

**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/500263957>

Or dial in using your phone.

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

Access Code: 500-263-957

**ASHLAND CITY COUNCIL MEETING
Tuesday, January 25, 2022 – 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. January 11, 2022 City Council Meeting Minutes

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

A. Announcements

6. CONSENT AGENDA

- A. Approve the Appointment of City of Ashland Treasurer/Comptroller According to Chapter 31 Establishment of City Treasurer/Comptroller, Ashland City Ordinances (Administration)**
- B. Approve to Renew a Fire Department / DNR Memorandum of Understanding for Mutual Aid and Fire Suppression Services (Fire Department)**
- C. Approve to Amend the Effective Date for Chapter 860 Motor Vehicle Registration Fee, Ashland City Ordinances, per Wisconsin Statutes Trans 126.02(4) (Clerk)**
- D. Approve Schedule of Appointment of Agent Application for Krist Food Mart #65, 521 Lake Shore Drive East, Ashland, Applicant: Rebecca Olby (Clerk)**

E. Miscellaneous Meeting Minutes

7. NEW BUSINESS

- A. Approve a Resolution to Schedule a Public Hearing for the Vacation of a Portion of Undeveloped Right-of-Way Known as Outlot A of Certified Survey Map (CSM) #474; Applicant: Ashland Industries (*Planning*) Roll**
- B. Approval of the City of Ashland Emerald Ash Borer (EAB) Readiness Plan (*Parks*) Voice**
- C. Approve to Accept a Professional Preliminary Engineering Services Proposal from Cedar Corporation to Complete Preliminary Design of the Ore Dock Access Road Project (*Public Works*) Roll**
- D. Approve a Preliminary Resolution Declaring Intent to Levy Special Assessments under Municipal Police Power Pursuant to Sec. 66.0703, WI State Statute for the 2022 Watermain Improvements Project (*Public Works*) Roll**

8. CLOSED SESSION (Roll)

- A. Closed Session** per Wisconsin Statute (19.85(1)(e)) "Deliberating or negotiating the purchasing of public properties whenever competitive or bargaining reasons require a closed session." (*421 Lake Shore Drive West*) (*Administration*)
- B. Return to Open Session (Voice)**
- C. Report on Action Taken during Closed Session**

9. ADJOURNMENT

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

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

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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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SUBJECT: Approve the Appointment of City of Ashland Treasurer/Comptroller According to Chapter 31 Establishment of City Treasurer/Comptroller, Ashland City Ordinances (*Administration*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Administration

EXHIBITS: 1. Chapter 31 Establishment of City Treasurer - Comptroller.

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

With the upcoming retirement of the City Treasurer/Comptroller, Barbara Zanella, it is required for Council to appoint her successor per Chapter 31 of the Ashland City Ordinances.

Jacey Dean was chosen by a hiring committee and has been working with Barb since December 20, 2021. Council is asked to approve the appointment to continue the duties of the Treasurer/Comptroller's office.

CHAPTER 31. ESTABLISHMENT OF CITY TREASURER/COMPTROLLER.

31.01. Creation of Office. The combined office of City Treasurer/Comptroller is hereby created with the duties of the combined position being those as set forth in Secs. 62.09(9) and 62.09(10), Wis. Stats.

31.02. Appointment. The officer filling the office of the City Treasurer/Comptroller of the City of Ashland shall be selected by appointment by the Common Council as permitted by Sec. 62.09(3)(b)3, Wis. Stats.

31.03 Appointment and Removal.

(a) The individual appointed by the Common Council to fill the office of City Treasurer/Comptroller shall be appointed for an indefinite term, subject to removal by the Common Council for just cause.

(b) The Common Council may, in its discretion, make the Treasurer/Comptroller's initial appointment provisional and provide for a six-month probationary period. Prior to the end of the probationary period, the Mayor, City Administrator and Finance Director, acting in concert, shall advise the Common Council whether it should proceed with the permanent appointment for an indefinite term subject to removal by the Common Council for just cause or terminate the candidate prior to the end of the probationary period.

ADOPTED: 31 (1698) 3/10/2009

SUBJECT: Approve to Renew a Fire Department / DNR Memorandum of Understanding for Mutual Aid and Fire Suppression Services (*Fire Department*)

RECOMMENDATION: Approval as Recommended

DEPARTMENT OF ORIGIN: Fire & EMS Department

CLEARANCES: Fire Chief

EXHIBITS:

1. Fire Department / DNR Memorandum of Understanding for Mutual Aid and Fire Suppression Services
2. State of WI DNR Letter, January 18, 2022

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: A goal of the Utilities and Community Facilities Chapter of the City's Comprehensive Plan of Record is "to provide a well-maintained infrastructure that provides health, education, telecommunication and safety and security services for all residents and visitors." Objective 1.3 of the Chapter notes that the community needs to "ensure that City fire, police, and emergency services equipment adequately provides for the personal safety of all persons and for preservation of property."

SUMMARY STATEMENT:

The Fire Department / DNR Memorandum of Understanding (MOU) for Mutual Aid and Fire Suppression Services, is an update to an existing agreement between the City of Ashland Fire Department and the Wisconsin Department of Natural Resources. This agreement is renewed each year before the forest fire season starts.

The Fire Chief recommends approval of continuing a partnership with the Department of Natural Resources by entering into a Memorandum of Understanding (MOU) for Mutual Aid and Fire Suppression Services.

In Section 8 (Compensation) and Section 9 (Prescribed Burning) of the agreement, there are questions that are related to compensation that needs to be addressed by the Common Council: compensation for initial fire attacks (fire suppression efforts that are defined as the first hour of fire suppression) and extended fire attacks (fire suppression efforts that exceed 1 hour).

The Fire Chief recommends approval of Option 1 for the question related to “initial attack”. If Option 2 is selected under the initial attack compensation section, the Fire Department will not receive the additional 10 points that is applied to the annual Forest Fire Protection Grant (FFP). The FFP grant has offset department expenditures for wildland supplies and equipment each year.

In regards to the question related to compensation for an “extended attack”, the Fire Chief recommends approval of Option 2, to receive payment for providing forest fire suppression on all extended attack forest fires.

For question 9, regarding “Prescribed Burning”, the Fire Chief recommends approval of Option 1, (No, our fire department does not wish to be invited to participate in prescribed burning activities on DNR managed lands). The Ashland Fire Department has not participated in prescribed burning activities for the last 20 years.

**Fire Department / DNR Memorandum
of Understanding for Mutual Aid and
Fire Suppression Services**

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Notice: Collection of this information is authorized pursuant to s. 26.145, Wis. Stats.; ch. NR 47, subch. I and VIII, Wis. Adm. Code; Cooperative Forestry Assistance Act of 1978, Section 10(b)2 as amended; and 16 U.S.C. 2101-2114. Personal information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records laws (ss. 19.32-19.39, Wis. Stats.).

Fire Department Information

Fire Department Name Ashland Fire Department			Check one ☒ In DNR Fire Protection Area ☐ In Cooperative Area
Address 215 6th ST E			Phone Number (include area code) (715) 682-7052
City Ashland	State WI	ZIP Code 54806	Tax ID # 39=6005387

Agreement

THIS AGREEMENT is entered into by and between the above-listed fire department (the Fire Department), and the State of Wisconsin Department of Natural Resources (DNR), for the suppression of forest fires within each party's respective jurisdiction in DNR Protection Area and/or on land owned by the DNR (DNR Land) in Cooperative Area.

WHEREAS, s. 26.11, Wis. Stats., vests the DNR with the power, authority, and jurisdiction in all matters relating to prevention, detection, and suppression of forest fires outside the limits of incorporated villages and cities and s. 23.09(4), Wis. Stats., and s. NR 1.23, Wis. Adm. Code, authorize the DNR to render assistance in case of emergencies.

WHEREAS, the DNR and the Fire Department pursuant to ss. 23.09(1)(2), 23.11 and 26.11(4), Wis. Stats., desire to cooperate in the suppression of fires; it is agreed by and between the DNR and the Fire Department as follows:

1. DEFINITIONS

- a. "Cooperative Area" means the areas of the State outside the DNR Protection Areas where Fire Departments have primary forest fire initial attack responsibilities.
- b. "DNR Protection Area" are the areas of the state defined by ss. NR 30.01 and NR 30.02, Wis. Adm. Code, as intensive or extensive.
- c. "Extended Attack" occurs when resources beyond those designated for initial attack must be dispatched to an incident or when extensive mop-up is required. This is generally when suppression efforts exceed one hour.
- d. "Forest Fire" means an uncontrolled, wild or running fire occurring on a forest, marsh, field, cutover or other lands or involving farm, city, or village property and improvements incidental to the uncontrolled, wild or running fire occurring on forest, marsh, field, cutover or other lands (as defined in s. 26.01(2), Wis. Stats.).
- e. "Incident Command System" means a set of personnel, policies, procedures, facilities, and equipment, integrated into a common organizational structure designed to improve emergency response operations of all types and complexities. ICS is a subcomponent of the National Incident Management System (NIMS), as released by the U.S. Department of Homeland Security in 2004.
- f. "Initial Attack" is defined as the first hour when suppression efforts are needed.
- g. "Non-reportable Fires" include incidents involving:
 - i. Burning activity that does not spread from predetermined limits
 - ii. Fires that cannot be located
 - iii. False alarms
 - iv. Structural fires
 - v. Vehicular or equipment fires
- h. "Project fire" means an extended attack forest fire requiring state-wide resource deployment by the DNR
- i. "Reportable Fires" are all fires not listed in Section. 1.g.
- j. "Suppression" means the action of the responding agency(ies) beginning with initial attack and continuing through control of the forest fire, mop-up, and until the forest fire is out.
- k. "Unified Command" means a system of command that enables institutions and agencies with different legal, geographic, and functional responsibilities to coordinate, plan, and interact effectively
- l. "ATV" (all-terrain vehicle) and "UTV" (utility terrain vehicle) include equipment that is a manufactured motor driven device capable of off-road use. These vehicles cannot meet the federal motor vehicle safety standards.

**Fire Department / DNR Memorandum
of Understanding for Mutual Aid and
Fire Suppression Services**

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2. RESPECTIVE RESPONSIBILITIES

- a. The DNR is responsible for the suppression of all forest fires and protection and suppression of any improvements threatened by forest fires as defined previously in s. 26.11, Wis. Stats.
- b. DNR may assist the Fire Department when resources are available, as authorized by s. NR 1.23, Wis. Adm. Code and s. 26.11(1), Wis. Stats.
- c. Within DNR Protection Areas, the DNR may request the assistance of the Fire Departments to provide forest fire suppression, as well as structural protection.
- d. Outside of DNR Protection Areas, in the Cooperative Areas, the Fire Departments may request the assistance of the DNR to provide additional resources and support in forest fire suppression and Fire Departments have been delegated the authority on DNR-owned lands for fire suppression actions by virtue of this Agreement.
- e. Structural and vehicular fires are the responsibility of the Fire Department, but the Fire Department may request DNR equipment and personnel to assist with the structural and vehicular fire or when there is danger of a forest fire being caused by the structural or vehicular fire.

3. REPORTING FIRES

- a. The Fire Department agrees to make every effort to immediately notify the DNR of forest fires, or fires which may become forest fires that are burning or threatening DNR protection areas or DNR Lands. If immediate notification cannot be made, the Fire Department shall report the location of the fires, and the action taken, to the DNR as soon as possible, but no later than 24 hours from its knowledge of the forest fires.
- b. If the Fire Department is unable to contact the DNR, it shall take immediate, independent action to effectively suppress the forest fire.
- c. If it is uncertain whether a reported forest fire is within a DNR protection area or on DNR land due to the fire's proximity to the boundary line, the Fire Department or DNR shall notify the other party. If the Fire Department or DNR is unable to contact the other party, it shall take immediate, independent action to effectively suppress the forest fire, as soon as practicable. Thereafter, it shall notify the other party and report the location of the fire and the action that was taken.
- d. The DNR agrees to notify the Fire Department through County Dispatch if they become aware of a structure or vehicular fire within the Fire Department's jurisdiction.

4. COMMAND AT FIRES

The Incident Command System will be used at all forest fires. When the Fire Department is the first to arrive at the scene of a forest fire within a DNR protection area or on DNR land, the Fire Department shall establish incident command and begin initial attack. Command of the incident may be transferred to a qualified DNR incident commander upon arrival. A Unified Command structure is encouraged when deemed appropriate. If DNR does not arrive on scene, or is called to another incident, the Fire Department shall maintain command of the forest fire until out.

5. OUTSIDE ASSISTANCE

A DNR designated employee shall be consulted when in attendance by the chief officer of the Fire Department before calling in additional crews and equipment or outside fire departments for forest fires originating and occurring in DNR protection areas or on DNR lands. The incident commander is responsible for releasing the additional crews or equipment as soon as possible.

6. EQUIPMENT AND PERSONNEL REQUIREMENTS

- a. The DNR and the Fire Department agree to have available and utilize firefighting units suitable for suppressing forest fires. Responding units should be equipped with forest fire fighting hand tools and equipment. All responding units shall be equipped with a radio that contains a common frequency with the local DNR fire units, such as "Fire-ground Blue."
- b. It is recommended that Fire Departments respond to forest fires with firefighters that have successfully completed **INTRODUCTION TO WILDLAND FIRE SUPPRESSION FOR WI FIRE DEPARTMENTS** in accordance with NFPA 1051 standards, which is an 8-hour course taught by DNR personnel and available to all Fire Departments.
- c. Firefighters shall wear protective clothing on all forest fires. It is recommended that protective clothing meets the 1977 NFPA standard on protective clothing and equipment for forest fire fighting including, as a minimum, Nomex shirts, pants or coveralls, boots, hardhat or helmet, and leather gloves. Use of web belts and fire shelters are also recommended for additional protection. Structural turnout gear should be available on each unit for every firefighter in the event there is a structural fire.

**Fire Department / DNR Memorandum
of Understanding for Mutual Aid and
Fire Suppression Services**

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7. FIRE SUPPRESSION SERVICES AND COMPENSATION

- a. The Fire Department agrees to provide suppression services on forest fires, if its resources are available, whenever it is requested to respond by DNR or through established dispatch procedures. The DNR agrees to provide suppression services on forest fires, when resources are available, if requested by the Fire Department or through established dispatch procedures.
- b. In DNR Protection Areas, Fire Department suppression services compensation applies to all forest fires occurring outside the limits of incorporated villages and cities.
- c. In Cooperative Areas, Fire Department suppression services compensation applies **only** to forest fires originating on DNR owned lands.
- d. On all State lands and lands under DNR management, Fire Department compensation applies only when invited to assist with prescribed burning on DNR managed lands.

8. COMPENSATION

The Fire Department must choose one compensation option from each of the following response categories below. **Choose an option (for both a. initial attack and b. extended attack) and check the selected option box.**

NOTE: The person(s) responsible for causing the forest fire may be billed by DNR for all suppression costs, including those incurred by the Fire Department, that are billed to DNR:

a. INITIAL ATTACK:

Compensation for providing **initial attack** forest fire suppression, (including building protection) on forest fires within the Fire Department's area of jurisdiction. Initial attack is defined as the first hour of forest fire suppression services (**choose option 1 or 2**).

☒ **Option 1. No payment** for providing forest fire suppression on all initial attack forest fires.

☐ **Option 2. Receive payment** for providing forest fire suppression on all initial attack forest fires.

b. EXTENDED ATTACK:

Compensation for providing **extended attack** forest fire suppression, (including building protection) on forest fires either in or outside the Fire Department's own area of jurisdiction. Extended attack is defined as forest fire suppression on an incident where services exceed one hour (**choose option 1 or 2**).

☐ **Option 1. No payment** for providing forest fire suppression on all extended attack forest fires.

☒ **Option 2. Receive payment** for providing forest fire suppression on all extended attack forest fires.

9. PRESCRIBED BURNING

Would your fire department wish to be invited to participate in prescribed burning on DNR managed lands? (**choose option 1 or 2**).

☒ **Option 1. No**, our fire department does not wish to be invited to participate in prescribed burning activities on DNR managed lands.

☐ **Option 2. Yes**, our fire department would like to receive invitations to participate in prescribed burning activities on State managed lands. (**Choose one payment option below**):

☐ **No payment** for participating in prescribed burns on DNR managed lands.

☐ **Receive payment** for participation in prescribed burning activities on DNR managed lands. Payment includes all firefighter hours and one payment hour per day for each piece of equipment requested and used.

10. BILLING PROCEDURE

- a. The Fire Department, township, or governing body agrees not to directly bill any landowner, responsible party, or governmental body for forest fire suppression service costs paid by the DNR for services consistent with this Agreement.
- b. If the Fire Department bills the DNR for fire suppression costs: (a) the bill shall be prepared on the appropriate form, and (b) the bill shall be presented no later than 14 days following the date on which the fire suppression was completed. Failure to meet this deadline may jeopardize the payment of the bill.
- c. If the Fire Department submits a bill for services rendered in suppressing a forest fire, it shall be paid by the DNR subject to the following limitations.

