cost sharing of ongoing maintenance costs.

Megan said that a shared maintenance plan could be evaluated, and/or language could be added to the current condition.

Eric Lindell asked what environmental concerns may be associated with this development and the proposed reclamation plan, and if an end date has been identified for mining activities.

Megan explained that the reclamation plan has to be approved by the WDNR and the County Highway Department. In terms of environmental concerns, they explored and provided documentation that groundwater would not be impacted by proposed activities. No closing date/timeline have been established for mining operations.

Mayor Lewis asked what size of trees will be planted, what size the berm will be, and how soon after planting will the project start. She expressed concerns that these buffering and screening features will not be in place until significantly after mining activities commence on site.

Scott Weyandt explained that the berm will be constructed using onsite materials and overburden, so this will be in place prior to activities starting. The trees are meant as a visual improvement, and to ensure that trees will remain as a buffer for future reclamation activities and possible housing development. He explained that the trees initially would be too small to help with noise deflection.

Mayor Lewis asked for clarification regarding on site groundwater.

Scott Weyandt explained that there is no surface water on site, and the only identified wetland has already been classified as non-jurisdictional.

Mayor Lewis noted that the major concerns she hears regarding the existing sand pit in town is related to dust and mud on the street. She asked how the applicants plan to address these types of concerns with their sand pit.

Mike Pagac (Representing Ashland Sand & Gravel Properties, LLC) explained that there are measures including watering the roadway, using approved chemicals, or using equipment such as tracking pads or steel grates to remove the majority of mud from vehicles before they'd leave the site.

Mayor Lewis pointed out that there are 34 other pits in Ashland County, and asked if there is research to show a need for another.

The applicant responded that having sand available locally for construction projects is important because transportation of sand is typically the largest expense.

Motion to go out of public hearing by Eric Lindell, seconded by David Mettill. Passed unanimously.
--

Katie Gellatly mentioned that she recently had a family funeral at the cemetery adjacent to the sand pit, and even two motorcycles were distracting so she does understand concerns for noise levels disrupting services.

Eric commended Megan and the developer on their work. He noted that he is struggling to see if there is a need for this development, particularly based on the incompatibility with the City's Comprehensive Plan recommendations for this area.

John Beirl said that he is surprised by the level of public input, as he thought there would be more.

Mike Pagac explained that they want to be stewards to the land and good neighbors to Ashland. He also explained that there is a bond in place to ensure the reclamation activities continue as planned regardless of the success or duration for which the sand pit is operated.

David Mettillie also commended the applicant on the level of planning and detail put into this proposal.

Mike Furtak spoke in favor of the proposed project, and explained the variety of ways they prioritized neighborhood compatibility and took measures to lessen impacts. He also offered that the berm can be made higher if needed to provide a better sound buffer, as they are willing to do anything reasonable to ensure compatibility of the project.

Mike Pagac agreed, and commented that they would agree to stop during funeral services. He reiterated that they want to be good neighbors, and will do whatever they need to in order to be in compliance.

Mayor Lewis asked the applicant if they have any issues with the proposed conditions.

Scott answered that they may have concerns regarding the road condition, and will discuss further with the Public Works Department to come to an agreement on what is needed.

Mayor Lewis asked if they have done any outreach to neighboring properties.

Mike Pagac explained that they did quite a bit of outreach three years ago when the sand pit was originally explored, but not additional outreach has been completed recently.

Laurie asked what will happen if the developer does not agree to the conditions proposed.

Megan McBride explained there is still time to work out conditions before final approval by Council, and whatever conditions City Council approves through the final resolution will need to be followed in order to operate a sand pit on the property.

Motion to approve the request by John Beirl, seconded by Laurie Gregor. No discussion. Passed unanimously.

SUBJECT: Approve the Sidewalk Special Assessment Policy (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director

EXHIBITS:

1. Chapter 530 Sidewalk Construction, Maintenance, and Use
2. WI State Statute 66.0907 Sidewalks
3. City of Ashland, WI Sidewalk Special Assessment Policy, March 24, 2006

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

**TREASURER'S
CERTIFICATE:** N/A

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 policy conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the March 30, 2021 meeting, City Council approved sidewalk special assessments for the Waterfront Access Road Street Reconstruction Project at the rate of 50% of the anticipated construction cost.

The City's current policy for sidewalk special assessments was last approved by the Council in May 2006 and states that special assessments shall be calculated at the rate of 40%.

