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ASHLAND CITY COUNCIL MEETING MINUTES
Tuesday, May 31, 2022 – 5:30 PM
Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, May 31, 2022 Ashland City Council meeting was called to order by Mayor Matt MacKenzie 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 Tochterman, Eric Lindell, Laura Graf, Charlie Ortman, Dick Pufall

ABSENT: None.

ALSO PRESENT: Mayor Matthew MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Fire Chief Stuart Matthias, and other concerned citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. May 10, 2022 City Council and Committee of the Whole Meeting Minutes

Pufall moved, seconded by Ortman to approve the minutes from May 10, 2022. The motion carried unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

There were no Citizens present wishing to address the Council.

5. MAYOR'S REPORT

A. Announcements

MacKenzie asked all to focus their thoughts on the importance and significance of the recent Memorial Day holiday. He communicated his reasoning for bringing forward the Committee of the Whole agenda item 5C regarding City Council Meeting Procedure. He announced that it had been over two years since the City's utility had an overflow, even after heavy rain events, and that the City is no longer pursing purchasing the "Pawn Shop" property at this time.

B. Mayor's Appointments

Lindell moved, seconded by Seefeldt to approve the following appointments and reappointments:

Stephen Schraufnagel, reappointed to the Historic Preservation Committee; Timothy Pavlish and Jeff Robischon, both appointed to the Main Street Board; Mike Amman, reappointed to the Parks and Recreationcommittee; Kate Ullman, Dale Kupczyk, Lissa Radke to be reappointed, and Zach Jurewicz to be appointed to the Sustainability Committee; and John Beirl to be reappointed, and Jeff Beirl to be appointed to the Plan Commission.

The motion carried unanimously by voice vote.

6. CONSENT AGENDA

A. Approve an Original Alcohol Beverage Retail License Application from Elite Four LLC for a Class B Fermented Beverage and Class B Intoxicating Alcohol Beverage License for Anchor Islands, 315 Turner Road, Ashland, Wisconsin, Agent Ahron McAuliffe *(Clerk)*

B. Miscellaneous Meeting Minutes

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

7. OLD BUSINESS

A. Approve to Support the Evergrow Learning Center via City of Ashland American Rescue Plan Act (ARPA) Funds *(Administrator)* Roll

Ortman moved, seconded by Jackson to approve. Lindell requested a friendly amendment, seconded by Ortman to add the stipulation of submitting a status report to Council by December 1, 2022. The motion carried unanimously by voice vote. Ortman requested to recognize Carver Harries to speak to Council; this was seconded by Jackson, and approved unanimously. The motion to support the Evergrow Learning Center was approved unanimously by roll call vote.

8. NEW BUSINESS

A. Approve License Applications for Alcohol Beverages, Including New Officers/Agents, Tobacco. Arcade and Coin Operated Machine, Recycling/Salvage Operation, Pawn Broker, Taxicab, and Mobile Home Parks *(Clerk)* Voice

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

B. Approve an Ordinance to Repeal Chapter 889 (1536) Transient Merchants, Solicitation in Residential Neighborhoods, and Mobile Concession Street Vendors, and Approve an Ordinance to Create Chapter 888 (2022-1962) Transient Vendors, Transient and Permanent Merchants, and Door to Door Solicitors, and Approve an Ordinance to Create Chapter 889 (2022-1963) Mobile Food Establishments, Concessions, and Food Vendors *(Clerk)* Roll

Lindell moved, seconded by Seefeldt to approve the ordinances with a correction to a typo. The motion was approved unanimously by roll call vote.

C. Approve an Ordinance to Amend Chapter 705 (1415) Water Utility Rules, Rates and Regulations, Ashland City Ordinances *(Clerk)* Roll

Jackson moved, seconded by Seefeldt to approve. The motion passed unanimously by roll call vote.

D. Approve to Accept an Amendment to the Contract with Short Elliot Hendrickson (SEH) for Professional Services for the 2022 Sanitary Sewer Replacement and 2022 Sanitary Sewer Collection System Repair Projects *(Public Works)* Roll

Lindell moved, seconded by Seefeldt to approve for the amount of $66,500.00. The motion passed unanimously by roll call vote.

E. Approve Final Payment to Nasi Construction, LLC for the New Police Facility at 414 11th Avenue West, Ashland *(Administration)* Roll

Dick Pufall moved, seconded by Graf to approve the final payment to Nasi Construction LLC in the amount of $41,677.44. The motion passed unanimously by roll call vote.

F. Approve to Waive Nepotism Policy for Public Works and Fire Department (Administration) Voice

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

G. Approve Agreements with Xcel Energy and Zeta, LLC for the Installation and Maintenance of an Electric Vehicle (EV) Charging Station *(Administrator)* Roll

Ortman moved, seconded by Tochterman to approve the agreements in the amount of $38,773.31. Seefeldt moved, seconded by Graf to table the item for the next meeting. After discussion, this motion failed unanimously by voice vote. The motion to approve the agreements with a correction as advised by Wickman, passed unanimously by roll call vote.

9. CLOSED SESSION

Lindell moved, seconded by Jackson to move into Closed Session. Wickman requested that Butler be present during Closed Session. The motion passed unanimously by roll call vote.

A. 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) (A to Z Plumbing & Heating Inc.)*

B. Pursuant to WI Stat. 19.85(1)(g): "Conferring with legal Council who either orally or in writing will advise governmental body of strategy to be adopted with the respect to current or likely litigation." *(Copper Cup) City Attorney*

C. Return to Open Session *(Voice)*

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

D. Report of Action Taken During Closed Session

MacKenzie reported that there was no action taken on Item 9A.

Lindell moved, seconded by Jackson to accept the settlement agreement with Copper Cup and Sandor. The motion carried unanimously by roll call vote.

10. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

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