

**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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To join the meeting from your computer, tablet or smartphone:

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ASHLAND CITY COUNCIL MEETING MINUTES

Tuesday, June 28, 2022 – 5:30 PM

Ashland City Hall Council Chambers

Please silence all cell phones during the meeting

1. CALL TO ORDER

The Tuesday, June 28, 2022 Ashland City Council meeting was called to order by Mayor Matt Mac Kenzie 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, 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, Parks Director Sara Hudson, Library Director Sarah Adams, and other concerned citizens.

2. APPROVAL OF AGENDA

Lindell moved, seconded by Ortman to remove Item 7J from the agenda as there are no updates to share. Jackson requested to moved Item 7K to the beginning of New Business as there were a number of citizens present to address this item. Lindell and Ortman agreed. The motion to approve the amended agenda carried unanimously by voice vote.

3. APPROVAL OF MINUTES

A. June 14, 2022 City Council and Committee of the Whole Meeting Minutes

Pufall moved, seconded by Seefeldt to approve the minutes as presented. 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 Olbeksens, PO Box 786, inquired about the ordinance regarding homeless people camping in the city's parks.

Nancy Szyndor, 1521 6th Street East, spoke in support of designating ARPA funds for the East End Park renovations.

Chris Hulmer, 1605 6th Street East, was in support of providing funding for the East End Park project.

Dan Orley, 29190 East Ondossagon Rd, spoke in support of the alcohol license application for Play Unplugged and of the Vaughn Library renovation plans.

Jackie Moore, 307 14th Avenue East, spoke in support of the Pride Month Resolution.

Kathy Allen, 810 Mac Arthur Avenue, spoke in support of the Vaughn Library renovation plans.

Philomena Burchill, Ashland resident, spoke to support the approval of the Pride Month Resolution, and of the alcohol license for Play Unplugged.

Ella Severson, 813 6th Avenue West, thanked Council for the option of virtual attendance, and supported the Pride Month Resolution.

Abby Fergus, Ashland, encouraged Council to approve the Pride Month Resolution.

Carver Harries, 910 Ellis Avenue, asked Council to vote to approve the Pride Month Resolution.

Katherine Martin, Washburn, spoke in support of approving the Pride Month Resolution.

Jim, Ashland resident, spoke in support of the alcohol license application for Play Unplugged.

David Gilmore, 1123 1/2 3rd Street West, spoke to support the alcohol license for Play Unplugged.

Sarah McCabe, Ashland resident, spoke to support the Pride Month Resolution.

William Michel, Town of Lincoln, spoke in support of the Pride Month Resolution.

Kelly Westlund, 501 11th Avenue East, supported the proposed funding of the East End Park renovations, and the approval of the Pride Month Resolution.

Kucera read into the record emails submitted by Laura Comer, Kristy Heidenreich, Progress

North, Northlakes Community Clinic, and Duluth Superior Pride, all who were in support of the Pride Month Resolution.

5. MAYOR'S REPORT

A. Announcements

MacKenzie offered that he attended a meeting hosted by UW-Superior last week, who asked the City and Ashland County how they could become more involved in the City. The City is currently undergoing its annual financial auditing. He attended a Joint Review Board meeting yesterday to review the TID districts program. He mentioned that he is reviewing the Housing Committee and the best direction for this group to be more effective and possible changes to do that. He will be bringing this item for discussion in the future. He asked the City Attorney to do a short review regarding conflicts of interest and having a quorum present for a meeting, and what to be aware of as a Council person. He finished by stating that he supports inclusion and wished to model a nonpartisan, safe and respectful environment at the City.

B. Appointments

Lindell moved, seconded by Ortman to approve the Mayor's recommendations for appointments of the following: reappointment of Carl Doersch to the BART Board, reappointment of Tom Yankee to the Harbor Commission, and appointing Bill Metzinger to the Board of Review. The motion carried unanimously by voice vote.

6. OLD BUSINESS

A. Approve a Request for Proposals (RFP) for the City-Owned Beaser Avenue Property (*Administration*) Voice

Ortman moved, seconded by Pufall to approve the RFP. The motion carried unanimously by voice vote.

7. NEW BUSINESS

A. Approve a Resolution Establishing June as Pride Month in the City of Ashland, Wisconsin (*Councilors Lindell, Graf and Jackson*) Roll

Lindell moved, seconded by Graf to approve the resolution. Kucera read the resolution for the attendees. The motion carried unanimously by roll call vote.

B. Public Hearing Regarding the 6th Street East Road Reconstruction and Utility Replacement Project for the 2021 Community Development Block Grant-Public Facilities (CDBG-PF) Funds (*Public Works*) Roll

Lindell moved, seconded by Jackson to move into Public Hearing. The motion carried unanimously by roll call vote.

It was made known that a Class II notice was posted in the City's official newspaper two times, posted at the Vaughn Public Library, Ashland County Court House, and at City Hall, as well as noticed via social media. The public hearing agenda included eligible CDBG activities, discussion of the CDBG-PF project and progress to date, citizen input regarding the progress of the project and other CDBG activities, and identification of any community development needs by the public. Butler addressed Council offering that the 6th Street East Reconstruction Project

was on schedule with few to minor interruptions. As there were no citizens wishing to address Council at this time, Ortman moved, seconded by Seefeldt to close the Public Hearing. The motion carried unanimously by voice vote.

C. Approve to Accept Bid from Northwoods Paving Company, and Award a Contract for the 2022 Pavement Preservation Project (*Public Works*) Roll

Ortman moved, seconded by Seefeldt to approve to accept the bid for a total project cost of \$217,717.97. The motion carried unanimously by roll call vote.

D. Approve an Agreement for Professional Services between the City of Ashland and Short Elliot Hendrickson, Inc. (SEH) for the STH 13/Ellis Avenue Watermain Design Replacement Project (*Public Works*) Roll

Tochterman moved, seconded by Seefeldt to approve the agreement for a project total of \$82,170.00. The motion carried unanimously by roll call vote.

E. Approve the State/Municipal Financial Agreement for Design of the US Highway 2 Resurfacing Project (*Public Works*) Roll

Lindell moved, seconded by Pufall to approve the agreement. The motion carried unanimously by roll call vote.

F. Approve a Resolution by the Common Council for the City of Ashland, Wisconsin to Adopt the 2022 Amended General Fund Budget to Meet the State of Wisconsin Expenditure Restraint Payment Program Guidelines in Order to Receive the 2023 Expenditure Restraint Revenue, and Approve General Fund Balance Transfers to Capital Project Funds for 2022 (*Finance*) Roll

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

G. Approve a Resolution to Issue a Conditional Use Permit (CUP) to Operate a Restaurant at 915 Lake Shore Drive West, Ashland, Parcel No. #201-00722-0000, Zoned Waterfront Commercial (W-C) with Waterfront Overlay (W-O) and Gateway Overlay (GTWY-O). Applicant: Little Caesars Pizza (*Planning & Development*) Roll

Pufall moved, seconded by Tochterman to approve the resolution. The motion carried unanimously by roll call vote.

H. Approve a Resolution to Issue a Conditional Use Permit (CUP) to Operate a Commercial Composting Facility at 1406 County Highway A, Parcels No. 201-04620-0000, No. 201-04614-0000, and No. 201-04624-0000, Zoned Heavy Industrial (H-I). Applicant: Big Lake Organics, LLC (*Planning & Development*) Roll

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

I. Approve an Original Alcohol Beverage Retail License Application for a Class B Fermented Malt Beverage License, from Ashland Fun and Games LLC dba Play Unplugged, and Agent Joseph Croteau, at 307 Main Street West (*Clerk*) Voice

Lindell moved, seconded by Seefeldt to approve the application. Tochterman asked to recognized Joseph Croteau to speak to Council. The motion carried unanimously by voice vote.

J. Approve to Distribute \$10,000 from ARPA Funds for East End Park Improvements (*Administrator*) Roll

Ortman moved, seconded by Tochtermann to approve. The motion carried unanimously by roll call vote.

8. CLOSED SESSION (Roll Call)

Lindell moved, seconded by Jackson to move into Closed Session. Wickman requested to allow Butler to remain while in Closed Session. The motion carried unanimously by roll call vote.

MacKenzie allowed for a five minute recess before beginning Closed Session discussion.

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/Z. Jablonski Notice of Claim

B. 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." (6th Street West) (City Attorney)

C. RETURN TO OPEN SESSION Voice

Lindell moved, seconded by Seefeldt to return to Open Session. The motion carried unanimously by voice vote.

D. REPORT OF ACTION TAKEN DURING OPEN SESSION

8A: Lindell moved, seconded by Graf to deny the claim as recommended by the City Attorney. The motion carried unanimously by roll call vote

8B: There was no action taken by Council during Closed Session.

9. ADJOURNMENT

Ortman moved, seconded by Seefeldt 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.

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