City staff is proposing to formally amend the policy to 50% of the anticipated construction cost in order to support greater enhancements to sidewalk infrastructure throughout the City and to establish consistency for future projects on an interim basis. City Ordinance 530 Sidewalk Construction, Maintenance, and Use states that the policy shall be reviewed and approved by the Council annually, while Wis. stat. 66.0907 allow for assessment of 100% of the costs associated with sidewalk construction and/or repair.

The policy requires further review via the Public Works committee to address issues such as specific elements included in the special assessments, the expected service life used to determine applicability of special

assessments, repayment period, and impact of grant funding on the proposed assessments.

Staff plans to provide recommendations on these issues via the Public Works Committee. Council approval of the existing policy, amending the assessment rate from 40% to 50%, is requested on an interim basis to allow for the timely completion of current projects in the 2021 construction season.

CHAPTER 530. SIDEWALK CONSTRUCTION, MAINTENANCE, AND USE.

530.01. Purpose. The purpose of this policy is to establish objectives, criteria, and procedures for the construction and maintenance of sidewalks. These policies are designed to:

(a) Establish a policy for locating sidewalks in order to provide the citizens of Ashland with a useful, consistent and safe pedestrian infrastructure while considering special circumstances of neighborhoods;

(b) Establish a policy of assessments for the costs of constructing, maintaining and repairing sidewalks

(c) Implement a plan of scheduled City maintenance and inspection of sidewalks;

(d) Establish design and construction standards;

(e) Establish a policy of individual responsibility and care;

(f) Provide a procedure for an orderly system of construction of sidewalks in existing developed areas of the City based on established criteria.

530.02. Sidewalk Location Criteria. The Common Council of the City of Ashland shall determine the location and configuration of sidewalks in the City. It shall be the general practice of the Common Council to provide for sidewalks on all residential and commercial streets and avenues in the City. However, the Common Council recognizes that sidewalks may not be desirable in all circumstances and shall use the following criteria to guide the Common Council and the Department of Public Works in determining whether to locate sidewalks on any particular City street or avenue:

(a) Streets and avenues in traditional residential neighborhoods or residential neighborhood with densities greater than 2 residential dwelling units per acre shall receive strong consideration by the Common Council for construction of sidewalks.

(b) Streets and avenues that have a direct relationship with parks, schools, public facilities, places of public assembly or commercial areas shall receive strong consideration by the Common Council for construction of sidewalks.

(c) Streets and avenues that experience high traffic volume, high traffic speeds and high volumes of pedestrian use that would indicate a safety need shall receive strong consideration by the Common Council for construction of sidewalks.

(d) Due to the availability of sunlight on the north and east sides of roadways, streets and avenues that are designated to receive a sidewalk on one side only shall have the sidewalk constructed on the north or east side of the roadway.

(e) The location of sidewalks within the public right-of-way may be adjusted at the direction of the Director of Public Works to accommodate the unique physical characteristics of the property and to better meet the needs or concerns of abutting property owners.

(f) The Common Council may exercise considerable discretion in determining the location of sidewalks in the City and the Common Council recognizes the right of the City to build sidewalks on any public right-of-way that they may determine appropriate.

530.03. Location of Sidewalks. The Department of Public Works shall prepare and maintain a Sidewalk Location Map that shows where sidewalks will be constructed in the City. The Sidewalk Location Map shall indicate the priority status of the street or avenue and whether a sidewalk will be constructed on both sides, or one side only. The map shall be reviewed and approved annually by a resolution of the Common Council and shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk.

530.04. Multi-Year Sidewalk Improvement Program. The Public Works Department shall create and maintain a program for the replacement and/or construction of sidewalks. The program shall be a component of the long-range capital improvement program of the City of Ashland. The Public Works Department shall conduct annual inspections of sidewalks located in the public right-of-way. The Department shall maintain a written record regarding the condition of sidewalks in the City and document all removal, repair or replacement activity. In establishing priorities, the Department shall consider the following:

(a) The condition rating given by the Department during the regular inspections of the sidewalks;

(b) The estimated pedestrian use that is currently being experienced, or which can reasonably be expected to be experienced, on a designated safe walking route;

(c) The traffic volume and speed on streets adjoining a designated safe walking route;

(d) The adequacy of existing safe walking routes to schools;

(e) The need for sidewalks for one or both sides of the street to establish a safe walking route;

(f) The capital improvement schedule of adjoining street and utility projects; and

(g) A property owner or a group of property owners may petition the City for consideration for inclusion and priority status on the Sidewalk Improvement Program.