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- i. No payment will be made by DNR for runs on or associated with non-reportable fires. Examples include, but are not limited to:
 - Burning activity covered by a legal burning permit.
 - Burning activity not covered by a legal burning permit, but has not escaped control.
 - Cannot be located.
 - False alarms.
 - Structural fires.
 - Vehicle fires.
 - Cooking or warming fires.
- ii. No payment will be made by DNR for forest fire suppression actions where the Fire Department provides no suppression services.

11. RECOMMENDED STAFFING

- a. The recommended staffing and equipment for initial attack forest fire suppression operations is as follows:
 - (i) 1 4x4 brush rig (ICS Type 5-7 Engine).
 - (ii) 1 engine (or a tender (tanker) with pumping capabilities, ICS Type 1-4 Engines).
 - (iii) 6 forest fire trained firefighters.
- b. During periods of very high or extreme fire danger, more personnel and equipment than listed above may be required for the initial response.
- c. Should the Fire Department respond with more than the recommended or requested dispatch, only that equipment and personnel needed and actually used for suppression will be compensated at the predetermined rate. Compensation for additional equipment and personnel may not be made to the Fire Department unless the DNR agrees it was reasonably necessary for suppression.

12. STAFFING FOR STRUCTURAL PROTECTION

Staffing and equipment dispatched for structural protection on project fires is Fire Department specific.

13. PAYMENT

- a. **SCHEDULE** - Payment for engines and personnel used in forest fire suppression or prescribed burning shall be made according to the following schedule:
 - (i) Engines that pumped for active forest fire suppression or prescribed burning **\$100/hour for suppression and per day for prescribed burning.**
 - (ii) ATVs, UTVs and similar equipment that pumped for active forest fire suppression or prescribed burning **\$50/hour for suppression and per day for prescribed burning.**
 - (iii) Fire Department personnel that provide suppression assistance on the forest fire or prescribed burning **\$15.00/hour.**
- b. **CALCULATION OF PAYMENT** - Following the first hour of suppression service, bills submitted shall be calculated to the nearest ½ hour. Service begins when the engine leaves its station and continues until it returns to its station when suppression action was taken by the Fire Department.
- c. **INCREASE IN PAYMENT** - After consultation with the Fire Department Advisory Council, the Department, in its discretion, may increase the hourly pay rate for Fire Department equipment and personnel for fire suppression and prescribed burning activities identified under section 13.a. at any time while this agreement is in effect. A decision by the Department to increase the pay rate, including the date by which the new pay rate will become effective, will be communicated to the Fire Department via email correspondence or letter. The latest pay rates may also be accessed on the Department website at the webpage address "dnr.wisconsin.gov" and enter key word search "FFP".

14. LIABILITY

The Fire Department, its employees, agents, and members, shall not be deemed employees or agents of the DNR for any purpose, including worker's compensation. Worker's compensation coverage for the employees, agents, and members of the Fire Department shall be provided by the Fire Department in accordance with s. 102.07(7), Wis. Stats. In addition, the DNR shall not be liable for any damage to, or destruction of, vehicles or suppression equipment beyond that liability established in ss. 893.82 or 895.46, Wis. Stats., or as otherwise established by the State Claims Board and approved in accordance with statutes.

15. COORDINATION

- a. A written outline of routine communication procedures, notification procedures, together with maps and rosters of on-call personnel, should be jointly prepared by and between the Fire Department and the DNR.
- b. A current contact list of the names, addresses, and telephone numbers of the DNR's Forestry personnel for the

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Fire Suppression Services**

Form 4300-061 (R 01/22)

Page 5 of 5

area described in the Agreement shall be developed.

16. TERMINATION

This Agreement shall be binding upon the parties hereto until six months following written notice of termination by either party. Either party reserves the right to cancel this Agreement, in whole or in part, without penalty. The DNR reserves the right to cancel this Agreement, in whole or in part, without penalty, due to non-appropriation of funds or failure of the Fire Department to comply with the terms, conditions, or specifications described herein.

17. NONDISCRIMINATION

The Fire Department agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, as described in s. 51.01(5), Wis. Stats., sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Fire Department agrees to post in conspicuous places, availability for employees and applications for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

18. ASSIGNMENT

This Agreement may not be assigned or subcontracted, in part or in whole, without written approval from the DNR and may only be changed or amended in writing.

19. PARTIES

- a. In this Agreement, the DNR and the Fire Department includes its successors, their respective officers, employees, agents, directors, subcontractors, assignees, partners, and representatives.
- b. This Agreement and its referenced parts and attachments, shall constitute the entire Agreement and previous Agreements, whether written or oral, are hereby superseded.

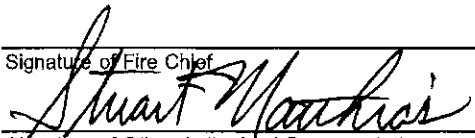
20. AMENDMENT

Any revisions must be made by an amendment to this Agreement or other written documentation, and signed by both parties. This Agreement shall commence upon its signing by both parties and continue until termination under paragraph 16.

21. AUTHORIZATION

Each person signing this agreement, personally warrants and represents that he or she is authorized by his or her principal to bind the party for whom he or she is signing.

DEPARTMENT OF NATURAL
RESOURCES for the Secretary

Signature of DNR Area Forestry Leader		Date Signed
Signature of Fire Chief 	Fire Department Ashland Fire Department	Date Signed 01/18/2022
Signature of Other Authorized Representative		Date Signed



January 18, 2022

Dear Fire Chief

Your fire department (FD) has a Memorandum of Understanding (MOU) signed with the DNR for forest fire suppression and prescribed burning (RxB) services. This MOU explains the options how your FD has elects to be paid. The MOU has three options for payment:

- 1) **initial attack** fire suppression which is the first hour of suppression from the time your FD leaves the fire station to the time of return
- 2) **extended attack** fire suppression which is forest fire suppression on suppression calls that take longer than one hour from the time leaving the fire station to time of return
- 3) **prescribed burning** services are optional and costs may be donated or reimbursed for all firefighter hours and for one hour per day for each piece of equipment used

FDs that choose no payment for initial attack receive 10 of a total of 50 points when the DNR funds the last category of the Forest Fire Protection (FFP) annual grant program. A MOU is required to apply for the FFP grant.

The new MOU was revised for this year 2022 and includes the following updates:

- o Increasing FD pay rate from \$12.25 to \$15.00 per hour
- o Adding paragraph 9 (prescribed burning) clarifying the payment description
- o Numerous small wordsmithing
- o Updated form date to 01/22 to avoid confusion with last update
- o Additional language in 13.c. to allow future increase of payments to FDs
- o Clarification that payment for equipment for RxB will be one hour of compensation per day of use (13.a.)

To ensure that the DNR can fully compensate your FD for fire suppression and prescribed burning services, we are asking you to sign a new revised MOU. All current MOUs are still valid until signed by both parties.

Thank you,

SUBJECT: Approve to Amend the Effective Date for Chapter 860 Motor Vehicle Registration Fee, Ashland City Ordinances, per Wisconsin Statutes Trans 126.02(4) (*Clerk*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Administration

EXHIBITS:

1. Notification of Enactment
2. Chapter 860 Motor Vehicle Registration Fee, Ashland City Ordinances

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

At their January 11, 2022 meeting, Council approved to create Chapter 860 to establish an annual \$20 registration fee for defined motor vehicles which are registered in the City of Ashland. The revenue generated for the City would be dedicated specifically toward the streets Capital Improvement Fund such as the planned reconstruction of 4th Avenue West. Generally, ordinances approved by Council are effective on the day after publication and therefore in this case, having an effective date of January 19, 2022.

On January 20, 2022, the Clerk's office received a call from the Wisconsin Department of Transportation (DOT) explaining the need to correct the effective date of Chapter 860 Motor Vehicle Registration Fee, Ashland City Ordinances to reflect the State Statute [WI Trans 126.02\(4\)](#): "A municipality or county shall provide the notification of enactment as described in subs. (1), (2) and (3) at least 90 days prior to the first day of the month in which the ordinance is effective.

A letter of the approved Ordinance was sent to WIDOT stating that the effective date would be January 19,

2022. Staff is asking for Council's approval to amend the intended effective date to be May 1, 2022.

There are no changes to the verbiage of Chapter 860 being made with this request beyond specifying the effective date, and staff is requesting Council to approve to correct the effective date to be in line with WI Trans 126.02.



January 25, 2022

Kristina Boardman
Administrator
Division of Motor Vehicles
Wisconsin Department of Transportation
4802 Sheboygan Avenue
Room 255
P.O. Box 7911
Madison, WI 53797-7911

Dear Administrator,

This is a notification of enactment for Ordinance Chapter 806, Motor Vehicle Registration Fee, for the City of Ashland, WI. The purpose of the Ordinance is to adopt a Motor Vehicle Registration Fee, known as a Wheel Tax in the amount of \$20.00, for all motor vehicles registered in the State of Wisconsin and customarily kept in the City of Ashland, WI. The Ordinance was enacted by the Ashland City Council on Tuesday January 25, 2022. The effective date of the Ordinance is May 1, 2022. The administrator of the ordinance is the City Clerk, Denise Oliphant, at 601 Main St. W and can be reached at the City Clerk's Office (715)-682-7071. Any questions regarding the ordinance can be directed to her.

Debra S. Lewis
Mayor
City of Ashland, WI

Date

Sequential Ordinance No. 2022-1954
Chapter No. 860

**ORDINANCE TO CREATE CHAPTER 860 (2022-1954) MOTOR VEHICLE
REGISTRATION FEE, ASHLAND CITY ORDINANCES**

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of January 11, 2022 for the purpose of creating an ordinance to adopt Motor Vehicle Registration Fee, Ashland City Ordinances.

SECTION I:

860.01. Intent and Purpose *shall read as follows:*

This chapter is adopted pursuant to the authority granted by Wis. Stats. § 341.35, as amended or renumbered, and is adopted to provide the City of Ashland with a source of revenue in addition to other revenue sources currently being utilized to maintain public streets, highways, and for all other transportation-related purposes. The City maintains this infrastructure in the interest of public safety and convenience.

SECTION II

860.02 Definitions *shall read as follows:*

- (a) Motor Vehicle means an automobile or motor truck registered under Wis. Stats. § 341.25(1)(c) at a gross weight of not more than 8,000 pounds.
- (b) City – The City of Ashland.
- (c) Customarily Kept in the City – For purposes of determining where a vehicle is customarily kept, the municipality of domicile as indicated by the vehicle owner and contained in the Wisconsin Department of Transportation’s title database shall be used. In the absence of an indicated municipality of domicile, the owner or lessee’s post office address shall be used to determine municipality of domicile.

SECTION III

860.03 Motor Vehicle Registration Fee *shall read as follows:*

- (a) Pursuant to section 341.35, Wis. Stats., an annual flat city registration fee as set forth herein in the amount of \$20.00 is hereby imposed upon all motor vehicles in the State of Wisconsin that are customarily kept in the City.
- (b) This fee shall be paid by the registration applicant at the time that a motor vehicle is first registered and at each time of registration renewal.

(c) The city registration fee shall be paid as provided in Wis. Stats. § 341.35(5).

(d) The city registration fee shall be in addition to state registration fees

SECTION IV

860.04 Administrative Costs *shall read as follows:*

(a) Wisconsin Department of Transportation (WisDOT) shall retain a portion of the fees collected equal to the actual administrative costs related to the collection of these fees (currently \$0.17 per motor vehicle). The method for computing the administrative costs will be reviewed annually and, as applicable, adjusted by the WisDOT, as provided in Wis. Stats. § 341.35.

SECTION V

860.05 Exceptions *shall read as follows:*

(a) The following motor vehicles are exempt from the annual City vehicle registration fee:

(1) All vehicles exempted by Wis. Stats. Ch. 341 from payment of a state vehicle registration fee.

(2) All vehicles registered by the State under Wis. Stats. § 341.26 for a fee of \$5.00

(3) No city vehicle registration fee may be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current city vehicle registration fee has been paid.

SECTION VI

860.06 Deposit of Fee Revenues *shall read as follows:*

(a) All fees under this application statute and this chapter remitted to the city by the WisDOT or other applicable agency shall be deposited into the City's Capital Project Street Improvement Fund, and all funds received by the City pursuant to this chapter shall be used solely for transportation-related purposes.

(b) The City Treasurer/Comptroller shall be responsible for the administration of this chapter and funds

SECTION VII

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

PASSED: January 11, 2022
PUBLISHED: January 18, 2022
EFFECTIVE DATE: May 1, 2022

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

SUBJECT: Approve Schedule of Appointment of Agent Application for Krist Food Mart #65, 521 Lake Shore Drive East, Ashland, Applicant: Rebecca Olby (*Clerk*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Clerk

EXHIBITS:

1. Schedule for Appointment of Agent by Corporation/Nonprofit
2. Auxiliary Questionnaire

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

The Clerk's office received an application from Krist Food Mart #65 to appoint a new agent in reference to their alcohol beverage license. Rebecca Olby has submitted all necessary paperwork with her application.

It is recommended that Council approve the application and appoint Ms. Olby as new agent for Krist Food Mart #65.

**Schedule for Appointment of Agent by Corporation / Nonprofit
Organization or Limited Liability Company**

65

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town
☐ Village of Ashland County of Ashland
☒ City

The undersigned duly authorized officer/member/manager of Krist Oil Company
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
Krist Food Mart #65

(Trade Name)

located at 521 Lake Shore Dr. E. Ashland, WI 54806

appoints Rebecca L. Olby

(Name of Appointed Agent)

42401 Cty Hwy E. Ashland, WI 54806

(Home Address of Appointed Agent)

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

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

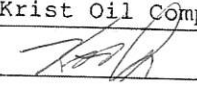
Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 4 Years

Place of residence last year 42401 Cty Hwy E. Ashland, WI 54806

For: Krist Oil Company

(Name of Corporation / Organization / Limited Liability Company)

By: 

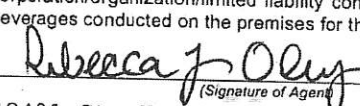
Krist Atanasoff
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Rebecca L. Olby, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.


(Signature of Agent)

1-13-22
(Date)

Agent's age 40

42401 Cty Hwy E. Ashland, WI 54806

(Home Address of Agent)

Date of birth 04/20/1981

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

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

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Olby		Rebecca		L	
Home Address (street/route)		Post Office	City	State	Zip Code
42401 Cty Hwy E			Ashland	WI	54806
Home Phone Number		Age	Date of Birth	Place of Birth	
715-413-0616		40	04/20/1981	Ashland, WI	

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

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

(Officer / Director / Member / Manager / Agent)

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

which is making application for an alcohol beverage license.

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

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

(Name, Location and Type of License/Permit)

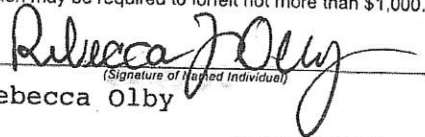
(Name of Wholesale Licensee or Permittee)

(Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Krist Oil	Ashland WI	1-6-22	Current
Northern Lights	Washburn WI	5/21	1-22-22

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


 Rebecca Olby

Wisconsin Department of Revenue

Ashland Oredock Charitable Trust Meeting Minutes

8:00 Am Tuesday, September 7th, 2021

City Hall Council Chambers

Minutes

1. Call to Order
 - a. Beirl called the meeting to order at 8:07 AM
2. Roll Call
 - a. Present: Pufall, Monroe, Beirl, Hudson, LaPean
 - b. Excused: Lewis, George, Rivard, Ronning
3. Approval of Agenda Items
 - a. Motion by Pufall, second by Monroe. All in favor
4. Approval of Minutes from June 16, 2021.
 - a. Motion by Pufall, second by LaPean. All in favor
5. Financial Updates
 - a. NSB Savings = \$ 49,131.19
 - b. Bremer = \$ 254,968.38
 - c. NSB MMA = \$1,495,467.20
 - d. NSB Bus CD = \$ 259,385.01
 - e. CVB = \$ 267,042.27
 - f. SCCU = \$ 275,352.49
 - g. NCCU = \$ 254,159.08
 - h. Total = \$2,855,505.62**

Beirl mentioned in 2020 the Trust when out for bid for the money market account. Interest rates are not much different than last year. LePean questioned if we should go out to bid. Discussion was had by the Trust what to do, it was decided that to stay. Motion by LaPean, second by Pufall to approve the financial report. All in favor.

6. Project Updates
 - a. Diamond Access

Hudson discussed that the City is waiting to hear back on the DNR Recreation Trails Project (RTP) Grant for \$200,000. This funding would be used to redo the Waterfront trail from Willis to 9th Ave E and pay for railings on the elevated walkway of the Diamond Access.
 - b. Stuntz Ave Connector

Hudson stated that City staff is estimating that construction would be in 2023. The City is still waiting on the DOT's analysis of the collected speed data. This data will let us know the feasibility and cost to reconnect Stuntz. The information should be available by spring 2022.

