



Take notice that a meeting of the Ashland City Council will be held on Tuesday, August 8, 2023 in- person in the City Hall Council Chambers, 601 Main Street W. Ashland, WI with the availability to attend virtually. Meeting will begin at 6:00 PM to consider and act upon the following agenda.

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

Please contact the Clerk's office if you require accommodations to attend the meeting.

Tuesday, August 8, 2023 Ashland City Council Meeting Agenda

1. CALL TO ORDER

- A. **Roll Call, Moment of Silence and Pledge of Allegiance**

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES

- A. **July 25, 2023 City Council and Committee of the Whole Meeting Minutes**

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

- A. **Announcements**

6. CONSENT AGENDA

- A. **Approve the School Resource Officer (SRO) Agreement between the City of Ashland and the School District of Ashland for the 2023-2024 School Year** *(Police Chief)*
- B. **Miscellaneous Minutes**

7. OLD BUSINESS

- A. **Approve to Hire Two Entry-Level Civil Engineers** *(Public Works) Voice*

8. NEW BUSINESS

- A. **Approve Change Order No. 3 to Jake's Excavating & Landscaping LLC for the 2023 MacArthur Avenue Reconstruction Project** *(Public Works) Roll*
- B. **Approve to Waive the Advertisement Requirement Set Forth in Chapter 194.04 Procurement of Goods and Services, Ashland City Ordinances, and**



**Approve the Purchase of Replacement Aeration Equipment for the Existing
Oxidation Ditches at the Wastewater Treatment Plant (Public Works) Roll**

9. 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 the City Clerk's Office at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

MEETING MINUTES

ASHLAND CITY COUNCIL **Tuesday, July 25, 2023 – 6:00 PM** Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, July 25, 2023 Ashland City Council meeting was called to order by Mayor Matt MacKenzie at 6:00 p.m.

A. **Roll Call, Moment of Silence and Pledge of Allegiance**

PRESENT: Kevin Seefeldt, Sarah Jackson, Ana Tochtermann (6:05), Andrew Goyke, Laura Graf, Charlie Ortman, Dick Pufall

The Mayor noted a quorum of the Common Council was present.

ALSO PRESENT: Mayor Matthew MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Police Chief Willis Hagstrom, Parks Director Sara Hudson, Library Director Sarah Adams, Fire Chief Stuart Matthias, Main Street Manager Jaclynn Findlay, Planning Director Steven Wiley, and other interested citizens.

2. APPROVAL OF AGENDA

Seefeldt moved, seconded by Goyke to approve the agenda as presented. The motion passed unanimously by voice vote.

3. APPROVAL OF MINUTES

A. **July 11, 2023 City Council and Committee of the Whole Meeting Minutes**

Ortman moved, seconded by Seefeldt to approve the minutes. 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. **Presentation from Kathy Beeksma, Executive Director of Ashland Housing Authority**

Executive Director of the City of Ashland Housing Authority, Kathy Beeksma, offered a presentation of the operations, goals and financial status of the Authority.

B. **Announcements**

MacKenzie attended a meeting last week of the Ashland Foundation who contributed to Celebrations, Inc. to help fund the Fourth of July fireworks display, and toward the Arts in the Park to help pay for supplies for the program. Bay Days went well with a large number of visitors

and attendees. He also attended a meeting recently regarding the Ellis Avenue/Highway 13 rebuild project slated for 2025. There are new signs installed at Kreher and Hodgkins Parks, and traffic counters along some of the trails in town to monitor trail use. Finally, the City was showcased on a Duluth news channel last week showing the highlights of the community and surrounding area.

C. **Appointments**

Seefeldt moved, seconded by Tochtermann to approve the Mayor's appointments, as below, and to remove Seefeldt from the Housing Authority. The motion carried unanimously by voice vote.

Disabled Parking Enforcement Committee: Mary Jane Grande, Cheryl Wiezorek, and Donna Griffiths were each reappointed with a term to expire August 11, 2026.

Ashland Beautification Council: Susan Spangle appointed, term to expire February 15, 2025.

Main Street Board: Kevin Porter, reappointed, term to expire July 25, 2024.

City of Ashland Housing Authority: Kayla Sandstrom appointed, term to expire January 13, 2026.

6. CONSENT AGENDA

- A. **Approve the Ashland Fire Department to Accept a Wisconsin Department of Natural Resources (WDNR) Forest Fire Protection (FFP) Reimbursement Grant Award** (*Fire Department*)

- B. **Miscellaneous Minutes**

Goyke moved, seconded by Pufall approve the Consent Agenda with a correction noted by Tochtermann to the Ore Dock Trust minutes. The motion passed unanimously by voice vote.

7. OLD BUSINESS

- A. **Approve a Grant Agreement between the State of Wisconsin Department of Administration Wisconsin Coastal Management Program and the City of Ashland to Assist in the Creation of the City of Ashland Parks Master Plan** (*Parks & Recreation*) Roll
Seefeldt moved, seconded by Graf to approve. The motion passed unanimously by roll call vote.

- B. **Approval of the Amended Sidewalk Special Assessment Policy for the Levy of Assessments** (*Public Works*) Voice

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

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

Seefeldt moved, seconded by Ortman to approve Ordinance 2023-1986. The motion passed unanimously by roll call vote.

- D. **Approve an Ordinance to Amend Chapter 711 (1525) Ordinance for a POTW and Collection System, Ashland City Ordinances** (*Public Works*) Roll

Seefeldt moved, seconded by Goyke to approve Ordinance 2023-1987. The motion passed unanimously by roll call vote.

- E. **Approve a Revised Request for Proposal for Professional Services Agreement with Right of Way Professionals, Inc. for Real Estate Acquisition Services for the 2024 Prentice Avenue, Phase 1 Reconstruction Project** (*Public Works*) Roll

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

8. NEW BUSINESS

- A. **Award a Bid to Contract for Repair of 514 Main Street West Building** (*Administrator*) Roll
There were no bids received.
- B. **Approve a Lighting Improvement Grant Program Agreement with Copper Pasty, 417 Main Street West** (*Main Street Manager*) Voice

Seefeldt moved, seconded by Graf to approve to award the grant for \$2,318.00. The motion passed unanimously by voice vote.

- C. **Approve an Ordinance to Create Chapter 479 (2023-1988) Annexation of the North Right of Way of County Highway K, Town of Gingles, Ashland County, Ashland City Ordinances** (*City Attorney*) Roll

Seefeldt moved, seconded by Tochtermann to approve Ordinance 2023-1988. The motion passed unanimously by roll call vote.

- D. **Approve a Resolution to Declare Condition of Suspended Sidewalk at 514 Main Street West an Emergency per Wisconsin State Statute 62.15(1b)** (*Public Works*) Roll

Kevin Seefeldt moved, seconded by Andrew Goyke to approve the resolution. Goyke moved, seconded by Tochtermann to amend the resolution to include work at the adjacent property, 516 Main Street West. The motion passed unanimously by roll call vote. Seefeldt moved, seconded by Goyke to amend the resolution to state the City would not special assess 516 Main Street West for the emergency work. The motion passed 5-2 by roll call vote; opposed were Jackson and Tochtermann.