As part of the annual municipal budget process, the Public Works Director shall present recommendations for the replacement and/or construction of new sidewalks in the City.

530.05. Sidewalk Construction, Maintenance and Repairs. The City of Ashland shall be responsible for construction and physical maintenance and repairs of sidewalks located on the public right-of-way. The City shall assess the costs of sidewalk construction, maintenance and repairs to abutting property owners in conformance with the Sidewalk Special Assessment Policy. The Sidewalk Special Assessment Policy shall be reviewed and approved annually by a resolution of the Common Council and shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk. The special assessment policy shall apply to all locations described in Section 530.030 with the following exceptions and criteria:

(a) The developer of any new residential, commercial, or industrial site shall present sidewalk plans to the City for review and approval at the time building plans are submitted and prior to any construction starting. The cost of installing new sidewalks at locations abutting new residential, commercial or industrial construction shall be the responsibility of the developer.

(b) Where sidewalk construction or replacement is incidental to Federal or State highway construction and the costs for the sidewalk construction are borne entirely by the Federal or State Agency.

(c) Where a property owner chooses to construct, replace or repair sidewalk in the abutting right-of-way. The work shall be performed by a pre-approved Contractor or an “experienced and qualified individual” in good standing with the Public Works Department. The total cost of construction, and removal where necessary, shall be borne entirely by the property owner.

(d) No one shall construct or replace sidewalk in the public right-of-way where it is not provided for in section 530.030 of this ordinance.

(e) Funding for sidewalk construction, maintenance, replacement and removal shall be considered each year by the City Council as part of their annual budget deliberations.

530.06. Abandonment of Sidewalks. The Department of Public Works will be responsible for the removal of unsafe sidewalks in the City, where those sidewalks exist on roadways that are not designated for sidewalks in this Ordinance. The Public Works Department shall remove and dispose of the concrete from abandoned sidewalks at no cost to the abutting property owner. Upon removal of the concrete, the Department shall repair improved driveways and/or walkways damaged as a result of the sidewalk removal. The Department will place clean fill material and plant grass seed in the remaining excavated area. Adjoining property owners shall be responsible for the watering and care of the newly landscaped area.

530.07. Sidewalk Construction. All sidewalk construction, on public right-of-ways, shall be in strict compliance with the Standard Specifications for Sidewalk Construction developed and approved by the Public Works Department of the City of Ashland. The Standard Specifications for Sidewalk Construction shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk. The Department shall provide a copy of this Ordinance and a copy of the “Comprehensive Sidewalk Policy” to

any person or contractor intending to complete sidewalk improvements in the City. In addition to the construction requirements listed in the Standard Specifications, the following construction requirements must be followed:

(a) A right of way permit issued under Chapter 501 must be obtained from the Public Works Department prior to digging, excavating, trenching, auguring, or jacking within any street right of way.

(b) Anyone completing unapproved sidewalk construction shall be subject to a fine or forfeiture as provided by these Ordinances and may be required to remove or replace the unapproved sidewalk at their own expense if the sidewalk does not meet the standards of the City.

(c) The person or contractor holding the right-of-way permit for sidewalk construction or maintenance is responsible for the safety of pedestrians and vehicular traffic in the immediate area of the construction site.

(d) All sidewalks constructed within the City shall meet the requirements and provisions set forth in the Americans with Disabilities Act.

(e) Deviations from the normal placement of sidewalks may be approved by the Director of Public Works/City Engineer after a complete review of the physical conditions of the property and the impacts on the abutting property owners.

(f) It is the intent of this chapter to limit the construction of sidewalks in the City of Ashland to the streets and avenues identified on the approved sidewalk map as referenced in Section 530.03. Changes to the approved sidewalk map may be made by the City Council after a complete review of the public costs and public benefits that would be anticipated from the proposed change.

530.08. Summer Sidewalk Maintenance. Summer maintenance of sidewalks shall be the responsibility of property owners abutting the City sidewalk. Maintenance shall include, but not be limited to:

(a) Removal of encroachments, hazards or obstructions such as grasses, weeds and vegetation across the width and length of sidewalk abutting the property. It will also include sod, leaves, branches, sand and rock.

