

**THE CITY OF ASHLAND WILL BE CONDUCTING THEIR MEETINGS IN PERSON
at
CITY HALL COUNCIL CHAMBERS, 601 MAIN STREET WEST, ASHLAND, WI
WITH THE AVAILABILITY TO ATTEND VIRTUALLY**

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

To join the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/982650549>

Or dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

Access Code: 982-650-549

**ASHLAND CITY COUNCIL MEETING
Tuesday, September 28, 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. September 14, 2021 City Council and Committee of the Whole Meeting minutes

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

A. Announcements

B. Appointments

6. CONSENT AGENDA

A. Miscellaneous Meeting Minutes

7. OLD BUSINESS

A. Approve a Resolution Directing the City Clerk to Place the Referendum Question Regarding Legalization of Cannabis on the April 5, 2022 Ballot (*Approved 9-1 at Committee of the Whole 9/14/2021*) Roll

8. NEW BUSINESS

- A. Public Hearing on a request for a Conditional Use Permit (CUP) to operate an emergency residential facility at 2300 Lake Shore Drive W, parcel #201047450000, zoned Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O) and Wetland-Overlay (WET-O). Applicant: Northwest Wisconsin Community Services Agency (NWCSA) Roll**
- B. Approve a Resolution to Issue a Conditional Use Permit to Allow an Emergency Residential Facility at 2300 Lake Shore Drive West, Parcel #201-04745-0000, Zoned Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O), and Wetland-Overlay (WET-O). Applicant: Northwest Community Services Agency (NWCSA) (*Planning*) Roll**
- C. Approve to Accept a Bid from a Qualified Contractor for the Kreher Park Redevelopment: Parking Lot Project (*Parks*) Roll**
- D. Approve to Accept the Workmanship of Ashland Construction and Approve Final Payment for the 2020 Vaughn Avenue and 7th Street West Reconstruction and Utility Replacement Project (*Public Works*) Roll**
- E. Approve to Accept the Workmanship of Northwoods Paving and Approve Final Payment for the 2020 Road Resurfacing Project (*Public Works*) Roll**
- F. Approval of the Resolution of the State of Wisconsin, Board of Commissioners of Public Lands, Application for State Trust Fund Loan for the Sum of \$70,000 for the Purpose of Financing Solar Panels/System for the Ashland Area Development Corporation Building and for No Other Purpose (*Finance*) Roll**

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

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United States (Toll Free): 1-877-309-2073

Access Code: 157-254-717

ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, September 14, 2021 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, September 14, 2021 Ashland City Council meeting was called to order by Mayor Debra Lewis 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, Ana Tochtermann, Eric Lindell, Kevin Haas, Charlie Ortman, Liz Franek, Dick Pufall, Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Fire Chief Stuart Mathias, Planning Director Megan McBride, Parks Director Sara Hudson, Human Resources Director Jennifer Bouley, and other concerned citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. August 31, 2021 City Council and Committee of the Whole Meeting Minutes

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

4. CITIZEN PARTICIPATION PERIOD

Nancy Brede, 800 Maple Ridge Road expressed her opposition of Council's approval of the sand pit CUP.

Matt MacKenzie, 518 9th Avenue West, urged Council to keep the City's insurance broker local.

Pat Kinney, 1119 2nd Avenue West, encouraged Council to stay with a local broker for the City's health insurance.

Pat Nemec, 109 15th Avenue East, supported using a local broker for the City's health insurance contract.

Peggy Koehler, 401 Maple Ridge Road, showed her concern of the increased traffic flow, proposed berm, and compliance with the City's comprehensive plan by approving the sand pit CUP request.

Ted Koehler, 401 Maple Ridge Road, expressed his displeasure of the sand pit decision made by Council.

Anna Stoklassa, 7001 Maple Ridge Road, stated she received information about the sand pit public hearing while out of town, and was dissatisfied with the process of the proposal.

5. MAYOR'S REPORT

A. Announcements

Mayor Lewis noted there was an information session and public hearing for the proposed homeless shelter at the Library meeting room on Thursday, September 16, 2021 beginning at 6:30 p.m. As mentioned previously, the Mayor announced that she would not be running for re-election in the Spring of 2022, and thanked everyone for working with her and supporting her. The strategic plan goals that were identified at the retreat in late August were handed out to the Councilors, along with a reminder of the Nine Tools of Civility as a reminder since it has been so long since the Council had met in person.

6. CONSENT AGENDA

A. Miscellaneous Meeting Minutes

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

7. OLD BUSINESS

- A. Approve to Enter into a Contract with M3 Insurance Solutions as the Broker of Record for Employee Benefits, and for the Human Resources Director to Enter into Negotiations for Employee Health Insurance Benefits (*Human Resources*) Roll**

Kucera began by announcing his decision while keeping the employees and tax payers in mind, and asked Council to not approve the recommendation of proceeding with a contract with M3 Insurance Solutions as the broker of record, and to retain Great Lakes Insurance Agency, due to the concerns of the process and communication regarding this item. Haas moved, seconded by Ortman to approve. The motion failed 1-9 by roll call vote; in favor was Moore.

8. NEW BUSINESS

- A. Approve a Resolution to Postpone Filling Ward 4 Council Vacancy until After the City of Ashland Redistricting Process due to the 2020 Census (*Clerk*) Roll**

Haas moved, seconded by Moore to approve. The motion passed 9-1 by roll call vote; opposed was Franek.

- B. Approve Wisconsin Main Street Communities Agreement between the Wisconsin Economic Development Corporation and Ashland Main Street (*Planning*) Roll**

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

- C. Approve a Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing through the State of Wisconsin Environmental Improvement Fund for the 2022 Sanitary Sewer Rehabilitation & Replacement Project (*Public Works*) Roll**

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

- D. Approve an Authorizing Resolution for Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Programs (*Parks & Recreation*) Roll**

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

- E. Approve Change Order No. 1 to Northern Interstate Construction for the 2021 Waterfront Access Road Project (*Public Works*) Roll**

Haas moved, seconded by Graf to approve the change order for Northern Interstate Construction for the amount of \$74,753.50. The motion passed unanimously by roll call vote.

9. ADJOURNMENT

Lindell moved, seconded by Moore to adjourn. The motion passed 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 **September 14, 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, September 14, 2021 City of Ashland Committee of the Whole Meeting was called to order by Council President Kevin Haas at 6:50 p.m.

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

ABSENT: None.

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, Fire Chief Stuart Mathias, Parks Director Sara Hudson, Public Works Director John Butler, and other concerned citizens.

2. Council President's Report

Haas offered his appreciation to Lewis for her dedication and service while Mayor. He also reminded Council to utilize their microphones while speaking for the benefit of those attending online.

3. Administrator's Report

Kucera reviewed the strategic planning goals with Council as were named at the recent retreat, and complimented the time and effort by Council, staff and administration compiling the goals. A proposal to bring back Managing Results to assist with plan implementation, will be coming back to Council in the near future. The fire department is expecting delivery of their new truck by October 1, 2021 and should be in full use by mid-month. Although there have been a number of delays due to backorders, etc. for the new police facility, an open house will likely be planned for early October. A Covid update was also given by the administrator.

4. Approval of Agenda

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

5. Discussion Items

A. Discussion and Possible Action Regarding a Possible Referendum Asking Voter Opinion on the Legalization of Cannabis (*Councilor Lindell*)

Haas introduced the item by reminding Council that the intention of this item is to discuss the Citizens' interest in proposing a referendum of support, regardless of each Council person's individual opinion. Lindell explained his reasoning for bringing this forward. Ortman moved, seconded by Lindell to move forward with bringing a referendum to the Spring 2022 ballot. The motion carried 9-1 by voice vote.

B. Discussion and Possible Action Regarding Kreher Park Redevelopment and Campground Expansion Updates (*Parks Director*)

Hudson presented an update of information regarding the Kreher Park redevelopment and campgrounds progress, and options to move forward. Lindell moved, seconded by Ortman to approve staff to proceed with entering into an agreement with a qualified landscape architecture firm to plan and redesign Kreher Park and RV Campground. The motion carried unanimously by voice vote.

C. Discussion and Possible Action Regarding the City of Ashland's Policy for Acceptance of Donations From Enbridge (*Parks Director*)

Lewis noted a correction that this item was brought forward by the Mayor's office and not Parks, and that the dollar amount offered by Enbridge is \$60,000 total and not per project. Lindell moved seconded by Seefeldt to approve to apply for funding through Enbridge. Pufall called the question which was approved unanimously. The motion failed 0-10 by voice vote.

6. Adjournment

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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SUBJECT: Appointments**RECOMMENDATION:** Approval**DEPARTMENT OF ORIGIN:** Mayor**CLEARANCES:** Mayor**EXHIBITS:** 1. Offer to Volunteer Daryle Tucker - redacted**EXPENDITURES REQUIRED:** N/A**AMOUNT BUDGETED:** N/A**APPROPRIATION
REQUIRED:** N/A**TREASURER'S
CERTIFICATE:** N/A

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:**SUMMARY STATEMENT:**

The Mayor is respectfully requesting approval of the following appointments:

Housing Committee

Liz Seefeldt, re-appointment, term expires: October 1, 2024 (3 year term)

Municipal Library Board

Dina "Dinny" Bolka, reappointment, term expires: October 31, 2024

Police and Fire Commission

Daryle Tucker, replacing Gordon Gilbertson, who resigned, term expires May 6, 2024,

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ASHLAND

City of Ashland, Wisconsin

601 Main Street West — Ashland, WI 54806 — www.coawi.org

OFFER TO VOLUNTEER FORM

I would like to be considered a nominee for the following committee or committees:

Police and Fire Commission, Housing Authority, Parks and Recreation

Write a brief statement of education and training:

I have bachelors in Marketing, I have two Masters in Educational Leadership and Organizational Management. I am currently working on my Phd in Organizational Leadership and Behavior. I have been a collegiate Head Coach for over 15 years and adjunct faculty for about 4 years.

Biography: *(Need a sense of who you are as an individual. For example, general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc.)*

I grew up in the inner city of Decatur, Ga. Mom and dad worked hard to give me a chance at a better education. I went on to become the first member in my family to receive a college degree. My father's greatest advice given to me. You will have to work twice as hard, you will find prejudice, however you never use it as a reason you can't get ahead. I love playing "Catan" board game with family, Nintendo switch with family, hiking, coaching, Podcasting, Volunteer numerous events, have a great respect for support services in this town. I have lived in Ashland for 6 years and am a renter.

Individual references/referred by (please include phone #):

Contact information: Daryle Tucker

Name (Please print)	Phone #
811 Lakeshore Drive E, Ashland WI	
Address	
	11/18/20
Email	Date

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400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

PARKS & RECREATION COMMITTEE MEETING MINUTES

Wed, April 21, 2021 5:00 PM - 6:30 PM (CDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/852566573>

United States (Toll Free): 1 866 899 4679

United States: +1 (571) 317-3116

Access Code: 852-566-573

I. Call to Order

a. Roll Call

In attendance: Mike Amman, Meghan Salmon-Tumas, Kevin Haas, Sarah Jackson, Kelly Westlund, Dave Ullman

Excused: Dawayne Lampson

Public: Alaina Kuhlman, Katie Zimmer, Chue Lee Chang, Anna Marhefke, Karadyn Kiviaho, Aja Gregg, Nicole Foster, Charmaine Swan, Jaclynn Findlay, Cameron Kadlubowski,

b. Agenda Modification

Haas motion to move presentations to start of meeting and to change minutes approval to March 24th minutes

Salmon-Tumas seconds

Agenda modification approved unanimously

c. Approval of Minutes

i. Approval of March 24 Minutes

Approval carries unanimously

II. Public Comment Period

III. Presentations:

- Presentation by Northwest Wisconsin Lung Health Alliance
 - o Charmaine Swan and Chue Lee Chang from the Northwest Wisconsin Lung Health Alliance, present about a Tobacco Usage in City of Ashland Parks survey that was done this winter.
 - o Chue is an intern working with the Alliance and a senior at Northland College. Charmaine is the Specialist | Public Policy & Advocacy for the NW Wisconsin Lung Health Alliance

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- Evaluated signage and found it faces parkgoers at bayview dock but not park/playground. Signs on bathrooms help. No signs at Hodgkins.
- Recommendation: double signs OR place signs at entrances where possible; Use larger signs; focus on most-used parks
- Interviewed park users were unaware of smoke-free policy and had observed smoking at parks.
- Recommendation: public awareness campaign through social media, newspaper, billboard
- Online survey found about half park users aware of smoke-free policy
- Survey found that purple park, which has the most signs, had more awareness of policy there
- Although most survey respondents were non-smokers, smoking respondents were largely neutral or supportive of the policy
- Presentation by Northland College Sustainable Community Development – East End Park Community Visioning Program Result.
 - Nicole Foster, professor of Sustainable Community Development at Northland College, and her Community Sustainability Students present the results of the East End Park Community Visioning Session that was held at the East End Skating Rink on April 10 from 10am-Noon. Approximately 30 people showed up for the event.
 - Students discussed east end with community leaders and organized an engagement event
 - Found that East End residents feel left out of development, that parks have not been improved as needed
 - East End park is seen as neglected and needed
 - Survey found that most residents do not use EE Park. Those who do visit it frequently were long-term residents
 - Ice skating was most common reason to visit EE Park
 - Residents want in EE Park:
 - Infrastructure: (1) playground and (2) seating/tables/shelters
 - Tennis court removal was favored, with a tie following between maintaining them and splitting them into a hybrid use
 - Better biking and walking infrastructure wanted
 - Maintenance: ice rink must be better drained for 4-season use
 - Residents want basketball at the EE Park!
 - More community events at the EE Park are wanted
 - Improved landscaping should include flower or native garden and open green space (eg. drained ice rink)
 - Park needs a name and a sign and art
 - Ullman asks how we might have a drained area in summer that provides an ice rink in the winter

- Hudson responds that lime could be added or it could be made into a rain garden in summer
- Foster adds that residents would choose the rink over the drainage if needed to choose

IV. Information Items

- Parks Projects Updates
 - Campgrounds, Bathrooms and Pavilions will be opening at or around May 15, 2021, as long as the weather cooperates.
 - Smelting has gone well; people were unhappy about Bayview pier closing
 - Ullman asks if city is considering any awareness-raising around PFAS/PFOS advisory
 - Hudson agrees that some education is needed and should plan it for next year
- Recreation Updates
 - **Earth Day Celebration** – City Staff are hosting an Arbor Day Celebration and Earth Day Clean Up on April 24, 2021 at the H. Pearson Plaza Park. Two apples trees will be planted for the Arbor Day Ceremony. All city departments chipped on money to purchase 70 t-shirts to hand out to volunteers.
 - **Babe Ruth** – APR was approached to take over registrations and organization of Ashland Babe Ruth this year.
 - **Summer Program Planning** - APR Staff have been getting lots of phone calls about summer programs. The department hopes to have our offering finalized and open registrations by Mid-May. Will offer Rec&Read in partnership with library, using new bookmobile bike.
 - **HVAC Installation** – the new HVAC installation is 98% complete at the BCC
 - **MOU** – APR staff is working on updating the MOU with the Ashland School District and Ashland Little League for use of City amenities/facilities.
- Urban Forestry
 - The City Received 2 tree quotes. Both quotes came in over budget. APR Director is looking into purchase fewer trees from 150 trees to 100 trees.

V. Business Items:

- Approval to Apply for a DNR Recreational Trails Grant for the Ashland Rails to Trails System Improvements: Waterfront Trail Stabilization
 - The Parks and Recreation Department is seeking approval to apply for a WDNR Recreation Trails Program (RTP) Grant for improvements to the Ashland Rails to Trails System (ARTS). This grant would be used stabilize the sloughing bank

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near the intersection of the Waterfront Trail and Sanborn Avenue. Please see attached map and photos. The damage to shoreline was noticed last fall and spring thaw has caused additional sloughing. It is estimated that this section of shoreline will need approximately 35 dump truck loads of extra heavy rip rap at \$750.00/load to stabilize the shoreline and rental of a long arm excavator to perform the work, estimated to cost \$15,000. The budget also includes repaving of 450' of trail. This section of the trail is not being reconstructed in 2021 as part of the WisDOT TAP grant. If awarded this would be a 2022 project based on project work load and match funding. It is estimated the project would cost a ~ \$62,000. The City would be asking to fund \$ 31,000.00 Fund 453 Waterfront Development 2022 CIP and \$ 31,000.00 DNR RTP Grant.

- Motion to apply from Ullman, second from Salmon-Tumas
- Motion carries unanimously
- Approval to Apply for a WDNR Land and Water Conservation Grant for the Ashland Oredock Redevelopment: Pedestrian Access
 - City Staff is seeking approval to apply for a Wisconsin Department of Natural Resources Land and Water Conservation Fund (LWCP) Program for the Ashland Oredock Redevelopment: Diamond Access and Pedestrian Access. DNR Grant Specialists suggested the City of Ashland to apply for LWCF to try and fulfill that gap. Please see attached sheet. Staff estimates the reconstruction of the Ashland Rails to Trails System (ARTS) from Willis Avenue North to 9th Avenue East past the Ashland Oredock to be ~\$50,000.
 - Motion by Jackson to apply, second from Amman
 - Motion carries with 1 abstention, 5 in approval

VI. Next Meeting Date

May. 19th 5pm

VII. Comments and Questions

VIII. Adjourn

Move to adjourn by Westlund, second by Ullman, motion carries unanimously.