7. Business Items

a. 2020 Trust Audit

Beirl briefly discussed the Audit and passed out copies of the audit to all Trustees. Due to the lack of activity the audit was pretty simple. A second signer needs to stop by NSB to sign the D&O and Wisconsin Charitable Organization Application documents plus make the payments. Motion by LePean and seconded by Monroe to renew the D&O insurance and pay the Wisconsin Charitable Organization Application fee. All in favor.

b. Discussion and Consensus on the Ashland Oredock Diamond Access Project

Hudson lead the discussion about how much money the Trust is will to spend on the Diamond Access project. To date, \$1,030,757.00 has been raised towards the Ashland Oredock Diamond Access Project plus the Trust has allocated \$1.6M towards this project. So the totaling to be spent is ~\$2,630,757.00. The last cost estimate (bids) the City received for this project in May 2020 was \$2,159,815, this included the 1 bridge, estimated to cost \$250,000. Trust agreed to go out to bid on the Diamond Access without a bridge in winter 2022 to make it out to the end. Motion was made by LaPean, seconded by Monroe

c. Approval to use Trust Fund to Pay for Stuntz Ave Connector Engineering and Design Documents.

Motion was made by Monroe to fund 51% of the Stuntz Ave Connector for Engineering & Design plans not to exceed \$52,437.25, additionally this motion supersedes the previous motion to meet the ACOE match (which is now being met by the Utility Dept). A second was made LaPean. All favor.

8. Other Business

Pufall asked if we have a dollar amount that cannot be touched for maintenance of Ashland Oredock. The Trust stated that is has been discussed but no consensus has been reached. Creating an Ashland Oredock Maintenance Fund will be put on the next agenda.

9. Next Meeting Date.

TBD

10. Adjournment

Motion by Monroe, second by Pufall. All in favor. Meeting was adjourned at 8:45 AM.

**POLICE AND FIRE COMMISSION MEETING
VIA VIDEO CONFERENCE
NOVEMBER 15, 2021**

1. Call to Order

The meeting was called to order at 5:15 p.m. by Ed Monroe, Current Vice President of the Police and Fire Commission.

2. Roll Call

Present: Ed Monroe, Melissa O'Connor, Matthew Horning, and Kate Siegler were present

Absent: Daryle Tucker

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

3. Approval of Agenda Items

A motion was made by Kate Siegler, seconded by Melissa O'Connor to approve all agenda items as presented. Motion was passed unanimously.

4. Approval of Minutes from September 13, 2021

A motion was made by Matt Horning, seconded by Kate Siegler to approve meeting minutes from September 13, 2021. Motion was passed unanimously.

5. Election of Officers

Election of Officers was held due to the recent resignation of Commission President Gordon Gilbertson.

- a. **President-** Matt Horning nominated Kate Siegler for President. The nomination was seconded by VP Ed Monroe, Monroe asked if there were any other nominations. There being none, the nomination was accepted by Kate Siegler and unanimously passed.
- b. **Vice President-** Matt Horning nominated Ed Monroe for Vice President. The nomination was seconded by Kate Siegler. Monroe asked if there were any other nominations. There being none, the nomination was accepted by Monroe and unanimously passed.
- c. **Secretary-** Melissa O'Connor was nominated by Ed Monroe for Commission Secretary, this was seconded by Kate Siegler and approved unanimously. There were no other nominations for Secretary. O'Connor accepted the nomination and it passed unanimously.
- d. **Recording Secretary** -- Kelly Garro and Kathy Holevatz have agreed to continue duties as recording secretaries.

6. Police Department Business

a. Administrative Report

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

- Call volume has slowed down with the cooler weather.
- ED trips are high going from 13, last reporting period up to 14 this period. The past four months have accounted for more than half of the ED trips for this year.
- Traffic stop resulted in an arrest for a large amount of Fentanyl, potential street value of over \$20,000. By removing that amount of Fentanyl from streets potentially saved lives and eliminated probable overdoses.
- Open House for the new Police Dept. was held on October 29th, which was a success. In the process of planning the move to new building, should be done in the next couple of weeks.
- Current vacancy was posted which will also be used to establish an eligibility list. Sgt. Brinker has announced he will retire on January 2, 2022.
- School has been really busy this year, there have been many fights and disturbance incidents that were not even reported to the SRO. Officer Bybee has done reports on 100 incidents, in the 80 days of school so far.
- Officers have attended training on computerized citations and crash report software, as well as Crisis Intervention. Chief Hagstrom, Chief Matthias, Kelly Garro and Daryle Tucker attended Police & Fire Commission training which was very informative.

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

7. Fire Department Business

a. Administrative Report

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

- Call volume was down this last reporting period.
- Short 2 staff members which accounted for 41 open shifts, the department also saw 53 more open shifts or partial open shifts due to worker's comp, funeral, sick leave and etc. With shifts operating at minimum staffing 35 interfacility transfers were denied as well as intercept requests and mutual aid requests.
- Incident responses for 2021 will be the most ever.
- Over 1100 hours of training were completed. 19 Department members completed aerial operations class that was conducted in collaboration with NTC. Training has been going very well.
- Fire at Bay Haven Apartments on October 3rd, three lives would have been lost without the investment of a fire alarm system and a maintained sprinkler system.
- Department now has a drone equipped with video camera, still camera, and thermal imaging. There are three licensed pilots in department already.
- Engine 2 and Med 3 were placed into service in October.

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

b. Discuss Transfer EMT Position Requirements

Discussion was held on requirements for transfer EMT positions, these positions will be tested as a full-time employee and have to complete all the requirements as full-time employees do. Certain amount of transfers will need to be done monthly and this position would have a 2-year contract. Position can be offered to student becoming certified to be a paramedic, which could potentially turn into a full-time employee for the department. Chief Matthias asked the commission for input on psych exams for part-time employees and wondered if it should be a requirement. It's presently required for full time employees. Commissioner Siegler thought it should be done for liability purposes. Monroe and Chief Mattias agreed.

c. Discuss Cadet Position Requirements

Two Cadets are in training now and Chief would like to get a more formal program in place. These positions are not a paid position, all hours are volunteered, attendance of events required, must between the ages of 14 – 18. Could potentially stay on at Fire Dept if attending technical college.

8. Next Regular Meeting Date

The next regular meeting for the Police and Fire Commission will be held virtually on January 10, 2022 at 5:15 p.m.

9. Closed Session as Authorized by Wisconsin State Statute 19.85(1)(c) for:

- a. Fire Dept – Personnel Probationary Reports & Personnel Discussion**
- b. Discuss Interviews & Hiring Update**
- c. Police Dept – Personnel Probationary Reports & Personnel Discussion**

A motion was made by Matt Horning, seconded by Melissa O'Connor to go into closed session. Motion was passed unanimously.

10. Return to Open Session

A motion was made by Kate Siegler, seconded by Melissa O'Connor to return to open session. Motion was passed unanimously.

11. Report action taken in Closed Session

- Approve and accept the Fire Department's Personnel Probationary Report.
- Approve hiring 2 full-time and 1 part-time employee for the Fire Dept.
- Approve and accept the Police Department's Personnel Probationary Report.

12. Adjournment

A motion was made by Kate Siegler, seconded by Matt Horning to adjourn the meeting at 6:15 p.m. Motion was passed unanimously.

Respectfully Submitted
Kathy Holevatz & Kelly Garro
Recording Secretaries

Find yourself next to the water.

ASHLAND

City of Ashland, Wisconsin

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

City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Friday, December 3rd, 2021 at 4:15 p.m.** via GoToMeeting.

Committee Members Present: Ana Tochtermann, Mayor Lewis, John Beirl, Katie Gellatly

Committee Members Absent: Laurie Gregor, Eric Lindell, David Metille

Staff Present: Megan McBride

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

Agenda

1) Approval of Agenda

Motion to approve the agenda by John Beirl, seconded by Mayor Lewis.
Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the October 20th, 2021 & November 9th, 2021 Plan Commission meeting

Motion to approve the minutes from the October 20th, 2021 and November 9th, 2021 Plan Commission meeting by John Beirl, seconded by Katie Gellatly.
Passed unanimously.

3) Public Comment (non-agenda items)

4) Action Items

a) **Public Hearing and vote on a request for an emergency residential facility use at 3600 Ellis Avenue, zoned Light Industrial (LI). Applicant: Ken Welker on behalf of Crossroads Outreach Center, Inc.**

Motion to go into public hearing by Katie Gellatly, seconded by John Beirl. Passed unanimously.

Megan McBride summarized the Class 2 public hearing notice which was issued, and that letters were also sent to surrounding property owners She shared the following comments received prior to the meeting:

Emery Mattson, owner of the adjacent parcel, called to say that he has no issues with the proposed CUP application. He feels they are good people who do good work, and he has no issues with the proposed use next to his property.

Megan McBride summarized the staff recommendation for approval based on the criteria for review.

John Beirl asked Ken Welker how transportation is provided for residents, how the program is advertised, and if it is a faith-based organization.

Ken Welker confirmed that they do offer faith-based services and provide a structured program that helps people recovering from addiction to set goals, receive workforce training, and teach life skills such as budgeting. The residential use proposed would not serve drop-ins, and would specifically be for participants of their programs. Transportation is provided for residents through their ministry. Site plans are being developed for the buildout of the new residential units, and planning will continue if the proposed CUP is approved.

John Beirl asked where their organization's support comes from.

Ken Welker responded that it is a largely a combination of support from area churches (as far away as Phillips), patrons all over the country, and corporate sponsors.

Katie Gellatly asked how the building is being used now, and where they are in the process of purchasing it.

Ken Welker responded that the building is currently used by H Windows for storage, and Crossroads only utilizes a portion of the building. The best next step for their organization is to purchase the building with the closing anticipated in the next week, and to integrate housing into their facility. Ken also clarified that they do not charge for any of the services they offer.

Mayor Lewis asked how they primarily receive referrals.

Ken Welker said that it is currently through churches mostly, and they had stronger partnerships with the local jail prior to the COVID-10 pandemic.

Motion to go out of public hearing by John Beirl, seconded by Mayor Lewis. Passed unanimously.

Motion to approve the requested Conditional Use Permit for an emergency residential facility use at 3600 Ellis Ave. by John Beirl, seconded by Ana Tochtermann. Passed unanimously.

b) Public Hearing and vote on a request to purchase City-owned land, parcel #201-05053-0200, zoned Heavy Industrial (HI). Applicant: Patrick Mika.

Motion to go into Public Hearing by John Beirl, seconded by Mayor Lewis. Passed unanimously.

Megan McBride summarized the Class 1 public hearing notice which was issued, as well as the staff recommendation for approval based on the criteria for review. Letters were also sent to surrounding property owners. No comments were received prior to the meeting.

Motion to go out of Public Hearing by John Beirl, seconded by Mayor Lewis. Passed unanimously.
--

Motion to approve requested City-owned land sale to sell parcel #201-05053-02000 to Patrick Mika by John Beirl, seconded by Katie Gellatly. Passed Unanimously.

c) Public Hearing and vote on recommended text amendments to the Unified Development Ordinance Chapter 781 Section 4.46: W-O Waterfront Overlay zoning district.

Motion to go into Public Hearing by John Beirl, seconded by Katie Gellatly. Passed unanimously.

Megan McBride summarized the Class 2 Public Hearing notice which was issued, as well as the staff recommendation for approval based on the criteria for review. She shared the following comments received prior to the meeting:

Hello Megan,

Very disappointed it has been so hard to find the proper venue to provide input for a public hearing that is supposed to be happening tomorrow regarding the revised shoreline overlay district. But rather than harp on that, I would just comment on the marked up revision I found on the City website.

I am all in favor of providing more access to the lake up to 34th Ave East and Lake Park Road and would think that this could be easily done with all the platted unopened roads. That said, I would have to say that in order to respect adjacent property owners, improvements and advertising be kept to a minimum. City residents already have plenty of great access points to the lake, but it would be nice if there were points up this way we could go watch the sunset or drag our kayaks down to the lake.

Due to the confusion on my part about the draft overlay district and not really understanding what is proposed for change, I don't feel comfortable saying much more, other than again...this seems sloppy to me. Sorry.

And as long as I have taken the time to contact you folks, I would like to say that in future planning it would be nice to have better access to the bike trail from our neighborhood (34th Avenue east).

I am also a little baffled as to why the City is interested in making a mountain bike trail by the hospital on red clay soils across an already existing ski trail, as it doesn't really seem financially feasible in my eye.

My two cents worth, and want to say I have a lot of respect for you two, and feel you kinda do a lot of work for the City...most of which I agree with.

Respectfully Submitted,
F. Keith Sowl
3503 4th Str. East

John Beirl pointed out that the district boundary included does not have a western boundary. Megan McBride said that the western boundary should be identified as the western edge of Maslowksi Beach, and "Lake Shore Drive East" shall be changed to just read "Lake Shore Drive."

John Beirl expressed concerns that the language proposed in the intent section is too prohibitive, and will discourage future commercial uses along the waterfront. He understands the need to balance with community's core value of protecting the lake, but wonders if language should be changed to achieve both.

Megan McBride asked if he would prefer to see language such as "prohibit" be shifted to "discourage," and "require" to "encourage" in order to provide more flexibility.

John Beirl said that he wasn't sure if this would be an improvement, as this type of language could make the ordinance less clear for developers.

Mayor Lewis agreed with John's comments, and said she does feel that listing prohibited uses helps to address this and reflects community feedback received previously. She suggested that item 1c under "Intent" could be looked at to promote a balance between environmental and economic development goals.

John Beirl said that he has no issues with the prohibited uses identified.

Katie Gellatly agreed, and said she would like to see us leave the language more open and be pro-business to encourage desirable development near the waterfront.

Ana Tochtermann said that she feels the current language is aligned with the public feedback received through the Waterfront Development Plan process, as well as the recent Strategic Planning completed by City Council. The community consistently expressed a desire to see specific types of economic development along the waterfront, and to promote water quality and sustainability.

John Beirl said that he would like to include a wider range of voices, as some people are more likely to get involved in the creation of these types of policies. He offered that he would accompany City staff to an Ashland Business Alliance meeting, or other community meetings to more intentionally involve the business community.

Ana Tochtermann said that the consultants for the Strategic Planning session did heavily focus on interviews with the business community when gathering background. She asked if this information could be shared with the Plan Commission in the future. Ana agreed with John that more input is always good, but expressed that she feels comfortable people were consulted and that the proposed ordinance language reflects community input.

Mayor Lewis asked if a vote is needed on this item.

Megan McBride said that a vote is not needed, and that she will make edits to the proposed ordinance based on the discussion for further review.

d) Review and vote on a Site Plan to construct a new garage with two (2) Accessory Dwelling Units (ADU's) at 315 Turner Rd, zoned Residential Estate (RE). Applicant: Anthony Jennings.

Megan McBride summarized the Site Plan for 315 Turner Rd. and the improvements that would be done to the property if this project is completed. She recommended approval of the site plan based on the reviewed criteria. She mentioned that the ADU's would be a welcomed addition with the ongoing

housing shortage within the Ashland area.

Motion to approve the proposed Site Plan for 315 Turner Rd. by John Beirl, seconded by Ana Tochterman. Passed unanimously.

5) Announcements/Reports/Comments/Questions

6) Adjournment

Motion to adjourn by Katie Gellatly. Seconded by Ana Tochterman.
Passed unanimously.

Meeting was adjourned at 5:33 pm. Minutes done by Megan McBride and Mandelyn Lyons.

Present: Stephen G. Schraufnagel, Jeff Muse, Elizabeth Madsen-Genzler, and Allan Smiles

Absent: Joan Haukaas and Magge Ericson

Called to Order: 5:10 P.M. Adjourned 5:25 P.M.

Location: Meeting was held @ Ashland Jewelers (The COA – City Hall was locked)

Email Addresses: Joan Haukaas hawk722@charter.net, Allan Smiles ashjewel@outlook.com, Stephen G. Schraufnagel stephenschrauf@gmail.com, Magge Ericson magge.e@charter.net, Jason Tish jason.tish@wisconsinhistory.org, Rick Olivo rolivo@ashlanddailynews.net, Jeff Muse jmuse@nwcep.org, Megan McBride mmcbride@coawi.org, Elizabeth Madsen/Genzler madsen.genzler@gmail.com, Elizabeth Franek Ward9@coawi.org, Carver Harries charries@ashlandareadevelopment.org, Lucas Phillips lphillips@coawi.org

Public Input (five minutes max): No comments at this time.

Old Business

No old business was discussed.

New Business

Certificates of Appropriateness: Approval for a Certificate of Appropriateness for the property at 315 Turner Road. Motion was made by Jeff Muse, second by Elizabeth Madsen-Genzler. Motion carried with the following contingencies:

1. A motion was made and approved for the amended drawings contingent upon the plans meeting all the UDC's codes, especially for exiting the second level and the need for a second exit. Also, all living units to have fire ratings between them, the garage stalls and stairways. No need for a stone façade on the east wall.

Update on Plaques and their Placement in the Community: For the record, all the plaques and fasteners are now being stored in City Hall. There are about 12 plaques in inventory.

Announcements/Reports/Comments/Questions: The following items were carried over.

