

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

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**ASHLAND CITY COUNCIL MEETING MINUTES**

**Tuesday, March 8, 2022 – 5:30 PM**

**Ashland City Hall Council Chambers**

**Please silence all cell phones during the meeting**

**1. CALL TO ORDER**

The Tuesday, March 29, 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, Eric Lindell, 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 Max Lindsey, Public Works Director John Butler, and other concerned citizens.

It was noted that a quorum of the Council was present.

**2. APPROVAL OF AGENDA**

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

**3. APPROVAL OF MINUTES**

**A. February 22, 2022 City Council and Committee of the Whole Meeting Minutes**

Franek asked to correct the Committee of the Whole minutes to reflect that she gave the report of the Housing Committee, not Tochtermann, and Jackson asked to clarify the Mayor's Report noting that the site plan that was approved at the Plan Commission meeting was that for the new housing development at the Timeless Timber site. Lindell moved, seconded by Ortman to approve the minutes as amended. 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:

*Kevin Haas, District 4 Resident*, expressed that he resigned from his Council position to apply for an open position with the City, and relayed public concern for the conflict of interest of those who hold positions on both the City Council and County Board.

*Zygmund Jablonski, President of A to Z Plumbing & Heating*, referenced Agenda Item 7D stating that his company is a responsible bidder and should be awarded the bid.

*Mike Koenamann, 2119 4th Street East*, commented on the new housing development on the Timeless Timber site and that he was concerned about the likelihood of increased traffic in the immediate area.

#### **5. MAYOR'S REPORT**

##### **A. Announcements**

Mayor Lewis introduced Ben Brost who had been working as a Special Projects Manager with Public Works for the past seven months. Utility Manager Chanz Green announced he would be leaving the City effective April 1, 2022 to pursue other endeavours, and Brian Ledin had been promoted into this position. Public Works Administrative Assistant Alison Gillespie announced her retirement as of April 8, 2022. Utility Billing Specialist Megan Erickson had been with the City for nearly a month, and there were two additional hires to the Utility department to fill vacancies. A Policing Task Force meeting will be held tomorrow morning, March 9, 2022.

#### **6. CONSENT AGENDA**

##### **A. Miscellaneous Meeting Minutes**

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

#### **7. NEW BUSINESS**

##### **A. Public Hearing Regarding a Request to Vacate a Portion of Right-of-Way Known as Outlot A of Certified Survey Map 757, Recorded January 27, 2022 in Volume 5 of Certified Surveys, Pages 82-83, as Document Number 357881. Applicant: Ashland Industries (Planning/Public Works) Roll**

Pufall moved, seconded by Moore to enter into Public Hearing. The motion passed unanimously by roll call vote.

It was made known that a Class II notice was posted in the City's official newspaper, posted at the Vaughn Public Library, Ashland County Court House, and at City Hall, as well as posted to

the City's social media and website.

There were no citizens present wishing to speak during this public hearing, and there were no comments were received by City staff.

Lindell moved, seconded by Pufall to close the Public Hearing. The motion carried unanimously by voice vote.

**B. Approve a Resolution to Vacate a Portion of Public Right-of-Way Known as Outlot A of Certified Survey Map 757, Recorded January 27, 2022 in Volume 5 of Certified Surveys, Pages 82-83, as Document Number 357881. Applicant: Ashland Industries (Planning/Public Works) Roll**

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

**C. Approve to Accept Bid from Nasi Construction, LLC for the 2022 Public Works Building Roof Replacement Project (Public Works) Roll**

Lindell moved, seconded by Ortman to approve to accept the bid from Nasi Construction, LLC for \$118,900. The motion passed unanimously by roll call vote.

**D. Approve to Award Contract for 2022 Private Lead Service Lateral Replacement Project (Public Works) Roll**

Public Works Director John Butler described the project and presented three responsive bids, which were Jake's Excavating, A to Z Plumbing & Heating, and Ritola, Inc.. City Attorney Max Lindsey explained the legal requirement to award bid to lowest responsible bidder and Butler and Lindsey presented numerous instances of prior conduct from A to Z Plumbing & Heating's interactions with the City. Lindell moved, seconded by Seefeldt to award the contract to Ritola, Inc., as the lowest responsible bidder for the reasons stated by Lindsey and Butler, for \$199,945.50. The motion passed 6-2 by roll call vote; opposed were Ortman and Franek.

**E. Approve an Ordinance to Amend Chapter 133 (998) Maintenance and Destruction of Records, Ashland City Ordinances (Clerk) Roll**

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

**F. Approve a Resolution to Allow the City Clerk to Advertise for Candidates to Fill City Council Member Vacancy (Clerk) Roll**

Ortman moved, seconded by Lindell to approve the resolution. The motion passed 7-1 by roll call vote; opposed was Pufall.

**G. Discussion to Update Council Regarding the American Rescue Plan Act (ARPA) Funds (Administration)**

Kucera offered an update to Council regarding areas of concentration for the ARPA funds. He will bring back a formal presentation at the next meeting.

**8. CLOSED SESSION (Roll)**

Ortman moved, seconded by Lindell to enter into Closed Session, and allow Public Works Director John Butler to attend. The motion passed unanimously by roll call vote. Any

Councilors who were attending virtually were dismissed from Closed Session, and were allowed to rejoin the meeting once Council returned to Open Session.

- A. Closed Session Pursuant to Sec. 19.85(1)(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation." (City Attorney) (Jablonski Notice of Claim)**
- B. Closed Session Pursuant to Sec. 19.85 1(g): "Conferring with legal counsel who either orally or in writing will advise governmental body on strategy to be adopted with respect to current or likely litigation." (City Attorney)(6th Street West litigation)**
- C. CLOSED SESSION Pursuant to WI Stat. 19.85(1)(e): "Deliberating or negotiating the purchasing of public properties whenever competitive or bargaining reasons require a closed session." (Administration) (421 Lake Shore Drive West)**

Council determined to adjourn after discussion as there was not a quorum present to return to open session.

Respectfully Submitted,

Denise Oliphant,  
City Clerk

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