(b) Overhanging vegetation, ornaments, decorations, or structures shall not hang below a height of eight feet over the sidewalk grade.

(c) No vegetation, structures, ornaments, or decorations shall encroach upon the sidewalk within a vertical line starting at the inner edge of the sidewalk.

(d) The Public Works Director may order the removal of grasses, weeds, vegetation and other

encroachments, hazards or obstructions. Removal shall be the responsibility of the owner(s) of the abutting property. If after adequate notification, the abutting property owner(s) fail to remove the encroachments, hazards or obstructions, then the Public Works Director may arrange for a contractor to undertake the removal. The bill for removal shall be provided to the abutting property owner and if unpaid, a lien may be placed on the abutting property in accordance with sec. 66.615, Wis. Stats.

(e) The Public Works Director may order the removal of any tree that may be causing damage to a sidewalk. Trees located on the public right-of-way shall be removed at the expense of the City of Ashland. Removal of a tree located on private property causing damage to the sidewalk shall be the responsibility of the owner(s) of the abutting property. If after adequate notification to remove a tree causing damage, the abutting property owner(s) fail to remove the tree, then the Public Works Director may arrange for a contractor to undertake the removal. The bill for removal of the tree shall be provided to the abutting property owner and if unpaid a lien may be placed on the abutting property in accordance with sec. 66.615, Wis. Stats.

530.09. Winter Sidewalk Maintenance. The property owner abutting a public sidewalk shall be responsible for the removal of snow from the sidewalk. Snow removal shall include the entire width of the sidewalk and shall be completed no later than 48 hours after a snowfall of two (2) inches or greater. In the case of a snow emergency declared by the City, snow removal shall be completed within 48 hours after the City has declared an end to the snow emergency. Snow removal shall be to the lowest level possible to allow safe travel by pedestrians. The Department of Public Works will be responsible for the removal of snow from sidewalks in the following situations:

(a) The Department may cause the removal of snow and ice from sidewalks that have not been removed in the required time period by the responsible property owners. Failure to remove snow and ice from sidewalks as provided by this Ordinance will result in a fine or forfeiture levied against the abutting property owner as provided by these Ordinances. Also, the Department shall bill the abutting property owner for the full cost of removing the snow and ice and if unpaid a lien may be placed on the property in accordance with Wisconsin Statute (66.615).

(b) The Department will remove snow from the Business District of the City in accordance with the provisions and assessments of Municipal Ordinance Number 533.

(c) The City Council may, after a finding of compelling public safety concern and by formal Resolution, direct the Department of Public Works to accept the responsibility for primary snow removal on a designated sidewalk. In cases where the Department provides primary snow removal services, the abutting property owner will be responsible for any and all secondary snow removal activities, including the shoveling of spillage from City equipment and the scraping, sanding and placing melting agents when appropriate.

(d) The Mayor of the City of Ashland may declare by formal Proclamation an extended winter snow emergency and suspend the requirements for abutting property owners to remove snow and ice from City sidewalks.

530.10. Prohibited Acts The following activities shall be prohibited on City sidewalks:

(a) No one shall damage City sidewalks. Anyone damaging a City sidewalk shall be subject to a fine or forfeiture as provided by the Ashland city Ordinances and will be required to repair or replace the damaged sections of sidewalk in accordance with City standards.

(b) No one shall park motorized vehicles of any type on, or over, a City sidewalk unless for purposes of temporary loading, or unloading, or those vehicles that are intended for the sole use of a child or those vehicles are considered to be medical apparatus.

(c) No one shall allow an ongoing accumulation of toys, debris, bicycles, or any other item that may be considered unsafe for pedestrian movement.

(d) No one shall place electrical cords, garden hoses, ropes, or cords, or unlighted barricades across City sidewalks during hours of darkness.

(e) No person shall operate motorized vehicles of any type on City sidewalks. Motorized toys used by children, as well as, medical apparatus are exempt from this chapter. Motorized vehicles used for the sole purpose of snow removal are exempt while removing snow.