The amended resolution was approved unanimously by roll call vote. **File No. 17732.**

- E. **Approve a Resolution to Issue a Conditional Use Permit (CUP) to Allow for Increased Sign Height and Area at 1716 Lake Shore Drive West, Ashland, Parcel No. #201-00099-0000, Zoned City Center (CC) with Gateway Overlay (GTWY-O), Applicant: Ashland Area Chamber of Commerce** (*Planning & Development*) Roll

Seefeldt moved, seconded by Tochtermann to approve the resolution. The motion passed unanimously by roll call vote. **File No. 17733.**

9. CLOSED SESSION - Council may return to Open Session and take action on any item discussed during Closed Session

- A. **Pursuant WI Statute 19.85(1)(c): "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility."** (*City Administrator Evaluation*) Roll

Goyke moved, seconded by Seefeldt to enter into Closed Session. The motion passed unanimously by roll call vote.

- B. **Return to Open Session** Voice

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

C. **Report of Action Taken during Closed Session**

Mackenzie reported there was no action taken during closed session.

10. ADJOURNMENT

Kevin Seefeldt moved, seconded by Dick Pufall to adjourn. The motion carried unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant,
City Clerk

MEETING MINUTES

COMMITTEE OF THE WHOLE MEETING **Tuesday, July 25, 2023 – 6:00 PM** Ashland City Hall Council Chambers

The Tuesday, July 25, 2023 City of Ashland Committee of the Whole Meeting was called to order by Council President Charlie Ortman at 7:42 PM.

1. **Roll Call**

PRESENT: Kevin Seefeldt, Sarah Jackson, Ana Tochterman, Andrew Goyke, Laura Graf, Charlie Ortman, Dick Pufall.

ALSO PRESENT: Mayor Matt MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, Public Works Director John Butler, Library Director Sarah Adams, Police Chief Willis Hagstrom, Planning Director Steven Wiley, and other interested citizens.

2. **Approval of Agenda**

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

3. **Council President's Report**

Ortman had nothing to report at the time.

4. **Administrator's Report**

Kucera had nothing to report at the time.

5. **Committee Updates**

ORE DOCK TRUST - MacKenzie reported that the group set up a maintenance fund.

DPAEC - Graf: no report.

ECONOMIC DEVELOPMENT - Ortman: no report.

HARBOR COMMISSION - Pufall: Overflow parking at Superfund Site was well received.

HISTORIC PRESERVATION - Goyke: no report.

HOUSING COMMITTEE - Ortman: Taking inventory of hi/med/low income housing and of City properties available for potential housing; discussed "rooming" housing.

LIBRARY - Jackson: Deferred to item on the agenda.

MAIN STREET BOARD - Goyke: Developing work plans; recent Movies on Main event was successful.

PARKS & REC - Seefeldt: Ash borer treatment on City Property; bike plan in process; community garden successful; addressing overflow camping policy in future.

PLAN COMMISSION - Tochterman: Looking at signage ordinances.

PUBLIC WORKS - Goyke: Working on bike plan; doing sidewalk overall assessment.

SUSTAINABILITY - Graf: Speaker B. Bailey discussed working on getting grants to tie back to the 25x25 Plan.

6. **Discussion Items**

A. **Presentation and Discussion on Upcoming Water Rate Increases** (*Public Works*)

Brian Roemer, Municipal Advisor with Ehlers & Associates, Inc. offered a presentation to Council and answered questions regarding future utility rate increases, identifying 2024 as a test year for

potential roll out in 2025. Council agreed for Ehlers to move into phase 2 of the study. There was no action taken at this time.

B. Discussion and Possible Action Regarding a Process for Funding and Public Engagement of Ashland's Vaughn Public Library Renewal Project (*Library Director, Councilor Ortman*)

Adams offered a draft press release for Council's input with tentative public information meetings on August 9 and 10, 2023. Council offered edits and approval to publish with suggested changes made.

C. Discussion and Possible Action Regarding Renewing the School Resource Officer (SRO) Agreement between the City of Ashland and the School District of Ashland for the 2023-2024 School Year (*Police Chief*)

Hagstrom offered major statistical updates to Council. Ashland School District Superintendent Rob Prater was also available for discussion. Pufall moved, seconded by Seefeldt to forward the agreement to the August 8, 2023 Council meeting for formal approval. The motion carried unanimously by voice vote.

At 9:00, Ortman asked for approval to extend the time of the meeting to finish the agenda items. Graf moved, seconded by Seefeldt to extend the meeting to 9:10 pm. The motion carried unanimously by voice vote.

D. Discussion and Possible Action Regarding Approval to Hire Two Entry-Level Civil Engineer Positions (*Public Works*)

Butler, along with Kucera, explained the need for engineer personnel at Public Works. Tochtermann moved, seconded by Goyke to approve to move the request forward to the August 8, 2023 Council meeting for formal approval. The motion carried 6-1 by voice vote; Pufall opposed.

E. Update of Inspection Report of Mobile Home Parks (*Planning/Building Inspector*)

Wiley offered a Power Point presentation and discussed with Council the updates of the conditions and building inspector's findings at both mobile home parks in the City. There was no action taken at this time.

7. Items for Future Discussion

Due to time constraints, Ortman did not ask for future discussion items.

8. Adjournment

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

SUBJECT: Approve the School Resource Officer (SRO) Agreement between the City of Ashland and the School District of Ashland for the 2023-2024 School Year (*Police Chief*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Police Department

CLEARANCES: Committee of the Whole

EXHIBITS: 1. School District of Ashland - City of Ashland - School Resource Officer - Contract for Working Agreement 2023-2024

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:**

**TREASURER'S
CERTIFICATE:** The Treasurer's Office has certified on July 28, 2023, that the School District of Ashland is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORD. 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

For many years, at the request of the School District of Ashland, the City of Ashland and the School District of Ashland have had an agreement for the City Police Department to provide an officer from the Department to serve as a School Resource Officer. For the past few years, Officer Ryan Bybee has served as the SRO Officer.

With the start of the 2023-24 school year, Council is being asked to renew an agreement to provide an officer to be accessible to staff and students of the school system. The Agreement for the 2023-24 school year is unchanged from the previous year.

The School Resource Officer works within the facilities of the School District during the school year and is available for scheduling traditional patrol duties when school is not in session. The School District reimburses the City for the personnel costs of this position for those periods of time in which the Officer is available to the District.

At their July 25, 2023 Committee of the Whole meeting, Council approved unanimously to forward the agreement for formal approval.

