

**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 COMMITTEE OF THE WHOLE MEETING
Tuesday, June 28, 2022 – 5:30 PM**

Please silence all cell phones during the meeting

1. Roll Call
2. Council President's Report
3. Administrator's Report
4. Approval of Agenda
5. Committee Updates
6. Discussion Items
 - A. **Presentation of Proposed Vaughn Public Library Redesign by Engberg Anderson Architects**
(Library Director)
 - B. **Discussion and Possible Action Regarding Citizen Concerns of Imposing Special Assessments from the 6th Street East Reconstruction Project** *(Councilor Pufall)*
 - C. **Items for Future Discussion**
7. 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

SUBJECT: Committee Updates

RECOMMENDATION:

DEPARTMENT OF ORIGIN:

CLEARANCES:

EXHIBITS:

SUMMARY STATEMENT:

ASHLAND ORE DOCK CHARITABLE TRUST - Ana Tochterman
DISABLED PARKING ENFORCEMENT ASSISTANCE - Laura Graf
HARBOR COMMISSION - Dick Pufall
HISTORIC PRESREvation COMMITTEE - Eric Lindell
HOUSING AUTHORITY - Kevin Seefeldt
HOUSING COMMITTEE - Charlie Ortman
LIBRARY BOARD - Sarah Jackson
PARKS & RECREATION BOARD - Kevin Seefeldt
PLAN COMMISSION - Ana Tochterman
PUBLIC WORKS COMMITTEE - Eric Lindell
SUSTAINABILITY COMMITTEE - Laura Graf
ZONING BOARD OF APPEALS - Charlie Ortman

SUBJECT: Presentation of Proposed Vaughn Public Library Redesign by Engberg Anderson Architects (*Library Director*)

RECOMMENDATION: Presentation Only

DEPARTMENT OF ORIGIN: Vaughn Public Library

CLEARANCES: Council President

EXHIBITS:

SUMMARY STATEMENT:

Architect Alex Ramsey will review the design proposal for the Vaughn Library renovation, including floor plans, exterior elevations and project cost estimates.

SUBJECT: Discussion and Possible Action Regarding Citizen Concerns of Imposing Special Assessments from the 6th Street East Reconstruction Project (*Councilor Pufall*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Pufall

CLEARANCES: Council President

EXHIBITS:

1. Property Assessments and Repayment Options
2. Hardship Policy for the Levy of Assessments
3. Chapter 612 Street and Utility Construction Standards and Special Assessment Policies - Highlighted for Utility
4. Final Resolution Sewer Lateral Install and SP-February 8, 2022 Minutes

SUMMARY STATEMENT:

Whereas the City of Ashland has already done the special assessments for the 6th St. E. Sewer Assessments. However, Councilor Pufall raised concerns over the cost of the assessments to the property owners and would like the council to discuss what programs/options the city has to help property owners.

What is a Property Assessment?

Property assessments are charges by the City of Ashland for improvements to our public works or utilities. The City uses property assessments to help fund projects and only charge assessments to properties that directly benefit from the improvements.

Does Ashland have an ordinance or policy addressing property assessments?

Yes. Chapter 612-Street and Utility Construction Standards and Special Assessment Policies. This ordinance outlines the types of projects as well as how the costs will be assessed to the property.

How are Residents Notified of Property Assessments?

Notifications are governed by WI state statutes.

- For sidewalk assessments, a special hearing is held at a scheduled City Council meeting in order to allow for public comment. The Public Works Department notifies property owners of the proposed assessments and the hearing via letter.
- For utility assessments, the City Council can approve the assessments by resolution at a scheduled City Council meeting. The Public Works Department notifies property owners of the proposed assessments via letter.

The City encourages property owners to attend the special hearing and/or scheduled Council meeting to learn more about the project and provide public comments.