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate

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based on race, color, national origin, sex, religion, 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 through auxiliary aids or services. For additional information or to request this service, contact Sara Hudson at (715) 685-1644.

POLICE AND FIRE COMMISSION MEETING

ASHLAND FIRE DEPT – TRAINING ROOM

July 12, 2021

1. Call to Order

The meeting was called to order at 5:15 p.m. by Gordon Gilbertson.

2. Roll Call

Present: Gordon Gilbertson, Ed Monroe, Matthew Horning, Kate Siegler, and Melissa O'Connor

Also Present: Police Chief Bill Hagstrom, Fire Chief Stuart Matthias

3. Approval of Agenda Items

A motion was made by Matthew Horning, seconded by Kate Siegler to approve the agenda items. Motion was passed unanimously.

4. Approval of Minutes from May 3, 2021 & June 30, 2021 Meetings

A motion was made by Ed Monroe, seconded by Kate Siegler to approve minutes from May 3, 2021 and June 30, 2021 meetings. Motion was passed unanimously.

5. Election of Officers

- a. **President** – Motion made by Ed Monroe, seconded by Matthew Horning to appoint Gordon Gilbertson as President.
- b. **Vice President** – Motion was made by Gordon Gilbertson, seconded by Matthew Horning to appoint Edward Monroe as Vice President.
- c. **Secretary** – Motion was made by Gordon Gilbertson, seconded by Matthew Horning to appoint Kate Siegler as Secretary.
- d. **Recording Secretary** -- Kelly Garro and Kathy Holevatz have agreed to continue duties as recording secretaries.

Motions were passed unanimously on all of the above.

6. Police Department Business

a. Administrative Report

Chief Hagstrom went over his report that was previously emailed to the Commissioners. His report highlighted the following:

- There have been 71 Arrests and 1565 Calls in the last two months. Calls have increased from 23 a day to almost 26 a day. Citations and arrests have both increased substantially.
- Officers have been attending training, which included out of town training, training in Ashland, and also online training.
- Ashley Kusba started with the Police Dept on June 14, 2021. She just finished the Police Academy starting with the Police Dept.
- School Resource Officer, Ryan Bybee has been assisting with investigations taking over the juvenile incidents. Several vandalism incidents have occurred which included graffiti and fires. Officer Bybee solved incidents within one day of each event.
- Investigations have been busy with number of sexual assaults and child protective calls. There have been several drug arrests made and investigators continue working their way up to bigger targets. All this work is very time consuming and requires a lot of documentation.

Motion was made by Ed Monroe, seconded by Kate Siegler to approve Chief Hagstrom's report and place it on file. Motion passed unanimously.

b. Discussion on Restructuring Captain to (2) Lieutenant's

Chief Hagstrom has been working on restructuring the Police Dept and he is going to continue doing the increase of administrative work he has been doing. He has talked with other agencies and is finalizing a plan to go from one non-union Captain and one union Lieutenant to two non-union Lieutenants. With having two non-union Lieutenants they can be used as support to Chief but mainly be used to support both patrol and investigations. The Commission gave their blessing on the restructuring Chief Hagstrom has proposed. Final Decision is made by City Council.

c. Discussion on Promotion Process for Filing the Second Lieutenant Position

The Process that is currently being used will continue to be used. If there will be three or more Police & Fire Commission members involved in any promotions or in the process of interviews/hiring a meeting notice will be posted.

d. Discuss Changing Police Dept Union Employee to Non-Union

Union Lieutenant would retain title but be changed to a non-union status and also receive captain wage. This would also pertain to the second lieutenant, once he or she is hired. This change would only affect the budget by as little as \$250 per year.

7. Fire Dept Business

a. Administrative Report

Chief Matthias went over this report that was previously emailed to the Commissioners. His report highlighted on the following:

- There were 459 incidents during the last 61-day reporting period, 6 of them being fire calls. Last month 2 babies were delivered.
- The two new hires are doing very well and have positive attitudes. Potentially hiring three more candidates, this is contingent upon completion of background checks, drug testing, and psychological examinations. Fire Dept would be at full staff, which would be the first time since November of 2018.
- On-call staff has been working out very well. Would like to add another two EMS(POC's) only positions in the future.
- Fire Dept will hold picnic for department and their families on August 16th.
- Not renewing agreement with Chippewa Valley Tech to be put on their listing, costs \$1,000 per year. Term expired June 30, 2021.

Motion was made by Kate Siegler, seconded by Ed Monroe to approve Chief Matthias's report and place it on file. Motion was passed unanimously.

8. Discussion Regarding Meeting Notices

All information will be communicated with Recording Secretaries to ensure that Meeting Notices can be posted in a timely manner.

9. Next Regular Meeting Date

The next regular meeting for the Police and Fire Commission will be held on Monday, September 13, 2021, at 5:15 p.m.

10. Closed Session as Authorized by Wisconsin State Statute 19.85(1)(c) to discuss:

- a. Fire Dept – Personnel Probationary Reports & Personnel Discussion**
- b. Promotions for Fire Dept**
- c. Police Dept – Personnel Probationary Reports & Personnel Discussion**
- d. Discuss Changing Police Union Employee to Non-Union (This item was discussed in Open Session)**

A motion was made by Matt Horning, seconded by Kate Siegler to go into closed session. Motion was passed unanimously.

11. Return to Open Session

A motion was made by Kate Seigler, seconded by Matt Horning to return to open session at 5:55 p.m. Motion was passed unanimously.

12. Report Action Taken in Closed Session

- Approve and accept the Police Department's Personnel Probationary Report, including taking Officer Hintze off of probation as of July 28th.
- Approve and accept the Fire Department's Personnel Probationary Report, including recommendation by Chief Matthias to take John Bush and Lance Loftus off probation as of their one-year anniversary hire date, which is August 3, 2021.

13. Adjournment

A motion was made by Melissa O'Connor, seconded by Matt Horning to adjourn meeting at 6:05 pm. Motion was passed unanimously.

Respectfully Submitted
Kelly Garro
Recording Secretary

**POLICE AND FIRE COMMISSION
SPECIAL MEETING
VIA VIDEO CONFERENCE
AUGUST 3, 2021**

1. Call to Order

The meeting was called to order at 5:16 p.m., by Gordon Gilbertson.

2. Roll Call

Present: Gordon Gilbertson, Ed Monroe and Kate Siegler

Excused: Matthew Horning and Melissa O'Connor

Also Present: Chief Bill Hagstrom

3. Approval of Agenda Items

A motion was made by Gordon Gilbertson, seconded by Kate Siegler to approve the agenda items. Motion was passed unanimously.

4. Approval of Police Chief's selection of Lieutenant

Chief Hagstrom made recommendation to hire Brandon Marten as Lieutenant. Candidates were interviewed for the Lieutenant position by a five-person panel and they all voted unanimously for Brandon Marten.

A motion was made by Ed Monroe, seconded by Kate Siegler to approve Chief Hagstrom's recommendation to hire Brandon Marten as Lieutenant. Motion was passed unanimously.

5. Adjournment

A motion was made by Kate Siegler, seconded by Ed Monroe to adjourn meeting at 5:20 p.m. Motion was passed unanimously.

Respectfully Submitted

Kelly Garro
Recording Secretary
Police and Fire Commission

HARBOR COMMISSION MEETING

November 9, 2020

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PRESENT: Thomas Yankee, Dick Pufall, Gary Leino, Alan Smiles

ABSENT:

EXCUSED: Randy Harvey

ALSO PRESENT: Marina Manager-Scott Stegmann

Dick Pufall called the meeting to order at 5:21 p.m.

Agenda Item 1: Public Comment

None.

Agenda Item 2: Approval of June 17, 2020 Minutes

A motion was made by Smiles, seconded by Yankee, to approve the June 17, 2020 minutes. The motion carried unanimously.

Agenda Item 3: Financial Statement

A. Financial Statement

Discussion was bypassed as financial statement was not received by commissioners.

Agenda Item 4: Unfinished Business

A. Superfund site

No current updates.

B. Boat Launch

No current updates.

Agenda Item 5: New Business

A. Next Meeting Date

The next meeting will be in mid-January.

B. Manager's Report

Stegmann stated that the marina was closed up for winter and haul outs when well. Customer feedback about the season has been positive. Paul Gilbertson is no longer on the Harbor Commission.

C. Budget Approval

Discussion was held on the 2021 budget. Discussion was held on 2021 wages, including the addition of a 1-week vacation to Seth Hoffman's contract.

HARBOR COMMISSION MEETING

November 9, 2020

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- Pufall made a motion to approve to the addition of a 1-week vacation outside of the season to Seth Hoffman's contract, Leino seconded. Motion passed unanimously.
- Yankee made a motion to approve the 2021 wage schedule, Leino seconded. Motion passed unanimously.
- Leino made a motion to approve the 2021 budget, Yankee seconded. Motion passed unanimously.

D. Marina Rates Approval

- Yankee made a motion to approve the 2021 marina rates, Smiles seconded. Motion passed unanimously.

Agenda Item 6: Items for next meeting agenda

Stegmann may invite Jamie Dunn and City Administrator to speak to the Commission in January regarding the Superfund Site. Stegmann may also speak about the repair of asphalt by the travel lift as well as the replacement of fuel tanks.

Agenda Item 7: Adjourn

A motion was made by Yankee, seconded by Leino, to adjourn. The motion carried unanimously. Meeting was adjourned.

Minutes submitted by Sarah Szymaniak

SUBJECT: Approve a Resolution Directing the City Clerk to Place the Referendum Question Regarding Legalization of Cannabis on the April 5, 2022 Ballot (*Approved 9-1 at Committee of the Whole 9/14/2021*) Roll

RECOMMENDATION: As Council Desires

DEPARTMENT OF ORIGIN: Council Member

CLEARANCES: *Approved 9-1 by Committee of the Whole on 9/14/2021*

EXHIBITS: 1. Proposed Resolution

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

In 2018, Councilors Ortman and Mettile proposed a resolution in support of the legalization of Cannabis. While this resolution did not clear council at the time, there was support for a referendum expressed during the discussion.

At the September 14, 2021 Committee of the Whole meeting, Councilor Lindell, brought forward the question of asking the citizens of Ashland their opinion, in an advisory referendum, on the legalization of cannabis. Along with the question, an example of the Eau Claire County referendum was attached, along with guidance on referendums from Wisconsin State Statutes.

During the discussion, it was made clear that there should be three options:

- 1) Completely legal; recreational, and medical uses.
- 2) Just medical use.
- 3) No change in legislation.

Councilor Pufall suggested that police input should be considered before this item is considered further.

It was also to make clear that citizens should know that Ashland City Council has no ability to make cannabis

legal in the City or in the State. This referendum is for the purposes of informing state legislature on the opinions of the citizens of Ashland.

The vote at the September 14, 2021 Committee of the Whole meeting was 9-1 by voice vote.

RESOLUTION No. 17643

RESOLUTION DIRECTING THE CITY CLERK TO PLACE THE REFERENDUM QUESTION REGARDING LEGALIZATION OF CANNABIS ON THE APRIL 5, 2022 BALLOT

WHEREAS, a non-binding advisory referendum can gauge public opinion and give voters an opportunity to learn about a public health issue that may be before state legislature; and

WHEREAS, Alaska, Arizona, New Mexico, Colorado, Nevada, California, Oregon, Washington, Illinois, Michigan, Virginia, New Jersey, New York, Connecticut, Massachusetts, Vermont, and Maine have legalized adult personal use of cannabis, and regulate the production, distribution, and sale of cannabis; and

WHEREAS, Utah, South Dakota, North Dakota, Nebraska, Minnesota, Missouri, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Florida, North Carolina, Ohio, West Virginia, Maryland, Delaware, Rhode Island, New Hampshire, and Hawaii have either decriminalized or legalized use of cannabis for medicinal purposes in adults; and

WHEREAS, in order to determine whether the people of the City of Ashland support or oppose the legalization of cannabis, the City Council may conduct a citywide advisory referendum, pursuant to Wis. Stat. 59.52(25), in the Spring Election on April 5, 2022; and

WHEREAS, other counties and municipalities in Wisconsin have held advisory cannabis referendums for their constituents' consideration in the past.

NOW, THEREFORE, BE IT RESOLVED that the Ashland City Council authorizes the following citywide advisory referendum be placed on the April 5, 2022 ballot:

Should cannabis:

(Please select only one of the alternatives below or your vote will be invalid)

_____ (a) Be legal for adult, 21 years of age and older, recreational, or medical use, taxed and regulated like alcohol, with the proceeds from the taxes used for education, healthcare, addiction recovery services, and infrastructure in Wisconsin?

_____ (b) Be legal for medical purposes only and available only by prescription through a medical dispensary?

_____ (c) Remain a criminally illegal drug as provided under current law?

BE IT FURTHER RESOLVED that the Ashland City Council directs the City Clerk to forward the results of this referendum to the Governor, Assembly members and Senators representing the City of Ashland and the League of Municipalities.

Approved: September 28, 2021

Attest:

Councilperson

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

Approved as to Form:

Tyler W. Wickman, City Attorney

SUBJECT: Public Hearing on a request for a Conditional Use Permit (CUP) to operate an emergency residential facility at 2300 Lake Shore Drive W, parcel #201047450000, zoned Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O) and Wetland-Overlay (WET-O). Applicant: Northwest Wisconsin Community Services Agency (NWCSA) Roll

RECOMMENDATION: Public Hearing

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES: Council President

EXHIBITS:

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

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

COMPLIANCE WITH ORD. 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

The Mayor has recommended the addition of a second Public Hearing in addition to the required Public Hearing held in advance of the Plan Commission Meeting on 9/21/21 to allow time for more public input.

SUBJECT: Approve a Resolution to Issue a Conditional Use Permit to Allow an Emergency Residential Facility at 2300 Lake Shore Drive West, Parcel #201-04745-0000, Zoned Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O), and Wetland-Overlay (WET-O). Applicant: Northwest Community Services Agency (NWSCA) (*Planning*) Roll

RECOMMENDATION: Plan Commission voted 4 to 3 to recommend approval on September 21, 2021 (Beirl, Gellatly and Gregor opposed)

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: City Plan Commission (September 21, 2021)
City Attorney

EXHIBITS:

1. Proposed Resolution
2. Planning Commission Staff Report-September 21, 2021
3. DRAFT Plan Commission Meeting Minutes Sept 21 2021
4. Northwest Wisconsin Community Services Agency Inc Request for Conditional Use Permit
5. 2300 Lake Shore Dr W Aerial Vicinity Map
6. 2300 Lake Shore Dr W Zoning Map
7. 2300 Lake Shore Dr W Aerial Map with Elevation Contours
8. Homeless Definitions
9. Shelter Standards
10. Conditions that may be Attached to Conditional Use Permit

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: N/A

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: The proposed use would directly further Comprehensive Plan recommendations related to housing, which specifically identifies that "there is also a growing need for transitional housing and services to deal with issues such as homelessness and domestic abuse" (Authentic Ashland Part 2, pg. 34). The two categories of homelessness as defined by HUD

who will be served by the proposed facility will be those who are considered “literally homeless” with no shelter, as well as those fleeing domestic violence. The growing need for these services identified in the Comp Plan in 2015 has only worsened in recent years with impacts of the COVID-19 pandemic, and remains an urgent need before winter sets in.

The proposed use is not consistent with the recommended future land use plan without the addition of conditions. The future land use plan includes this area of the highway as an area to promote “downtown core and commercial districts”. The property is also located in the Regional Commercial zoning district, the intent of which is to “provide areas for commercial uses along major streets and highways in the city for the convenience of travelers, tourists, and the residents of Ashland. The district is intended to provide for a full range of commercial uses to be located on sites with immediate access to arterial or collector streets” (Unified Development Ordinance Chapter 781 Section 4.16A). The Comp Plan urges the City to be more intentional about promoting its entryways to the community. “At present, the entryways into the community along Lake Shore Drive are understated at best, completely absent at worst. For visitors, it is not clear when you have arrived in Ashland from the east or west side. Aesthetic improvements that include trees and enhanced crosswalks at “gateways” could frame the highway as you enter” (Authentic Ashland Part 1, p. 48). Therefore, conditions to improve the appearance of the property and ensure that it positively contributes to the aesthetics of this community gateway are recommended to address these Comp Plan compatibility concerns.

SUMMARY STATEMENT:

Northwest Wisconsin Community Services Agency (NWCSA) is requesting a Conditional Use Permit (CUP) to allow an emergency residential facility at 2300 Lake Shore Dr W (currently the Ashland Motel). The proposed facility would be a year round, 24-hour shelter available to both individuals and families who meet the eligibility criteria. All households served through the shelter will be “required to work with a case manager and enrolled in a program to work towards establishing goals related to meeting their household needs, increasing income and obtaining affordable housing.”