SCHOOL DISTRICT OF ASHLAND - CITY OF ASHLAND
School Resource Officer
Contract for Working Agreement – 2023-2024 School Year

1. The School Resource Officer (SRO) shall be employed by the City of Ashland and is covered by the Police Officer's Collective Bargaining Agreement with the City of Ashland. The SRO will be assigned to the School District of Ashland for a total of 180 days. Those days include the calendar worked by the professional teaching staff beginning with the first day of the regular school year [9/6/23]. The ending date of this contract shall be the last school day of 2024 [6/6/24]. These dates may be modified in the event of a school closure order, other than weather related, or other circumstances that results in change to the academic year. The SRO is subject to be called away for police emergencies; a log of such emergencies shall be attached to the monthly billing. The District shall not be charged for such time when a SRO is called away from the building for emergencies to fulfill other police matters. In the event of a school closure order, other than weather related, the District will not be charged for the SRO during the period of such closure.
2. The SRO is an employee of the City, and will report to the Police Department Lieutenant of Police or designee. The day to day direction of PLSO activities will be the responsibility of the High School and Middle School Principals or designee, subject to overriding consideration as determined by the Lieutenant of Police.
3. The hours of work for the SRO shall include a duty-free lunch period. The SRO shall report for duty at the School District at 7:30 AM and the regular work day shall end at 3:30 PM. These hours can be amended by joint agreement between the SRO and the District Administrator.
4. The Lieutenant of police or designee shall notify the High School and Middle School Principal or designee on any day the SRO is not available to work because of illness or for any other reason. The SRO shall notify the high school and middle school principals or designee at least two weeks or as soon as practicable prior to any planned absences.
5. The Lieutenant of Police or designee and the High School and Middle School Principals and/or designee will meet at least monthly to review and discuss the SRO program and expectations.
6. The High School Principal or designee may provide a performance evaluation of the SRO to the Lieutenant of Police or designee. The evaluation will be completed twice during the school year; once at the end of the fall semester, and once at the end of the spring semester. Notwithstanding this paragraph, the City expects the District to promptly notify the Chief of Police or designee of the facts involving any performance-related problem involving the SRO. The SRO will have an opportunity to speak with the superintendent to express progress or concerns with the program.
7. During the school year, the District shall be responsible for the overtime incurred because of school functions and will be covered as per the Police Officer's Collective Bargaining Agreement. A log shall be attached to the monthly billing. The vacation incurred by the SRO shall be divided between the School District of Ashland and the City of Ashland Police Department at a 75/25 % split. The SRO shall be entitled to a two-week prime time vacation during the summer months. Any training required to fulfill the duties of the SRO program will be the responsibility of the District and all costs associated with this training shall be paid for by the District.
8. The District shall be billed by the City of Ashland for a total of 100% of the salary, fringe benefits, and all other associated costs for this position while the officer is assigned to the school. This billing shall occur at the end of each month while the officer is working at the school. Final billing must be received by the District by June 15th.
9. The District shall have one (1) School Resource Officer assigned to the School District of Ashland. The District shall provide a site for the SRO which will include a desk, telephone, locking file cabinet, and a computer. A cell phone shall be provided by the District.

10. This position will be filled with a sworn police officer and therefore the officer will carry a weapon at all times while on duty with the District. These weapons will be carried in a concealed manner whenever possible.
11. The estimated budget shall be approved in advance of contract signing by both parties.
12. Variations from the budget will require the approval of both parties.
13. Overtime shall have prior approval of building level supervisors.
14. The SRO essential duties and responsibilities are outlined in the [Ashland Police Department School Resource Officer Job Description](#).
15. The District and the City of Ashland will consider the guidance outlined in the [WI DPI Best Practices for School Resource Officer Programs](#).
16. This agreement may be modified by the mutual written agreement of the parties. This agreement may be terminated for any reason by either party giving the other party sixty (60) days written notice.

SCHOOL DISTRICT OF ASHLAND:

CITY OF ASHLAND:

Board President

Mayor

Superintendent

Chief of Police

Date

Date

Ashland Oredock Charitable Trust Meeting Minutes

9:00 Am Tuesday October 25, 2022

Ashland City Hall Council Chambers

601 Main St W, Ashland WI 54806

1. Call to Order – Beirl called to order at 9:02

a. Roll Call

- i. Present: LePean, Beirl, Hudson, MacKenzie, Ronning
- ii. Excused: Rivard, Pufall
- iii. Guest Brank Kucera, Tom Stankard

b. Approval of Agenda Items

- i. MacKenzie, LePean, All in favor

c. Approval of Minutes from September 14, 2022.

- i. The Trust agreed that the minutes from the Sept meeting where not as clear as it could have been the following should be added to the minutes. The amended minutes should state: Bierl stated that the initial donation of the Rock the Dock funds was made to the Trust with “no strings attached”. The Trustees discussed if the Trust should be the conduit for the “Rock the Dock” funds as Rock the Dock was an event not an entity. Kucera stated that these donors who donated were under the assumption the donations were being made to a non-profit. LePean stated that he thought the Trust agreed, not by a vote but verbally, to return the funds to the Rock the Dock organizers. MacKenzie brought up the idea of giving the Rock the Dock group 30 days to create a “fund” for this money. If this cannot happen then the money stays in the Trust as is used as the Trustees wish. Ronning asked about give the group until Jan 1, 2023.

- 1. Motion by Ronning to approve the minutes with the amendment, Second by LePean, All in favor, MacKenzie abstains.

2. Public Comment Period

- a. None

3. Financial Updates

- a. Bierl reviewed the current balances. Trust has to reimburse the City, Hudson to resend them to Beirl.

4. Information Items

- a. Ashland Oredock Redevelopment Project Update
 - i. Stuntz Ave Connector

1. Hudson stated that this project may be pushed back to 2024 based on the Oredock Upland Mater Planning that is happening this fall/winter. Kucera stated that when the Council approves the budget on Nov 8, this will provide funding for the project. This project could happen in 2023 if the master planning document and road construction engineering and construction documents are complete/ready.

ii. Waterfront Trail

1. Hudson stated that the Waterfront Trail between Willis Ave N and 9th Ave W N will be done in 2024. She is hoping to use Long Island Engineering to do the engineering and design work and then construction would be part of the Stuntz Ave Connector Project.

iii. Other

1. Bierl asked about the cost of drilling the Maslowski Artesian well. Hudson stated that the new Prentice Well would be a better comparison. Beirl is interested in bring back the artesian well near the boat houses.

5. Business Items

A. Discussion and Potential Action on Rock the Dock Funds

- a. [See above](#). Motion by MacKenzie to contact the Rock the Dock group that they have until Jan 1, 2023, to create their own entity/account. If this cannot happening, then those funds will become part of the Ashland Oredock Charitable Trust. Second by LePean. All in favor. Ronning will reach out to this group informing them of this decision.

B. Discussion and Potential Action on the Creating a Perpetual Maintenance Fund for the Ashland Oredock.

- a. Bierl stating using Treasury Direct is fairly simple. Baker Tilly's advice is good, as the Treasury notes are at a good rate (4%). These are percentages that the Trustees have not seen since the beginning of the Trust. Initially the Trust did discuss investing in the market, but decided to be safer and invest in local accounts with a less variable rate. Beirl asked if the City Treasurer/Finance Director can help with this. Kucera stated that the City Treasurer/Finance Director can do this and is willing to work with a local bank and work with Treasury Direct (Treasury Bonds). Three of the current accounts come due on early 2023, it would make sense to put these accounts into Treasury Bonds then. The Trust needs to figure out outstanding costs ((Diamond Access) Hudson will send constructions cost estimates to Beirl). MacKenzie confirmed that once the obligations of the Trust have been met, the remaining funding will go into a perpetual maintenance fund. Motion by LePean to proceed with creating a perpetual maintenance fund for the Ashland Oredock.

