



Take notice that a meeting of the Ashland City Council will be held on Tuesday, November 14, 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, November 14, 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. **October 24, 2023 City Council and Committee of the Whole Meeting Minutes**
- B. **November 2, 2023 Committee of the Whole Budget Work Session Meeting minutes**

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

- A. **Announcements**

6. CONSENT AGENDA

- A. **Approve the Proposed 2024 Ashland Common Council Meeting Calendar** *(Clerk)*
- B. **Miscellaneous Minutes**

7. NEW BUSINESS

- A. **Consideration of an Initial Resolution Authorizing \$4,340,000 General Obligation Bonds for Library Projects** *(Administration)* Roll
- B. **Consideration of a Resolution Directing Publication of Notice to Electors Relating to Bond Issue** *(Administration)* Roll



- C. **Consideration of a Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, the City of Ashland, and Cedar Corporation for Design Engineering Services on the 2026 Beaser Avenue Resurfacing 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 Cedar Corporation for Design Engineering Services on the 2026 3rd Street West Resurfacing Project** (*Public Works*) Roll
- E. **Consideration of a Request for Change of Agent for Kwik Trip #163, 515 Ellis Avenue, Ashland, Applicant: Bobbi Bigboy** (*Clerk*) Roll

8. ADJOURNMENT

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact the City Clerk's Office at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

MEETING MINUTES
ASHLAND CITY COUNCIL
Tuesday, October 24, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, October 24, 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, James Gregoire, Charlie Ortman, Dick Pufall

ALSO PRESENT: Mayor Matthew MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Max Lindsey, Public Works Director John Butler, Planning Director Steven Wiley, Parks Director Sara Hudson, Police Chief Willis Hagstrom, Library Director Sarah Adams, Fire Chief Stuart Matthias, Finance Director Julie Vaillancourt, and other interested citizens.

2. APPROVAL OF AGENDA

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

3. APPROVAL OF MINUTES

A. October 10, 2023 City Council and Committee of the Whole Meeting Minutes

B. October 19, 2023 Committee of the Whole Budget Work Session Meeting Minutes

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

4. SWEARING IN APPOINTED DISTRICT 5 ALDERPERSON

Jim Gregoire was sworn in as Alderperson for District 5, by Oliphant.

5. CITIZEN PARTICIPATION PERIOD

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

Gwen Gilbert expressed her disappointment in the new Prentice Park playground equipment.

6. MAYOR'S REPORT

A. **Recognition of Beautification Council and Beauty Spot Award Winners**

Recognized were businesses Country Blossoms, Court Manor, Memorial Medical Center, Our Lady of the Lake, and the Red Bicycle, and property owners Suzan Mackenzie-Smith, Doug and Lisa Warren, Jannae Gilles, Jackie Rupnik, and Shirley Evrard.

B. **Announcements**

Mackenzie mentioned that staff continues to work on the 2024 City budget.

7. **CONSENT AGENDA**

A. **Miscellaneous Minutes**

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

8. **NEW BUSINESS**

A. **Hearing and Possible Action Considering a Denied Alcohol Server License for Applicant Sherry Lasko** *(Clerk) Roll*

After conducting a hearing, Ortman moved, Goyke seconded to approve to grant the appeal of the alcohol license. The motion carried 6-1 by roll call vote; Gregoire opposed.

B. **Consider a Resolution Authorizing the Issuance of \$1,365,000 General Obligation Promissory Notes and the Issuance and Sale of a \$1,365,000 Note Anticipation Notes in Anticipation Thereof** *(Finance) Roll*

Josh Low, Municipal Advisor, offered a presentation on behalf of Ehlers. Ortman moved, seconded by Gregoire to approve the resolution. The motion carried unanimously by roll call vote.

File #17747

C. **Presentation and Discussion of the Pre-Sale Report and Consider a Resolution Providing for the Sale of Approximately \$3,065,000 General Obligation Promissory Notes, Series 2023A** *(Finance) Roll*

Tochterman moved, seconded by Seefeldt to approve the resolution. The motion carried 6-1 by roll call vote; Pufall opposed.

File #17745

D. **Consider a Resolution Providing for the Sale of Approximately \$1,615,000 Water System Revenue Bonds, Series 2023B** *Finance(Roll)*

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

File #17746

E. **Consider an Ordinance to Amend Chapter 705 (1415) Water Utility Rules, Rates, and Regulations, Ashland City Ordinances** *(Clerk) Roll*

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

Tuesday, October 24, 2023



- F. **Consideration of Revision #2 State Municipal Agreement (SMA), Dated August 16, 2023, for the State Highway 13 Pavement Replacement Project (Public Works)** Roll
Ortman moved, seconded by Tochtermann to approve Revision #2. The motion carried unanimously by roll call vote.
- G. **Consider a Resolution in Support of the Vaughn Public Library Renovation (Library Director)** Roll
Seefeldt moved, seconded by Ortman to approve the resolution. The motion carried unanimously by roll call vote.
File #17744
- H. **Consideration of a Resolution to Approve a Preliminary and Final Condominium Plat for the Property at 806 and 808 Main Street West (Parcels # 201-00198-0000 and 201-00199-0000), Zoned City Center (CC) (Planning Director)** Roll
Seefeldt moved, seconded by Ortman to approve the resolution. The motion carried unanimously by roll call vote.
File #17743

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, October 24, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. Roll Call

The Tuesday, October 24, 2023 City of Ashland Committee of the Whole Meeting was called to order by Council President Charlie Ortman at 7:15 p.m.

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

ALSO PRESENT: Mayor Matt Mac Kenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, Finance Director Julie Vaillancourt, Public Works Director John Butler, Fire Chief Stuart Matthias, Police Chief Bill Hagstrom, Parks Director Sara Hudson, Library Director Sarah Adams, Planning Director Steven Wiley, and other interested citizens.

2. Approval of Agenda

Jackson moved, seconded by Tochtermann 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 noted that he and the Mayor both participated in the Whistle Stop races, and the event was enjoyable and well organized.

5. Discussion Items

A. Discussion and Possible Action Regarding the Proposed 2024 Ashland Common Council Meeting Calendar *(Clerk)*

Seefeldt moved, seconded by Goyke to approve to move the item forward for formal approval. The motion carried unanimously by voice vote.