(f) No bicycles, skateboards, roller blades or roller skates shall be operated upon any sidewalk in any portion of the Central Business District in the area described below. Bicycles, skateboards, roller blades and roller skates may be operated on the sidewalks in public parks and in residential districts, but in single file only. Under all circumstances, the users shall yield the right-of way to pedestrians using the sidewalks, and due and proper care shall, at all times, be exercised by the users for the pedestrians. When approaching a pedestrian on a sidewalk, the speed of a bicycle or skate board shall be reduced to a speed which is no greater than necessary to continue the operation of the bicycle or skateboard without the rider dismounting, and shall not be increased until the pedestrian has passed. When approaching a pedestrian, roller blade and roller skate users shall yield the right-of-way to the pedestrian and slow to a speed which allows for safe, controlled passing of the pedestrian. "Central Business District" sidewalks are defined as those sidewalks lying within the area between US Highway #2 and Third Street and bounded on the East by Stuntz Avenue and on the West by Beaser Avenue.

530.11. Enforcement. Enforcement of these Ordinances shall be a cooperative effort between the Ashland Police Department, Ashland Public Works Department and the City Zoning Administrator. The Police Department shall enforce the provisions of this chapter related to bicycles, roller blades, skateboards, roller skates or motorized vehicle violations. The Public Works Department shall enforce the construction standards and maintenance sections of chapter. The Zoning Administrator shall enforce the restrictions related to placement of items on the sidewalk and property maintenance related violations.

530.12. Penalties.

(a) Anyone violating the provisions of these Ordinances shall forfeit not less than the following:

- (1) 1st Offense: \$25.00
- (2) 2nd Offense: \$50.00
- (3) 3rd and subsequent offenses: \$100.00

(b) Forfeitures shall be in addition to any bills issued by the City for work performed, either by or under the direction of the City, to correct conditions leading to a violation of these Ordinances.

ADOPTED: 530 (1629) 5/9/2006

AMENDMENTS: 530 (1692) 11/18/2008, 530 (2015-1853) 9/29/2015,
 530 (2019-1913) 2/5/2019

66.0907 Sidewalks.

- (1) **PART OF STREET; OBSTRUCTIONS.** Streets shall provide a right-of-way for vehicular traffic and, where the council requires, a sidewalk on either or both sides of the street. The sidewalk shall be for the use of persons on foot, and no person may encumber the sidewalk with boxes or other material. The sidewalk shall be kept clear for the use of persons on foot.
- (2) **GRADE.** If the grades of sidewalks are not specially fixed by ordinance, the sidewalks shall be laid to the established grade of the street.
- (3) **CONSTRUCTION AND REPAIR.**
- (a) *Authority of council.* The council may by ordinance or resolution determine where sidewalks shall be constructed and establish the width, determine the material and prescribe the method of construction of standard sidewalks. The standard may be different for different streets. The council may order by ordinance or resolution sidewalks to be laid as provided in this subsection.
- (b) *Board of public works.* The board of public works may order any sidewalk which is unsafe, defective or insufficient to be repaired or removed and replaced with a sidewalk in accordance with the standard fixed by the council.
- (c) *Notice.* A copy of the ordinance, resolution or order directing the laying, removal, replacement or repair of sidewalks shall be served upon the owner, or an agent, of each lot or parcel of land in front of which the work is ordered. The board of public works, or either the street commissioner or the city engineer if so requested by the council, may serve the notice. Service of the notice may be made by any of the following methods:
1. Personal delivery.
 2. Certified or registered mail.
 3. Publication in the official newspaper as a class 1 notice, under ch. [985](#), together with mailing by 1st class mail if the name and mailing address of the owner or an agent can be readily ascertained.
- (d) *Default of owner.* If the owner neglects for a period of 20 days after service of notice under par. [\(c\)](#) to lay, remove, replace or repair the sidewalk the city may cause the work to be done at the expense of the owner. All work for the construction of sidewalks shall be let by contract to the lowest responsible bidder except as provided in s. [62.15 \(1\)](#).
- (e) *Minor repairs.* If the cost of repairs of any sidewalk in front of any lot or parcel of land does not exceed the sum of \$100, the board of public works, street commissioner or city engineer, if so required by the council, may immediately repair the sidewalk, without notice, and charge the cost of the repair to the owner of the lot or parcel of land, as provided in this section.
- (f) *Expense.* The board of public works shall keep an accurate account of the expenses of laying, removing and repairing sidewalks in front of each lot or parcel of land, whether the work is done by contract or otherwise, and report the expenses to the comptroller. The comptroller shall annually prepare a statement of the expense incurred in front of each lot or parcel of land and report the amount to the city clerk. The amount charged to each lot or parcel of land shall be entered by the clerk in the tax roll as a special charge, as defined under s. [74.01 \(4\)](#), against the lot or parcel of land and collected like other taxes upon real estate. The council by resolution or ordinance may provide that the expense incurred may be paid

in up to 10 annual installments and the comptroller shall prepare the expense statement to reflect the installment payment schedule. If annual installments for sidewalk expenses are authorized, the city clerk shall charge the amount to each lot or parcel of land and enter it on the tax roll as a special charge, as defined under s. [74.01 \(4\)](#), against the lot or parcel each year until all installments have been entered, and the amount shall be collected like other taxes upon real estate. The council may provide that the street commissioner or city engineer perform the duties imposed by this section on the board of public works.

- (5) **SNOW AND ICE.** The board of public works shall keep the sidewalks of the city clear of snow and ice in all cases where the owners or occupants of abutting lots fail to do so, and the expense of clearing in front of any lot or parcel of land shall be included in the statement to the comptroller required by sub. [\(3\) \(f\)](#), in the comptroller's statement to the city clerk and in the special tax to be levied. The city may also impose a fine or penalty for neglecting to keep sidewalks clear of snow and ice.
- (6) **REPAIR AT CITY EXPENSE.** The council may provide that sidewalks shall be kept in repair by and at the expense of the city or may direct that a certain proportion of the cost of construction, reconstruction or repair be paid by the city and the balance by abutting property owners.
- (7) **RULES.** The council may by ordinance implement the provisions of this section, regulate the use of the sidewalks of the city and prevent their obstruction.
- (10) **APPLICATION OF SECTION; DEFINITIONS.** The provisions of this section do not apply to 1st class cities but apply to towns and villages, and when applied to towns and villages:
 - (a) "Board of public works" means the committee or officer designated to handle street or sidewalk matters.
 - (b) "City" means town or village.
 - (c) "Comptroller" means clerk.
 - (d) "Council" means town board or village board.

History: [1975 c. 172](#), [356](#), [421](#), [422](#); [1979 c. 32](#); [1983 a. 189](#), [532](#); [1991 a. 316](#); [1993 a. 490](#); [1999 a. 150](#) s. [542](#); Stats. 1999 s. 66.0907; [2015 a. 55](#).

A city cannot delegate its primary responsibility to maintain its sidewalks, nor delegate or limit its primary liability by ordinance. *Kobelinski v. Milwaukee & Suburban Transport Corp.* [56 Wis. 2d 504](#), [202 N.W.2d 415](#) (1972).

The defendant property owners' failure to remove snow and ice from sidewalks in violation of a municipal ordinance did not constitute negligence per se. *Hagerty v. Village of Bruce*, [82 Wis. 2d 208](#), [262 N.W.2d 102](#) (1978).

A city, exercising its police power, can impose a special tax on properties for the cost of installing a sidewalk on an adjacent city right-of-way without showing that the properties would be benefited. *Stehling v. City of Beaver Dam*, [114 Wis. 2d 197](#), [336 N.W.2d 401](#) (Ct. App. 1983).

CITY OF ASHLAND, WISCONSIN SIDEWALK SPECIAL ASSESSMENT POLICY

(Dated: March 24, 2006)
(Referenced by Ordinance No. 530; Adopted May 9, 2006)

1.0 PURPOSE

The purpose of this Policy is to assure fair and equitable cost recovery for pedestrian infrastructure improvements and to set forth a methodology determining the amount of the assessment for the improvements and circumstances on a reasonable basis. It is the policy of the City of Ashland that all properties specially benefiting from sidewalk improvements pay a portion of their fair share of the cost of such improvements.

The policies contained herein are designed to serve as a general guide for the City Council in allocating benefit to properties. The City Council reserves the right to vary from these policies if the assessments derived by imposition of the policies create obvious inequities, where the assignment of benefit to a particular property is difficult to determine, or because of extreme or unusual circumstances, or for other good reason.

2.0 SPECIAL ASSESSMENT PROCEDURES

The Wisconsin Statutes prescribe the general procedures which cities must follow to specially assess property for local improvements. Typical public improvement projects for which special assessments are levied include sidewalks and related pedestrian infrastructure elements. Pertinent statute sections include §66.0703 and §66.0907. In accordance with §66.0907, municipalities may impose assessments for the costs of laying, removing, replacing, repairing, and maintaining sidewalks. Charges for sidewalk work are levied under police powers and do not require a showing of benefit to properties charged (*Lisbon Ave. v. Town of Lake*, 134 Wis. 470, 475, 113 N.W. 1099 (1908)).