No exterior site changes are proposed through this use. Renovations to the structure will include improvements to bring the building up to code for occupancy, and converting 10% of rooms to be ADA compliant. Space will be built out to accommodate a computer lab, office space for staff and volunteers, and space to have outside providers meet with residents on-site when safe to do so (related to COVID-19).

The assessed value of the land is \$89,500, and the assessed value of the building is \$157,600 (2019 assessment record). The 2020 property taxes were \$6,384.06, and the approximate room tax collected for the property was approximately \$2,500.

RESOLUTION NO. 17644

RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT TO ALLOW AN EMERGENCY RESIDENTIAL FACILITY AT 2300 LAKE SHORE DRIVE WEST, PARCEL #201-04745-0000, ZONED: REGIONAL COMMERCIAL (RC), WATERFRONT-OVERLAY (W-O), GATEWAY-OVERLAY (GTWY-O) AND WETLAND-OVERLAY (WET-O), APPLICANT: NORTHWEST WISCONSIN COMMUNITY SERVICES AGENCY (NWCSA)

WHEREAS, the Common Council of the City of Ashland is authorized to issue Conditional Use Permits; and

WHEREAS, the applicant has requested a Conditional Use Permit per Chapter 781, Ashland City Ordinances, to allow an Emergency Residential Facility at 2300 Lake Shore Drive W, Zoned: Regional Commercial (RC), Waterfront Overlay (W-O), Gateway Overlay (GTWY-O), and Wetland Overlay (WET-O); and

WHEREAS, the Plan Commission held a Public Hearing on September 21, 2021 and has recommended approval of the Conditional Use Permit with the following conditions:

- a. Landscaping for beautification and screening shall be provided to enhance the visual character of this City entryway. A landscaping plan shall be submitted to the Planning Department for review and approval, and shall include street trees along the highway in addition to on-site landscaping.
- b. The property owner shall provide a direct phone number to contact the on-site supervisor to all surrounding property owners within 200 feet of the property.
- c. No outdoor camping or other forms of occupation shall be allowed on the premises.
- d. No signage shall be installed to identify the property as a shelter.
- e. Ensure online identification of the site in Google Maps generally identifies it as the community services agency, and does not specify that it is a shelter.
- f. The applicant shall hold an initial listening session to identify neighbor concerns and information that is of high importance to the community for ongoing communication. Based on this, the applicant shall provide annual reports including information regarding demographics of individuals and families served, reported incidents with law enforcement, and other information identified through the public listening session.
- g. Policies regulating the facility shall not materially change without prior approval by the City, and notification to the community.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: September 21, 2021

Councilperson

ATTEST:

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Max T. Lindsey, City Attorney

FOR APPLICANT:

Applicant understands and accepts the conditions of approval for the CUP as indicated within this resolution, and was provided notice of Common Council approval of this resolution within 5 business days of such approval.

Applicant (Print and signature)

Date

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 – September 21, 2021

Agenda Item # 5a:	Conditional Use Permit Request to allow an Emergency Residential Facility
Zoning District:	Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O), and contains Wetland-Overlay (WET-O)
Property Address:	2300 Lake Shore Drive West
Parcel #:	#201-04745-0000
Applicant:	Northwest Wisconsin Community Services Agency (NWCSA)
Staff Contact:	Megan McBride

Background

Northwest Wisconsin Community Services Agency (NWCSA) is requesting a Conditional Use Permit (CUP) to allow an emergency residential facility at 2300 Lake Shore Dr W (currently the Ashland Motel). The proposed facility would be a year round, 24-hour shelter available to both individuals and families who meet the eligibility criteria. All households served through the shelter will be “required to work with a case manager and enrolled in a program to work towards establishing goals related to meeting their household needs, increasing income and obtaining affordable housing.”

No exterior site changes are proposed through this use. Renovations to the structure will include improvements to bring the building up to code for occupancy, and converting 10% of rooms to be ADA compliant. Space will be built out to accommodate a computer lab, office space for staff and volunteers, and space to have outside providers meet with residents on-site when safe to do so (related to COVID-19).

The assessed value of the land is \$89,500, and the assessed value of the building is \$157,600 (2019 assessment record). The 2020 property taxes were \$6,384.06, and the approximate room tax collected for the property was \$2,500.

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 would directly further Comprehensive Plan recommendations related to housing, which specifically identifies that “there is also a growing need for transitional housing and services to deal with issues such as homelessness and domestic abuse” (Authentic Ashland Part 2, pg. 34). The two categories of homelessness as defined by HUD who will be served by the proposed facility will be those who are considered “literally homeless” with no shelter, as well as those fleeing domestic violence. The growing need for these services identified in the Comp Plan in 2015 has only worsened in recent years with impacts of the COVID-19 pandemic, and remains an urgent need before winter sets in.

The proposed use is not consistent with the recommended future land use plan without the addition of conditions. The future land use plan includes this area of the highway as an area to promote “downtown core and commercial districts”. The property is also located in the Regional Commercial zoning district, the intent of which is to “provide areas for commercial uses along major streets and highways in the city for the convenience of travelers, tourists, and the residents of Ashland. The district is intended to provide for a full range of commercial uses to be located on sites with immediate access to arterial or collector streets” (Unified Development Ordinance Chapter 781 Section 4.16A). The Comp Plan urges the City to be more intentional about promoting its entryways to the community. “At present, the entryways into the community along Lake Shore Drive are understated at best, completely absent at worst. For visitors, it is not clear when you have arrived in Ashland from the east or west side. Aesthetic improvements that include trees and enhanced crosswalks at “gateways” could frame the highway as you enter” (Authentic Ashland Part 1, p. 48). Therefore, conditions to improve the appearance of the property and ensure that it positively contributes to the aesthetics of this community gateway are recommended to address these Comp Plan compatibility concerns.

2. **Compatibility.** The proposed use is not compatible with existing uses within 200 feet of the proposed development, which are primarily commercial and tourism-oriented in nature. Within 500 feet along the same street are exclusively commercial uses, including the Lake Walk Suites extended stay lodging, an antique store/kennel for animal control services, Lake Shore Auto Sales and Service, and restaurants (currently closed or for sale). However, while still operating as a hotel, the property has worked with NWCSA’s voucher program and therefore has already been serving a high number of homeless individuals without any supervision or structure for screening of residents. The compatibility of the property with surrounding uses will be improved by the transition to an emergency residential facility run by NWCSA, which will provide 24-hour supervision, eligibility criteria for residents, and rules of conduct for those staying at the facility. Additional recommended conditions to better promote the property’s compatibility within this highly visible commercial corridor include beautification through landscaping and other means, as well as establishing clear and direct lines of communication between surrounding residences and the on-site staff supervising the facility to ensure that any complaints can be quickly and effectively addressed.

There is no evidence to suggest that the proposed change in use would have a negative impact on surrounding property values. Aesthetically, the biggest changes to the property will be in the forms of removing the current freestanding signage, and adding landscaping and screening for overall beautification of the property within the Gateway-Overlay zoning district.

In terms of opportunity cost for alternative development that is better aligned with Comp Plan recommendations for future land use of this area, the site topography and location of the southern portion of the property within the Wetland-Overlay (WET-O) zoning district present challenges for redevelopment. While the total property is approximately 3.6 acres in size, the

developable area if the existing building were to be removed would be approximately 1.5 acres (not accounting for required setbacks). The existing wetlands identified on site and included in the City's Wetland-Overlay (WET-O) zoning district would require DNR permitting to fill, and likely the establishment of an off-site wetland mitigation bank to comply with state and federal regulations. The City's Waterfront Development Plan, Waterfront-Overlay, and Wetland-Overlay zoning standards would discourage filling of wetlands for development so close to Lake Superior, thus limiting the overall developability of the lot for an alternative use.

3. **Importance of Services to the Community.** The need for an emergency residential facility to address the lack of services available for homeless individuals in Ashland has been identified as a need in the City's 2018 Housing Strategic Plan, as well as the City's draft 2022-2027 Strategic Plan. NWCSA spent nearly \$200,000 in 2020 alone on hotel vouchers in Ashland, demonstrating the great need in our community and how unsustainable the voucher model has become in our area. The combination of a shortage of affordable rental housing, very cold Wisconsin winters, and lack of existing emergency services makes a permanent emergency shelter as proposed the best long-term solution to begin to address the issue of homelessness and some of its underlying causes.

Establishing an emergency shelter as proposed is also important to furthering other community goals around tourism, place making and quality of life. The City receives numerous complaints each year related to homeless people sleeping, spending long periods of time, and/or consuming alcohol in City parks and within areas of the downtown. This has direct impacts not only on local residents who utilize these public spaces, but also tourism and the inviting, quaint character that the community would like to foster (as expressed in the Comp Plan). The Police Department sometimes works with people to have them move to an alternative location when complaints are received, but without any facility to direct them to it effectively shuffles them around to different public spaces throughout the year. The proposed emergency residential facility will not provide a one-size fits all solution for all local homeless individuals and families, but will provide a much needed community service to provide a warm, safe place for people to receive shelter and case management to connect them with additional community resources.

4. **Neighborhood Protections.** The applicant has a long-standing history of providing similar services in Superior, WI, and has extensive experience in managing and operating emergency residential facilities. This shelter would not function as a drop-in site, as there are screening requirements to ensure residents meet eligibility criteria. Criteria for residents include no drugs, weapons, registered sex offenders, or persons with an active arrest warrant or recent history of convictions related to violence against others/property. "Recent history" is defined as at least five (5) years from satisfaction of probation. Occupation of the site and grounds will be exclusive to enrolled participants and shelter staff. This intake screening process also includes an agreement with residents about code of conduct while residing at the shelter, which expressly prohibits going door to door or panhandling. An additional condition proposed to further ensure that this will not become an issue for neighbors is to require that a phone number for direct contact with the on-site staff person be provided to all surrounding properties. This would create a direct line of communication, and efficient means for neighbors to communicate complaints and questions.

There will be 24-hour staff or trained volunteers on site to provide supervision at all times. The shelter will utilize a model where all participants are enrolled in a program to work with a case manager to set and work towards meeting personalized goals. Examples of such goals could include finding employment or finding stable affordable housing. This will promote even more

robust supervision and one on one assistance to help residents of the facility address underlying causes of their homelessness and locate alternative housing as quickly as possible.

5. **Conformance with Other Requirements:** The development must conform to all other applicable City code requirements, including (but not limited to):
- Local and state building code requirements to ensure the property meets occupancy standards for the proposed use

Review Recommendation

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

- Landscaping for beautification and screening shall be provided to enhance the visual character of this City entryway. A landscaping plan shall be submitted to the Planning Department for review and approval, and shall include street trees along the highway in addition to on-site landscaping.
- The property owner shall provide a direct phone number to contact the on-site supervisor to all surrounding property owners within 200 feet of the property.
- No outdoor camping or other forms of occupation shall be allowed on the premises

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 200 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.



City of Ashland, Wisconsin

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

City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on
Tuesday, September 21, 2021 at 6:30 p.m. via
GoToMeeting.

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

Committee Members Absent:

Staff Present: Megan McBride

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

Agenda

1) Approval of Agenda

Motion to approve the agenda with item 5b tabled for a future meeting by Eric Lindell. Seconded by John Beirl. Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the August 17th, 2021 Plan Commission meeting

Motion to approve minutes from the August 17th, 2021 Plan Commission meeting by Eric Lindell. Seconded by David Mettille. Passed unanimously.

3) Public Comment (non-agenda items)

None.

4) Action Items

- a. Public Hearing and vote on a request for a Conditional Use Permit (CUP) to operate an emergency residential facility at 2300 Lake Shore Drive W, parcel #201-04745-0000, zoned Regional Commercial (RC), Waterfront-Overlay (W-O), Gateway-Overlay (GTWY-O), and Wetland-Overlay (WET-O). Applicant: Northwest Wisconsin Community Services Agency (NWCSA)

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

Megan McBride explained the Class 2 public hearing notice which was issued, and that public hearing notices were sent to all property owners within 200 feet of the proposed development. Additionally, flyers were made to inform neighbors about both the Plan Commission public hearing and hybrid public hearing which will be held by the City Council at their September 28, 2021 meeting, and these flyers were distributed door to door for all surrounding properties as well. She then went through the review criteria for the item outlined in the staff report, and associated recommendation for approval with conditions.

City Attorney Max Lindsey provided an overview of Conditional Use Permit (CUP) legislation in Wisconsin, which was changed in 2017 and greatly limited the discretion of communities in deciding whether or not to grant CUP's. He explained that all conditions must be reasonable, and to the maximum extent feasible shall be measurable and based in fact. The role of the municipality is then to evaluate conditions which can address compatibility and neighbor concerns, and if the applicant is willing to meet all conditions then the CUP must be granted.

John Beirl asked if the Plan Commission and City Council can legally deny the CUP request, and if so what the appeal process would be.

Max Lindsey said that the applicant would need to appeal the decision in circuit court within 30 days of denial, and demonstrate that the basis for denial does not meet City and state standards and/or that conditions imposed do not meet the criteria set in state statute. Max Lindsey also explained that if Plan Commission and City Council does not feel this is an appropriate use in the specified zoning district, then changes to the City ordinances would need to be made to reflect this. He also explained that there is not substantial evidence to demonstrate that the project would devalue surrounding homes, confirmed by City assessor Walt Hughes prior to the meeting. Therefore, this alone would likely not be sufficient grounds for denial of the CUP. Additionally, he explained that he has spoken with Bay Area Rural Transit (BART), who explained that the property at 2300 Lake Shore Dr W is not a designated stop but is considered an on-call stop. Therefore, they could provide transportation for individuals to and from the shelter with sufficient notice ahead of time.

Kevin Seefeldt (507 Beaser Avenue) expressed that he is supportive of having a homeless shelter in Ashland, as this is an urgent need for the community. He said that he does not feel the site identified is a sustainable or appropriate option, with concerns about the mix of individuals and families who will occupy the shelter and the feasibility of on-site staff being able to adequately manage the number of rooms available. He also expressed concerns regarding the eligibility criteria which will exclude certain populations, who will continue to be homeless and will not have access to services.

JoAnn Erickson (3300 City Heights Rd) expressed that it is a shame that the public was not more informed and involved in the process when the initial grant application was submitted for the project, and that it has been an unfair process for the community to provide input. She stated that the community has not had time to process this proposal, and that it is particularly unfair to the owners of El Dorado's and other surrounding property values which will be devalued. She asked what the enforcement mechanisms are for failure to comply with requirements, and stated that it would be difficult to enforce long-term. She also stated that it is located in a primary commercial corridor into the City, and this use has the potential to create an eyesore at one of the city's gateways.

Kevin Kegel (221 Prentice Heights Rd) expressed agreement with the previous comments made, and stated that the property is prime for development which will add to the community's tax base. He said that the building is in bad shape with mold being a major issue, and is also an eyesore in this area of the community. He does not feel this proposed use is sustainable, and that the city should focus on making the lakefront appealing to residents and visitors. He acknowledge that we have a local issue with homelessness, and that a shelter should be located closer to services that residents will need to access. He expressed concerns for how the property will be monitored for people coming and going, and that he feels this is the worst possible use for this particular property.

Anthony Jennings (owner of 315 Turner Rd) said that he has heard many comments in opposition to the project, but has not heard any good alternative proposed for a better location. He said that neighbors will likely be opposed no matter where a shelter would be located, and that he worked with the Homelessness Task force to evaluate alternative locations. He emphasized that the Ashland Motel is already being heavily utilized through local voucher programs, which does not offer any monitoring of the site. He acknowledged the concern about certain populations being ineligible to stay at the facility, but noted that this may be a positive if families are going to be staying there to ensure sex offenders and people with a record of violence in the past 5 years will not be sheltered in the same location. He said that perhaps a separate facility will need to be looked at to house individuals who do not qualify for this shelter, but that the current proposed sheltered is also not meant to be the single solution to homelessness in Ashland. He said that the grant application process was short because funds became available related to COVID, and that it would not have made sense to engage neighbors about a specific property without knowing if funds would be available for acquisition. He encouraged anyone who is worried about how the site will look to offer to volunteer, as he and his staff plan to. He also noted that while this lot may be prime for a hotel development, there are plenty of other properties along the highway that would also be good for this use and they cannot all be reserved until a private developer comes forward with desire to redevelop them.

Brett Beeksma (601 Prentice Heights Rd) expressed concerns as a nearby property owner for safety, and asked what other hotels have been utilized for vouchers and if any

issues have been experienced at these locations. He also asked what neighbors are supposed to do if issues do arise. He said that the condition to have a contact number be provided to properties within 200ft is insufficient.