City of Ashland
Director of Public Works:
John Butler
jbutler@coawi.org

City of Ashland Public Works Department
2020 6th Street East
Ashland, WI 54806

www.coawi.org

Phone: 715.682.7061
Fax: 715.682.7907

City of Ashland Water/Wastewater Utilities
1901 Knight Rd
Ashland, WI 54806

Phone: 715.682.7056



City Of Ashland Dept. of Public Works and Utilities

Property

Assessments and

Repayment

Options

Will the Final Property Assessment Be Higher than the Initial Estimate?

No, the final property assessment cannot be higher than the initial estimate. Upon completion of the project, the City will determine property assessments based on the actual costs for each property.

Why is My Property Assessment Different Than My Neighbors?

Each property is unique in its construction and size. Therefore, not all property assessments will be exactly the same. Costs are based on materials required to complete the improvement for each property individually.

What if I am Unable to Make Payment in Full?

The City of Ashland recognizes that in some circumstances, property assessments fees could cause financial hardship to residents. In response, the City is able to accept annual installment payments and has a Special Assessment Hardship Policy for residents who qualify. If you are unable to make payment in full, you should contact the Treasurer's office as soon as possible to discuss the situation.

Property Assessment Repayment Options

For residents unable to repay their property assessment fees at once, the City can accept installment payments. Installment payments are due no later than January 31st and are subject to interest fees.

City of Ashland charges interest at 1% above the City's borrowing rate. Based on current market conditions, it is likely to be between 2.5% and 4%. Any payment made after January 31st will also be subject to penalty fees.

- Annual Installments
 - Residents can elect to repay the fee by making equal annual installment payments. The term of installment payments cannot exceed a ten (10) year period, unless the property owners qualifies for the City's Hardship Policy. Residents who wish to make installment payments should contact the Treasurer's office immediately upon receipt of invoices.
- Hardship Policy
 - The City recognizes that some property assessments could cause financial hardships for some residents. To avoid this, the City of Ashland adopted a Special Assessment Hardship Policy. This policy provides that households that meet HUD income limits can defer their annual installments if the household meets the Hardship Policy criteria.
 - In 2022, the City Council voted to increase the HUD income limits from "Extremely Low Income" to "Very Low Income". Below was the income limits at the time the Council approved this change:

FY 2022 Income Limit Area	Median Family Income Click for More Detail	FY 2022 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Ashland County, WI	\$66,200	Very Low (50%) Income Limits (\$) Click for More Detail	28,150	32,150	36,150	40,150	43,400	46,600	49,800	53,000
		Extremely Low Income Limits (\$)* Click for More Detail	16,900	19,300	23,030	27,750	32,470	37,190	41,910	46,630
		Low (80%) Income Limits (\$) Click for More Detail	45,000	51,400	57,850	64,250	69,400	74,550	79,700	84,850

- Residents who wish to apply for payment deferment under the hardship exception will be required to annually provide copies of each year's federal income tax returns, no later than May 1st showing continued eligibility. Residents may request a deadline extension by contacting the Treasurer's office.
- Residents wishing to apply for the Hardship extension will need to contact the Clerk's office to obtain application information.

ALL UNPAID BALANCES FOR ASSESSMENTS, WHETHER IN ANNUAL INSTALLMENTS OR IN HARDSHIP DEFERRAL, WILL BE DUE IN FULL AT THE TIME OF SALE OR TRANSFER OF TITLE.

HARDSHIP POLICY FOR THE LEVY OF ASSESSMENTS

A. Purpose: The city council acknowledges that the levy of assessments can result in extreme financial hardship in some instances. It therefore enacts this provision in order to provide necessary relief to persons affected by such a levy. It is the intent and purpose of the city council to alleviate the burden of such levies in cases where the loss of the homestead is a reasonable probability, while preserving the right for the ultimate collection of assessments involved.

