

**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, July 12, 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. Discussion Items
 - A. **Discussion and Possible Action Regarding Recommended Amendments to Chapter 51: City Council Procedure** (*Councilor Lindell*)
 - B. **Discussion and Possible Action Regarding Use of American Rescue Program Act (ARPA) Funds to Offset the Cost of 6th Street East Sewer Assessments** (*Councilor Pufall*)
 - C. **Discussion and Possible Action Regarding the Ashland Rotary Sponsorship for the Construction of a Splash Pad in the City of Ashland** (*Parks Director*)
6. 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: Discussion and Possible Action Regarding Recommended Amendments to Chapter 51:
City Council Procedure (*Councilor Lindell*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Council President

CLEARANCES: Approved Unanimously by Committee of the Whole, June 14, 2022

EXHIBITS: 1. Proposed Resolution - draft

SUMMARY STATEMENT:

On June 14, 2022, the Committee of the Whole reviewed potential updates to Chapter 51, City Council Procedures, Ashland City Ordinances. Council approved to proceed with the changes but return the item to the Committee for final recommendations and comments.

51.03(a) states that the dates and times are determined by resolution. This resolution draft is attached for review. Council agreed to push the start time from 5:30 pm to 6:00 pm, and this will be reflected in a final resolution.

51.03 - The final paragraph regarding Closed Session while attending virtually reads that if a Councilor is attending the meeting virtually, they must be excused when entering Closed Session. This was discussed by Committee of the Whole briefly on June 14, 2022, and the City Attorney advised that this Chapter already allows for exceptions should Council feel a Councilor, or any other pertinent participant, attending virtually should be allowed to remain for the sake of maintaining a quorum simply by voting to suspend the provisions of Chapter 51.03(e). Council needs to determine whether to amend this statement to allow for virtual attendance except in the case of pending litigation, or if the Mayor, City Administrator, or City Attorney advises it necessary for attendance regardless of the subject.

51.10 - Introduction of Business seems to be a bit outdated, reflecting the time of hard copies and mailing packets. The installation of the agenda software and the Councilors' use of iPads has created a much larger window for submitting, completing and distributing packets. Small updates, such as the timeline to get information to staff, can be tweaked and still allow adequate time to complete the meeting packets.

RESOLUTION No. 17688

RESOLUTION TO APPROVE THE START TIME FOR COMBINED ASHLAND CITY COUNCIL AND COMMITTEE OF THE WHOLE MEETINGS

WHEREAS, the Common Council of the City of Ashland meets on the 2nd and last Tuesdays of each calendar month; and,

WHEREAS, the Council has deemed it in the best interest for the Community that Council meetings to commence at 6:00 p.m.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Ashland, that all future meetings of the Council shall commence at 6:00 p.m. on the 2nd and last Tuesdays of each month, unless otherwise specified by the Mayor.

PASSED:

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Matt MacKenzie, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

SUBJECT: Discussion and Possible Action Regarding Use of American Rescue Program Act (ARPA)
Funds to Offset the Cost of 6th Street East Sewer Assessments (*Councilor Pufall*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Pufall

CLEARANCES: Council President

EXHIBITS:

SUMMARY STATEMENT:

Councilor Pufall has requested that the City approve the use of American Rescue Plan Act (ARPA) to offset the cost of the 6th Street East Sewer Assessments. The total amount per home is \$1400 and the total for 40 homes is \$56,000. This is a permitted use under the ARAP funding guidelines.

SUBJECT: Discussion and Possible Action Regarding the Ashland Rotary Sponsorship for the Construction of a Splash Pad in the City of Ashland (*Parks Director*)

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Parks and Recreation

CLEARANCES: Parks and Recreation Committee

EXHIBITS:

1. Scope of Services, Parkitecture, May 25, 2022
2. Bayview Park Splashpad Inspiration Images
3. Bayview Park Splashpad Concept Plan

SUMMARY STATEMENT:

The Parks and Recreation Director and the Ashland Rotary will be present to discuss the idea of sponsoring a splash pad in the City of Ashland. Several years ago, the Rotary received a substantial donation from a community member. Rotarians have agreed that they would like to put this donation towards the construction of a splash pad at Bayview Park. The City would like to work with Blake Thiesen of Parkitecture, a firm based in Madison who specializes in Splash pads. Parkitecture has created an initial concept idea and a proposed map for the location of a splash pad at Bayview Park.

The Rotary has also agreed to take up a fundraising effort to raise additional funding for the splash pad. The City is requesting from the Rotary that a maintenance fund be set up for this project. The Parks and Recreation Director is seeking approval from the Council to continue to move forward working with Parkitecture and the Ashland Rotary to construct a splash pad at Bayview Park.

Final approval of the finished concept plan will come before the Council before the bidding process.

May 25, 2022

Sara Hudson
Director of Parks and Recreation
City of Ashland
601 Main Street W
Ashland, WI 54806



Dear Sara:

Thank you for the opportunity to provide this proposal for concept development, final design and engineering for implementation of a new flow-through splashpad at Bayview Park. Your continued confidence in the Parkitecture + Planning team is not taken lightly.

This new aquatic feature will provide yet another excellent addition to this community park and we are excited to see it through to fruition. We are pleased to continue our work in the City and look forward to sharing our vast experience in splashpad design with you, the Rotary Club, and the community.

We will provide initial concept ideas for theme, layout and design for the new splashpad, and assembly of bidding documents. The project schedule is anticipated to begin design in late fall/winter of 2022 with public bidding in late 2022 or early 2023. Construction is anticipated to take place during the spring/summer of 2023 if funding is available.

Thank you very much for this opportunity.

Sincerely,



Blake Theisen, PLA, ASLA
Principal

Parkitecture + Planning
901 Deming Way, Suite 102
Madison, WI 53717

E blake@parkitecture.org
P 608.886.6808

SCOPE OF SERVICES

Community Engagement and Concepts

- ◆ Concept Design and Community Engagement for the splashpad area to include:
 - Prepare 2-3 Concept Designs of splashpad area
 - Guide selection of splashpad feature options and/or theming of flow-through type system
 - Assist City with gathering public input. Suggested methods include presentation at a special event, City Facebook data mining, online voting, etc.
 - Refine preliminary concepts into one preferred design option

OUTCOMES		
Meetings		
#1	Kickoff Meeting with City Staff (virtual)	
#2	Concept Options Review Meeting (virtual)	
#3	Final Preferred Design Concept Review Meeting (virtual)	
Document Deliverables – Concept Development Phase		
#1	2-3 Concept Exhibits of the Splashpad area	11x17 pdf
#2	Opinion of Probable Costs Estimates for each Concept	8.5x11 pdf
Document Deliverables – Final Concept Phase		
#1	Final Preferred Design Concept Exhibit	11x17 pdf
#2	Opinion of Probable Costs Estimate	8.5x11 pdf

Construction Documents

- ◆ Design and Engineering for the proposed splashpad to include:
 - Site Layout, Grading, Utility, and Erosion Control plans
 - Splashpad feature layout plan
 - Splashpad plumbing plan including utility services
 - Landscape/restoration plan
 - Site and splashpad construction details
- ◆ Prepare Project Manual including front end documents and special provision specifications for public bidding
- ◆ Prepare and submit State and Local Permits
 - Scope does not include stormwater design
- ◆ Assist City with Public Bidding
 - Answer bidder questions and issue addenda if needed
 - Facilitate bid opening and provide bid tabulation

OUTCOMES		
Meetings		
#1	Construction Plan Review Meeting with City Staff (virtual)	
#2	Final Construction Plan Review Meeting with City Staff (virtual)	

Document Deliverables – Construction Documents		
#1	Opinion of Probable Costs Estimate	8.5x11 pdf
#2	Construction Plan Set for Bidding	11x17 pdf
#3	Project Manual (front end documents & special provisions)	8.5x11 pdf
Document Deliverables – Permit Preparation		
#1	WDNR Pool Discharge (if applicable)	8.5x11 pdf
#2	Local Land Disturbance or Stormwater permits (if applicable)	8.5x11 pdf
Public Bidding Process		
#1	Prepare addenda if needed	
#2	Meeting to facilitate bid opening	
#3	Bid Tabulation	8.5x11 pdf

Post Design Assistance (Optional T&M)

- ◆ Construction Administration
 - Attend and facilitate regular construction meetings
 - Review submittals and shop drawings for design elements of the project
 - Administer contractor pay requests
 - Assist with splashpad commissioning
 - Complete final walk-through and punch list at completion of project

OUTCOMES	
Construction Administration	
#1	Facilitate Construction Meetings (provide agenda & meeting minutes) (6 meetings anticipated)
#2	Review Submittals & Shop Drawings
#3	Administer contractor pay requests
#4	Attend Splashpad Commissioning (1 meeting)
#5	Administer final walk-through and provide punch list
#6	Provide project closeout documents

Responsibilities of Owner and Others

The City shall supply Parkitecture with digital (AutoCAD) basemap files for the project area and any available utility plans or Geo-technical information. Permit fees shall be paid by the City directly or as a reimbursable expense.

Proposed Fee

For completion of the scope of services presented above, our proposed fees are lump sum by task:

Community Engagement and Concepts	\$ 5,720
Construction Documents	\$13,260
Post Design Assistance	T&M

The fees identified above shall be fixed unless substantial changes in the scope of work occur. P+P shall notify Client of substantial changes to the agreed upon scope of work, and obtain approval prior to commencement of additional work. Refer to Terms and Conditions for billing and payment information.

Signature below shall serve as notification to proceed.

Accepted by:

Date:

City of Ashland

TERMS AND CONDITIONS

Payment Terms

Progress invoices will be sent monthly or as otherwise discussed for work completed; payment of invoices is due within 30 days after receipt. Parkitecture + Planning (P+P) shall reserve the right to stop work or withhold deliverables until payment is current.

Reimbursable Expenses

Reimbursable expenses will be billed at cost plus five percent (5%) unless otherwise included in the fixed fee. Mileage shall be charged at the current Federal rate unless otherwise included in the fixed fee.

Ownership of Documents

Upon the making of final payment, as required by this Agreement, the Client shall assume ownership of the deliverables as described above. Use of the documents without further involvement of P+P shall be at the sole risk of the Client. The Client shall defend, indemnify and hold harmless P+P, sub-consultants, and the agents, officers, Principals, and employees of each from and against any and all claims, damages, losses, costs and expenses, including but not limited to attorney's fees, costs and expenses incurred in connection with any dispute resolution process, arising out of or resulting from such use of the documents.

Limitation of Liability

In recognition of the relative risks and benefits of the project to both the Client and P+P, the risks have been allocated such that Client agrees, to the fullest extent permitted by law, to limit the liability of P+P. This applies to any and all allegations, claims, losses, costs, damages of any nature, or claims expenses from any cause or causes, including attorneys' fees and costs and expert-witness fees and costs, so that the total aggregate liability of P+P shall not exceed the total fee for services rendered under this contract.

Authorization and Notice to Proceed

Signing of this document signifies an agreement to the fees and serves as authorization to commence work. If the terms in this fee proposal are acceptable, please sign and return one a signed copy to P+P.

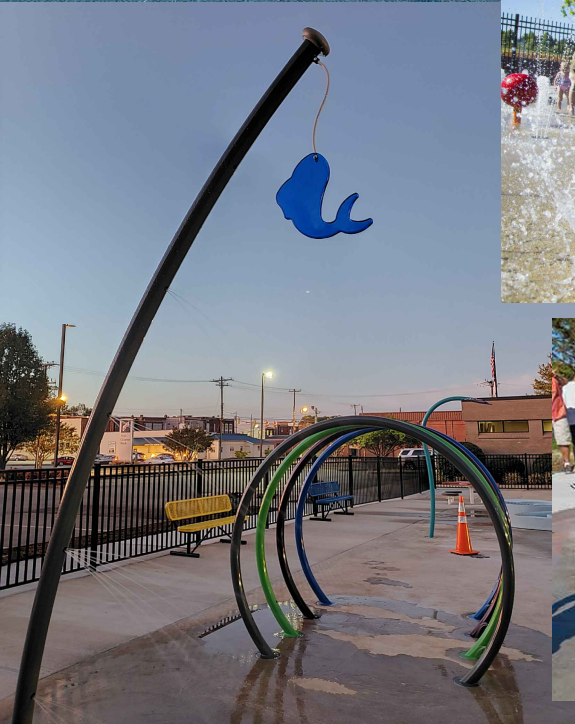
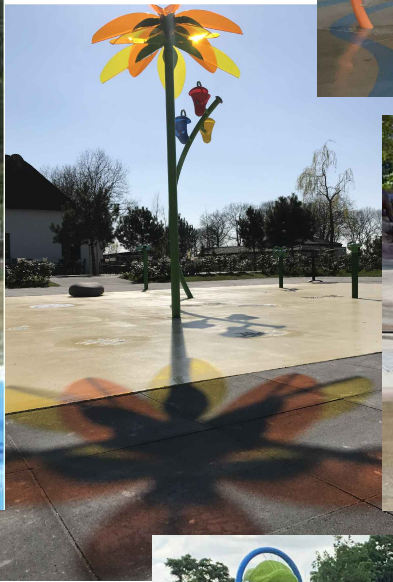
Schedule

Work provided under this Agreement shall commence upon receipt of a signed copy of this document. P+P shall work with Client to meet specified deadlines within a reasonable expectation.

Client's Responsibilities

Client shall provide P+P with all relevant information for the project including but not limited to program statement, prior design files, subsurface exploration information, utility plans, current survey documents (AutoCAD format), and any other past planning documents. Client will review incremental progress documents and provide feedback to P+P in a timely manner. Client shall bear responsibility for any costs and or loses arising from discovery of unforeseen conditions or inaccuracies of existing condition documents.

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- LEGEND**
- 1 NEW PARK PATH/SIDEWALK
 - 2 CONCRETE SPLASHPAD ~2,000 sf
 - 3 BENCH SEATING AREA
 - 4 PICNIC TABLE SEATING AREA
 - 5 CONCRETE DRY DECK
 - 6 SHADE STRUCTURE/SEATING AREA