B. Discussion and Possible Action on Applying for a Wisconsin Coastal Management Program Grant to Update the City of Ashland's Comprehensive Outdoor Recreation Plan (CORP) *(Parks Director)*

Seefeldt moved, seconded by Tochtermann to approve to apply for the grant. The motion carried unanimously by voice vote.

C. Continued Presentation and Discussion Regarding the 2024 City of Ashland Budget *(Finance)*

Vaillancourt introduced the budget summary, and Kucera reviewed the departments' budgets for Council.

Pufall left the meeting at 7:35 p.m.

At 9:00 p.m. Seefeldt moved, seconded by Gregoire, to extend the meeting by fifteen minutes to allow Council to complete review of the budget items. The motion carried 4-2 by voice vote.

6. Items for Future Discussion

Ortman requested to plan to discuss the playground equipment as mentioned during the Council citizen comment period.

Mackenzie forgot to note the fire training that took place over the past weekend, which allowed for training for 48 people.

Jackson requested an update on the housing development on the east end of town.

7. Adjourn

Gregoire 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
Thursday, November 2, 2023 – 6:00 PM
Ashland City Hall Council Chambers

1. **CALL TO ORDER**

The Thursday, November 2, 2023 City of Ashland Committee of the Whole Budget Work Session Meeting was called to order by Council President Charlie Ortman at 6:00 pm..

2. **ROLL CALL**

PRESENT: Kevin Seefeldt, Sarah Jackson, Ana Tochtermann, Andy Goyke, Jim Gregoire, Charlie Ortman, Dick Pufall.

ALSO PRESENT: Mayor Matt MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, Finance Director Julie Vaillancourt, Parks Director Sara Hudson, Public Works Director John Butler, and other interested citizens.

3. **APPROVE THE AGENDA**

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

1. **Continued Discussion and Possible Action Regarding the Proposed 2024 City of Ashland Budgets**

Vaillancourt presented the 2024 proposed budget and capital projects budget for Council and answered questions.

2. **Approve a Recommended 2024 Budget for Council Approval and Public Hearing at the November 28, 2023 City Council Meeting**

After discussion, Seefeldt moved, seconded by Gregoire to approve the option to include allowing up to 4% wage increase with the proposed 2024 General and Capital Projects budgets. The item will be forwarded to the November 28, 2023 City Council meeting for public hearing and approval of the proposed budget. This motion carried unanimously by voice vote.

3. **ADJOURN**

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

Respectfully Submitted,

Denise Oliphant,
City Clerk

SUBJECT: Approve the Proposed 2024 Ashland Common Council Meeting Calendar (*Clerk*)

RECOMMENDATION: Approve

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Unanimously approved by Committee of the Whole, October 24, 2023

EXHIBITS: 1. Proposed 2024 Council Calendar

EXPENDITURES REQUIRED:

AMOUNT BUDGETED:

**APPROPRIATION
REQUIRED:**

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN:

SUMMARY STATEMENT:

The 2024 Ashland Common Council meeting calendar includes consideration of the following:

- As stated in Chapter 51, City Council Procedure, meetings are held on the second and last Tuesdays of the month with the exception of dates that may interfere with the election calendar and holidays, such as in August, November, and December 2024.
- Per WI State Statute, a Reorganizational Meeting is held on the third Tuesday of every April.
- Committee of the Whole meetings are held immediately after the scheduled Council meetings. It is up to the discretion of the Council President if a Committee of the Whole meeting will take place.
- At least three designated Committee Budget Work Sessions are held prior to the City Budget Public Hearing to approve the next year's budget, with the option of additional work sessions in lieu of regularly scheduled Committee of the Whole meetings if necessary.
- Special meetings due to deadlines or urgent matters may be added to the calendar at the Mayor's discretion and upon the availability of a quorum.
- Date(s) for a Council Retreat are not included in the proposed calendar but will be announced with plenty of advanced notice.

On October 24, 2023, Council as Committee of the Whole unanimously approved the calendar as presented.

2024 CITY OF ASHLAND COUNCIL CALENDAR

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
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18	19	20	21	22	23	24
25	26	27	28	29		

March						
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24	25	26	27	28	29	30
31						

April						
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28	29	30				

May						
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June						
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30						

July						
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August						
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September						
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29	30					

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27	28	29	30	31		

November						
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24	25	26	27	28	29	30

December						
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22	23	24	25	26	27	28
29	30	31				

COUNCIL MEETINGS



REORGANIZATIONAL MTG



ELECTION DAYS



BUDGET WORKSESSIONS



COUNCIL MEETING/
BUDGET HEARING



CITY OFFICES CLOSED



City of Ashland – Public Works Committee Meeting

Minutes

A meeting of the Public Works Committee was held on **Thursday, September 14, 2023** at **5:00 PM** in the City Hall Council Chambers (601 Main St W).

1. Roll Call

Present: Ed Calhan, Anne Chartier, Andrew Goyke, Robert Klamerus, Phil Sorensen

Also present: John Butler - Public Works Director, David Garrington - Administrative Manager

2. Approval of Minutes

Sorensen motions to approve minutes from the July 13, 2023 meeting. Seconded by Calhan. Motion carries.

3. Citizen Participation Period

N/A

4. Unfinished Business

N/A

5. New Business

- a. Discussion on 5-Year Capital Improvement Plan for Street Reconstruction
The committee reviewed the Department's 5-year capital improvement plan and received an update/progress report on future/current street reconstruction projects.
- b. Discussion and Possible Recommendation on City Standards for Sidewalk Construction
In light of recent complaints regarding sidewalk cracking, the committee was presented with the City's current standards for sidewalk construction and maintenance. No recommendation was made for the approval of City standards, as the committee requested more information supporting current practices. The item is tabled for a future meeting.

6. Items of Interest for Future Meetings

7. Set Next Meeting Date

- a. Thursday October 12, 2023

The committee agreed to change the date of the October meeting, as the current proposed date does not work for the schedules of some committee members.

Initially proposing moving the October meeting to October 19, 2023.

8. Adjournment

Goyke motions to adjourn. Seconded by Sorensen. Motion carries.

SUBJECT: Consideration of an Initial Resolution Authorizing \$4,340,000 General Obligation Bonds for Library Projects (*Administration*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Administrator

CLEARANCES: Administrator
Committee of the Whole, October 24, 2023

EXHIBITS:

1. Proposed Resolution No. 17748
2. Resolution No. 17744 as Approved October 24, 2023

EXPENDITURES REQUIRED: Authorizing general obligation bonds up to \$4,340,000

AMOUNT BUDGETED: \$ -0-

APPROPRIATION REQUIRED: Authorizing general obligation bonds up to \$4,340,000

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORD. 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, permit the Mayor and/or Clerk to schedule items directly for Council action when a timely decision is needed by the City. The Mayor and/or City Clerk has chosen to direct this item directly to Council pursuant to the authority granted to them in Chapter 51, Ashland City Ordinances.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

At the September 12, 2023 Committee of the Whole meeting, the library's renovation project was discussed and approved to advance to the next Council meeting for approval of a resolution in support of the funding for this project.

At the October 24, 2023 Council meeting, resolution #17744 was approved by Council in support of the Vaughn Public Library renovation project.

The next step is for the Council to approve the authorization to issue general obligation bonds for the library renovation project per the exhibit. The \$4,340,000 consists of \$4,200,000 of project costs and \$140,000 of bond issuance costs. The bonds would have a 20-year term. Currently, the estimated average interest rate is 5%. The actual sale of the bonds would take place close to the same timeframe that the Council would approve a construction bid in 2024 for the renovation project.

Resolution No. 17748

INITIAL RESOLUTION AUTHORIZING \$4,340,000 GENERAL OBLIGATION BONDS FOR LIBRARY PROJECTS

BE IT RESOLVED by the Common Council of the City of Ashland, Ashland and Bayfield Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$4,340,000 for the public purpose of paying the cost of library projects.

Adopted, approved and recorded November 14, 2023.

Matthew MacKenzie
Mayor

ATTEST:

Denise Oliphant
City Clerk

(SEAL)

RESOLUTION No. 17744

RESOLUTION IN SUPPORT OF THE VAUGHN PUBLIC LIBRARY RENOVATION

WHEREAS, as November 1888, the Vaughn Building opened with a free library on the second floor and commercial space on the first floor. Over the years, a variety of commercial tenants have existed in the building. But, for the last 135 years, the public library has been and continues to be the heart of the building on the corner of Vaughn and Main; and

WHEREAS, the last capital investment in the building was in the early 1980s. This plan created space for an elevator, shifted the entrance to Vaughn Ave, reduced the size of the children's area, enclosed the stairway connecting the first and second floor and added a series of small rooms to accommodate the Historical Museum on the second floor; and

WHEREAS, after 40 years of public use, the Vaughn Building is again in need of capital investments to address failing systems and best meet changing community use of the building. A 2018 structural and mechanical analysis of the building concluded the electrical, plumbing, lighting and HVAC systems and the windows are all due for replacement. The study also confirmed the capacity of second floor structures to support library material shelving. Based on professional and public input, Engberg Anderson Architects, led by Alexandra Ramsey, have designed schematic floor plans for a three-floor renovation, and including a cost estimate; and

WHEREAS, features of the renovation begin with basic capital improvements; addressing code compliance, introducing energy efficiencies, waterproofing the foundation, adding fire protection, electrical service upgrades, tuckpointing and life-cycle window replacement. All these improvements contribute to the health, safety, security and sustainability of the Vaughn Building; and

WHEREAS, to further invest in the Vaughn as a destination library and a cornerstone of the Historic 2nd Street District, the renovation design includes plans to reopen the Main Street entrance and move the Vaughn entrance to its original place under the brownstone arch. A central open stairway connecting the first and second floors will welcome everyone to all parts of the building, making better use of the building space, and

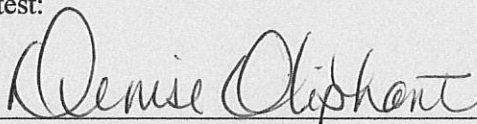
WHEREAS, it is understood the continued deferred maintenance of essential Vaughn Library building systems will result in costlier replacements over time, loss of public dollars due to heating, cooling and lighting inefficiencies and at worst will create an expensive, cobbled approach to addressing crisis repairs.

THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Ashland hereby supports the renovation of the Vaughn Building; acknowledging the obligation of the Common Council of the City of Ashland to be stewards of municipal assets and understanding a revitalized Vaughn Building is an essential part of re-making Downtown into a play, work, stay space attractive to all generations and one of the priorities of Ashland's Comprehensive Plan.

FURTHER BE IT RESOLVED, that the Common Council of the City of Ashland commits to funding the essential library services or phase one of the renovation plan with the understanding private and public fundraising will be leveraged to fund phase two, including an entrance on Main Street.

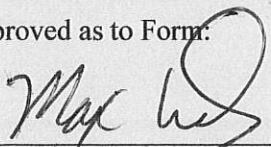
PASSED: October 24, 2023

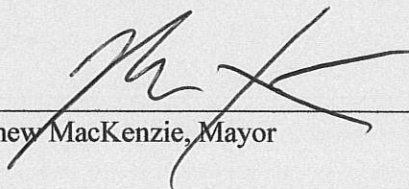
Attest:


Denise Oliphant, City Clerk


Councilperson

Approved as to Form:


Max Lindsey, City Attorney


Mathew MacKenzie, Mayor

SUBJECT: Consideration of a Resolution Directing Publication of Notice to Electors Relating to Bond Issue (*Administration*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Administrator

CLEARANCES: Administration

EXHIBITS:

1. Proposed Resolution No. 17749
2. Notice to Electors

EXPENDITURES REQUIRED: \$-0-

AMOUNT BUDGETED: NA

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, permit the Mayor and/or Clerk to schedule items directly for Council action when a timely decision is needed by the City. The Mayor and/or City Clerk has chosen to direct this item directly to Council pursuant to the authority granted to them in Chapter 51, Ashland City Ordinances.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

Per the City's bond counsel, Quarles - Attorneys at Law, the following applies upon approval of authorizing a general obligation bond issue, per Section 67.05, Wisconsin Statutes, which allows the electors of the City an opportunity to petition for a referendum with respect to certain general obligation bond issues. The City Clerk is required to publish a notice within 15 days after the Initial Resolution (Resolution No. 17748) is adopted stating the purpose and maximum principal amount of such proposed bonds and describing the opportunity and procedure for submitting a petition requesting a referendum on such bonds.