B. Definitions. Wherever in this section the following words or terms appear they have the meaning indicated, unless the context clearly requires otherwise:

1. "Qualifying family" means a single person or family owning and occupying a homestead against which assessments are levied and who meets the qualifying income standards as outlined within this policy.
2. "Homestead" means the dwelling and so much of the land surrounding it as is reasonably necessary for use as a home, except so much of such land as is vacant and of sufficient size so that it could be divided and sold for development as permitted under appropriate zoning and other regulations.
3. "Assessment" shall include assessments levied under s. 66.60907 or 66.0911, Wisconsin Statutes, and charges imposed under s. 66.60(16), Wisconsin Statutes.
4. "Hardship" is defined as a level of income that falls below the Ashland County Housing and Urban Development HUD Very Low (50%) Income Limits. The below table represents the FY2021 data from the Income Limits : in the most current fiscal year that data is available

		Persons In Family								
FY 2021 Income Limit Area	Median Family Income	FY Income Limit Category	1	2	3	4	5	6	7	8
Ashland County, WI	\$61,000	Very Low (50%) Income Limits (\$)	25150	28750	32350	35900	38800	41650	44550	47400
		Extremely Low (60%) Income Limits (\$)	15100	17420	21960	26500	31040	35580	40120	44660
		Low (80%) Income Limits (\$)	40250	46000	51750	57450	62050	66650	71250	75850

C. The qualifying family shall make application for deferred payment of Assessments as herein provided on forms prescribed by the City Clerk. Applicants for deferment of assessments must own and reside in the property subject to the assessment and demonstrate to the City Treasurer qualification for the deferment by presentation of a copy of the their most recent federal tax return prior to the levying of the assessment, and annually thereafter. Included in family income is the combined income from all family members, age 18 and older that reside in the household for more than 6 months per year.

All information provided on the application shall be considered and treated, to the fullest extent provided by law, as confidential, privileged information, and shall be divulged only by:

1. Persons using the information in the discharge of their duties imposed by law or of the duties of their office; or

2. Order of a court.

D. Where a property is owned by two or more persons, only the income from the family members residing in the homestead and who are responsible for expenses related to maintaining the property shall be considered. For example: A parent who has deeded the homestead to a child where the parent is living in and maintaining the homestead under a life estate provision and where the child is living elsewhere. Property owned by any corporation, partnership, or trust is ineligible for assessment deferment.

E. Qualified **very low income (50% CMI) families as defined in the most recent HUD** data for Ashland County may have the principal portion of their assessment plus accrued interest deferred until the family no longer meets the annual income eligibility requirements, and/or the sale or transfer of the property, whichever occurs first.

F. Interest shall be payable on assessments levied against a property during the period of deferment. 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.

G. Deferment shall cease at the time a property owner(s) no longer meets the income criteria for the program, upon the death of the qualifying owner(s), or upon the date which the ownership of the property is transferred to any other person, persons, partnership, corporation, trust, or other entity by any means whatsoever, which ever occurs first.

H. Deferment shall expire if a property owner fails to provide the City with a copy of a federal tax return by May 1st of each year demonstrating program eligibility unless additional time is granted by the City Treasurer.

I. Tax roll; notice; lien retained. The granting of an application shall authorize the city treasurer to make payment, from city funds, of the amount of the assessment deferred. The city clerk shall record a document with the office of register of deeds containing a description of the property affected, the amount of assessment deferred, and any other appropriate information. Such amount, and interest thereon, shall not be placed on the tax roll until the conditions contained in subsection H. occur. Nothing provided in this section shall be deemed to extinguish or otherwise affect any lien established by law for the collection of any deferred assessment, and any such lien is expressly retained.

J. Placement on roll. When a determination is made by the City that a grantee no longer qualifies for the dererral, the amount of assessments deferred, and accrued interest, shall be placed upon the next available tax roll to be collected in the same manner as delinquent assessments.

K. Payment when no longer eligible: Upon transfer of title of such property by any means, the amount of assessments deferred, and accrued interest, shall become due and payable in full. Upon payment in full, an appropriate satisfaction of payment shall be issued by the city treasurer and recorded in the office of the Register of Deeds.