1. Consideration for future Historic Listings in the City of Ashland (COA):
 - a. The property at 509-515 Main Street West (D'Anna Zakovec, Owner)
 - b. SOO Line Depot and the Ashland Bottle Works building – Megan to check on if they are presently listed.
 - c. St. Andrew's Building (former church), now Cathedral Nails.
 - d. Former Hank Martinsen Jr. house on Chapple Avenue (across from Wilmarth Mansion)
 - e. Chapple Avenue Condo buildings – just the former Depot, not any other new buildings on site.
 - f. All area churches should be considered, such as Saron Lutheran, Good Shepherd Lutheran Church, etc.
 - g. City of Ashland Housing Authority (Bay Tower)
 - h. Ashland Elks Lodge #137

Set Future Meeting Dates: The next HPC meeting is set for December 13, 2021 @ 5:00 P.M. in the Council Chambers. The upcoming meeting dates are as follows:

December 13, 2021 @ 5:00 P.M., in the Council Chambers

February 28, 2022 @ 5:00 P.M., in the Council Chambers

A motion to adjourn this meeting was made by Jeff Muse at 5:25 P.M. All future meetings will be held in the Council Chambers. The motion was seconded by Allan Smiles. **Motion carried.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S.G. Schraufnagel', with a stylized, cursive script.

Stephen G. Schraufnagel, Architect
Chairman of the City of Ashland
Historic Preservation Commission

SUBJECT: Approve a Resolution to Schedule a Public Hearing for the Vacation of a Portion of Undeveloped Right-of-Way Known as Outlot A of Certified Survey Map (CSM) #474; Applicant: Ashland Industries (*Planning*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

CLEARANCES: Public Works Department

EXHIBITS:

1. Proposed Resolution
2. Ashland County Certified Survey Map, Outlot A CSM #474, pg 1

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:**

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 request for vacation of undeveloped right-of-way conforms to the goals of the Comprehensive Plan, which recommends putting land back on the tax roll as able and also encourages support for local businesses looking to expand.

SUMMARY STATEMENT:

It is required by City ordinance and state statute that a Resolution be passed to set a public hearing date to consider vacation of public right-of-way, with the identified public hearing date no less than 40 days from the passage of this resolution. The proposed public hearing date in the attached resolution is March 8, 2022, at which time Common Council will consider and take action on the requested right-of-way vacation.

RESOLUTION No. 17664

**RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR THE
VACATION OF PORTIONS OF UNDEVELOPED RIGHTS-OF-WAY
KNOWN AS OUTLOT A OF CERTIFIED SURVEY MAP (CSM) #474;
APPLICANT: ASHLAND INDUSTRIES**

WHEREAS, the Common Council of the City of Ashland has received a request to vacate a portion of City right-of-way located on the southernmost portion of Rail Drive, legally described as Outlot A of CSM #474; and

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

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Ashland hereby sets a Public Hearing in compliance with Wisconsin State Statute 66.1003 for the presentation and discussion of the above mentioned right-of-way vacation at the Tuesday, March 8, 2022 Council meeting.

PASSED: January 25, 2022

Aldersperson

ATTEST:

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

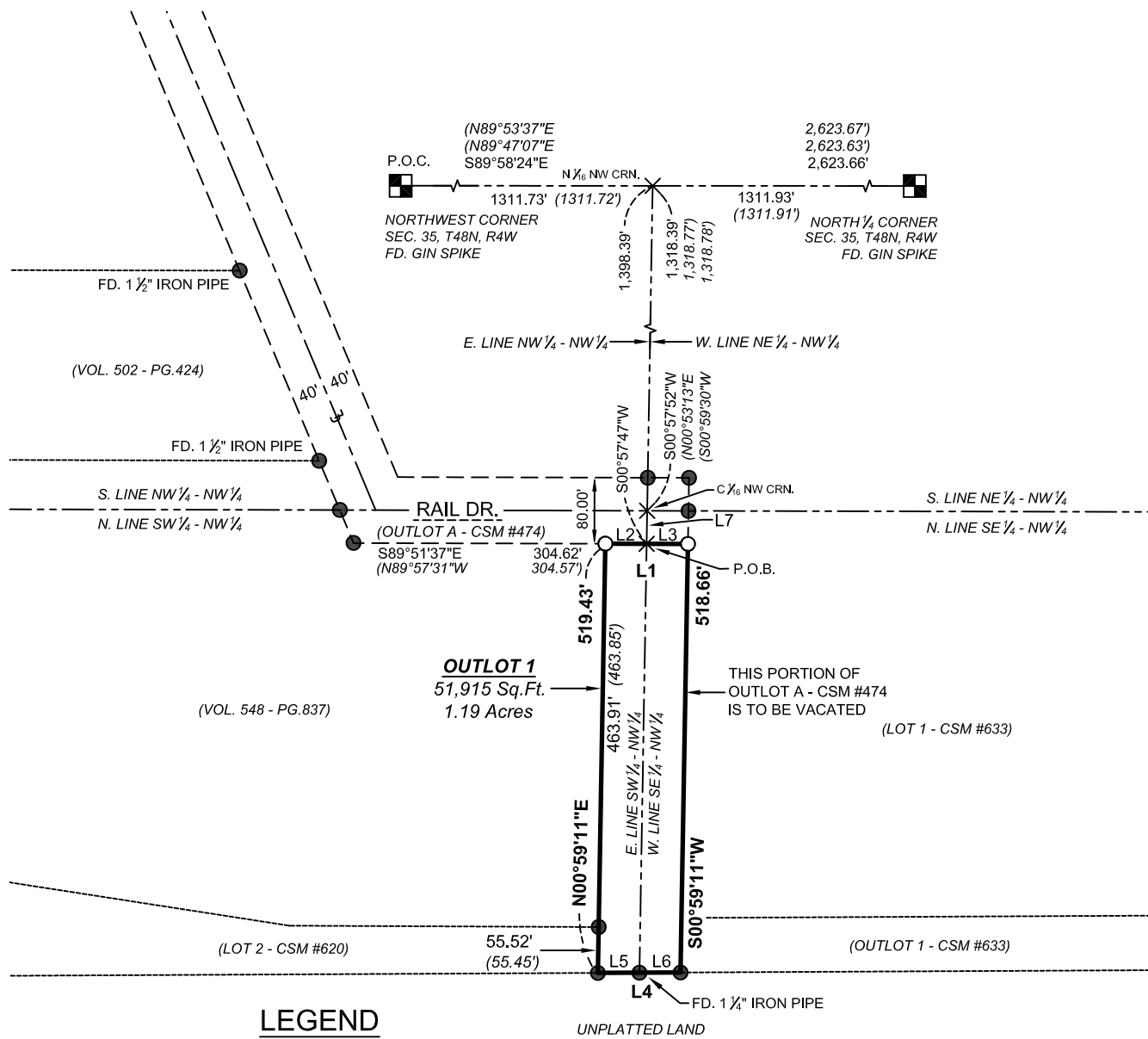
Tyler W. Wickman, City Attorney

OUTLOT A - CSM #474 AS RECORDED WITHIN THE ASHLAND COUNTY
REGISTRY AS DOC. #303256 IN VOL. 3 OF CSM'S ON PG'S 144-145,
SECTION 35, TOWNSHIP 48 NORTH, RANGE 4 WEST,
CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.



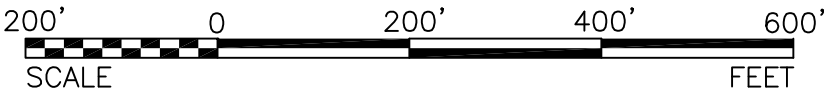
BEARINGS ARE GRID BASED WCCS - ASHLAND COUNTY
(2011) WITH THE NORTH LINE OF
THE NW¼ MEASURED TO
BEAR S89°58'24"E

LINE	BEARING	DISTANCE
L1	S89°51'37"E	100.03'
L2	S89°51'37"E	50.04'
L3	S89°51'37"E	49.99'
L4	S89°42'06"W	100.04'
L5	S89°42'06"W	50.26'
L6	S89°42'06"W	49.78'
L7	S00°57'47"W	40.00'



○ -SET 1 1/4" O.D. x 18" IRON PIPE
WEIGHING 1.68 LBS PER LIN. FOOT
● -FD. 3/4" REBAR (UNLESS NOTED OTHERWISE)
() -PREVIOUSLY RECORDED AS
X -COMPUTED POINT - NO MONUMENT SET

ALL MONUMENTS ARE OUTSIDE DIAMETER



FIELDWORK COMPLETED: 1/7/2022

Pine Ridge Land Surveying, LLC.
Professional Land Surveying Services
Value & Quality in a Timely Manner...
PATRICK A. MCKUEN, PLS
1424 1/2 Lake Shore Dr. W.
Ashland, Wisconsin
Phone (715) 682-2969
WWW.PINERIDGESURVEYING.COM
PROJECT NO. COA22-35-48-4
SHEET 1 OF 2 SHEETS

SUBJECT: Approval of the City of Ashland Emerald Ash Borer (EAB) Readiness Plan (*Parks*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Parks and Recreation Committee
City Administration

EXHIBITS: 1. City of Ashland Emerald Ash Borer Readiness Plan

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

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

SUMMARY STATEMENT:

In 2021, the City of Ashland received a Wisconsin Department of Natural Resources (WDNR) Urban Forestry Grant to update the 2017 City of Ashland Emerald Ash Borer (EAB) Management Plan. The City contracted with Bluestem Forestry Consulting out of Drummond, WI to write a new and tangible EAB Management Plan, including creating a systematic management plan to assist the City in budgeting for an effective EAB readiness plan.

The purpose of this Emerald Ash Borer (EAB) readiness plan is to identify the essential personnel, resources, procedures, and fiscal resources to combat the Emerald Ash Borer in Ashland, Wisconsin. Thorough planning is the key to minimizing and mitigating the effects of EAB.

EAB is an invasive species from Asia and only eats ash trees. The adult beetles munch on ash foliage but cause little damage. The real damage is caused by the EAB larvae that feed on the inner bark of ash trees, disrupting the tree's ability to transport water and nutrients.

EAB has not yet been found in the City of Ashland or Ashland County, but it has been found in Douglass, Iron and Sawyer Counties.

IN 2017, 710 ash trees were inventoried. Of these, 92.2% were in fair, good or very good condition. Only 7.8% were in poor or very poor condition. 140 ash are growing in parks and the remaining 570 are street trees. The inventory indicates 19 ash are recommended for removal based on defects unrelated to EAB. In 2021, 25 ash trees were removed as part of the 2021 DNR Urban Forestry Grant.

Historically, the method to deal with EAD was to remove all ash trees as the cost of treating them was prohibitive. Over the last 15 years, treatment methods have changed and it is now more favorable to treat ash trees that are middle-aged and 8'-12' DHB.

The following activities are recommended for the City of Ashland

Activities to be Completed in 2022:

- Complete removals from inventory (19 trees)
- Remove ash in poor condition (41 trees)
- Re-plant trees (60 trees)
- Ash tree inspections (approximately 100 trees)
- Staff member obtain pesticide applicators license

Activities to be Completed in 2023:

- Remove one-half of ash trees 1-8" dbh (57 trees)
- Re-plant trees (57 trees)
- Ash tree inspections (approximately 100 trees)
- Staff member obtain ISA Certified Arborist certification

Activities to be Completed in 2024:

- Remove one-half of ash trees 1-8" dbh (58 trees)
- Re-plant trees (57 trees)
- Ash tree inspections (approximately 100 trees)

Chemical Treatment of Ash (Date TBD)

- Treat one-half of ash in good, fair or very good condition (267) *using emamectin benzoate

The 2022 DNR Urban Forestry Grant will assist in paying for 2022 recommendations. As budget seasons progress, City staff will work to meet these recommendations.

City of Ashland Emerald Ash Borer Readiness Plan



Source: David Cappaert, Michigan State University, Bugwood.org

December 17, 2021

Prepared by:
Bluestem Forestry Consulting Inc.
Kelli Tuttle, President
49910 South Loop Road
Drummond, WI 54832
(715)739-6831

This document was funded in part by an urban forestry grant from the
State of Wisconsin Department of Natural Resources Forestry program as authorized under s.23.097 Wis. Stat.

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INTRODUCTION

While nobody can predict when the emerald ash borer will arrive in Ashland, it is assumed that the insect *will* arrive in Ashland in the near future. Currently, the insect has been confirmed in multiple locations in Wisconsin including nearby Sawyer and Douglas Counties as well as the Upper Peninsula of Michigan. Since EAB's first detection in Wisconsin in 2008, it has spread quickly throughout the state and the nation. By all appearances it is unstoppable and is spreading quickly. The City of Ashland is anticipating proactive measures before an infestation occurs to spread costs over time and maintain public safety.

Purpose of Readiness Plan

The purpose of this Emerald Ash Borer (EAB) readiness plan is to identify the essential personnel, resources, procedures, and fiscal resources to combat the Emerald Ash Borer in Ashland, Wisconsin. Thorough planning is the key to minimizing and mitigating the effects of EAB.

General Discussion of Emerald Ash Borer

History of the Emerald Ash Borer

The Emerald Ash Borer (*Agrilus planipennis*) is an exotic pest native to Asia that was identified in southeastern Michigan near Detroit in the summer of 2002. The adult beetles munch on ash foliage but cause little damage. The real damage is caused by the EAB larvae that feed on the inner bark of ash trees, disrupting the tree's ability to transport water and nutrients. It is suspected that the insect was initially introduced to the United States via solid wood packing material carried in cargo ships or airplanes originating in its native Asia.

The natural range of the emerald ash borer is eastern Russia, northern China, Japan, and Korea. Before June of 2002, it had never been found in North America. In its native environment EAB feeds on a variety of plant species but in the United States it feeds exclusively on the ash tree (*Fraxinus*). In its native range it is considered a minor pest and is controlled through natural measures. In the United States, it is known to attack green ash (*Fraxinus pennsylvanica*), white ash (*Fraxinus americana*), black ash (*Fraxinus nigra*) and blue ash (*Fraxinus quadrangulata*). It attacks both healthy and declining ash trees and has been known to attack and colonize branches as small as one inch in diameter. Since the first detection in 2002, EAB has been found throughout a large portion of the United States as well as Canada.



The Emerald Ash Borer adults are dark metallic green in color and belong to a group of wood boring beetles known as Buprestidae. Adults are approximately 1/2" long and 1/8" wide with very short antennae. The larvae are white in color with flattened segmented bodies and may grow to a length of one inch.

Eggs hatch in 1-2 weeks, and the tiny larvae bore through the bark and into the cambium - the area between the bark and wood where nutrient levels are high. As the larvae feed they wind back and forth, creating characteristic S-shaped or serpentine galleries in phloem and outer sapwood. The larvae feed under the bark for several weeks, usually from late July or early August through October. As mature larvae complete feeding they create a pre-pupal chamber in the outer bark or in the outer inch of wood and overwinter in this small chamber. Pupation occurs in spring and the new generation of adults will emerge in May or early June, to begin the cycle again on unfested trees.

Unaided, the beetle is thought to move slowly through the landscape, approximately one mile annually, though the rate of spread varies by insect and host tree abundance. However, humans greatly accelerate the spread of the insect by moving infested nursery stock, firewood and logs to un-infested areas. Emerald ash borer movement into parts of Michigan outside of the Detroit area, Ohio, and Indiana has been the direct result of moving these ash products.

Ash Tree Identification

In North America, the emerald ash borer feeds exclusively on ash trees. The most commonly found ash within Ashland is green ash (*Fraxinus pennsylvanica*) and white ash (*Fraxinus americana*). There are many wood boring insects, but EAB will only attack ash trees. An ash tree is most easily identified by its opposite branching pattern (the leaves will grow opposite of one another at the same spot on the branch/twig) and compound leaves with 5-11 leaflets each. The leaflets will have minor serration (teeth) along their margins. The following photographs are representative of white ash bark and green ash leaves.



Source: Paul Wray, Iowa State University, Bugwood.org



Source: Paul Wray, Iowa State University, Bugwood.org

Signs and Symptoms

The symptoms associated with EAB infestations are very similar to those of other common ash pests or diseases, including other wood boring insects that attack ash trees. It is important to look for a combination of at least 2 or more symptoms before concluding that the borer may be present. EAB is extremely difficult to detect at low populations and by the time severe symptoms are evident the trees are generally heavily infested. Tree death is not instantaneous; it generally takes 2 to 3 years for a tree to die.

Local governments and residents are not expected to be able to diagnose EAB. They should call the Department of Agriculture Trade and Consumer Protection (DATCP) hotline number which is 1-800-462-2803.



Source: Daniel Herms, The Ohio State University, Bugwood.org

Crown dieback: Trees begin to show dead branches throughout the canopy beginning at the top. Foliage at top of tree is thin and sickly. This photo represents severe, late-stage infestation most likely 2 years after infestation.



Epicormic sprouting: Sprouting at the base or along the trunk of the tree. This is often referred to as suckering. This photo represents severe, late-stage infestation most likely 2 years after infestation.

Source: Michigan Department of Agriculture, Bugwood.org

D-shaped exit holes: As adults emerge from within the tree they create an exit hole approximately 1/8" in diameter that looks distinctly like a capital 'D.'