Ronning second. All in favor. The amount to invest has yet to be established.

6. Next Meeting Date.

- a. January 11, 2023 at 8am

7. Adjournment

- a. Motion by LePean, second by Ronning. All in favor. 9:41am

Red = September 14 amended minutes

draft

Find yourself next to the water.



City of Ashland, Wisconsin ~ Parks and Recreation Department
400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

PARKS & RECREATION COMMITTEE MEETING MINUTES

Wednesday January 23, 2023 5:00 pm

Ashland City Hall

I. Call to Order

- a) Roll Call: Mike Amman, Sara Jackson, David Ullman, Meghan Salmon-Tumas, Jen Weiler, Nancy Sztynodor, Kevin Seefeldt, Philomena Kebec
- b) Agenda Modification
- c) Approval of Minutes
 - a. Approval of Dec 5, 2022 Minutes
 - i. Motion: Jackson
 - ii. Second: Ullman
 - iii. Passes unanimously

II. Public Comment Period

III Information Items

- Parks
 - o Joe Hasskamp (from Public Works) has taken the position of Parks Lead
 - o Jason Tikka has been hired to fill Joe's old role, except Jason will spend part of his time in Parks
- Recreation
 - o Martial Arts is starting up
 - o Tennis to start in February, if gym time available
 - o Gymnastics Competition start in two weeks
 - o Ullman: Online calendar has been updated to be live
- Urban Forestry
 - o Working on RFP for EAB Plan Implementation and Treatment
 - WI will fund treatment, so we won't need to cut all trees
 - o MacArthur Ave road reconstruction and tree selections/removal
 - Hoping to save larger silver maples
- Community Garden
 - o Creation of Community Garden Policies for the 2023 Gardening Season
 - need to be approved and implemented by April, ahead of season
 - o Garden plots will be able to be reserved using the APR registration system, they will be treated similar to a class
 - will handle registration through civic rec (previous plot holders will call office to reserve before public)

VI. Business Items:

City of Ashland, Wisconsin ~ Parks and Recreation Department
400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

- Presentation and Discussion City of Ashland Trails Master Plan
 - o Review of the City of Ashland Off Road Trails Master Plan.
 - o In Bentonville, city trails' crew is funded by taxes from visitorship, stays
 - o Cable bike park built with raised funds and donated labor
 - o Kebec: how do they prevent erosion?
 - o Hudson: permitting required, wetlands avoided, drainage factored into construction
 - o Ullman: primary effort of trailwork is to minimize erosion; and it is a valid concern and worth remembering erosion considerations
 - o Salmon-Tumas: could it connect bay city creek to farm road trails?
 - o Hudson: not prioritized here bcs Farm Rd Trails are on private property
 - o Kebec: This could help ppl connect to the creek and water
 - o Ullman: Central Railyard Park idea is on steep terrain
 - o Hudson: yes, I let them know that, and I'm not sure it will work on that slope
 - o Amman: trail building costs are rising due to demand
 - o Hudson: suggestions for improvement before bringing to council in February?
 - o Amman: how do we handle different land ownerships (MMC, Northland College, etc.)?
 - o Hudson: will talk to partners once we know our preferences. One model could be to raise money for CAMBA to develop and maintain trails; then CAMBA would negotiate MOUs. MMC helped build Hayward hospital trails, suggesting that MMC would be a supportive partner. MMC land is also available.
 - o Salmon-Tumas: could partners be concerned about liability
 - o Hudson: maintain to a standard and warn people about the danger of the activity, then covered in MOU; important that we do not charge (donations are okay)
 - o Ullman: cool plan. Urban trails have many potential users. Should we be focused on bikes or more mixed-use trails?
 - o Hudson: multi-use and one-way trails are good choice, wider path. Bay City Creek proposal is envisioned as pedestrian trail with bikes allowed.
 - o Ullman: Prioritizing connectivity of trails could be nice, to allow car-free access
 - o Ullman: what about low portion of Bay View Park?
 - o Hudson: It is filled-in lakebed, so technically state owns that area. We applied for a lease to amend that but may not get.
 - o Amman: can the plan include information about the locations we do not choose, to give information about choices made?
 - o Kebec: I would recommend this plan to the city council
 - o Sztynodor: I like it and agree with starting with MMC
 - o Motion by Kebec to move to city council
 - Second by Ullman
 - Discussion:
 - Seefeldt: Council should be presented information about implementation and funding
 - Amman: will the city provide any funds, such as for maintenance?
 - Hudson: Hudson time fundraising, but no dollars from city. Neighboring counties have study showing \$\$ coming in from trails. Maybe as we get examples and numbers, the city would be more interested in investing.
 - Kebec: trails also attract new residents, retain residents, by building amenities
 - Motion passes unanimously
- Discussion and Action on the Update of Unification of Ordinance Chapter 463: policies and procedures for parks, facilities, and recreation areas.
 - o Several updates to the Ord 463 have been added. Items in Red are the recommended changes

City of Ashland, Wisconsin ~ Parks and Recreation Department
400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

- Displaced persons have been sleeping in parks and we lack an overarching, productive policy on it
- We do need to maintain safe and aesthetically-pleasing parks for all
- Sara: tobacco policy looks good, and needs to be easy to find on the city website
- Kebec: many cities are violently removing encampments from parks.
- Hudson: we do not allow anyone to camp in parks in winter. This policy should define how we handle unattended property and where camping is allowed. We could add that we won't evict encampments without giving proper notice.
- Kebec: many unhoused people are native American, who have been on this land for many generations, and are excluded from the economy due to racism and colonialism. Let's not do what Minneapolis is doing to these people. While there are safety issues, there is also a shortage of affordable, accessible housing.
- Weiler: I agree
- Seefeldt: the policy does not allow an encampment
- Hudson: Yes, we are trying to deter it. In the past, with non-paying campers, we do give a notice and 24 hours, etc.
- Simanovsky: Yes, the police department has worked closely with campers asked to move, to find a time that works for them, and even to help them move
- Seefeldt: Bay City Creek has, at times, many people staying in it. Building trails there could bring more conflict
- Ullman: does Ashland city have a task force on housing/houselessness?
- Hudson: It is in the works. I will find out more.
- Ullman: the issue is closely connected to parks, so I recommend that you stay involved in those conversations. It is a parks issue and a broader city issue, so the components need to work together.
- Hudson: want to bring to council next Tuesday; should I add language about how APR will give eviction notice and handle unattended property?
- Seefeldt: is there an internal document explaining the policy?
- Hudson: I like that idea
- Motion to put forward the draft to city council by Jackson
 - Second by Seefeldt
 - Motion passes unanimously
- Discussion on the draft Community Garden Policy
 - Per the resolution a Community Garden Policy is being created to outline the policies and procedures of the community garden.
 - Salmon-Tumas: the lawn mower used for pathways is gas powered and should be excluded
 - Amman: Axel should look at it
 - Jackson: restrictions on chemicals
 - Salmon-Tumas: could look at previously-used policies
 - Kebec: leaving material for pollinators until average temperatures reach 50 F. Also weeds is a subjective description of a plant. Can we instead exclude invasives? Also allow sweetgrass and tobacco.
 - Seefeldt: some community gardens do not allow perennials.
 - Hudson: will update and share with Axel and bring back to next meeting

V. Next Meeting Date

Monday Feb 27th

Find yourself next to the water.