L. Appeals and exception requests. Families that do not meet the income eligibility guidelines for the deferral but that are experiencing unusual financial difficulties may apply to the Housing Committee for a exception to the eligibility requirements outlined in this policy. The Housing Committee may grant this exception and approve a deferral of the assessment on a year to year basis in cases where the family is experiencing unusual financial difficulties. Examples of unusual financial difficulties would include such things as: A recent loss of employment or other significant decline in income from the prior year, unusual health expenses, inability to pay due to other prior fixed debts and/or financial obligations.

CHAPTER 612. STREET AND UTILITY CONSTRUCTION STANDARDS AND SPECIAL ASSESSMENT POLICIES.

612.10. Policy and Purpose. This chapter is intended to be a guideline to establish:

- (a) Minimum street construction standards to ensure an adequate base, good drainage and durable surfaces.
- (b) Minimum utility construction standards to provide for adequate sanitary sewer, water service and storm sewer.
- (c) Special assessment policies to ensure equitable distribution of project costs between the City and property owners.

612.20. Street Construction Standards.

(a) The Public Works Department shall promulgate and have the power to enforce standards for the construction and reconstruction of street and utilities.

(b) General.

(1) All street construction shall be in accordance with the latest edition of the State of Wisconsin, Department of Transportation, Division of Highways, "Standard Specifications for Road and Bridge Construction."

(2) The City shall establish street grades, have plans and specifications prepared for street and utility improvements and provide for construction staking and inspection for improvements. In new subdivisions, the developer must prepare plans and specifications in accordance with standards established by the Department of Public Works and the Unified Development Ordinance.

(3) All sanitary sewer, sanitary sewer services, watermain, water services, storm sewer, natural gas, cable TV, telephone and underground electrical power shall be installed prior to placing the final street surfacing unless exempted by special resolution by the City Council.

(4) No utility trenches shall be cut into newly paved streets within five (5) years from date of final surfacing except in an emergency. However, the Mayor and the Director of Public Works at their discretion, may jointly permit cuts into a new street and permits will be issued by the Zoning Administration office.

(5) All private utilities and private contractors shall obtain a street cut permit issued under Chapter 501 prior to digging, excavating, trenching, augering or jacking within any street or alley right-of-way. The street cut permit process shall be as follows:

(A) Permit Application. Said permittee shall obtain a street cut permit from the Department of Public Works prior to beginning any work. The permit fee shall be waived for sidewalk and driveway removal and replacement.

(B) Underground Locates. The private contractor or utility representative shall check city sewer records in the Public Works Office and public and private utilities for the location of buried utilities. Diggers Hotline notification shall be made to check for other utilities in work zone.

(C) Notification.

(i) The permittee shall notify the Public Works Department 24 hours before the cut is to be made so that a city representative may be on site during excavation and filling. Backfill operations completed without City supervision or approval may be ordered removed and redone to verify compliance with specified backfill operations stated in this chapter. Where the work will cause temporary closing of a street, the permittee shall notify the Police and Fire Departments prior to beginning work. Failure to do so will result in immediate citation - no exceptions.

(ii) The permittee shall submit plans and/or specifications a minimum of five (5) days prior to starting a project. In the event of an emergency which threatens the safety, health and/or welfare of residents, as determined by the Director of Public Works, advance notification is waived and permits will be issued immediately.

(iii) Work must be inspected during construction to ensure compliance with City procedures and specifications. Failure to do so may result in the Director of Public Works or his representative ordering re-excavation of project.

(6) The Common Council may upon recommendation of the Committee of the Whole grant variances from the standards provided in this Chapter or adopted under this Chapter.

(c) Utility Construction Standards.

(1) All new subdivisions, developments, and newly opened streets shall include installation of sanitary sewers, sanitary sewer services, watermain, water services and storm sewer prior to issuance of a building permit; unless exempted by review of the City Planning Commission or Water Utility, and approved by the City Council.

(2) All sanitary sewer construction shall conform to Chapter NR 110 and watermain construction to Chapter NR 111 of the Wisconsin Administrative Code.

612.30. Policy for Special Assessments for Capital Improvements

(a) General. This policy shall provide the basis for special assessment to property owners for sanitary sewer, watermain and utility service construction, sidewalk and driveway entrances.