Millie Rounsville clarified that a direct contact number can be provided to anyone who wants it, not just property owners within 200 feet. They would like to maintain clear lines of communication, so they can quickly respond to neighborhood questions and concerns. She provided additional background about the project, and clarified that NWCSA does not currently own the property so concerns about current management or operations would not be associated with oversight by their organization. There are approximately 20 rooms in the single-story hotel building, with the office space located in the center of U-shaped building. They would utilize all of the existing rooms, though they may lose one to two rooms when they improve 10% of the bedrooms to be ADA compliant. She explained that individuals staying at the site are checked in and out each time they leave the facility, and that their belongings are searched each time they check into the facility to ensure weapons, drugs and other prohibited items are not brought in. Residents are also not allowed to have any guests on the property who are not enrolled in the facility. All residents must work with a cases manager, and outside service agencies will come to the shelter to connect directly with residents as well. She said that they typically do a 30 day shelter, but if a resident is waiting to get into alternative stable housing then they are allowed to stay beyond the typical 30 days.

Alex Honstad (204 Prentice Heights Rd) said that she moved in after the period of time when the City allowed homeless individuals to camp in Prentice Park, and has heard about many issues from her neighbors of people knocking on doors to ask for money and food. She asked what measures will be put in place to prevent this from happening, and make neighbors feel safe.

Millie Rounsville explained that she has not had issues with any of her vouchers participants going door to door, and that panhandling anywhere in the community violates their rules for participants.

Katie Gellatly, owner of the Blue Wave Inn, Sandbar, and Solstice Outdoors located in the Northland College-owned building directly across the street from the proposed emergency residential facilities, shared her experiences with the property over the past two years. Since her building is open for guests 24 hours, they have experienced issues of people sleeping in her vestibule, harassing her staff when they come in to open the business in the morning, and there have been issues of needles along the waterfront in this and other areas. She said that it is challenging to think about this facility converting to an emergency residential facility long-term.

Joel Langholz (1114 6th Ave W) said that he has experience working with homeless folks through a volunteer capacity, and also when he was a business owner of Salmagundi on West Main Street. When his business was located directly next to Menard Park, they did

have issues of homeless people sleeping in the park, so he sympathizes with the concerns of business owners. He acknowledged that there will be challenges and issues associated with the property, but that he is confident that Millie Rounsville knows what she is doing and how to manage the property appropriately. He agreed with previous comments that volunteers will be important to the success of this project, and that perhaps there will be opportunities for the El Dorado's building to convert to a positive associated use in the future. He overall expressed support for the project, and said that while it will not be the end all solution to homelessness in our area it will be an improvement for oversight of the property and as a single point of intervention to connect residents with local resources.

Kaas Baichtal, who served on the homelessness task force as a landlord representative, commented that the perception of short notice to the community is subjective. She explained that the task force has been working on this project for approximately a year, and that these meetings were all open to the public and publicly noticed. She said that the grant process went remarkably quickly, only because the funds available were left over COVID money which the state approached the City to encourage them to apply for. The committee considered multiple locations, and decided to partner with NWCSA because of their experience and demonstrated ability to effectively run shelters in Superior.

Gina Beeksma (601 Prentice Heights Rd) expressed that her biggest concern is related to people who are denied access to the shelter because they do not meet eligible criteria. She is worried that people will be loitering and will make their way to neighboring residential properties.

Megan McBride shared the following comments received prior to the meeting:

Larry Cicero provided the following comments prior to the meeting: "This location is bad because it has individual exits or entrances which is not secure or feasible to be monitored by one on-site staff person. This location is also a gateway to the community, and this proposed use does not reflect the comp plan's recommendations for the waterfront. This location is also across from the Sandbar and a very nice beach used by children. Having this location be a shelter will also make devalue El Dorado's building, making it worthless. This will also take the land off the tax roll, remove room tax dollars, and further limit the already tight market for hotel rooms during peak tourism season."

Clair Helsper at 109 Prentice Heights Road provided the following comments prior to the meeting: "I am opposed to the project, we have small children on that block as well as several widows who live alone, so this is not a good place for a homeless shelter. This location is also a gateway to the city and a homeless shelter there is not a good representation of the city or the best use of this piece of property."

Meegan Gosseline at 223 Prentice Heights Road provided the following comments prior to the meeting: "Regarding the proposed emergency residential facility I am adamantly

opposed! I chose to invest in Ashland for my home and retirement, safety was my utmost concern. This facility is only trees away from my home! Reconsider please.

Clarence and Kathy Osmak provided the following comments prior to the meeting: "In regard to the Northwest Wisconsin Community Services Agency application for a conditional use permit to institute an emergency residential facility at 2300 Lake Shore Dr. W, I request that you vote NO on this application. Why is the meeting on September 21st only available for the public on GoTo Meeting? Why has this meeting been so secretive? What are you afraid of? The meeting on September 16th was open to the public to attend in person and this Plan Commission meeting is not. Here are some reasons why I am opposed to this project. First the location is right on a US Highway with a Lake Superior view. A homeless shelter is not the first thing that tourists want to see when they come into Ashland. Businesses will lose because tourists will just go through town and to another city to shop and eat. The beach will not be safe for our children.

Second, as a senior citizen who has recently moved into the Ashland area I worry about security. There is no way that any person can be controlled 24/7. We moved here for the security and do not want to have to worry about anyone coming onto our property. Also, our taxes have been raise with the last evaluation and with a homeless shelter a half mile away our property value will go down, even with rising taxes. The City will also be losing their tax base with this location.

Third, the motel is in bad condition and should be destroyed due to mold and other hazards. This facility will only attract more issues to our area. Vote no, we are absolutely against this facility being added.

Randy and Sue Spangle provided the following comments prior to the meeting: "We are Randy and Sue Spangle, we are lifetime residents of Ashland and are opposed to the current proposed location for the homeless shelter at the Ashland Motel site. We are not opposed to the need for a homeless shelter.

We feel that the proposed location is not a good option due to the stretch of highway that welcomes people to Ashland and seeing a homeless shelter will affect tourism and the other businesses on that stretch of highway. We feel with the beautiful views of lake superior that site should be developed commercially. It is also not congruent of our cities goals for tourism to make us a destination city to visit and not have people just drive through it.

Substance Abuse concerns are a key factor with homelessness. I know first hand the impact of alcoholism and substance abuse as I was the Director of the Ashland Area Council on AODA for 38 years, from 2014-2017 I also was the Substance Clinical Supervisor for North Lakes Clinic. At the time of my retirement I was the most senior substance abuse counselor and clinical Supervisor in the State of Wisconsin. According to the National Institute of Drug Abuse (NIDA) 30- 40 percent of the homeless are alcohol or drug dependent.

At the informational meeting held at the Vaughn library stories of Drug paraphernalia and needles of IV drug users have been a documented problem with the businesses along that stretch.

It is also my understanding that the Ashland Motel proposed homeless shelter cost is using all of the \$700,000 in COVID funds to purchase a building with very little \$ for services. As an addiction professional if you don't treat the addiction of the 40% or more who will be using the shelter no long term results will occur. I urge the committee to NOT grant the conditional release permit and continue to look for a better location options.

Terri Zivic of Bayfield County provided the following comments prior to the meeting: "I am a resident of Bayfield County and I attended the public information session on 9/16/21. Over the past winter I volunteered with the not for profit organization Ashland Homeless Help to provide resources to keep clients sheltered and out of living in their cars. I was aware that there was a task force looking at this for the city but I had no idea that it was comprised of such a large and diverse group of professionals and individuals from various backgrounds all working together to come up with a solution. It appears to me that task force recommendations meet all of its stated goals.

I listened to the questions and comments from individuals and specifically business owners and homeowners concerns. I can certainly understand those viewpoints. This is a complicated issue and it affects many. I do believe though that the benefits of having this property managed by a human services organization that can provide supervision and structure for residents a vast improvement over the current situation. I see the benefit of using the grant money when it is available.

This will only be a first step but I believe it is important to use the resources that the city has available in this case to move forward with this recommendation for the approval of a conditional use permit. I am hopeful that with the continued support of the task force and the community many of the concerns about the project's location can be more fully responded to in time."

Stan Schrock provided the following comments prior to the meeting: Happy Tuesday! I'd like to share some comments and pose a couple questions for the Planning Commission and City Council regarding the proposed emergency homeless shelter.

First, what a great service that I think will help a lot of people and families who truly need and deserve it. Well done on finally making this a reality! I volunteered and worked at a shelter for roughly two years; I've seen how important a shelter like this can be for many folks. I agree that the current voucher program is unsustainable and does very little to spark true change. The shelter model and stipulations all make sense to me:

Participants must be enrolled in a program; no drugs, weapons, sex offenders etc are eligible; 24-hour staff on site. 1. How will these stipulations be enforced to ensure participants and staff remain in a safe environment, and ensure that there are no drugs, weapons etc brought into the shelter? 2. It is inevitable that individuals or groups will go to the shelter thinking/hoping to be accepted on a drop-in basis. What happens when those folks are turned away? Is there a plan for providing information to those folks on where they can go after they're turned away? A service or transportation to get them to a

new location? Is there a plan or at least increased awareness from Ashland PD for the surrounding residential neighborhoods? Those who are turned away due to drug or weapon possession / sex offender status will likely make their way to the nearest homes, garages, and businesses... Thanks for your time and for working to help those in need!

An anonymous resident provided the following comments prior to the meeting: I am a tax payer who does not want my taxes going towards housing homeless people staying in the hotel. I feel if you do this it will encourage more homeless to come to our area. Also, as people drive through Ashland it has the potential to be an eyesore to our community. Please do not let this happen in Ashland.

Melissa Martinez, Director of the Washburn Chamber, expressed opposition to the proposed use in this location for several reasons. She is opposed to it because it would take room tax away from the Ashland Area Chamber of Commerce, and is not an appropriate location for this use. She expressed concerns that the property is not located near critical services for the individuals who will be served, and she would rather see more funds be spent on a location that will meet the needs of residents and ensure accessibility to services. She said that if we care about addressing homelessness in our area, we also need to care that they can access services to help address underlying causes of homelessness as well.

Ana Tochterman shared comments from Pat Ondarko, who contacted her to express support for the project because it is a need for the community.

Millie Rounsville addressed concerns around people wandering off the property, and said that this is not an issue they experience with their current shelter in Superior which is located directly within a residential neighborhood. She also said that there will be cameras on the front and back of the building, and always a minimum of 2 staff people at all times to ensure that the cameras can be constantly monitored for people coming and going from the property. She said that this facility is just intended to be one tool in the toolbox, and that they will partner closely with the warming shelter in Bad River which does not have the same eligibility criteria so they can refer people in the winter time who do not qualify to stay at the emergency shelter. She said that they are happy to give tours of the facility to anyone interested, and they want to continue to receive input to ensure the facility can best serve the community and be compatible with surrounding uses.

Kevin Kegel (221 Prentice Heights Rd) asked for clarification regarding the process for checking in and out. He asked if residents are confined to their rooms, and need to be let out by shelter staff in order to leave. He also asked if people's belongings are checked each time they reenter the facility, or only during their initial check in.

Millie Rounsville explained that people are able to leave their rooms, but will not have keys to get back into their rooms without a shelter staff person. Each time somebody

leaves the facility they will need to check back in, and they will have their belongings searched. She said they will also always have 2 people on site for safety, and so that if one person is checking residents in the other person will still be able to monitor the office and cameras. They may have additional volunteers on site, but will always minimally have 2 staff people.

JoAnn Erickson asked how long vouchers are currently good for.

Millie Rounsville explained that vouchers are typically between 3 days and one week, but can be extended if somebody is waiting to get into another form of housing.

JoAnn Erickson asked how many people are served at one time in their shelter in Superior, and how can we ensure that the facility will really serve people from our area and not people coming in from other communities once the shelter is established.

Millie Rounsville said that their current shelter is only for men, and serves 20 men at a given time. She said that based on demographic data of residents, only 5 people between all of the counties that NWSCA serves were documented as people who came from outside of the area in which they are being served.

Kevin Seefeldt shared that he has been contacted by several property owners, including Lakeshore Sales and Service who is opposed to the project. The owner of the Crest Motel also expressed opposition because the property is located within the commercial gateway. The owner of Hometown Auto also expressed opposition because of the loss of tax base to the community.

Kaas Baichtal commented on the concerns related to mold, and pointed out that mold remediation and future prevention could be included within the overall renovation of the building.

Millie Rounsville explained that they did have the building inspected by a certified Building Inspector, and the primary issues identified were the wiring and that there is no vapor barrier or insulation on the bottom of the building leading to heat loss. She said that they were only able to inspect about 50% of the rooms at that time, and that any mold identified was in a bathroom which only utilized a window for ventilation. The installation of proper ventilation should also help address mold concerns.

Anthony Jennings pointed out that any building that is used for a homeless shelter will inevitably remove it from the tax roll, so this would not be an issue unique to this location. He said that if there are issues with the site, he will be the first to help address them. He encouraged others to volunteer to help be a positive part of the solution.

Ana Tochtermann shared comments received from Kim Bbye, who expressed concerns about the loss in tax revenue. She asked if the current property owner has tried to sell

the property for a private commercial use, and asked who will be responsible for costs in fixing the parking lot.

Millie Rounsville said that the current owner has only owned in since January so she could not say if he has made any other attempts to market to sell it. She said that they do have funds available for fixing up both the building and parking area, so NWCSA will be responsible for those costs.

Herb Mauritz said that the property is currently a rundown motel, and is an eyesore. The new use will fix the building up, beautify the property, and will look better than what we have now. He currently lives next to the Bayview Motel which also serves homeless individuals on a regular basis, and he has experienced no issues related to this.

Katie Gellatly asked if there will be no signage for the shelter, how it will be distinguished from other nearby motels. She also asked how it will appear on Google Maps.

Millie Rounsville said that the signage will simply say NWCSA rather than identifying the property specifically as a shelter.

Ana Tochtermann agreed that the issue of Google Maps and how the site will be identified is important, and asked if a condition could be created around this. She also asked if an annual report could be provided by NWCSA to ensure ongoing transparency in addressing neighbor concerns.

Laurie Gregor asked if the current roles and procedures are governed by state regulations, or by the NWCSA board. She also asked how flexible these regulations are to changing in the future.

Millie Rounsville explained that some standards are based on their funding sources, including the inspection requirements for the building, and that they must have insurance for the building. The requirements for background checks come from their insurance company. She said that they do ongoing reporting for the City of Superior related to shelter operations, and that they would also do a community notification if any regulations would substantively change in the future.

Eric Lindell asked about the staff to client ratio at the facility, which Millie explained would always have a minimum of 2 staff people on site.

Eric Lindell asked what the consequences for people who break the rules for the shelter would be. He also asked what will be done to ensure that the facility does not become a drop-in site, and that people do not show up to the facility with the misconception that it is.

Millie Rounsville explained that they have a 3 strike policy for people who break facility rules, unless the offense is severe enough to warrant immediate removal. She said that there will be no signage up for the shelter, so this should limit the number of people who drop-in without proper screening first. They will provide information on other area resources for people who do not qualify to stay at the shelter to connect them other other local providers.

Eric Lindell asked if wrap around services will be offered, and how will the issue of public transportation be addressed.

Millie Rounsville explained that residents will have access to a computer, internet and phone. They will have services on site, and will partner with other area providers to increase over time. They have reached out to BART and would like to have a bus stop, but none of their current facilities are located along a bus route and they have utilized the Ashland Motel building for their voucher program to date without issue. Many services are still within walking distance, so they have not seen this as a strong need at other shelters they manage.

Motion to go out of public hearing by John Beirl, seconded by Eric Lindell. Passed unanimously.

Motion to approve the request with recommended conditions by David Mettillle, seconded by Eric Lindell.

John Beirl said that he agrees there is a need for a shelter in our community, but does not feel this is an appropriate location. He expressed frustration with the process, the staff report's review and recommendations for conditions, and the role of the Plan Commission in reviewing CUP's if they do not have discretion to make decisions based on the best use of the land. He said that he does not feel this is an appropriate location, or that the use is compatible with Comprehensive Plan goals for the area. He feels the conditions for landscaping are inadequate and do not offer neighbor protections, and does not feel this location is conducive to being a secure homeless shelter. He said that the building is being sold for \$700,000, so clearly there is value in the property and it could be utilized for a more compatible development. He also expressed concerns for safety, as families will be staying at the motel as well and children will have to cross U.S. Highway 2 to access the beach and waterfront.

Katie Gellatly agreed that she does not feel that landscaping is a sufficient neighborhood protection. As a business owner, she stated that she could move her businesses out of the facility she currently rents, as could other surrounding businesses, creating broader negative impacts on surrounding tax values. She thinks the sale of the property represents a great opportunity to improve this corridor, and feels the proposed use is not the best use of this site.

Laurie Gregor said that she supports the need for a shelter, and appreciates all of the work that has gone into this proposal. She also expressed concerns about the regulations for the facility, which she currently supports but could be changed in the future if there should be turnover in the NWCSA board and leadership. She also acknowledged that the Plan Commission's vote is

ultimately a recommendation to City Council, and she feels a “no” vote also gives voice to the community input received.

Ana Tochtermann said she feels the proposed project is a pretty quick solution to a long-standing community problem, using limited resources to accomplish it. She appreciated the community input, and pointed out that many of the fears and concerns stem from some assumptions about who will be served by the facility and who homeless people are in our community. She pointed out that an important population that has not been represented at the public hearing is people who are currently or have recently been homeless.

David Mettillie agreed that the voices of people experiencing homelessness have not been heard, and this is partly because of the reason that homeless people have been spoken about during this meeting. He said it is a core value in Ashland to care about each other, and everyone agrees that we need a shelter somewhere if approved. He also said that while this is located in the gateway, and that many people have probably drove past a shelter facility in the past and didn't know it because they blend into the surrounding area.

Eric Lindell provided the following comments: “I want to begin by saying, for the record, I have received several (or many) emails from concerned members of the public regarding the proposed homeless shelter project. I also want it to be known that I did attend the hearing on September 16th.

Before that meeting, under the freedom of information, I requested all the records pertaining to the task force that was created to address the homeless issue here in Ashland. The following statement, while lengthy, is made in part from public comments and from those records. I should also note that I have advocated for several years now for the city to open a warming shelter to help those in need during the winter months. To be clear, I believe that our city needs this project. That is not the question. The question is whether this proposal is right for our city. I am deeply troubled tonight by the request from NWCSA. Again, not because Ashland does not need an emergency shelter, but with how this process has played out. If we can for a moment, let's rollback the clock to February of this year. At that time the committee started with a very long list of potential building opportunities. The Ashland Motel was **NOT** among them. In fact, there is no mention of the Ashland Motel until June, and again in August after the notice of the grant money was being awarded to the city.

In the mayor's original request for CDBGCV on 4-23-21 stated that the structure would assist 15 clients at any given time. And today we are looking at a 34, unit building. I'm not so much concerned with the size of the project expanding, but the fact that there is a lack of explanation within the task forces minutes. There is no record of what changed in their thinking.

This is demonstrated again when the subject of renovation is brought up. On April 19th the Mayor & Millie discussed the options of new construction or renovation of the current building in an email. On May 24th the Mayor received an email from Arnie Mackey Construction. They had reached out and offered to work with the city/NWCSA on the project. A day later, the mayor replied and said she would forward the offer on. There is no record of this being forwarded or further pursued.

I bring these issues up to show that there were other options. I am concerned that there is no record as to why these were taken off the table. What was the reasoning behind the sudden shifts? We need to strive to help as many people as possible. However, we need to be realistic in our planning, otherwise there could be negative effects and outcomes. With that being said, let's look at the proposed location. The first thing that myself and others have noticed is that it is not anywhere near the resources and services that those in need will most likely need to utilize.

This includes the BRICK, Northlakes, etc. Additionally, transportation is another issue that comes up when discussing this location. It is not a current BART stop, and it is unknown at this time if BART will arrange to have it become one.

There are still many questions that have been left unanswered. For example, what happens to people who arrive only to find themselves unable to utilize the shelter because it is at capacity? I believe the current plan allows occupants to stay up to six months. We all know that housing/apartment access is very limited at this time here in Ashland and I highly doubt this will change until the construction of the new housing development moves forward. What is the plan to find the occupants permanent housing? Additionally, what is the plan for those who are unable to access the shelter due to being on the sex offender registry, or due to their criminal records? They may not be able to access the shelter but might not know this upon arriving. The understanding is that this facility will not be a drop off spot. However, these things will happen, and the public has a right to know what the plan is or might be.

Finally, how do we know who we are serving and if they are from our area? It is not enough to turn the question around and ask, why would someone come here with no shelter available to them? There are services that we have that other communities do not. Take Duluth for example, it has a variety of shelters and for a number of reasons has seen a growing homeless population. I find it difficult to believe that anyone has accurate data for where they all are coming from. The public is concerned that "if you build it, they will come." How do we plan to deal with this, if in fact they do start to come from other places? This is an understandable concern, and no amount of data is going to calm the fear the community has.

Now, any these issues, concerns and examples, on their own, would not be a reason to say no to this project. However, when you put them all together and include the lack of public buy-in, we need to stop and take a serious look at what we are doing. The task force understood and discussed the need for public support from the very start. Unfortunately, we saw no public inclusion until August when ONE public education forum was held at the suggestion of the head librarian at the Vaughn Library! This is far too little too late.

We now have a situation. The concerns over being out bid, lead to some secrecy in the location of the emergency shelter. This has led the public, and I feel some members of this committee, to left out of the discussion. The first warning sign should have been when the mayor received an email from the Chamber of Commerce suggesting that the objections to the location of the property being used would be problematic.

If we put all that aside, which we should not, are we ready to move forward? The mayor stated that this project would be on the agenda at the next council meeting on the 28th. How is that even possible? Not all CPUs have been issued. The NWCSA has not agreed to anything yet either, or members of this committee may wish to add more to the agreement before it is finalized.

The public announcement that this will be on the next council meeting agenda also assumes that we may not wish to slow down the approval process, which this committee has every right to do on any project. Customary delays to this process should have been anticipated. Has the time needed for the city's attorney to review all the CPUs been considered? Had we had more than a meeting on this issue we may have at least had the opportunity to iron some of these things out. I understand the owner of the hotel has also put forth a deadline for negotiations.

That is a business problem and should not be the primary concern of this committee. The primary concern of this committee is to ensure that this project does in fact meet the city's needs and is placed in area where it will do better than harm. The possibility that this location will negatively impacts-surrounding businesses is a cause for concern. Not to mention that it takes a

very key piece of property off the tax rolls in a time when we need to be maintaining our current revenue and finding new sources to meet the growing budgetary demands.

Nobody is saying this project is not needed in our community. I want to be sure to emphasize that point. What this all boils down to is, is this the right property for this project? I would argue it is not. This has nothing to do with anything other than what is best for the people this shelter will be working with, and what is best for our community.

If this is going to happen it should be put in a centrally located place, close to the services needed to help these individuals move forward. No matter where this ends up being located people would still object, but the selling points for being centrally located are greater than the current proposed location.

In conclusion, I am asking the task force to go back to the drawing board and get this right. Our failure to do so will have negative consequences for our city. I understand this will mean more paperwork and time. I also understand the desire to open this shelter before the winter months hit, but again it seems to me that other options did not receive fair consideration. Even if this was a good fit for the project city staff and this committee should have been given more time to review this proposal and to solicit public buy-in. Even though this is difficult to accept, it is the hard truth. I do not see how we can be asked to move this project forward when it appears that this location is not in the city's best long-term interest.

Millie Rounsville went over the other locations which were considered, which included:

- 1) The Chequamegon Clinic (415 Ellis Avenue) which would have cost \$3 million for acquisition alone, and therefore was outside of their feasible price range;
- 2) Private homes were considered which NWCSA already owns or could acquire, which were too small and offered inadequate parking; and
- 3) The buildings for sale by Arnie Mackey Construction (407 Lake Shore Dr E), which was too small and presented significant costs to renovate for residential use.

Millie Rounsville explained that if the proposed CUP is not approved, then they would not have funds for acquisition of a different facility. She expressed frustrations about the way that people experiencing homelessness are talked about, as if they are second class citizens rather than future tax payers, property owners and neighbors. She explained prevention strategies that NWCSA is also doing to try to keep people in their homes, which is another large component of addressing homelessness locally.

Mayor Lewis expressed gratitude for the people who came to speak at the hearing, and also attended the public information session on the 16th at the Vaughn Library. She explained that the task force was formed to address the long-standing issue of homelessness, and that she receives numerous calls every winter wondering what the City is doing to ensure homeless people have a place to stay. She said that this is a community problem, and that the task force was meant to connect expertise and resources to determine the best solution at this time. She apologized if the process felt rushed, and said that there was no intent to hide anything. She pointed out that funding to support the level of vouchers needed this past year will not be available this coming winter since funds were largely tied to COVID relief, so the proposed shelter is the only realistic solution to help for the upcoming winter.

Motion by Mayor Lewis to add the following conditions as recommendations to City Council, seconded by Ana Tochtermann:

- 1) No signage shall be installed to identify the property as a shelter
- 2) Ensure online identification of the site in Google Maps generally identifies it as the community services agency, and does not specify that it is a shelter
- 3) The applicant shall hold an initial listening session to identify neighbor concerns and information that is of high importance to the community for ongoing communication. Based on this, the applicant shall provide annual reports including information regarding demographics of individuals and families served, reported incidents with law enforcement, and other information identified through the public listening session.
- 4) Policies regulating the facility shall not materially change without prior approval by the City, and notification to the community

Passed unanimously.

Motion to approve Conditional Use Permit with staff recommended conditions and Plan Commission added conditions by David Mettillie, seconded by Eric Lindell. Passed 4 to 3, Beirl, Gregor and Gellatly opposed.

5) Announcements/Reports/Comments/Questions

Mayor Lewis announced that an additional public hearing for this CUP will be held at the City Council meeting on September 28th, which will be a hybrid meeting that can be attended virtually or in person.

6) Adjournment

Motion to adjourn by David Mettillie. Seconded by Eric Lindell. Passed unanimously.

Meeting was adjourned at 9:55 pm. Minutes done by Megan McBride.

Northwest Wisconsin Community Services Agency, Inc.

SERVING THE COUNTIES OF ASHLAND, BAYFIELD, DOUGLAS, IRON AND PRICE

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Millie Rounsville, *Chief Executive Officer*

Re: Request for Conditional Use Permit to operate a Homeless Shelter at 2300 West Lake Shore Drive, Ashland

The Northwest Wisconsin Community Services, Inc. ("NWCSA") is requesting a Conditional Use Permit from the City of Ashland to operate a 24 hour emergency homeless shelter at 2300 West Lake Shore Drive, Ashland. This site is currently operated as the Ashland Motel. We are proposing to establish a year round shelter facility at this site. Staff and/or trained volunteers will be on site 24 hours a day, security camera systems will be installed and some rooms will be renovated to meet ADA compliance. We will be working with those households that have no other resources for shelter.

Households will be required to work with a case manager and enrolled in a program to work towards establishing goals related to meeting their household needs, increasing income and obtaining affordable housing. The facility itself will utilize the existing motel rooms for shelter. The current office/resident area will be utilized to create an area for guests to have meals, a computer lab, meeting space with service providers and staff areas. We will continue our existing shelter policies related to expectations of participants, ensuring we maintain compliance with local, state and federal regulations and work to improve the quality of life for those we serve. Attached to this letter is a copy of the criteria for admission to the facility and the community information meeting being held September 16th.

NWCSA has traditionally offered hotel vouchers for homeless households with no other options for shelter in our rural counties. Since the onset of the pandemic there has been a dramatic increase in the demand for services in Ashland. During the winter months this last year our organization was providing an average of \$40,000 a month to local hotel providers so these families would have access to shelter. This amount is unsustainable and provided with no link to on-site programs that address the reasons for homelessness. These vouchers were very limited as to length of stay and insufficient to meet the recent need. For many years our strategic plan has included a longer term goal of creating a shelter. In reviewing the data we have available through our database it is more cost effective and provides a better array of services for families to have a shelter facility available rather than short term hotel vouchers.

The Northwest Wisconsin Community Services Inc. (NWCSA) is a private non-profit organization that was incorporated in May of 1967 as a result of the Economic Opportunity Action. As a Community Action agency we are governed by a tripartite Board of Directors representing low-income, formerly homeless, community members and elected officials living in the communities we serve. The mission of NWCSA is to improve the quality of life by providing resources and services within our community. NWCSA works towards its mission by providing a wide array of program and services with its 5 county services delivery area in Northwestern Wisconsin.

Some of the programs currently administered through NWCSA include: Supportive Housing, Affordable Housing, Emergency Shelter Programs, Crisis Assistance, Lew Martin Senior Center, WIC, Birth to 3, Adult day care, food bank, food pantries, Retired and Senior Volunteer Program, VITA assistance sites, senior commodities, rapid re-housing and scholarship applications for local non-profit services. As an organization we provide services to over 10,000 individuals each year. We have maintained primary offices in both Superior and Ashland since our inception.

Within our service area our organization is the only federally funded homeless provider and the organization that operates the Coordinated Entry System. Coordinated Entry is a no wrong door approach with a dedicated staff position that works to connect homeless and at risk- of homeless households to services. We have been actively working with landlords in our area for over 30 years providing rental assistance programs. Specific to homeless households we currently operate hotel voucher programs, tenant based rental assistance, permanent supportive and rapid re-housing for the entire service area and the homeless shelter and a transitional living programs for men in Superior.

There is currently an accepted Offer to Purchase the Motel property using funds awarded through a CDBG-CV grant obtained by the City of Ashland. The purchase is contingent upon receiving approval for the Conditional Use Permit. NWCSA would like to close on the property and have it open in time for the rapidly approaching cold weather season.

Respectfully,

A handwritten signature in blue ink that reads "Millie Rounselle". The signature is written in a cursive, flowing style.

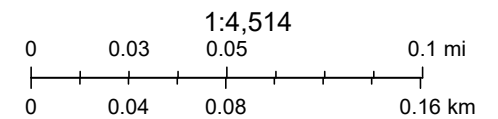
Millie Rounselle

2300 Lake Shore Dr W Aerial Vicinity Map



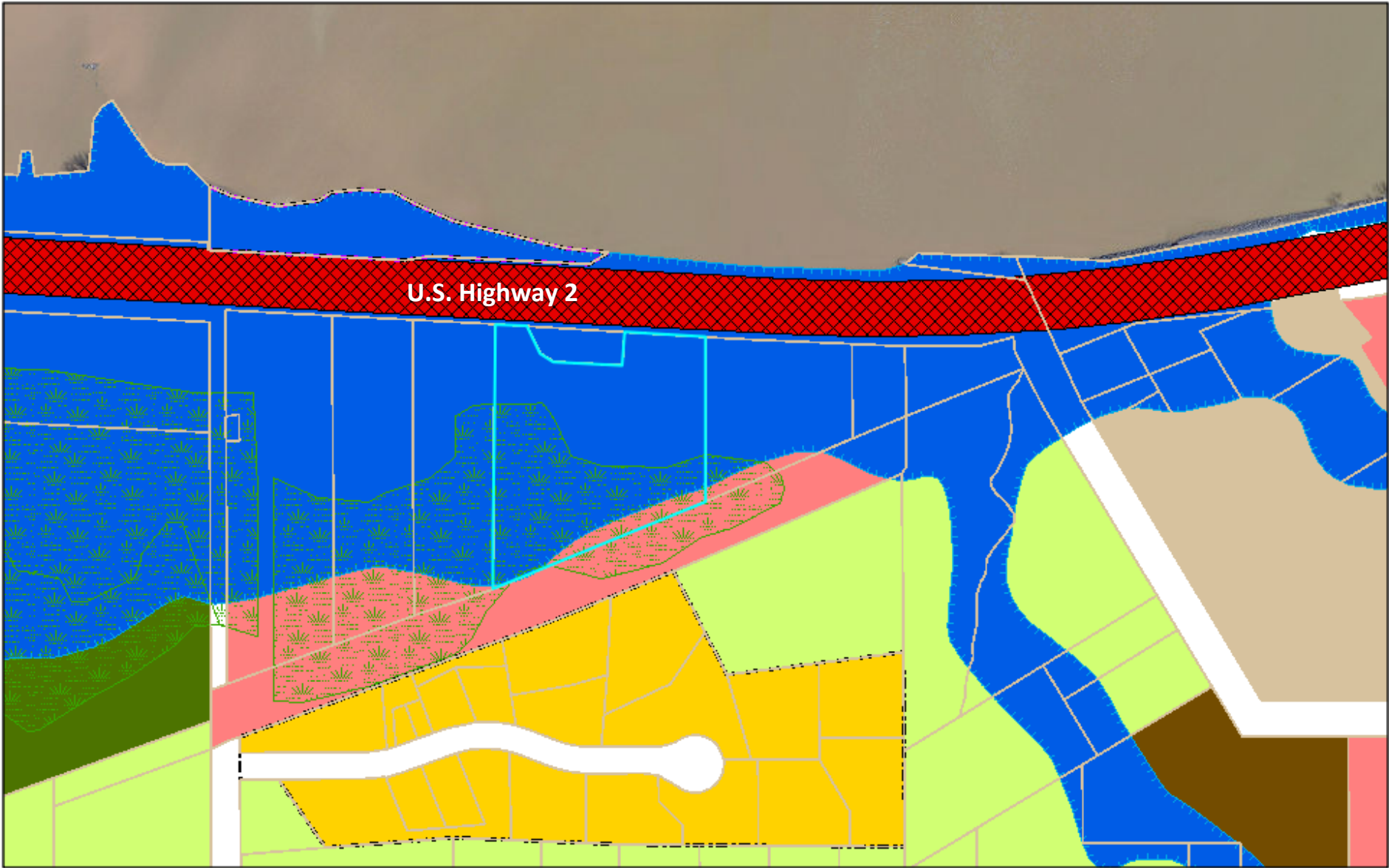
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 Parcel Mapping
Parcel Labels