City of Ashland, Wisconsin ~ Parks and Recreation Department
400 4th Ave West Ashland ~ WI 54806 ~ www.ashlandparks.org

VI. Comments and Questions

- Salmon-Tumas: CCL Healthy Forests group looking to help with EAB plan
- Kebec: Fish creek estuary is all black ash swamp and trees maintain hydrology of that area. Should we be planting in other trees to maintain flood protection to keep roadway safe?
- Hudson: Bayfield County is creating a plan for ecological restoration of that area due to black ash vulnerability
- Amman: Bayfield County forests is underplanting in ash stands for this reason
- Kebec: Behind T Road in Odanah is same/similar problem. What are the options, tamarack?
- Amman: Bibbon swamp also full of ash, reed canary, how to get new trees to take hold?
- Hudson: our plans do not include these areas, just the upland areas in prentice park.

VII. Adjourn

- o Motion to adjourn by Kebec, Second by Seefeldt, motion passes unanimously

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate based on race, color, national origin, sex, religion, 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 through auxiliary aids or services. For additional information or to request this service, contact Sara Hudson at (715) 685-1644.

Find yourself next to the water.



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PARKS & RECREATION COMMITTEE MEETING MINUTES

Wednesday April 17, 2023 5:00 pm

Ashland City Hall

I. Call to Order

- a) Roll Call: Sara Jackson, David Ullman, Meghan Salmon-Tumas, Nancy Szttyndor, Mike Amman, Kevin Seefeldt
 - a. Excused: Jen Weiler
- b) Agenda Modification
- c) Approval of Minutes
 - a. Approval of Jan 23, 2023 Minutes
 - i. Motion: Jackson
 - ii. Second: Amman
 - iii. Passes unanimously

II. Public Comment Period

III Information Items

- Parks
 - Campground will unofficially open May 1, parks restrooms and campgrounds will officially open May 13
 - Baseball fields will start to be prepped and used the first week of May (delayed for snow)
 - New playground at Prentice Park will be installed in October 2023
 - Tom German visited in March and viewed the areas Ashland would like to get lakebed leases for. Because the areas are not planned for significant development, it is likely that we will get the leases
- Recreation
 - The BCC continues to be really busy with pickleball, drop basketball, classes and just families using the facility to hang out.
 - Paige Crenshaw has been hired as the new Recreation Coordinator
 - Anders Prater and Cecilia Manno have been hired as the Summer Recreational Assistants for the summer
 - APR will be offering 10 weeks of Day Camp programs this summer, some preschool programs and so after summer school programs
 - Bike Rodeo is scheduled for June 10 as part of the Summer Kick off to Summer Celebration with the VPL
 - Earth Day and Arbor Day Celebrations are scheduled for June 3 at CRYP
- Urban Forestry
 - Tree removal has been happening
 - Four responses to the EAB Treatment RFP were received
- Community Garden
 - Expansion planned for this spring, new shed planned for later
 - Water access is a concern since CESA 12 is selling the adjacent building
 - Plans to develop a seed library to be housed at the community garden

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- Volunteer work day planned for May 20th
- Other
 - Will do Low-Mow May this year. This will achieve the goals of No-Mow May without being as difficult on the equipment.
 - Ullman asks for a map of areas that will be no-mow or low-mow for May or all summer

VI. Business Items:

- Discussion and Approval to Become a Monarch City USA: Council Ortman would like the City of Ashland to think about becoming a Monarch City USA. Details can be found here <http://monarchcityusa.com/> Cost is \$350 (\$50 lifetime membership, 2 signs @ \$150 each). City Staff is seeking input from the PRC on becoming a Monarch City USA.
 - Discussion on the draft Community Garden Policy
 - Motion from Seefeldt to pursue Monarch City USA
 - Second from Peterman
 - Discussion:
 - Amman asks what's involved. Hudson reviews requirements, explains that the city is already doing much of them
 - Peterman suggests using the Community Garden to do educational programs
 - Vote: Motion passes unanimously
- This policy help set guideline for the Beaser Community Garden. Axel has review and updated the policy. Upon approval this policy will go into effect and to council as given to council as an information item.
 - Peterman suggests few minor amendments following review by current/previous garden members
 - Motion from Seefeldt to approve amended community garden policy
 - Second from Peterman
 - Vote: Motion passes unanimously
- City of Ashland Bike/Pedestrian Plan update
 - Dave Ullman and Phil Sorenson have been working to update the City's Pedestrian and Bike Plan. Dave will review the updated plan.
 - Ullman shares that the primary goal of the update is to align the bike plan with Public Works' work plans
 - Amman asks where the pedestrian portion of the bike plan is. Ullman responds that it is not currently included, but will hopefully be in future updates
 - Ullman explains that bicycle lane markings are more expensive, so are reserved in this plan for the most important routes
 - Plans to continue collecting community input on the plan
 - Peterman suggests a safety mechanism, possibly a speed bump, where the tri-county corridor path crosses Stuntz Ave. Hudson suggests flashing signs like installed in Bentonville
 - Seefeldt agrees that car stoppage at corridor is inconsistent, so infrastructure to encourage safety would be helpful
 - Seefeldt asks how drivers are to interact with the sharrows on Vaughn Ave. Ullman replies that they were placed too far to the edge of the street (under parked cars). Public works plans to place them closer to center of road on future routes. It is hoped that this will add clarity to the fact that the sharrows indicate that bikes will be sharing traffic lane.
 - Amman asks if the bike lane on 3rd really needs to go all the way to Sanborn Ave. Ullman responds that it might/might not.
 - Amman asks if the sharrows should cross Hwy 2 at 7th Ave E. Hudson answers that a crossing is planned at Stuntz Ave, to go to Ore Dock.
 - Seefeldt suggests revisiting the crossing of Hwy 2 at Walmart
 - Szyndor suggests also considering the crossing at 15th Ave E

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- Amman suggests creating a separate plan for pedestrians
- Discussion and Approval of the City of Ashland Parks and Recreation Policy 610: Lost and Found
 - Council has inquired about a Lost and Found Policy for City employees when finding left items in parks, buildings, etc. The policy is similar to who Wood County uses. Please review. Upon acceptance the policy will take effect and be given to council as an information item.
 - Amman asks what the policy dictates after the minimum retention time has passed. Hudson explains Dept. head will determine disposal/sale/etc.
 - Seefeldt suggests removing the word minimum from storage
 - Salmon-Tumas questions the use of value-based judgements
 - Peterman adds that the Co-op holds items for 1 month
 - Motion by Stzyndor to amend policy to remove value-based differentiations of lost item retention time and designate 30 days for all items
 - Second by Seefeldt
 - Vote: motion passes unanimously

V. Next Meeting Date

Monday May 15th

VI. Comments and Questions

- Amman asks for update on Splashpad. Hudson responds that the MOU will be discussed by the Committee of the Whole this week.
- Amman asks if the City will be pursuing timber harvest for revenue. Hudson responds that she will need to assess the acreage not in parks

VII. Adjourn

- Motion to adjourn by Amman, Second by Stzyndor, motion passes unanimously

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate based on race, color, national origin, sex, religion, 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 through auxiliary aids or services. For additional information or to request this service, contact Sara Hudson at (715) 685-1644.