(b) Definitions.

- (1) Abutting Frontage - The part of a lot, parcel or property which abuts or fronts on an improvement.
 - (2) Long Frontage - The long dimension of a corner lot regardless of the house orientation.
 - (3) Short Frontage - The short dimension of a corner lot regardless of the house orientation.
 - (4) Irregular Lot - A lot within a subdivision abutting a cul-de-sac or curbed street approximately equal in area to other lots within the subdivision; however, having unusually short abutting frontage in comparison to the other lots.
 - (5) Building Setback Line - A line 25 feet from the street right-of-way line.
 - (6) Remote Lots - Lots or parcels without abutting frontage which receive benefit from the improvement.
 - (7) Subdivision - As defined in Chapter 236, Wis. Stats.
 - (8) Existing Street - Street or highway open to travel prior to January 1, 1985.
 - (9) Deteriorated Existing Bituminous or Concrete Surfaced Street - Street opened to travel prior to January 1, 1985, where the surface has deteriorated to a stage requiring new construction.
 - (10) Surfaced Street - Street or highway with existing bituminous or concrete pavement surfacing.
 - (11) New Street - A platted or unplatted street or highway not open to travel prior to January 1, 1985.
- (c) Improvements to existing street open to travel prior to January 1, 1985.
- (1) Existing unsurfaced or deteriorated bituminous or concrete surfaced residential street: Street construction consisting of tree, curb and gutter and pavement removal, grading, construction of base course, surfacing, curb and gutter, adjustments or manhole castings, and boulevard restoration shall be completed and paid for by the City with no assessment to the abutting frontage.

(2) Any improvements required by the City as a result of new uses or development along abutting frontage shall be installed and paid for by the owner or developer of the abutting property to standards recommended by the City pursuant to plan review of the Public Works Department and City Engineer.

(3) Bituminous overlay construction of existing bituminous or concrete surfaced residential streets: Bituminous overlay construction including the necessary base preparation, curb replacement and adjustment of manhole castings on these streets shall be completed and paid for by the City with no assessment to the abutting frontage.

(4) Bituminous construction on existing unsurfaced rural roads: Tree removal, grading, subbase, course, base course, and bituminous construction on rural roads shall be completed and paid for by the City with no assessment to the abutting frontage.

(5) Bituminous overlay and reconstruction on existing bituminous or concrete surfaced streets other than residential streets. Bituminous overlays or reconstruction of streets other than residential as indicated in the Ashland Functional Street System Map shall be constructed and paid for by the City.

(d) Construction of new streets or improvements to existing streets required as a result of new development.

(1) 100% of the cost of street construction shall be paid for by the developer or developers. Such improvements shall extend to the rear of the property line of the abutting property being developed or to adjacent properties as directed by the City Engineer or Public Works Director.

(2) All construction of new streets shall be in accordance with the standard set forth in Section 612.20.

(3) The Common Council of the City of Ashland shall have the sole discretion to determine whether or not construction of a new street will be permitted.

(e) Special assessments for new or replacement utilities.

(1) New utilities. 100% of the cost of new eight (8) inch diameter sanitary sewers and sanitary sewer services and 100% of the cost of storm sewers and catch basins shall be assessed to abutting frontage. Water and water service shall be assessed in accordance with the current policy of the Ashland Water Utility. The City reserves the right to levy additional assessments for projects having special needs.

(2) Replacement utilities. Replacement of existing utilities shall be assessed to the abutting frontage at a rate equal to 100% of the current estimated cost of new utility construction in accordance with Section 612.40(e)(1), above. The additional costs shall be paid by the City general fund. Services will be assessed at 100% of the actual replacement cost.

(f).Sidewalk and driveway entrances. 100% of the cost for removals, construction and boulevard restoration shall be assessed against the abutting frontage.

(g) Special assessments - general terms and conditions. The following formulas shall apply to all of the aforementioned capital improvements projects to be assessed to property owners:

(1) Each of the capital improvements may be assessed separately or combined for assessment purposes.