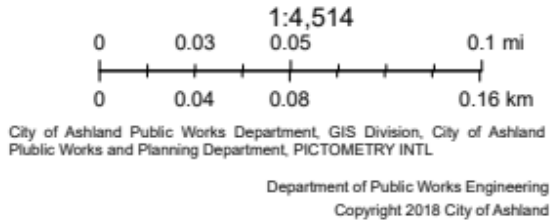
City of Ashland Public Works Department, GIS Division, PICTOMETRY INTL

2300 Lake Shore Dr W Zoning Map



Legend

- | | |
|---|--|
|  Waterfront-Overlay (W-O) District |  Regional Commercial (RC) |
|  Gateway-Overlay District (GTWY-O) |  Residential Estate (RE) |
|  Wetland-Overlay (WET-O) |  Single- and Two-Family Residential (R-2) |



2300 Lake Shore Dr W Aerial Map with Elevation Contours



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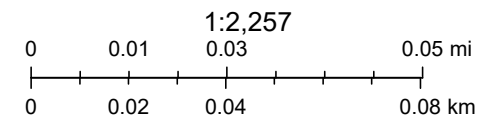
COUNTOURS

— 2 Ft

Parcel Labels

— 10 Ft

Parcel Mapping



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

Department of Public Works Engineering

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Homeless Definition

CRITERIA FOR DEFINING HOMELESS	Category 1	Literally Homeless	(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); <u>or</u> (iii) Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
	Category 2	Imminent Risk of Homelessness	(2) Individual or family who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; <u>and</u> (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing
	Category 3	Homeless under other Federal statutes	(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u> (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers
	Category 4	Fleeing/ Attempting to Flee DV	(4) Any individual or family who: (i) Is fleeing, or is attempting to flee, domestic violence; (ii) Has no other residence; <u>and</u> (iii) Lacks the resources or support networks to obtain other permanent housing



Homeless Definition

RECORDKEEPING REQUIREMENTS



RECORDKEEPING REQUIREMENTS	Category 1	Literally Homeless	- Written observation by the outreach worker; <u>or</u> - Written referral by another housing or service provider; <u>or</u> - Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter; - For individuals exiting an institution—one of the forms of evidence above <u>and</u>: - discharge paperwork <u>or</u> written/oral referral, <u>or</u> - written record of intake worker's due diligence to obtain above evidence <u>and</u> certification by individual that they exited institution
	Category 2	Imminent Risk of Homelessness	- A court order resulting from an eviction action notifying the individual or family that they must leave; <u>or</u> - For individual and families leaving a hotel or motel—evidence that they lack the financial resources to stay; <u>or</u> - A documented and verified oral statement; <u>and</u> - Certification that no subsequent residence has been identified; <u>and</u> - Self-certification or other written documentation that the individual lack the financial resources and support necessary to obtain permanent housing
	Category 3	Homeless under other Federal statutes	- Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; <u>and</u> - Certification of no PH in last 60 days; <u>and</u> - Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved two or more times in the past 60 days; <u>and</u> - Documentation of special needs <u>or</u> 2 or more barriers
	Category 4	Fleeing/ Attempting to Flee DV	<i>For victim service providers:</i> - An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by the intake worker. <i>For non-victim service providers:</i> - Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification or by the caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; <u>and</u> - Certification by the individual or head of household that no subsequent residence has been identified; <u>and</u> - Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

Northwest Wisconsin Community Services Agency, Inc.

SERVING THE COUNTIES OF ASHLAND, BAYFIELD, DOUGLAS, IRON AND PRICE

ADMINISTRATIVE OFFICE
1118 TOWER AVENUE
SUPERIOR, WISCONSIN 54880
Phone: 715-392-5127
Fax: 715-392-5511
www.Northwest-CSA.org



Millie Rounsville, *Chief Executive Officer*

ASHLAND HOMELESS SHELTER MINIMUM STANDARDS

- No persons other than staff/trained volunteers will be on premises without prior permission.
- A minimum of 2 staff and/or trained volunteers will be on site at all times guests are present.
- No guests shall be permitted that are registered sex offenders, have an open arrest warrant or a history of convictions related to violence against others until a period of 5 years from satisfaction has been completed.
- Security system including the use of camera's will be installed.
- Guests will not be provided keys are expected to check-in and out of the office during their stay.
- The organization will maintain adequate insurance for the shelter including the following: structure, contents, general liability, staff and volunteer coverage.
- Smoking will only be allowed in designated location; this local shall not be visible from the street.
- The shelter offers temporary services. Program participation consists of a thirty (30) stay. An extension of time is available under certain circumstances utilizing a predetermined matrix by staff and not guaranteed
- Weekly Case Management is required for residents. Staff are available to assist with applications, updating resumes, job search and/or accessing mainstream and housing resources.
- The following behaviors are not permitted on the premises of the shelter and may be cause for immediate dismissal from the program:
 - Possession of Alcohol, Drugs, Drug Paraphernalia, and/or weapons of any kind.
 - Abusive language, profanity or disrespectful attitudes towards staff or other participants.
 - Violence, verbally or physically.
 - Sexual harassment of another resident, staff or volunteer will not be accepted.
 - Stealing from the shelter, staff, other participants or volunteers is not permitted.
 - Shelter property is not to be damaged and/or destroyed.
 - Criminal activity on/or off property that threatens the safety of our participants and/or neighbor is not endured.
 - Random room searches are at the discretion of the staff and will occur.

D. Conditions that may be Attached to Conditional Use Permit

The Common Council may attach any conditions to the approval of a conditional use permit that it deems necessary to address any of the following conditions or other applicable conditions not herein listed. Conditions as to the permit's duration, transfer, or renewal may also be included. All conditions must be reasonable and, to the extent practicable, measurable. Any condition imposed must be related to the purpose of the evidence and be based on substantial evidence.

1. Minimize any adverse impact of the 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.

(Unified Development Ordinance Section 3.9D)

SUBJECT: Approve to Accept a Bid from a Qualified Contractor for the Kreher Park
Redevelopment: Parking Lot Project (*Parks*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: City Administrator

EXHIBITS: 1. Advertisement for Bids - Kreher Park Redevelopment: Parking Lot

EXPENDITURES REQUIRED: TBD

AMOUNT BUDGETED: \$ 500,000 DNR RBF Grant (awarded 2020)
\$ 300,000 Marina GO Notes
\$ 125,000 SFR Grant (awarded 2020)
\$ 150,000 Waterfront Redevelopment Fund
\$1,075,000 Total

APPROPRIATION REQUIRED: \$150,000 from Fund 453 (Waterfront Redevelopment) in 2019 was budgeted towards this project and was used to to hire Veit to create the base of the parking lot, thoroughfare and install pilings.

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on September 28, 2021, that Northern Interstate Construction, Inc is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: The proposed project conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan, Kreher Park Redevelopment Concept Plans, City of Ashland Waterfront Redevelopment Plan and City of Ashland Comprehensive Outdoor Recreation Plan.

SUMMARY STATEMENT:

Staff is seeking approval from Council to accept a bid from a qualified contractor for the Kreher Park Redevelopment: Parking Lot Project.

Bids are due and will be opened at City Hall on Thursday September 23, 2021 at 2:00 pm. Council will be provided the bid listing prior to/at the meeting.

This project is to asphalt the parking lot and thoroughfare on the former Superfund site. Under an agreement

with the NSP, US EPA, and WDNR, the City has a monetary incentive to pave this area of the site by December 21, 2021, and has until September 2022, to pave this area without making it into green space.

SECTION 00 01 00
ADVERTISEMENT FOR BIDS

The City of Ashland (Owner) is requesting Bids for the construction of the following Project:

KREHER PARK REDEVELOPMENT: PARKING LOT

Sealed bids for the construction of the Project from qualified bidders will be received at the Ashland City Hall located at 601 Main St West, Ashland, WI 54806, until Thursday, September 23, 2021, at 2 PM local time. At that time the Bids received will be publicly opened and read.

The Project, including Project Alternatives, includes the following Work:

- Bituminous Pavement Parking Lot
- Concrete Pavement, Concrete Sidewalk, Concrete Curb and Gutter, and Concrete Flume
- Biofiltration Basins, Trench Drains, Erosion Control and Grading Construction

Plans and Specifications may be obtained from the City of Ashland, 601 Main Street, Ashland, WI 54806, and online at www.coawi.org , beginning September 2, 2021.

Each bid must be presented in a sealed envelope marked: “KREHER PARK REDEVELOPMENT: PARKING LOT” and shall be submitted on the forms furnished with the specifications. Bids must be accompanied by a bid security in the amount of 5 percent of the bid amount or a bid bond of a bonding company duly authorized to do business in the State of Wisconsin in an amount equal to five percent (5%) of the proposal. Bidders must be properly licensed under the laws governing their respective trades and be able to obtain insurance and bonds required for the Project. A Performance Bond, separate Labor and Material Payment Bond, and Insurance in a form acceptable to Owner will be required of the successful Bidder. This proposal guarantee shall be subject to forfeiture as provided by law. Prevailing wages will apply to this project.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents or contact Sara Hudson, Parks and Recreation Director 715-685-1644 or shudson@coawi.org .

Proposals shall not be withdrawn for a period of thirty (30) days after the date of opening. The City of Ashland reserves the right to reject any or all of the proposals and to waive any informalities herein, to reject any or all bids, and to award the Contract as deemed to be in the best interest of the City.

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

Date of Publication: September 2, 2021

By Authority of: Denise Oliphant, City Clerk

SUBJECT: Approve to Accept the Workmanship of Ashland Construction and Approve Final Payment for the 2020 Vaughn Avenue and 7th Street West Reconstruction and Utility Replacement Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Finance Director

EXHIBITS:

1. Certificate of Substantial Completion
2. Change Order No. 4
3. Final Pay Request

EXPENDITURES REQUIRED: \$145,301.28 **Final Work Completed & Retainage Due**

\$ 914,095.17	Fund 470
\$ 430,318.62	Fund 680
<u>\$ 31,038.21</u>	Fund 690
\$1,375,452.00	Final Project Cost (including final payment due)

AMOUNT BUDGETED:	\$1,024,100.00	Fund 470
	\$ 374,500.00	Fund 680
	<u>\$ 35,000.00</u>	Fund 690
	\$1,433,600.00	Total Project Budget

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on September 8th 2021, that Ashland Construction is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: The completed construction project conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the March 31, 2020 City Council meeting, the Council approved entering into an agreement with Ashland Construction for the Vaughn Avenue and 7th Street West Street Reconstruction and Utility Replacement

Project.

Major work items completed under this project included replacement of water main, storm main, sidewalk segments and street reconstruction on Vaughn Avenue from 6th Street West to 11th Street West and 7th Street West between Chapple Avenue and 4th Avenue West.

Change Orders Nos. 1-4 total \$72,352.25 and are associated with changes in the work, variances in estimated versus actual quantities of work and additional work requested by the City. Change Orders #1-3 have previously been approved by City staff in accordance with City Ordinance 194.

Change Order No. 4 totals \$58,769 and is associated with variances in estimated versus actual quantities of work, primarily concrete sidewalk and asphalt pavement. The change order cost exceeds the authority of staff as defined in City Ordinance 194.

The Public Works Department recommends approval of Change Order No.4 and to make the final payment of \$145,301.28 due for the Vaughn Avenue and 7th Street West Street Reconstruction and Utility Replacement Project.

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner: City of Ashland Owner's Project No.: 470201901
Engineer: Cedar Corporation Engineer's Project No.: A2920
Contractor: Ashland Construction Contractor's Project No.: N/A
Project: Vaughn Avenue & 7th St W Reconstruction
Contract Name:

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

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

Date of Substantial Completion: 10/1/2020

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 has been established by the designated state of WI electrical inspector. 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:

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): Brian Chapman

Title: Project Manager, Cedar Corporation

CHANGE ORDER NO.4

Owner: City of Ashland Owner's Project No.: 470201901
Engineer: Cedar Corporation Engineer's Project No.: A2920
Contractor: Ashland Construction Contractor's Project No.: N/A
Project: Vaughn Avenue & 7th St W Reconstruction
Contract Name:
Date Issued: 9/21/2021 Effective Date of Change Order: 9/21/2021

The Contract is modified as follows upon execution of this Change Order:

Description:

Approve various quantity variances resulting in increase in contract price

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 1,303,099.75	Original Contract Times: Substantial Completion: September 15, 2020 Ready for final payment: September 22, 2020
[Increase] from previously approved Change Orders No. 1 to No. 3 \$ 13,582.90	Increase from previously approved Change Orders No. 1 to No. 1 Substantial Completion: September 15, 2020 Ready for final payment: May 31, 2021
Contract Price prior to this Change Order: \$ 1,316,682.65	Contract Times prior to this Change Order: Substantial Completion: September 15, 2020 Ready for final payment: May 31, 2021
Increase this Change Order: \$ 58,769.35	Increase this Change Order: Substantial Completion: September 15, 2020 Ready for final payment: December 1, 2021
Contract Price incorporating this Change Order: \$ 1,375,452.00	Contract Times with all approved Change Orders: Substantial Completion: September 15, 2020 Ready for final payment: December 1, 2021

Recommended by Engineer (if required)

Accepted by Contractor

By:

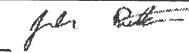


Title: Project Manager

Date: 9/21/2021

Authorized by Owner

By:



Title: Director of Public Works

Date: 9/21/2021



PRESIDENT

Approved by Funding Agency (if applicable)

☐ Owner ☐ Engineer
☐ Contractor ☐ Funding Agency

Contractor's Application for Payment No. 3

Application Period: 10/16/20 - 9/22/21		Application Date: 9/22/2021
To (Owner): City of Ashland	From (Contractor): Ashland Construction, Inc.	Via (Engineer): Cedar Corporation
Project: Vaughn Avenue & 7th Street W. Reconstruction & Utility Replacement	Contract:	
Owner's Contract No:	Contractor's Project No: 2020.02A	Engineer's Project No: A2920-0009

Application For Payment Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
	\$13,582.90	
TOTALS	\$13,582.90	
NET CHANGE BY CHANGE ORDERS	\$13,582.90	

1. ORIGINAL CONTRACT PRICE.....	\$	\$1,303,099.75
2. Net change by Change Orders.....	\$	\$13,582.90
3. Current Contract Price (Line 1 ± 2).....	\$	\$1,316,682.65
4. TOTAL COMPLETED AND STORED TO DATE (Column I total on Progress Estimates).....	\$	\$1,375,452.00
5. RETAINAGE:		
a. X \$1,375,452.00 Work Completed.....	\$	
b. 5% X Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$1,375,452.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$1,230,150.72
8. AMOUNT DUE THIS APPLICATION.....	\$	\$145,301.28

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By: *Dave P. McChee*

Date: 9/22/2021

Payment of: \$ \$145,301.28
(Line 8 or other - attach explanation of the other amount)

is recommended by: _____
(Engineer) (Date)

Payment of: \$ \$145,301.28
(Line 8 or other - attach explanation of the other amount)

is approved by: _____
(Owner) (Date)

Approved by: _____
Funding or Financing Entity (if applicable) (Date)