The City of Ashland adopts, makes a part of this policy by reference, and incorporates the procedures for levying special assessments as contained in Wisconsin Statutes §66.0907. Whenever the provisions of this policy are contrary to those contained in §66.0703, §66.0907, or other applicable provisions of the Wisconsin Statutes or administrative regulations, the Wisconsin Statutes or administrative regulations shall control.

All special assessments levied in the City of Ashland shall be grounded in the exercise of police powers for the health, safety and welfare of the public.

It is hereby determined that all properties lying within the incorporated boundaries of the City of Ashland receive similar benefit for similar categories of improvements and therefore the rates established for the levy of special assessment shall be applied on a uniform basis throughout the City, for the benefits received, regardless of the location of the improvements and the method of financing. In no case shall the total special assessments exceed the total cost of all improvements constructed as part of the annual Capital Improvement Program (CIP).

3.0 ASSESSMENT BASIS

Special assessments are to be computed and based on a per linear foot of frontage basis (i.e., *front footage* basis), except in the case of residential corner lots.

The front footage of corner lots shall be determined by the side of the lot bearing the street address and front entrance of the home. All corner lots shall receive a 140 ft. *flankage credit* for sideyard sidewalk. The assessment for corner lots shall be limited to the front footage plus any remaining side footage after deducting flankage credit. All residential corner lots receive this 140 ft. flankage credit.

The following examples help to illustrate how corner lots are assessed:

- a) If a large 140' (front) by 150' (deep) corner lot is to receive all new sidewalks on both sides, then the assessment would be for 150 ft. total (140' of frontage plus 150' side yard minus the flankage credit of 140') = 150 ft. total).
- b) If a smaller 100' (front) by 140' (deep) corner lot is to receive all new sidewalks on both sides, then the assessment would be for 100 ft. total (100' of frontage plus 140' side yard minus the flankage credit of 140') = 100 ft. total). Likewise for a 50' or 75' wide lot.

If a corner lot did not have sidewalk on its frontage OR its frontage sidewalk is all in excellent shape, and the project calls for new sidewalk installation on its flanking side only; then the property would be assessed for only that portion of the flanking side that exceeds the 140 ft. flanking credit. For example,

- c) If a large 100' (front) by 150' (deep) corner lot is to receive a new side yard sidewalk (flanking side) only; then the special assessment would be for 10 feet (150' deep flanking side minus 140' flankage credit).

The flankage credit is determined to be 140 feet based on the fact that the typical Ashland lot is 140 ft. deep. The flanking side of a lot is not intended to be special assessed until the amount of sidewalk installed or replaced on the flank within any 20 year period exceeds 140 lineal feet.

4.0 ASSESSABLE PROJECT ELEMENTS AND COSTS

Recognizing that it is the policy of the City of Ashland to levy special assessments to recover approximately 50% of the cost of constructing sidewalk improvements. The City Council establishes the locations and priorities for sidewalk improvement projects as described in Ordinance 530, *Ordinance to Adopt a Sidewalk Construction, Maintenance, and Use Policy for the City of Ashland*.

The City Council establishes the assessment rates for sidewalk improvements. Annually the Director of Public Works/City Engineer will recommend adjustments in the special assessment rates based on construction costs experienced the previous construction season. This rate will be published in the Comprehensive Fee Schedule, adopted annually by City Council.

All construction shall be in accordance with standards as published in the most recent version of the *City of Ashland Standard Specifications for Sidewalk Construction*, unless otherwise approved in writing from the Director of Public Works/City Engineer.