Increased woodpecker damage: Some older infestations have increased woodpecker activity as the birds try to feed on the EAB larvae. This usually occurs in the upper portions of the tree and may be accompanied by branch dieback.



Serpentine larval galleries: The larvae feed just underneath the bark of the ash tree. As the insect larvae feed they wind back and forth creating serpentine or s-shaped larval galleries.

Bark splitting: Vertical splits in the bark appear and are caused by callus tissues that form around larval galleries. Larval galleries can often be seen beneath the splits.

Presence of larvae or adults: The actual presence of the adult insect or of EAB larvae is confirmation of an infestation. Again, there are similar looking wood boring insects and DATCP will need to confirm an infestation.

Photo of serpentine larval galleries. Source: Toby Petrice, USDA Forest Service, Bugwood.org

Tree Inventory Findings

Based on inventory data collected by ArborPro during the fall of 2017, the following information regarding the ash tree population in Ashland has been determined:

- **710 ash trees were inventoried.**
- **580 ash are green ash, 112 are white ash and 18 were identified as blue ash.**
- **92.2% of ash are in fair, good or very good condition. Only 7.8% are in poor or very poor condition.**
- **140 ash are growing in parks and the remaining 570 are street trees.**
- **The inventory indicates 19 ash are recommended for removal based on defects unrelated to EAB.**
- **Average diameter of ash at breast height is 12.5 inches.**

PRE-EMERALD ASH BORER ACTIVITIES

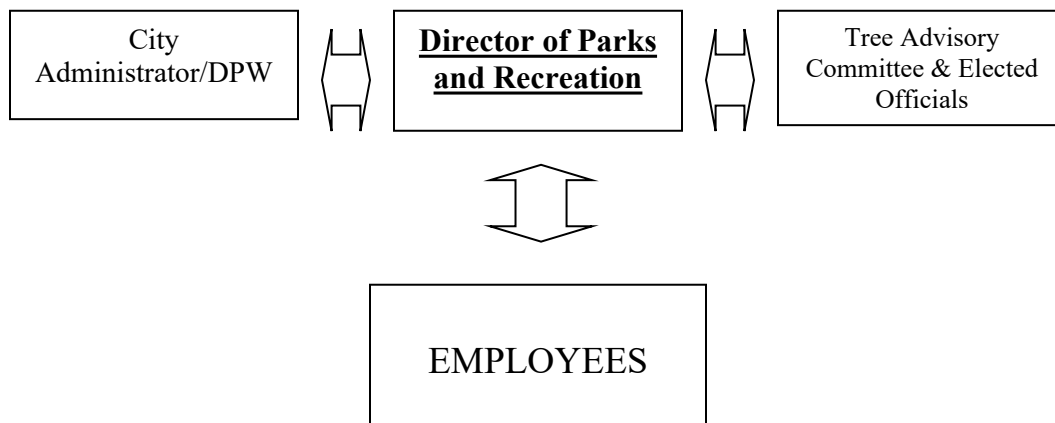
Establish Chain of Command

A successful action plan always has a designee who is charged with directing the response. This individual will essentially function as a 'point' for the entire City. They will coordinate all EAB related activities. This EAB project leader will have many responsibilities and duties. Some of these duties will include:

- Prioritizing and budgeting for tree removals, treatments and replanting
- Designating crew leadership and crew work duties
- Updating City administration and advisory board members
- Public and media outreach
- Education of public
- Enforcement of ordinances
- Coordination with state and local officials
- Coordinate staff training
- Purchase equipment as needed

Ashland has designated the Director of Parks and Recreation for this role. The Director of Parks and Recreation completes most of these actions currently and is well versed with existing budgets, equipment and staffing constraints. She also works closely with City officials and this relationship will continue when EAB is confirmed within Ashland. The tree advisory board will serve in an advisory capacity to the Director of Parks and Recreation and will specifically assist with public education and replanting fund raising. The Director of Parks and Recreation will also be the official Ashland contact when dealing with DATCP, DNR and other state officials.

For EAB related activities within Ashland, the following flowchart will apply:



Conduct Detection Surveys

With the tree inventory, Ashland has completed the first step of the survey process. Next, EAB/ash tree inspection should be conducted to note potential indicators of EAB activity within the City. There are several survey methods that can be utilized, but two methods in particular seem well suited to Ashland.

Visual Survey techniques include looking for outwardly visible signs/symptoms of EAB on ash trees by foot. Visual survey can be conducted systematically over a given area or by individually selecting trees thru the inventory. Taking into consideration Ashland's ash stocking level, number of employees and duties, it seems logical to survey only a portion of the ash tree population annually. It seems reasonable to inspect around 100 or 1/8th of the population annually. The main disadvantage of this survey method is that by the time visual symptoms of EAB are present, it usually means the infestation has been in the area for several years. However, it is the easiest and most economical means of survey and can be completed by City staff. This survey method should begin in 2022 and continue annually thereafter. The tree inventory database can be used for recordkeeping.



Larvae in small diameter branch. Photo courtesy of Ping Tree Service/IN DNR

Canopy Survey methods are employed when a closer look of the tree's canopy is warranted. For example, if a tree is identified thru the visual survey as exhibiting dieback and epicormic sprouting, the tree should be more thoroughly inspected. In the tree canopy, small windows on the trunk and branches can be peeled back using a drawknife, to look for EAB larvae.

The advantage of this method is that inspection occurs in the tree's canopy where EAB signs/symptoms first appear. The City does have a bucket truck and is equipped to complete this type of survey. If crew members find 2 or more symptoms of EAB on a tree they should call DATCP at 1-800-462-2803 and DATCP will assist with the inspection.

Decide to Remove or Chemically Treat Trees

The first essential question that arises when a community is making decisions regarding EAB is whether to maintain an ash component within their urban forest. Simply put, the options that exist are:

- ✓ *Remove all ash from the public urban forest*
- ✓ *Save all ash thru the use of chemical treatments*
- ✓ *Treat a portion of trees deemed significant and remove the remaining ash trees*

There are pros and cons to each choice:

Removing all ash from the public forest (and replanting):

- | | |
|---|---|
| Pro: Costs are definitive and finite | Con: High initial cost |
| Pro: No long term costs | Con: A unique species is lost to the forest |
| Pro: Wise replanting selections can be chosen | Con: Mature trees are replaced with small trees |

Save all ash thru the use of chemical treatments:

- | | |
|--|---|
| Pro: Ash remains a component of forest | Con: Long term treatment costs are incurred |
| Pro: Public is generally supportive | Con: Additional staff needed for monitoring |
| Pro: Large trees continue contributing to forest | Con: The use of chemicals may be ongoing |

Remove a portion of trees and treat a portion of trees:

- | | |
|--|--|
| Pro: Ash remains a component of forest | Con: Trees may always need treatment |
| Pro: Reduces high initial removal costs | Con: Long term treatment costs are incurred |
| Pro: Only trees in good condition retained | Con: Public disapproval of decision criteria |

Identify Significant Ash Trees Suitable for Chemical Treatment

It is ambitious for a community to chemically treat 710 ash trees for an indefinite number of years. A very rough estimate of cost of treatment using Tree-äge™ (Emamectin benzoate) via Arborjet is \$8/inch of tree diameter on an every-other year basis. To treat 710 trees would roughly cost \$35,000 annually. In the long-term, it is more economical to simply remove and replant ash. It is a one-time upfront fee that is dealt with and over quickly. However, considering how important a component ash is to Ashland's city forest (the trees name is in the name of ASHland), it is reasonable to treat a smaller number of significant trees.

Reduce Ash Tree Volume

Once infested with EAB, ash trees typically decline and die over a period of 2-3 years depending upon insect volume. The burden of dealing with volumes of dead and dying trees within a short period of time can place an enormous strain on community budgets, personnel, and resources. The City of Ashland can take small steps now to prepare for and manage for the arrival of this pest.

Ashland should take the pro-active approach of removing non-infested, but otherwise compromised ash as a way to minimize the impacts when EAB arrives. The relative advantages and disadvantages of preemptive vs. reactive removals include:

Preemptive Removal: Removing ash trees that are not infested with EAB.

Pros:	Cons:
*Opportunity to spread removal costs over a longer time frame *Reduces issue of dealing with many dead and/or hazardous trees at one time. *Opportunity to start replanting process immediately *Greater flexibility in organizing work schedules *Ability to utilize ash wood for products or use it as a local source of firewood	*Immediate impacts to tree canopy and aesthetics *Removing healthy ash may create negative feelings within the community *Does not factor in research that may find an effective control for ash

Reactive Removal: Removing ash trees which are either infested with EAB or dead

Pros:	Cons:
*Delayed impacts to tree canopy and aesthetics *Less negative public perceptions *Delayed budgetary impacts until EAB arrives *Further EAB research may offer effective control, minimizing needs for removal	*Budget and staff impacts will be more severe once EAB arrives in Ashland *Replanting funds may not be available due to extreme removal costs *Inability to keep up with removals increases risk from standing dead trees *Bigger waste stream to manage

The most logical method to reduce ash volume initially is to remove ash trees identified through the inventory as in poor condition or dead. A tree identified as in very poor or poor condition is most likely considered a high risk tree regardless of EAB and therefore has an associated liability. Any tree, dead or alive, which has the potential to entirely or partially fail and impact a target, can be considered a hazard. A target can be a vehicle, building or a place where people gather (Source: Urban Tree Risk Management Guide, USDA Forest Service: www.na.fs.fed/us/spfo/pubs/uf/utrm). Dead or dying ash trees, whether weakened/killed by EAB or not, pose a risk to public safety and therefore a potential liability for communities if left standing. There are 19 ash trees in poor or very poor condition.

Communities faced with EAB infestation within 1-2 years have begun removing and replanting small diameter (1-8") ash trees prior to infestation. Replanting in these locations is occurring simultaneously with the removals so that the impact of the removal on residents is lessened. The removal of small diameter ash trees is relatively easy and less expensive than large trees and it is a good opportunity to spread the expense of replanting over a longer time period. Ashland has 115 ash trees in the 1-8" dbh category. It would be advisable to remove and replant these smaller diameter trees after recommended removals are completed.

EAB infestation has been confirmed in Wisconsin in many counties and in the Upper Peninsula of Michigan. Ashland is quite close to current, active infestations. Due to the size of the current infestations and the general philosophy that there are more infestations throughout the state that have not been found yet, it seems reasonable to begin this activity immediately following removal of poor/very poor/dead trees.

The following activities are recommended for the City of Ashland

Activities to be Completed in 2022:

Complete removals from inventory (19 trees)
Remove ash in poor condition (41 trees)
Re-plant trees (60 trees)
Ash tree inspections (approximately 100 trees)
Staff member obtain pesticide applicators license

Activities to be Completed in 2023:

Remove one-half of ash trees 1-8" dbh (57 trees)
Re-plant trees (57 trees)
Ash tree inspections (approximately 100 trees)
Staff member obtain ISA Certified Arborist certification

Activities to be Completed in 2024:

Remove one-half of ash trees 1-8" dbh (58 trees)
Re-plant trees (57 trees)
Ash tree inspections (approximately 100 trees)

Chemical Treatment of Ash (Date TBD)

Treat one-half of ash in good, fair or very good condition (267)
*using emamectin benzoate

An estimate has been prepared that outlines the costs of the yearly items above.

2022 Activities

Activity	In-House or Contract	# of Trees	Contract Cost or Staff Hours Required	Misc. Comments
Remove ash trees recommended for removal in inventory	In-house	19	5 days for a 3 - 4 person crew	Avg dbh = 8.6" Crew removes 4 daily, including stump grinding.
Remove ash trees in poor condition	In-house	41	14 days for a 3 - 4 person crew	Avg dbh = 16.6" Crew removes 3 daily, including stump grinding.
Re-plant trees	Purchase From Supplier; Plant In-House	60	Trees = \$10,500; 6 days for a 2 person crew	Trees = \$175/each; Crew plants 10 daily
Ash tree inspections	In-house	approximately 100	2 days for Arborist	
Staff member obtain pesticide applicators license	n/a	n/a	varies	

**TOTAL STAFF
HOURS**

80 days

**TOTAL CONTRACT
COST**

\$10,500

~ Equipment costs not included.

~Trees under/around utility lines should be completed/cleared to a safe distance by utility organization.

~Expect to purchase a potted 1.5-2.0" caliper tree for this price.

~Average crew wage = \$50/hour including benefits.

2023 Activities

Activity	In-House or Contract	# of Trees	Contract Cost or Staff Hours Required	Misc. Comments
Remove one-half of ash trees 1-8" DBH	In-house	57	9 days for a 3 - 4 person crew	Avg dbh = 7.0" Crew removes 6 daily, including stump grinding.
Re-plant trees	Purchase From Supplier; Plant In-House	57	Trees = \$9,975; 6 days for a 2 person crew	Trees = \$175/each; Crew plants 10 daily
Ash tree inspections	In-house	approximately 100	2 days for Arborist	
Staff member obtain ISA Certified Arborist certification	n/a	n/a	varies	

TOTAL STAFF HOURS/COST* **45 days**

TOTAL CONTRACT COST **\$9,975**

~ Equipment costs not included.

~Trees under/around utility lines should be completed/cleared to a safe distance by utility organization.

~Expect to purchase a potted 1.5-2.0" caliper tree for this price.

~Average crew wage = \$50/hour including benefits.

2024 Activities

Activity	In-House or Contract	# of Trees	Contract Cost or Staff Hours Required	Misc. Comments
Remove one-half of ash trees 1-8" DBH	In-house	58	9 days for a 3 - 4 person crew	Avg dbh = 7.0" Crew removes 6 daily, including stump grinding.
Re-plant trees	Purchase From Supplier; Plant In-House	58	Trees = \$10,150; 6 days for a 2 person crew	Trees = \$175/each; Crew plants 10 daily
Ash tree inspections	In-house	approximately 100	2 days for Arborist	

**TOTAL STAFF
HOURS/COST***

45 days

**TOTAL CONTRACT
COST**

\$10,150

~ Equipment costs not included.

~Trees under/around utility lines should be completed/cleared to a safe distance by utility organization.

~Expect to purchase a potted 1.5-2.0" caliper tree for this price.

~Average crew wage = \$50/hour including benefits.

Chemical Treatment of Ash Costs (Date TBD)

Activity	In-House or Contract	# of Trees	Contract Cost or Staff Hours Required	Misc. Comments
Treat 1/2 ash in good, fair or very good condition	In-House	267	\$2,000 (equipment) +\$26,000 chemical 18 days/1 person	Avg dbh - 12.5" Crew member will need certification Cost is \$8/diameter inch 15 treatments/day/person

TOTAL STAFF HOURS/COST*	18 days
TOTAL CONTRACT COST	\$28,000

Staff Training

The City of Ashland has adequate staff and equipment to complete most activities in-house. But, this plan recommends two specific certifications be obtained as they gear up for EAB.

- One or more staff members needs to obtain Pesticide Applicator certification. This will enable city staff to treat the trees that will be preserved. Emamectin benzoate is a restricted use pesticide and so the applicator certification is needed. It is much more cost efficient to complete this task in-house. More information can be found at: <https://fyi.extension.wisc.edu/pat/>
- One staff member should also become an International Arborist Association Certified Arborist. This is a very good general certification if you are caring for municipal trees. Information on this program can be found at: <https://www.isa-arbor.com/Credentials/Types-of-Credentials/ISA-Certified-Arborist>

Community Education

It would be educationally beneficial to distribute the findings of this report to residents. This is most likely to be effective through a direct mailing and through posting on the City website. Information to be discussed includes:

- Numbers of actual ash trees found in Ashland's inventory
- Ash identification tips
- Assistance to landowners in locating ash trees on their properties
- Removal of unhealthy and other ash trees in anticipation of the EAB's arrival
- Chemical treatment options and the City treatment plan
- The City focus of boulevard and park trees (not in private yards)
- Replanting efforts
- Reporting to the EAB hotline number
- Beware of hucksters selling tree treatment
- FAQs

This is a great precursor to the arrival of EAB. It would also be beneficial to develop a FAQ sheet for callers and interested individuals. Additionally, preparing a press release for print and live media would be advisable.

Chemical Treatment of Trees

As discussed above, some City owned ash trees are good candidates for preservation through chemical treatment. Treatment may also be a good option for individual homeowners who wish to save their boulevard or yard trees.

An estimated cost for treatment of the trees recommended for preservation was obtained and the best industry recommendations at this time are for treatment of trees using Tree-age™

(Emamectin benzoate) via the Arborjet delivery system. This treatment option has proven to be very effective, reasonably priced and necessary only every other year. The best statewide site for pesticide use and treatment can be found at the University of Wisconsin Cooperative Extension Entomology website at:

www.entomology.wisc.edu/emeraldashborer/

Private Ash Trees

The majority of a community's trees are typically located on private property. In most cases, the responsibility for tree removal on private property will be that of the property owner. In situations where a hazardous condition exists on a private tree with the potential to impact a public right-of-way, Ashland should promptly address the issue. Ashland provides for the City to, in effect, condemn a tree through the nuisance provisions of their ordinances. Inspection will need to be completed on private property as safety issues arise. Again, while the City will not be removing trees on private property, the City marshalling yard will most likely be accepting wood from private trees. In regards to ash disposal, Ashland needs to be aware that they will be dealing with their own trees, but will likely be disposing of at least some private trees also.