Unit Price Progress Estimate										Contractor's Application									
Project:		Vaughn Avenue & 7th Street W. Reconstruction & Utility Replacement								Application Number:		3							
Application Period:		10/16/20 - 9/22/21								Application Date:		September 22, 2021							
A					B	C		D	E	F	G	H	I	J					
Item			Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.						
Bid No.	Description				Previous Applications		This Application		Materials Stored										
					Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount							
SCHEDULE A - Vaughn Avenue (6th St W to 11th St W)																			
Street Construction																			
1	Grubbing	550	I.D.	\$5.00	558	\$2,790.00						558	\$2,790.00	101.5%					
2	Demolition of Curb & Gutter	3500	L.F.	\$1.55	3519	\$5,454.45						3519	\$5,454.45	100.5%					
3	Asphaltic & Concrete Pavement Removal	7000	S.Y.	\$1.55	7000	\$10,850.00		440	\$682.00			7440	\$11,532.00	106.3%					
4	Excavation	5700	C.Y.	\$7.70	5700	\$43,890.00		269	\$2,071.30			5969	\$45,961.30	104.7%					
5	Geotextile Fabric, Type SR	8670	S.Y.	\$1.20	8670	\$10,404.00		440	\$528.00			9110	\$10,932.00	105.1%					
6	Sand Subbase Course	2410	C.Y.	\$14.00	2410	\$33,740.00		122	\$1,708.00			2532	\$35,448.00	105.1%					
7	Crushed Aggregate Base	2100	C.Y.	\$30.00	2100	\$63,000.00		98	\$2,940.00			2198	\$65,940.00	104.7%					
8	Temporary Stone Tracking Pad	70	C.Y.	\$25.00															
9	Concrete Curb & Gutter, 24" Barrier	4000	L.F.	\$14.00	3783	\$52,962.00						3783	\$52,962.00	94.6%					
10	HMA, Binder, 2.5" (2020)	7100	S.Y.	\$11.50	7540	\$86,710.00						7540	\$86,710.00	106.2%					
11	HMA, Surface, 1.5" (2020)	7100	S.Y.	\$7.80				7540	\$58,812.00			7540	\$58,812.00	106.2%					
12	Traffic Control	1	L.S.	\$10,300.00	1	\$10,300.00						1	\$10,300.00	100.0%					
13	Topsoil, Turf, and Grasses	4000	S.Y.	\$5.00	2850	\$14,250.00		1150	\$5,750.00			4000	\$20,000.00	100.0%					
Storm Sewer Construction																			
14	Temporary Inlet Protection	16	EA.	\$55.00	16	\$880.00						16	\$880.00	100.0%					
15	Remove Storm Manhole	5	EA.	\$227.00	5	\$1,135.00						5	\$1,135.00	100.0%					
16	Remove Storm Pipe	2150	L.F.	\$10.00	2319	\$23,190.00						2319	\$23,190.00	107.9%					
17	Storm Sewer, RCP, CL III, 12"	565	L.F.	\$28.00	565	\$15,820.00						565	\$15,820.00	100.0%					
18	Storm Sewer, RCP, CL III, 15"	420	L.F.	\$40.00	446	\$17,840.00						446	\$17,840.00	106.2%					
19	Storm Sewer, RCP, CL III, 18"	1110	L.F.	\$45.00	1128	\$50,760.00						1128	\$50,760.00	101.6%					
20	Storm Manhole & Casting	47	V.F.	\$411.00	47	\$19,317.00						47	\$19,317.00	100.0%					
21	Storm Inlet & Casting	13	EA.	\$1,500.00	13	\$19,500.00						13	\$19,500.00	100.0%					
22	Perforated Pipe Underdrain, Wrapped, 4"	3800	L.F.	\$4.00	3800	\$15,200.00						3800	\$15,200.00	100.0%					
23	Televising	2095	L.F.	\$0.60				2139	\$1,283.40			2139	\$1,283.40	102.1%					
Watermain Construction																			
24	Abandon Watermain Pipe	1800	L.F.	\$0.80	180	\$144.00						180	\$144.00	10.0%					
25	Remove Watermain Pipe	200	L.F.	\$10.00	3533	\$35,330.00						3533	\$35,330.00	1766.5%					
26	Salvage Hydrant	3	EA.	\$306.00	3	\$918.00						3	\$918.00	100.0%					
27	Watermain, C900 PVC, 6"	45	L.F.	\$28.00	54	\$1,512.00						54	\$1,512.00	120.0%					

Unit Price Progress Estimate										Contractor's Application													
Project:		Vaughn Avenue & 7th Street W. Reconstruction & Utility Replacement										Application Number:		3									
Application Period:		10/16/20 - 9/22/21										Application Date:		September 22, 2021									
A					B		C		D		E		F		G		H		I		J		
Item				Estimated Bid Quantity		Unit Price		Quantity Completed								Total Completed & Stored to Date (C+E+G)		% Comp.					
Bid No.		Previous Applications						This Application		Materials Stored													
Description								Quantity		Amount		Quantity		Amount		Quantity		Amount		Quantity		Amount	
28	Watermain, C900 PVC, 8"			1800	L.F.	\$39.00	1777	\$69,303.00								1777	\$69,303.00		98.7%				
29	Water Service Lateral, Copper, 1.0"			2000	L.F.	\$35.00	2037	\$71,295.00								2037	\$71,295.00		101.9%				
30	Corporation Stop, 1.0"			56	EA.	\$224.00	55	\$12,320.00								55	\$12,320.00		98.2%				
31	Curbstop, 1.0"			56	EA.	\$379.00	55	\$20,845.00								55	\$20,845.00		98.2%				
32	Hydrant			3	EA.	\$3,790.00	3	\$11,370.00								3	\$11,370.00		100.0%				
33	Gate Valve, 6"			3	EA.	\$1,450.00	3	\$4,350.00								3	\$4,350.00		100.0%				
34	Gate Valve, 8"			7	EA.	\$1,940.00	7	\$13,580.00								7	\$13,580.00		100.0%				
35	Connect to Watermain			2	EA.	\$2,510.00	2	\$5,020.00								2	\$5,020.00		100.0%				
Sidewalk Construction																							
36	Demolition of Pavement, Sidewalk, & Driveways			1100	S.Y.	\$3.50	1212	\$4,242.00								1212	\$4,242.00		110.2%				
37	Concrete Sidewalk, 4"			5440	S.F.	\$7.10	9391	\$66,676.10								9391	\$66,676.10		172.6%				
38	Concrete Sidewalk & Driveway, 6"			2805	S.F.	\$8.10	1058	\$8,569.80								1058	\$8,569.80		37.7%				
SCHEDULE B - 7th Street West (Chapple Ave to 4th Ave W)																							
Street Construction																							
39	Demolition of Curb & Gutter			2035	L.F.	\$1.60	2158	\$3,452.80								2158	\$3,452.80		106.0%				
40	Asphaltic & Concrete Pavement Removal			4120	S.Y.	\$1.60	4120	\$6,592.00		240	\$384.00					4360	\$6,976.00		105.8%				
41	Excavation			2770	C.Y.	\$8.00	2770	\$22,160.00		147	\$1,176.00					2917	\$23,336.00		105.3%				
42	Geotextile Fabric, Type SR			4185	S.Y.	\$1.50	4185	\$6,277.50		240	\$360.00					4425	\$6,637.50		105.7%				
43	Sand Subbase Course			1165	C.Y.	\$14.00	1165	\$16,310.00		67	\$938.00					1232	\$17,248.00		105.8%				
44	Crushed Aggregate Base			1100	C.Y.	\$30.00	1100	\$33,000.00		54	\$1,620.00					1154	\$34,620.00		104.9%				
45	Temporary Stone Tracking Pad			70	C.Y.	\$25.00																	
46	Concrete Curb & Gutter, 24" Barrier			2070	L.F.	\$14.00	2200	\$30,800.00								2200	\$30,800.00		106.3%				
47	HMA, Binder, 2.5" (2020)			3300	S.Y.	\$11.00	3540	\$38,940.00								3540	\$38,940.00		107.3%				
48	HMA, Surface, 1.5" (2020)			3300	S.Y.	\$7.70				3540	\$27,258.00					3540	\$27,258.00		107.3%				
49	Traffic Control			1	L.S.	\$15,000.00	1	\$15,000.00								1	\$15,000.00		100.0%				
50	Topsoil, Turf, and Grasses			2500	S.Y.	\$5.00	1990	\$9,950.00		510	\$2,550.00					2500	\$12,500.00		100.0%				
Storm Sewer Construction																							
51	Temporary Inlet Protection			4	EA.	\$55.00	4	\$220.00								4	\$220.00		100.0%				

Unit Price Progress Estimate										Contractor's Application											
Project:		Vaughn Avenue & 7th Street W. Reconstruction & Utility Replacement										Application Number:		3							
Application Period:		10/16/20 - 9/22/21										Application Date:		September 22, 2021							
A					B	C		D	E		F	G		H	I		J				
Item			Estimated Bid Quantity		Unit Price		Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.						
Bid No.	Description	Previous Applications					This Application		Materials Stored												
		Quantity					Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount								
52	Storm Sewer, RCP, CL III, 12"		175	L.F.	\$38.00	175	\$6,650.00							175	\$6,650.00	100.0%					
53	Storm Sewer, RCP, CL III, 15"		415	L.F.	\$39.00	446	\$17,394.00							446	\$17,394.00	107.5%					
54	Storm Manhole & Casting		10	V.F.	\$416.00	10	\$4,160.00							10	\$4,160.00	100.0%					
55	Storm Inlet & Casting		8	EA.	\$1,500.00	8	\$12,000.00							8	\$12,000.00	100.0%					
56	Perforated Pipe Underdrain, Wrapped, 4"		2070	L.F.	\$3.50	2070	\$7,245.00							2070	\$7,245.00	100.0%					
57	Televising		590	L.F.	\$0.75			621	\$465.75					621	\$465.75	105.3%					
Watermain Construction																					
58	Abandon Watermain Pipe		900	L.F.	\$1.00																
59	Salvage Hydrant		1	EA.	\$344.00	1	\$344.00							1	\$344.00	100.0%					
60	Watermain, C900 PVC, 6"		25	L.F.	\$60.00	45	\$2,700.00							45	\$2,700.00	180.0%					
61	Watermain, C900 PVC, 8"		1255	L.F.	\$40.00	1267	\$50,680.00							1267	\$50,680.00	101.0%					
62	Water Service Lateral, Copper, 1.0"		620	L.F.	\$37.00	584	\$21,608.00							584	\$21,608.00	94.2%					
63	Corporation Stop, 1.0"		19	EA.	\$224.00	18	\$4,032.00							18	\$4,032.00	94.7%					
64	Curbstop, 1.0"		19	EA.	\$379.00	18	\$6,822.00							18	\$6,822.00	94.7%					
65	Hydrant		2	EA.	\$3,790.00	3	\$11,370.00							3	\$11,370.00	150.0%					
66	Gate Valve, 6"		2	EA.	\$1,450.00	3	\$4,350.00							3	\$4,350.00	150.0%					
67	Gate Valve, 8"		8	EA.	\$1,940.00	8	\$15,520.00							8	\$15,520.00	100.0%					
68	Connect to Watermain		6	EA.	\$2,170.00	6	\$13,020.00							6	\$13,020.00	100.0%					
Sidewalk Construction																					
69	Demolition of Pavement, Sidewalk & Driveways		640	S.Y.	\$4.00	711	\$2,844.00							711	\$2,844.00	111.1%					
70	Concrete Sidewalk, 4"		3930	S.F.	\$6.00	4432	\$26,592.00							4432	\$26,592.00	112.8%					
71	Concrete Sidewalk & Driveway, 6"		3545	S.F.	\$8.10	1915	\$15,511.50							1915	\$15,511.50	54.0%					
Sanitary Sewer Construction																					
72	Sanitary Sewer, PVC, SDR 35, 8"		570	L.F.	\$34.00	357	\$12,138.00							357	\$12,138.00	62.6%					
73	Sanitary Sewer, PVC, SDR 35, 12"		15	L.F.	\$57.00	13	\$741.00							13	\$741.00	86.7%					
74	Sanitary Manhole & Casting		37	V.F.	\$302.00	37	\$11,174.00							37	\$11,174.00	100.0%					
75	Televising		585	L.F.	\$0.75			370	\$277.50					370	\$277.50	63.2%					
Additional Work/Change Order																					
	2" Insulation		944	SF	\$2.50	900	\$2,250.00							900	\$2,250.00	95.3%					

SUBJECT: Approve to Accept the Workmanship of Northwoods Paving and Approve Final Payment for the 2020 Road Resurfacing Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Finance Director

EXHIBITS:

1. City of Ashland 2020 Road Resurfacing Location Map
2. Certificate of Substantial Completion
3. Application for Final Payment and Pay Quantity Tabulation

EXPENDITURES REQUIRED: \$57,719.97 Final Work Completed & Retainage Due

\$ 283,493.38 Fund 470

\$ 19,476.56 Fund 680

\$ 302,969.94 Final Project Cost (including final amount due)

AMOUNT BUDGETED: **\$ 301,822.99 Fund 470 (project cost \$283,493.38)**

APPROPRIATION REQUIRED: **\$19,476.56 Fund 680**

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on September 22, 2021 that Northwoods Paving is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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

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

SUMMARY STATEMENT:

At the June 30, 2020 City Council meeting, the Council approved entering into an agreement with Northwoods Paving for the 2020 Road Resurfacing Project.

Major work items completed under this project included resurfacing of various areas as shown on the attached locations maps. However, due to contractual complexities, pavement replacement of Chapple Avenue (11th Street to the end) was removed from the scope of the 2020 Road Resurfacing Project and is scheduled for completion under a separate project.

Actual quantities of installed asphalt differed significantly from staff estimates for the remaining roadway segments. As a result, the overall contract price has increased slightly despite the deduction of Chapple Avenue.

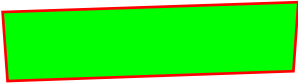
In addition, roadway paving on 12th Avenue East and Front Street (11th Avenue East to 12th Avenue East) was completed following replacement of the underlying watermain. At the time of the contract award, staff did request appropriation of Water Utility funds toward the cost of this work. Typical practice is for the Water Utility to contribute toward 1/2 of the cost of roadway paving following watermain replacement. Council approval of an appropriation of \$19,476.56 in Water Utility funds is requested for this portion of the project.

The Public Works Department recommends approval of the final payment of \$57,719.97 due on the 2020 Road Resurfacing Project.

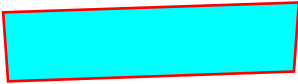
City of Ashland 2020 Road Resurfacing Location Map



= 3.5" Overlay of Existing Roadway



= Pulverize & 3.5" Relay



= 1.25" Overlay of Existing Roadway



= Pavement Replacement or Overlay in 2021

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

12th St W & 13th St W



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

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Hydrants

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

Water Structures

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

Water Main

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

Sanitary Structures

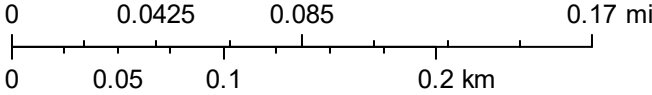
- Sanitary Main
- Sanitary_Forcemain
- Manhole
- Outfall

Outlet

- Collector
- Lateral
- Culvert
- Open Channel

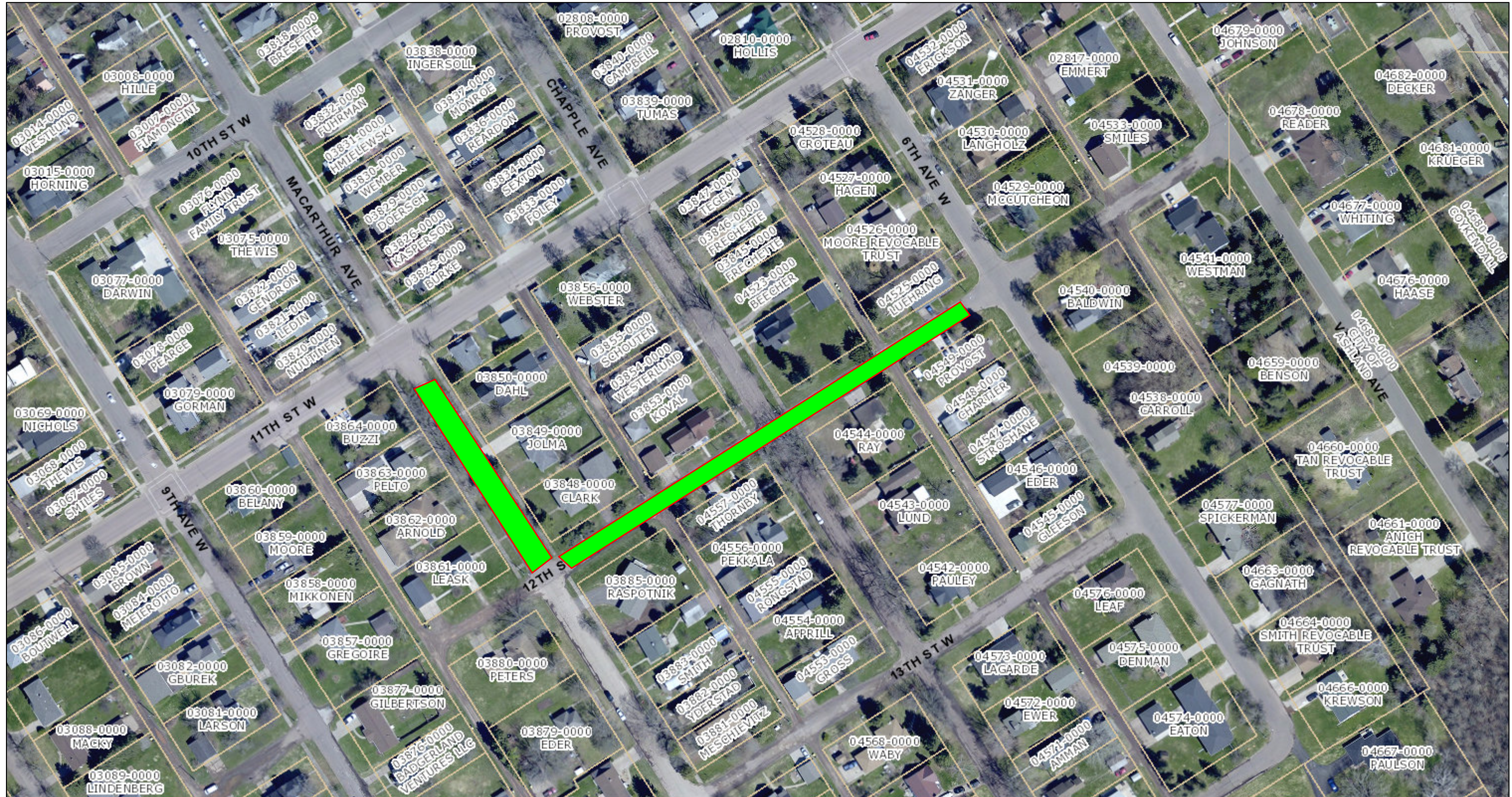
Under Drain

- BMP



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

12th St W & MacArthur Ave

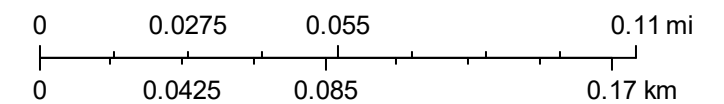


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Parcel Labels

Parcel Mapping

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City of Ashland Public Works Department, GIS Division
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3rd Ave W