(2) The overhead costs for Public Works and construction staking and inspection shall be included as a part of the total improvement cost and assessed against the abutting property in accordance with the aforementioned policies. A charge equal to 15 percent of the construction costs shall be made if it is not possible to determine the exact amount of the overhead costs applicable to a particular improvement.

(3) The cost of improvements abutting an alley or street right-of-way and unassessable frontage shall be included in the total project cost and assessed against the assessable abutting frontage.

(4) Assessments are made hereunder pursuant to the City's Police Powers.

(5) Assessments against property shall be subject to up to 12 percent annual simple interest on the unpaid balance as established by the City Council. The following schedule of payment of principal and interest shall apply to all assessments:

(A) Assessments less than \$299.99 shall be paid within three (3) years.

(B) Assessments from \$300.00 to \$499.99 shall be paid within four (4) years.

(C) Assessments from \$500.00 to \$799.99 shall be paid within seven (7) years.

(D) Assessments over \$800.00 shall be paid within ten (10) years.

(6) The following formula shall be used as the basis for levying special assessments for sanitary sewer improvements:

(A) Interior Lots and Parcels - Assess on the basis of 100 percent of the abutting frontage; except, the following exemptions shall be granted: Exempt that portion of undeveloped or partially developed lots or parcels where additional building sites of 100 feet in width can be developed providing for a minimum 15 feet wide side yard set back from existing buildings.

(B) Corner Lots and Parcels - Assess corner lots and parcels on the basis of 100 percent of the abutting frontage; except, the following exemptions shall be granted:

(i) Exempt 100 percent of the short frontage, if the sanitary sewer improvements abuts both frontages of a corner lot.

(ii) Exempt that portion of the long frontage of undeveloped or partially developed lots or parcels where additional building sites of 100 feet in width can be developed providing for a minimum 15 feet wide side yard and 75 feet wide back yard set back from existing buildings.

(iii) Exempt the second frontage of a corner lot or parcel with existing sanitary sewer along the other frontage; except where additional building sites of 100 feet in width can be developed providing for a minimum 15 feet wide side yard and 75 feet wide back yard set back from existing buildings.

(C) Irregular Lots - Assess on the basis of frontage length at the building setback line, the average abutting frontage of a regular interior lot, or on the basis of a standard building site, whichever is most applicable.

(D) Remote Lots - Assess on the basis of a standard building site.

(E) General - The following shall apply to all special assessments for sanitary sewer improvements.

(i) Adjacent lots or parcels under common ownership shall be considered as a single parcel for assessment purposes.

(ii) The assessable frontage of lots or parcels 100 feet in width or greater shall not be less than 100 feet.

(iii) All undeveloped lots or parcels shall be assessed for one building site. The assessable frontage shall be determined in accordance with the previously outlined policies.

(iv) A standard building site for the purpose of this chapter shall have 100 feet frontage and 140 feet lot or parcel depth.

(v) Side yard and back yard setback shall be defined as the distance between a building or structure and the property line measured from the outer edge of the roof overhang.

(vi) Special assessments shall be exempted for all unbuildable property such as wetland areas and ravines, as determined by the City.

(vii) All property exempted from special assessment shall pay a "connection charge in lieu of special assessment" to the City Treasurer at the time a building permit is issued for the exempt lot or parcel. The connection charge shall be equal

to the special assessment rate levied for the improvements adjusted by the following factors:

(aa) A ratio of the Public Works New Record current construction cost index to the construction cost index at the time the special assessments were levied.

(bb) Depreciated on the basis of a 75 year life commencing at the time the special assessments were levied.

(cc) The minimum connection charge shall be based on the standard building site. The connection charge for a lot or parcel with frontage greater than the standard building site shall be increased proportionately. Connection charges for corner lots, irregular lots and remote lots shall be governed by the same criteria as outlined for special assessments. The City Treasurer shall maintain a map indicating the locations where connection charges are due.

612.40. Special City Costs.

(a) Sanitary Sewers. 100% of the additional costs for sanitary sewers over eight (8) inches in diameter.