Wood Utilization

The City of Ashland will be looking at a large amount of ash debris including boles, branches and grindings. Something will need to be done with this debris. Fortunately, Ashland has the advantage of being home to a large bio-mass fueled power plant. Midwest Companies supplies bio-mass fuel to the Excel Energy power plant in Ashland. Midwest Companies is located in the far East end of Ashland, only a few blocks from the public works facility. Ashland is perfectly positioned to rid itself and earn a small bit of money from its ash waste including that deposited at the city owned marshalling yard by private homeowners.

Marshalling Yard Location

A marshalling yard is a disposal site whose purpose is to help prevent ash wood which could house the EAB from being transported out of a quarantined area. Marshalling yards allow municipalities, tree service companies, utilities and private individuals to drop off ash material for disposal and processing to slow artificial spread of EAB. The City currently has such a site at their public works facility on East 6th Street. The site is currently used for wood debris disposal and so is well known to residents. The city will not need to house any of its own wood, as it can all be delivered immediately to Midwest Companies. Because Midwest Companies is so close, a large yard may not be necessary for Ashland. Use the current site unless it becomes overburdened at which time consider using the old landfill for temporary storage.

Replanting Strategies

The City of Ashland will lose 175 ash trees due to EAB. While it is not always appropriate or feasible to replant all trees that are removed, replanting a portion of these trees will be an important component in Ashland's urban forest.

Replanting is one of the most often delayed or eliminated forestry operations. It takes quite a sum of money and staff-hours to replant large numbers of trees. However, the ultimate cost savings that trees generate is enormous. Some proven benefits of trees include:

"The net cooling effect of a young, healthy tree is equivalent to ten room-size air conditioners operating 20 hours a day."—*U.S. Department of Agriculture*

"Landscaping can reduce air conditioning costs by up to 50 percent, by shading the windows and walls of a home." — *American Public Power Association*

"If you plant a tree today on the west side of your home, in 5 years your energy bills should be 3% less. In 15 years the savings will be nearly 12%." —*Dr. E. Greg McPherson, Center for Urban Forest Research*

"A mature tree can often have an appraised value of between \$1,000 and \$10,000." —*Council of Tree and Landscape Appraisers*

"In one study, 83% of realtors believe that mature trees have a "strong or moderate impact" on the salability of homes listed for under \$150,000; on homes over \$250,000, this perception increases to 98%." —*Arbor National Mortgage & American Forests*

"Landscaping, especially with trees, can increase property values as much as 20 percent."—*Management Information Services/ICMA*

"One acre of forest absorbs six tons of carbon dioxide and puts out four tons of oxygen. This is enough to meet the annual needs of 18 people."—*U.S. Department of Agriculture*

"Trees properly placed around buildings can reduce air conditioning needs by 30 percent and can save 20 - 50 percent in energy used for heating."—*USDA Forest Service*

"Trees can be a stimulus to economic development, attracting new business and tourism. Commercial retail areas are more attractive to shoppers, apartments rent more quickly, tenants stay longer, and space in a wooded setting is more valuable to sell or rent."—*The National Arbor Day Foundation*

"Healthy, mature trees add an average of 10 percent to a property's value."—*USDA Forest Service*

"The planting of trees means improved water quality, resulting in less runoff and erosion. This allows more recharging of the ground water supply. Wooded areas help prevent the transport of sediment and chemicals into streams."—*USDA Forest Service*

"In laboratory research, visual exposure to settings with trees has produced significant recovery from stress within five minutes, as indicated by changes in blood pressure and muscle tension."—*Dr. Roger S. Ulrich Texas A&M University*

There are three keys to proper tree planting:

1. Diversity. The urban forest should be comprised of a variety of tree species that have a varied growth habits and longevities. A single species should comprise no more than 10% of the total tree population and a single tree family (oak family, maple family, etc.) should comprise no more than 20% of the total tree population. This is the single best method to lessen the impact of disease or insect infestations.

2. Right Tree, Right Place. One of the most important aspects of tree planting is selecting the proper tree species for the planting location. If there are overhead utilities, make certain the species you are selecting is appropriately sized to avoid interfering with power lines. If a boulevard is only 5 feet in width, do not plant an oak which may reach 3 feet in diameter and cause sidewalk and curb heaving. Choose an appropriately sized tree for the planting site. If it is a medium sized boulevard (5-6) feet choose a medium sized tree such as Turkish filbert. Large boulevards can accommodate large trees such as oak, maple and linden. Other factors to consider include light requirements, mature height and root growth habits. Selecting and planting the right tree for the right location will ensure its survival and success for years to come (see Attachment 2).

3. Proper Planting and Mulching. Many trees do not survive due to improper planting techniques such as planting too deeply, digging the hole too small and not backfilling correctly. Incorrect mulching, most often seen as volcano mulching (piling the mulch too high around the tree), can cause many growth problems from inadequate water uptake to trunk rot. Be sure to follow established WI DNR planting guidelines (found at <http://dnr.wi.gov/forestry/UF/index.htm>). The goal is 100% survival of newly planted trees and planting correctly is the path to get there. The city crew has been planting trees in-house for a number of years and has an exceptionally high survival rate. For best results, continue planting in-house.

Ashland will be replanting large numbers of trees in a short time frame. It is important to diversify the forest as much as possible to help mitigate the effects of disease and insects. The general population guidelines are to plant not more than 20% of any one genus and not more than 10% of any one species. One illustration is to plant not more than 20% maple and not more than 10% of sugar maple. This will help assure that if there is a population crash, large portions of the populations will not be lost.

The type of planting is best determined by the available site. General guidelines are as follows:

Under power lines: small growing trees (not to exceed 20' in height upon maturity)

Boulevard size from 4-6' in width: medium growing trees (measuring 30-40' in height upon maturity)

Boulevard size 6' or greater in width: large growing trees (measuring 40' or greater in height upon maturity)

It is recommended that no boulevard under 4' in width be planted due to the restricted growing conditions.

Ashland has a USDA hardiness zone rating of 4.

The following are some species recommended for planting in the City of Ashland (partially compiled from: Alternative to Ash Trees: Commercially Available Species and Cultivars by Dr. Laura G. Jull, Department of Horticulture, University of Wisconsin-Madison).

Large to medium-sized Trees

Celtis occidentalis: common hackberry, zone 3b, native to eastern and central U.S., Canada, and Wisconsin, vase-shaped when young becoming rounded with drooping branches, moderate to fast growth rate, 50-70' tall, 40-60' wide, corky, warty looking bark, small, pea-sized, purplish-black fruit in fall, adaptable to most soils and pH, tolerates dry, sandy, rocky, and compact, heavy clay soils, slow to establish, plant in spring, drought, urban, wind, and wet soils tolerant, but sensitive to salt, susceptible to hackberry nipple gall on leaves, witches' brooming of twigs, resistant to DED, sensitive to Dicamba herbicides used near tree, branches tend to break in storms, prone to included bark formation, need to train to develop good branch structure

'Chicagoland': broad pyramidal form with upright branches, 55' tall, 40' wide, forms a straight central leader, rich green leaves, yellow fall color, warty bark

'Windy City': upright, spreading form, straight, central leader, fast grower

Corylus colurna: Turkish filbert, hardy to zone 4b, native to southeastern Europe and western Asia, broad, pyramidal form, formal looking even with age, dense, coarse texture, 40-50' tall, 20-25' wide, no fall color, scaly to corky, gray-brown bark, long, pendulous catkins in early spring are showy, may produce nuts, difficult to transplant, heat, urban, and drought tolerant, once established, sensitive to salt

Ginkgo biloba: ginkgo, maidenhair tree, hardy to zone 4b, native to eastern China, living fossil, found in fossil records dating back 150 million years ago, deciduous gymnosperm, pyramidal when young, becoming wide-spreading with age to upright, slow grower, 50-80' tall, 30-60' wide, very interesting, fan-shaped leaves, golden-yellow fall color, dioecious (separate male and female flowers produced on separate plants), female trees produce smelly, messy fruit, but not until 20 years old, so plant male cultivars only, tolerant to most soils and pH, prefers a sandy, deep soil, difficult to transplant, plant in spring, heat, salt, urban, and drought tolerant, no pests

'Autumn Gold': broadly pyramidal, symmetrical form, 45' tall, 35' wide, golden yellow fall color, male, no fruit, good, uniform branching

'Fairmount': dense, upright, pyramidal form, straight central leader, male, no fruit

'Halka': broadly pyramidal becoming oval, 45' tall, 40' wide, bright yellow fall color, male, no fruit

'Golden Globe™': broad, rounded form, 60' tall, 40' wide, slightly faster growth rate, male, no fruit, dense form, golden yellow fall color, Zone 5

'Magyar': upright form, 50' tall, 30' wide, bright yellow fall color, male, no fruit

'PNI 22720' (Ashland Sentry®): narrow pyramidal, upright form, 50' tall, 20-30' wide, bright yellow fall color, male, no fruit

'Saratoga': compact, dense, rounded form, with straight central leader, 20-30' tall, 15-20' wide, pendulous leaves, soft yellow fall color, slower and smaller than other ginkgos, male, no fruit

Shangri-La®: moderately pyramidal form, 45' tall, 25' wide, slightly faster growth rate, bright yellow fall color, male, no fruit

'Windover Gold®': upright, oval form, 40-60' tall, 30-40' wide, golden yellow fall color, strong grower, male, no fruit

'Woodstock' (Emperor™): uniform, oval form, strong, central leader, good branching, male, no fruit

Gleditsia triacanthos var. inermis: thornless honeylocust, hardy to zone 4a, native to central U.S. and southern Wisconsin (thorny type native, not var. *inermis*), fine texture, fast growing, vase-shaped form becoming flat-topped, spreading branches, open, 50-70' tall, 40-50' wide, early, bright golden-yellow fall color, no thorns, dioecious (separate male and female flowers produced on separate plants), female plants produce long, twisted, black pods that make a

slippery, litter mess, tolerant to most soils and pH, tolerant to compacted, heavy clay soil, drought, salt, and urban tolerant, tolerant to periodic flooding, susceptible to leaf hoppers, plant bug, cankers, sunscald on trunk, high maintenance pruning, tends to develop co-dominate branches, can break in storms

'Christie' (Halka™): broad, oval to rounded form, 40' tall, 40' wide, horizontal branches, some pods, fast growing, yellowish fall color

'Emerald Cascade': irregular, weeping form with pendulous branches, grafted, 16' tall, male, no pods

'Harve' (Northern Acclaim®): symmetrical, upright, spreading form, 45' tall, 35' wide, yellow fall color, male, no pods, developed in North Dakota, hardy to zone 3b

'Impcole' (Imperial®): rounded form, symmetrical, wide-spreading, with good branching, 35' tall, 35' wide, seedless but can throw a few pods, susceptible to leaf hoppers and plant bug

'Moraine': uniform, rounded crown with vase-shaped branching, male, no pods, older cultivar

'PNI 2835' (Shademaster®): vase-shaped to rounded, irregular form, 45' tall, 35' wide, uniform, ascending branches, occasionally, some trees may produce pods

'Skycole' (Skyline®): broadly pyramidal form, ascending branches with wider crotch angles, 45' tall, 35' wide, develops a strong, central leader better than any other cultivar, male, no pods, bright golden yellow fall color

'Suncole' (Sunburst®): irregular, oval form, 40' tall, 35' wide, 8" of new leaves are bright yellow then fades to green, yellowish fall color, susceptible to leaf hoppers, plant bug, and canker, male, no pods

True Shade®: broadly oval form, 40' tall, 35' wide, wider branch angles, yellow fall color, faster grower, male, no pods

'Wandell' (Perfection™): develops a good crown at a younger age, 35' tall, 30' wide, dark green leaves, male, no pods

Gymnocladus dioica: Kentucky coffeetree, hardy to zone 4a, native to central U.S., southern Ontario, and Wisconsin (scattered distribution), vase-shaped form with upright branches becoming irregular and open, 50-75' tall, 40-50' wide, slow to moderate grower, coarse texture in winter with sparse branching when young, lacy texture when in leaf, yellow fall color, large, bluish-green leaves, ashy-gray, deeply furrowed bark with exfoliating plates, dioecious (separate male and female flowers produced on separate plants), females produce thick, sausage-like, pendulous pods, that can be a litter problem along with the leaf rachis in fall, adaptable to most soils and pH, slow to establish, tolerates compacted, heavy clay soil, salt, drought, periodic flooding, and urban conditions, no pests, can look a bit "gauntly" when young due to sparse branching

'Espresso': oval to vase-shaped form with arching branches, 50' tall, 35' wide, large, blue-green leaves, yellowish fall color, male, no pods, newer cultivar

'J.C. McDaniel' (Prairie Titan™): oval to vase-shaped form, 50' tall, 35' wide, large, blue-green leaves, yellowish fall color, male, no pods, newer cultivar

Phellodendron amurense 'Macho': Macho Amur corktree, hardy to zone 3b, native to northern China and Japan, broadly vase-shape, upright form, 40' tall, 30' wide, ascending branches, thick, dark green leaves, yellowish-green fall color, male, no fruit, corky bark when older, adaptable to most soils and pH, slow to establish, urban tolerant, moderate salt tolerance, no pests, shallow roots, low branching, avoid female trees as they produce invasive seeds

Quercus bicolor: swamp white oak, hardy to zone 4a, native to eastern U.S. and Wisconsin, pyramidal when young, becoming broad, rounded, wide-spreading with age, 50-60' tall, 50-60' wide, slow to moderate growth rate, easier to transplant than bur oak, prefers acidic to neutral pH, but will tolerate a bit higher, but at very high pH, it will get chlorotic, adaptable to most soils including heavy clay, tolerant to wet soil, drought, and urban conditions

Quercus macrocarpa: bur oak, hardy to zone 3a, native to eastern and midwestern U.S. and Wisconsin, pyramidal when young, becoming very wide-spreading, rounded, 70-80' tall, 60-80' wide, slow growing, coarse texture, deeply furrowed bark, no fall color, adaptable to most soils and pH, drought and urban tolerant, difficult to transplant

***Quercus* × *macdenielli* 'Clemon's'**: Heritage® oak, hardy to zone 4, hybrid of *Q. robur* × *Q. macrocarpa*, broadly pyramidal becoming oval form, 60-80' tall, 40-50' wide, dark green, glossy leaves, no fall color, mildew resistant, vigorous, zone 4

Quercus* × *schuettei: swamp bur oak, hybrid of *Q. bicolor* × *Q. macrocarpa*, broad, rounded form, 75' tall, 70' wide, faster growing, better tolerance to high pH and easier to transplant, may be susceptible to leaf/twig galls, zone 3b

Tilia americana: American linden, basswood, hardy to zone 3a, native to northeast and central U.S., Canada, and Wisconsin, pyramidal when young becoming upright-oval with age, 60-80' tall, 40-50' wide, fragrant, pale yellow flowers in early summer, small nutlet fruit attached to bract, large, heart-shaped leaves, prefers a deep, fertile soil, pH adaptable, easy to transplant, tolerant to wetter soils, sensitive to salt and air pollution, susceptible to Japanese beetle, linden borer, gypsy moth, basal and stem rots, sunscald on bark, tends to sucker at base, can break in storms, prone to included bark formation and narrow, branch crotch angles, girdling roots

'Bailey' (Front Yard®): broadly pyramidal when young becoming rounded and dense, symmetrical form, 60-75' tall, 40' wide

'Boulevard': narrowly pyramidal form, 50' tall, 25' wide, ascending branches, yellow fall color

'DTR 123' (Legend®): broadly pyramidal form, 40' tall, 30' wide, well-spaced branches, thicker leaves, single leader, yellow fall color

'Lincoln': pyramidal, compact, dense form, 40' tall, 25' wide, upright branches, dark green leaves, yellow fall color

'Mckentry' (American Sentry™): symmetrical, pyramidal form with straight central leader, 45' tall, 30' wide, better branch angles, lighter gray bark, yellow fall color

***Tilia* 'Redmond'**: Redmond linden, hardy to zone 4, hybrid of *T. americana* × *T. × euchlora*, pyramidal to oval form, upright branches with terminal leader above the foliage, reddish stems and buds, can sucker at base, 50-70' tall, 30-40' wide, fragrant, pale yellow flowers in early summer, small nutlet fruit attached to bract, large, heart-shaped leaves

Tilia tomentosa: silver linden, hardy to zone 4b, native to southeastern Europe and western Asia, broad-pyramidal form becoming upright-oval, formal looking, dark green leaves with silvery-white undersides, pale yellow flowers in summer, small nutlet fruit attached to a bract, no fall color, prefers a deep, fertile soil, but is adaptable, pH adaptable, easy to transplant, more heat, drought, and urban tolerant than other lindens, does not tolerate poorly-drained, compacted soils, same pests as American linden

'PNI 6051' (Green Mountain®): broadly pyramidal to oval form, 50' tall, 35' wide, dark green leaves with silvery undersides, yellowish fall color, prone to included bark formation

