

**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**

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ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, January 11, 2022 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, January 11, 2022 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, Sarah Jackson, Ana Tochtermann (5:35), 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, Planning Director Megan McBride, Parks Director Sara Hudson, Fire Chief Stuart Matthias, and other concerned citizens.

2. APPROVAL OF AGENDA

Haas moved to amend the agenda by moving Item 7E after Item 7K; Lindell seconded. The motion carried unanimously by voice vote.

3. APPROVAL OF MINUTES

A. December 7, 2021 City Council Meeting Minutes

Lewis asked to correct Mr. Jensen's name from Tony to Tom. Ortman moved seconded by Seefeldt to approve the corrected minutes. The motion carried unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

The Clerk read the Rules for Citizen Participation, and the following offered their comments to the Council:

Pat Kinney, 1119 2nd Avenue West, spoke against the proposed wheel tax.

Matt MacKenzie, 518 9th Avenue West, noted his opposition to the proposed wheel tax.

Don Jaskowiak, 121 North Willis Avenue, inquired about the next phase of the ore dock construction, and noted his dislike for the proposed wheel tax.

John Marksman, Ashland resident, spoke against the proposed wheel tax.

5. MAYOR'S REPORT

A. Announcements

Lewis wished everyone a happy new year and congratulated Sharon Campbell on her recent retirement after working with the City for 22 years. Superior Days will be held in Madison on February 22 and 23, 2022. She plans to attend and asked if any Council members who were interested in also attending to speak with her after the meeting. She finally noted that there were numerous projects lined up for 2022 and thanked Council for their good work and planning.

B. Appointments

Lindell moved, seconded by Tochtermann, to approve the appointment of Thomas Mathison to the Ashland Housing Authority. The motion carried unanimously by voice vote.

6. CONSENT AGENDA

A. Miscellaneous Meeting Minutes

Haas moved, seconded by Seefeldt to approve the Consent Agenda. The motion carried unanimously by voice vote.

7. NEW BUSINESS

A. Approve SmithGroup Task Authorization No. 7 - Ore Dock Design Services for Phase 2 Diamond Access Construction Documents and Construction Administration (Parks) Roll

Franek moved, seconded by Seefeldt to approve for \$68,965. The motion passed 8-1 by roll call vote; Pufall opposed.

B. Approve to Purchase Ford F550 Ultramedic Road Rescue from Everest Emergency Vehicles, Inc. (Fire Department) Roll

Tochtermann moved, seconded by Lindell to approve the purchase for \$257,850. The motion passed unanimously by roll call vote.

C. Approve a Resolution to Repeal and Replace Resolution No. 15838 to Decrease the Membership for the Disabled Parking Enforcement Assistance Council (Clerk) Roll

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

D. Approve an Ordinance to Amend Chapter 49 (2018-1906) Sustainability Committee Ordinance, Ashland City Ordinances (Planning) Roll

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

E. Approve to Accept a Professional Construction Engineering Services Proposal from Cedar Corporation for the 2022 6th Street East Reconstruction and Utility Replacement Project (Public Works) Roll

Haas moved, seconded by Moore to approve the proposal for \$192,500 . The motion passed unanimously by roll call vote.

F. Approve to Award Bid to Classic Protective Coatings for the Water Storage Mixer Install Project (Public Works) Roll

Moore moved, seconded by Lindell to approve the bid for \$53,350 plus contingencies. The motion passed unanimously by roll call vote.

G. Approve Change Order No. 3 to Michels Corporation for the 2021 Sanitary Sewer Collection System Repairs Project (Public Works) Roll

Haas moved, seconded by Lindell to approve the change order for \$58,636. The motion passed unanimously by roll call vote.

H. Approve an Amendment to the Sidewalk Special Assessment Policy (Public Works) Voice

Jackson moved, seconded by Moore to approve the policy amendment. The motion passed 7-2 by voice vote; opposed were Ortman and Pufall.

I. Approve the Professional Services Agreement between the City of Ashland, WI and Managing Results, LLC. (Administration) Roll

Haas moved, seconded by Ortman to approve the agreement for no more than \$30,000. The motion passed unanimously by roll call vote.

J. Approve an Ordinance to Create Chapter 860 (2022-1954) Motor Vehicle Registration Fee, Ashland City Ordinances (City Administrator) Roll

Lindell moved, seconded by Seefeldt to approve the ordinance. The motion passed 6-3 by roll call vote; opposed were Ortman, Franek, and Pufall.

K. Approve to Accept a Professional Design Engineering Services Proposal from Cedar Corporation to Complete the Design of the 2022 Watermain Improvements Project - 4th Avenue West (Public Works) Roll

Haas moved, seconded by Moore to approve the proposal for \$73,000. The motion passed unanimously by roll call vote.

8. CLOSED SESSION (Roll)

Haas moved, seconded by Moore to move into Closed Session. Kucera requested that McBride remain during discussion of Item 8A and Butler remain during discussion of Item 8B. The

motion carried unanimously by roll call vote. Franek was excused as she was attending virtually.

- A. CLOSED SESSION Pursuant to WI Stat. 19.85(1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation." (*Copper Cup*) City Attorney**
- B. CLOSED SESSION Pursuant to WI Stat. 19.85(1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on a strategy to be adopted with respect to current or likely litigation." (*A to Z Plumbing v. City of Ashland, AC Cases 2021 SC 250 and 2021 SC 239, and likely litigation by A to Z Plumbing and Zygmund Jablonski*) City Attorney**

C. RETURN TO OPEN SESSION *Voice*

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

D. REPORT OF ACTION TAKEN BY COUNCIL DURING CLOSED SESSION

Lewis reported that no action was taken during closed session.

9. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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