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1:1,709

Hydrants

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

Water Structures

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

Water Main

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

Sanitary Structures

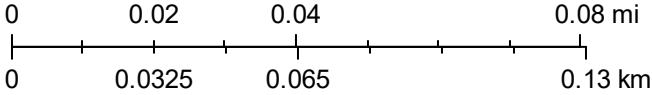
- Sanitary Main
- Sanitary Flow Direction
- Sanitary_Forcemain
- Manhole

Outlet

- Outfall
- Outlet
- StormMain
- Collector
- Lateral

Culvert

- Open Channel
- Under Drain
- BMP



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

Chapple Ave (2021)



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Hydrants

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

Water Structures

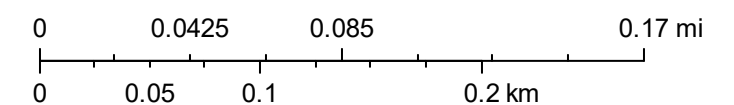
- <all other values>
- ⚡ Ashland Water Tower
- ⚡ Binsfield Rd Booster Station
- ⚡ Binsfield Rd Standpipe
- ⚡ Water Treatment Plant

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

- + Sanitary Structures
- Sanitary Main
- Sanitary_Forcemain
- + Manhole
- Outlet**
- + Outfall

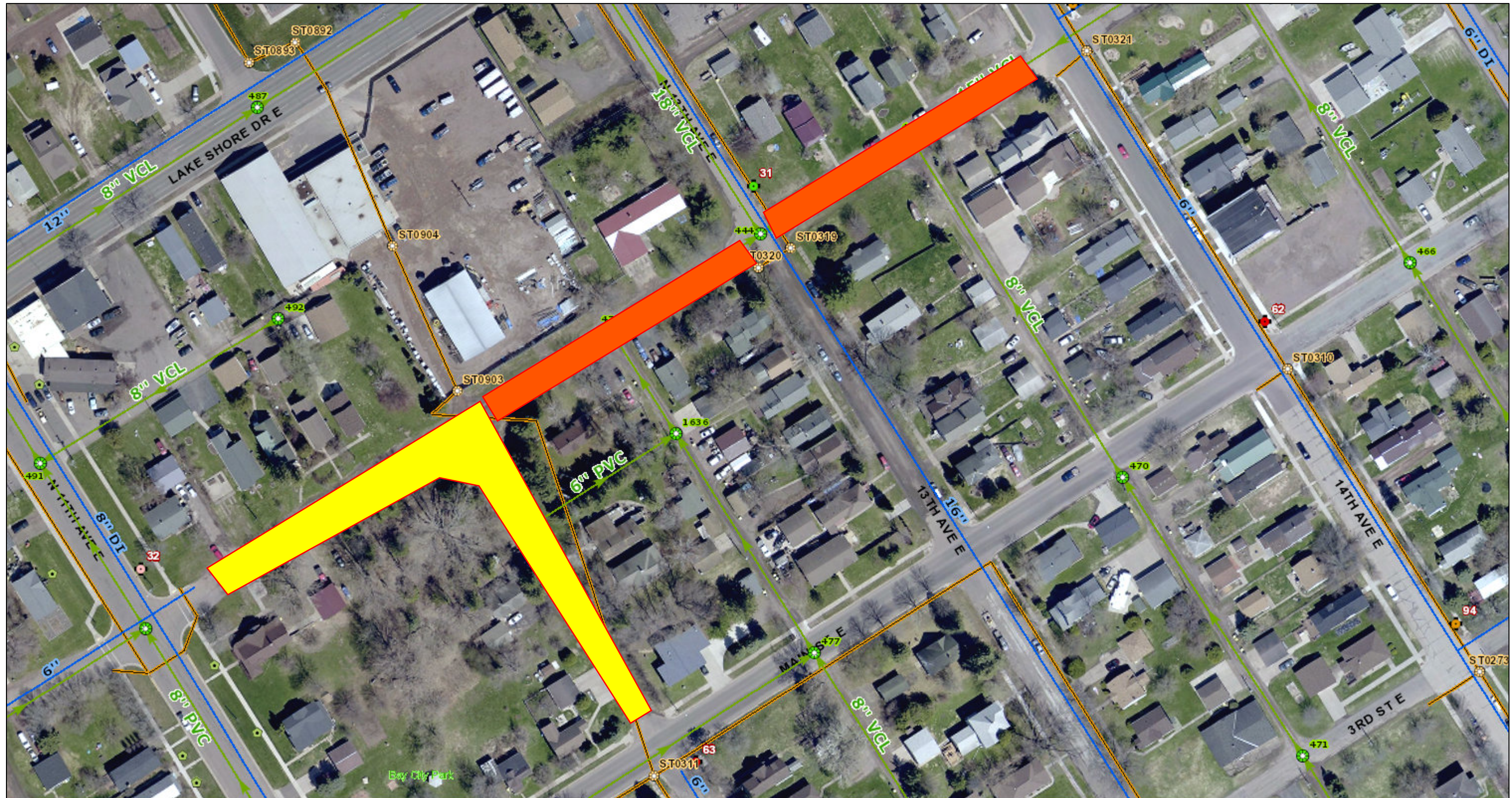
- ▲ Outlet
- StormMain**
- Collector
- Lateral
- Culvert
- Open Channel

- Under Drain
- ... BMP



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

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



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1:1,709

Hydrants

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

Water Structures

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

Sanitary Structures

- Lift Station Valves
- + Sanitary Manholes
- ▲ Sanitary_Discharge
- Lift Stations
- + Monitoring Wells
- + Sanitary Structures
- Sanitary Main
- Sanitary Flow Direction
- Sanitary_Forcemain
- Manhole

Outlet

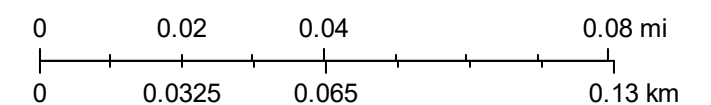
- ▲ Outfall
- ▲ Outlet
- Collector
- Lateral

StormMain

- Collector
- Lateral

Culvert

- Open Channel
- Under Drain
- ... BMP



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

5th Ave E Patch

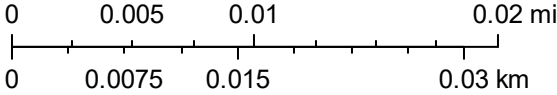


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Lines

- Override 1
- Parcel Labels
- Parcel Mapping



City of Ashland Public Works Department, GIS Division
PICTOMETRY INTL

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner:	City of Ashland	Owner's Project No.:	470201901
Engineer:	N/A	Engineer's Project No.:	N/A
Contractor:	Northwoods Paving	Contractor's Project No.:	N/A
Project:	2020 Road Resurfacing		
Contract Name:			

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

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

Date of Substantial Completion: 9/17/2021

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 has been established by the designated state of WI electrical inspector. 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:

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*): John Butler

Title: Director of Public Works

APPLICATION FOR PAYMENT NO.

2- FINAL

To: CITY OF ASHLAND (Owner)

From: NORTHWOODS PAVING, INC (Contractor)

Project: 2020 ROAD RESURFACING PROJECT

470202001

For Work Period: From: Thru: September 17, 2021

470-57335-823	\$25,335.52
470-22100	\$12,907.90
680-18700-2102	\$19,476.56

1.	Original Contract Price:	\$287,450.87
2.	a) Net change by Change Orders and Written Amendments (+ or -)	\$0.00
	b) Net change by Quantity Variances (+ or -)	\$15,519.07
3.	Current Contract Price (Line 1 plus Line 2):	\$302,969.94
4.	Total completed and stored to date:	\$302,969.94
5.	Retainage (per Agreement):	
	0.00% of completed Work:	\$0.00
	0.0% of stored material:	\$0.00
	Total Retainage:	\$0.00
6.	Total completed and stored to date less retainage (Line 4 minus Line 5)	\$302,969.94
7.	Less previous Payments:	\$245,249.97
8.	DUE THIS APPLICATION (6 MINUS 7):	\$57,719.97

Accompanying Documents:
Itemization of Quantities

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated _____

By: Eric Brye, Northwoods Paving

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated _____

By: John Butler, Public Works Director

Dated _____

By: Brant Kucera, City Administrator

Dated _____

By: Debra Lewis, Mayor

Dated _____

By: Barbara Zanella, Comptroller

Dated _____

By: Denise Oliphant, City Clerk

PAY QUANTITY TABULATION FOR: 2020 ROAD RESURFACING PROJECT

PAY REQUEST NO. 2 FINAL

PAY PERIOD: XXXX XX, 2020 TO September 17, 2021

BASE BID				NORTHWOODS PAVING INC		PAY REQUEST CALCULATION					
PAY ITEM		ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	TOTAL PRICE	QTY. PREV. PAY REQUEST	QTY. THIS PAY REQUEST	TOTAL COMPLETED QUANTITY	TOTAL THIS PAY REQUEST	TOTAL WORK COMPLETED
325.01	R	PULVERIZE & RELAY	SY	4741	\$2.20	\$10,430.20	6020.00	0.00	6020	\$0.00	\$13,244.00
305.012	R	BASE AGGREGATE DENSE (1 1/4-INCH)	TON	400	\$19.00	\$7,600.00	400.00	0.00	400	\$0.00	\$7,600.00
455.0605	R	TACK COAT	GAL	432	\$2.70	\$1,166.40	485.00	125.00	610	\$337.50	\$1,647.00
465.0105	R	ASPHALTIC SURFACE 2.25-INCH (3-LT-58-28-S)	TON	2048	\$76.28	\$156,221.44	1671.30	242.98	1914	\$18,534.51	\$146,021.27
465.0106	R	ASPHALTIC SURFACE 1.25-INCH (5-LT-58-28-S)	TON	1257	\$75.19	\$94,513.83	1260.27	316.14	1576	\$23,770.57	\$118,530.27
611.811	R	ADJUSTING MANHOLE COVERS	EACH	17	\$432.00	\$7,344.00	17.00	0.00	17	\$0.00	\$7,344.00
	R	ADJUSTING WATER VALVES	EACH	1	\$71.00	\$71.00	0.00	0.00	0	\$0.00	\$0.00
619.1	R	MOBILIZATION	LS	1	\$7,750.00	\$7,750.00	0.75	0.25	1	\$1,937.50	\$7,750.00
643.01	R	TRAFFIC CONTROL (PROJECT)	LS	1	\$400.00	\$400.00	0.75	0.25	1	\$100.00	\$400.00
690.015	R	SAWING ASPHALT	LF	888	\$2.20	\$1,953.60	137.00	60.00	197	\$132.00	\$433.40
SUBTOTAL BASE BID						\$287,450.47			0	\$44,812.08	\$302,969.94
TOTAL BASE BID						\$287,450.47				\$44,812.08	\$302,969.94
TOTAL						\$287,450.47				\$44,812.08	\$302,969.94

SUBJECT: Approval of the Resolution of the State of Wisconsin, Board of Commissioners of Public Lands, Application for State Trust Fund Loan for the Sum of \$70,000 for the Purpose of Financing Solar Panels/System for the Ashland Area Development Corporation Building and for No Other Purpose (*Finance*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Mayor

CLEARANCES:

EXHIBITS: 1. Application for State Trust Fund Loan and Included Resolution

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 Council approved at the August 31, 2021 meeting to apply for a \$70,000 WI State Trust Fund Loan (STF) for Ashland Area Development Corporation (AADC) start-up cost for the solar array for their building. The approval of the Resolution to borrow from the STF is the next step in the process. The current interest rate is 3% for a ten-year loan.

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.

If the resolution is approved:

- The City will borrow approximately \$70,000 over 10 years from the STF. This loan program is not available to non-profits.
- The City will loan the \$70,000 to AADC for the solar array at 3%.
- AADC will 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.

STATE OF WISCONSIN
BOARD OF COMMISSIONERS OF PUBLIC LANDS
101 EAST WILSON STREET, 2ND FLOOR
POST OFFICE BOX 8943
MADISON, WISCONSIN 53708-8943
APPLICATION FOR STATE TRUST FUND LOAN
CITY - 20 YEAR MAXIMUM

Chapter 24 Wisconsin Statutes

CITY OF ASHLAND

Date sent: September 9, 2021

Received and filed in Madison, Wisconsin:

ID # 05605561

RAS

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TO: BOARD OF COMMISSIONERS OF PUBLIC LANDS

We, the undersigned **Mayor** and clerk of the City of **Ashland**, in the County(ies) of **Ashland**, Wisconsin, in accordance with the provisions of Chapter 24 of the Wisconsin Statutes, do hereby make application for a loan of **Seventy Thousand And 00/100 Dollars (\$70,000.00)** from the Trust Funds of the State of Wisconsin for the purpose of **financing solar panels/system for the Ashland Area Development Corporation building**.

The loan is to be continued for a term of **10** years from the 15th day of March preceding the date the loan is made. The loan is to be repaid in annual installments, as provided by law, with interest at the rate of **3.00** percent per annum.

We agree to the execution and signing of such certificates of indebtedness as the Board may prepare and submit, all in accordance with Chapter 24, Wisconsin Statutes.

The application is based upon compliance on the part of the City with the provisions and regulations of the statutes above referred to, as set forth by the following statements which we do hereby certify to be correct and true.

The meeting of the common council of the City of **Ashland**, in the County(ies) of **Ashland**, Wisconsin, which approved and authorized this application for a loan was a regularly called meeting held on the _____ day of _____, 20____.

At the aforesaid meeting a resolution was passed by a majority vote of the members of the common council approving and authorizing an application to the Board of Commissioners of Public Lands, State of Wisconsin, for a loan of **Seventy Thousand And 00/100 Dollars (\$70,000.00)** from the Trust Funds of the State of Wisconsin to the City of **Ashland** in the County(ies) of **Ashland**, Wisconsin, for the purpose of **financing solar panels/system for the Ashland Area Development Corporation building**. That at the same time and place, the common council of the City of **Ashland** by a majority vote of the members, adopted a resolution levying upon all the taxable property in the city, a direct annual tax sufficient in amount to pay the annual installments of principal and interest, as they fall due, all in accordance with Article XI, Sec. 3 of the Constitution and Sec. 24.66(5), Wisconsin Statutes.

A copy of the aforesaid resolutions, certified to by the city clerk, as adopted at the meeting, and as recorded in the minutes of the meeting, accompanies this application.

A statement of the equalized valuation of all the taxable property within the City of **Ashland**, certified to by the **Mayor** and clerk, accompanies this application.

Given under our hands in the City of **Ashland** in the County(ies) of **Ashland**, Wisconsin, this _____ day of _____, 20____.

Mayor, City of Ashland

Clerk, City of Ashland

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FORM OF RECORD

The following preamble and resolutions were presented by Alderman _____ and were read to the meeting.

By the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed, and,

By the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes. (Municipality as defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the City of **Ashland**, in the County(ies) of **Ashland**, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of **Seventy Thousand And 00/100 Dollars (\$70,000.00)** for the purpose of **financing solar panels/system for the Ashland Area Development Corporation building** and for no other purpose.

The loan is to be payable within **10** years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of **3.00** percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the City of **Ashland**, in the County(ies) of **Ashland**, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the City of **Ashland** by such loan from the state be applied or paid out for any purpose except **financing solar panels/system for the Ashland Area Development Corporation building** without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the **Mayor** and clerk of the City of **Ashland**, in the County(ies) of **Ashland**, Wisconsin, are authorized and empowered, in the name of the city to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the city pursuant to this resolution. The **Mayor** and clerk of the city will perform all necessary actions to fully carry out the provisions of Chapter 24, Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this city forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

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Alderman _____ moved adoption of the foregoing preamble and resolutions.

The question being upon the adoption of the foregoing preamble and resolutions, a vote was taken by ayes and noes, which resulted as follows:

1.	Alderman	_____	voted	_____
2.	Alderman	_____	voted	_____
3.	Alderman	_____	voted	_____
4.	Alderman	_____	voted	_____
5.	Alderman	_____	voted	_____
6.	Alderman	_____	voted	_____
7.	Alderman	_____	voted	_____
8.	Alderman	_____	voted	_____
9.	Alderman	_____	voted	_____
10.	Alderman	_____	voted	_____
11.	Alderman	_____	voted	_____
12.	Alderman	_____	voted	_____

A majority of the members of the common council of the City of **Ashland**, in the County(ies) of **Ashland**, State of Wisconsin, having voted in favor of the preamble and resolutions, they were declared adopted.

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