'Wandell' (Sterling®): broadly pyramidal form, 45' tall, 35' wide, green leaves with silvery undersides, yellowish fall color, prone to included bark formation

Ulmus americana: American elm (DED resistant cultivars), hardy to zone 3a, native to eastern and central U.S., Canada and Wisconsin, all have vase-shaped form with pendulous branches, 70-80' tall, 60-70' wide, yellow fall color, adaptable to most soils and pH, tolerant to

compacted, heavy clay soils, easy to transplant, tolerant to periodic flooding, salt, urban, air pollution, and drought tolerant, pest prone

- 'New Harmony' (from U.S. National Arboretum): broad, vase-shaped form, arching branches, good form, easier to grow
- 'Princeton': large, leathery leaves, vase-shaped form, more resistant to elm leaf beetle
- 'Valley Forge' (from U.S. National Arboretum): broad, vase-shaped form with arching branches, 70' tall, 70' wide, wild looking form and branching, vigorous, needs training

***Ulmus* hybrids:** hybrid elms, most are hardy to zone 4-5, all Dutch elm disease resistant, needs pruning in nursery to develop good form, adaptable to most soils and pH, tolerant to compacted, heavy clay soils, moderate salt tolerance, drought, urban, and air pollution tolerant

- 'Cathedral' (UW-Madison intro): hybrid of *U. japonica* × *U. pumila*, broadly vase-shaped, spreading form, 40-50' tall, 40-60' wide, prone to elm leaf beetle, zone 4
- 'Frontier' (from U.S. National Arboretum): hybrid of *U. carpinifolia* × *U. parvifolia*, broadly oval form, 35' tall, 25' wide, ascending branches, glossy, small, dark green, glossy leaves, late, burgundy fall color, can get elm leaf beetle, Zone 5
- 'Homestead' (from U.S. National Arboretum): hybrid of *U. pumila* × (*U. × hollandica* × *U. carpinifolia*), upright, narrow to oval form, 55' tall, 35' wide, upright, arching branches, prone to elm leaf beetle, fast growing, Zone 4b
- 'Morton' (Accolade®) (from Morton Arboretum): hybrid of *U. japonica* × *U. wilsoniana*, vase-shaped form with arching branches, 70' tall, 60' wide, resistant to elm leaf beetle, vigorous, resistant to elm leaf beetle, dark green, glossy leaves, zone 4
- 'Morton Glossy' (Triumph™) (from Morton Arboretum): hybrid of *U. 'Morton Plainsman'* × *U. 'Morton'*, upright oval to vase-shape, 55' tall, 45' wide, very glossy, dark green leaves, good form, some elm leaf beetle, excellent drought tolerance, zone 4
- 'Morton Plainsman' (Vanguard™) (from Morton Arboretum): hybrid of *U. japonica* × *U. pumila*, rounded, vase-shaped form, 45' tall, 40' wide, glossy, dark green leaves, prone to elm leaf beetle, zone 4
- 'Morton Red Tip' (Danada Charm™) (from Morton Arboretum): complex hybrid of (*U. japonica* × *U. wilsoniana*) × *U. pumila* vase-shape form with arching branches, 70' tall, 60' wide, reddish new leaves, new leaves, prone to elm leaf beetle, zone 4
- 'Morton Stalwart' (Commendation™) (from Morton Arboretum): complex hybrid of *U. 'Morton'* × (*U. pumila* × *U. carpinifolia*), upright, oval form, 60' tall, 50' wide, zone 5
- 'New Horizon' (UW-Madison intro): hybrid of *U. japonica* × *U. pumila*, upright, compact form, 50' tall, 25' wide, dark green leaves, wide crotch angles, susceptible to verticillium wilt, zone 3b
- 'Patriot' (from U.S. National Arboretum): complex hybrid of *U. wilsoniana* × *U. pumila* × *U. carpinifolia* × *U. glabra*, stiffly upright branches, narrow, vase-shape form, 50' tall, 40' wide, dark green leaves, straight central leader, zone 5
- 'Pioneer' (from U.S. National Arboretum): hybrid of *U. glabra* × *U. carpinifolia*, rounded form, 50' tall, 50' wide, dark green, glossy leaves, prone to elm leaf beetle, zone 5
- 'Regal' (UW-Madison intro): complex hybrid of *U. carpinifolia* × (*U. pumila* × *U. × hollandica*), upright, pyramidal form, 50-60' tall, 30' wide, prone to double leaders and narrow crotches, stiff branches, zone 4

***Ulmus japonica* 'Discovery':** Discovery Japanese elm, hardy to zone 3, native to Japan and Asia, upright, vase-shape, compact form, 35-40' tall, 35-40' wide, resistant to DED and elm leaf beetle, yellow fall color

Small Sized Trees (suitable for growing under power lines)

Amelanchier × grandiflora: apple serviceberry, hardy to zone 3a, native hybrid of downy and Allegheny serviceberry, multi or single-stemmed tree to large shrub, upright to irregular form, no suckers, 15-30' tall, 15-25' wide, produces bronze to purplish-red, fuzzy leaves in spring that turn smooth and green, white flowers in early spring, edible fruit in June, smooth, gray bark, yellowish-orange to red fall color, can develop chlorosis at high pH, prefers loamy soil, does poorly in poorly drained soils, difficult to transplant, plant in spring

'Autumn Brilliance': upright, spreading form, 20-25' tall, 15' wide, orange-red fall color, leaf spot resistant, multi-stemmed

'Cole's Select': upright, spreading form, 15-20' tall, 15' wide, multi-stemmed, orange-red fall color, leaf spot resistant, thicker, glossier leaf

'Forest Prince': oval form, 20' tall, 15' wide, red-orange fall color

'Princess Diana': wide spreading form, 15-20' tall, 15' wide, multi-stemmed, red-orange fall color, leaf spot resistant

'Robin Hill': upright, open form, 20-30' tall, 15-20' wide, flowers pink in bud open to pale pink fading to white, red fall color, single-stemmed

Amelanchier laevis: Allegheny serviceberry, hardy to zone 4a, native to eastern and central U.S., Canada, and Wisconsin, upright form, single or multi-stemmed tree, 15-25' tall, 15-20' wide, can sucker, produces white flowers in early spring, bronze to purplish-red new leaves in spring that turn green, edible fruit in June, orange to reddish-bronze fall color, prefers moist, loamy soils, does poorly in poorly drained soils, difficult to transplant, plant in spring

Cumulus®: upright, open form, 20-30' tall, 15' wide, orange-red fall color, minimal suckering, single-stemmed

'JFS-Arb' (Spring Flurry®): upright, oval form, 30-35' tall, 20' wide, orange fall color, single-stemmed, straight central leader, newer cultivar

'Rogers' (Lustre®): upright, open form, 20-30' tall, 15-20' wide, orange-red fall color, minimal suckering, single-stemmed

'Snowcloud': upright, oval form, 25' tall, 15' wide, scarlet fall color, single-stemmed

Cornus mas: Corneliancherry dogwood (more of a boulevard tree), hardy to zone 4b, native to Europe and western Asia, bright yellow flowers in early spring, long lasting, fruit is in summer and is bright red changing to dark purple and becoming edible, but tart, adaptable to most soils, but prefers rich soils, pH adaptable, easy to transplant, tolerates partial shade, straight species is sensitive to drought, but cultivars are more tolerant, sensitive to salt, no pest problems, hardy to zone 4b

'Golden Glory': narrow, upright form, 20-25' tall, 10' wide, much better form and darker green, glossy, thicker leaves, more flowers and fruit, good substitute to invasive tall hedge buckthorn!

'Pyramidalis': upright, pyramidal to upright form, 20' tall, 10-15' wide, dark green leaves

Crataegus crus-galli var. inermis: thornless cockspur hawthorn, hardy to zone 4a, native to eastern and central U.S., Canada, and Wisconsin, multi-stemmed tree, broad, spreading, horizontal, low branches, flat-topped crown, 20-30' tall, 20-35' wide, adaptable to most soils and pH, difficult to transplant, plant in spring, drought, salt, and urban tolerant, susceptible to cedar quince rust (on fruit) or cedar hawthorn rust (leaves), this variety has no thorns, white flowers in late spring, deep red fruit in early to mid fall that drops creating a litter problem, bronzy-orange to reddish fall color, dark green, leathery, spoon-shaped leaves

'Cruzam' (Crusader®): rounded form, 15' tall, 15' wide, thornless, bright red fruit, orange fall color

Crataegus phaenopyrum: Washington hawthorn, hardy to zone 4b, native to eastern U.S. and Canada, multi-stemmed tree, vase-shaped to broadly oval form, horizontal, low branches, 20-

30' tall, 20-25' wide, adaptable to most soils and pH, difficult to transplant, plant in spring, tolerant to poor, sandy soils, drought and urban tolerant, moderate salt tolerance, susceptible to cedar quince rust (on fruit) or cedar hawthorn rust (leaves), has long, sharp thorns, white flowers in late spring to early summer, showy, persistent, glossy, bright-orange-red fruit fall to winter

'Westwood I' (Washington Lustre®): rounded, upright form, 20-25' tall, 20-25' wide, has fewer thorns than species, vigorous

***Crataegus viridis* 'Winter King'**: Winter King hawthorn, hardy to 4b, native to eastern U.S., vase-shaped to rounded, wide-spreading form, horizontal, low branches, adaptable to most soils and pH, difficult to transplant, plant in spring, drought and urban tolerant, moderate salt tolerance, less susceptible to cedar hawthorn rust but can get cedar quince rust on fruit, white flowers in late spring, very showy, bright orange-red, persistent fruit from mid fall to winter, silvery-gray bark that exfoliates on the trunk revealing orange inner bark, has few if any thorns, yellowish-purple fall color

Maackia amurensis: Amur maackia, hardy to zone 4a, native to Manchuria, vase-shaped to rounded form, upright, arching branches, 20-30' tall, 20-30' wide, slow grower, silvery and fuzzy leaves in spring turn olive-green and smooth, coppery-green to bronzish-brown, slightly exfoliating bark, off-white flowers in summer, small pods in fall, tolerant to most soils and pH, roots fix atmospheric N, tolerant to poor, infertile soils, urban and salt tolerant, prone to included bark formation, needs pruning when young, no pests, not invasive

'Starburst': upright, vase-shaped form with rounded crown, 25-30' tall, 20' wide, dark green leaves

Summertime®: upright, rounded form, 18-20' tall, 12-15' wide, white flowers in summer

***Malus* spp.**: flowering crabapple, most are hardy to zone 4a and are hybrids with parents originating from Asia, Europe and U.S., size and form are quite variable, adaptable to most soils and pH, prefers low nitrogen to decrease disease susceptibility, drought and urban tolerant, apple scab resistant species and cultivars listed below and have smaller fruit, some cultivars prone to suckering and watersprouts on branches

White Flowers/Red Fruit

'Adirondack': narrow, upright form, 18' tall, 10' wide, persistent fruit

'Guinzam' (Guinevere®): rounded form, 8-10' tall, 10' wide, persistent fruit

'Jewelcole' (Red Jewel®): upright, pyramidal form, 15' tall, 12' wide, persistent fruit, can get fireblight

'Kinarzam' (King Arthur®): upright, rounded form, 12' tall, 10' wide, can sucker from base

'Sutyzam' (Sugar Tyme®): upright, spreading, oval form, 18' tall, 15' wide, persistent fruit

Malus baccata 'Jackii': Jackii crabapple, hardy to zone 3, rounded form, 20' tall, 20' wide, glossy leaves, zone 3

Malus sargentii: Sargent crabapple, low, spreading form, 8' tall, 12' wide, alternate bearing, persistent fruit

'Select A' (Firebird®): rounded, spreading form, 7' tall, 9' wide, persistent fruit, bears annually, persistent fruit

'Tina': small, rounded, dwarf form, 5' tall, 6' wide, slow growing

Malus × *zumi* var. *calocarpa*: redbud crabapple, rounded, spreading form, 20' tall, 24' wide, persistent fruit

White Flowers/Yellow Fruit

'Bob White': dense, rounded form, 20' tall, 20' wide, persistent fruit, but is a watersprouter

'Cinzam' (Cinderella®): dwarf, rounded to upright form, 8' tall, 5' wide, persistent fruit

'Excazam' (Excalibur™): upright form, 10' tall, 8-10' wide, good form

'Hargozam' (Harvest Gold®): upright, oval form, 22' tall, 18' wide, persistent fruit, may get some scab
'Lanzam' (Lancelot®): compact, upright, dense form, 8-10' tall, 8' wide, persistent fruit
'Ormiston Roy': broad, rounded form, 20-25' tall, 25' wide, furrowed, orangish bark, yellow fruit with a rosy blush turn orange-brown after a hard frost

Pink or Reddish Flowers/Red to Purplish-Red Fruit

'Camzam' (Camelot™): rounded form, 10' tall, 8' wide, pinkish-white flowers, burgundy-green leaves, persistent fruit
Malus sargentii 'Candymint': low, spreading, horizontal form, 10' tall, 15' wide, purple tinted foliage becoming bronze-green
'Canterzam' (Canterbury™): rounded, compact form 10' tall, 8-10' wide, light, pinkish-white flowers
'Cardinal': irregular, spreading form, 16' tall, 22' wide, dark purplish-red, glossy leaves
'JFS-KW5' (Royal Raindrops®): upright, spreading form, 20' tall, 15' wide, cutleaf, purple leaves, orange-red fall color, persistent fruit
'Orange Crush': spreading form, 12-15' tall, 12-15' wide, bronze to purplish-green leaves
'Parrisi' (Pink Princess®): low, spreading form, 8' tall, 12' wide, purple leaves become bronze-green
'Prairifire': upright, spreading to rounded form, 20' tall, 20' wide, slower growing, purple leaves become reddish-green
'Prairie Maid': rounded to spreading form, 20' tall, 25' wide, burgundy tinged leaves in spring, but is a watersprouter
'Purple Prince': rounded form, 20' tall, 20' wide, purple leaves become bronzish-green,
'Coral Cascade': semi-weeping form, 15' tall, 20' wide, white flowers, coral fruit,
'Louisa': graceful weeper, 15' tall, 15' wide, pink flowers, fruit are yellow turning orange-brown, not showy or persistent
'Luwick': graceful, low weeper, 7' tall, 14' wide, deep pink buds open to light pink to whitish flowers, bright red fruit
'Manbeck Weeper' (Anne E.®): wide spreading, horizontal weeper, 10-12' tall, 10-12' wide, white flowers, cherry-red fruit, persistent fruit, is difficult to find, but is one of the nicest crabs
'Molazam' (Molten Lava®): broadly weeping form, 14' tall, 20' wide, white flowers, bright red fruit

Pyrus calleryana: callery pear, hardy to zone 4b, native to China and Korea, upright, pyramidal to oval form, 25-35' tall, 20-30' wide, adaptable to most soils and pH, drought, urban, and salt tolerant, can get fireblight, fast grower, dark green, glossy, leathery leaves, late, reddish-orange to purple fall color, white flowers in mid spring, small, brown, rounded fruit

Aristocrat®: pyramidal form with open branching, 35' tall, 25' wide, yellow to red fall color but is inconsistent for fall color, wider branch crotch angles
'Autumn Blaze': rounded form, 30' tall, 25' wide, earlier, bright red to purplish fall color, wide crotch angles, less prone to included bark formation
'Cambridge': upright, narrowly pyramidal form, 35' tall, 15' wide, bright orange fall color
'Capital': narrow, columnar form, 30' tall, 12' wide, reddish-purple fall color, susceptible to limb breakage in storms, susceptible to fireblight, zone 5
'Cleveland Select' or 'Glenn's Form' (Chanticleer®): formal, upright, narrowly pyramidal form, 25-30' tall, 15' wide, late orangish to reddish fall color, not as good as other cultivars for fall color, rarely produces fruit
'Redspire': pyramidal, dense, symmetrical form, 35' tall, 25' wide, yellow to reddish fall color or none at all, susceptible to fireblight, slower grower
'XP-005' (Trinity®): broadly oval to rounded form, 30' tall, 25' wide, glossy, lighter green leaves, orange-red fall color

Syringa reticulata: Japanese tree lilac, hardy to zone 3a, native to Japan and Manchuria, upright with a rounded to oval form, 20-25' tall, 15-20' wide, no fall color to yellowish, reddish-brown, shiny bark, creamy-white, large flowers in early summer that do not smell like lilacs but rather like a privet, tends to flower heavily every other year, adaptable to most soils and pH, easy to transplant, salt and urban tolerant, susceptible to bacterial blight and verticillium wilt, resistant to mildew

'Elliott' (Snowcap™): upright, more compact form, 15-20' tall 10-12' wide, uniform branching, thick, dark green leaves, good form

'Golden Eclipse': upright, compact form, 18-24' tall, 8-14' wide, new leaves in spring emerge green with a darker center, the edge of the leaf gradually turns bright gold with the dark green center remaining

'Ivory Silk': over used, upright, spreading becoming oval to rounded, 20' tall, 15' wide, susceptible to bacterial blight

'Summer Snow': broad, rounded, compact form, 20' tall, 15' wide, good form, glossy, dark green leaves

'Williamette' (Ivory Pillar™): upright, pyramidal, narrower form, 20-25' tall, 10-15' wide

Viburnum lentago: nannyberry viburnum, tree form, hardy to zone 2, native to northeastern and Midwestern United States and into Canada, upright with arching branches, 15-20' tall, 8-10' wide, white flower clusters in spring, rose pink fruit that turns blue-black.