If Council approves the resolution to authorize the issuance of \$4,340,000 of general obligation bonds, per the preceding agenda bill, then the next step is for Council to approve the publishing of the notice to electors as per the exhibit (Resolution No. 17749).

Resolution No. 17749

RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS RELATING TO BOND ISSUE

WHEREAS, an initial resolution authorizing general obligation bonds has been adopted by the Common Council of the City of Ashland, Ashland and Bayfield Counties, Wisconsin (the "City") and it is now necessary that said initial resolution be published to afford notice to the residents of the City of its adoption;

NOW, THEREFORE, BE IT RESOLVED that the City Clerk shall, within 15 days, publish a notice to the electors in substantially the form attached hereto in the official City newspaper as a class 1 notice under Ch. 985, Wis. Stats.

Adopted, approved and recorded November 14, 2023.

Matthew MacKenzie
Mayor

ATTEST:

Denise Oliphant
City Clerk

(SEAL)

CITY OF ASHLAND

NOTICE TO ELECTORS RELATING TO BOND ISSUE

NOTICE IS HEREBY GIVEN, that on November 14, 2023, at a meeting of the Common Council of the City of Ashland, the following resolution was adopted and recorded pursuant to Section 67.05(1), Wisconsin Statutes:

INITIAL RESOLUTION AUTHORIZING
\$4,340,000 GENERAL OBLIGATION BONDS
FOR LIBRARY PROJECTS

BE IT RESOLVED by the Common Council of the City of Ashland, Ashland and Bayfield Counties, Wisconsin, that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation bonds in an amount not to exceed \$4,340,000 for the public purpose of paying the cost of library projects.

The Wisconsin Statutes (s. 67.05(7)(b)) provide that an initial resolution need not be submitted to the electors unless within 30 days after adoption of the initial resolution a petition is filed in the City Clerk's office requesting a referendum. This petition must be signed by electors numbering at least 10% of the votes cast for governor in the City at the last general election.

City of Ashland

Denise Oliphant
City Clerk

SUBJECT: Consideration of a Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, the City of Ashland, and Cedar Corporation for Design Engineering Services on the 2026 Beaser Avenue Resurfacing Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Redevelopment Plan approved by the Committee of the Whole, October 6, 2022
SMA approved by the Committee of the Whole, January 10, 2023

EXHIBITS: 1. Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, City of Ashland and Cedar Corporation

EXPENDITURES REQUIRED: \$89,914.21 - Fund 470 Street Improvements

AMOUNT BUDGETED: \$ 68,893.22 - WI DOT Surface Transportation Program
\$ 29,000.00 - Fund 470 Street Improvements
\$ 97,893.22 Total

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on November 9th, 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 conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the January 10, 2023 meeting, the City Council approved four different State Municipal Agreements (SMAs) with the Wisconsin Department of Transportation (WI DOT) for resurfacing of City streets under the WI DOT Surface Transportation (STP). These projects are listed below with a brief status update on scheduled construction:

- Cary Street- Council approved a contract for design at the June 13, 2023 meeting. *Scheduled for 2024 construction.*
- Industrial Park Road- Council approved a contract for design at the June 13, 2023 meeting. *Scheduled for 2024 construction.*
- Beaser Ave- *scheduled for 2027 construction* due to required curb ramp replacement and historical building in project area
- 3rd Street West- *scheduled for 2027 construction* due to required curb ramp replacement and associated need for real estate acquisition

In January 2023, City staff completed a solicitation for engineering services in accordance with quality-based selection guidelines established by the WI DOT. Staff including the Public Works Director, Administrative Manager and Streets Foreman evaluated the qualifications of the responding firms, with Cedar Corporation ranking as the most qualified firm. The agreement for professional services was developed by Cedar and WI DOT staff for roadway, storm, and sidewalk design in accordance with WI DOT requirements. No utility replacement is anticipated since the projects are resurfacing only.

WI DOT staff has requested the approval of a three-party contract between the City, Cedar Corporation and WI DOT as contract negotiations have resulted in a cost-effective proposal. Approval would allow Cedar Corp to begin design through the WI DOT process and develop a construction schedule.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

ENGINEERING SERVICES CONTRACT

BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION,
CITY OF ASHLAND DEPARTMENT (MUNICIPALITY)
AND CEDAR CORPORATION (CONSULTANT) FOR

*Project ID 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET, ASHLAND COUNTY*

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 their request for proposals for engineering design services for the pavement resurfacing of Beaser Avenue and will be to mill 1.5 inches and overlay with 1.75 inches, and spot repair curb and gutter, review and repair curb ramps within the City of Ashland. This Qualification Based Selection was made based on the CONSULTANT'S Notice of Interest response January 10th, 2023.

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, P.E.; WisDOT, NW Region-Local Program Project Manager; 718 W Clairemont Ave., Eau Claire, WI 54701; Paula.Groom@dot.wi.gov; (715) 579-6776.
The MUNICIPALITY REPRESENTATIVE is: John Butler, P.E., City of Ashland, Public Works Director; 2020 6th St E, Ashland, WI 54806; jbutler@coawi.org; (715) 682-7061.

The CONSULTANT REPRESENTATIVE is: Troy L. Petersen, P.E., Director of Transportation/Structural; 604 Wilson Ave., Menomonie, WI 54751; troy.petersen@cedarcorp.com; (715) 235-9081.

The CONSULTANT SERVICES will be performed for the DEPARTMENT's Northwest Region office located in Eau Claire, WI and will be completed by June 30, 2027. Deliver PROJECT DOCUMENTS to (1701 N 4th Street, Superior, Wisconsin, 54880), 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

For design engineering services for the Beaser Avenue Pavement Replacement, actual costs to the CONSULTANT up to \$84,969.02, plus a fixed fee of \$4,945.19 not to exceed \$89,914.21.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$89,914.21.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

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 5 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.

For the CONSULTANT

For the DEPARTMENT

By: _____

By: _____

Title: _____

Contract Manager, WisDOT

Date: _____

Date: _____

For the MUNICIPALITY

By: _____

Title: _____

Date: _____

THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS

Revised 05/26/16

The following are recommended special provisions for the design contract to be inserted behind the standard provisions.