SUBJECT: Approve to Hire Two Entry-Level Civil Engineers (*Public Works*) Voice

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator

EXHIBITS: 1. Engineering Personnel Costs

EXPENDITURES REQUIRED: \$43,056.00 Fund 680 Water Utility
\$43,056.00 Fund 690 Sewer Utility
\$86,112.00 General Fund (Public Works Engineering)

AMOUNT BUDGETED: \$36,322.25 Fund 680 Water Utility
\$37,447.29 Fund 690 Sewer Utility
\$61,907.03 General Fund (Public Works Engineering)

APPROPRIATION REQUIRED: \$ 6,733.75 Fund 680 Water Utility
\$ 5,608.71 Fund 690 Sewer Utility
\$24,204.97 General Fund (Public Works Engineering)

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORD. 51: Recommended for Approval at 7/25 Committee of the Whole Meeting

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: N/A

SUMMARY STATEMENT:

In January 2020, the City's long-time Civil Engineering Technician retired without notice. Since then, general engineering and project management duties have been assigned to a combination of the Public Works Director and engineering consultants. Since January 2020, the City has taken various actions to recruit and hire engineering staff.

The City has a wide variety of infrastructure improvement needs and feedback from previous recruitments have indicated that job duties need to be simplified in order to attract entry level candidates. In addition, the Public Works Director hopes that the opportunity to work on a team with another entry level engineer will be more attractive to potential entry level candidates than recruitment for a single position .

The Public Works Director introduced a solution to the vacancy by requesting to fill two entry-level civil engineer positions. One position would be Civil Engineer- Streets and the other Civil Engineer-Utilities. Major duties of the Civil Engineer-Streets would include oversight of the City's pavement management program, design/construction management for street resurfacing and sidewalk repair projects. Street reconstruction projects would still require consulting engineering services. Major duties of the Civil Engineer- Utilities would

include oversight of the City's sewer collection system and water distribution systems and design/construction management of cure in place pipe (CIPP) projects and basic watermain improvements. More complex utility projects would still require consulting engineering services.

The additional staff would also allow for capacity for management of other projects, such as those to improve City building facilities, trails, and park improvements.

The City has already budgeted for the Assistant Public Works Director/City Engineer position at a wage and benefit package that is commensurate with significant experience, but the cost is split between the General Fund, Water Utility and Wastewater Utility. The creation of an additional position and an allocation of personnel costs according to the above described job duties would result in estimated budget increases as shown above.

At their July 25, 2023 Committee of the Whole meeting, Council approved 6-1 to forward the proposal to the Council for formal approval.

2023 Asst PW Director/Engineer (Budgeted)

Fund	Acct #	Wages	Benefits	Total
25% Water	680-92000-111	\$19,630.00	\$10,722.52	\$30,352.52
25% Sewer	690-85000-111	\$19,630.00	\$9,293.52	\$28,923.52
50% GF	100-53102-111	\$39,260.00	\$22,647.03	\$61,907.03
		\$78,520.00	\$42,663.07	\$121,183.07

Other Wage Accounts - 2023 Budget

Fund	Acct #	Expenses To Date	Budget	Remaning
Water	680-92000-125	\$6,065.50	12035.23	\$5,969.73
Sewer	690-92000-125	\$4,902.00	\$13,425.77	\$8,523.77
GF	100-53102-125	\$4,921.00	\$0.00	-\$4,921.00

Proposed Hiring Plan
Civil Engineer-Utilities

Fund	Acct #	Wages	Benefits*	Total	Amount Budgeted	Budget Increase
50% Water	680-92000-111	\$31,200.00	\$11,856.00	\$43,056.00	\$36,322.25	\$6,733.75
50% Sewer	690-85000-111	\$31,200.00	\$11,856.00	\$43,056.00	\$37,447.29	\$5,608.71
		\$62,400.00		\$86,112.00		

Civil Engineer- Streets

Fund	Acct #	Wages	Benefits	Total	Amount Budgeted	Budget Increase
100% GF	100-53102-111	\$62,400.00	\$23,712.00	\$86,112.00	\$61,907.03	\$24,204.97

*Assume Single+1 Plan

\$30.00 /hour
 \$62,400.00 Annual
 1.38 Multiplier for Benefits*
 \$23,712.00
 \$86,112.00 Total

SUBJECT: Approve Change Order No. 3 to Jake's Excavating & Landscaping LLC for the 2023 MacArthur Avenue Reconstruction Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Public Works Director

EXHIBITS: 1. Change Order No. 3
2. Attorney Letter - Private LSL Work MacArthur Project

EXPENDITURES REQUIRED: \$1,408,640.49 Approved Project Cost
\$ 123,055.00 Change Order No. 3
\$1,531,695.49 Revised Project Cost

AMOUNT BUDGETED: \$812,654.18 Fund 470 Street Improvements
\$595,986.31 * Fund 680 Water Utility (WI DNR Safe Drinking Water Loan FY 2024)
\$ 60,296.95 ** Fund 680 Water Utility (WI DNR Safe Drinking Water Principal Foregiveness)
\$ 62,758.05 Fund 680 Water Utility Financial Assistance Program (loan to affected property owners)

*WI DNR funds administered as a loan for watermain and public side WSL replacement

** WI DNR funds administered as principal forgiveness for private side WSL replacement

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: N/A

COMPLIANCE WITH ORD. 51: The Mayor and/or Clerk has consented to placement of this agenda item on the Council agenda as timely action is needed.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: The proposed construction conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the April 18, 2023 meeting, the Common Council approved entering into an agreement with Jake's Excavating & Landscaping LLC (Jake's) for the reconstruction of MacArthur Avenue (roadway, portions of

sidewalk, stormwater and watermain) from 6th Street West to 11th Street West and the reconstruction of 8th Street West (roadway, sidewalk, watermain) from Chapple Avenue to MacArthur Avenue.

The scope of work for both streets includes replacement of the public side of water service laterals (WSLs) for 46 properties. Watermain replacement and associated public side WSL replacement is being funded by the Wisconsin Department of Natural Resources (WI DNR) Safe Drinking Water Loan Program (SDWLP).

The project is currently under construction with substantial completion (utilities and base layer of pavement) scheduled for October 1, 2023. The surface layer of pavement will be constructed prior to July 1, 2024 to allow for settlement and provide a smoother roadway surface.

Cedar Corporation completed the project design and is contracted for construction management services. At the City's request, Cedar Corporation negotiated pricing from Jake's to complete the replacement of private side WSLs for an estimated 25 properties. City records indicate that these properties have lead WSLs on the private side and Cedar Corporation has confirmed that Jake's will subcontract for the work to ensure that the private side WSL replacement is completed in accordance with WI State Statutes and/or administrative code which requires that specific elements of the work be completed by a licensed plumber.

The cost of this work is estimated to be \$123,055 and is presented in Change Order No. 3. For an estimated 25 properties, this is \$4,922.20 per property. Actual costs per property are expected to vary and these costs are not to exceed amounts. Cedar Corporation independently prepared a cost estimate for the work and has verified that these costs are reasonable. In addition, the City Attorney's office has verified that executing a change order for this work is in the best interest of the City in terms of managing the procurement process.

At the April 18, 2023 Committee of the Whole meeting, the Public Works Director explained to Council that changes to the WI DNR funding following approval of the Bipartisan Infrastructure Law (BIL) have resulted in the reduction of WI DNR funding available for lead WSL replacement. In previous years, the WI DNR provided funding for private side replacement at 100% of the cost. For the 2023 construction season and beyond, WI DNR funding will be provided for 49% of the cost. Affected property owners will be charged for the remaining portion of the cost, which is estimated to be \$2,510.32.

The Public Service Commission (PSC) requires that the Water Utility administers property owner payment of the remaining portion of the cost through a PSC approved financial assistance program. Typically, these financial assistance programs consist of a loan to the property owner repaid with interest over a specified period of time. The specific repayment period allowed by the PSC is unknown but is expected to be less than the ten-year repayment period offered by the City for special assessments.

City staff are developing an application to the PSC for approval but attempts to reach out to the PSC for discussion on specifics, such as interest rates and repayment periods, as well as the timeline required for application approval, have been ignored.

On February 9, 2021 the City Council approved an amendment to City Ordinance 705 for modifications mandating the replacement of eligible lead service lines in coordination with municipal projects, or as a result of notice of the presence of lead in private water lines. The reason for this amendment to the ordinance was, per the WI DNR, the disturbance of the existing lead WSL and change in material type can result in increased lead levels in the drinking water in situations where the public side WSL is lead free but the private side WSL is lead.

The changes to the WI DNR funding and PSC requirements for financial assistance have been difficult changes to navigate at the City staff level. With construction ongoing, it is important to approve the proposed Change Order No. 3 in order to allow Jake's to procure materials and schedule the work to ensure that the replacement of the public side of WSLs does not include connections to lead on the private side of WSLs. Staff will

continue to reach out to the PSC and submit the required PSC application for the financial assistance program and notify property owners once details are known.

However, the Public Works Director is requesting that the Council increase the total approved project expenses from \$1,408,640.49 to \$1,531,695.49 to allow for private side lead WSL replacement in coordination with the municipal project that is replacing public side lead WSL.

SECTION 00 63 63
CHANGE ORDER NO: No. 2

Owner:	City of Ashland	Owner's Project No.:	
Engineer:	Cedar Corporation	Engineer's Project No.:	A2920-0023
Contractor:	Jake's Excavating & Landscaping, LLC	Contractor's Project No.:	
Project:	2023 MacArthur Avenue & 8 th Street W. Improvements		
Contract Name:	N/A	Effective Date of	
Date Issued:	July 13, 2023	Change Order:	July 25, 2023

The Contract is modified as follows upon execution of this Change Order:

Description: Project Sign and Temporary Mailboxes

Attachments: See Attached Supporting Information

Change in Contract Price		Change in Contract Times [State Contract Times as either a specific date or a number of days]	
Original Contract Price:		Original Contract Times:	
\$ 1,315,590.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	October 30, 2023
Decrease from previously approved Change Orders No. 1:		Decrease from previously approved Change Orders No.1	
\$ -35,050.00		Substantial Completion:	Not Applicable
		Ready for final payment:	Not Applicable
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
\$ 1,280,540.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	October 30, 2023
Increase this Change Order:		Increase/Decrease this Change Order:	
\$ 4,300.00		Substantial Completion:	Not Applicable
		Ready for final payment:	Not Applicable
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
\$ 1,284,840.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	October 31, 2023

Recommended by Engineer (if required)

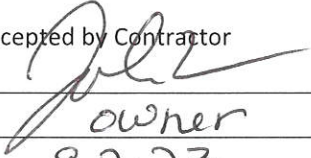
By: 

Title: Project Manager

Date: August 2, 2023

Authorized by Owner

Accepted by Contractor



owner

8-2-23

Approved by Funding Agency (if applicable)

By: _____

Title: _____

Date: _____

SECTION 00 63 63
CHANGE ORDER NO: No. 3

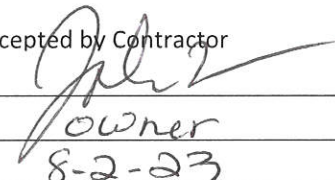
Owner:	City of Ashland	Owner's Project No.:	
Engineer:	Cedar Corporation	Engineer's Project No.:	A2920-0023
Contractor:	Jake's Excavating & Landscaping, LLC	Contractor's Project No.:	
Project:	2023 MacArthur Avenue & 8 th Street W. Improvements		
Contract Name:	N/A	Effective Date of	
Date Issued:	July 13, 2023	Change Order:	July 25, 2023

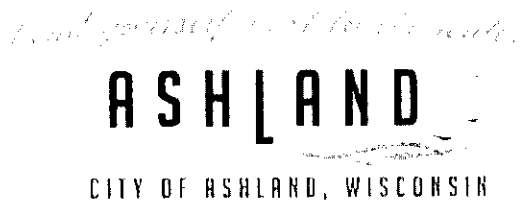
The Contract is modified as follows upon execution of this Change Order:

Description: Private Water Service LSL Replacement

Attachments: See Attached Supporting Information

Change in Contract Price		Change in Contract Times [State Contract Times as either a specific date or a number of days]	
Original Contract Price:		Original Contract Times:	
\$ 1,315,590.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	October 30, 2023
Decrease from previously approved Change Orders No. 1 thru 2:		Decrease from previously approved Change Orders No.1	
\$ -30,750.00		Substantial Completion:	Not Applicable
		Ready for final payment:	Not Applicable
Contract Price prior to this Change Order:		Contract Times prior to this Change Order:	
\$ 1,284,840.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	October 30, 2023
Increase this Change Order:		Increase this Change Order:	
\$ 123,055.00		Substantial Completion:	Not Applicable
		Ready for final payment:	July 1, 2024
Contract Price incorporating this Change Order:		Contract Times with all approved Change Orders:	
\$ 1,407,895.50		Substantial Completion:	October 1, 2023
		Ready for final payment:	July 1, 2024

Recommended by Engineer (if required) By: <u></u> Title: <u>Project Manager</u> Date: <u>August 2, 2023</u> <u>Authorized by Owner</u> By: _____ Title: _____ Date: _____	Accepted by Contractor <u></u> <u>Owner</u> <u>8-2-23</u> <u>Approved by Funding Agency (if applicable)</u> By: _____ Title: _____ Date: _____
--	--



August 1, 2023

Re: Private LSL Replacement Work for MacArthur Avenue Project

To Whom It May Concern:

Note: This opinion refers to CO #3. CO#2 covers de minimus items of work (Council approved N/A). Private LSL work was separated as CO #3 for DNR funding purposes. -JB

I am the assistant attorney for the City of Ashland. I was asked to provide an opinion regarding **Change Order No. 2** for private LSL replacement work for the MacArthur Avenue Project.

I reviewed the project contract documents, advertisement for bids, change order and spoke with the City's Public Works Director. It is my understanding that there are forty-six (46) houses having public LSL replacement work completed in this project. Of those forty-six (46) houses, twenty-five (25) houses also need private LSL replacement work due to lead pipes. The change order provides for an increase in the contract price of \$127,355 due to the additional private LSL replacement work. The original contract price was \$1,315,590.50 so this change order will increase the original contract price by approximately 9.68%.

The change order is allowable under state statutes and the project contract documents. First, private LSL replacement is within the original description of the work. The advertisement for bids for the project included "water laterals" in the definition of the work. Also, Clause 1.01 of the contract included "water main" in the definition of the work. Thus, the private LSL replacement work fits within the original description of the project. Second, the price increase is allowable. The increase of the original contract price is less than 15% which is allowable under Wis. Stat. § 62.15(1c). Under Wis. Stat § 62.15(1a), contracts may include escalator clauses for additional charges for labor and materials. The contract allows for amendments and changes to the work. Clause 11.02 of the General Condition of the contract allows for mutually agreeable changes in contract price by change order. Also, in Clause 11.05 of the General Conditions of the contract, the City may order additions in the Work.

Additionally, the change order is in the City's best interest. This work will remove lead pipes. It is a continuation of the work on the water main and water laterals. The private LSL replacement work will be done by the same contractor as the public LSL replacement work. That contractor is already on-site performing work on the project. Having this contractor perform the additional work under the current contract will allow for the work to be completed this construction season. It also makes the most sense to have the private LSL replacement work completed while the road and sidewalk are under construction. Additionally, the contractor was the lowest responsible bidder for this project and the price for the private LSL replacement work has been certified as reasonable by the engineer.

If there are any questions regarding this opinion, please contact me.

Very Truly Yours,

ANICH, WICKMAN & LINDSEY, S.C.

A handwritten signature in black ink, appearing to read 'Katie M. Posewitz', with a long, sweeping horizontal line extending to the right.

Katie M. Posewitz

SUBJECT: Approve to Waive the Advertisement Requirement Set Forth in Chapter 194.04 Procurement of Goods and Services, Ashland City Ordinances, and Approve the Purchase of Replacement Aeration Equipment for the Existing Oxidation Ditches at the Wastewater Treatment Plant (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Public Works Director

EXHIBITS: 1. Environmental Dynamics International, Inc.. Aeration Equipment Quote

EXPENDITURES REQUIRED: \$93,503.00 Fund 690 Wastewater Utility

AMOUNT BUDGETED: \$0

APPROPRIATION REQUIRED: \$ 93,503.00 - Fund 690 Wastewater Utility Equipment Replacement Fund (Not to Exceed)

TREASURER'S CERTIFICATE: N/A The Treasurer's Office has certified on August 3, 2023, that Environmental Dynamics International, Inc. is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORD. 51: The Mayor and/or Clerk has consented to placement of this agenda item on the Council agenda as timely action is needed.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: The proposed work conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

In Spring 2022, the Wastewater Utility experienced significant turnover that resulted in new staff being placed in leadership roles, including the Utility Manager and Wastewater Foreman positions. These staff members have been tasked with addressing many areas of deferred maintenance at the Wastewater Treatment Plant (WWTP). The recent focus on collection system repairs to reduce infiltration and inflow (I&I) within the sewer system has resulted in a lack of attention to preventative replacement of WWTP components. The WWTP was constructed in 1992 and many components have been relied upon for daily operation ever since. Due to the criticality of these WWTP components and the ongoing potential risk for sewage overflows due to any disruption in WWTP operations, an emphasis is placed on preventative repair, maintenance and/or replacement of specific, critical components.

The WWTP includes two oxidation ditches, which provide biological treatment and two clarifiers, where biological floc formed in the oxidation ditches is allowed to settle out as activated sludge. This activated sludge

process relies on microorganisms to consume and break down the biomass, which contains components that pose a health and/or environmental health risk, in the raw sewage. These microorganisms require oxygen to function. To maintain required oxygen levels, air is supplied by large blowers and forced through fine bubble diffusers. These diffusers introduce air into the ditches as tiny bubbles, maximizing the efficiency of oxygen uptake.

In 2011/2012, the Wastewater Utility installed a fine course bubble aeration system that resulted in significant energy savings. However, the aeration components are prone to clogging over time and have a life expectancy of 7 years. These components have been in place for over 12 years and the Wastewater Foreman has determined that they require replacement this summer while flows to the WWTP and reduced due to dry weather.

The Wastewater Foreman is currently focused on the North oxidation ditch and has determined that over half of the aeration equipment is partially or completely plugged, leading to reduced effectiveness in the treatment process and increased energy use. Due to the expense of replacement components, the Wastewater Foreman attempted to clean and unclog the existing components without success. The Wastewater Foreman is also recommending preventative replacement of the same components in the South oxidation ditch.

The parts required are for a very specific application, are difficult to obtain and staff had difficulties in locating a supplier. The components are available from Environmental Dynamics International, Inc. and the Public Works Director is requesting that the Council waive the advertising requirement set forth in Chapter 194.04, Ashland City Ordinances, and approve the purchase of replacement aeration equipment to allow for the timely preventative replacement of these components in both the North and South oxidation ditches. Funds are available in the Wastewater Utility's Equipment Replacement fund.

July 28 2023

Scott Pero

City Of Ashland WWTP

Spero@coawi.org

Scott,

Thank you for the opportunity to quote the equipment for Ashland WWTP. Pricing is as follows:

(1300) Membrane, EPDM, 117-1359, 1.25 x 1.25

(2600) Clamp, Adjustable Ear, 304 SS, 120mm

(1) Crimping Tool

Freight: \$ 1150

Total: \$ 93503.00

Upon review of the quote please feel free to contact me with any questions or comments.

Sincerely,

Jeremiah Ritchey
Jeremiah Ritchey

Aftermarket Regional Account Manager
Jeremiah.ritchey@wastewater.com 239-671-5038



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AUTHOR

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