(b) Water Services. Costs of watermains, water services, sewage pumping station, water pressure booster stations, and siphons shall be paid for in accordance with the current policies of the Ashland Water Utility.

(c) Replacements. 100% of the costs of replacement of culverts and fences that are properly placed outside the street right-of-way line.

(d) Assessments. The cost of assessments for improvements abutting city property other than streets or alley right-of-ways shall be paid by the City.

612.50. Federal, State or County Aid for Street and Utility Improvements. If financial assistance is received from the Federal government, State of Wisconsin or Ashland County for improvements and assessments are permitted by the assistance program, assessments shall be made in accordance with Sec. 612.40 and the assessment amount equal to the grant portion shall be placed in the City Capital Construction Fund.

612.60. Penalty for Violation. Any person, firm, or company violating any provision of this chapter shall be liable for the payment of a forfeiture of fifty dollars (\$50.00) to two hundred dollars (\$200.00). Each violation shall be considered as a separate offense. The City Building Inspector shall have authority pursuant to Chapter 279 to issue citations for violations which have been identified by the Director of Public Works.

ADOPTED: 612 (1046) 4/9/1985

AMENDMENTS: 612 (1050) 8/13/1985; 612 (1098) 5/12/1987; 612 (1108) 8/26/1987;
612 (1165) 1/17/1989; 612 (1253) 4/16/1991; 612 (1409) 9/9/1997;
612 (1422) 10/28/1997; 612 (1539) 4/16/2002; 612 (1641) 11/1/2006;
612 (2015-1856) 9/29/2015

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ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, February 8, 2022 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, February 8, 2022 Ashland City Council meeting was called to order by Mayor Debra Lewis, in person and virtually via GoTo Meetings 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, and other concerned citizens.

2. APPROVAL OF AGENDA

Lewis asked to remove Item 5C at the request of the Policing Task Force. Lindell moved, seconded by Ortman to approve the amended agenda. The motion carried unanimously by voice vote.

3. APPROVAL OF MINUTES

A. January 25, 2022 City Council Meeting Minutes

Pufall moved, seconded by Seefeldt to approve the 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:

Jeanna Olbekson, Ashland resident, inquired about the City's relationship with BART public transportation, commented that she felt discriminated against while at the hospital's ER, and asked to be directly informed of events held.

5. MAYOR'S REPORT

A. Announcements

Lewis mentioned that the audio recording from the mayoral forum hosted by the League of Women Voters on February 7, 2022 will be made available on their website. The Primary Election will be held on February 15, 2022. Absentee voting is available at the Clerk's office, and all wards will be voting at the Bretting Community Center on Election Day. The Citizen's Guide to the Budget is now available on the City's website for public viewing. The arcitech's plans for the Vaughn Public Library building are also available for public viewing at the Library. Lewis and Kucera met with representatives of Republic Services, formerly Eagle Waste, and have come up with an action plan should there be any service disruptions in the future. Lewis congratulated Barb Zanella on her recent retirement from Treasurer/Comptroller, and wished Megan McBride well of her upcoming departure as the City's Planning Director.

B. Appointments

Haas moved, seconded by Lindell to approve the Mayor's appointment of Peter Herlevi to the Harbor Commission. The motion passed unanimously by voice vote.

6. CONSENT AGENDA

A. Miscellaneous Meeting Minutes

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

7. NEW BUSINESS

A. Approve a Resolution to Proclaim the Third Weekend in May as the Observed Migratory Bird Day in Ashland, Wisconsin (Parks) Roll

Haas moved, seconded by Seefeldt to approve. The motion passed unanimously by roll call vote. FILE NO. 17669

B. Approve Development Agreement between the City of Ashland and Superior View Cottages, LLC for Residential Construction on the Timeless Timber Site (Planning) Roll

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

- C. Approve an Agreement between Northwest Regional Planning Commission (NWRPC) and the City of Ashland for Administration of the Community Development Block Grant (CDBG) Housing Rehabilitation Revolving Loan Fund (RLF) Program** (*Planning*) Roll

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

- D. Approve a Professional Design Engineering Services Proposal from Cedar Corporation for Design of a Center Turn Lane to Access 23rd Avenue East** (*Planning*) Roll

Ortman moved, seconded by Franek to approve the proposal for \$19,950. The motion passed unanimously by roll call vote.

- E. Approve Final Resolution Requiring Installation of Sewer Laterals and Providing for Assessment of Cost Under Wisconsin State Statute 66.0911 for the 6th Street East Street Reconstruction and Utility Replacement Project** (*Public Works*) Roll

Lindell moved, seconded by Haas to approve. The motion passed unanimously by roll call vote. FILE NO. 17666

- F. Approve Final Resolution Requiring Installation of Sewer Laterals and Providing for Assessment of Cost Under Wisconsin State Statute 66.0911 for the 2022 Sanitary Sewer Replacement Project** (*Public Works*) Roll

Ortman moved, seconded by Seefeldt to approve. The motion passed unanimously by roll call vote. FILE NO. 17668

- G. Approve Final Resolution Requiring Installation of Sewer Laterals and Providing for Assessment of Cost Under Wisconsin State Statute 66.0911 for the 2021 Alley Sanitary Sewer Replacement Project** (*Public Works*) Roll

Haas moved, seconded by Lindell to approve. The motion passed unanimously by roll call vote. FILE NO. 17667

- H. Approve a Resolution Authorizing the Issuance and Sale of Up to \$623,081 Sewerage System Revenue Bonds, Series 2022, and Providing For Other Details and Covenants With Respect Thereto, and Approval of Related \$1,373,081 Financial Assistance Agreement** (*Public Works, Finance*) Roll

Moore moved, seconded by Lindell to approve. The motion passed unanimously by roll call vote. FILE NO. 17670

- I. Approve to Purchase a John Deere 544P Wheel Loader from McCoy Construction Forestry for the Public Works Department** (*Public Works*) Roll

Haas moved, seconded by Ortman to approve the purchase for \$269,500.00 from McCoy Construction Forestry. The motion passed unanimously by roll call vote.

- J. Consider a Request from Breath of Life Pregnancy Resource Center for Forgiveness of the City of Ashland's Portion of Their 2021 Property Taxes** (*Clerk*) Roll

Haas moved, seconded by Franek to approve. The motion failed 4-5 by roll call vote; opposed were Seefeldt, Jackson, Tochtermann, Lindell, and Moore.

- K. Adopt the City of Ashland Strategic Plan and the Implementation Plan** (*Administration*) Voice

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

8. ENTER CLOSED SESSION Roll

Lewis requested that Planning Director McBride remain in attendance while in Closed Session.

Kevin Haas moved, seconded by Eric Lindell to enter into Closed Session. 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 WI Stat. 19.85(1)(g): "Conferring with legal council 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)(e): "Deliberating or negotiating the purchasing of public properties whenever competitive or bargaining reasons require a closed session." (421 Lake Shore Drive West) Administration

C. RETURN TO OPEN SESSION Voice

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

D. REPORT OF ACTION TAKEN DURING CLOSED SESSION

Lewis reported, in regard to Item 8A, the Council approved to deny the claim. There was no formal action taken with regard to Item 8B.

9. ADJOURNMENT

Kevin Haas moved, seconded by Charlie Ortman to adjourn. The motion carried unanimously by voice vote.

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

SUBJECT: Items for Future Discussion

RECOMMENDATION: Discussion only

DEPARTMENT OF ORIGIN:

CLEARANCES: Council President

EXHIBITS:

SUMMARY STATEMENT:

from May 31, 2022:

Ortman - ..."fire for snow removal on priority routes..."

Jackson - requested a potential date for the meet & greet/listening session in September

Tochterman - "...define specific areas that need plan-ful snow removal...:

MacKenzie - asked for ideas of possible changes to Council procedure

from June 14, 2022:

Pufall - revisit special assessments for 6th St E Reconstruction Project