VI. SPECIAL PROVISIONS

Section(s) II.C.3.a and Section III.A.1 of the THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT STANDARD PROVISIONS dated July 1, 2015 (are) amended to substitute the DEPARTMENT for the MUNICIPALITY.

SCOPE OF SERVICES

A. DESIGN REPORTS

(1) Other Reports:

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

- Modernization and Rehabilitation Design Study Report
- TMP Type 2

B. ENVIRONMENTAL DOCUMENTATION

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

Prepare an CEC 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) Screening will be submitted by the DEPARTMENT for project ID 8995-00-19 as soon as the disturbed land impacts to the project are known. The CONSULTANT will prepare the DT1030 (Cultural Resources Screening Submittal) for Archeology only and forward to the Regional Environmental

Coordinator for review and submittal to the DEPARTMENT'S Cultural Resources Team.

- (2) Hazardous Materials/Contamination Assessments
 - (a) Conduct a Phase I Hazardous Materials Site Assessment Checklist investigation for the PROJECT in accordance with the MANUAL.
 - (d) 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) U.S. Fish & Wildlife Service (USFWS) Permits:

Evaluate the effects of the PROJECT in accordance with 50 CFR Part 13 and the Manual. Provide information to the DEPARTMENT for coordination.

One (1) Northern long-eared bat site survey shall be performed by the CONSULTANT, with appropriate documentation to be completed and submitted to USFWS and DNR

- (3) Tribal Affairs:

Provide tribal E-Mail and supporting documents to the DEPARTMENT for tribal coordination to be submitted by the DEPARTMENT to the tribes. Tribes that do not have E-Mail will receive a hard copy of the letter and location map from the CONSULTANT.

D. RAILROAD/UTILITY INVOLVEMENTS

- (1) There are no railroad facilities within 1000 ft in any direction.

- (2) Utility Coordination

Perform all utility coordination in accordance with:

- a) The MANUAL
- b) Non-TRANS 220
- c) The WisDOT "Guide to Utility Coordination"

- d) The "Utility Coordination Task List
- (3) 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.
- (4) 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.
- (5) Utility Negotiations/Agreements

The CONSULTANT shall prepare all necessary conveyance documents for the MUNICIPALITY. The MUNICIPALITY will enter into negotiations with the affected utility companies and will prepare all other documents.

Prepare statements, exhibits, and documentation for and present testimony at proceedings before the Public Service Commission or such other forum as may be designated by the MUNICIPALITY.

E. PUBLIC INVOLVEMENT

- (1) Public Involvement Meetings:
 - (a) Conduct or assist the MUNICIPALITY in holding 1 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.
 - (f) Provide the MUNICIPALITY with copies of all public involvement correspondence and file notes.
 - (g) Coordinate meeting schedules with the MUNICIPALITY'S representative.

F. MEETINGS

- (1) Attend or hold an in person Operational Planning Meeting to discuss the organization and processing of the Services under this CONTRACT.
- (2) Attend the pre-construction conference by calling in as scheduled by the DEPARTMENT

G. SURVEYS

- (1) Conduct surveys that provide information necessary for the preparation of plans
Surveys will consist of the following:
 - (a) Urban Topographic Survey: The topo will pick up all utilities, driveways, intersections, curb and gutter, sidewalk, property irons, section corners (minimum of 2) and ground shots generally 33 feet wide perpendicular from the centerline of Beaser Avenue in each direction.

H. ROAD PLANS

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

Title Page
General Notes
Project Overview - Single Sheet Schematic Drawing
Construction Details
 Curb Ramp Details
Erosion Control
Alignment Data
Miscellaneous Quantities
Plan on Plan Sheets

I. TRAFFIC

- (1) Use the Local Program Traffic Forecasting Tool.
<https://wisconsindot.gov/Pages/doing-bus/local-gov/lpm/lptft.aspx>

J. SERVICES PROVIDED BY THE DEPARTMENT/MUNICIPALITY

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

- (1) Traffic Data
- (2) Existing as-built plans
- (3) Existing Right of Way Plat

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

- (1) Project Application (Redacted)
- (2) State Municipal Agreement (Redacted)
- (3) FIIPS Summary and FIIPS Category Funding

PROSECUTION AND PROGRESS

- (1) The MUNICIPALITY 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 DEPARTMENT. 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.
- (4) 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 November 15, 2023

Report Title	Date
Approved Contract	November 2023
Topo Survey	November 2023
Screening Request (Arch & Hist)	December 2023
Initial Project Review (OPM)	August 2024
30% Road Plan	August 2024
PIM	August 2024
Environmental Document	November 2024
60% Road Plan	July 2025
Design Study Report	July 2025
90% Road Plans	May 1, 2026
Final P.S. & E.	August 1, 2026
LET	December 12, 2026

EXHIBIT 1
Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY

Summary of Staff Hours and Direct Labor Costs

Classification		Design Senior Engineer		Design Project Manager		Design Engineer		Design Specialist Professional		Environmental Specialist Professional		Survey Specialist Professional		Survey Technician		Design Technician		Total Direct Labor	
Avg. Hourly Wage		\$55.63		\$51.54		\$44.59		\$36.71		\$44.30		\$40.72		\$31.74		\$27.47			
Task	Activity Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
Manage Project Scope and Schedule	887	4	\$222.52	19	\$979.26	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	23	\$1,201.78
Manage Project Stakeholders	743	0	\$0.00	4	\$206.16	0	\$0.00	0	\$0.00	26	\$1,151.80	0	\$0.00	0	\$0.00	0	\$0.00	30	\$1,357.96
Manage Project Quality	890	7	\$389.41	0	\$0.00	6	\$267.54	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	13	\$656.95
Design Drainage	778	0	\$0.00	0	\$0.00	0	\$0.00	8	\$293.68	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	8	\$293.68
Design Erosion Control and Landscaping	768	1	\$55.63	0	\$0.00	0	\$0.00	4	\$146.84	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	5	\$202.47
Design Geometrics and Details	776	14	\$778.82	2	\$103.08	2	\$89.18	252	\$9,250.92	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	270	\$10,222.00
Develop Quantities and Estimate	786	14	\$778.82	0	\$0.00	0	\$0.00	24	\$881.04	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	38	\$1,659.86
Develop PS&E Documents	856	32	\$1,780.16	0	\$0.00	0	\$0.00	4	\$146.84	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	36	\$1,927.00
Establish Project Control	666	0	\$0.00	0	\$0.00	0	\$0.00	4	\$146.84	0	\$0.00	0	\$0.00	2	\$63.48	2	\$54.94	8	\$265.26
Conduct and Process Existing Field Survey	723	0	\$0.00	0	\$0.00	0	\$0.00	10	\$367.10	0	\$0.00	2	\$81.44	20	\$634.80	27	\$741.69	59	\$1,825.03
Analyze Archaeological and Historical Impact and Tribal Consultation	763	0	\$0.00	1	\$51.54	0	\$0.00	0	\$0.00	3	\$132.90	0	\$0.00	0	\$0.00	0	\$0.00	4	\$184.44
Analyze Hazardous Materials Site Impact	765	0	\$0.00	1	\$51.54	0	\$0.00	0	\$0.00	8	\$354.40	0	\$0.00	0	\$0.00	0	\$0.00	9	\$405.94
Analyze Natural Environment Impact	766	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	13	\$575.90	0	\$0.00	0	\$0.00	0	\$0.00	13	\$575.90
Environmental Documentation and Agency	769	0	\$0.00	4	\$206.16	0	\$0.00	0	\$0.00	35	\$1,550.50	0	\$0.00	0	\$0.00	0	\$0.00	39	\$1,756.66
Develop Traffic Control and Staging	788	10	\$556.30	0	\$0.00	57	\$2,541.63	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	67	\$3,097.93
Design Signing and Pavement Marking	819	0	\$0.00	0	\$0.00	0	\$0.00	14	\$513.94	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	14	\$513.94
Coordinate Utilities	847	5	\$278.15	0	\$0.00	2	\$89.18	6	\$220.26	0	\$0.00	0	\$0.00	0	\$0.00	20	\$549.40	33	\$1,136.99
TOTAL:		87	\$4,839.81	31	\$1,597.74	67	\$2,987.53	326	\$11,967.46	85	\$3,765.50	2	\$81.44	22	\$698.28	49	\$1,346.03	669	\$27,283.79

Exhibit 2

Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY

Fee Computation Summary by Engineering Task

Task	Activity Code	Direct Labor Costs	Overhead Costs	Fixed Fee/Profit	Direct Expenses	Total
Manage Project Scope and Schedule	887	\$1,201.78	\$2,463.89	\$217.82	\$0.00	\$3,883.49
Manage Project Stakeholders	743	\$1,357.96	\$2,784.09	\$246.13	\$208.00	\$4,596.18
Manage Project Quality	890	\$656.95	\$1,346.88	\$119.07	\$0.00	\$2,122.90
Design Drainage	778	\$293.68	\$602.10	\$53.23	\$0.00	\$949.01
Design Erosion Control and Landscaping	768	\$202.47	\$415.10	\$36.70	\$0.00	\$654.27
Design Geometrics and Details	776	\$10,222.00	\$20,957.14	\$1,852.74	\$0.00	\$33,031.88
Develop Quantities and Estimate	786	\$1,659.86	\$3,403.04	\$300.85	\$0.00	\$5,363.75
Develop PS&E Documents	856	\$1,927.00	\$3,950.74	\$349.27	\$0.00	\$6,227.01
Establish Project Control	666	\$265.26	\$543.84	\$48.08	\$0.00	\$857.18
Conduct and Process Existing Field Survey	723	\$1,825.03	\$3,741.68	\$330.79	\$1,332.00	\$7,229.50
Analyze Archaeological and Historical Impact and Tribal Consultation	763	\$184.44	\$378.14	\$33.43	\$0.00	\$596.01
Analyze Hazardous Materials Site Impact	765	\$405.94	\$832.26	\$73.58	\$0.00	\$1,311.78
Analyze Natural Environment Impact	766	\$575.90	\$1,180.71	\$104.38	\$0.00	\$1,860.99
Environmental Documentation and Agency	769	\$1,756.66	\$3,601.50	\$318.39	\$0.00	\$5,676.55
Develop Traffic Control and Staging	788	\$3,097.93	\$6,351.38	\$561.50	\$0.00	\$10,010.81
Design Signing and Pavement Marking	819	\$513.94	\$1,053.68	\$93.15	\$0.00	\$1,660.77
Coordinate Utilities	847	\$1,136.99	\$2,331.06	\$206.08	\$208.00	\$3,882.13
TOTAL		\$27,283.79	\$55,937.23	\$4,945.19	\$1,748.00	\$89,914.21

Home Office Overhead Rate: 2.05020Percent Profit: 7.25%Overhead Rate for Purposes of Fixed Fee Calculation: 1.50000

Exhibit 3

Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY

Consultant Direct Labor Rates

Employee Name(a)	Classification(b)	Current Rate(c) 2023	% Pay Increase(d)	New Pay Rate(e) 2024	New Pay Rate(f) 2025	New Pay Rate(g) 2026	New Pay Rate(g) 2027	Date of Increase(h)	% Work at Current Rate(i)	% Work at 2024 Rate(j)	% Work at 2025 Rate(k)	% Work at 2026 Rate(l)	% Work at 2027 Rate(l)	Weighted Average Hourly Rate(m)
Bill Betzig, P.E.	Design Senior Engineer	\$51.50	5.00%	\$54.08	\$56.78	\$59.62	\$62.60	1/1/2024	5.00%	45.00%	40.00%	9.00%	1.00%	\$55.63
Dennis W Mack, P.E.	Design Project Manager	\$47.75	5.00%	\$50.14	\$52.65	\$55.28	\$58.04	1/1/2024	5.00%	45.00%	40.00%	10.00%	0.00%	\$51.54
Average	Design Engineer	\$41.30	5.00%	\$43.37	\$45.54	\$47.82	\$50.21	1/1/2024	5.00%	45.00%	40.00%	10.00%	0.00%	\$44.59
Jordan Disterhaft	Design Specialist Professional	\$34.00	5.00%	\$35.70	\$37.49	\$39.36	\$41.33	1/1/2024	5.00%	45.00%	40.00%	10.00%	0.00%	\$36.71
Average	Environmental Specialist Professional	\$41.66	5.00%	\$43.74	\$45.93	\$48.23	\$50.64	1/1/2024	10.00%	60.00%	25.00%	5.00%	0.00%	\$44.30
Dustin La Blonde	Survey Specialist Professional	\$38.00	5.00%	\$39.90	\$41.90	\$44.00	\$46.20	1/1/2024	10.00%	50.00%	30.00%	10.00%	0.00%	\$40.72
Dave Sunde	Survey Technician	\$31.10	5.00%	\$32.66	\$34.29	\$36.00	\$37.80	1/1/2024	80.00%	0.00%	20.00%	0.00%	0.00%	\$31.74
Nick Thompson	Design Technician	\$26.00	5.00%	\$27.30	\$28.67	\$30.10	\$31.61	1/1/2024	40.00%	10.00%	50.00%	0.00%	0.00%	\$27.47