Assessable project elements and costs to be included in the special assessment computations are described herein:

- a) Sidewalk Removal, Saw Cutting, and other associated demolition costs: Costs for removal, saw cutting, and other associated demolition costs of existing sidewalks is to be included with construction costs.
- b) Grading and Gravel Base: The grading and construction of a gravel base for sidewalk construction will be included with construction costs.
- c) Curb, Gutter, and Pedestrian Handicap Ramps: The construction or replacement of concrete curb and gutter associated with installation of pedestrian ramps and/or adjacent sidewalks will be included in cost computations, and shall be allocated evenly as part of general sidewalk improvement construction costs. This shall include the installation of color-contrasted truncated dome devices for visually impaired pedestrians.
- d) Sidewalk Construction Costs: New sidewalk construction, or complete replacement of existing sidewalk, is to be included in the costs for construction.
- e) Replacement Sidewalk and Repairs to Existing Sidewalk: Spot repairs of existing sidewalk, including grinding, milling, mud-jacking, or individual panel replacement is to be included in the costs for construction.
- f) Tie-in Sidewalks and Driveway Aprons: Sidewalks and driveway aprons that tie-in and connect to the public walkways (carriage and entrance walks) shall be included with general construction costs only to the extent that they are removed and replaced to facilitate construction of the new sidewalk or to accommodate necessary grade changes. General improvements elected by the property owner are not included in the general project costs; and while encouraged by the City, all such improvements and related expenditures shall be independently borne by the property owner.
- g) Boulevard (Terrace) Restoration: For the purpose of this paragraph the word boulevard (terrace) means that area between the back of the curb and the sidewalk, or, in the absence of a sidewalk, the property line.

Boulevard (terrace) restoration, seeding or sodding will be included in the cost calculations. No assessments will be made for replacement of turf located outside the street right-of-way that is required to be replaced to facilitate the matching of the existing yard to the new street construction.

- h) Retaining Walls: When it is determined that the construction of retaining walls, as part of street improvements, has a shared benefit between the property owner and the City, in that the property owner usually has larger useable lot area than would be available in the absence of the wall. The cost of constructing a retaining wall will therefore be split, with 50% of the cost of constructing the first five feet (5') of height of the retaining wall special assessed to the abutting lot. The City will pay for 50% of the cost of the first five feet (5') of height and 100% of the cost above five feet (5') of height of a retaining wall. A retaining wall shall be assessed on a

square foot basis for the amount of retaining wall constructed adjacent to the benefited property.

- i) Expected Service Life: Sidewalks and related infrastructure are judged to have a normal useable life expectancy. For the purposes of determining whether or not special assessments apply to properties, the expiration of an expected service life shall be the governing criterion. Sidewalks beyond the expected service life as noted below shall be assessed; those within the service life shall be exempt from assessments. For the purpose of this policy, the life expectancy for sidewalk improvements is as follows:

Pedestrian Handicap Ramps/Truncated Dome Devices – 20 years
Sidewalks – 20 years

5.0 ASSESSMENT AMOUNTS AND REPAYMENT

This section of the policy to sets forth the amounts and repayment terms of special assessments.

- a) Special assessments shall be for approximately 50% of the construction costs as determined by the criteria noted above. The actual assessment rate shall be set annually and adopted by Council as part of the Comprehensive Fee Schedule.
- b) Special assessments may be paid in full following completion of the work (with no interest), or through 10 equal annual installments.
- c) The interest rate shall be 1% above the City's borrowing rate (as determined by loan or bond issuance) to cover overhead expenditures associated with administration of the program.
- d) Assessments shall be due in full upon sale or transfer of the property.
- e) The payment of special assessments through installments may be extended in cases of hardship. Repayment terms may be extended to 20 years of equal installments (per 66.0715) if a resident so chooses.

6.0 MISCELLANEOUS PROVISIONS

It is the intention of this section of the policy to clarify special circumstances, which may arise in establishing the benefit to lots as a result of public improvements completed by the City of Ashland.

- a) The policies set forth in this document do not alter the requirements of the City's subdivision and zoning codes with regard to a developer's responsibility to provide and pay for required improvements at the time that any given property is to be improved.

- b) The City of Ashland shall special assess improvements to railroad property as permitted by the Wisconsin Statutes, except as may otherwise be determined by the City Council.
- c) The City of Ashland shall bear 100% of the costs associated with constructing sidewalks on city-owned properties.
- d) The City of Ashland's utilities shall bear 100% of the costs associated with constructing sidewalks on utility properties (allocated to the appropriate utility).
- e) Projects constructed by Federal or State monies/agencies that include full payment of sidewalk construction costs as part of the respective projects are not subject to special assessments. Those that provide partial or no payment of sidewalk construction costs will be special assessed, subject to the specific requirements of pertinent federal and state funding sources.
- f) Property owners undertaking their own work, or arranging for pre-approved contractors to do so, shall not be special assessed. However, they are responsible for completing all work as described herein and in accordance with Ordinance 530.