SUMMARY

This plan has one primary goal: preparation. Experience has shown that communities who develop a readiness plan and begin the preparation phase will have a much easier time managing their infestation. This plan gives Ashland a head start on EAB activities. Ashland is now armed with the knowledge of:

- The location of their publicly owned ash trees
- An estimate of the time and money required to manage EAB
- Equipment and staffing needs
- Public education strategies
- Resources available for information and assistance

Planning saves money and time. And while this process will not be easy, cheap or fast, with planning and attention to detail, it can be done well.

SUBJECT: Approve to Accept a Professional Preliminary Engineering Services Proposal from Cedar Corporation to Complete Preliminary Design of the Ore Dock Access Road Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Finance Director
Public Works Director

EXHIBITS:

1. Professional Preliminary Engineering Services Proposal - 2023 Ore Dock Area Street and Utility Improvements, Cedar Corporation
2. City of Ashland Base Map

EXPENDITURES REQUIRED: \$ 12,354.40 - Fund 470 Street Improvements
\$ 8,206.39 - Fund 680 Water Utility
\$ 15,439.21 -Fund 690 Wastewater Utility
\$ 36,000.00 Total

AMOUNT BUDGETED: \$ 40,000.00 - Fund 470 (Capital Projects Fund)

APPROPRIATION REQUIRED: \$ 8,206.39 - Fund 680 Water Utility
\$ 15,439.21 -Fund 690 Wastewater Utility

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on January 18th, 2022, that Cedar Corporation is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

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

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

SUMMARY STATEMENT:

The 2023 Ore Dock Access Road Project consists of various infrastructure improvements (water, sewer, stormwater, streets) within the general area shown on the attached project location map. Per the approved agreement with the Army Corps of Engineers (Army Corp), 75 percent of the project funding will be provided by the Army Corp.

The project was originally developed in 2019 in coordination with construction of parks amenities on the Ore Dock. On January 29th, 2019, Council approved an agreement with SmithGroup to provide design and engineering services for the Ashland OreDock Redevelopment Phase 2: Stuntz Avenue Project. For various

reasons, the project was put on hold and has been redeveloped to only include infrastructure improvements. The total cost of the project is expected to be \$1,534,000, including construction, contingency, engineering services and testing. The City's share of the project is estimated to be approximately \$534,000 with the remaining \$1 million provided by the Army Corp.

The construction of parks' amenities will continue to be overseen by the Ore Dock Trust.

Deliverables associated with SmithGroup's services have been received by the City. Staff has scheduled the project for construction in 2023 and is requesting Council's approval to move forward with Cedar Corporation for performing engineering design due to their familiarity with City projects and standards. Cedar Corporation most recently provided engineering design and construction management services for the 2021 Waterfront Access Road project, which is directly adjacent to the Ore Dock Access Road project.

While SmithGroup completed various tasks related to project design, such as survey and environmental review, additional engineering services are necessary to address remaining items such as the potential connection of Stuntz Avenue to US Highway 2 and the approach, and improving stormwater quality as the project area drains to Bay City Creek. Per the approved agreement with the Army Corp, the City is required to submit formal plans, at the 30 percent-complete level, to the Army Corp for review and additional engineering services are needed to meet this obligation.

Due to the complexity of these issues as well as the variety of stakeholders associated with the project (Public Works, Planning, Parks & Recreation, Ore Dock Trust, Army Corp), the Public Works Director is requesting Council approval of the agreement with Cedar Corporation to allow the project to be adequately planned for 2023 construction. The cost of the agreement is \$36,000 with funding supported by pro rated shares from Fund 470 (Street Improvements), Fund 680 (Water Utility) and Fund 690 (Wastewater Utility).

January 14, 2022

John Butler, P.E., Public Works Director
City of Ashland
2020 6th Street East
Ashland, WI 54806

RE: Professional Preliminary Engineering Services Proposal
2023 Ore Dock Area Street and Utility Improvements
City of Ashland, WI

Dear John,

Cedar Corporation is pleased to submit this proposal to provide professional preliminary engineering services related to proposed 2023 Ore Dock Area Street and Utility Improvements Project, City of Ashland, Wisconsin.

SCOPE OF PROJECT: City of Ashland is requesting professional preliminary engineering services including review of Project scope, limits and requirements pursuant to U.S. Army Corps of Engineer Section 154 Environmental Infrastructure Assistance Grant; review existing 2019 wetlands survey report and required updates, preliminary color project area map with proposed infrastructure improvements, storm water management water quantity facilities and water quality pre-treatment systems and green infrastructure options review for two existing storm water outfalls discharge to Lake Superior, decorative amenities, and updated opinion of probable costs for proposed 2023 Ore Dock Area Street and Utility Improvements Project.

SCOPE OF SERVICES: Cedar Corporation (hereinafter called “Engineer”) proposes to render professional preliminary engineering services for City of Ashland (hereinafter called “Client”) with respect to the above Scope of Project related to proposed 2023 Ore Dock Area Street and Utility Improvements U.S. Army Corps of Engineers Section 154 Environmental Infrastructure Assistance Grant Project, City of Ashland, Wisconsin (hereinafter called “Project”).

COMPENSATION: The Client agrees to pay the Engineer a time and materials “Not to Exceed” fee for professional preliminary engineering services for the Project in the amount of \$36,000 pursuant to the proposed services listed in the above Scope of Services. Any additional work not included in the Scope of Services will be invoiced to the Client on an hourly time and material basis. The Engineer will provide the Client a written quote for any additional work at the Client’s request.

TIMELINE: The Engineer’s services shall be performed as expeditiously as is consistent with the orderly progress of the Project. The Engineer shall make every effort to complete the work within the time frame set by the Client.

PAYMENT POLICY: Client agrees to pay Engineer the amount shown on invoices presented to the Client for services rendered on a monthly basis. All invoices are due within 30 days of receipt.

AGREEMENT: If these terms, as stated above, are understood and agreeable, please sign this proposal and return one copy to our office by mail or email.

Sincerely,

CEDAR CORPORATION

Russ Kiviniemi

Russ Kiviniemi, P.E.
Principal

Brian Chapman

Brian Chapman
Project Manager

Accepted this _____ day of _____, 2022

By:

Deb Lewis, Mayor
City of Ashland

John Butler, P.E., Director of Public Works
City of Ashland

Denise Oliphant, Clerk
City of Ashland

Barbara Clement, Comptroller
City of Ashland

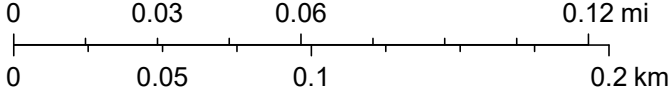
City of Ashland Base Map



2/5/2021, 10:55:18 AM

1:3,690

- | | | | | | |
|------------|--------------|---------------------|---------------------|------------------------------|-------------------|
| Override 1 | Open Channel | Sanitary_Forcemain | Sanitary_Discharge | Ashland Water Tower | Orange 500 - 999 |
| BMP | Under Drain | Sanitary Main | Sanitary Manholes | Binsfield Rd Booster Station | Green 1000 - 1350 |
| StormMain | Outlet | Sanitary Structures | Lift Station Valves | Binsfield Rd Standpipe | Unknown Flow |
| Collector | Outfall | Monitoring Wells | Water Main | Water Treatment Plant | Parcel Mapping |
| Lateral | Outlet | Lift Stations | Water Structures | Hydrants | Parcel Labels |
| Culvert | Manhole | <all other values> | | Red 100-499 | |



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

SUBJECT: Approve a Preliminary Resolution Declaring Intent to Levy Special Assessments under Municipal Police Power Pursuant to Sec. 66.0703, WI State Statute for the 2022 Watermain Improvements Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Public Works Director

EXHIBITS:

1. Preliminary Resolution
2. City of Ashland, Wisconsin Sidewalk Special Assessment Policy
3. 2022 Watermain Improvements- Preliminary Map

EXPENDITURES REQUIRED: N/A

AMOUNT BUDGETED: N/A

**APPROPRIATION
REQUIRED:** N/A

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

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: N/A

SUMMARY STATEMENT:

The 2022 Watermain Improvements Project consists of the reconstruction of 4th Avenue West (roadway, portions of sidewalk, portions of stormwater, and watermain) from 6th Street West to 11th Street West. Per the approved 2022 Budget for the Water Utility, the project will be funded primarily by the Water Utility via revenue bonds. Per the approved 2022 Budget for Capital Project Funds, a combination of funds from the 2021 levy, proposed wheel tax, sidewalk special assessment and fund balance will be used to fund the Fund 470 Street Improvements portion of construction costs. Therefore, the project will be supported entirely by City funds.

On January 11, 2022, Council unanimously approved to accept a proposal from Cedar Corporation for engineering design services.

The Preliminary Resolution authorizes the City Public Works Department to proceed with development of a report for sidewalk special assessments on the 2022 Watermain Improvements Project in accordance with the

City's Sidewalk Special Assessment Policy. After the report is completed, a Public Hearing will be held to allow affected residents to comment on the proposed special assessments.

The existing sidewalk currently extends from 6th Street West to 11th Street West. The project design will minimize removal and replacement of existing sidewalks that are in good condition as parts of the existing sidewalk on 4th Avenue West were replaced approximately thirteen years ago.

RESOLUTION No. 17665

PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS UNDER MUNICIPAL POLICE POWER PURSUANT TO SEC. 66.0703, WI STATE STATUTE FOR THE 2022 WATERMAIN IMPROVEMENTS PROJECT

RESOLVED, by the Ashland Common Council, City of Ashland, Wisconsin, Ashland County, Wisconsin:

1. The Ashland Common Council hereby declares its intention to exercise its police power under §66.0703, Stats., to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

Concrete Sidewalk Installation and Replacement

2. The property to be assessed lies within the following described assessment district:
 - a. All properties adjacent to 4th Avenue West from 6th Street West to 11th Street West, City of Ashland, Ashland County, Wisconsin.
3. The total amount assessed against the properties in the described assessment district shall not exceed 50% of the cost of the improvements.
4. The Ashland Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.
5. The City Public Works Department shall prepare a report which shall consist of:
 - a. Preliminary plans and specifications for the improvements.
 - b. An estimate of the entire cost of the proposed improvements.
 - c. A statement that the property against which the assessment are proposed will be benefitted.
 - d. Schedule of proposed assessments
6. When the report is completed, the City Public Works Department shall file a copy of the report with the City Clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000 or more, to the Wisconsin State Building Commission.
7. Upon receiving the report of the Public Works Department, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof,) the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under Ch. 985, Stats, and copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

8. The hearing will be held at the Ashland City Hall, 601 West Main Street, Ashland, Wisconsin, at a time set by the City Clerk in accordance with §66.0703, Stats., which shall be not less than 10 nor more than 40 days after publication. People will be able to attend virtually or in person.

9. The number of installments in which the assessment against any parcel may be paid shall be determined at the hearing provided for in paragraph 7, above.

PASSED: January 25, 2022

Alderson

ATTEST:

Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

CITY OF ASHLAND, WISCONSIN SIDEWALK SPECIAL ASSESSMENT POLICY

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

1.0 PURPOSE

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

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

2.0 SPECIAL ASSESSMENT PROCEDURES

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

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

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

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

3.0 ASSESSMENT BASIS

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

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

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

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

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

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

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

4.0 ASSESSABLE PROJECT ELEMENTS AND COSTS

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

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

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

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

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

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

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

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

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

5.0 ASSESSMENT AMOUNTS AND REPAYMENT

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

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

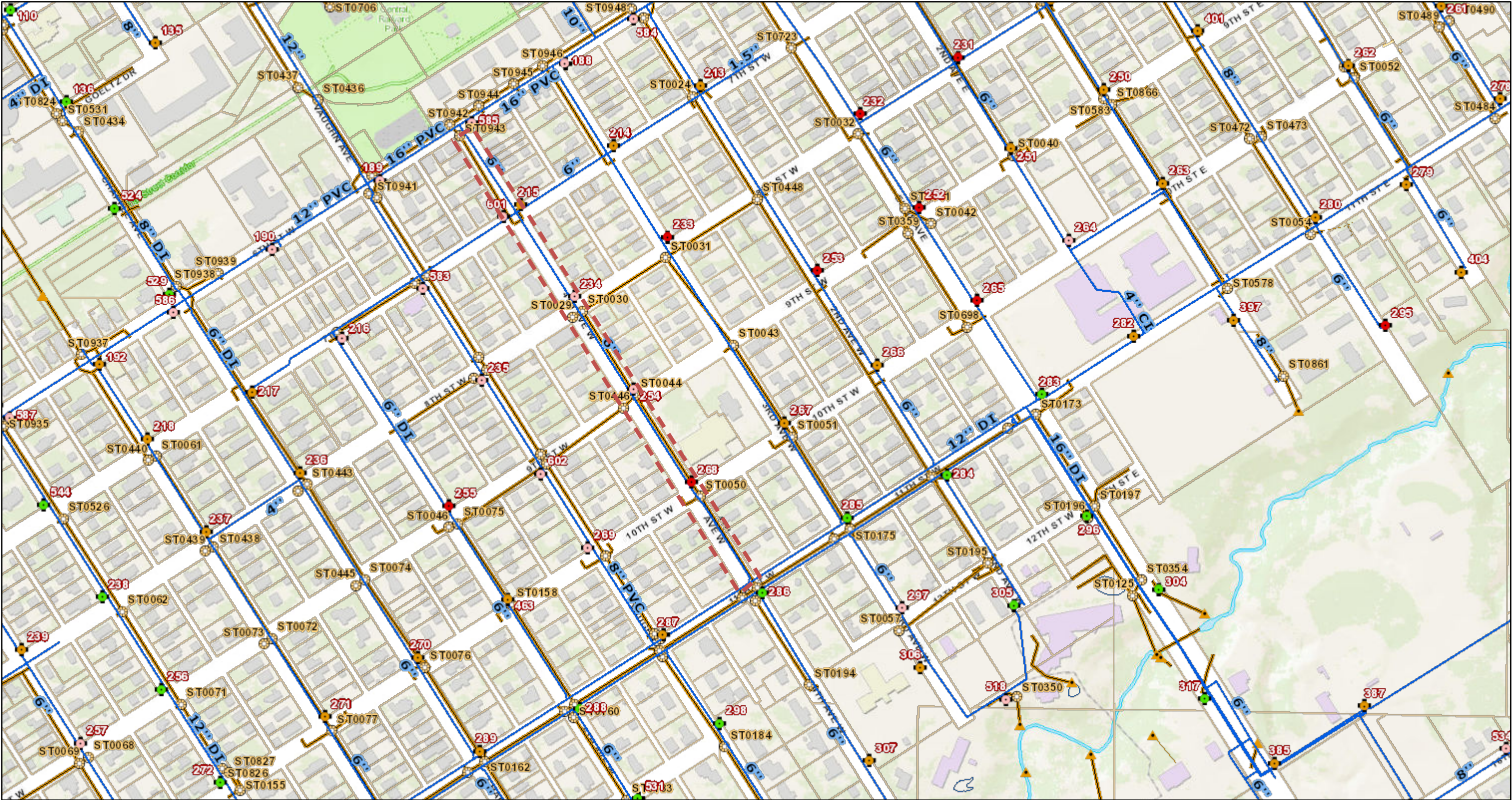
6.0 MISCELLANEOUS PROVISIONS

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

- a) The policies set forth in this document do not alter the requirements of the City's subdivision and zoning codes with regard to a developer's responsibility to provide and pay for required improvements at the time that any given property is to be improved.
- b) The City of Ashland shall special assess improvements to railroad property as permitted by the Wisconsin Statutes, except as may otherwise be determined by the City Council.

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

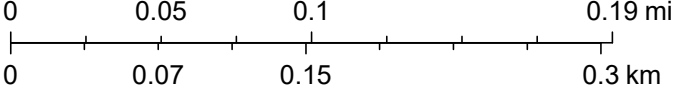
2022 Watermain Improvements



12/14/2021, 7:36:26 AM

1:5,580

- | | | | | |
|------------|--------------|------------------------------|-----------------------|----------------|
| Override 1 | Open Channel | Water Main | Water Treatment Plant | Parcel Mapping |
| BMP | Under Drain | Water Structures | Hydrants | Parcel Labels |
| StormMain | Outlet | <all other values> | Red 100-499 | |
| Collector | Outfall | Ashland Water Tower | Orange 500 - 999 | |
| Lateral | Outlet | Binsfield Rd Booster Station | Green 1000 - 1350 | |
| Culvert | Manhole | Binsfield Rd Standpipe | Unknown Flow | |



City of Ashland Public Works Department, GIS Division, City of Ashland Public Works Department, Province of Ontario, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA