MEETING MINUTES

ASHLAND CITY COUNCIL
Tuesday, December 13, 2022 – 6:00 PM
Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, December 13, 2022 Ashland City Council meeting was called to order by Mayor Matt Mac Kenzie at 6:00 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, 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, Finance Director Julie Vaillancourt, Parks Director Sara Hudson, Utility Supervisor Brian Ledin, Treasurer Jacey Dean, and other concerned citizens.

2. APPROVAL OF AGENDA

Kevin Seefeldt moved, seconded by Charlie Ortman to approve the agenda as presented. The motion carried unanimously by voice vote.

3. ELECTION OF COUNCIL PRESIDENT

A. Accept Nominations from the Floor

Mac Kenzie opened the floor for nominations for Council President. Seefelt nominated Ortman; Ortman accepted.

B. Close Nominations

Hearing no further nominations, Tochterman moved, seconded by Jackson to close nominations, and was carried by voice vote.

C. Vote by Secret Ballot

A unanimous voice vote was made to appoint Ortman as Council President.

4. DISCUSSION AND POSSIBLE ACTION TO FILL DISTRICT 4 ALDERPERSON VACANCY

A. Discussion and Approval to Fill the District 4 Alderperson Vacancy *(Clerk)* Roll

Seefeldt moved, seconded by Tochterman to fill the District 4 Alderperson vacancy. The motion passed 5-1 by roll call vote; Pufall opposed

Ortman motioned to nominate Andrew Goyke, but withdrew his motion to allow for a roll call vote. Jackson, Tochterman, and Graf voted to appoint Jenise Swartley; Ortman, Pufall, and Seefeldt voted to appoint Goyke. MacKenzie broke the 3-3 tie by voting for Goyke.

After accepting the District 4 Alderperson seat, Goyke was sworn in by the Clerk and took the seat for the remainder of the meeting.

5. APPROVAL OF MINUTES

A. November 15, 2022 City Council and Committee of the Whole Meeting Minutes

Pufall moved, seconded by Seefeldt to approve the minutes. The motion passed unanimously by voice vote.

6. CITIZEN PARTICIPATION PERIOD

There were no citizens present wishing to address the Council.

7. MAYOR’S REPORT

A. Announcements

MacKenzie passed information to Councilors regarding the levels of PFAS in the City's water. He offered to bring this topic back for discussion at a future meeting. He attended a Northwest Regional Planning Committee meeting last week in Hayward where the group discussed broadband issues. Finally he wished all a pleasant upcoming holiday, and thanked all for their service over the past year.

B. Appointments

A motion by Tochterman, seconded by Jackson to reappoint Mary Asbach and Michelle Jardine to the Library Board was approved unanimously by voice vote. Their terms would expire October 31, 2025.

8. CONSENT AGENDA

A. Approve a Joint Powers Agreement between Ashland County and the City of Ashland for Ashland County 911 Emergency System *(Emergency Services)*

B. Approve to Accept a Grant from the Wisconsin Department of Justice (DOJ) for Financial Support to Purchase Body Cameras for the Police Department *(Police Chief)*

C. Approve to Accept an Urban Forestry Grant from the Wisconsin Department of Natural Resources (DNR) for the City of Ashland Emerald Ash Borer Readiness Plan Implementation *(Parks and Recreation Director)*

D. Approve to Accept the 2021 Bayfield County Regional Assistance to Firefighters Grant (AFG) Grant for the Purchase of Radio Equipment *(Fire Department)*

E. **Approve to Accept WIsconsin EMS Flex Grant Award, and to Waive the Requirement of Chapter 194 Procurement of Goods and Services to Purchase CPR Devices from Stryker Emergency Care** *(Fire Department)*

F. **Miscellaneous Meeting Minutes**

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

9. OLD BUSINESS

A. **Approve the Proposed 2023 Water and Wastewater Utility Budgets** *(Administration)*

Ortman moved, seconded by Seefeldt to approve the proposed 2023 Water and Wastewater Utility budgets as presented. The motion passed 6-0 by roll call vote; Goyke abstained.

B. **Approve an Ordinance to Create Chapter 875 (2022-1973) Special Events, Ashland City Ordinances** *(Clerk)* Roll

Seefeldt moved, seconded by Jackson to approve Ordinance 2022-1973. The motion passed unanimously by roll call vote.

C. **Approve Final Payment to Nasi Roofing, LLC for the Public Works Roof Replacement Project** *(Public Works)* Roll

Seefeldt moved, seconded by Pufall to approve the final payment to Nasi Roofing LLC for $5,945.00 . The motion passed unanimously by roll call vote.

10. NEW BUSINESS

A. **Approve a Resolution Authorizing the Award and Sale of a $266,000 Short Term General Obligation Promissory Note, Series 2022C, to Fund 2023 Capital Projects** *(Administrator)* Roll

Sean Lentz of Ehlers, and Vaillancourt discussed the resolution. Ortman moved, seconded by Jackson to approve the resolution authorizing for the award and sale of a $266,000 short term general obligation promissory note, Series 2022C to fund 2023 capital projects. The motion passed unanimously by roll call vote.

B. **Approve an Ordinance to Amend Chapter 165 (2021-1952) Comprehensive Fee Schedule , Ashland City Ordinances** *(Clerk)* Roll

Tochterman moved, seconded by Ortman to approve Ordinance 2022-1975. The motion passed unanimously by roll call vote.

C. **Approve an Original Alcohol Beverage Retail License Application Submitted by Taqueria La Monarca, LLC, 311 East Main Street, Ashland, Wisconsin, and Agent Nicolas Blancarte** *(Clerk)* Voice

Seefeldt moved, seconded by Graf to approve an alcohol license application by Taqueria la Monarca. The motion passed unanimously by roll call vote.

D. **Approve a Resolution to Combine Wards and Establish the Polling Place for the February 21, 2023 Primary Election and the April 4, 2023 Spring Election** *(Clerk)* Roll

Pufall moved, seconded by Goyke to approve the resolution combining wards and establishing a single polling location for the 2023 Elections. The motion passed 4-3 by roll call vote; opposed were Seefeldt, Jackson, and Ortman.

E. **Approve a Request for Bids for the Rotary Splashpad at Bayview Park (***Parks and Recreation Director)* Voice

Graf moved, seconded by Seefeldt to approve the request for bids. The motion passed unanimously by voice vote.

F. **Approve Final Pay Request from Northern Interstate Construction, Inc. for Kreher Park Boat Landing Parking Lot Project** *(Parks)* Roll

Jackson moved, seconded by Seefeldt to approve the final payment to Northern Interstate Construction, Inc for $18,103.65. The motion passed unanimously by roll call vote.

G. **Approve Final Payment to Ashland Construction, Inc for the MacArthur Avenue and 9th Avenue West, South of 11th Street West, Sanitary Sewer Replacement Project** *(Public Works)* Roll

Seefeldt moved, seconded by Jackson to approve the final payment to Ashlalnd Construction, Inc. for $17,895.68. The motion passed unanimously by roll call vote.

H. **Approve a Professional Design Engineering Services Proposal from Cedar Corporation to Complete the Design for the 2023 MacArthur Avenue Reconstruction Project** *(Public Works)* Roll

Seefeldt moved, seconded by Pufall to approve the proposal from Cedar Corporation for $105,000. The motion passed unanimously by roll call vote.

I. **Approve to Accept a Professional Services Proposal from Technical Design Services to Provide Geographic Information Systems Services** *(Public Works)* Roll

Seefeldt moved, seconded by Graf to approve the proposal from Technical Design Services for $73,580.00. The motion passed unanimously by roll call vote.

J. **Approve the Purchase of a 2014 John Deere 672G Grader from McCoy Construction & Forestry for the Public Works Department** *(Public Works)* Roll

Pufall moved, seconded by Seefeldt to approve the purchase from McCoy Construction & Forestry for $225,000. The motion passed unanimously by roll call vote.

11. **CLOSED SESSION (ROLL) Council may return to Open Session and take action on any item discussed during Closed Session**

Ortman moved, seconded by Goyke to enter into Closed Session, and to allow Butler to remain during Closed Session. The motion passed unanimously by roll call vote.

A. **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.** *(Discussion and Possible Action Regarding the 6th Street West Litigation) (City Attorney)*

B. **Return to Open Session** *(Voice)*

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

C. **Action or Report of Action Taken During Closed Session**

MacKenzie reported that Council considered and approved by 6-1 vote, a settlement agreement with James Peterson & Sons, Inc. and Strand Associates regarding the 6th Street West litigation.

12. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk