



Take notice that a meeting of the Ashland City Council will be held on Tuesday, September 26, 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, September 26, 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. **August 29, 2023 City Council and Committee of the Whole**
- B. **September 12, 2023 City Council and Committee of the Whole**

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

- A. **Announcements**

6. CONSENT AGENDA

- A. **Miscellaneous Minutes**
- B. **Approval of Property Acquisition for the State Highway 13 Pavement Replacement Project** *(Public Works)*

7. OLD BUSINESS

- A. **Approval of an Authorizing Resolution for the Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Programs** *(Parks & Recreation)* Roll

8. NEW BUSINESS

- A. **Consideration of an Original Alcohol Beverage License Application for Anchor Islands, LLC, 315 Turner Road, and Agent Anthony Jennings** *(Clerk)* Roll



- B. **Consideration of Payment Request No. 2 from Right of Way Professionals, Inc. for Temporary Land Easements for the 2024 Prentice Avenue Phase 1 Reconstruction Project** (*Public Works*) Roll
 - C. **Consideration of a Professional Engineering Services Proposal from Cedar Corporation to Complete Design of the Ore Dock Access Road Project** (*Public Works*) Roll
 - D. **Consideration of a Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, the City of Ashland, and Short Elliot Hendrickson (SEH) for Design Engineering Services on the 2026 Prentice Avenue Phase 2 Reconstruction Project** (*Public Works*) Roll
 - E. **Approve to Accept 2021 Assistance to Firefighters Grant for the Purchase of EKG Monitors** (*Fire Department*) Roll
 - F. **Approve a Resolution to Issue a Conditional Use Permit (CUP) to Allow Vehicle Sales at Parcels #201-00066-2000 and #201-00066-0100, Zoned City Center (CC) with Gateway Overlay (GTWY-O), Applicant, Shanette Homola** (*Planning & Development*) Roll
 - G. **Approve a Resolution to Issue a Conditional Use Permit (CUP) to Allow for an Increased Sign Area at 319 Ellis Ave, Parcel No. #201-01682-0000, Zoned City Center (CC) with Gateway Overlay (GTWY-O), Applicant: HTG Architects** (*Planning & Development*) Roll
- 9. CLOSED SESSION - Council may return to Open Session and take action on any item discussed during Closed Session.**
- 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."** (*6th Street West - Coleman Engineering*) (*City Attorney*) Roll
 - B. **Return to Open Session** *Voice*
 - C. **Report of Action Taken During Closed Session**

10. 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

Ashland City Council Meeting
Tuesday, September 26, 2023 – 6:00 PM
601 Main Street W. Ashland WI 54806



The CITY of
ASHLAND
WISCONSIN

MEETING MINUTES
ASHLAND CITY COUNCIL
Tuesday, August 29, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, August 29, 2023 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 Tochtermann, Andrew Goyke, Charlie Ortman, Dick Pufall

ALSO PRESENT: Mayor Matthew MacKenzie, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Planning Director Steven Wiley, Finance Director Julie Vaillancourt, Fire Chief Stuart Matthias, Deputy Clerk Kevin Haas, and other interested citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. August 8, 2023 City Council and Committee of the Whole Meeting Minutes

Pufall moved, seconded by Jackson to approve the minutes. The motion carried unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

The Clerk read the Rules for Citizen Participation, and the following offered their comments to the Council:

Megan Perrine, 701 Water street, spoke of her opposition of potentially burning the city-owned home on Water Street.

Brian Kerr, 805 Mac Arthur Avenue, noted his concern of the lack of communication regarding plastic particles in his drinking water.

Don Jaskowski, 121 Willis Avenue N, voiced concerns about burning houses on Water Street.

Deb Joanis, 816 Water Street, also voiced concerns about burning houses on Water Street.

5. MAYOR'S REPORT

A. **Announcements**

Mackenzie mentioned the visit from the OpenAir Car Club over the past weekend. Laura Graf submitted her resignation from Council as her family relocated to the Milwaukee area. A reminder was made of the volunteer picnic on September 7, 2023 at the Pearson Plaza for those who participate on the City's boards and committees. The new water meter installation is in process for all properties connected to the City's water system. A thank you was offered to those who worked as limited-term help over the summer. City offices will be observing the Labor Day holiday, and schools will be in session soon after. A memo of recent residential and commercial planning permits was handed out to Councilors for review.

B. **Appointments**

Goyke moved, seconded by Seefeldt to approve the appointment of Kelly Westlund to the Sustainability Committee, term to expire September 12, 2025, and the reappointment of Phil Sorensen to the Public Works committee, term to expire September 30, 2028. The motion passed unanimously by voice vote.

6. OLD BUSINESS

A. **Approve a Resolution of Intent Not to Renew 2023-2024 Alcohol Beverage License for Elite Four, LLC dba Anchor Island, 315 Turner Road, Ashland, and Agent Ahron McCauliffe** (*Clerk*) Roll

Seefeldt moved, seconded by Jackson to approve. A motion was made by Seefeldt, seconded by Goyke to enter a hearing as recommended by Wickman. The motion carried unanimously by roll call vote. The motion to move out of the hearing carried unanimously by voice vote. After much discussion, the motion to approve the resolution carried 5-1 by roll call vote; opposed was Pufall.
File #17736

B. **Approve a Resolution to Declare the City of Ashland, Wisconsin as a Monarch City USA** (*Parks Director*) Roll

Seefeldt moved, seconded by Ortman to approve the resolution. The motion passed unanimously by roll call vote.
File #17734

7. NEW BUSINESS

A. **Presentation and Approval of a Resolution to Amend the 2022 General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, and Internal Service Funds Per Wis. State Statute 65.90(5)(a)** (*Finance*) Roll

Vaillancourt offered a presentation and answered questions from Council. Seefeldt moved, seconded by Ortman to approve the resolution. The motion passed unanimously by roll call vote.
File #17737

B. **Approve a Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing through the State of Wisconsin Environmental Improvement Fund for the 2023 Sanitary Sewer Rehabilitation and Replacement Projects** (*Public Works*) Roll

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

File #17735

- C. **Approve to Accept a Bid from Jake's Excavating & Landscaping, LLC and Award a Contract for the 2023 Sewer Replacement Project** (*Public Works*) Roll

Seefeldt moved, seconded by Tochterman to approve the base bid for the amount of \$539,217.50. The motion passed unanimously by roll call vote.

- D. **Approve to Accept Bid from Visu Sewer and Award a Contract for the 2023 Sanitary Sewer Collection System Repair Project** (*Public Works*) Roll

Tochterman moved, seconded by Seefeldt to approve to accept the base bid for \$1,101,445.65 and award the contract to Visu Sewer. The motion passed unanimously by roll call vote.

- E. **Approve a Resolution to Issue a Conditional Use Permit (CUP) a Restaurant with a Drive-Through at 2419 Lake Shore Drive East, Ashland, Parcel No. 201-03307-0000, Zoned Waterfront Mixed Residential/Commercial (W-MRC) with Waterfront Overlay and Gateway Overlay, Applicant: Hudson Square LLC** (*Planning & Development*) Roll

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

File #17739

- F. **Approve Payment Request No. 1 from Right of Way Professionals, Inc. for Temporary Land Easements for the 2024 Prentice Avenue Phase 1 Reconstruction Project** (*Public Works*) Roll

Seefeldt moved, seconded by Jackson to approve the payment for \$13,500. The motion passed unanimously by roll call vote.

- G. **Consider a Resolution to Allow the City Clerk to Advertise for Candidates to Fill City Council Member Vacancy** (*Clerk*) Roll

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

File #17738

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

Jackson moved, seconded by Goyke to enter into 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 of strategy to be adopted with the respect to current or likely litigation." (*Craig Notice of Claim*) City Attorney

- B. **Return to Open Session**

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

- C. **Report of Action Taken during Open Session**

Mackenzie reported that Council voted unanimously to deny the claim from Mr. Jablonski.

9. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

MEETING MINUTES
COMMITTEE OF THE WHOLE MEETING
Tuesday, August 29, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. Roll Call

The Tuesday, August 29, 2023 City of Ashland Committee of the Whole Meeting was called to order by Council President Charlie Ortman at 8:55 PM.

PRESENT: Kevin Seefeldt, Sarah Jackson, Ana Tochtermann, Andrew Goyke, Charlie Ortman, Dick Pufall

ALSO PRESENT: Mayor Matthew MacKenzie, City Clerk Denise Oliphant, Public Works Director John Butler, Planning Director Steven Wiley, Parks Director Sara Hudson, and other interested citizens.

2. Approval of Agenda

Ortman requested to remove the Committee Updates from the agenda, and move up Item 6B to be addressed first. Jackson moved, seconded by Pufall to approve the amended agenda. The motion carried unanimously by voice vote.

3. Council President's Report

Nothing to report.

4. Administrator's Report

Not present.

5. Discussion Items

A. Discussion and Possible Action Regarding Changes to Chapter 504 Vehicular Traffic Regulation, Ashland City Ordinances Related to Ore Dock Redevelopment *(Public Works)*

Butler introduced the item and answered questions for Council.

At 9:00 PM, Ortman asked for a motion to extend the meeting by 10 minutes. Seefeldt moved to extend the meeting by 25 minutes. This motion died for lack of a second. Tochtermann moved, seconded by Goyke to extend the meeting by 10 minutes. The motion carried unanimously by voice vote.

Seefeldt moved, seconded by Goyke to approve and advance the item to the next Council meeting for formal approval. The motion carried unanimously by voice vote.

6. Items for Future Discussion

Ortman asked for information regarding the drinking water issue on MacArthur Avenue, the City-owned houses on Water Street, and requested a presentation by the Public Works intern.

7. **Adjournment**

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

Respectfully submitted,

Denise Oliphant,
City Clerk

MEETING MINUTES
ASHLAND CITY COUNCIL
Tuesday, September 12, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, September 12, 2023 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: Sarah Jackson, Ana Tochtermann, Andrew Goyke, Charlie Ortman, Dick Pufall

ABSENT: Kevin Seefeldt (Excused)

ALSO PRESENT: Mayor Matthew MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Public Works Director John Butler, Planning Director Steven Wiley, Library Director Sarah Adams, Deputy Clerk Chelsea List, and other interested citizens.

Mackenzie noted that a quorum was present.

2. APPROVAL OF AGENDA

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

3. CITIZEN PARTICIPATION PERIOD

The Clerk read the Rules for Citizen Participation, and the following offered their comments to the Council:

Zygmund Jablonski, 916 6th Avenue West, spoke of the City Attorney fees, the inability for him to get right-of-way permits, and noted to Council that there would be further legal action.

4. MAYOR'S REPORT

A. Announcements

Mackenzie offered to anyone who was having difficulty hearing the conversation during the meetings, an amplifier was available for use. Labor Day weekend was fairly uneventful for the community. The City hosted a volunteer picnic for those who were on the various committees and boards. It was mentioned that the District 5 was vacant and needed applicants from that area. He received notice from the Chamber of Commerce about the recent vandalism of a mural along Main Street, and thanked the volunteers who helped to clean this mural. Sixth Street was repaved

recently, and 17th Avenue West had recent work done, both of which were completed. Governor Evers visited the area in support of the tourism industry. A compromise was reached regarding the use of vacant houses on Water Street and owned by the City to be used for fire training. MacKenzie attended a ribbon cutting at Laura's Sewing Shop, and a 70th Anniversary celebration for the KA Group, formerly Ashland industries. The renovated Howitzer cannon was re-dedicated at Memorial Park, and the City received notice that Fifield Row was recently inducted as a National Historic District.

B. Appointments

Tochterman moved, seconded by Jackson to approve the appointment of Kelly Westlund to the Sustainability Committee for a term to expire September 12, 2025, and the reappointment of Phil Sorenson to the Public Works Committee for a term to expire September 30, 2028. The motion carried unanimously by voice vote.

5. CONSENT AGENDA

A. Miscellaneous Minutes

Goyke moved, seconded by Jackson approve the Consent Agenda. The motion passed unanimously by voice vote.

6. OLD BUSINESS

A. Consideration of an Ordinance to Amend Chapter 504 Vehicular Traffic Regulation, Ashland City Ordinances (Public Works) Roll

Ortman moved, seconded by Goyke to approve the ordinance. The motion passed unanimously by roll call vote.

7. NEW BUSINESS

A. Approve the Wisconsin Main Street Communities Agreement between the Wisconsin Economic Development Corporation and Ashland Main Street (Main Street) Roll

Jackson moved, seconded by Tochterman to approve the agreement. The motion passed unanimously by roll call vote.

B. Approve Amendment No. 2 to Agreement for Professional Engineering Services between the City of Ashland and Greeley and Hansen, LLC for the New Lake Superior Water Intake Project (Public Works) Roll

Ortman moved, seconded by Goyke to approve the amendment. The motion passed unanimously by roll call vote.

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

Tochterman moved, seconded by Goyke to enter into 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 of strategy to be adopted with the respect to current or likely litigation." (Jablonski notice of claim dated on page 1 of August 27, 2023)

B. Return to Open Session

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

C. Report of Action Taken during Closed Session

Ortman moved, seconded by Goyke to approve to deny the claim by Mr. Jablonski dated on page 1 of August 27, 2023. The motion passed unanimously by roll call vote.

9. ADJOURNMENT

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

MEETING MINUTES
COMMITTEE OF THE WHOLE MEETING
Tuesday, September 12, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. Roll Call

The Tuesday, September 12, 2023 City of Ashland Committee of the Whole Meeting was called to order by Council President Charlie Ortman at 7:19 pm.

PRESENT: Sarah Jackson, Ana Tochtermann, Andrew Goyke, Charlie Ortman, Dick Pufall.

ABSENT: Kevin Seefeldt (excused)

ALSO PRESENT: Mayor Matt MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, Parks Director Sara Hudson, Public Works Director John Butler, Planning Director Steven Wiley, Deputy Clerk Chelsea List, and other interested citizens.

2. Approval of Agenda

Jackson moved, seconded by Pufall to approve the agenda. The motion carried unanimously by voice vote.

3. Council President's Report

Ortman deferred a report.

4. Administrator's Report

Kucera reported that he would be speaking during a Wisconsin Clean Cities webinar on September 21, 2023, focusing on the Ashland's EV charging station. He reminded Council of the Budget Work Session on September 21, 2023 beginning at 6:00 p.m., and noted that he would be out of the office beginning tomorrow through the following Monday, returning on Tuesday, September 19, 2023.

5. Committee Updates

ORE DOCK TRUST - MacKenzie offered that the group started a plan for a perpetual maintenance fund for future care of the ore dock.

DPEAC -List offered the group renewed parking permits for nearly all of the requestors; the group also mentioned asking Ashland County to install door bells near the parking stalls.

HARBOR COMMISSION - nothing to report

HISTORIC PRESERVATION COMM - Goyke mentioned the designation of Fifield Row as a Historic District; working on a Preservation Plan

HOUSING COMMITTEE - Wiley offered the group is reviewing the vacant City properties and reviewing rooming house ordinances

LIBRARY BOARD - Jackson talked of the renovation listening sessions held recently with good community support

MAIN STREET BOARD - nothing to report

PARKS & RECREATION COMMITTEE - nothing to report

PLAN COMMISSION - Tochtermann noted they are waiting for a site plan from Hudson Coffee

PUBLIC WORKS COMMITTEE - nothing to report

SUSTAINABILITY COMMITTEE - Wiley noted the group discussed installing solar power at the wastewater treatment facility

6. Discussion Items

A. **Library Renovation Funding Plan** (*Library Director*)

Adams began discussion regarding the options for funding the library's renovation project. Jackson moved, seconded by Pufall to move a resolution in support of the funding to the next Council meeting for formal approval. The motion carried unanimously by voice vote.

B. **Update and Discussion Regarding the Sand Pit Access to Maple Lane** (*Tochterman*)

Wiley noted that use of the access road seems to have discontinued, and he has not received more concern from that area's residents. No action was taken on this item.

C. **Discussion and Possible Action Regarding Compensation of the Mayor and Council Members** (*City Clerk*)

Oliphant proposed a potential increase for Councilors as there had not been an increase for quite a while. MacKenzie asked to bring the item back in the near future, and there was no other action taken on this item.

D. **Presentation, Discussion and Possible Action Regarding a Campaign to Increase Public Information of City Council Officials and Meeting Procedures** (*Clerk*)

List presented her proposal for making the Councilors and meeting processes more visible via the City's website. She intended to begin with photos at the October 10, 2023 Council meeting.

E. **Discussion and Possible Action to Approve an Authorizing Resolution to the Wisconsin Department of Natural Resources Urban Forestry Grants Program** (*Parks & Recreation*)

Hudson introduced the item, stating that the resolution is due on October 1, 2023. Jackson moved, seconded by Goyke to forward the item to the next Council meeting for formal approval. The motion carried unanimously by voice vote.

F. **Update on the City of Ashland Waterfront Development Projects** (*Parks Director*)

Hudson offered a Power Point presentation and answered questions for Council.

G. **Discussion on Planning for Street Improvements** (*Public Works*)

Butler began conversation with Council regarding future projects focused on street improvements.

H. **Discussion and Possible Action on Property Acquisition for the State Highway 13 Pavement Replacement Project** (*Public Works*)

Butler discussed the need for property acquisition before work began on the Ellis Avenue/State Highway 13 project. Goyke moved, seconded by Pufall to forward the item to the next Council meeting for formal approval. The motion carried unanimously by voice vote.

7. Adjournment

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

Respectfully Submitted,

Denise Oliphant,
City Clerk



CITY OF ASHLAND
POLICE & FIRE COMMISSION MEETING
Monday, June 5, 2023 – 5:15 p.m.
Hybrid Meeting – Ashland Fire Dept. and GoTo Meeting

1. **CALL TO ORDER:**

Ed Monroe, Vice President, called the meeting to order at 5:15 pm.

2 **ROLL CALL:**

Members Attended: Ed Monroe, Matthew Horning, Ron Sztynдор, Melissa O'Connor and
Daryle Tucker

Others Attended: Police Chief Hagstrom, Fire Chief Matthias and Emily Hanson

3. **APPROVAL OF AGENDA ITEMS:**

A motion to approve the current agenda items was made by Matt Horning, seconded by Melissa O'Connor, and passed unanimously.

4. **WELCOME NEW COMMISSION MEMBER, RON SZTYNDOR:**

Ed Monroe introduced Ron Sztynдор who has been appointed the seat formerly held by Kate Siegler.

5. **ELECTION OF OFFICERS:**

a. **President** – Melissa O'Connor was nominated by Matt Horning, but Melissa declined. Ed Monroe was nominated by Melissa O'Connor. Unanimous vote to elect Ed Monroe as President.

b. **Vice President** – Melissa O'Connor was nominated by Matt Horning. Unanimous vote to elect Melissa O'Connor as Vice President.

c. **Secretary** – Daryle Tucker was nominated by Matt Horning. Unanimous vote to elect Daryle Tucker as Secretary.

6. **APPOINT SECRETARY TO FULFILL SECRETARY FUNCTIONS & CLERICAL WORK**

Ed Monroe appointed Emily Hanson, Emergency Services Office Assistant, to fulfill the necessary secretarial duties. Ed also appointed Kelly Garro, Records Clerk, to fill in when Emily is not available.

7. **APPROVAL OF MINUTES FROM MARCH 6, 2023 MEETING:**

A motion to approve the minutes from the previous meeting was made by Matt Horning, seconded by Melissa O'Connor, and passed unanimously.

CITY OF ASHLAND
POLICE & FIRE COMMISSION MEETING
Monday, June 5, 2023 – 5:15 p.m.
Hybrid Meeting – Ashland Fire Dept. and GoTo Meeting

8. POLICE DEPARTMENT BUSINESS:

Administrative Report

Chief Hagstrom went over the Police Department report that was emailed to the commission members and available at the meeting in hardcopy. The report consisted of statistics from March 1, 2023 through May 31, 2023. There was an average of 23.9 calls per day, there were 85 arrests, 9 emergency detentions and 71 accidents.

Chief Hagstrom stated that emergency detentions were down again this quarter and he is hoping to stay on that trend.

Chief Hagstrom summarized some patrol/investigation incidents that were more than routine, or involved the use of force by officers.

The Police Department is finally fully staffed; there will be four officers in training over the summer. The new officers were summarized. The Department also utilizes some full-time employees from other law enforcement departments to fill in some part-time shifts.

Chief Hagstrom stated that the department is now fully fitted with body cams and they are in use daily.

A motion to approve Chief Hagstrom's report and place it on file was made by Matt Horning, seconded by Melissa O'Connor, and passed unanimously.

9. FIRE DEPARTMENT BUSINESS:

Administrative Report

Chief Matthias went over the Fire Department report that was emailed to the commission members and available at the meeting in hardcopy. The report consisted of statistics from March 1, 2023 through May 31, 2023. The department responded to 609 incidents. The numbers are steady to slightly below average, with an increase to Mutual Aid calls.

Chief Matthias reported Bayfield is currently working on redistricting their Department and he wants to keep a close eye on that to understand the process of making those very important changes. He also started a discussion about the Ashland and Bayfield Dispatch Units combining.

Chief Matthias relayed that they now have seven Registered Nurses from MMC that are trained to go on ambulance runs with the crew. In these instances, an AFD staff member will always

CITY OF ASHLAND
POLICE & FIRE COMMISSION MEETING
Monday, June 5, 2023 – 5:15 p.m.
Hybrid Meeting – Ashland Fire Dept. and GoTo Meeting

drive and the RN will be involved with patient care. This is just another way to help facilitate patient transfers.

Matt Horning asked how the Commission could be of help with the current increase in Mutual Aid volume. Chief Matthias said that as of now he just wanted the Commission to be aware and supportive of the issue.

Job Descriptions – Transfer EMT, Transfer EMT-Paramedic, Transfer EMT-RN

Chief Matthias made copies of the job descriptions available to all Commission members and summarized each one. These job descriptions are new and need to be put into place to make sure the Department meets the perimeters of the duties. A motion to approve all three job descriptions as presented by Chief Matthias was made by Matt Horning, seconded by Ed Monroe, and passed unanimously.

A motion to approve Matthias' report and place it on file was made by Melissa O'Connor, seconded by Matt Horning, and passed unanimously.

10. NEXT REGULAR MEETING DATE:

Due to the first Monday of the month of September being Labor Day, the next regular meeting will be held on Monday, September 11, 2023 at 5:15 p.m. This will be a hybrid meeting; those that choose to attend in-person can do so at the Ashland Fire Department, and others will have the option to attend virtually via GoTo Meeting.

11. CLOSED SESSION:

A motion to enter into closed session was made by Melissa O'Connor, seconded by Matt Horning, and a role call vote was taken.

Ed Monroe, President, announced that they will enter into closed session per Wisconsin State Statute 19.85(1)(c). "To consider employment, promotion, compensation or performance evaluation data of any public employee over which the commission has jurisdiction or exercises responsibility."

Chief Hagstrom and Chief Matthias attended the closed session due to their presence being necessary for the business at hand.

CITY OF ASHLAND
POLICE & FIRE COMMISSION MEETING
Monday, June 5, 2023 – 5:15 p.m.
Hybrid Meeting – Ashland Fire Dept. and GoTo Meeting

12. **RETURN TO OPEN SESSION:**

A motion to return to open session was made by Ed Monroe, seconded by Ron Sztynдор, and a role call vote was taken.

13. **REPORT ACTION TAKEN IN CLOSED SESSION:**

Probation and Personnel Reports were given by both Chief Hagstom and Chief Matthias. The reports were approved unanimously by the commission in closed session. John Swanson and Chris Tesnow from the Fire Department have both completed their probationary periods.

A motion to reaffirm the business taken during open session was made by Ed Monroe, seconded by Daryle Tucker, and passed unanimously.

11. **ADJOURNMENT:**

A motion to adjourn the meeting was made by Matt Horning, seconded by Melissa O'Connor, and approved unanimously. Meeting was adjourned at 7:01 pm.

Respectfully Submitted
Emily Hanson, Admin Asst.

SUBJECT: Approval of Property Acquisition for the State Highway 13 Pavement Replacement Project (*Public Works*)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: City Administrator
Public Works Director

EXHIBITS: 1. DOT State Hwy 13 Transportation Project Plat Sheets

EXPENDITURES REQUIRED: N/A- Funded by the WI DOT

AMOUNT BUDGETED: N/A- Funded by the WI DOT

APPROPRIATION REQUIRED: N/A- Funded by the WI DOT

TREASURER'S CERTIFICATE: N/A

COMPLIANCE WITH ORD. 51: Discussion and Approval at 9/12/23 Committee of the Whole meeting

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

SUMMARY STATEMENT:

The Wisconsin Department of Transportation (WI DOT) is currently completing the design of a pavement replacement project for Ellis Ave, from US Highway 2 to the City limits. The project consists of the replacement of the roadway surface but only includes subsurface excavation in areas identified by the City for watermain replacement.

The project is scheduled for construction in 2025 but WI DOT processes dictate that it will be bid in late 2024. The project is managed by WI DOT staff, who have prepared the attached exhibit regarding the extent of property (ie real estate) acquisition that will be required as part of the project. Property acquisition needs to be complete prior to bidding the project.

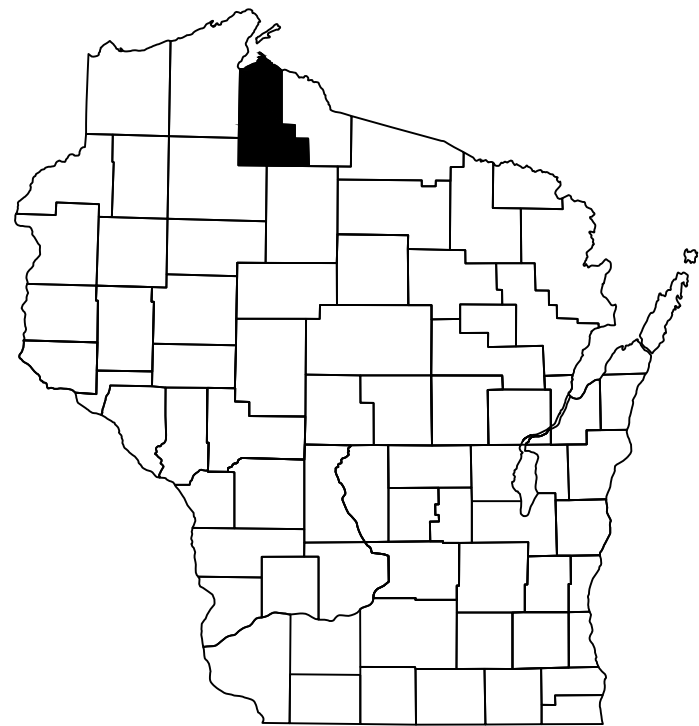
The pavement replacement aspect of the project requires that all pedestrian curb ramps along the project be upgraded for compliance with Americans with Disabilities (ADA) requirements. The vast majority of property acquisition pertains to the construction of curb ramps, which require a sufficient landing area for wheel chair access.

Most of the required property acquisition is only needed on a temporary basis to facilitate construction activities but a portion of it is required on a permanent basis to allow for the installation of required pedestrian

facilities. WI DOT staff is handling the outreach and negotiation process with applicable property owners and presented this information at a local public information meeting on August 9, 2023 at the Ashland Middle School. WI DOT real estate staff were present to answer questions from the public directly.

The pedestrian facilities associated with project are located within the City's connecting highway portion of State Highway 13. Connecting highway status affords local units of government some authority in regulation and oversight of the highway. The WI DOT is requesting City approval of the attached plat map showing areas of property acquisition because of the connecting highway status. The WI DOT is responsible for the cost of this property acquisition.

Council approval of the plat map and authorization for the Public Works Director to sign off on it is requested to allow for the completion of property acquisition in accordance with WI DOT procedures.



STATE OF WISCONSIN

DEPARTMENT OF TRANSPORTATION

TRANSPORTATION PROJECT PLAT TITLE SHEET

1610-00-27

MELLEN - ASHLAND

BUTTERWORTH RD TO USH 2

STH 13

ASHLAND COUNTY

CONVENTIONAL SYMBOLS

SECTION LINE		SECTION CORNER SYMBOL		R/W MONUMENT (TO BE SET)	
QUARTER LINE		SECTION CORNER MONUMENT		NON-MONUMENTED R/W POINT	
SIXTEENTH LINE		GEODETIC SURVEY MONUMENT		FOUND IRON PIN (1-INCH UNLESS NOTED)	
NEW REFERENCE LINE		SIXTEENTH CORNER MONUMENT		OFF-PREMISE SIGN	
NEW R/W LINE		SIGN		COMPENSABLE	
EXISTING R/W OR HE LINE		PARCEL NUMBER		NON-COMPENSABLE	
PROPERTY LINE		UTILITY NUMBER			
LOT, TIE & OTHER MINOR LINES		PARALLEL OFFSETS			
SLOPE INTERCEPT					
CORPORATE LIMITS					
UNDERGROUND FACILITY (COMMUNICATIONS, ELECTRIC, ETC)					
NEW R/W (FEE OR HE) (HATCHING VARIES BY OWNER)					
TEMPORARY LIMITED EASEMENT AREA					
EASEMENT AREA (PERMANENT LIMITED OR RESTRICTED DEVELOPMENT)					
TRANSMISSION STRUCTURES					
BUILDING					
TO BE REMOVED					
BRIDGE					
CULVERT					

CONVENTIONAL ABBREVIATIONS

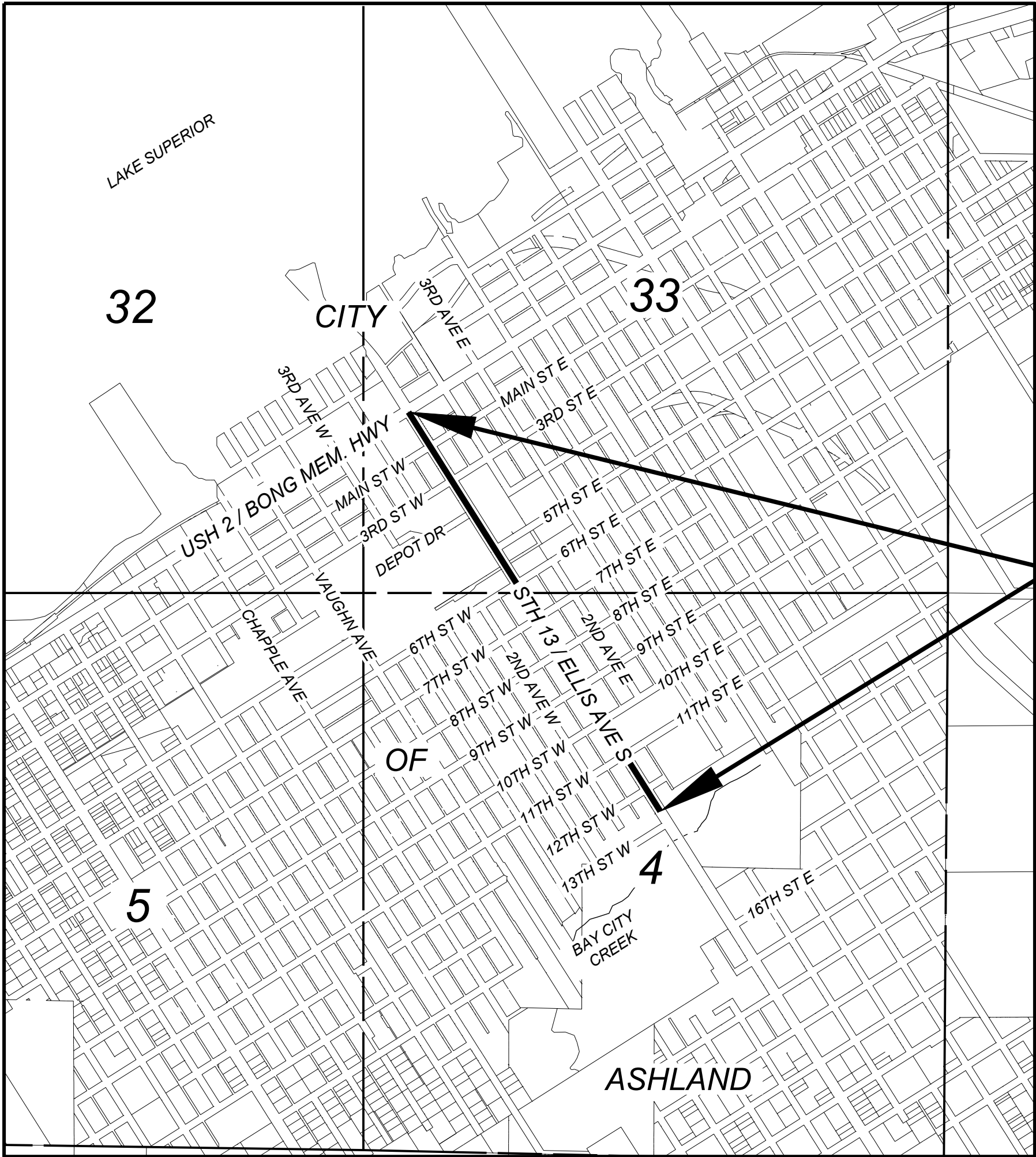
ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM	ALUM	RECORDED AS	(100')
AND OTHERS	ET AL	REEL / IMAGE	R/I
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	REMAINING	REM
CENTERLINE	C/L	RESTRICTIVE DEVELOPMENT	RDE
CERTIFIED SURVEY MAP	CSM	EASEMENT	
CONCRETE	CONC	RIGHT	RT
COUNTY	CO	RIGHT OF WAY	R/W
COUNTY TRUNK HIGHWAY	CTH	SECTION	SEC
DISTANCE	DIST	SEPTIC VENT	SEPV
CORNER	COR	SQUARE FEET	SF
DOCUMENT NUMBER	DOC	STATE TRUNK HIGHWAY	STH
EASEMENT	EASE	STATION	STA
EXISTING	EX	TELEPHONE PEDESTAL	TP
GAS VALVE	GV	TEMPORARY LIMITED	TLE
GRID NORTH	GN	EASEMENT	
HIGHWAY EASEMENT	HE	TRANSPORTATION PROJECT PLAT	TPP
IDENTIFICATION	ID	UNITED STATES HIGHWAY	USH
LAND CONTRACT	LC	VOLUME	V
LEFT	LT		
MONUMENT	MON		
NATIONAL GEODETIC SURVEY	NGS		
NUMBER	NO		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED EASEMENT	PLE		
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

CURVE DATA ABBREVIATIONS

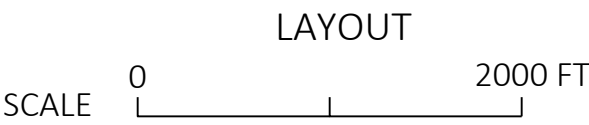
LONG CHORD	LCH
LONG CHORD BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
CENTRAL ANGLE	Δ/DELTA
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB

CONVENTIONAL UTILITY SYMBOLS

WATER	
GAS	
TELEPHONE	
OVERHEAD TRANSMISSION LINES	
ELECTRIC	
CABLE TELEVISION	
FIBER OPTIC	
SANITARY SEWER	
STORM SEWER	
ELECTRIC TOWER	



R 4 W



THE NOTES, CONVENTIONAL SIGNS, AND ABBREVIATIONS ARE ASSOCIATED WITH EACH TRANSPORTATION PROJECT PLAT FOR PROJECT 1610-00-27.

NOTES:

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), ASHLAND COUNTY, NAD83(2011), IN U.S. SURVEY FEET. VALUES ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

ALL RIGHT-OF-WAY LINES DEPICTED IN THE NON-ACQUISITION AREAS ARE INTENDED TO RE-ESTABLISH EXISTING RIGHT-OF-WAY LINES AS DETERMINED FROM PREVIOUS PROJECTS, OTHER RECORDED DOCUMENTS, CENTERLINE OF EXISTING PAVEMENTS AND/OR EXISTING OCCUPATIONAL LINES.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLEs) ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

A PERMANENT LIMITED EASEMENT (PLE) IS A RIGHT FOR CONSTRUCTION AND MAINTENANCE PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON AND THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE, BUT WITHOUT PREJUDICE TO THE OWNER'S RIGHTS TO MAKE OR CONSTRUCT IMPROVEMENTS ON SAID LANDS OR TO FLATTEN THE SLOPES, PROVIDING SAID ACTIVITIES WILL NOT IMPAIR OR OTHERWISE ADVERSELY AFFECT THE HIGHWAY FACILITIES.

PROPERTY LINES SHOWN ON THIS PLAT FOR PROPERTIES BEING IMPACTED ARE DRAWN FROM DATA DERIVED FROM FILED/RECORDED MAPS AND DOCUMENTS OF PUBLIC RECORD. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

FOR CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE TPP DETAIL PAGES.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE TPP DETAIL PAGES.

PROJECT NUMBER 1610-00-27-4.01
SHEET 2 OF 2
AMENDMENT NO:

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.01

THAT PART OF LOTS 17 THRU 20 AND PART OF LOT 24, BLOCK 321, ELLIS DIVISION, LOCATED IN PART OF THE SE 1/4 OF THE NW 1/4, AND PART OF LOTS 16 AND 17, BLOCK 321, ELLIS DIVISION, LOCATED IN PART OF THE SW 1/4 OF THE NE 1/4, ALL IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF ASHLAND HEREBY ORDERS THAT:

- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
- THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE CITY FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE CITY OF ASHLAND, PURSUANT TO THE PROVISIONS OF SECTION 62.22, WISCONSIN STATUTES.

RECOVERED MONUMENTS					
POINT	Y	X	DESCRIPTION	STATION	OFFSET
25690	319726.414	503383.979	MAG NAIL	1130+20.99	49.88' LT
25691	319853.380	503304.253	3/4" IRON PIPE	1131+70.92	49.73' LT
25684	319857.595	503419.487	1-1/4" IRON PIPE	1131+13.11	50.04' RT
25687	319906.617	503388.678	1" IRON PIPE	1131+71.01	50.08' RT

TLE STATION & OFFSET TABLE		
POINT	STATION	OFFSET
504	1129+49.00	49.84' LT
505	1129+76.00	55.00' LT
506	1129+80.00	65.00' LT
507	1130+27.00	65.00' LT
508	1130+30.00	55.00' LT
509	1130+61.00	49.88' LT
510	1131+59.00	49.95' LT
511	1131+62.00	54.00' LT
512	1131+70.87	54.00' LT

ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 13/ ELLIS AVE	TPP 1610-42-71/1610-43-71	2010
STH 13/ ELLIS AVE	T04-6 (18)	1962
STH 13/ ELLIS AVE	DIVISION JOB 8478	1938
STH 13/ ELLIS AVE, 12TH ST	ELLIS DIVISION	1887

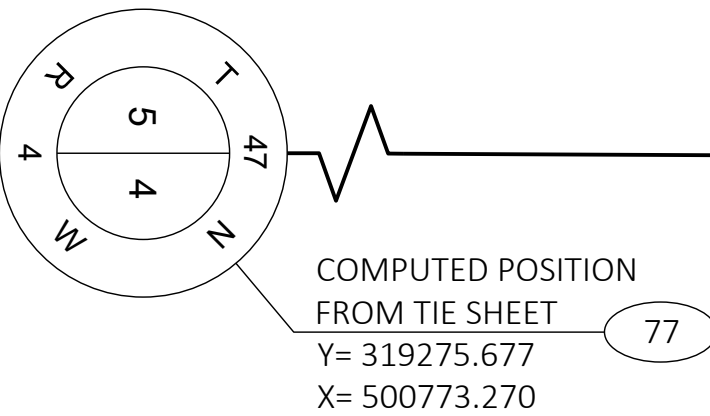
FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED AS SHEET 2 OF 2.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WICRS), ASHLAND COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

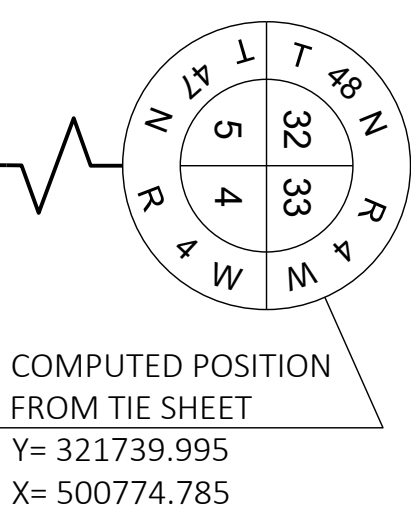
ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.



SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
77 - 200	N 00° 02' 07" E	630.38'
200 - 75	N 00° 02' 07" E	1833.94'
77 - 75	N 00° 02' 07" E	2464.32'
200 - 201	S 89° 57' 53" E	2557.20'



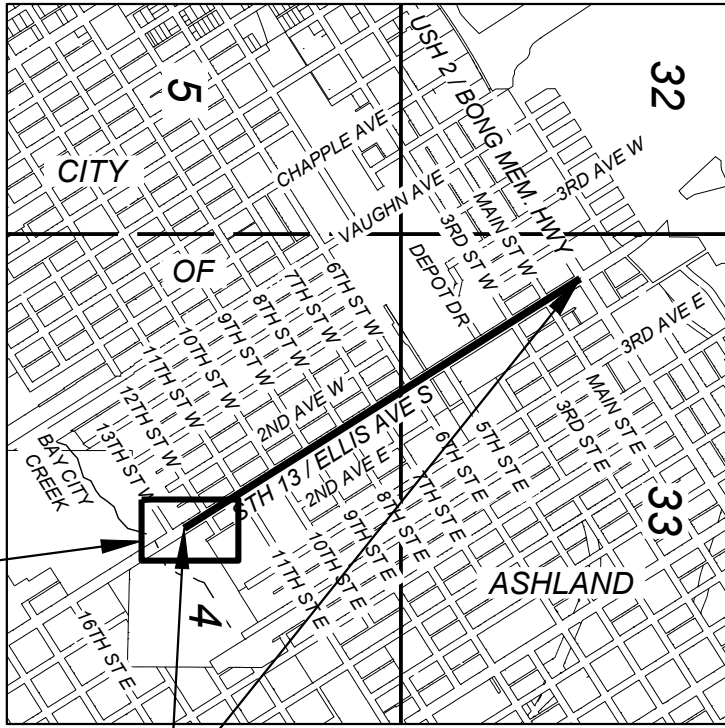
RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 1610-00-27-4.01
SHEET 1 OF 2

CITY

OF

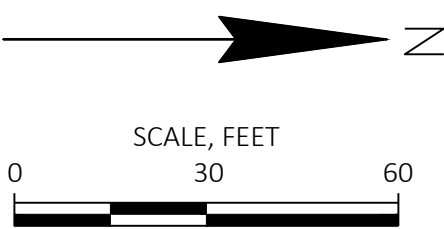
ASHLAND

LOCATION SKETCH
NOT TO SCALE



SHEET
LOCATION

PROJECT LOCATION



SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			TLE SQUARE FEET
			NEW	EXISTING	TOTAL	
1	NORTHLAND COLLEGE	TLE	-	-	-	229
5	THE NORTH WISCONSIN ACADEMY	TLE	-	-	-	744



SIGNATURE: DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.

SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.02

THAT PART OF LOT 24, BLOCK 303, PART OF LOTS 13 AND 24, BLOCK 279, PART OF LOTS 1 AND 12, BLOCK 304, PART OF LOT 1, BLOCK 578, ELLIS DIVISION, LOCATED IN PART OF THE SE 1/4 OF THE NW 1/4, AND PART OF LOT 12, BLOCK 578, LOCATED IN PART OF THE NE 1/4 OF THE NW 1/4, ALL IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

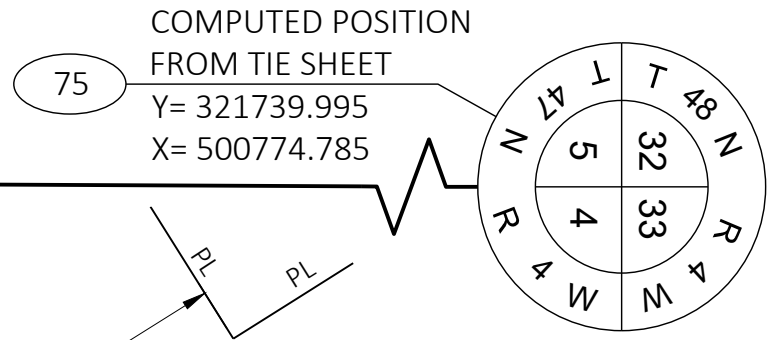
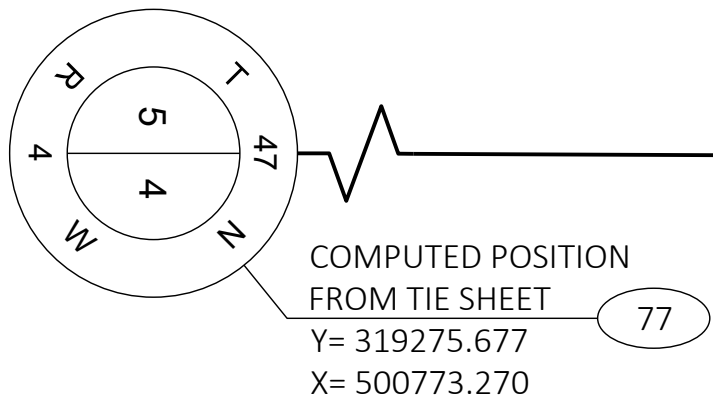
TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF ASHLAND HEREBY ORDERS THAT:

- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
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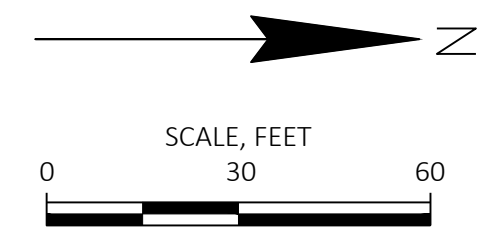
SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
77 - 202	N 00° 02' 07" E	943.48'
202 - 75	N 00° 02' 07" E	1520.84'
77 - 75	N 00° 02' 07" E	2464.32'
202 - 8	S 89° 57' 53" E	2359.89'

RECOVERED MONUMENTS					
POINT	Y	X	DESCRIPTION	STATION	OFFSET
25691	319853.380	503304.253	3/4" IRON PIPE	1131+70.92	49.73' LT
25687	319906.617	503388.678	1" IRON PIPE	1131+71.01	50.08' RT

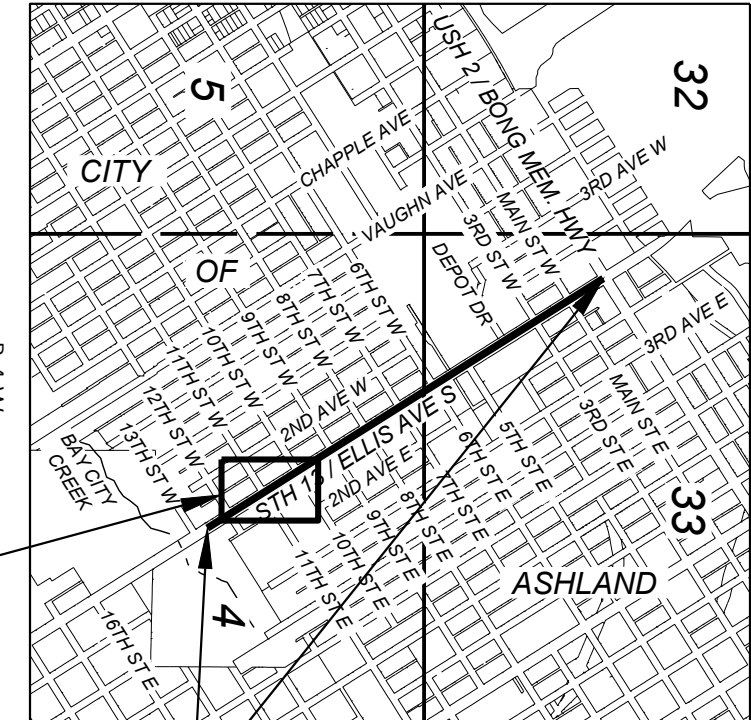
TLE STATION & OFFSET TABLE		
POINT	STATION	OFFSET
513	1135+31.00	50.11' LT
514	1135+31.00	53.00' LT
515	1135+36.82	54.00' LT
516	1136+02.85	60.00' LT
517	1136+12.00	50.14' LT
518	1138+93.00	50.16' LT
519	1139+02.00	55.00' LT
520	1139+03.29	62.00' RT
521	1138+99.00	54.00' RT
522	1138+86.00	49.84' RT
523	1136+12.00	49.86' RT
524	1136+03.29	58.00' RT
525	1135+37.33	53.00' RT
526	1135+25.00	49.90' RT
527	1132+53.00	50.03' RT
528	1132+37.01	55.00' RT



RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 1610-00-27-4.02



LOCATION SKETCH
NOT TO SCALE



OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO TRANSFER OF LAND INTERESTS TO THE CITY.

SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			TLE SQUARE FEET
			NEW	EXISTING	TOTAL	
2	JEFFREY W. MAPLE & MARYANN MAPLE	TLE	-	-	-	20
3	ADAM K. SOROKO & MARY E. FOGARTY	TLE	-	-	-	45
4	ANDREA A. KASPER IRREVOCABLE TRUST	TLE	-	-	-	22
6	LAWRENCE E. CICERO	TLE	-	-	-	40
7	PAUL & EILEEN A. VAN PERNIS REVOCABLE TRUST	TLE	-	-	-	19
8	SCHOOL DISTRICT OF ASHLAND	TLE	-	-	-	97



I, JASON L. CANCE PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION THE CITY OF ASHLAND, I HAVE SURVEYED AND MAPPED THIS TRANSPORTATION PROJECT PLAT AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.

SIGNATURE: DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.

SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN ASHLAND COUNTY AS SHEET 2 OF 2 DOCUMENT NUMBER XXXXXXXX.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), ASHLAND COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.03

THAT PART OF LOT 13, BLOCK 258, PART OF LOT 24, BLOCK 236, PART OF LOTS 1 AND 12, BLOCK 259, AND PART OF LOT 12 BLOCK 235, ELLIS DIVISION, LOCATED IN PART OF THE NE 1/4 OF THE NW 1/4, SECTION 4, TOWNSHIP 47 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

- TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF ASHLAND HEREBY ORDERS THAT:
- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
 - THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE CITY FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE CITY OF ASHLAND, PURSUANT TO THE PROVISIONS OF SECTION 62.22, WISCONSIN STATUTES.

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN ASHLAND COUNTY AS SHEET 2 OF 2 DOCUMENT NUMBER XXXXXXXX.

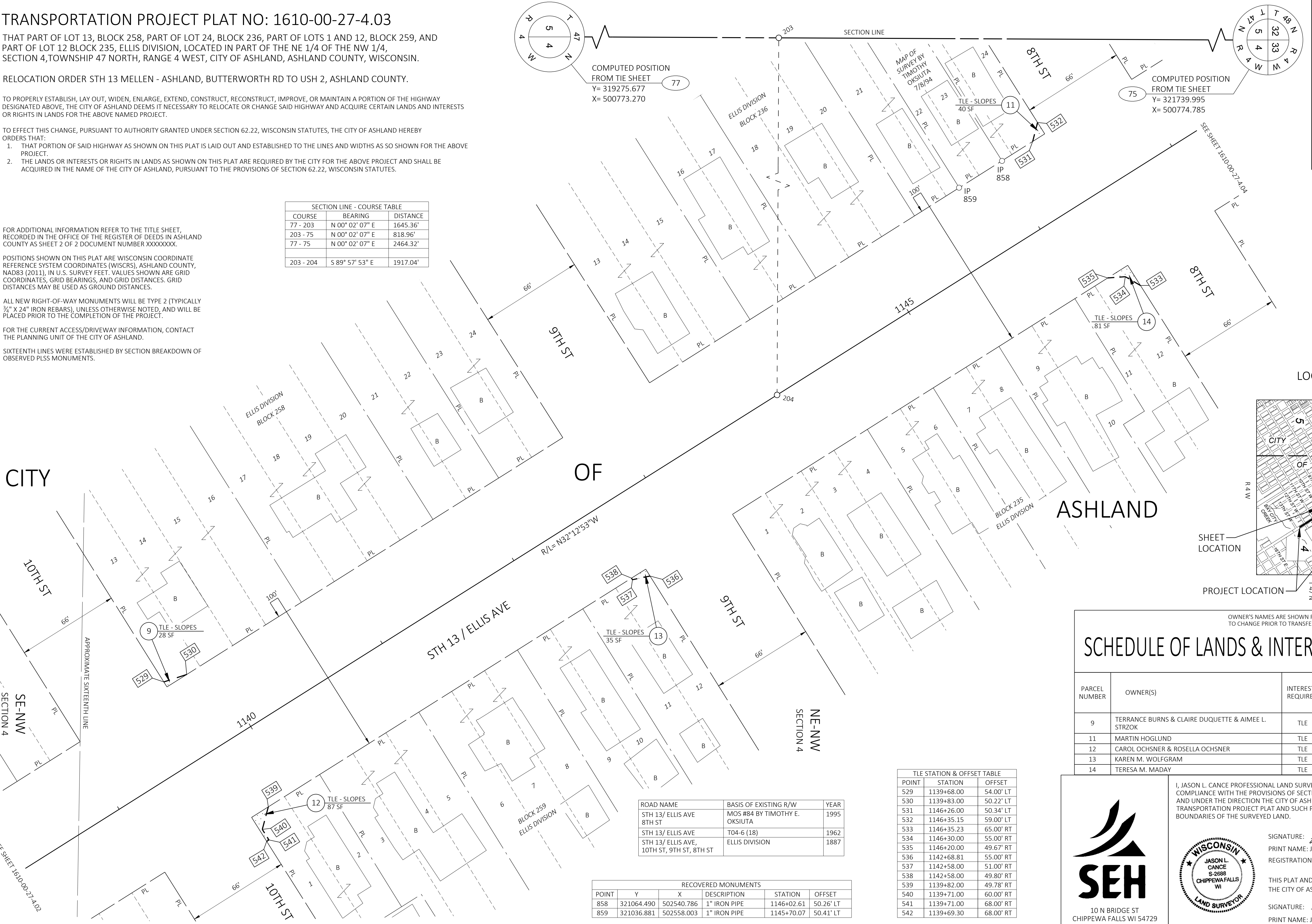
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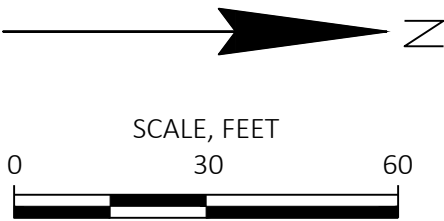
FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.

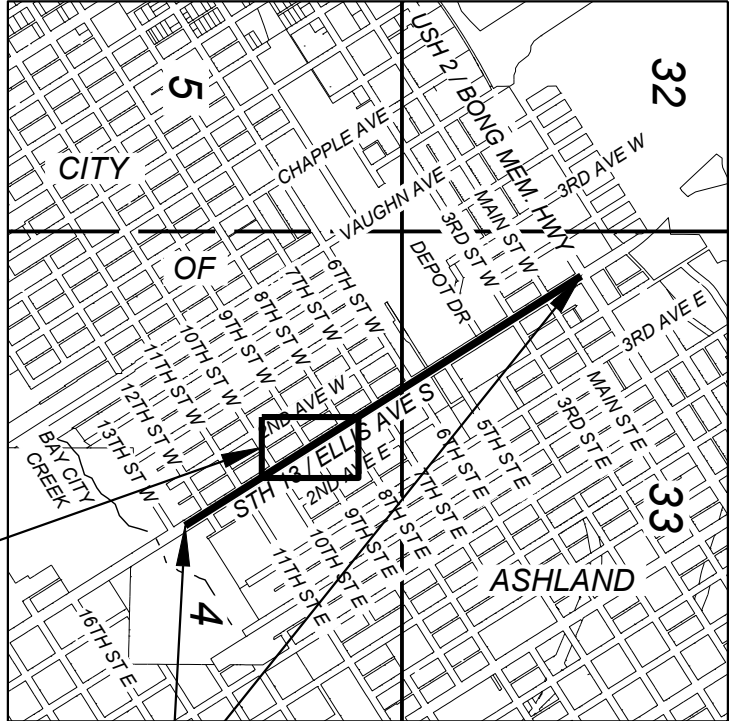
SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
77 - 203	N 00° 02' 07" E	1645.36'
203 - 75	N 00° 02' 07" E	818.96'
77 - 75	N 00° 02' 07" E	2464.32'
203 - 204	S 89° 57' 53" E	1917.04'



RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 1610-00-27-4.03



LOCATION SKETCH
NOT TO SCALE



PROJECT LOCATION

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO TRANSFER OF LAND INTERESTS TO THE CITY.

SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			TLE SQUARE FEET
			NEW	EXISTING	TOTAL	
9	TERRANCE BURNS & CLAIRE DUQUETTE & AIMEE L. STRZOK	TLE	-	-	-	28
11	MARTIN HOGLUND	TLE	-	-	-	40
12	CAROL OCHSNER & ROSELLA OCHSNER	TLE	-	-	-	87
13	KAREN M. WOLFGGRAM	TLE	-	-	-	35
14	TERESA M. MADAY	TLE	-	-	-	81



I, JASON L. CANCE PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION THE CITY OF ASHLAND, I HAVE SURVEYED AND MAPPED THIS TRANSPORTATION PROJECT PLAT AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.

SIGNATURE: *Jason L. Cance* DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.

SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.04

THAT PART OF LOTS 13 AND 24, BLOCK 212, PART OF LOT 24, BLOCK 192, PART OF LOTS 1 AND 12, BLOCK 213, AND PART OF LOT 1, BLOCK 191, ELLIS DIVISION, LOCATED IN PART OF THE NE 1/4 OF THE NW 1/4, SECTION 4, TOWNSHIP 47 NORTH, RANGE 4 WEST, AND PART OF LOTS 11 AND 12, BLOCK 191, ELLIS DIVISION, LOCATED IN PART OF THE SE 1/4 OF THE SW 1/4, SECTION 33, TOWNSHIP 48 NORTH, RANGE 4 WEST, ALL IN THE CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

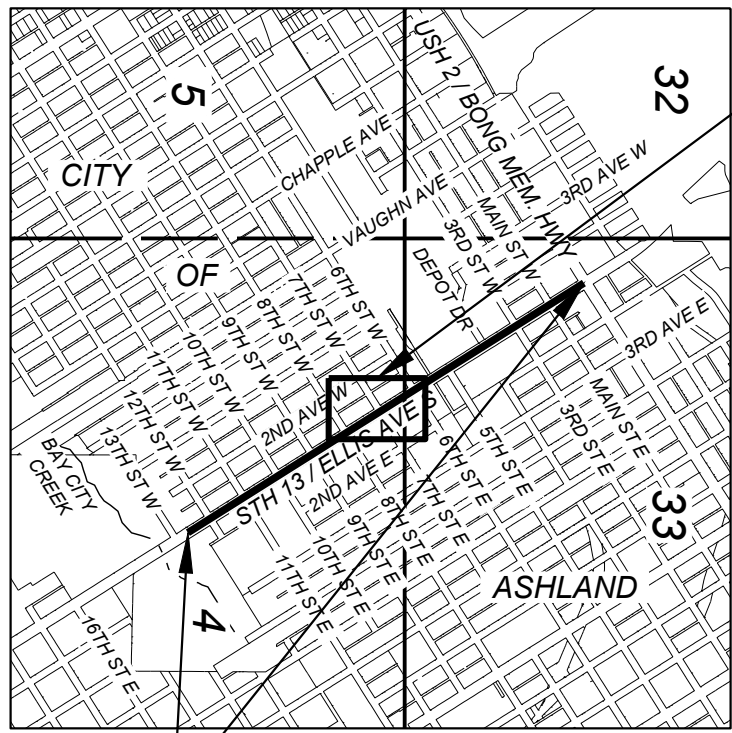
RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF ASHLAND HEREBY ORDERS THAT:

- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
- THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE CITY FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE CITY OF ASHLAND, PURSUANT TO THE PROVISIONS OF SECTION 62.22, WISCONSIN STATUTES.

LOCATION SKETCH
NOT TO SCALE



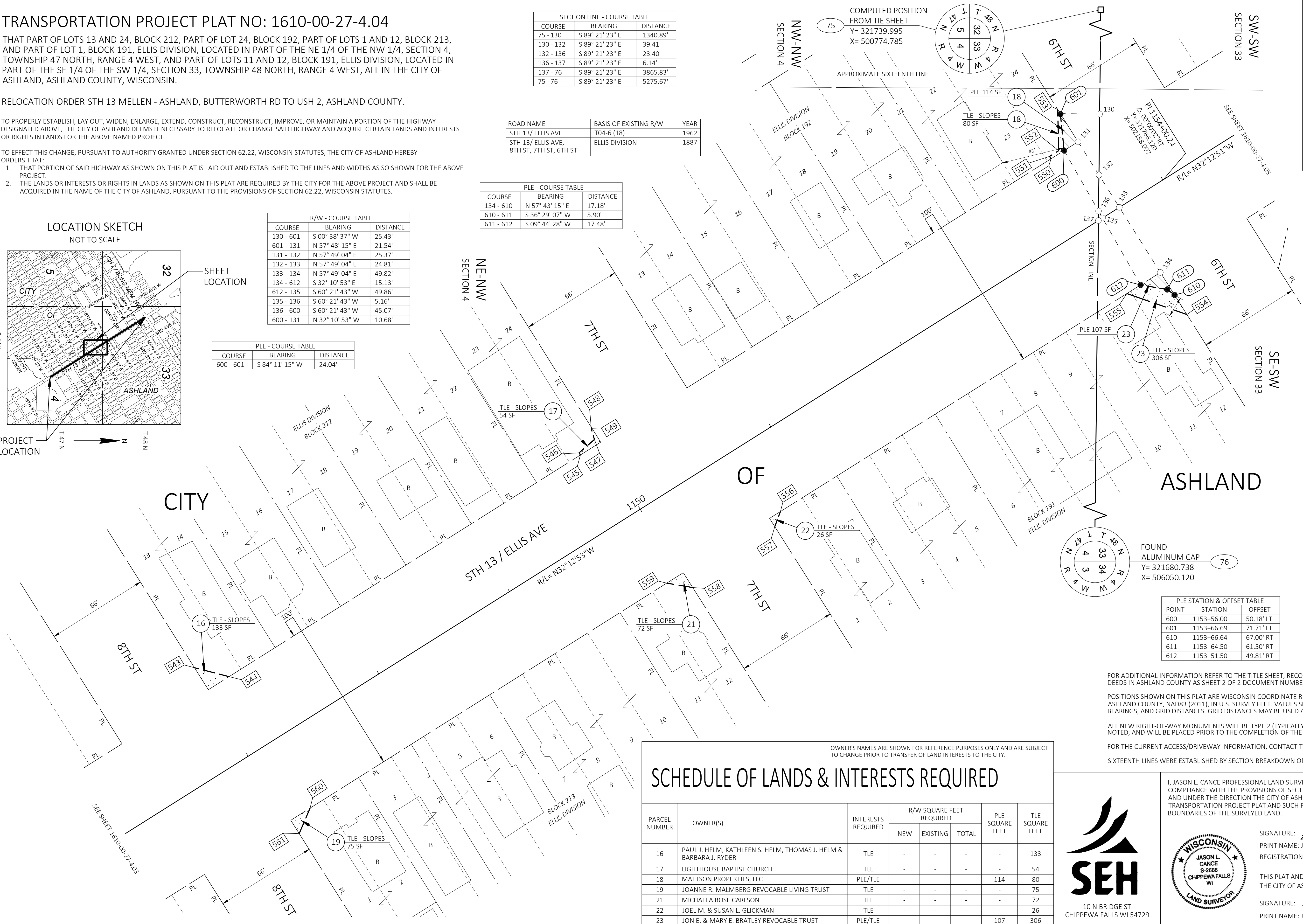
PLE - COURSE TABLE		
COURSE	BEARING	DISTANCE
600 - 601	S 84° 11' 15" W	24.04'

R/W - COURSE TABLE		
COURSE	BEARING	DISTANCE
130 - 601	S 00° 38' 37" W	25.43'
601 - 131	N 57° 48' 15" E	21.54'
131 - 132	N 57° 49' 04" E	25.37'
132 - 133	N 57° 49' 04" E	24.81'
133 - 134	N 57° 49' 04" E	49.82'
134 - 612	S 32° 10' 53" E	15.13'
612 - 135	S 60° 21' 43" W	49.86'
135 - 136	S 60° 21' 43" W	5.16'
136 - 600	S 60° 21' 43" W	45.07'
600 - 131	N 32° 10' 53" W	10.68'

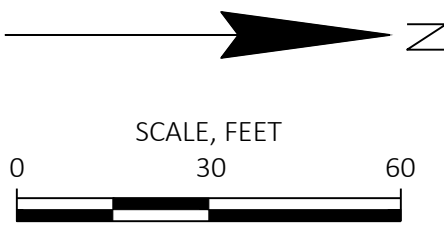
PLE - COURSE TABLE		
COURSE	BEARING	DISTANCE
134 - 610	N 57° 43' 15" E	17.18'
610 - 611	S 36° 29' 07" W	5.90'
611 - 612	S 09° 44' 28" W	17.48'

SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
75 - 130	S 89° 21' 23" E	1340.89'
130 - 132	S 89° 21' 23" E	39.41'
132 - 136	S 89° 21' 23" E	23.40'
136 - 137	S 89° 21' 23" E	6.14'
137 - 76	S 89° 21' 23" E	3865.83'
75 - 76	S 89° 21' 23" E	5275.67'

ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 13/ ELLIS AVE	T04-6 (18)	1962
STH 13/ ELLIS AVE, 8TH ST, 7TH ST, 6TH ST	ELLIS DIVISION	1887



RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 1610-00-27-4.04



TLE STATION & OFFSET TABLE		
POINT	STATION	OFFSET
543	1147+01.15	67.00' LT
544	1147+17.00	50.19' LT
545	1149+86.00	50.36' LT
546	1149+86.00	52.00' LT
547	1149+99.00	54.00' LT
548	1150+01.00	61.00' LT
549	1150+01.51	61.00' LT
550	1153+46.00	50.19' LT
551	1153+46.00	52.00' LT
552	1153+53.00	52.00' LT
553	1153+66.69	75.00' LT
554	1153+66.66	82.00' RT
555	1153+41.00	49.81' RT
556	1150+76.00	49.65' RT
557	1150+67.70	56.00' RT
558	1150+01.71	61.00' RT
559	1149+89.00	49.64' RT
560	1147+16.00	49.81' RT
561	1147+01.23	60.00' RT

R/W STATION & OFFSET TABLE		
POINT	STATION	OFFSET
131	1153+66.68	50.18' LT
132	1153+66.67	24.81' LT
133	1153+66.65	0.00'
134	1153+66.63	49.82' RT
135	1153+53.74	0.00'
136	1153+53.97	5.16' LT
137	1153+50.64	0.00'

PLE STATION & OFFSET TABLE		
POINT	STATION	OFFSET
600	1153+56.00	50.18' LT
601	1153+66.69	71.71' LT
610	1153+66.64	67.00' RT
611	1153+64.50	61.50' RT
612	1153+51.50	49.81' RT

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN ASHLAND COUNTY AS SHEET 2 OF 2 DOCUMENT NUMBER XXXXXXXX.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), ASHLAND COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND. SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.

I, JASON L. CANCE PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION THE CITY OF ASHLAND, I HAVE SURVEYED AND MAPPED THIS TRANSPORTATION PROJECT PLAT AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.



SIGNATURE: *Jason L. Cance* DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.

SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER



SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			PLE SQUARE FEET	TLE SQUARE FEET
			NEW	EXISTING	TOTAL		
16	PAUL J. HELM, KATHLEEN S. HELM, THOMAS J. HELM & BARBARA J. RYDER	TLE	-	-	-	-	133
17	LIGHTHOUSE BAPTIST CHURCH	TLE	-	-	-	-	54
18	MATTSON PROPERTIES, LLC	PLE/TLE	-	-	-	114	80
19	JOANNE R. MALMBERG REVOCABLE LIVING TRUST	TLE	-	-	-	-	75
21	MICHAELA ROSE CARLSON	TLE	-	-	-	-	72
22	JOEL M. & SUSAN L. GLICKMAN	TLE	-	-	-	-	26
23	JON E. & MARY E. BRATLEY REVOCABLE TRUST	PLE/TLE	-	-	-	107	306

PLOT DATE : 6/27/2023 4:45 PM

PLOT BY : NICOLE STEINMETZ

PLOT NAME :

FILE NAME : X:\KO\N\NWBE0\164357\5-FINAL-DSGN\51-DRAWINGS\40-TRANSHWY\C3D-20\1610-00-07\RW\DWG\040101-RP.DWG
APPRAISAL PLAT DATE : 6-27-23

WISDOT 1610-00-27-4.04

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.05

THAT PART OF LOT 2, CSM 526, V. 3, P. 261, DOC. 310474, AND PART OF LOT 24, BLOCK 165, PART OF LOT 13, BLOCK 151, PART OF LOT 1, BLOCK 150, ELLIS DIVISION, PART OF VACATED 4TH ST, PART OF VACATED 5TH ST, V. 525, P. 125, DOC. X273458 AND PART OF LOT 2, CSM 503, V. 3, P. 216, DOC. 308224, LOCATED IN PART OF THE SW 1/4 OF THE SW 1/4, AND PART OF LOT 1, BLOCK 166, ELLIS DIVISION, LOCATED IN PART OF THE SE 1/4 OF THE SW 1/4, ALL IN SECTION 33, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

- TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 62.22, WISCONSIN STATUTES, THE CITY OF ASHLAND HEREBY ORDERS THAT:
- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
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UTILITY INTERESTS REQUIRED		
UTILITY NUMBER	OWNER (S)	INTEREST REQUIRED
80	XCEL ENERGY - ELECTRIC	RELEASE OF RIGHTS

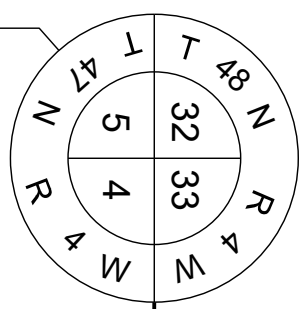
UTILITY EASEMENT TABLE			
UTILITY NUMBER	PARCEL	RECORDING INFORMATION	NAME
80	24, 26, 28	NO RECORD OF EASEMENT	XCEL ENERGY

RECOVERED MONUMENTS					
POINT	Y	X	DESCRIPTION	STATION	OFFSET
846	322334.667	501737.562	1/2" IRON PIPE	1161+05.44	52.72' LT
856	321969.117	502088.138	1-1/4" IRON PIPE	1156+09.28	49.03' RT

ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 13/ ELLIS AVE, 6TH ST W	CSM 526, V. 3, P. 261, DOC. 310474	2008
STH 13/ ELLIS AVE, 5TH ST E	CSM 503, V. 3, P. 216, DOC. 308224	2007
VACATED 4TH ST	MAP OF SURVEY BY TIMOTHY OKSIUTA	1999
VACATED 4TH ST	MAP OF SURVEY BY LARRY NELSON	1990
STH 13/ ELLIS AVE, 6TH ST, 5TH ST	ELLIS DIVISION	1887

SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
75 - 140	S 89° 21' 23" E	1304.84'
140 - 137	S 89° 21' 23" E	105.00'
137 - 76	S 89° 21' 23" E	3865.83'
75 - 76	S 89° 21' 23" E	5275.67'

COMPUTED POSITION FROM TIE SHEET
Y= 321739.995
X= 500774.785

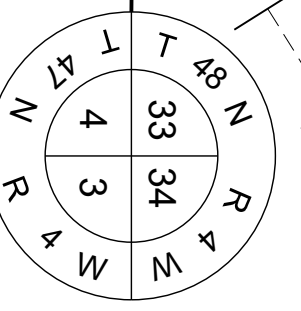


CITY

NW-NW
SECTION 4

NE-NW
SECTION 4

FOUND ALUMINUM CAP
Y= 321680.738
X= 506050.120



FILE NAME : X:\KO\NW\BEO\164357\5-FINAL-DSGN\51-DRAWINGS\40-TRANSHWY\C3D-20\1610-00-07\RW\DWG\040101-RP.DWG
APPRAISAL PLAT DATE : 6-27-23

SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			PLE SQUARE FEET	TLE SQUARE FEET
			NEW	EXISTING	TOTAL		
24	KWIK TRIP, INC.	PLE/TLE	-	-	-	281	388
26	G & R ASSOCIATES, L.L.P.	TLE	-	-	-	-	1043
27	WINGER PROPERTIES, LLC	TLE	-	-	-	-	74
28	THE BRICK MINISTRIES, INC.	TLE	-	-	-	-	68



SIGNATURE: DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688
THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.
SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER

PLOT DATE : 6/27/2023 4:45 PM PLOT BY : NICOLE STEINMETZ PLOT NAME : WISDOT 1610-00-27-4.05

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.06

THAT PART OF LOTS 14 AND 24, BLOCK 121, PART OF LOTS 13 AND 24, BLOCK 109, PART OF LOT 12, BLOCK 122, AND PART OF LOT 12, BLOCK 108, ELLIS DIVISION, AND PART OF LOT 1, CSM 437, V. 3, P. 55, DOC. X293610, LOCATED IN PART OF THE SW 1/4 OF THE SW 1/4, SECTION 33, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

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RECOVERED MONUMENTS					
POINT	Y	X	DESCRIPTION	STATION	OFFSET
842	322949.858	501352.208	MAG NAIL	1168+31.36	50.80' LT

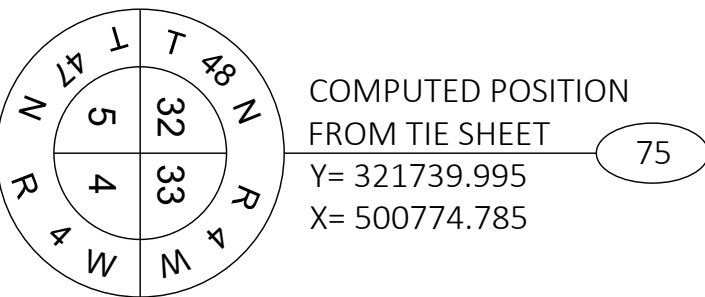
PLE - COURSE TABLE		
COURSE	BEARING	DISTANCE
613 - 614	S 77° 11' 14" W	12.47'
614 - 183	N 57° 41' 38" E	11.75'
183 - 613	S 32° 17' 54" E	4.16'

PLE - COURSE TABLE		
COURSE	BEARING	DISTANCE
615 - 616	N 78° 43' 00" E	15.40'
616 - 617	S 32° 12' 51" E	1.46'
617 - 184	S 57° 45' 20" W	14.37'
184 - 615	N 32° 17' 47" W	6.97'

PLE - COURSE TABLE		
COURSE	BEARING	DISTANCE
619 - 185	N 32° 17' 54" W	4.03'
185 - 618	N 57° 45' 20" E	7.75'
618 - 619	S 30° 15' 15" W	8.73'

SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
75 - 160	S 89° 21' 23" E	946.04'
160 - 76	S 89° 21' 23" E	4329.63'
75 - 76	S 89° 21' 23" E	5275.67'

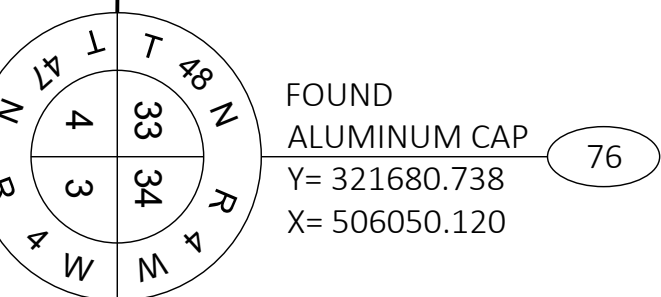
ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 13/ ELLIS AVE, MAIN ST	MOS #1189 BY TIMOTHY E. OKSIUTA	2016
STH 13/ ELLIS AVE, 3RD ST E	CSM 437, V. 3, P. 55, DOC. X293610	2004
STH 13/ ELLIS AVE, 3RD ST, MAIN ST	ELLIS DIVISION	1887



COMPUTED POSITION
FROM TIE SHEET
Y= 321739.995
X= 500774.785

SECTION LINE

CITY



FOUND
ALUMINUM CAP
Y= 321680.738
X= 506050.120

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN ASHLAND COUNTY AS SHEET 2 OF 2 DOCUMENT NUMBER XXXXXXXX.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), ASHLAND COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.

R/W - COURSE TABLE		
COURSE	BEARING	DISTANCE
160 - 143	N 00° 38' 37" E	626.37'
143 - 182	N 32° 10' 13" W	4.00'
182 - 183	N 32° 17' 54" W	333.22'
183 - 161	N 32° 19' 14" W	66.00'
161 - 842	N 32° 17' 47" W	299.70'
842 - 162	N 57° 18' 11" E	50.80'
162 - 163	N 57° 18' 11" E	49.20'
163 - 184	S 32° 17' 47" E	300.67'
184 - 185	S 32° 19' 14" E	66.00'
185 - 181	S 32° 17' 54" E	333.06'
181 - 145	S 32° 10' 13" E	4.11'
145 - 144	S 57° 49' 47" W	50.24'
144 - 143	S 57° 49' 47" W	49.76'

TRANSPORTATION PROJECT PLAT NO: 1610-00-27-4.07

THAT PART OF LOT 3, CSM 502, V. 3, P. 214, DOC. 308179, LOCATED IN PART OF THE SW 1/4 OF THE SW1/4, AND PART OF LOTS 1 AND 2, BLOCK 78, ELLIS DIVISION, LOCATED IN PART OF GOV. LOT 4, SECTION 33, TOWNSHIP 48 NORTH, RANGE 4 WEST, CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN.

RELOCATION ORDER STH 13 MELLEN - ASHLAND, BUTTERWORTH RD TO USH 2, ASHLAND COUNTY.

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE CITY OF ASHLAND DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE NAMED PROJECT.

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ROAD NAME	BASIS OF EXISTING R/W	YEAR
STH 13/ ELLIS AVE, USH 2	R/W PROJECT PLAT 1180-40-21	2007
STH 13/ ELLIS AVE, USH 2, MAIN ST W	CSM 502, V. 3, P. 214, DOC. 308179	2007
STH 13/ ELLIS AVE, MAIN ST	ELLIS DIVISION	1887

R/W STATION & OFFSET TABLE		
POINT	STATION	OFFSET
162	1168+31.79	0.00'
163	1168+32.20	49.20' RT
171	1168+97.36	50.66' LT
172	1171+97.61	50.81' LT
173	1171+97.60	0.00'
174	1171+97.60	49.19' RT
175	1168+98.20	49.34' RT
842	1168+31.36	50.80' LT

TLE STATION & OFFSET TABLE		
POINT	STATION	OFFSET
484	1168+98.23	73.00' RT
485	1169+08.00	73.00' RT
486	1169+08.00	54.00' RT
487	1169+32.00	54.00' RT
488	1169+32.00	49.32' RT
489	1169+01.28	50.66' LT
490	1169+01.27	62.00' LT
491	1168+97.35	62.00' LT

RESERVED FOR REGISTER OF DEEDS
PROJECT NUMBER 1610-00-27-4.07

SECTION LINE - COURSE TABLE		
COURSE	BEARING	DISTANCE
75 - 170	S 89° 21' 23" E	563.80'
170 - 76	S 89° 21' 23" E	4711.87'
75 - 76	S 89° 21' 23" E	5275.67'

R/W - COURSE TABLE		
COURSE	BEARING	DISTANCE
170 - 842	N 00° 38' 37" E	1216.27'
842 - 171	N 32° 05' 39" W	66.00'
171 - 172	N 32° 14' 31" W	300.25'
172 - 173	N 57° 47' 49" E	50.81'
173 - 174	N 57° 47' 49" E	49.19'
174 - 175	S 32° 14' 31" E	299.39'
175 - 163	S 32° 05' 37" E	66.00'
163 - 162	S 57° 18' 11" W	49.20'
162 - 842	S 57° 18' 11" W	50.80'

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN ASHLAND COUNTY AS SHEET 2 OF 2 DOCUMENT NUMBER XXXXXXXX.

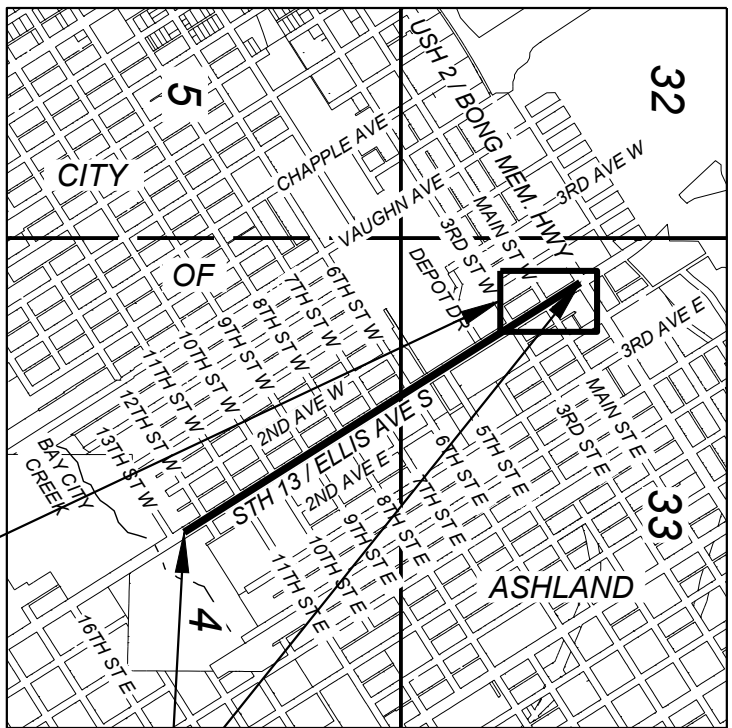
POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), ASHLAND COUNTY, NAD83 (2011), IN U.S. SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

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FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF ASHLAND.

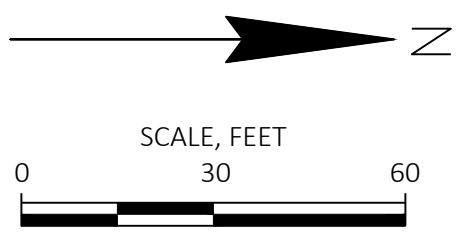
SIXTEENTH LINES WERE ESTABLISHED BY SECTION BREAKDOWN OF OBSERVED PLSS MONUMENTS.

LOCATION SKETCH
NOT TO SCALE



SHEET LOCATION

PROJECT LOCATION



RECOVERED MONUMENTS					
POINT	Y	X	DESCRIPTION	STATION	OFFSET
842	322949.858	501352.208	MAG NAIL	1168+31.36	50.80' LT

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO TRANSFER OF LAND INTERESTS TO THE CITY.

SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTERESTS REQUIRED	R/W SQUARE FEET REQUIRED			TLE SQUARE FEET
			NEW	EXISTING	TOTAL	
38	SHEN PROPERTIES, LLC	TLE	-	-	-	44
39	INDIANHEAD OIL CO., INC.	TLE	-	-	-	344



SIGNATURE: *Jason L. Cance* DATE: 6-27-23
PRINT NAME: JASON L. CANCE
REGISTRATION NUMBER: S-2688

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE CITY OF ASHLAND.

SIGNATURE: _____ DATE: _____
PRINT NAME: JOHN BUTLER

SUBJECT: Approval of an Authorizing Resolution for the Urban Forestry Grant and Urban Forestry Catastrophic Storm Grant Programs (*Parks & Recreation*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks & Recreation

CLEARANCES: Unanimously approved by Committee of the Whole, September 12, 2023

EXHIBITS: 1. Proposed Resolution No. 177340

EXPENDITURES REQUIRED: \$ 25,000 - DNR Grant Request
\$ 25,000 - City Match
\$ 50,000 - Total

AMOUNT BUDGETED: \$ 10,000 - Fund 480 Urban Forestry (2024 Budget)
\$ 15,000 - In Kind Match (Staff and Equipment)
\$ 25,000 - City Match

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

At their September 12, 2023 Committee of the Whole meeting, Council agreed to advance an authorizing resolution to apply for a WDNR Urban Forestry Grant for formal approval. This grant would allow staff to continue to:

- Implement the City's EAB readiness plan with the treatment of 100 Ash Trees (from Prentice Ave to approximately Beaser Ave) that are between the DBH (diameter breast height) of 10-1"
- Removal of up to 60 ash trees which were assessed to be in poor to fair condition based on the 2021 Tree Assessment and now infected with EAB
- Replanting and diversifying the City's urban forest, number of trees TBD
- Update the City of Ashland's Tree Management Plan. This plan was last updated in 2018. It is advised these plans get updated every 5 years.

The DNR Urban Forestry Grant is a 50/50 grant with a funding match of up to \$25,000. The match for this grant will come from the 2024 Fund 480 Budget (TBD) and City staff and equipment time.

The DNR Urban Forestry Grant is due October 1, 2023.

A draft of the grant proposal will be provided at the City Council Meeting.

RESOLUTION No. 17740

AUTHORIZING RESOLUTION FOR URBAN FORESTRY GRANT AND URBAN FORESTRY CATASTROPHIC STORM GRANT PROGRAMS

WHEREAS, the applicant, the City of Ashland, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry projects or urban forestry catastrophic storm projects specified in s. 23.097(1g) and (1r), Wis. Stats.; and

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project.

NOW, THEREFORE, BE IT RESOLVED, the applicant, City of Ashland, Wisconsin will comply with all local, state, and federal rules, regulations and ordinances relating to this project and the cost-share agreement.

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers Sara Hudson, Parks and Recreation Director, its official or employee, to act on its behalf to:

1. Sign and submit the grant application
2. Sign a grant agreement between applicant and the DNR
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement
4. Submit grant reimbursement request to the DNR
5. Sign and submit other required documentation

I hereby certify that the foregoing resolution was duly adopted by the Common Council of the City of Ashland at a legal meeting on the 26th day of September, 2023

Authorized Signature	Title	Date Certified

APPROVED: September 26, 2023

Aldersperson

ATTEST:

Denise Oliphant, City Clerk

Matthew MacKenzie, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

SUBJECT: Consideration of an Original Alcohol Beverage License Application for Anchor Islands, LLC, 315 Turner Road, and Agent Anthony Jennings (*Clerk*) Roll

RECOMMENDATION: Deny Application Unless Project is Near Completion

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: City Clerk

EXHIBITS:

1. Original Application, Anchor Islands LLC
2. Alcohol Beverage License Application Supplemental Questionnaire
3. Schedule for Appointment of Agent
4. Publication Notice

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** The Treasurer's Office has certified on September 20, 2023 that Anchor Islands LLC is in compliance with the provisions of Ordinance 923.10 Ashland City Ordinances.

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

The City Clerk received an original alcohol license application from Anthony Jennings, Agent for Anchor Islands, LLC dba Anchor Islands, at 315 Turner Road, Ashland. The license would enable retail sales of Class B Fermented Malt Beverages and Class B Intoxicating Alcohol.

At their August 29, 2023 meeting, Council determined to not renew an alcohol license for Elite Four LLC at this location after a 60 day provisional license was granted. The reason for not renewing the license was that the business was in violation of [Chapter 922.40\(g\)](#) Failure to do business. Although extensive work had been done on the property, construction had not been completed and did not pass inspection, according to the Fire Chief and Building Inspector. Because the license was not renewed versus revoked, the property owner was able to reapply immediately after Council's decision.

Building and fire re-inspections are planned for Monday, September 25, 2023 to gauge progress and a potential timeline for acceptable completion of the project. These reports will be made available to Council at the time of the meeting.

If inspection reports show little to no progress or a potential completion date beyond six months, it is recommended to Council to deny the application until the building project is complete or near complete, passing all inspections.

If there is substantial completion shown to warrant very near future operations, it would be recommended to approve the license with the contingency of 100% completion and passing final inspections.

Original Alcohol Beverage
License Application

FOR CLERKS ONLY

Municipality

License Period

License(s) Requested

- ☐ Class "A" Beer \$ _____ ☐ "Class A" Liquor \$ _____
- ☒ Class "B" Beer \$ 100 ☒ "Class B" Liquor \$ 500
- ☐ "Class C" Wine \$ _____ ☐ "Class A" Liquor (Cider Only) \$ _____
- ☐ Reserve "Class B" Liquor \$ _____ ☐ "Class B" (Wine Only) Winery \$ _____

License Fees	\$
Publication Fee	\$ <u>50</u>
Background Check	\$
Total Fees	\$ <u>650</u>

Part A: Premises/Business Information

1. Legal Business Name (registered entity name or individual's name if sole proprietorship)

Anchor Islands LLC

2. Trade Name or DBA

3. Premises Address

315 Turner Road, Ashland, WI 54806

4. County

Ashland

5. Municipality

City of Ashland

6. Aldermanic District

District 1

7. Mailing Address (if different from premises address)

8. FEIN

84-3013863

9. Wisconsin Seller's Permit Number

456102949162704

10. Premises Phone

(715) 292-6513

11. Premises Email

anthony@aijennings.com

12. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

13. Premises Description - Describe the building or buildings where alcohol beverages are to be sold and stored. Describe all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. Alcohol beverages may be sold and stored ONLY on the premises described in this application. Attach additional sheets if necessary.

Dining room, Server's room, kitchen, deck, basement
liquor lockup

Part B: Questions

1. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit a copy of Responsible Beverage Server Training Course Certificate. ☐ Yes ☒ No
2. Does the applicant business or its partners, officers, directors, managing members, or agent hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? ☐ Yes ☒ No
If yes, please explain using the space below. Attach additional sheets if necessary.

Part C: For Corporate/LLC Applicants Only

1. State of Registration Wisconsin		2. Date of Registration 09/10/19
3. Is the applicant business owned by another corporation or LLC? If yes, please provide the name and FEIN of the parent company below, include parent company members in Part D, and attach Form AT-103 for all of the parent company's principal members, managers, officers, or directors ☐ Yes ☒ No		
Name of Parent Company	FEIN of Parent Company	
4. Does the parent company or any of its officers, directors, managing members, or agent hold any direct or indirect interest in any other alcohol beverage wholesaler or producer (e.g., brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets if necessary. ☐ Yes ☒ No		
5. Agent's Last Name Jennings	Agent's First Name Anthony	Phone 715-209-6841

Part D: Individual Information

A Supplemental Questionnaire, Form AT-103, must be completed and attached to this application for each person involved in the applicant business and any parent company as indicated in Part C. Persons in the applicant business include: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all managing members and agent of a limited liability company.

List the full name, title, and phone number for each person below. Attach additional sheets if necessary.

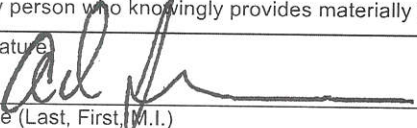
Last Name	First Name	Title	Phone
Jennings	Anthony	Owner/Manager	715-209-6841

Part E: Attestation

Who must sign this application?

- sole proprietor • one general partner of a partnership • one corporate officer • one managing member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date 08/31/2023
Name (Last, First, M.I.) Jennings, Anthony, I.	
Title Owner / Manager	Email anthony@wijennings.com
Phone 715-209-6841	

Part F: For Clerk Use Only

Date application was filed with clerk	Date reported to governing body	Date provisional license issued (if applicable)
Date license granted	License number	Date license issued
Signature of Clerk/Deputy Clerk		

Alcohol Beverage License Application
Supplemental Questionnaire

Date

This form must be submitted to the municipal clerk, and be accompanied by one or more of the following forms: AT-104, AT-106, AT-108, AT-115, or AT-200. One Form AT-103 must be completed by each person involved in the applicant business or parent company including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- managing members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Supplemental Questionnaires are submitted.

Part A: Premises/Business Information				
1. Registered Entity Name (or individual name if sole proprietor) Anchor Islands LLC				
2. Trade Name or DBA				
3. Entity Type (check one)				
☐ Sole Proprietor	☐ Partnership	☒ Limited Liability Company	☐ Corporation	☐ Nonprofit Organization

Part B: Individual Information				
1. Name (Last, First, M.I.) Jennings, Anthony I.				
2. Relationship to Registered Entity (Title) Owner / Manager		3. Email anthony@aijennings.com		4. Phone 715-209-6841
5. Home Address 6424 Summit Road				
6. City Washburn		7. State WI	8. Zip Code 54806	9. Date of Birth 04/06/60
10. Drivers License/State ID Number J552-0096-0126-04			11. Drivers License/State ID State of Issuance Wisconsin	

Part C: Address History	
List in chronological order your last two residence addresses within the last 5 years.	
Previous Address 1 6424 Summit Road	
Previous City, State, Zip Washburn, WI 54891	Dates (MM/YYYY - MM/YYYY) 06/2021-Current
Previous Address 2 608 Chapple Avenue	
Previous City, State, Zip Ashland, WI 54806	Dates (MM/YYYY - MM/YYYY) 05/2018-06/2021

Part D: Employment History	
List in chronological order your last two employers within the last 5 years.	
Employer's Name Anthony Jennings & Crew Real Estate	
Employer's Address 315 Turner Road, Ashland WI 54806	Dates Employed (MM/YYYY - MM/YYYY) 08/2019-Current
Employer's Name Blue Water Realty	
Employer's Address 109 W Bayfield St Washburn, WI 54891	Dates Employed (MM/YYYY - MM/YYYY) 05/2015-08-2019

Part E: Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No
Law/Ordinance Violated	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (other than traffic offenses unrelated to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☐ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part F: Questions

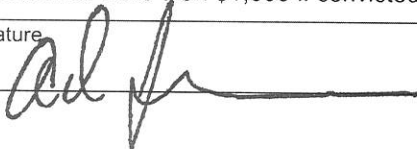
1. Have you lived in any state other than Wisconsin as an adult? If yes, please list them in the space below. If no, continue to question 2. ☐ Yes ☒ No

2. How long have you continuously lived in Wisconsin prior to the date of application?	Years 63	Months 5
--	-------------	-------------

3. Do you hold a direct or indirect interest in any alcohol beverage wholesaler or producer (e.g. brewer, brewpub, winery, distillery)? If yes, please explain using the space below. Attach additional sheets as needed. ☐ Yes ☒ No

Part G: Attestation

READ CAREFULLY BEFORE SIGNING: I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date 08/31/23
--	------------------

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village of ASHLAND County of ASHLAND
☒ City

The undersigned duly authorized officer/member/manager of ANCHOR ISLANDS LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

(Trade Name)

located at 315 TURNER ROAD, ASHLAND, WI 54806

appoints ANTHONY JENNINGS

(Name of Appointed Agent)

315 TURNER ROAD, ASHLAND, WI 54806

(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

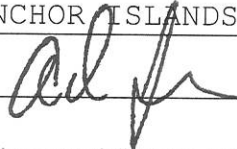
Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 63 yrs

Place of residence last year 6424 SUMMIT ROAD, WASHBURN, WI 54891

For: ANCHOR ISLANDS LLC

(Name of Corporation / Organization / Limited Liability Company)

By: 

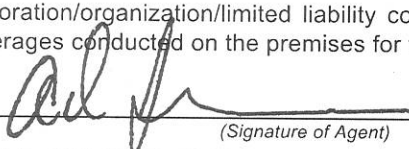
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, ANTHONY JENNINGS, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.


(Signature of Agent)

8/31/23
(Date)

Agent's age 63

6424 SUMMIT ROAD, WASHBURN, WI 54891

(Home Address of Agent)

Date of birth 04/06/1960

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Anchor Islands LLC dba Anchor Islands, and Agent Anthony Jennings, has applied for a Class B Fermented Malt Beverage and Class B Intoxicating Liquor license for Anchor Islands LLC, 315 Turner Road, Ashland WI.

Noticed by Denise Oliphant, Ashland City Clerk

~~~~~  
Publish 3 consecutive times, September 12, 19, and 22, 2023

Affidavit of Publication requested

**SUBJECT:** Consideration of Payment Request No. 2 from Right of Way Professionals, Inc. for Temporary Land Easements for the 2024 Prentice Avenue Phase 1 Reconstruction Project (*Public Works*) Roll

**RECOMMENDATION:** Approval

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**DEPARTMENT OF ORIGIN:** Public Works

**CLEARANCES:** City Administrator  
Public Works Director  
Approved by Council, February 28, 2023

**EXHIBITS:**

**EXPENDITURES REQUIRED:** \$ 6,750.00 Fund 680 Water Utility  
\$ 1,750.00 Fund 470 Street Improvements  
**\$ 8,500.00 Total Expenditure**

**AMOUNT BUDGETED:** -\$0-

**APPROPRIATION REQUIRED:** \$ 6,750.00 Fund 680 Water Utility  
\$ 1,750.00 Fund 470 Street Improvements

**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:**

The 2024 Prentice Avenue Phase 1 Reconstruction Project consists of the reconstruction of Prentice Avenue from 6th Street East to 11th Street East.

At the September 8, 2020 meeting, the Council approved a State Municipal Agreement (SMA) with the Wisconsin Department of Transportation (WI DOT) for the project, which has a total estimated cost of \$1.935 million. At the June 14, 2022 meeting, the Council approved a three-party agreement with the WI DOT and Short Elliot, Hendrickson (SEH) for engineering design services.

At the February 28, 2023 meeting, Council approved an agreement with Right of Way Professionals, Inc to negotiate the acquisition of temporary land easements (TLEs) associated with the project. The TLEs are generally needed to comply with federal funding requirements associated with real estate. Slight encroachments on private property will be needed for the installation of sidewalks and water shut off valves. Compensation to

property owners for the TLEs is a requirement of the federal funding and the WI DOT requires a certified real estate specialist to complete this work.

Right of Way Professionals, Inc has previously negotiated 27 of the approximately 60 TLEs required for the project. The City conferred compensation to these property owners following Council approval of these payments at the August 29, 2023 meeting.

Council approval of an additional 15 properties is requested in order to secure the TLEs for 2024 construction. Right of Way Professionals, Inc negotiated these TLEs through efforts made following the August 29, 2023 meeting. These efforts included hosting an outreach meeting with property owners invited to meet with City staff, Right of Way Pros, Inc staff and SEH staff to address any questions or concerns held by property owners.

TLEs required for sidewalk installation are paid by Fund 470 Street Improvements while TLEs required for water shut off valve installation are paid by Fund 680 Water Utility. TLEs required for the installation of both facilities are split between these two funds.

Council approval of one or two additional payment requests for TLE acquisition for this project is anticipated.

**SUBJECT:** Consideration of a Professional Engineering Services Proposal from Cedar Corporation to Complete Design of the Ore Dock Access Road Project (*Public Works*) Roll

**RECOMMENDATION:** Approval

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**DEPARTMENT OF ORIGIN:** Public Works

**CLEARANCES:** City Administrator  
Public Works Director

**EXHIBITS:**

**EXPENDITURES REQUIRED:** \$ 107,743.82 - Fund 470 Street Improvements  
\$ 65,511.03 - Fund 680 Water Utility  
\$ 26,745.15 -Fund 690 Wastewater Utility  
**\$ 200,000.00 Total**

**AMOUNT BUDGETED:** \$447,000.00 - Fund 470 (Street Improvements Fund)  
\$100,000 - WI DNR Recreation Trails Program (RTP)  
\$100,000 - Ore Dock Trust  
\$918,587.62- Army Corps of Engineers Section 154 grant (remaining balance)

**APPROPRIATION REQUIRED:** \$ 65,511.03 - Fund 680 Water Utility  
\$ 26,745.15 -Fund 690 Wastewater Utility

**TREASURER'S CERTIFICATE:** The Treasurer's Office has certified on September 21st, 2023, that Cedar Corporation 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 construction project conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

**SUMMARY STATEMENT:**

The 2023 Ore Dock Access Road Project has continued to be refined as the City's plans for the Ore Dock upland area develop. Per the approved agreement with the Army Corps of Engineers (Army Corp), the City has received \$1 million in funding for environmental infrastructure associated with the project.

The project was originally developed in 2019 in coordination with construction of parks amenities on the Ore Dock. On January 29th, 2019, Council approved an agreement with SmithGroup to provide design and engineering services for the Ashland OreDock Redevelopment Phase 2: Stuntz Avenue Project. For various reasons, the project was put on hold and has been redeveloped to only include infrastructure improvements,

including the connection of Stuntz Ave to US Highway 2 and construction of an avenue with median and shared use path (ie trail) to the Ore Dock. In addition, the project will construct a pedestrian connection from Water Street to the Ore Dock that meets Americans with Disability (ADA) requirements.

Due to the complexity of the project and associated timing with Ore Dock recreation amenities (constructed in 2023), construction of the project has been delayed to 2024. City funds were allocated to the project as part of the 2023 budget.

City staff has very recently had an opportunity to review detailed cost estimates provided by Cedar Corporation and has revised the scope of the project to better match available resources and require future development to share in the cost of necessary infrastructure improvements.

City staff has directed Cedar Corporation to complete design and bidding for construction as expediently as possible in order to have a contract awarded to a contractor well in advance of the 2024 construction season. Early bidding of work generally assists in obtaining competitive pricing.

Because of the ongoing revisions to the scope, Cedar Corporation has not been able to provide a detailed proposal for professional services. Staff is requesting Council approval of \$200,000 in cost for professional engineering services to allow the City Administrator to authorize a professional services agreement with Cedar Corporation in a timely manner once negotiations on scope are completed.

**SUBJECT:** Consideration of a Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, the City of Ashland, and Short Elliot Hendrickson (SEH) for Design Engineering Services on the 2026 Prentice Avenue Phase 2 Reconstruction Project (*Public Works*) Roll

**RECOMMENDATION:** Approval

---

**DEPARTMENT OF ORIGIN:** Public Works

**CLEARANCES:** City Administrator  
Public Works Director

**EXHIBITS:** 1. Three Party Design Engineering Services Contract

**EXPENDITURES REQUIRED:** \$202,053.00 - Fund 470 Street Improvements (Not to Exceed)

**AMOUNT BUDGETED:** \$172,042 - WI DOT Surface Transportation Program

**APPROPRIATION REQUIRED:** \$ 43,011 - Fund 470 Street Improvements (Not to Exceed)

**TREASURER'S CERTIFICATE:** The Treasurer's Office has certified on September 21, 2023, that Short Elliot Hendrickson 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 construction project conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

**SUMMARY STATEMENT:**

The 2026 Prentice Avenue Phase 2 Reconstruction Project consists of the reconstruction of Prentice Avenue from US Highway 2 to 6th Street East. At the October 11, 2022 meeting, Council approved a State Municipal Agreement (SMA) with the Wisconsin Department of Transportation (WI DOT) for the project, which has a total estimated cost of \$1.633 million.

The WI DOT is providing \$1.067 million for roadway construction. The City will be responsible for a 20% match of roadway construction costs, totaling \$269,347. In addition, the WI DOT considers costs associated with water and wastewater infrastructure to be non-participating work, so the City will replace the existing water main in coordination with the road construction at an estimated cost of \$900,000.

The existing roadway surface was last improved approximately 40 years ago and was rated as poor or worse in 2023. In addition, the existing stormwater infrastructure is deficient and does not provide adequate drainage. The existing water main was installed in the 1880s and does not provide adequate fire flow. The

Water Utility has responded to four different breaks in and around the project area in the last ten years.

This project is scheduled for construction in 2026 and it is anticipated that the City's share for roadway construction will be provided via fund balance. The funds for water main construction will be provided by revenue from the water utility or through the Safe Drinking Water Loan Program.

In July 2023, City staff completed a solicitation for engineering services in accordance with quality-based selection guidelines established by the WI DOT. Staff and a member of the Public Works Committee evaluated the qualifications of responding firms, with Short Elliot Hendrickson (SEH) ranking as the most qualified firm. The agreement for professional services was developed by SEH and WI DOT staff for roadway, storm, and sidewalk design in accordance with WI DOT requirements.

City and WI DOT staff continue to negotiate the specific details of the agreement but Council approval of design costs is requested now to allow for efficient scheduling of project surveying prior to winter.

Staff requesting approval of the expenditure of City funds in an amount not to exceed \$43,011, which is the amount of City funds committed to the project for design via approval of the SMA in October 2022.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT  
SIGNATURE PAGES

ENGINEERING SERVICES CONTRACT

BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION,

City of Ashland (MUNICIPALITY)

AND Short, Elliot and Hendrickson, Inc. (CONSULTANT) FOR

8995-00-15

C Ashland, Prentice Avenue  
Lake Shore Drive to 6<sup>th</sup> Street E  
City of Ashland

This CONTRACT made and entered into by and between the DEPARTMENT, MUNICIPALITY and the CONSULTANT provides for those SERVICES described in the Scope of Services and Special Provisions and is generally for the purpose of providing the SERVICES solicited by the MUNICIPALITY in full reconstruction of Prentice Avenue including granular sub-base, gravel base, asphalt pavement, sidewalk, storm sewer and water main and provide design reports, public involvement plan, exception to standards report, environmental documentation, hazardous materials assessment, agency coordination, utility coordination, public involvement, meetings, surveys, road plans and PS&E. This Qualification Based Selection was made based on the CONSULTANT'S Notice of Interest response and any interviews conducted.

The DEPARTMENT and MUNICIPALITY deem it advisable to engage the CONSULTANT to provide certain engineering SERVICES and has authority to contract for these SERVICES under sec. 84.01(13), Wis. Stats.

The DEPARTMENT REPRESENTATIVE is: Paula Groom, PE, Local Program Project Manager; 718 W Clairemont Avenue, Eau Claire, WI 54701; [Paula.Groom@dot.wi.gov](mailto:Paula.Groom@dot.wi.gov); 715.579.6776

The MUNICIPALITY REPRESENTATIVE is: John Butler, Public Works Director; 20250 6<sup>th</sup> St E, Ashland, WI 54806; [jbutler@coawi.org](mailto:jbutler@coawi.org); 715.685.1648

The CONSULTANT REPRESENTATIVE is: Joshua Woller, PE; Project Manager; 6808 Odana Road, Ste.200, Madison, WI 53719; [jwoller@sehinc.com](mailto:jwoller@sehinc.com); 608.620.6176

The CONSULTANT SERVICES will be performed for the DEPARTMENT's Northwest Region office located in Eau Claire, WI and will be completed by November 11, 2025. Deliver PROJECT DOCUMENTS to 718 W Clairemont Avenue, Eau Claire, WI 54701, unless other directions are given by the DEPARTMENT.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT will be from the:

☒ DEPARTMENT ☐ MUNICIPALITY

- (1) The CONSULTANT will be compensated by the DEPARTMENT for services provided under this CONTRACT on the following basis:

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT  
SIGNATURE PAGES

- (a) For Road Plans performed by CONSULTANT Actual Costs to the CONSULTANT up to \$164,745.66, plus a fixed fee of \$9,708.09, not to exceed \$174,453.75.
- (b) For Subsurface Exploration subcontracted to Professional Service Industries, Inc. (PSI), an Intertek Company, a lump sum of \$5,050.00.

| Item Description                                                                                     | Unit Type | Estimated Quantity | Unit Rate Cost | Cost       |
|------------------------------------------------------------------------------------------------------|-----------|--------------------|----------------|------------|
| Mobilization of drilling equipment and personnel                                                     | Lump Sum  | 1                  | \$950.00       | \$950.00   |
| Drilling Support Vehicle                                                                             | Lump Sum  | 1                  | \$300.00       | \$300.00   |
| Soil Boring with sampling, including abandonment and surface patching, to a maximum depth of 15 feet | EACH      | 3                  | \$450.00       | \$1,350.00 |
| Engineering & Report – Includes laboratory testing and report                                        | Lump Sum  | 1                  | \$2,450.00     | \$2,450.00 |

- (c) For Archaeology and History Investigation subcontracted to Commonwealth Heritage Group (CHG) the actual cost to the CONSULTANT up to \$5,703.75, plus a fixed fee of \$360.15 not to exceed \$6,063.90.
- (d) For Title Searchers subcontracted to Northwest Land Title, Inc. compensation not to exceed \$2,940.00 for units delivered by the CONSULTANT based on rates in the table below.

| Item Description     | Unit Type | Estimated Quantity | Unit Rate Cost | Cost       |
|----------------------|-----------|--------------------|----------------|------------|
| Title Searches       | Each      | 14                 | \$175.00       | \$2,450.00 |
| Title Search Updates | Each      | 14                 | \$35.00        | \$490.00   |

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$188,507.65.

The CONSULTANT does and will comply with the laws and regulations relating to the profession of engineering and will provide the desired engineering SERVICES.

This CONTRACT incorporates and the parties agree to all of the standard provisions of the Three Party Design Engineering Services Contract, dated July 1, 2015 and referenced in Procedure 8-15-1 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT acknowledges receipt of a copy of these standard provisions.

This CONTRACT incorporates all of the MANUALS defined in the CONTRACT.

The parties also agree to all of the Special Provisions which are annexed and made a part of this CONTRACT, consisting of 7 pages.

Nothing in this CONTRACT accords any third part beneficiary rights whatsoever on any non-party that may be enforced by any non-party to this contract.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT  
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For the CONSULTANT

By: \_\_\_\_\_

Tara L. Krista, PE

Title: Principal \_\_\_\_\_

Date: \_\_\_\_\_

For the DEPARTMENT

By: \_\_\_\_\_

Contract Manager, WisDOT

Date: \_\_\_\_\_

For the MUNICIPALITY

By: \_\_\_\_\_

Title: Ashland Director of Public Works \_\_\_\_\_

Date: \_\_\_\_\_

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**VI. SPECIAL PROVISIONS**

SCOPE OF SERVICES

**A. DESIGN REPORTS**

(1) Other Reports:

Prepare the following engineering reports/analyses as directed by the MUNICIPALITY:

- (a) Design Study Report – New Construction, Reconstruction and Rehabilitation
- (b) Pavement Design Report – Prepare a pavement design report (PDR) for review by the DEPARTMENT and submit to the MUNICIPALITY for approval.

**B. ENVIRONMENTAL DOCUMENTATION**

Execute a disclosure statement as required by 40 CFR 1506.5(c).

Prepare a Categorical Exclusion Checklist Environmental document for the PROJECT as specified in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code. Furnish the required number to the MUNICIPALITY for approval.

Prepare an environmental document that evaluates reasonable alternatives to the PROJECT and consider other reasonable actions or activities that may achieve the same or similar goals of the proposed highway PROJECT, including other or additional transportation alternatives and intermodal opportunities and the alternative of taking no action. Evaluate alternative courses of action based upon a balanced consideration of the environment, public comments, and the need for safe and efficient transportation consistent with local, state, and national environmental goals. Prepare environmental documents that are concise and emphasize significant environmental issues and plausible alternatives. Comply with requirements specified in the MANUAL and TRANS 400, Wisconsin Administrative Code. In the event of a conflict between the MANUAL and TRANS 400, Wisconsin Administrative Code, the administrative rule supersedes.

(1) Historical and Archaeological Surveys and Studies:

- (a) The Wisconsin Department of Transportation will provide electronic notification to the Native American tribes as provided in the MANUAL. The CONSULTANT will prepare and mail letters.
- (b) Identify the Area of Potential Effect for the PROJECT. Conduct a reconnaissance survey as specified in the MANUAL. Submit the results of the archaeological and historical reconnaissance and evaluation studies to the region project manager. Obtain recommendations from SHPO, the historian and the Project Manager regarding historical/architectural reconnaissance surveys. Obtain

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recommendations from the archaeologist, Bureau of Environment and the Project Manager prior to conducting evaluation studies when further work is needed.

- (b) Prepare a report as required in the "Guidelines for Preparation of Formal Report on Archaeological Materials or Sites" in accordance with the MANUAL. Document the results of the reconnaissance survey for architecture/history using the "Architecture/History Survey Form".
  - (d) CONTRACT assumes no archaeological sites will be found and thus does not include a Phase I archaeological survey report. This contract also does not include preparation of DOEs or an assessment of effects to historic properties. Preparation of Phase 1 report, DOE, or an assessment of effects to historic properties is not included in this CONTRACT is considered to be "Extra Services".
- (2) Hazardous Materials/Contamination Assessments
- (a) Conduct a Phase I investigation for the PROJECT in accordance with the MANUAL. Full Phase 1 Investigation is not included and is considered extra services.
  - (b) The MUNICIPALITY acknowledges that the CONSULTANT is not, by virtue of this CONTRACT, the owner or generator of any waste materials generated as a result of the Hazardous Materials/ Contamination Assessments services performed by the CONSULTANT under this CONTRACT. Dispose of investigative waste in accordance with the MANUAL.

**C. AGENCY COORDINATION**

- (1) Section 401 and 402 Certifications:

Evaluate the effects of the PROJECT on water quality, in accordance with the provisions of the Clean Water Act and Chapter TRANS 400, Wisconsin Administrative Code and the MANUAL; and prepare the necessary application.
- (2) Section 404 Permits:
  - (a) Evaluate the potential for discharge of fill materials into the waters of the United States, in accordance with the provisions of the Clean Water Act and Chapter TRANS 400, Wisconsin Administrative Code and the MANUAL; and prepare the necessary permit application.
  - (b) Presence of wetlands will be determined by the DEPARTMENT and reported to the CONSULTANT to aid in any necessary permit application.
- (3) BOA/FAA Coordination:

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- (a) Coordinate with BOA and FAA to determine impacts to airports within five miles of the project.

**D. RAILROAD/ UTILITY INVOLVEMENTS**

- (1) Utility Coordination  
Perform all utility coordination in accordance with:
  - a) The MANUAL
  - b) TRANS 220: N/A
  - c) The WisDOT "Guide to Utility Coordination"
  - d) The "Utility Coordination Task List for Design Consultant Contracts" as agreed upon.
- (2) The MUNICIPALITY will provide the CONSULTANT with a list of known utilities on the PROJECT and a list of contact personnel for utility coordination. This list is not warranted to be complete, but is furnished to assist the CONSULTANT. Verify and update the list.
- (3) Confer on an ongoing basis with all utility facility owners in the project vicinity to establish mutual understanding on design features of the project affecting utility facilities, and shall keep the MUNICIPALITY informed of all such coordination activities. Provide the MUNICIPALITY with plans and information that will allow it to meet its planned utility coordination schedule.

**E. PUBLIC INVOLVEMENT**

- (1) Public Involvement Meetings:
  - (a) Conduct or assist the MUNICIPALITY in holding one (1) hybrid public involvement meeting(s) and explain to the public concepts and probable impacts of this PROJECT.
  - (b) Prepare all exhibits and supplementary handout material and provide the equipment necessary to conduct the public involvement meeting(s).
  - (c) Prepare a summary report after the public involvement meeting(s).
  - (d) Discuss with the MUNICIPALITY the comments received and recommend the possible disposition of these comments and suggestions after the public involvement meeting(s).
  - (e) Make all the necessary arrangements for scheduling the public involvement meeting(s) and provide notices and press releases for the MUNICIPALITY'S use.

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- (f) Provide the MUNICIPALITY with copies of all public involvement correspondence and file notes.
- (g) Coordinate meeting schedules with the MUNICIPALITY'S representative.

(2) Public Involvement Plan:

Prepare a Public Involvement Plan for review by the MUNICIPALITY and the DEPARTMENT.

**F. MEETINGS**

- (1) Operational Planning Meeting will be held at approximately 30% plan submittal to discuss the organization and processing of the Services under this CONTRACT.
- (2) Project Progress meeting(s) at 30/60/90 plans with monthly updates.
- (3) Participate in the pre-construction conference virtually as scheduled by the DEPARTMENT.

**G. SURVEYS**

- (1) Perform surveys referenced to Wisconsin Coordinate Reference System (WISCRS) NAD 83, 2011 adjustment, NAVD 88 2012 adjustment and Geoid model, in US Survey Feet.
- (2) Locate and survey the necessary United States Public Land Survey System (USPLSS) section corners, quarter section corners, block corners and other corner monuments of record in platted areas for the preparation of acquisition plats, descriptions, or exhibits. for the right-of-way plat. It is estimated that 3 corners need to be located. The limits/extents of the USPLSS corner and other corner monuments survey are the south radius point of USH 2 to the north radius point of 6<sup>th</sup> Street at a width of 50 feet from the centerline of Prentice Avenue, and a width of 200' from the centerline of Prentice Avenue on each side street.
- (3) Locate and survey existing property monuments from prior plats and surveys of record to support the determination of existing property and R/W lines.
- (4) Conduct surveys and provide information necessary for the preparation of plats and acquisition of rights of way, interests, and property.
- (5) Set horizontal and vertical project control in accordance with the MANUAL. The limits/extents of the horizontal and vertical control survey are the south radius point of USH 2 to the north radius point of 6<sup>th</sup> Street at a width of 50 feet from the centerline of Prentice Avenue, and a width of 200' from the centerline of Prentice Avenue on each side street.
- (6) File a Diggers Hotline locate request for all underground utility facilities within the project limits. Promptly survey all marked facilities. Facilities include but are not limited to: Gas,

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Telephone, Communications, Cable TV, Fiber Optic, Electric, Water, and Storm Sewer. Compare marked and surveyed facilities to utility system maps to identify discrepancies and work with utility owner to rectify. For any member facility owner that did not mark their utility facilities, submit one No-Show Relocate ticket to specify which member facility owners that were notified failed to mark their facilities on the specified job site.

- (7) Conduct full topographic and utility surveys for the planimetric mapping and DTM surface model. The limits/extent of the topographic and utility surveys are the south radius point of USH 2 to the north radius point of 6<sup>th</sup> Street at a width of 50 feet from the centerline of Prentice Avenue, and a width of 200' from the centerline of Prentice Avenue on each side street.
- (8) Provide traffic control during survey operations in accordance with the Manual on Uniform Traffic Control Devices.
- (9) Submit all survey data (including description, measured, and computed data) to the DEPARTMENT in the LandSML format, in accordance with the MANUAL. Copies of original notes or printouts from other systems which may be used in lieu of the SDMS Collector software shall also be provided.
- (10) Upon request, field locate and temporarily mark the new right-of-way boundaries including all temporary and permanent easement in a manner which will facilitate the appraisal of all affected parcels and perform the re-staking of 14 parcels per effort. Staking activities shall be coordinated with the DEPARTMENT'S real estate section to provide at least two weeks lead time for the DEPARTMENT to notify property owners. Coordinate with DEPARTMENT Plat or Survey Coordinator to ensure proper control and datums/adjustments are used.

**H. SOILS AND SUBSURFACE INVESTIGATIONS**

- (1) Perform 3 borings of the existing pavement structure, including base courses and shoulders, in order to determine quantities and qualities of materials available for project needs.
- (2) All boreholes and monitoring wells shall be backfilled as per the April 20, 1992 guidelines titled "Wisconsin Department of Transportation Geotechnical Unit -Drilled Borehole and Monitoring Well Abandonment Procedures".

Record final borehole location; station and referenced offset and elevation. CONSULTANT shall provide final boring location GPS coordinates.

- (3) Perform subsurface investigations to analyze project geotechnical concerns and provide full detailed recommendations. The soils shall be classified by pedological means to provide pavement design parameters.
- (4) Transmit to the DEPARTMENT gINT software boring logs for all completed borings, using the DEPARTMENT'S gINT template (contact Dan Reid for the template, 608-246-7946).

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Send these to the following email location at the time of PSE submittal:  
[DOTDTSDGeotechnicalgINT@dot.wi.gov](mailto:DOTDTSDGeotechnicalgINT@dot.wi.gov).

- (5) Transmit to the DEPARTMENT all soils laboratory testing summary and testing data sheets for tests performed on the soil and rock samples collected during the investigation. In addition, transmit the results of any field tests including vane shear tests, pressure meter tests and cone penetrometer tests. Send this in a .pdf format that references the DEPARTMENTS design project I.D., and send them to the followings email location at the time of PSE submittal: [DOTDTSDGeotechnicalSirLab@dot.wi.gov](mailto:DOTDTSDGeotechnicalSirLab@dot.wi.gov).
- (6) Transmit to the DEPARTMENT all Soil Reports relating to structures, roadways, pavements and environment. Send this in a .pdf format that references the DEPARTMENTS design project I.D., and send them to the followings email location at the time of PSE submittal: [DOTDTSDGeotechnicalSirLab@dot.wi.gov](mailto:DOTDTSDGeotechnicalSirLab@dot.wi.gov)

**I. ROAD PLANS**

Section II C (9) in the Standard Provision of the CONTRACT is amended to include the following plans:

Marking and Signing Plan

Erosion Control Plan

Exhibits for replacement of 26 curb-ramps

Traffic control road closure plan (1 page overview utilizing local roadways)

Tree planting locations on plan and profile sheets

Storm Sewer Plan

Project Overview – Single Sheet Schematic Drawing

**J. PLATS**

- (1) Prepare Right-of-Way 4 exhibits for 14 parcels, descriptions, and relocation order for temporary easement impacts only in accordance with the MANUAL.
- (2) Preparation of Right-of-Way Plats that provide information necessary for the preparation of plats and acquisition of permanent easement right of ways and property shall be considered "Extra Services".

**K. TRAFFIC**

- (1) Conduct a 48-hour vehicle classification count at one location along Prentice Avenue.

**L SERVICES PROVIDED BY THE DEPARTMENT**

The DEPARTMENT will provide to the CONSULTANT the following for the PROJECT:

- 1. State Municipality Agreement (SMA)

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2. No Impact Statement Provided

**M. SERVICES PROVIDED BY THE MUNICIPALITY**

The MUNICIPALITY will provide to the CONSULTANT the following for the PROJECT:

1. As-Builts for USH2
2. Traffic Control for soil borings

**PROSECUTION AND PROGRESS**

- (1) The CONSULTANT shall report on the progress of the PROJECT as stipulated in the contract agreement. Standard benchmarks, consistent with DEPARTMENT'S internal staff benchmarks, will be reported monthly to the MUNICIPALITY. The actual start, projected or actual finish date, and percent of work complete will be included for all relevant benchmarks on any project report required for delivery to DEPARTMENT staff. The report can be delivered in electronic format consistent with current DEPARTMENT standards (Microsoft Project), or on paper.
- (2) The CONSULTANT proposes to sublet these services to:
  - (a) For Subsurface Investigations sublet to Professional Services Industries, Inc (PSI).
  - (b) For Title Search services sublet to Northwest Land Title, Inc.
  - (c) For Archaeological and Architecture/History Investigations services sublet to Commonwealth Heritage Group.
- (3) The following items of work will be completed and submitted to the MUNICIPALITY by the indicated dates if CONSULTANT has received the Notice to Proceed by October 15, 2023.

| Report Title                             | Date              |
|------------------------------------------|-------------------|
| Topographical Survey                     | October 2023      |
| Public Involvement Meeting (PIM)         | February 2024     |
| Environmental Document                   | March 2024        |
| 30% PS&E                                 | March 2024        |
| Final ROW Plat                           | August 1, 2024    |
| Design Study Report (DSR)                | December 2024     |
| 60% PS&E                                 | December 2024     |
| 90% PS&E                                 | June 2025         |
| PS&E Date                                | August 1, 2025    |
| If Local LET, Advertisement for Bid Date | November 11, 2025 |
| LET Date                                 | November 11, 2025 |

## Consultant Individual Direct Labor Rates

**8995-00-15**

**Lake Shore Drive to 6th Street E**

**Prentice Avenue**

**Ashland County**

| Employee Name(a)  | Classification (b)            | Current Rate(c) | Rate of Pay AFTER June 2024 (5.0%) | Rate of Pay AFTER June 2025 (5.0%) | Rate of Pay AFTER June 2026 (5.0%) | % of Work At Current Rate | % Work After June 2024 | % Work After June 2025 | % Work After June 2026 | TOTAL % | FINAL Weighted Average Hourly Rate(V) |
|-------------------|-------------------------------|-----------------|------------------------------------|------------------------------------|------------------------------------|---------------------------|------------------------|------------------------|------------------------|---------|---------------------------------------|
| Josh Woller       | Design Project Manager Mid    | \$ 58.36        | \$ 61.28                           | \$ 64.34                           | \$ 67.56                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 60.72                              |
| Derrick Bacha     | Design Engineer Mid           | \$ 50.58        | \$ 53.11                           | \$ 55.77                           | \$ 58.56                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 52.62                              |
| Matthew Winter    | Design Engineer Entry         | \$ 41.12        | \$ 43.18                           | \$ 45.34                           | \$ 47.61                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 42.79                              |
| Ryan Shimko       | Sr Scientist                  | \$ 55.60        | \$ 58.38                           | \$ 61.30                           | \$ 64.37                           | 100%                      | 0%                     | 0%                     | 0%                     | 100%    | \$ 55.60                              |
| Veronica Aranda   | Scientist                     | \$ 33.68        | \$ 35.36                           | \$ 37.13                           | \$ 38.99                           | 100%                      | 0%                     | 0%                     | 0%                     | 100%    | \$ 33.68                              |
| Nicole Steinmetz  | Survey Technician Mid         | \$ 36.98        | \$ 38.83                           | \$ 40.77                           | \$ 42.81                           | 80%                       | 20%                    | 0%                     | 0%                     | 100%    | \$ 37.35                              |
| Nick Engh         | Design Technician Entry       | \$ 33.66        | \$ 35.34                           | \$ 37.11                           | \$ 38.97                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 35.02                              |
| Gary Elias        | Design Technician Mid         | \$ 38.14        | \$ 40.05                           | \$ 42.05                           | \$ 44.15                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 39.69                              |
| Jason Cance       | Survey Spec Professional Mid  | \$ 54.16        | \$ 56.87                           | \$ 59.71                           | \$ 62.70                           | 80%                       | 20%                    | 0%                     | 0%                     | 100%    | \$ 54.70                              |
| TJ Larson         | Survey Technician Entry       | \$ 31.26        | \$ 32.82                           | \$ 34.46                           | \$ 36.18                           | 100%                      | 0%                     | 0%                     | 0%                     | 100%    | \$ 31.26                              |
| Duane Kowalczyk   | Survey Technician High        | \$ 50.57        | \$ 53.10                           | \$ 55.76                           | \$ 58.55                           | 100%                      | 0%                     | 0%                     | 0%                     | 100%    | \$ 50.57                              |
| Jessica Ruplinger | Clerical Administration Entry | \$ 22.50        | \$ 23.63                           | \$ 24.81                           | \$ 26.05                           | 100%                      | 0%                     | 0%                     | 0%                     | 100%    | \$ 22.50                              |
| Kim Stanek        | Clerical Administration Mid   | \$ 39.74        | \$ 41.73                           | \$ 43.82                           | \$ 46.01                           | 40%                       | 40%                    | 20%                    | 0%                     | 100%    | \$ 41.35                              |

| Summary of Staff Hours and Direct Labor Costs                                       |               |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          |                    |              |
|-------------------------------------------------------------------------------------|---------------|----------------------------|-------------|-----------------------|--------------|---------------------|--------------|--------------|-----------|-----------|-----------|-------------------------|-------------|-----------------------|-------------|------------------------------|-------------|-------------------------|-------------|-----------------------|-----------|------------------------|-------------|------------------------------|-----------|----------------------------|----------|--------------------|--------------|
| 8995-00-15<br>Lake Shore Drive to 6th Street E<br>Prentice Avenue<br>Ashland County |               |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          |                    |              |
| Classification                                                                      |               | Design Project Manager Mid |             | Design Engineer Entry |              | Design Engineer Mid |              | Sr Scientist |           | Scientist |           | Design Technician Entry |             | Design Technician Mid |             | Survey Spec Professional Mid |             | Survey Technician Entry |             | Survey Technician Mid |           | Survey Technician High |             | Merical Administration Entry |           | Merical Administration Mid |          |                    |              |
| Average Hourly Wage                                                                 |               | 60.72                      |             | \$42.79               |              | \$52.62             |              | \$55.60      |           | \$33.68   |           | \$35.02                 |             | \$39.69               |             | \$54.70                      |             | \$31.26                 |             | \$37.35               |           | \$50.57                |             | \$22.50                      |           | \$41.35                    |          | Total Direct Labor |              |
| Task                                                                                | Activity Code | Hours                      | Dollars     | Hours                 | Dollars      | Hours               | Dollars      | Hours        | Dollars   | Hours     | Dollars   | Hours                   | Dollars     | Hours                 | Dollars     | Hours                        | Dollars     | Hours                   | Dollars     | Hours                 | Dollars   | Hours                  | Dollars     | Hours                        | Dollars   | Hours                      | Dollars  | Hours              | Dollars      |
| Design Documentation                                                                | 77624         | 1.5                        | \$ 91.08    | 10.0                  | \$ 427.90    | 4.0                 | \$ 210.48    |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            | 15.5     | \$ 729.46          |              |
| Design Soils and Earthwork                                                          | 208           | 1.0                        | \$ 60.72    | 1.0                   | \$ 42.79     |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            | 2.0      | \$ 103.51          |              |
| Design Pavement Structure                                                           | 277           | 0.5                        | \$ 30.36    | 3.0                   | \$ 128.37    | 1.0                 | \$ 52.62     |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            | 4.5      | \$ 211.35          |              |
| Analyze Haradous Materials Site Impact                                              | 765           | 2.0                        | \$ 121.44   |                       |              |                     |              | 16.0         | \$ 889.60 | 13.0      | \$ 437.84 |                         |             |                       |             |                              |             |                         |             |                       |           |                        | 2.0         | \$ 45.00                     |           |                            |          | 33.0               | \$ 1,493.88  |
| Environmental Documentation and Agency Coordinat                                    | 769           | 3.0                        | \$ 182.16   | 26.0                  | \$ 1,112.54  | 10.0                | \$ 526.20    |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 39.0               | \$ 1,820.90  |
| Coordinate Utilities                                                                | 746           | 3.0                        | \$ 182.16   | 5.0                   | \$ 213.95    | 7.0                 | \$ 368.34    |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 15.0               | \$ 764.45    |
| Manage Project Stakeholders                                                         | 743           | 9.0                        | \$ 546.48   | 4.0                   | \$ 171.16    |                     |              |              |           |           |           |                         |             | 2.0                   | \$ 79.38    |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 15.0               | \$ 797.02    |
| Conduct and Process Existing Field Survey                                           | 723           |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             | 30.0                    | \$ 937.80   | 9.0                   | \$ 336.15 | 30.0                   | \$ 1,517.10 |                              |           |                            |          | 69.0               | \$ 2,791.05  |
| Survey Existing and Proposed Right-of-Way                                           | 726           |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             | 14.0                    | \$ 437.64   |                       |           | 14.0                   | \$ 707.98   |                              |           |                            |          | 28.0               | \$ 1,145.62  |
| Develop Transportation Project Plat (TPP)                                           | 745           |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             | 32.0                    | \$ 1,750.40 |                       |           | 17.0                   | \$ 634.95   |                              |           |                            |          | 49.0               | \$ 2,385.35  |
| Design Geometrics and Details                                                       | 776           | 4.0                        | \$ 242.88   | 226.0                 | \$ 9,670.54  | 232.0               | \$ 12,207.84 |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 462.0              | \$ 22,121.26 |
| Plan Preparation                                                                    | 77625         | 4.0                        | \$ 242.88   | 25.0                  | \$ 1,069.75  | 10.0                | \$ 526.20    |              |           |           |           | 37.0                    | \$ 1,295.74 | 230.0                 | \$ 9,128.70 |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 306.0              | \$ 12,263.27 |
| Design Traffic Signal and Details                                                   | 785           | 1.0                        | \$ 60.72    |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             | 7.0                     | \$ 218.82   |                       |           |                        |             |                              |           |                            |          | 8.0                | \$ 279.54    |
| Develop PSE Documents                                                               | 856           | 4.0                        | \$ 242.88   | 41.0                  | \$ 1,754.39  | 8.0                 | \$ 420.96    |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 53.0               | \$ 2,418.23  |
| Manage Project Scope and Schedule                                                   | 887           | 8.0                        | \$ 485.76   | 7.0                   | \$ 299.53    |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 15.0               | \$ 785.29    |
| Manage Project Quality                                                              | 890           | 8.0                        | \$ 485.76   |                       |              | 20.0                | \$ 1,052.40  |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 28.0               | \$ 1,538.16  |
| Manage Project Delivery                                                             | 888           | 22.0                       | \$ 1,335.84 |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             | 22.0                         | \$ 495.00 | 2.0                        | \$ 82.70 | 46.0               | \$ 1,913.54  |
|                                                                                     |               |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 0.0                | \$ -         |
|                                                                                     |               |                            |             |                       |              |                     |              |              |           |           |           |                         |             |                       |             |                              |             |                         |             |                       |           |                        |             |                              |           |                            |          | 0.0                | \$ -         |
|                                                                                     |               | 71.0                       | \$ 4,311.12 | 348.0                 | \$ 14,890.92 | 292.0               | \$ 15,365.04 | 16.0         | \$ 889.60 | 13.0      | \$ 437.84 | 37.0                    | \$ 1,295.74 | 232.0                 | \$ 9,208.08 | 32.0                         | \$ 1,750.40 | 51.0                    | \$ 1,594.26 | 26.0                  | \$ 971.10 | 44.0                   | \$ 2,225.08 | 24.0                         | \$ 540.00 | 2.0                        | \$ 82.70 | 1,188.0            | \$ 53,561.88 |

## Fee Computation Summary by Engineering Task

**8995-00-15**

**Lake Shore Drive to 6th Street E**

**Prentice Avenue**

**Ashland County**

| Task                                                | Activity Code | Direct Labor Costs | Overhead Costs | Fixed Fee/Profit | Direct Expenses | Total        |
|-----------------------------------------------------|---------------|--------------------|----------------|------------------|-----------------|--------------|
| Design Documentation                                | 77624         | \$729.46           | \$1,372.11     | \$132.21         | \$89.90         | \$2,323.68   |
| Design Soils and Earthwork                          | 208           | \$103.51           | \$194.70       | \$18.76          | \$11.60         | \$328.57     |
| Design Pavement Structure                           | 277           | \$211.35           | \$397.55       | \$38.31          | \$26.10         | \$673.31     |
| Analyze Haradous Materials Site Impact              | 765           | \$1,493.88         | \$2,809.99     | \$270.77         | \$412.40        | \$4,987.04   |
| Environmental Documentation and Agency Coordination | 769           | \$1,820.90         | \$3,425.11     | \$330.04         | \$226.20        | \$5,802.25   |
| Coordinate Utilities                                | 746           | \$764.45           | \$1,437.93     | \$138.56         | \$87.00         | \$2,427.94   |
| Manage Project Stakeholders                         | 743           | \$797.02           | \$1,499.19     | \$144.46         | \$587.00        | \$3,027.67   |
| Conduct and Process Existing Field Survey           | 723           | \$2,791.05         | \$5,249.97     | \$505.88         | \$2,337.70      | \$10,884.60  |
| Survey Existing and Proposed Right-of-Way           | 726           | \$1,145.62         | \$2,154.91     | \$207.64         | \$162.40        | \$3,670.57   |
| Develop Transportation Project Plat (TPP)           | 745           | \$2,385.35         | \$4,486.84     | \$432.34         | \$1,169.20      | \$8,473.73   |
| Design Geometrics and Details                       | 776           | \$22,121.26        | \$41,610.09    | \$4,009.48       | \$2,679.60      | \$70,420.43  |
| Plan Preparation                                    | 77625         | \$12,263.27        | \$23,067.21    | \$2,222.72       | \$1,774.80      | \$39,328.00  |
| Design Traffic Signal and Details                   | 785           | \$279.54           | \$525.81       | \$50.67          | \$46.40         | \$902.42     |
| Develop PSE Documents                               | 856           | \$2,418.23         | \$4,548.69     | \$438.30         | \$307.40        | \$7,712.62   |
| Manage Project Scope and Schedule                   | 887           | \$785.29           | \$1,477.13     | \$142.33         | \$87.00         | \$2,491.75   |
| Manage Project Quality                              | 890           | \$1,538.16         | \$2,893.28     | \$278.79         | \$162.40        | \$4,872.63   |
| Manage Project Delivery                             | 888           | \$1,913.54         | \$3,599.37     | \$346.83         | \$266.80        | \$6,126.54   |
|                                                     |               |                    |                |                  |                 | \$0.00       |
|                                                     |               | \$53,561.88        | \$100,749.88   | \$9,708.09       | \$10,433.90     | \$174,453.75 |

**Overhead Rates**

Field 0.00%  
Firm 188.10%

**Fixed Fee:** 7.25%

Fixed Fee Calculation Overhead Rate 150.00%

## Direct Expenses by Item

**8995-00-15**

**Lake Shore Drive to 6th Street E**

**Prentice Avenue**

**Ashland County**

| Item                                    | Activity Code | Unit Amount | Unit Type     | Rate     | Total Expenses     |
|-----------------------------------------|---------------|-------------|---------------|----------|--------------------|
| <b>Computer Charge</b>                  |               | 1188        | Hours         | \$5.80   | \$6,890.40         |
| <b>Topographic Survey</b>               |               |             |               |          |                    |
| Vehicle: Company Owned/Leased (other)   | 723           | 30          | Hours         | \$4.50   | \$135.00           |
| Vehicle: Company Owned/Leased (mileage) | 723           | 350         | Miles         | \$0.65   | \$227.50           |
| Survey Equipment                        | 723           | 25          | Hours         | \$45.00  | \$1,125.00         |
| Travel:Meals                            | 723           | 2           | Days          | \$225.00 | \$450.00           |
| <b>R/W Record Research</b>              |               |             |               |          |                    |
| Travel:Meals                            | 745           | 1           | Person - Days | \$25.00  | \$25.00            |
| Vehicle: Employee Owned (mileage)       | 745           | 300         | Miles         | \$0.65   | \$195.00           |
| <b>Temporary R/W Staking</b>            |               |             |               |          |                    |
| Vehicle: Company Owned/Leased (other)   | 745           | 10          | Hours         | \$4.50   | \$45.00            |
| Vehicle: Company Owned/Leased (mileage) | 745           | 300         | Miles         | \$0.65   | \$195.00           |
| Survey Equipment                        | 745           | 5           | Hours         | \$45.00  | \$225.00           |
| Survey Supplies                         | 745           | 1           | LS            | \$200.00 | \$200.00           |
| <b>Hazmat Field Rview</b>               |               |             |               |          |                    |
| Vehicle: Employee Owned (mileage)       | 765           | 340         | Miles         | \$0.65   | \$221.00           |
| <b>Printing/Reproductions</b>           | 743           | 1           | L.S.          | \$500.00 | \$500.00           |
|                                         |               |             |               |          |                    |
|                                         |               |             |               |          |                    |
| <b>TOTAL</b>                            |               |             |               |          | <b>\$10,433.90</b> |

## Total Fee Computation

**8995-00-15**

**Lake Shore Drive to 6th Street E**

**Prentice Avenue**

**Ashland County**

| 8995-00-15                 | Project ID   | Project ID | Project ID | Project ID | Totals       |
|----------------------------|--------------|------------|------------|------------|--------------|
|                            | 1188         | XXXX-XX-XX | XXXX-XX-XX | XXXX-XX-XX |              |
| Number of Staff Hours      | 1188         |            |            |            | 1188         |
| Total Direct Labor (\$)    | \$53,561.88  |            |            |            | \$53,561.88  |
| Total Overhead Costs (\$)  | \$100,749.88 |            |            |            | \$100,749.88 |
| Fixed Fee_% (\$)           | \$9,708.09   |            |            |            | \$9,708.09   |
| Total Direct Expenses (\$) | \$10,433.90  |            |            |            | \$10,433.90  |
| Subtotal                   | \$174,453.75 | \$0.00     | \$0.00     | \$0.00     | \$174,453.75 |
| PSI                        | \$5,050.00   |            |            |            | \$5,050.00   |
| Northwest Lane Title       | \$2,940.00   |            |            |            | \$2,940.00   |
| CHG                        | \$6,063.90   |            |            |            | \$6,063.90   |
| Subcontract Total (\$)     | \$14,053.90  | \$0.00     | \$0.00     | \$0.00     | \$14,053.90  |
| TOTAL COST                 | \$188,507.65 | \$0.00     | \$0.00     | \$0.00     | \$188,507.65 |



Professional Service Industries, Inc.  
12839 30<sup>th</sup> Avenue, Chippewa Falls, WI 54729  
Phone: (715) 738-2770

August 30, 2023

Mr. Josh Woller  
Short Elliott Hendrickson Inc.  
10 North Bridge Street  
Chippewa Falls, Wisconsin 54729

**RE: Proposal for Geotechnical Engineering Services**  
Prentice Avenue Reconstruction (6<sup>th</sup> Street to USH 2)  
Ashland, Wisconsin  
PSI Proposal Number: 407231

Dear Mr. Woller:

In accordance with your request, Professional Service Industries, Inc. (PSI), is pleased to submit this proposal to provide the preliminary engineering services for the above referenced project. A brief description of our understanding of the scope of services to be provided is included in the following paragraphs.

## **BACKGROUND**

It is understood that the proposed project will consist of the reconstruction of an approximate 0.35 mile section of Prentice Avenue, between 6<sup>th</sup> Street East and USH 2, in the City of Ashland, Wisconsin. This project will also include the installation of water main. No design details were provided.

## **SCOPE**

It is understood that three (3) soil borings to a depth of 15 feet below ground surface are required for this project. The borings will be advanced to the depth referenced above, or to refusal, whichever is shallower. It is understood that traffic control will be provided by the City of Ashland.

The borings will be performed using an ATV-mounted drill rig utilizing continuous flight hollow stem auger to advance the boreholes. Soil samples will be collected at 2.5-foot intervals to a depth of 10 feet and at 5-foot intervals thereafter. The samples will be secured by employing split-barrel sampling procedures in general accordance with ASTM D-1586. The borings will be backfilled upon completion and patched at the surface. However, once backfilled and surface patched, it is possible that the backfill within the borehole will settle when surface water or groundwater enters the hole, thus causing the surface patch to fail. PSI cannot be responsible for monitoring the condition of said boreholes; therefore, the condition of the boreholes should be monitored by the property owner once PSI has demobilized from the site.

Representative soil samples obtained during the field exploration program will be returned to the laboratory for classification and a limited number of engineering properties tests. The nature and extent of this laboratory testing program will be dependent up on the subsurface conditions encountered during the field exploration program, and may include testing selected samples to evaluate the soils' moisture content, plasticity, grainsize, and relative strength characteristics.



The results of the subsurface exploration and laboratory testing will be utilized in an engineering evaluation, and presented in a written report which will include the following:

- An evaluation of soil and groundwater conditions within the depth of the borings.
- Subgrade preparation guidelines for pavements and utilities, and for the selection and placement of structural fill.
- Construction considerations relating to subgrade preparation, site drainage, groundwater control and excavations.
- Provide pavement design parameters; including soil support value, modulus of subgrade reaction, frost index and design group index.

### **SPECIAL INSTRUCTIONS**

Some damage to ground surface may result from the drilling operations near the work areas and along ingress/egress pathways. PSI will attempt to minimize such damage, but no restoration other than backfilling the soil test borings and surface patching is included. Extra soil cuttings (after back filling in the boreholes) will be thinspread in green areas.

PSI will contact Diggers Hotline for public utility clearance prior to the start of drilling activities. However, this service does not mark the locations of privately owned utilities. PSI's proposal is based on private utility lines and other subsurface appurtenances being located in the field by others prior to our mobilization. The cost of private utility locating is not included in PSI's proposal. If PSI is asked to provide this service, an additional fee will apply.

### **COST ESTIMATE**

It is proposed that the fee for performance of the outlined scope of services be charged on a lump sum basis, in accordance with the Estimate Worksheet and pursuant to the General Conditions, both of which are enclosed herein. Based on the scope of services outlined above, the total fee for the geotechnical services will be \$5,050.00. Any special equipment required for site access and any delays beyond the control of our personnel, will be considered as additional costs.

### **AUTHORIZATION**

PSI will proceed with the work on the basis of written approval. Please provide formal acceptance by having an appropriate party sign in the space below. The return of only the signature page will indicate acceptance of the entire proposal document, including the attached General Conditions.

Should you have any questions regarding this proposal, or if we could be of any other assistance, please call at any time. We are looking forward to working with you on this project.



Sincerely,

**PROFESSIONAL SERVICE INDUSTRIES, INC.**

***Electronic Copy***

Jeffrey A. Manninen  
Branch Manager

***Electronic Copy***

James M. Becco, P.E.  
Vice President

Attachments:            Estimate Worksheet  
                              General Conditions

**PROPOSAL ACCEPTANCE:**

|                                 |                     |                |
|---------------------------------|---------------------|----------------|
| <b>AGREED TO, THIS</b> _____    | <b>DAY OF</b> _____ | <b>, 2023.</b> |
| <b>BY (please print):</b> _____ |                     |                |
| <b>TITLE:</b> _____             |                     |                |
| <b>COMPANY:</b> _____           |                     |                |
| <b>SIGNATURE:</b> _____         |                     |                |

PROFESSIONAL SERVICE INDUSTRIES INC. ESTIMATE WORKSHEET

Client Name: Short Elliott Hendrickson Inc.  
Project Name: Prentice Avenue Reconstruction  
(6th Street to USH 2)  
Project Location: Ashland, Wisconsin

Date: 08-30-2023  
PSI Proposal No. 407231

|                                   |                                                                                                       | <u>Quantity</u> | <u>Unit Fee</u>     | <u>Total</u>      |
|-----------------------------------|-------------------------------------------------------------------------------------------------------|-----------------|---------------------|-------------------|
| <b>FIELD EXPLORATION SERVICES</b> |                                                                                                       |                 |                     |                   |
| 1.                                | Mobilization of drilling equipment and personnel                                                      | 1               | Lump Sum \$950.00   | \$950.00          |
| 2.                                | Drilling support vehicle                                                                              | 1               | Lump Sum \$300.00   | \$300.00          |
| 3.                                | Soil borings with sampling, including abandonment and surface patching, to a maximum depth of 15 feet | 3               | Each \$450.00       | \$1,350.00        |
| 4.                                | Engineering - Includes laboratory testing and report                                                  | 1               | Lump Sum \$2,450.00 | \$2,450.00        |
| <b>TOTAL ESTIMATED FEE:</b>       |                                                                                                       |                 |                     | <b>\$5,050.00</b> |

## GENERAL CONDITIONS

1. **PARTIES AND SCOPE OF WORK:** Professional Service Industries Inc. ("PSI") shall include said company or its particular division, subsidiary or affiliate performing the work. "Work" means the specific service to be performed by PSI as set forth in PSI's proposal, Client's acceptance thereof and these General Conditions. Additional work ordered by Client shall also be subject to these General Conditions. "Client" refers to the person or business entity ordering the work to be done by PSI. If Client is ordering the work on behalf of another, Client represents and warrants that it is the duly authorized agent of said party for the purpose of ordering and directing said work. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the work ordered by the client is adequate and sufficient for Client's intended purpose. Client shall communicate these General Conditions to each and every third party to whom Client transmits any part of PSI's work. PSI shall have no duty or obligation to any third party greater than that set forth in PSI's proposal, Client's acceptance thereof and these General Conditions. The ordering of work from PSI, or the reliance on any of PSI's work, shall constitute acceptance of the terms of PSI's proposal and these General Conditions, regardless of the terms of any subsequently issued document.
2. **TESTS AND INSPECTIONS:** Client shall cause all tests and inspections of the site, materials and work performed by PSI or others to be timely and properly performed in accordance with the plans, specifications and contract documents and PSI's recommendations. No claims for loss, damage or injury shall be brought against PSI by Client or any third party unless all tests and inspections have been so performed and unless PSI's recommendations have been followed. Client agrees to indemnify, defend and hold PSI, its officers, employees and agents harmless from any and all claims, suits, losses, costs and expenses, including, but not limited to, court costs and reasonable attorney's fees in the event that all such tests and inspections are not so performed or PSI's recommendations are not so followed.
3. **PREVAILING WAGES:** This proposal specifically excludes compliance with any project labor agreement, labor agreement, or other union or apprenticeship requirements. In addition, unless explicitly agreed to in the body of this proposal, this proposal specifically excludes compliance with any state or federal prevailing wage law or associated requirements, including the Davis Bacon Act. It is agreed that no applicable prevailing wage classification or wage rate has been provided to PSI, and that all wages and cost estimates contained herein are based solely upon standard, non-prevailing wage rates. Should it later be determined by the Owner or any applicable agency that in fact prevailing wage applies, then it is agreed that the contract value of this agreement shall be equitably adjusted to account for such changed circumstance. Client will reimburse, defend, indemnify and hold harmless PSI from and against any liability resulting from a subsequent determination that prevailing wage regulations cover the Project, including all costs, fines and attorney's fees.
4. **SCHEDULING OF WORK:** The services set forth in PSI's proposal and Client's acceptance will be accomplished by PSI personnel at the prices quoted. If PSI is required to delay commencement of the work or if, upon embarking upon its work, PSI is required to stop or interrupt the progress of its work as a result of changes in the scope of the work requested by Client, to fulfill the requirements of third parties, interruptions in the progress of construction, or other causes beyond the direct reasonable control of PSI, additional charges will be applicable and payable by Client.
5. **ACCESS TO SITE:** Client will arrange and provide such access to the site and work as is necessary for PSI to perform the work. PSI shall take reasonable measures and precautions to minimize damage to the site and any improvements located thereon as the result of its work or the use of its equipment.
6. **CLIENT'S DUTY TO NOTIFY ENGINEER:** Client warrants that it has advised PSI of any known or suspected hazardous materials, utility lines and pollutants at any site at which PSI is to do work, and unless PSI has assumed in writing the responsibility of locating subsurface objects, structures, lines or conduits, Client agrees to defend, indemnify and save PSI harmless from all claims, suits, losses, costs and expenses, including reasonable attorney's fees as a result of personal injury, death or property damage occurring with respect to PSI's performance of its work and resulting to or caused by contact with subsurface or latent objects, structures, lines or conduits where the actual or potential presence and location thereof were not revealed to PSI by Client.
7. **RESPONSIBILITY:** PSI's work shall not include determining, supervising or implementing the means, methods, techniques, sequences or procedures of construction. PSI shall not be responsible for evaluating, reporting or affecting job conditions concerning health, safety or welfare. PSI's work or failure to perform same shall not in any way excuse any contractor, subcontractor or supplier from performance of its work in accordance with the contract documents. Client agrees that it shall require subrogation to be waived against PSI and for PSI to be added as an Additional Insured on all policies of insurance, including any policies required of Client's contractors or subcontractors, covering any construction or development activities to be performed on the project site. PSI has no right or duty to stop the contractor's work.
8. **SAMPLE DISPOSAL:** Test specimens will be disposed immediately upon completion of the test. All drilling samples will be disposed sixty (60) days after submission of PSI's report.
9. **PAYMENT:** The quantities and fees provided in this proposal are PSI's estimate based on information provided by Client and PSI's experience on similar projects. The actual total amount due to PSI shall be based on the actual final quantities provided by PSI at the unit rates provided herein. Where Client directs or requests additional work beyond the contract price it will be deemed a change order and PSI will be paid according to the fee schedule. Client shall be invoiced once each month for work performed during the preceding period. Client agrees to pay each invoice within thirty (30) days of its receipt. Client further agrees to pay interest on all amounts invoiced and not paid or objected to for valid cause in writing within said thirty (30) day period at the rate of eighteen (18) percent per annum (or the maximum interest rate permitted under applicable law), until paid. Client agrees to pay PSI's cost of collection of all amounts due and unpaid after thirty (30) days, including court costs and reasonable attorney's fees. PSI shall not be bound by any provision or agreement requiring or providing for arbitration of disputes or controversies arising out of this agreement, any provision wherein PSI waives any rights to a mechanics' lien, or any provision conditioning PSI's right to receive payment for its work upon payment to Client by any third party. These General Conditions are notice, where required, that PSI shall file a lien whenever necessary to collect past due amounts. Failure to make payment within 30 days of invoice shall constitute a release of PSI from any and all claims which Client may have, whether in tort, contract or otherwise, and whether known or unknown at the time.

## GENERAL CONDITIONS

10. **ALLOCATION OF RISK:** CLIENT AGREES THAT PSI'S SERVICES WILL NOT SUBJECT PSI'S INDIVIDUAL EMPLOYEES, OFFICERS OR DIRECTORS TO ANY PERSONAL LIABILITY, AND THAT NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, CLIENT AGREES THAT ITS SOLE AND EXCLUSIVE REMEDY SHALL BE TO DIRECT OR ASSERT ANY CLAIM, DEMAND, OR SUIT ONLY AGAINST PSI.

SHOULD PSI OR ANY OF ITS EMPLOYEES BE FOUND TO HAVE BEEN NEGLIGENT IN THE PERFORMANCE OF ITS WORK, OR TO HAVE MADE AND BREACHED ANY EXPRESS OR IMPLIED WARRANTY, REPRESENTATION OR CONTRACT, CLIENT, ALL PARTIES CLAIMING THROUGH CLIENT AND ALL PARTIES CLAIMING TO HAVE IN ANY WAY RELIED UPON PSI'S WORK AGREE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE LIABILITY OF PSI, ITS OFFICERS, EMPLOYEES AND AGENTS SHALL BE LIMITED TO \$25,000.00 OR THE TOTAL AMOUNT OF THE FEE PAID TO PSI FOR ITS WORK PERFORMED ON THE PROJECT, WHICHEVER AMOUNT IS GREATER. IN THE EVENT CLIENT IS UNWILLING OR UNABLE TO LIMIT PSI'S LIABILITY IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THIS PARAGRAPH, CLIENT MAY, UPON WRITTEN REQUEST OF CLIENT RECEIVED WITHIN FIVE DAYS OF CLIENT'S ACCEPTANCE HEREOF, INCREASE THE LIMIT OF PSI'S LIABILITY TO \$250,000.00 OR THE AMOUNT OF PSI'S FEE PAID TO PSI FOR ITS WORK ON THE PROJECT, WHICHEVER IS THE GREATER, BY AGREEING TO PAY PSI A SUM EQUIVALENT TO AN ADDITIONAL AMOUNT OF 5% OF THE TOTAL FEE TO BE CHARGED FOR PSI'S SERVICES. THIS CHARGE IS NOT TO BE CONSTRUED AS BEING A CHARGE FOR INSURANCE OF ANY TYPE, BUT IS INCREASED CONSIDERATION FOR THE GREATER LIABILITY INVOLVED. IN ANY EVENT, ATTORNEY'S FEES EXPENDED BY PSI IN CONNECTION WITH ANY CLAIM SHALL REDUCE THE AMOUNT AVAILABLE, AND ONLY ONE SUCH AMOUNT WILL APPLY TO ANY PROJECT.

NEITHER PARTY SHALL BE LIABLE TO THE OTHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE AND BREACH OF STATUTORY DUTY) OR OTHERWISE FOR LOSS OF PROFIT (WHETHER DIRECT OR INDIRECT) OR FOR ANY INDIRECT, CONSEQUENTIAL, PUNITIVE, OR SPECIAL LOSS OR DAMAGE, INCLUDING WITHOUT LIMITATION LOSS OF PROFITS, REVENUE, BUSINESS, OR ANTICIPATED SAVINGS (EVEN WHEN ADVISED OF THEIR POSSIBILITY).

NO ACTION OR CLAIM, WHETHER IN TORT, CONTRACT, OR OTHERWISE, MAY BE BROUGHT AGAINST PSI, ARISING FROM OR RELATED TO PSI'S WORK, MORE THAN TWO YEARS AFTER THE CESSATION OF PSI'S WORK HEREUNDER, REGARDLESS OF THE DATE OF DISCOVERY OF SUCH CLAIM.

11. **INDEMNITY:** Subject to the above limitations, PSI agrees not to defend but to indemnify and hold Client harmless from and against any and all claims, suits, costs and expenses including reasonable attorney's fees and court costs to the extent arising out of PSI's negligence as finally determined by a court of law. Client shall provide the same protection to the extent of its negligence. In the event that Client or Client's principal shall bring any suit, cause of action, claim or counterclaim against PSI, the Client and the party initiating such action shall pay to PSI the costs and expenses incurred by PSI to investigate, answer and defend it, including reasonable attorney's and witness fees and court costs to the extent that PSI shall prevail in such suit.
12. **TERMINATION:** This Agreement may be terminated by either party upon seven days' prior written notice. In the event of termination, PSI shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses.
13. **EMPLOYEES/WITNESS FEES:** PSI's employees shall not be retained as expert witnesses except by separate, written agreement. Client agrees to pay PSI's legal expenses, administrative costs and fees pursuant to PSI's then current fee schedule for PSI to respond to any subpoena. For a period of one year after the completion of any work performed under this agreement, Client agrees not to solicit, recruit, or hire any PSI employee or person who has been employed by PSI within the previous twelve months. In the event Client desires to hire such an individual, Client agrees that it shall seek the written consent of PSI, and shall pay PSI an amount equal to one-half of the employee's annualized salary, without PSI waiving other remedies it may have.
14. **FIDUCIARY:** PSI is not a financial advisor, does not provide financial advice or analysis of any kind, and nothing in our reports can create a fiduciary relationship between PSI and any other party.
15. **RECORDING:** Photographs or video recordings of the Client's own project may be taken by and used for the Client's own internal purposes. Photographs or video recordings may not be used for marketing or publicity, or distributed to a third party or otherwise published without PSI's prior review and consent in writing. Taking photographs of other Clients' samples, test setups, or facilities, or recording in any manner any test specimen other than the test specimen related to the Client's project is prohibited; and the Client agrees to hold in strict confidence and not use any proprietary information disclosed either advertently or inadvertently. The Client shall defend, hold harmless, and indemnify PSI for any breach of this clause.
16. **CHOICE OF LAW AND EXCLUSIVE VENUE:** All claims or disputes arising or relating to this agreement shall be governed by, construed, and enforced in accordance with the laws of Illinois. The exclusive venue for all actions or proceedings arising in connection with this agreement shall be either the Circuit Court in Cook County, Illinois, or the Federal Court for the Northern District of Illinois.
17. **PROVISIONS SEVERABLE:** The parties have entered into this agreement in good faith, and it is the specific intent of the parties that the terms of these General Conditions be enforced as written. In the event any of the provisions of these General Conditions should be found to be unenforceable, it shall be stricken and the remaining provisions shall be enforceable.
18. **ENTIRE AGREEMENT:** This agreement constitutes the entire understanding of the parties, and there are no representations, warranties or undertakings made other than as set forth herein. This agreement may be amended, modified or terminated only in writing, signed by each of the parties hereto.



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This proposal contains pricing and other information confidential and proprietary to Commonwealth Heritage Group, LLC. Disclosure of this proposal's contents to persons or organizations outside SEH, Inc. and the project proponent(s) is not authorized without specific written permission of Commonwealth Heritage Group, LLC. All technical specifications in this proposal are valid for 90 days unless an agreement is reached and executed.

---

**Date:** September 5, 2023 W-2622

**To:** Josh Woller, PE  
SEH, Inc.

**From:** Greg Rainka 

**Subject:** Proposal – Archaeological and Architecture/History Investigations  
WisDOT Project ID 8995-00-15  
Prentice Avenue, USH 2 to 6<sup>th</sup> Street  
Ashland County

Commonwealth Heritage Group, LLC (Commonwealth) is pleased to present the following proposal to SEH, Inc. (SEH) for cultural resources services for the subject road project in Ashland. It is our understanding that archaeological and architecture/history investigations are needed pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations.

## ARCHAEOLOGICAL INVESTIGATIONS

### Area of Potential Effects

Based on the information provided to date, the project will reconstruct five blocks of Prentice Avenue. Commonwealth assumes the Area of Potential Effects (APE) for archaeology will be defined as the existing and proposed right-of-way and easements, encompassing all areas of potential ground disturbance associated with the project.

### Archaeological Survey

Commonwealth will complete a Phase I archaeological survey of the APE. The survey will include a records review using the Wisconsin Historic Preservation Database (WHPD) to identify previously documented cultural resources located within the project area, to identify any cultural resource investigations that have previously taken place, and to provide information on the expected types and location parameters of cultural resources within the APE and a surrounding one-mile radius. To supplement the site file data, Commonwealth will conduct a review of readily available online historic mapping (both plat maps and USGS maps) and modern aerial, NWI, and county soils mapping of the

APE. The survey will satisfy the requirements of the Wisconsin State Historic Preservation Office (SHPO) and Section 106 and also will adhere to the *Guidelines for Public Archeology in Wisconsin* (2012) and WisDOT's *Guide to Transportation Archaeology* (2012).

Survey will be conducted employing standard archaeological techniques and may include both shovel testing and pedestrian (walkover) survey. Pedestrian survey will involve walking in 15-meter intervals in areas with ground surface visibility greater than 10 percent. In areas which are not visibly disturbed and do not have good surface visibility, systematic shovel testing will be required and consist minimally of 25-centimeter diameter holes excavated until sterile soil is encountered. Where needed, shovel tests will be excavated at 15-meter intervals. Excavated soils will be screened through ¼-inch wire mesh and examined for evidence of cultural materials.

Profiles will be described for each shovel test. Notes will be recorded concerning the soil stratigraphy (including Munsell color designations and texture) and any artifacts encountered. All shovel tests will be assigned a unique designation that will be mapped within the APE prior to the field survey, and then documented during the field survey with sub-meter accurate geographic positioning system (GPS) equipment. If cultural material is encountered, additional radial shovel tests will be placed at 5-meter intervals as needed to define the horizontal extent of the cultural material. During fieldwork, standard forms will be completed by the field crew. Archaeological sites and positive finds within shovel tests will be noted on the forms. Artifacts will be bagged and assigned numbers by their locations. Photographs will be taken of the general project area.

It is assumed that SEH will be responsible for notifying landowners of the project where archaeological survey may need to be conducted outside of the existing right-of-way. Fieldwork will commence a minimum of seven days after landowner notification letters have been mailed. It is also assumed that SEH will provide preliminary design plans and/or files prior to commencement of the survey to facilitate Commonwealth's delineation of the APE and use of GPS equipment during fieldwork.

## **Report Preparation**

Commonwealth assumes no new archaeological sites will be found. The results of the survey will therefore be documented in an Archaeological Survey Field Report (ASFR) and Archaeological Records and Literature Review form in lieu of a formal report. Should a new site be found, a formal Phase I survey report will be required to fully document the site and provide sufficient information to make a preliminary evaluation regarding National Register of Historic Places (National Register) eligibility. The preparation of a formal Phase I survey report and Determination of Eligibility (DOE) for any identified archaeological sites are not included in this proposal.

## **ARCHITECTURE/HISTORY INVESTIGATIONS**

### **Area of Potential Effects**

Commonwealth assumes the APE for architecture/history will be defined to include properties adjacent to Prentice Avenue within the project limits.

### **Architecture/History Survey**

Commonwealth will conduct background and archival research and review the WHPD to determine if any properties in the APE were previously surveyed. Commonwealth will then complete an architecture/history survey of the APE in accordance with the Wisconsin Historical Society's *Survey Manual*. We will



identify, photograph, and assess the National Register eligibility of individual buildings, structures, and objects, as well as any districts that are present. Additional photographs depicting streetscapes and viewsheds will be provided as needed to document the APE.

Commonwealth assumes the following for the architecture/history survey:

- Up to 12 properties will require survey/resurvey.
- No properties will be identified with potential architectural or historical significance.

### **Report Preparation**

The results of the architecture/history survey will be documented in an Architecture/History Survey Report (AHSR), as required by WisDOT and the SHPO.

### **OTHER SERVICES INCLUDED**

In addition to the archaeological and architecture/history investigations, Commonwealth will assist SEH with completing the Section 106 form (DT1635) and will notify local historical societies and other local interested parties to solicit comments about the project and its potential to affect historic properties.

### **SERVICES NOT INCLUDED**

This proposal assumes no new archaeological sites will be found and therefore does not include a Phase I archaeological survey report. This proposal also does not include preparation of DOEs or an assessment of effects to historic properties.

### **SCHEDULE**

Weather permitting, Commonwealth assumes the archaeological and architecture/history investigations and associated reporting will be completed within 30 days of receiving notice to proceed.

The contract completion date is November 11, 2025.

### **COST**

Based on our assumptions, Commonwealth proposes to complete archaeological and architecture/history surveys and associated reporting (ASFR and AHSR) for the Prentice Avenue project in Ashland for actual costs up to \$5,703.75 plus a fixed fee of \$360.15 for a total cost not to exceed \$6,063.90. See the attached spreadsheets for a breakdown of costs.

Commonwealth Heritage Group  
 ID 8995-00-15  
 Prentice Avenue  
 USH 2 to 6th Street  
 Ashland County

Summary of Staff Hours and Direct Labor Costs

| Classification                               |               | Project Manager |          | Architectural Historian |          | Archaeologist |          | Archaeological Technician |         | GIS/Graphics |          |                    |            |
|----------------------------------------------|---------------|-----------------|----------|-------------------------|----------|---------------|----------|---------------------------|---------|--------------|----------|--------------------|------------|
| Rate                                         |               | \$45.67         |          | \$25.00                 |          | \$28.50       |          | \$23.00                   |         | \$30.50      |          | Total Direct Labor |            |
| Task                                         | Activity Code | Hours           | Dollars  | Hours                   | Dollars  | Hours         | Dollars  | Hours                     | Dollars | Hours        | Dollars  | Hours              | Dollars    |
| Analyze Archaeological and Historical Impact | 763           | 6               | \$274.02 | 32                      | \$800.00 | 24            | \$684.00 | 2                         | \$46.00 | 6            | \$183.00 | 70                 | \$1,987.02 |
| TOTAL:                                       |               | 6               | \$274.02 | 32                      | \$800.00 | 24            | \$684.00 | 2                         | \$46.00 | 6            | \$183.00 | 70                 | \$1,987.02 |

Commonwealth Heritage Group  
ID 8995-00-15  
Prentice Avenue  
USH 2 to 6th Street  
Ashland County

Consultant Direct Labor Rates

| Employee Name | Classification            | Current Rate | % Pay Increase | New Pay Rate | Date of Increase | % Work at Current Rate | % Work at Increased Rate | Weighted Average Hourly Rate |
|---------------|---------------------------|--------------|----------------|--------------|------------------|------------------------|--------------------------|------------------------------|
| G. Rainka     | Project Manager           | \$45.67      | 0.00%          | \$45.67      | 4/1/2024         | 100.00%                | 0.00%                    | \$45.67                      |
| K. Stanger    | Architectural Historian   | \$25.00      | 0.00%          | \$25.00      | 4/1/2024         | 100.00%                | 0.00%                    | \$25.00                      |
| R. Jones      | Archaeologist             | \$28.50      | 0.00%          | \$28.50      | 4/1/2024         | 100.00%                | 0.00%                    | \$28.50                      |
| P. Moriarity  | Archaeological Technician | \$23.00      | 0.00%          | \$23.00      | 4/1/2024         | 100.00%                | 0.00%                    | \$23.00                      |
| E. Hulit      | GIS/Graphics              | \$30.50      | 0.00%          | \$30.50      | 4/1/2024         | 100.00%                | 0.00%                    | \$30.50                      |

Contract Completion Date: 11/11/2025

Commonwealth Heritage Group  
ID 8995-00-15  
Prentice Avenue  
USH 2 to 6th Street  
Ashland County

Fee Computation Summary by Engineering Task

| Task                                         | Activity Code | Direct Labor Costs | Indirect Costs | Fixed Fee | Direct Expenses | Total      |
|----------------------------------------------|---------------|--------------------|----------------|-----------|-----------------|------------|
| Analyze Archaeological and Historical Impact | 763           | \$1,987.02         | \$2,673.73     | \$360.15  | \$1,043.00      | \$6,063.90 |
| TOTAL:                                       |               | \$1,987.02         | \$2,673.73     | \$360.15  | \$1,043.00      | \$6,063.90 |

CONSULTANT Home Office Overhead Rate (%): 134.56  
CONSULTANT Fixed Fee Indirect Cost Rate (%): 150.00  
Fixed Fee (%): 7.25

**Commonwealth Heritage Group**  
**ID 8995-00-15**  
**Prentice Avenue**  
**USH 2 to 6th Street**  
**Ashland County**

**Direct Expenses by Item**

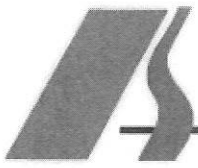
| Item                        | Unit Amount | Unit Type | Rate     | Total Expenses    |
|-----------------------------|-------------|-----------|----------|-------------------|
| Vehicle Rental and Fuel     | 4           | day       | \$150.00 | \$600.00          |
| Travel: Lodging             | 2           | day       | \$98.00  | \$196.00          |
| Travel: Meals as Per Diem   | 3           | day       | \$59.00  | \$177.00          |
| Survey Equipment (GPS Unit) | 2           | day       | \$35.00  | \$70.00           |
| <b>TOTAL</b>                |             |           |          | <b>\$1,043.00</b> |

**Commonwealth Heritage Group**  
**ID 8995-00-15**  
**Prentice Avenue**  
**USH 2 to 6th Street**  
**Ashland County**

**Consultant Contract Total Fee Computation**

|                              |                   |                           |
|------------------------------|-------------------|---------------------------|
| <b>Project IDs</b>           | <b>8995-00-15</b> | <b>Total for Contract</b> |
| <b>Number of Staff Hours</b> | 70                | <b>70</b>                 |
| <b>Total Direct Labor</b>    | \$1,987.02        | <b>\$1,987.02</b>         |
| <b>Total Indirect Costs</b>  | \$2,673.73        | <b>\$2,673.73</b>         |
| <b>Fixed Fee</b>             | \$360.15          | <b>\$360.15</b>           |
| <b>Direct Expenses</b>       | \$1,043.00        | <b>\$1,043.00</b>         |
| <b>Subtotal</b>              | <b>\$6,063.90</b> | <b>\$6,063.90</b>         |
| <b>TOTAL COST</b>            | <b>\$6,063.90</b> | <b>\$6,063.90</b>         |

**CONSULTANT Home Office Overhead Rate (%): 134.56**  
**CONSULTANT Fixed Fee Indirect Cost Rate (%): 150.00**  
**Fixed Fee (%): 7.25**



# Northwest Land Title, Inc.

60 Main Street West • P.O. Box 520 • Milltown, Wisconsin 54858 • Phone: 715-825-4411 • Fax: 715-825-4226  
<http://www.nw-title.com>

September 1, 2023

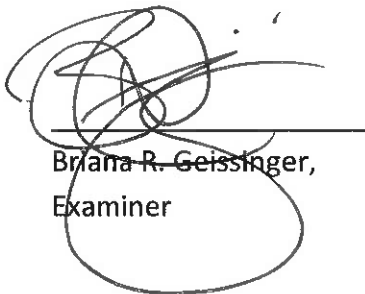
Jason Cance, Professional Land Surveyor  
SEH Inc  
10 North Bridge Street  
Chippewa Falls, WI 54729

Re: Ashland County

Northwest Land Title would be pleased to provide title searches done to State of Wisconsin,  
Department of Transportation standards.

2.1 updated title searches for \$35 per parcel

4.2 ownership reports with easements for \$175 per parcel



Briana R. Geissinger,  
Examiner

|                                                           |
|-----------------------------------------------------------|
| 14 parcels (4.2 ownership reports) @ \$175.00 = \$2450.00 |
| 14 parcels (2.1 updates) @ \$35.00 = \$490                |
| Total = \$2940.00                                         |



**SUBJECT:** Approve to Accept 2021 Assistance to Firefighters Grant for the Purchase of EKG Monitors (*Fire Department*) Roll

**RECOMMENDATION:** Approval

---

**DEPARTMENT OF ORIGIN:** Fire & EMS Department

**CLEARANCES:** Approved Unanimously by Committee of the Whole, January 6, 2021

**EXHIBITS:**

1. Initial Agenda Bill to Apply for Assistance to Firefighters Grant, January 26, 2021
2. Firefighters Grant Program Award Letter, January 23, 2023

**EXPENDITURES REQUIRED:** \$12,259.87

**AMOUNT BUDGETED:** \$10,750.00 Fund Balance

**APPROPRIATION  
REQUIRED:** \$ 1,509.87 Fund Balance

**TREASURER'S  
CERTIFICATE:** NA

**COMPLIANCE WITH ORD. 51:**

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:** A goal of the Utilities and Community Facilities chapter (Chapter 5) of the City's Comprehensive Plan of Record is "to provide a well maintained infrastructure that provides health, education, telecommunication and safety and security services for all residents and visitors." Objective 1.3 of the chapter notes that the community needs to "ensure that City fire, police, and emergency services equipment adequately provides for the personal safety of all persons and for preservation of property."

**SUMMARY STATEMENT:**

The Ashland Fire Department (AFD) received permission from the Council to apply for an Assistance to Firefighters Grant (AFG) on January 6, 2021. This Federal Grant process was delayed due to COVID, and this grant was unexpectedly awarded to AFD earlier this year. Due to the extended time between applying for the grant and being awarded the grant, AFG awarded AFD more money than was requested to account for inflationary price increases. Because the expenditure is now more than the 2021 grant request, permission is needed to accept the grant and allow for a higher match amount than was previously requested.

The 2021 grant request (included in the attachments) was for \$215,000. AFG awarded AFD \$245,197.31, which requires a 5% match of up to \$12,259.87. This new match amount from the City of Ashland is \$1,509.87 more than the original approved match of \$10,750.00.

**SUBJECT:** Approve to Apply for an Assistance to Firefighters Grant for the Purchase of Cardiac Monitors for the Ashland Fire Department (*Fire Department*)

**RECOMMENDATION:** Approval

---

**DEPARTMENT OF ORIGIN:** Fire & EMS Department

**CLEARANCES:** Fire Chief

**EXHIBITS:**

**EXPENDITURES REQUIRED:** \$215,000 Grant Request

**AMOUNT BUDGETED:** \$0

**APPROPRIATION REQUIRED:** \$ 10,750 Match - General Fund - Fund Balance

**TREASURER'S CERTIFICATE:**

**COMPLIANCE WITH ORDINANCE 51:**

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:** This item conforms to the Ashland Comprehensive Plan in that it is "...in accordance with existing and future needs, best promote the public health, safety, morals, and the general welfare..." for the City's residents and community.

**SUMMARY STATEMENT:**

The Ashland Fire Department is requesting approval to submit a federal Assistance to Firefighters Grant application to obtain grant funding for six (6) new Cardiac Monitors.

The current Cardiac Monitors are approaching ten years old and are nearing the end of their reliable service life. This year one of the monitors failed and it took nearly three months to have the unit repaired as the original manufacturer is no longer stocking replacement parts and are not providing repair services due the age of the units.

The cost of the monitors are \$35,833 each. The total grant request will be approximately \$215,000 with a 5% match of \$10,750. These are very preliminary numbers and will change slightly due to annual price increases that are unknown at this time. This is a great opportunity to reduce our capital expenditures in the very near future. The grant match would be required to come from the city general fund, as there are no available funds within the fire departments budget for the match amount.

# Award Letter

U.S. Department of Homeland Security  
Washington, D.C. 20472

Effective date: 01/23/2023



Matthew Spangler  
ASHLAND, CITY OF  
215 6TH ST  
ASHLAND, WI 54806  
  
EMW-2021-FG-01983

Dear Matthew Spangler,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2021 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$245,197.31 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 5.00% of the Federal funds awarded, or \$12,259.87 for a total approved budget of \$257,457.18. Please see the FY 2021 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2021 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink that reads "P. Williams".

PAMELA WILLIAMS  
Assistant Administrator, Grant Programs

# Summary Award Memo

**Program:** Fiscal Year 2021 Assistance to Firefighters Grant

**Recipient:** ASHLAND, CITY OF

**UEI-EFT:** MVDJUBL9XNH8

**DUNS number:** 627835358

**Award number:** EMW-2021-FG-01983

## Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for Fiscal Year (FY) 2021 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

## Amount awarded table

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

| Object Class     | Total        |
|------------------|--------------|
| Personnel        | \$0.00       |
| Fringe benefits  | \$0.00       |
| Travel           | \$0.00       |
| Equipment        | \$211,908.18 |
| Supplies         | \$0.00       |
| Contractual      | \$0.00       |
| Construction     | \$0.00       |
| Other            | \$45,549.00  |
| Indirect charges | \$0.00       |
| Federal          | \$245,197.31 |
| Non-federal      | \$12,259.87  |
| Total            | \$257,457.18 |
| Program Income   | \$0.00       |

## Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2021 AFG NOFO.

### Approved request details:

## Equipment

### Monitor/Defibrillator - 15 leads

#### DESCRIPTION

Monitor/Defibrillator with 15 lead ECG, pacing, noninvasive blood pressure, SpO2, SpCO, end-tidal CO2 and CPR assist, along with associated parts to include batteries, charging cables, sensors and and cuffs for utilizing all features.

|        | QUANTITY | UNIT PRICE  | TOTAL        | BUDGET CLASS |
|--------|----------|-------------|--------------|--------------|
| Cost 1 | 6        | \$35,318.03 | \$211,908.18 | Equipment    |

### Additional funding

#### DESCRIPTION

all-inclusive standard service and equipment replacement plan.

|        | QUANTITY | UNIT PRICE | TOTAL       | BUDGET CLASS |
|--------|----------|------------|-------------|--------------|
| Cost 1 | 6        | \$7,591.50 | \$45,549.00 | Other        |

#### CHANGE FROM APPLICATION

##### Description changed

#### JUSTIFICATION

The award reflects an update in line-item description to clarify that the length of the service plan is typical or standard for this type of equipment and its purchase is incidental to the acquisition of the equipment itself.

## Agreement Articles

**Program:** Fiscal Year 2021 Assistance to Firefighters Grant

**Recipient:** ASHLAND, CITY OF

**UEI-EFT:** MVDJUBL9XNH8

**DUNS number:** 627835358

**Award number:** EMW-2021-FG-01983

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**Article 1****Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances as instructed by the awarding agency. II. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002. III. By accepting this agreement, recipients, and their executives, as defined in 2 C.F.R. § 170.315, certify that their policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

**Article 2****General Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. I. Recipients must cooperate with any DHS compliance reviews or compliance investigations conducted by DHS. II. Recipients must give DHS access to examine and copy records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel. III. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. IV. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance. V. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. DHS Civil Rights Evaluation Tool | Homeland Security. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

**Article 3****Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

**Article 4****Activities Conducted Abroad**

Recipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

|                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Article 5</b> | <b>Age Discrimination Act of 1975</b><br>Recipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Article 6</b> | <b>Americans with Disabilities Act of 1990</b><br>Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101– 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Article 7</b> | <b>Best Practices for Collection and Use of Personally Identifiable Information</b><br>Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.                                                                                                                                                                                                                                                                                                                                      |
| <b>Article 8</b> | <b>Civil Rights Act of 1964 – Title VI</b><br>Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Article 9</b> | <b>Civil Rights Act of 1968</b><br>Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.) |

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| <b>Article 10</b> | <b>Copyright</b><br>Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Article 11</b> | <b>Debarment and Suspension</b><br>Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Article 12</b> | <b>Drug-Free Workplace Regulations</b><br>Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Article 13</b> | <b>Duplication of Benefits</b><br>Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. |
| <b>Article 14</b> | <b>Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX</b><br>Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.                                                                                                                                                                                                                                                                                          |

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| <b>Article 15</b> | <b>E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety</b><br>Recipients must comply with the requirements of section 12(c) of E.O. 14074. Recipient State, Tribal, local, or territorial law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.                                                                                                                                      |
| <b>Article 16</b> | <b>Energy Policy and Conservation Act</b><br>Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.                                                                                                                                                                                           |
| <b>Article 17</b> | <b>False Claims Act and Program Fraud Civil Remedies</b><br>Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§3729- 3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)                                                                                                                                                                               |
| <b>Article 18</b> | <b>Federal Debt Status</b><br>All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)                                                                                                                                                                                                                                                                                    |
| <b>Article 19</b> | <b>Federal Leadership on Reducing Text Messaging while Driving</b><br>Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the Federal Government.                                                                                                                                                                     |
| <b>Article 20</b> | <b>Fly America Act of 1974</b><br>Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942. |

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| <b>Article 21</b> | <b>Hotel and Motel Fire Safety Act of 1990</b><br>Recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Article 22</b> | <b>John S. McCain National Defense Authorization Act of Fiscal Year 2019</b><br>Recipients, subrecipients, and their contractors and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons                                                                                                                                                                                               |
| <b>Article 23</b> | <b>Limited English Proficiency (Civil Rights Act of 1964, Title VI)</b><br>Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <a href="https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited">https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited</a> and additional resources on <a href="http://www.lep.gov">http://www.lep.gov</a> . |
| <b>Article 24</b> | <b>Lobbying Prohibitions</b><br>Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Article 25</b> | <b>National Environmental Policy Act</b><br>Recipients must comply with the requirements of the National Environmental Policy Act of 1969, (NEPA) Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq. and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans                                                                                                                                                                                                                                     |

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| <b>Article 26</b> | <b>Nondiscrimination in Matters Pertaining to Faith-Based Organizations</b><br>It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs. |
| <b>Article 27</b> | <b>Non-Supplanting Requirement</b><br>Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.                                                                                                                                                                                                                                                                                                                  |
| <b>Article 28</b> | <b>Notice of Funding Opportunity Requirements</b><br>All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.                                                                                                                                                                                                                                                      |
| <b>Article 29</b> | <b>Patents and Intellectual Property Rights</b><br>Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.                                                                                                                                                 |
| <b>Article 30</b> | <b>Procurement of Recovered Materials</b><br>States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.                  |
| <b>Article 31</b> | <b>Rehabilitation Act of 1973</b><br>Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.                                                                                                    |

**Article 32      Reporting of Matters Related to Recipient Integrity and Performance**  
General Reporting Requirements: If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**Article 33      Reporting Subawards and Executive Compensation**  
Reporting of first tier subawards. Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

**Article 34      Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**  
Recipients must comply with the “Build America, Buy America” provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless: (1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; (2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below. (a) When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the

application of the domestic content procurement preference in any case in which the agency determines that: (1) applying the domestic content procurement preference would be inconsistent with the public interest; (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent. A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office. There may be instances where an award qualifies, in whole or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov. The awarding Component may provide specific instructions to Recipients of awards from infrastructure programs that are subject to the “Build America, Buy America” provisions. Recipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

**Article 35      SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**Article 36      Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

**Article 37      Trafficking Victims Protection Act of 2000 (TVPA)**

Trafficking in Persons. Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

**Article 38      Universal Identifier and System of Award Management**

Requirements for System for Award Management and Unique Entity Identifier  
Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

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| <b>Article 39</b> | <b>USA PATRIOT Act of 2001</b><br>Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Article 40</b> | <b>Use of DHS Seal, Logo and Flags</b><br>Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Article 41</b> | <b>Whistleblower Protection Act</b><br>Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Article 42</b> | <b>Environmental Planning and Historic Preservation (EHP) Review</b><br>DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the recipient to comply with all federal, state and local laws. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and any other applicable laws and executive orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA. |

**Article 43****Applicability of DHS Standard Terms and Conditions to Tribes**

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon recipients and flow down to subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

**Article 44****Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@fema.dhs.gov](mailto:ASK-GMD@fema.dhs.gov) if you have any questions.

**Article 45****Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award by a non-state recipient or non-state subrecipients, when that equipment is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313. State recipients and state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

**Article 46****Prior Approval for Modification of Approved Budget**

Before making any change to the FEMA approved budget for this award, you must request prior written approval from FEMA where required by 2 C.F.R. section 200.308. For purposes of non-construction projects, FEMA is utilizing its discretion to impose an additional restriction under 2 C.F.R. section 200.308(f) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget FEMA last approved. For purposes of awards that support both construction and non-construction work, FEMA is utilizing its discretion under 2 C.F.R. section 200.308(h)(5) to require the recipient to obtain prior written approval from FEMA before making any fund or budget transfers between the two types of work. You must report any deviations from your FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**Article 47****Indirect Cost Rate**

2 C.F.R. section 200.211(b)(15) requires the terms of the award to include the indirect cost rate for the federal award. If applicable, the indirect cost rate for this award is stated in the budget documents or other materials approved by FEMA and included in the award file.

**Article 48****Award Performance Goals**

FEMA will measure the recipient's performance of the grant by comparing the number of items requested in its application, the numbers acquired (ordered, paid, and received) within the period of performance. In order to measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient is required to report on the recipients compliance with the applicable industry, local, state and national standards described in the NOFO.

## Obligating document

|                                                                                                                                                                                                                         |                                                     |                                                                                                                                              |                                                                                         |                                                                                                                                 |                                         |                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------|
| <b>1. Agreement No.</b><br>EMW-2021-FG-01983                                                                                                                                                                            | <b>2. Amendment No.</b><br>N/A                      | <b>3. Recipient No.</b><br>396005387                                                                                                         | <b>4. Type of Action</b><br>AWARD                                                       | <b>5. Control No.</b><br>WX00794N2023T                                                                                          |                                         |                                          |
| <b>6. Recipient Name and Address</b><br>ASHLAND, CITY OF<br>215 6TH ST E<br>ASHLAND, WI 54806                                                                                                                           |                                                     | <b>7. Issuing FEMA Office and Address</b><br>Grant Programs Directorate<br>500 C Street, S.W.<br>Washington DC, 20528-7000<br>1-866-927-5646 |                                                                                         | <b>8. Payment Office and Address</b><br>FEMA, Financial Services Branch<br>500 C Street, S.W., Room 723<br>Washington DC, 20742 |                                         |                                          |
| <b>9. Name of Recipient Project Officer</b><br>Matthew Spangler                                                                                                                                                         |                                                     | <b>9a. Phone No.</b><br>9206090561                                                                                                           | <b>10. Name of FEMA Project Coordinator</b><br>Assistance to Firefighters Grant Program |                                                                                                                                 | <b>10a. Phone No.</b><br>1-866-274-0960 |                                          |
| <b>11. Effective Date of This Action</b><br><br>01/23/2023                                                                                                                                                              | <b>12. Method of Payment</b><br><br>OTHER - FEMA GO | <b>13. Assistance Arrangement</b><br><br>COST SHARING                                                                                        |                                                                                         | <b>14. Performance Period</b><br>01/30/2023 to 01/29/2025<br><b>Budget Period</b><br>01/30/2023 to 01/29/2025                   |                                         |                                          |
| <b>15. Description of Action a. (Indicate funding data for awards or financial changes)</b>                                                                                                                             |                                                     |                                                                                                                                              |                                                                                         |                                                                                                                                 |                                         |                                          |
| <b>Program Name Abbreviation</b>                                                                                                                                                                                        | <b>Assistance Listings No.</b>                      | <b>Accounting Data(ACCS Code)</b>                                                                                                            | <b>Prior Total Award</b>                                                                | <b>Amount Awarded This Action + or (-)</b>                                                                                      | <b>Current Total Award</b>              | <b>Cumulative Non-Federal Commitment</b> |
| AFG                                                                                                                                                                                                                     | 97.044                                              | 2023-FD-GB01 - P410-xxxx-4101-D                                                                                                              | \$0.00                                                                                  | \$245,197.31                                                                                                                    | \$245,197.31                            | \$12,259.87                              |
| Totals                                                                                                                                                                                                                  |                                                     |                                                                                                                                              | \$0.00                                                                                  | \$245,197.31                                                                                                                    | \$245,197.31                            | \$12,259.87                              |
| <b>b. To describe changes other than funding data or financial changes, attach schedule and check here:</b><br>N/A                                                                                                      |                                                     |                                                                                                                                              |                                                                                         |                                                                                                                                 |                                         |                                          |
| <b>16.FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)</b><br>This field is not applicable for digitally signed grant agreements |                                                     |                                                                                                                                              |                                                                                         |                                                                                                                                 |                                         |                                          |

|                                                                 |                   |
|-----------------------------------------------------------------|-------------------|
| <b>17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)</b>        | <b>DATE</b>       |
| <b>18. FEMA SIGNATORY OFFICIAL (Name and Title)</b>             | <b>DATE</b>       |
| <b>PAMELA WILLIAMS, Assistant Administrator, Grant Programs</b> | <b>01/23/2023</b> |

**SUBJECT:** Approve a Resolution to Issue a Conditional Use Permit (CUP) to Allow Vehicle Sales at Parcels #201-00066-2000 and #201-00066-0100, Zoned City Center (CC) with Gateway Overlay (GTWY-O), Applicant, Shanette Homola (*Planning & Development*) Roll

**RECOMMENDATION:** Approval

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**DEPARTMENT OF ORIGIN:** Planning & Development

**CLEARANCES:** Planning Commission (approval recommended at the Sept. 19th 2023 meeting)

**EXHIBITS:**

1. Proposed Resolution 177341
2. Staff Report: Homola Park and Sell

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION  
REQUIRED:** N/A

**TREASURER'S  
CERTIFICATE:** N/A

**COMPLIANCE WITH ORD. 51:** N/A

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:** The proposed development is consistent with the goals of the Comprehensive Plan. The Future Land Use Plan indicates that this area would remain the Downtown Core & Commercial Districts and borders the Waterfront Protection area. These land use areas allow for a variety of uses and vehicle sales would be permitted. This development also utilizes an existing vacant infill lot.

**SUMMARY STATEMENT:**

Planning staff recommends approval of the Conditional Use Permit to allow for the Vehicle Sales use at parcels #201-00066-2000 and #201-00066-0100. A public hearing was held at the September 19, 2023 Planning Commission and no neighboring property owners came forward with concerns. The Planning Commission amended the conditions of the CUP to include the following:

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- Applicant must restrict parking of vehicles to the existing gravel footprint and re-gravel the area prior to parking vehicles in this area. The applicant must obtain required permits to complete the re-graveling onsite and parking vehicles.

- The Conditional Use Permit is only for parking of vehicles occupying the current footprint of the existing gravel surface onsite. Expansions of the parking area/vehicle parking locations beyond the footprint of the existing gravel surface shall require review and approval through Plan Commission and the Common Council.
- The number of vehicles parked onsite shall be limited to the amount of code-compliant parking spaces that can fit onsite within the existing gravel area. A revised plan shall be submitted indicating how many spaces can fit on the property with size dimensions.
- Applicant shall submit a design for buffering between the vehicle sales use and the adjacent residential properties. Such plan shall include a landscaping plan and species list and/or a plan for fencing as required by code for staff review and approval. Buffering shall be provided in areas currently deficient along the adjacent residential properties. If fencing is proposed, applicants shall obtain the required fence permit. Landscaping and/or fencing shall be installed prior to operating the vehicle sales onsite.
- Applicant shall obtain the required sign permit for the sign on-site.
- Applicant shall only allow registered, operable vehicles to be parked onsite. Unlicensed or inoperable vehicles shall not be parked onsite. Only non-commercial vehicles shall be parked onsite, including, but not limited to automobiles, vans, small trucks, trailers, boats, recreational vehicles, all-terrain vehicles, and utility task vehicles. Commercial vehicles shall be prohibited.
- Applicant shall install code compliant lighting onsite and submit a photometric plan for Planning staff review.
- Standards required by the property's zoning, as well as the property's overlay zoning districts, specifically required exterior building design and landscaping standards, shall be adhered to.

Any existing nonconformities (i.e., setbacks, lot coverage) shall not be expanded by new uses of the property

# **RESOLUTION No. 17341**

## **RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT (CUP) TO ALLOW VEHICLE SALES AT PARCELS # 201-00066-2000 AND #201-00066-0100 ZONED CITY CENTER (CC) WITH GATEWAY OVERLAY (GTWY-O). APPLICANT: SHANETTE HOMOLA**

**WHEREAS**, the Common Council of the City of Ashland is authorized to issue Conditional Use Permits; and

**WHEREAS**, the applicant has requested a Conditional Use Permit per Chapter 781, Ashland City Ordinances, to allow a Vehicle Sales use on parcels 201-00066-2000 and 201-00066-0100, zoned City Center and Gateway Overlay; and

**WHEREAS**, the Plan Commission held a Public Hearing on September 19, 2023 and has recommended approval of the Conditional Use Permit with the following conditions:

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- Applicant must restrict parking of vehicles to the existing gravel footprint and re-gravel the area prior to parking vehicles in this area. The applicant must obtain required permits to complete the re-graveling onsite and parking vehicles.
- The Conditional Use Permit is only for parking of vehicles occupying the current footprint of the existing gravel surface onsite. Expansions of the parking area/vehicle parking locations beyond the footprint of the existing gravel surface shall require review and approval through Plan Commission and the Common Council.
- The number of vehicles parked onsite shall be limited to the amount of code compliant parking spaces that can fit onsite within the existing gravel area. A revised plan shall be submitted indicating how many spaces can fit on the property with size dimensions.
- Applicant shall submit a design for buffering between the vehicle sales use and the adjacent residential properties. Such plan shall include a landscaping plan and species list and/or a plan for fencing as required by code for staff review and approval. Buffering shall be provided in areas currently deficient along the adjacent residential properties. If fencing is proposed applicant shall obtain the required fence permit. Landscaping and/or fencing shall be installed prior to operating the vehicle sales use onsite.
- Applicant shall obtain the required sign permit for the sign on-site.
- Applicant shall only allow registered, operable vehicles to be parked onsite. Unlicensed or inoperable vehicles shall not be parked onsite. Only non-commercial vehicles shall be parked onsite, including, but not limited to automobiles, vans, small trucks, trailers, boats, recreational vehicles, all-terrain vehicles, and utility task vehicles. Commercial vehicles shall be prohibited.
- Applicant shall install code compliant lighting onsite and submit a photometric plan for Planning staff review.
- Standards required by the property's zoning, as well as the property's overlay zoning districts, specifically required exterior building design and landscaping standards, shall be adhered to.
- Any existing nonconformities (i.e., setbacks, lot coverage) shall not be expanded by new uses of the property.

***NOW, THEREFORE, BE IT RESOLVED*** by the Common Council of the City of Ashland that the Conditional Use Permit is in accordance with the Ashland Unified Development Ordinance and is hereby approved contingent upon compliance with the above listed conditions.

PASSED: September 19, 2023

\_\_\_\_\_

Councilperson

ATTEST: \_\_\_\_\_  
Denise Oliphant, City Clerk

\_\_\_\_\_  
Matthew MacKenzie, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_

Tyler Wickman, City Attorney

***FOR APPLICANT:***

***Applicant understands and accepts the conditions of approval for the CUP as indicated within this resolution, and was provided notice of Common Council approval of this resolution within 5 business days of such approval.***

\_\_\_\_\_  
Applicant (Print and signature)

\_\_\_\_\_  
Date

*Find yourself next to the water.*



*City of Ashland, Wisconsin*

601 Main Street West Ashland, WI 54806 [www.coawi.org](http://www.coawi.org)

**DEPARTMENT OF  
PLANNING &  
DEVELOPMENT**

601 Main Street West  
Ashland, WI 54806

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## STAFF REPORT

Plan Commission – September 19th, 2023

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**Agenda Item # 5a: Conditional Use Permit Request to allow a Vehicle Sales Use**

Zoning District: City Center (CC) with Gateway Overlay (GTWY-O) District and 100-Year Flood Boundary

Property Address: Vacant – No address assigned

Parcel #: # 201-00066-2000, 201-00066-0100

Applicant: Shanette Homola

Staff Contact: Steven Wiley

**Background**

Shanette Homola is requesting a Conditional Use Permit to allow a vehicle sales use on parcels 201-00066-2000 and 201-00066-0100. The current property owners recently acquired the two subject parcels. The applicant has been in touch with the owners about re-establishing a Park and Sell lot (which would be considered a vehicle sales use under the current zoning ordinance) on the parcels. The two parcels are 0.516 acres (22,477 sq. ft.) and 0.173 acres (7,536 sq. ft.) in area. Both parcels are zoned City Center (CC) with the Gateway Overlay (GTWY-O). The Gateway Overlay zoning is due to the parcels' frontage on Highway 2. A significant portion of both properties lies within the 100-year floodplain. Both parcels are currently vacant except for a gravel access and parking area and a freestanding sign. Power lines run through parcel 201-00066-0100. A Park and Sell lot used to occupy the property up until May of 2023 when the current owners purchased the properties.

The immediately surrounding parcels to the east and west along Highway 2 are zoned CC with GTWY-O. The properties to the east and west contain various commercial and residential uses of varying size and scale. The surrounding properties on the south consist of residential and vacant uses and are zoned Mixed Residential Commercial (MRC). The property to the north across Highway 2 is zoned Waterfront Industrial (W-I) with a Waterfront Overlay and includes the Waterfront Trail and the Northern States Power Company.

The properties have been vacant since the previous owner moved and sold them to the current owners. The previous owner operated a Park and Sell lot until vacating the parcels. Staff looked through the property files for the 1400 Lake Shore Drive West property and both subject parcels and found out that a Development Permit was approved and issued on May 9<sup>th</sup>, 2007 to allow a change of use from Automotive Service & Repair to Automotive Service & Repair and Automotive Sales. The Development Permit was for the 1400 Lake Shore Drive West parcel which at the time consisted of the current 1400 Lake Shore Drive property and the narrow parcel where power lines are now located. The 2007

Development Permit did not include the western parcel. Additionally, the Development Permit included a condition that “vehicles shall be parked on the paved parking areas...” The parking area on both subject parcels is currently gravel.

The current applicant would like to re-establish a Park and Sell lot and seasonal vendor space on the parcels. The current owners acquired the property in 2023. The applicant has had conversations with the property owners and City staff about establishing both uses. Since the Development Permit for Automotive Sales is not for parcel 201-00066-2000, a Conditional Use Permit (CUP) is required through the Plan Commission and Common Council to establish the vehicle sales use on the subject property.

| Existing Land Use    | Zoning                                                                     |
|----------------------|----------------------------------------------------------------------------|
| Vacant: Parking area | City Center (CC) with Gateway Overlay (GTWY-O) and 100-Year Flood Boundary |

**Adjacent Land Use and Zoning**

| Existing Uses |                                                 | Zoning                                              |
|---------------|-------------------------------------------------|-----------------------------------------------------|
| North         | Northern States Power Company, Waterfront Trail | Waterfront Industrial (W-I) with Waterfront Overlay |
| South         | Single-Family Residential, Vacant               | Mixed Residential Commercial (MRC)                  |
| East          | Various Commercial and Residential Uses         | City Center (CC) with Gateway Overlay (GTWY-O)      |
| West          | Various Commercial and Residential Uses         | City Center (CC) with Gateway Overlay (GTWY-O)      |

| Land Use Recommendation            | Land Use                                                                   |
|------------------------------------|----------------------------------------------------------------------------|
| Future Land Use Map Recommendation | Border of Downtown Core and Commercial Districts and Waterfront Protection |



*Aerial image of the two subject parcels*

**Analysis**

The applicant has proposed a seasonal vendor space and Park and Sell (vehicle sales use) on the subject properties. The seasonal vendor space is a temporary use that is permitted by ordinance upon obtaining approval and a development permit. The vehicle sales use is a conditional use under the City Center zoning.

**Site Design and Parking**

Currently the subject property consists of two parcels abutting one another. The same owner owns both parcels. Site access is from the Pioneer Development-owned (Quick Lube) parcel to the east. An access easement exists between the Pioneer-owned property and the subject parcels. Staff has obtained a copy of this easement. There is no vehicle access directly from a street to either of the subject parcels. No curb cuts or direct street access are proposed. The applicant submitted an aerial image showing the proposed placement of the seasonal vendor space and parking for the vehicle sales use on the subject parcels. The seasonal market space would be available to rent to vendors and located along the Highway 2 frontage of the property. The vehicle sales use would be located on the existing parking area and the applicant does not have plans to expand this parking area. The parking area is gravel and staff informed the applicant that based on the zoning standards the current gravel area would require paving since the applicant would be changing the parcel from a vacant lot to a vehicle sales land use. The 2007 Development Permit also required parking the vehicles on a paved surface so if the previous owner was allowing vehicle parking on gravel or grass this would have been a violation of the 2007 permit. A freestanding sign is located on parcel 201-00066-0100 and based on discussion with the applicant the applicant wanted to reuse the sign.

The applicant envisions the site operating as a Park and Sell. Vehicle owners looking to sell would park their vehicles on the property, read and agree to the agreement between the management and vehicle owner, and park for 30 days. After 30 days the vehicle owner can remove the vehicle if it is not sold or renew for another 30 days.



*Images showing the subject parcels and the current gravel area. The image on the left looks towards the adjacent residential properties and the image on the right looks towards the Quick Lube property at 1400 Lake Shore Drive West.*



*Above is the site aerial that the applicant submitted indicating the general site layout.*

### **Building Elevations**

No buildings exist on the subject parcels and none are proposed. Therefore, no elevations exist for review.

### **Landscaping**

The applicants have not proposed any landscaping. The landscaping standards require bufferyard landscaping between more intense and less intense uses in the same zoning district. The zoning of the residential uses on the west is the same City Center zoning as that of the subject properties. However, the parking and sales of multiple vehicles on the subject property is a commercial land use. Some landscaping exists along the western property line. Since the Park and Sell use would be a new use on the parcel and there are several residential uses adjacent staff recommends requiring bufferyard landscaping along the side (western) property line where views of the parking area are currently not screened. The buffer would be at least 10 feet wide and at least 6 feet high. It could consist of a solid fence or dense year-round hedges or other landscaping or a combination of the two. Staff would recommend requiring a landscaping plan and species list or fencing plan for staff review. Installation of bufferyard fencing and/or landscaping as approved by staff prior to legally operating the vehicle sales use onsite would be a condition of CUP approval.

### **Lighting**

The applicants have not submitted a photometric plan as part of their application. Ordinance requires that new land uses which require a development permit comply with the lighting standards. Since the Park and Sell would be a vehicle sales use staff would consider it a moderate activity use. The new land use would require on-site lighting to meet ordinance standards. Staff would recommend as a condition of approval that the applicant submit a code compliant lighting plan for staff review.

### **Signage**

A single freestanding sign is located on parcel 201-00066-0100 which is the narrow, eastern subject parcel. The applicant would like to use this sign for the Park and Sell. If the applicant removed and reinstalled this sign or made structural changes to the sign a Sign Permit will be required.



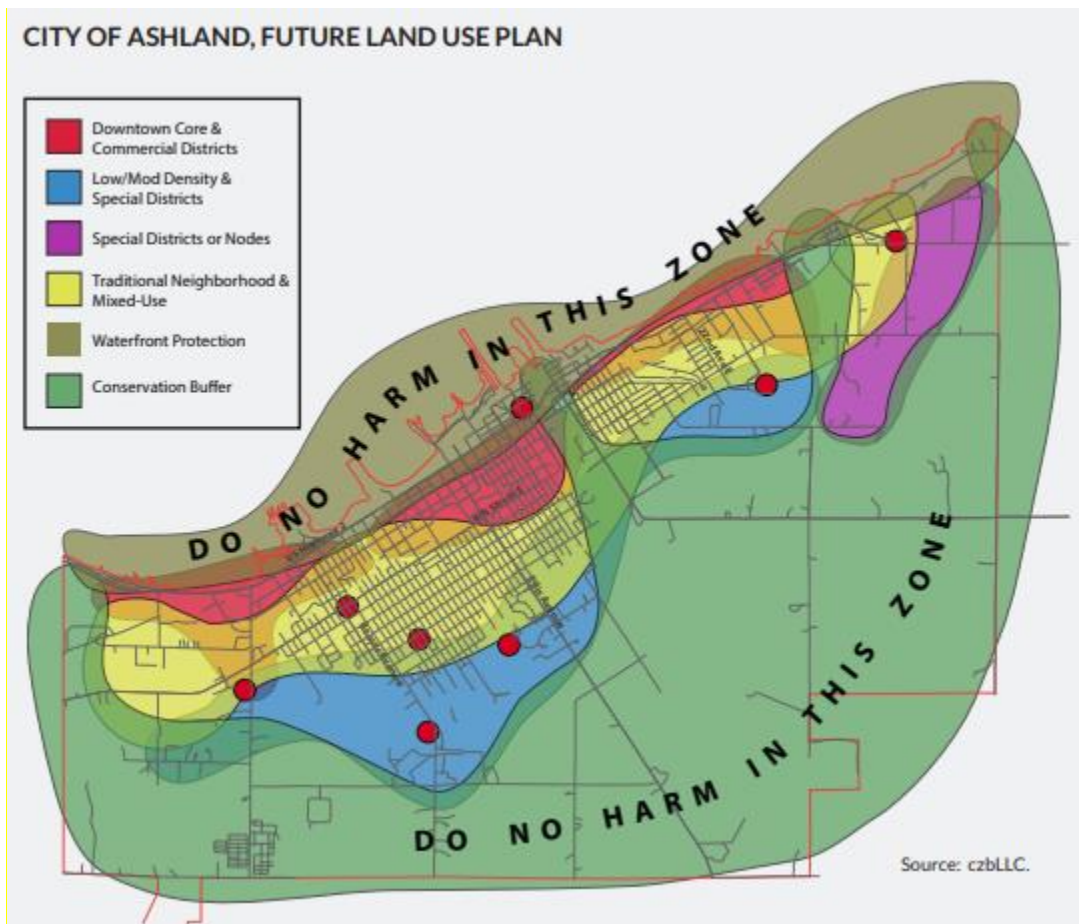
*Image of the freestanding sign on the parcel. The applicant has installed a banner on the existing sign.*

### **Standards for Conditional Use Review**

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

#### **1. Consistency with Comprehensive Plan.**

The vehicle sales use on the subject parcels fits within the Future Land Use Map, and it fits within the land uses permitted in the Downtown Core and Commercial Districts zone mentioned in the Comprehensive Plan. The site is on the border of the Downtown Core and Commercial Districts and Waterfront Protection in the Future Land Use Map. The Future Land Use Map provides for some overlap and flexibility between districts. The Downtown Core and Commercial Districts and Waterfront Protection allow a mix of land uses. This proposed vehicle sales use is a commercial use on a currently vacant infill lot. A vehicle sales use falls within the commercial uses under the Downtown Core and Commercial Districts.



#### **2. Compatibility.**

If the use meets the ordinance standards it would have compatibility with the site and surrounding areas. The surrounding uses consist of a power plant, mixed commercial uses, and some

residential. Screening with fencing and/or landscaping would minimize the visual impact the vehicle sale use would have on the adjacent residential properties. Asphalt or concrete paving would meet the ordinance requirement and increase the attractiveness of the site.

**3. Importance of Services to the Community.**

The applicants are local and would be providing a location for people to sell their used vehicles. The subject properties are infill parcels and using these currently vacant properties would not contribute to sprawl. The vehicle sales use does not involve the construction of any new buildings at this point and would be easy to remove from the parcels if the owner wanted to develop the properties.

**4. Neighborhood Protections.**

The properties are located along Highway 2 which is a busy regional corridor. Traffic activity is unlikely to change significantly as the site is located on a corridor with high traffic volumes. Paving the current gravel area and restricting parking to this area along with restricting the types of vehicles that may be parked on the site would mitigate potential negative impacts to the neighborhood. Additionally, adding bufferyard landscaping and/or fencing in currently deficient areas along the adjacent residential properties would screen the vehicle sales use from view and ensure privacy for the neighbors.

**5. Conformance with Other Requirements:**

The development must conform to all other applicable City code requirements, including (but not limited to):

- a. Local and state building code requirements to ensure the property meets code standards for the proposed use prior to operation of the land use on the site.

**Review Recommendation**

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- Applicant must restrict parking of vehicles to the footprint of the current gravel area and pave the current gravel area prior to parking vehicles in this area. Applicant must obtain required permits and complete the paving prior to parking vehicles.
- The Conditional Use Permit is only for parking of vehicles on pavement (asphalt or concrete) occupying the current footprint of the existing gravel surface onsite. Expansions of the parking area/vehicle parking locations beyond the footprint of the existing gravel surface shall require review and approval through Plan Commission and the Common Council.
- Applicant shall submit a design for buffering between the vehicle sales use and the adjacent residential properties. Such plan shall include a landscaping plan and species list and/or a plan for fencing as required by code for staff review and approval. Buffering shall be provided in areas currently deficient along the adjacent residential properties. If fencing is proposed applicant shall obtain the required fence permit. Landscaping and/or fencing shall be installed prior to operating the vehicle sales use onsite.
- Applicant shall obtain the required sign permit for the sign on-site.
- Applicant shall only allow registered, operable vehicles to be parked onsite. Unlicensed or inoperable vehicles shall not be parked onsite. Only automobiles, vans, and small trucks (non-commercial vehicles) shall be parked onsite. Commercial vehicles, trailers (commercial or non-commercial), boats, recreational vehicles, all terrain vehicles, utility task vehicles, etc. shall not be parked on-site.
- Standards required by the property's zoning, as well as the property's overlay zoning districts, specifically required exterior building design and landscaping standards, shall be adhered to.

- Any existing nonconformities (i.e., setbacks, lot coverage) shall not be expanded by new uses of the property.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a determination. The required Class 2 public hearing notice was issued on September 8<sup>th</sup> and September 12<sup>th</sup> and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

*Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.*

**SUBJECT:** Approve a Resolution to Issue a Conditional Use Permit (CUP) to Allow for an Increased Sign Area at 319 Ellis Ave, Parcel No. #201-01682-0000, Zoned City Center (CC) with Gateway Overlay (GTWY-O), Applicant: HTG Architects (*Planning & Development*) Roll

**RECOMMENDATION:** Planning Staff recommends approval of the Conditional Use Permit with conditions set forth in the resolution.

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**DEPARTMENT OF ORIGIN:** Planning & Development

**CLEARANCES:** Planning Commission (recommended approval September 19th 2023)

**EXHIBITS:**

1. Proposed Resolution 177342
2. Staff Report: Superior Choice Credit Union Sign CUP

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION  
REQUIRED:** N/A

**TREASURER'S  
CERTIFICATE:** N/A

**COMPLIANCE WITH ORD. 51:** N/A

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:** The Comprehensive Plan does not have language specifically related to signage, but does have goals related to beautification of existing dilapidated gateways. The proposed sign is part of Superior Choice Credit Union's remodel efforts and should contribute to revitalizing the gateway area.

**SUMMARY STATEMENT:**

Planning Staff recommends approval of the Conditional Use Permit. Planning Commission held a public hearing and there were no concerns brought forth by neighboring property owners. Staff recommends approval with the following conditions:

- The applicant is allowed to exceed the 75 sq. ft. maximum sign structure area if the graphic area of the sign does not exceed 52 sq. ft.
- The applicant shall not replace the face of the sign with any other that would exceed the 52 sq. ft. graphic area in the future without approval from Planning Commission.
- No other area of the sign shall be internally illuminated other than the routed letters and logo.
- The applicant will provide landscaping around the base of the sign or an equivalent amount in

another area. A landscaping plan and species list will be provided for staff review prior to the issuance of a Sign Permit.

- The applicant will submit full specifications of the EMC to confirm that it meets code standards prior to issuance of a sign permit.
- The CUP is only to allow the proposed increase in sign area and does not permit the construction of the sign without a Sign Permit. A Sign Permit will be obtained prior to installation.
- EMC sign must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC sign must be turned off no later than sixty (60) minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.
- The applicant will confirm that the proposed sign does not require permits from the State.
- Any future changes to the sign will be reviewed by the Planning Department and potentially the Planning Commission and Common Council if needed.

## **RESOLUTION No. 177342**

### **RESOLUTION TO ISSUE A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN INCREASED SIGN AREA AT 319 ELLIS AVE PARCEL # 201-01682-0000, ZONED CITY CENTER (CC) WITH GATEWAY OVERLAY (GTWY-O). APPLICANT: HTG ARCHITECTS**

**WHEREAS**, the Common Council of the City of Ashland is authorized to issue Conditional Use Permits; and

**WHEREAS**, the applicant has requested a Conditional Use Permit per Chapter 781, Ashland City Ordinances, to allow for an increased sign area on parcel 201-01682-0000, zoned City Center and Gateway Overlay; and

**WHEREAS**, the Plan Commission held a Public Hearing on September 19, 2023 and has recommended approval of the Conditional Use Permit with the following conditions:

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- The applicant is allowed to exceed the 75 sq. ft. maximum sign structure area if the graphic area of the sign does not exceed 52 sq. ft.
- The applicant shall not replace the face of the sign with any other that would exceed the 52 sq. ft. graphic area in the future without approval from Planning Commission.
- No other area of the sign shall be internally illuminated other than the routed letters and logo.
- The applicant will provide landscaping around the base of the sign or an equivalent amount in another area. A landscaping plan and species list will be provided for staff review prior to the issuance of a Sign Permit.
- The applicant will submit full specifications of the EMC to confirm that it meets code standards prior to issuance of a sign permit.
- The CUP is only to allow the proposed increase in sign area and does not permit the construction of the sign without a Sign Permit. A Sign Permit will be obtained prior to installation.
- EMC sign must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC sign must be turned off no later than sixty (60) minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.
- The applicant will confirm that the proposed sign does not require permits from the State.
- Any future changes to the sign will be reviewed by the Planning Department and potentially the Planning Commission and Common Council if needed.

***NOW, THEREFORE, BE IT RESOLVED*** by the Common Council of the City of Ashland that the Conditional Use Permit is in accordance with the Ashland Unified Development Ordinance and is hereby approved contingent upon compliance with the above listed conditions.

PASSED: September 19, 2023

\_\_\_\_\_

Councilperson

ATTEST: \_\_\_\_\_  
Denise Oliphant, City Clerk

\_\_\_\_\_  
Matthew MacKenzie, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_

Tyler Wickman, City Attorney

***FOR APPLICANT:***

***Applicant understands and accepts the conditions of approval for the CUP as indicated within this resolution, and was provided notice of Common Council approval of this resolution within 5 business days of such approval.***

\_\_\_\_\_  
Applicant (Print and signature)

\_\_\_\_\_  
Date



DEPARTMENT OF  
PLANNING &  
DEVELOPMENT  
601 Main Street West  
Ashland, WI 54806

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## STAFF REPORT

Plan Commission – September 19th, 2023

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**Agenda Item # 5c: Conditional Use Permit Request to allow for increased sign area**

Zoning District: City Center (CC) with Gateway Overlay (GTWY-O)

Property Address: 319 Ellis Ave

Parcel #: # 201-01682-0000

Applicant: HTG Architects o/b/o Superior Choice Credit Union

Staff Contact: Mandelyn Lyons

### **Background**

HTG Architects on behalf of Superior Choice Credit Union is requesting a Conditional Use Permit to increase the allowable area of a freestanding sign within the City Center zoning district. The applicant is proposing to install a new pylon sign and EMC that is above the code allowed graphic area. The proposed sign will be two parts an EMC and sign structure that will support internally illuminated routed letters that will punch through the base. All together the sign area will equal 75 sq. ft. with 33 sq. ft. making up the EMC portion and 42 sq. ft. for the base of the illuminated letters. The total graphic area of the sign will be approx. 44.87 sqft (graphic area means the EMC with the routed letters). The proposed sign would be 20' in height, which is the maximum allowed height for a sign structure of this kind in the area.

UDO Section 6.6 L., 3., a., permits one freestanding sign per primary vehicle entrance and specifies that freestanding signs within the City Center district not abutting US Hwy 2 have a zero foot minimum setback. Therefore, the proposed location of the sign, which is the same as the existing, is code compliant. EMCs or Electronic Message Center are allowed within the City Center zoning district as long as they follow applicable code requirements which are specified in UDO Section 6.6 F., 2.

The existing sign on site is nonconforming as the total sign graphic area is 52 sq. ft., which is also split between an EMC and other signage. The applicant does not intend to reuse any of the existing sign infrastructure for the new sign.

| <b>Existing Land Use</b>     | <b>Zoning</b>                                  |
|------------------------------|------------------------------------------------|
| Superior Choice Credit Union | City Center (CC) with Gateway Overlay (GTWY-O) |

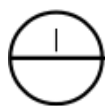
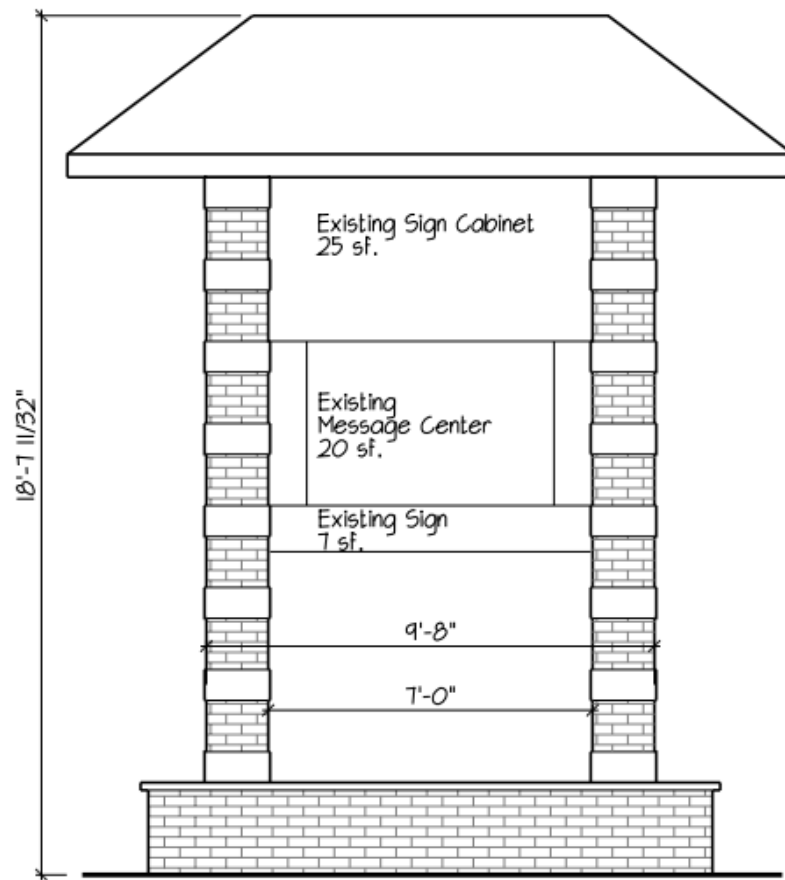
| <b>Existing Uses</b> |                 | <b>Zoning</b>                               |
|----------------------|-----------------|---------------------------------------------|
| <b>North</b>         | Commercial Uses | City Center (CC) & Gateway Overlay (GTWY-O) |
| <b>South</b>         | Commercial Uses | City Center (CC) & Gateway Overlay (GTWY-O) |
| <b>East</b>          | Commercial Uses | City Center (CC) & Gateway Overlay (GTWY-O) |
| <b>West</b>          | Commercial Uses | City Center (CC)                            |

| <b>Land Use Recommendation</b>     | <b>Land Use</b>                      |
|------------------------------------|--------------------------------------|
| Future Land Use Map Recommendation | Downtown Core & Commercial Districts |

### **Site Design**

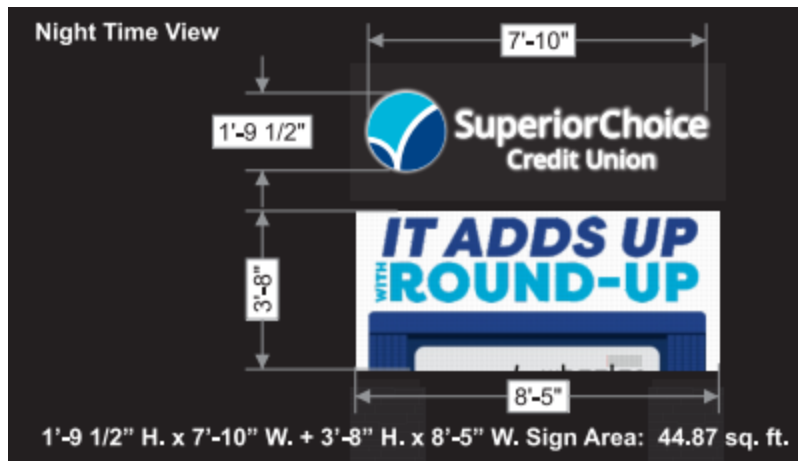
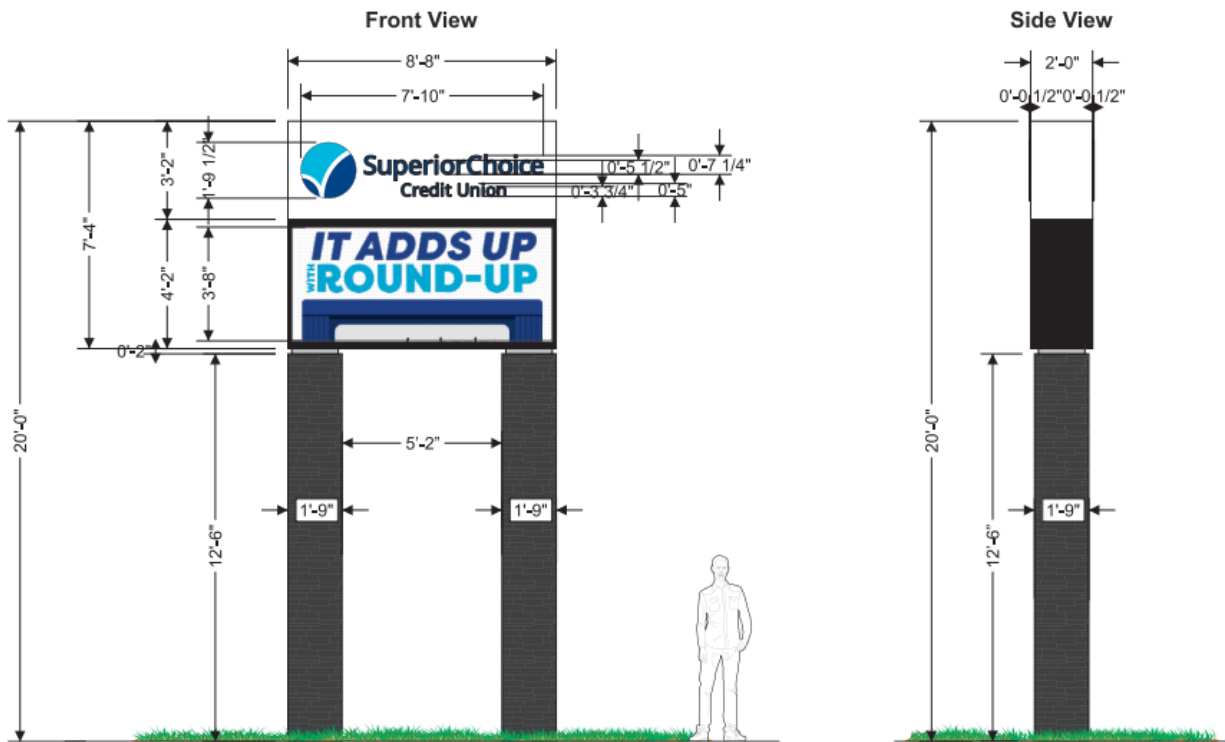
The current Superior Choice Credit Union sign is located on the southeast corner of the parcel and meets the zero-foot required setback from the parcel line. Their current sign not does not meet code and is considered nonconforming due to the 52 sq. ft. graphic area, which exceeds the 32 sq. ft. allowed by code. The current sign is sheltered by a small roof and includes the EMC and pylon sign. The applicant is planning to build an entirely new sign structure for this project.





# EXISTING PYLON SIGN

1/4"=1'-0"



*Proposed sign above, design provided by SignArt*

### **Landscaping**

There are no proposed changes to the landscaping onsite. Staff is requiring landscaping at the base of the sign as required per UDO Section 6.6 F., 3., d. which reads,

*"Freestanding signs shall provide an attractive landscaped area around the entire base of the sign to complement the sign. The property owner shall be responsible for the maintenance of the landscaping."*

Due to the proximity of the right-of-way the use of salt tolerant and native landscaping is recommended. A landscaping plan and species list must be submitted to the Planning Department prior to issuance of the sign permit.

## **Lighting**

The proposed sign has similar features to the existing sign onsite. There is a pylon sign portion that is above an EMC area.

The EMC area of the sign is proposed to be 3'-8" tall by 9' wide which is approximately 42 square feet in area. EMCs in any area are required to follow UDO Section 6.6 F., 2. which includes the following specifications:

1. *Dimmable technology shall be installed and utilized to adjust the light output of the EMC based on the ambient light such that it dims automatically when it is less bright outside.*
2. *EMC signage for all parcels must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC signage must be turned off no later than sixty (60) minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.*
3. *Signage on parcels abutting residential properties or separated by a Right-of-Way shall be designed and located in such a manner that does not create an adverse residential nuisance, taking into account brightness, direction, location, or other factors.*
4. *The sign shall be located and designed so that it does not significantly alter or obstruct Lake Superior vistas of adjacent property owners and for major view corridors.*
5. *The time change of copy, messages or graphics on an animated sign shall not change more than once every eight (8) seconds, except that all signs within view of vehicular or pedestrian safety lighting (such as stop lights) shall not change more than once every one (1) minute.*
6. *Within view of safety lighting, colors or shapes shall not be used that could be confused for safety lighting.*

The EMC sign is not located close to traffic control lights therefore there are no concerns with traffic light interference. However, the applicant will need to provide the Planning Department with full specs for the EMC to confirm that it meets the above standards.

## **Standards for Conditional Use Review**

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

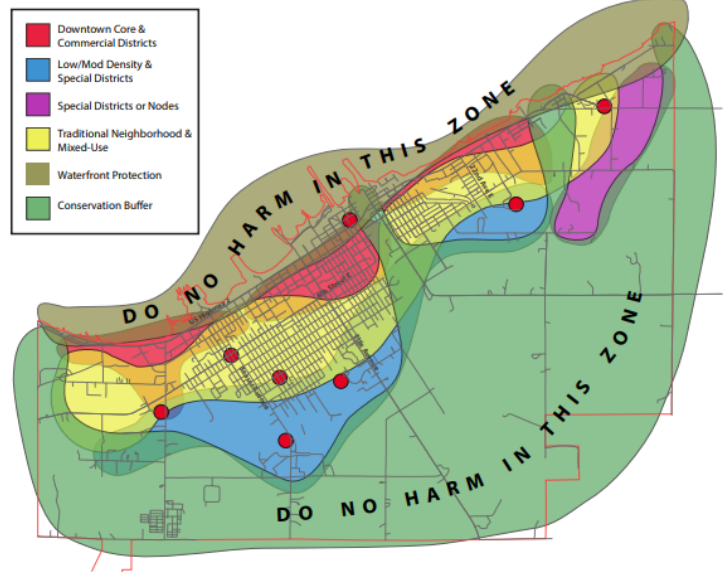
## 1. Consistency with Comprehensive Plan.

The Comprehensive Plan does not have specific language relating to signage, but there are specific goals related to the gateway. The Comprehensive Plan indicates that the current gateway areas are, “understated at best, completely absent at worst” (pg. 48) which identifies the need to make the area more aesthetically pleasing and orient travelers towards our commercial nodes.

The applicant is making a considerable effort to remodel the exterior and interior of their building, which is consistent with the goal in the Comp Plan to re-beautify the gateway. The applicant also argues that the significant investment in the building means that there should be significant improvement in signage. The applicant was originally proposing a larger sign that would fit with their re-branding, but has decided on decreasing it to account more for the area ordinances. The UDO does have language within Section 6.6 that allows for an increased graphic area of up to 75 sq. ft. on parcels adjacent to Hwy 2. This size increase is within the code due to the higher speed limits seen on Hwy 2 which the does not apply on this site due to it abutting Ellis Ave instead.

The Future Land Use Plan indicates that this area will be Downtown Core & Commercial Districts. Since the area will continue to be commercial it is acceptable to permit signs for those uses that fit within the code.

FUTURE LAND USE PLAN



## 2. Compatibility.

The proposed sign is not compatible with current codes and is thus considered a non-conforming sign. According to Section 10.6 C., describes the criteria in which a sign loses its legal nonconforming status,

1. *The sign is structurally altered in any way, except for normal maintenance and repair, that increases the nonconformity.*
2. *The sign is relocated.*
3. *The sign fails to comply with the provisions of this Ordinance relating to maintenance, repair, abandonment, or dangerous or defective signs.*

The complete removal of the existing sign means that it would lose its legal nonconforming status and thus any new sign installed would need to meet current codes, which is confirmed by language in Section 10.6 B., 2.”

*“Alterations involving a change in the information on the face of a sign may be made to an existing nonconforming sign if the change does not increase the area of the sign or the sign’s compatibility with properties in the area. However, any nonconforming sign*

*shall either be eliminated or made to conform to the provisions of this Ordinance if an alteration, modification, or improvement to the sign exceeds fifty (50) percent of the cost of installing a new sign of the same type and at the same location. It shall not be reestablished after damage or destruction by natural causes if the Zoning Administrator or Designated Authorized Agent determines that the estimated cost of construction exceeds fifty (50) percent of the estimated replacement cost.”*

Any changes to the sign structure other than a simple face replacement of sign copy would cause the sign to lose its nonconforming status. The EMC can not be swapped out with one of the same size without a permit since a change of this kind would be structural as well.

The actual size of the sign will exceed the maximum allowed sign structure of 75 sq. ft. and thus an exception will have to be made to that code standard or the size of the proposed sign structure will have to be smaller. Staff recommends allowing the applicant to exceed the 75 sq. ft. sign structure max as long as the graphic area of the proposed sign does not exceed their previous sign being replaced. Therefore, the applicant can have a sign structure over 75 sq. ft. but the allowed graphic area can only be 52 sq. ft. or less. What the applicant is proposing would fit that condition.

Compatibility with other signs with 200 feet is hard to determine as the closest freestanding sign that could be comparable is over 400 feet away at the Napa Auto Parts site. Since this is the only freestanding sign on the block it is likely that this sign will not look out of place. The next closest sign to this one would be the Super One Liquor and Grocery sign, which is also nonconforming in areas related to height and potentially graphic area.

### **3. Importance of Services to the Community.**

Superior Choice Credit Union serves many customers in the area and has contributed to the gateway for several years. Their commitment to remodel and beautify their building shows a considerable investment in the area. The credit union provides valuable services to our area, however the need for such a large sign that exceeds the square footage maximum is hard to ascertain.

Improving the appearance of the building and adding a new sign could help with the aesthetics in the area. However, the question that is posed to the Planning Commission and Planning Staff is whether the aesthetics of the sign as proposed are beneficial or detrimental to the corridor. A sign this large in an area that it is normally not allowed could contribute to sign clutter in the area rather than benefit it. However, notably, this is the only freestanding sign on the block so the clutter is not a concern at present.

There are other signs in the area that are nonconforming and could face a similar problem as the applicant with graphic area size if they were ever to be replaced, since the goal of the current code is to remove nonconforming signs when possible.

### **4. Neighborhood Protections.**

The proposed sign is not expected to cause issues within the area or on traffic with the proposed conditions.

**5. Conformance with Other Requirements:**

The development must conform to all other applicable City code requirements, including (but not limited to):

- Standards for EMC signage per UDO Section 6.6
- Standards for freestanding signs per UDO Section 6.6
- All other applicable codes for the proposed project
- Conformance with any requirements from the State or the Highway Department

**Review Recommendation**

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- The applicant is allowed to exceed the 75 sq. ft. maximum sign structure area if the graphic area of the sign does not exceed 52 sq. ft.
- The applicant shall not replace the face of the sign with any other that would exceed the 52 sq. ft. graphic area in the future without approval from Planning Commission.
- No other area of the sign shall be internally illuminated other than the routed letters and logo.
- The applicant will provide landscaping around the base of the sign or an equivalent amount in another area. A landscaping plan and species list will be provided for staff review prior to the issuance of a Sign Permit.
- The applicant will submit full specifications of the EMC to confirm that it meets code standards prior to issuance of a sign permit.
- The CUP is only to allow the proposed increase in sign area and does not permit the construction of the sign without a Sign Permit. A Sign Permit will be obtained prior to installation.
- EMC sign must be turned off between the hours of 8 p.m. and 7 a.m. If a business is staffed and open before or after that time period, the EMC sign must be turned off no later than sixty (60) minutes after close of the business for the day and turned back on no earlier than sixty (60) minutes before the business opens for the day.
- The applicant will confirm that the proposed sign does not require permits from the State.
- Any future changes to the sign will be reviewed by the Planning Department and potentially the Planning Commission and Common Council if needed.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a determination. The required Class 2 public hearing notice was issued on Sept. 8th & Sept. 12th and discretionary letters were sent to all surrounding property owners within 200 feet of the proposed development.

*Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.*