Contract Completion Date: June 30, 2027

Exhibit 3a

**Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY**

Weighted Labor Rates

Design Engineer			
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
Mike LaPean, P.E.	\$ 43.00	50	\$ 21.50
Erich Masiarchin	\$ 39.60	50	\$ 19.80
		100	\$ 41.30

Environmental Specialist Professional			
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
Anna Beckman, P.G.	\$ 36.10	60	\$ 21.66
Dan O'Connell	\$ 50.00	40	\$ 20.00
		100	\$ 41.66

Exhibit 4

Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY

Direct Expenses by Item

Item	Activity Code	Unit	Unit Type	Rate	Total Expenses
Manage Project Stakeholders	743				
Vehicle: Company Owned/Leased (mileage) (PIM)		320	Mile	\$0.650	\$208.00
Sub-total					\$208.00
Conduct and Process Existing Field Survey	723				
Vehicle: Company Owned/Leased (mileage)		160	Mile	\$0.650	\$104.00
Survey Equipment (Total Station-TS16, GPS-GS18)		26	Hours	\$35.000	\$910.00
Travel: Meals as Per Diem		2	Days	\$59.000	\$118.00
Travel: Lodging		2	Days	\$100.000	\$200.00
Sub-total					\$1,332.00
Coordinate Utilities	847				
Vehicle: Company Owned/Leased (mileage) (OPM)		320	Mile	\$0.650	\$208.00
					\$0.00
Sub-total					\$208.00
TOTAL					\$1,748.00

* Rental of lift equipment for site visits is not included.

Exhibit 5

Project I.D. 8995-00-19
C ASHLAND, BEASER AVENUE
MAPLE LANE TO USH 2
LOCAL STREET
ASHLAND COUNTY

Consultant Contract Total Fee Computation

Project ID: Project I.D. 8995-00-19		Total for Contract
Number of Staff Hours		669
Total Direct Labor		\$27,283.79
Total Overhead Costs		\$55,937.23
Direct Expenses		\$1,748.00
Subtotal		\$84,969.02
Fixed Fee/Profit		\$4,945.19
Subtotal		\$89,914.21
TOTAL COST		\$89,914.21

Home Office Overhead Rate	<u>2.0502%</u>
Profit	<u>7.25%</u>
Overhead Rate for Purposes of Fixed Fee Calculation	<u>150.000%</u>

SUBJECT: Consideration of a Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, the City of Ashland, and Cedar Corporation for Design Engineering Services on the 2026 3rd Street West Resurfacing Project (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Director
Redevelopment Plan approved by Committee of the Whole, October 6, 2022
SMA approved by Committee of the whole, January 10, 2023

EXHIBITS: 1. Three Party Design Engineering Services Contract between the Wisconsin Department of Transportation, City of Ashland, and Cedar Corporation

EXPENDITURES REQUIRED: \$86,971.01 - Fund 470 Street Improvements

AMOUNT BUDGETED: \$ 87,416.00 - WI DOT Surface Transportation Program
\$ 29,500.00 - Fund 470 Street Improvements
\$116,916.00 Total

APPROPRIATION REQUIRED: N/A

TREASURER'S CERTIFICATE: The Treasurer's Office has certified on November 9th, 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 conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan.

SUMMARY STATEMENT:

At the January 10, 2023 meeting, the City Council approved four different State Municipal Agreements (SMAs) with the Wisconsin Department of Transportation (WI DOT) for resurfacing of City streets under the WI DOT Surface Transportation (STP). These projects are listed below with a brief status update on scheduled construction:

- Cary Street- Council approved a contract for design at the June 13, 2023 meeting. *Scheduled for 2024 construction.*
- Industrial Park Road- Council approved a contract for design at the June 13, 2023 meeting. *Scheduled for 2024 construction.*
- Beaser Avenue- *scheduled for 2027 construction* due to required curb ramp replacement and historical building in project area
- 3rd Street West- *scheduled for 2027 construction* due to required curb ramp replacement and associated need for real estate acquisition

In January 2023, City staff completed a solicitation for engineering services in accordance with quality-based selection guidelines established by the WI DOT. Staff including the Public Works Director, Administrative Manager, and Streets foreman evaluated the qualifications of responding firms, with Cedar Corporation ranking as the most qualified firm. The agreement for professional services was developed by Cedar and WI DOT staff for roadway, storm, and sidewalk design in accordance with WI DOT requirements. No utility replacement is anticipated since the projects are resurfacing only.

WI DOT staff has requested the approval of a three-party contract between the City, Cedar Corporation and WI DOT as contract negotiations have resulted in a cost-effective proposal. Approval would allow Cedar Corp to begin design through the WI DOT process and develop a construction schedule.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

ENGINEERING SERVICES CONTRACT

BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION,
CITY OF ASHLAND DEPARTMENT (MUNICIPALITY)
AND CEDAR CORPORATION (CONSULTANT) FOR

*Project ID 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET, ASHLAND COUNTY*

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 their request for proposals for engineering design services for the pavement resurfacing of 3rd Street West and will be to mill 2 inches and overlay with 2.25 inches, and spot repair curb and gutter, review and repair curb ramps within the City of Ashland. This Qualification Based Selection was made based on the CONSULTANT'S Notice of Interest response January 10th, 2023.

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, P.E.; WisDOT, NW Region-Local Program Project Manager; 718 W Clairemont Ave., Eau Claire, WI 54701; Paula.Groom@dot.wi.gov; (715) 579-6776.

The MUNICIPALITY REPRESENTATIVE is: John Butler, P.E., City of Ashland, Public Works Director; 2020 6th St E, Ashland, WI 54806; jbutler@coawi.org; (715) 682-7061.

The CONSULTANT REPRESENTATIVE is: Troy L. Petersen, P.E., Director of Transportation/Structural; 604 Wilson Ave., Menomonie, WI 54751; troy.peterson@cedarcorp.com; (715) 235-9081.

The CONSULTANT SERVICES will be performed for the DEPARTMENT's Northwest Region office located in Eau Claire, WI and will be completed by June 30, 2026. Deliver PROJECT DOCUMENTS to (1701 N 4th Street, Superior, Wisconsin, 54880), 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

For design engineering services for the 3rd Street West Pavement Replacement, actual costs to the CONSULTANT up to \$82,190.89, plus a fixed fee of \$4,780.12 not to exceed \$86,971.01.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$86,971.01.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

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 5 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.

For the CONSULTANT

For the DEPARTMENT

By: _____

By: _____

Title: _____

Contract Manager, WisDOT

Date: _____

Date: _____

For the MUNICIPALITY

By: _____

Title: _____

Date: _____

THREE PARTY DESIGN CONTRACT SPECIAL PROVISIONS

Revised 05/26/16

The following are recommended special provisions for the design contract to be inserted behind the standard provisions.

VI. SPECIAL PROVISIONS

Section(s) II.C.3.a and Section III.A.1 of the THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT STANDARD PROVISIONS dated July 1, 2015 (are) amended to substitute the DEPARTMENT for the MUNICIPALITY.

SCOPE OF SERVICES

A. DESIGN REPORTS

(1) Other Reports:

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

- Modernization and Rehabilitation Design Study Report
- TMP Type 2

B. ENVIRONMENTAL DOCUMENTATION

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

Prepare an CEC 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) Screening will be submitted by the DEPARTMENT for project ID 8995-00-17 as soon as the disturbed land impacts to the project are known. The CONSULTANT will prepare the DT1030 (Cultural Resources Screening Submittal) and forward to the Regional Environmental Coordinator for review and submittal to the DEPARTMENT'S Cultural Resources Team.

- (2) Hazardous Materials/Contamination Assessments
 - (a) Conduct a Phase I Hazardous Materials Site Assessment Checklist investigation for the PROJECT in accordance with the MANUAL.
 - (d) 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) U.S. Fish & Wildlife Service (USFWS) Permits:

Evaluate the effects of the PROJECT in accordance with 50 CFR Part 13 and the Manual. Provide information to the DEPARTMENT for coordination.

One (1) Northern long-eared bat site survey shall be performed by the CONSULTANT, with appropriate documentation to be completed and submitted to USFWS and DNR

- (3) Tribal Affairs:

Provide tribal E-Mail and supporting documents to the DEPARTMENT for tribal coordination to be submitted by the DEPARTMENT to the tribes. Tribes that do not have E-Mail will receive a hard copy of the letter and location map from the CONSULTANT.

D. RAILROAD/UTILITY INVOLVEMENTS

- (1) There are no railroad facilities within 1000 ft in any direction.

- (2) Utility Coordination

Perform all utility coordination in accordance with:

- a) The MANUAL
- b) Non-TRANS 220
- c) The WisDOT "Guide to Utility Coordination"
- d) The "Utility Coordination Task List

- (3) 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.

- (4) 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.
- (5) Utility Negotiations/Agreements

The CONSULTANT shall prepare all necessary conveyance documents for the MUNICIPALITY. The MUNICIPALITY will enter into negotiations with the affected utility companies and will prepare all other documents.

Prepare statements, exhibits, and documentation for and present testimony at proceedings before the Public Service Commission or such other forum as may be designated by the MUNICIPALITY.

E. PUBLIC INVOLVEMENT

- (1) Public Involvement Meetings:
 - (a) Conduct or assist the MUNICIPALITY in holding 1 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.
 - (f) Provide the MUNICIPALITY with copies of all public involvement correspondence and file notes.
 - (g) Coordinate meeting schedules with the MUNICIPALITY'S representative.

F. MEETINGS

- (1) Attend or hold an in person Operational Planning Meeting to discuss the organization and processing of the Services under this CONTRACT.

- (2) Attend the pre-construction conference by calling in as scheduled by the DEPARTMENT

G. SURVEYS

- (1) Conduct surveys that provide information necessary for the preparation of plans the plan surveys will consist of the following:
 - (a) Urban Topographic Survey: The topo will pick up all utilities, driveways, intersections, curb and gutter, sidewalk, property irons, section corners (minimum of 2) and ground shots generally 33 feet wide perpendicular from the centerline of 3rd Street West in each direction.

H. ROAD PLANS

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

Title Page
General Notes
Project Overview - Single Sheet Schematic Drawing
Construction Details
 Curb Ramp Details
Erosion Control
Alignment Data
Miscellaneous Quantities
Plan on Plan Sheets

I. TRAFFIC

- (1) Submit simplified traffic forecast to the MUNICIPALITY for approval.

J. SERVICES PROVIDED BY THE DEPARTMENT/MUNICIPALITY

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

- (1) Traffic Data
- (2) Existing as-built plans
- (3) Existing Right of Way Plat

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

- (1) Project Application
- (2) State Municipal Agreement

- (3) FIIPS Summary and FIIPS Category Funding

PROSECUTION AND PROGRESS

- (1) The MUNICIPALITY 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 DEPARTMENT. 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.
- (4) 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 November 15, 2023

Report Title	Date
Approved Contract	November 2023
Topo Survey	November 2023
Screening Request	December 2023
Initial Project Review (OPM)	April 2024
30% Road Plan	April 2024
PIM	April 2024
Environmental Document	May 2024
60% Road Plan	October 2024
Design Study Report	October 2024
90% Road Plans	August 1, 2025
Final P.S. & E.	November 1, 2025
LET	March 10, 2026

EXHIBIT 1

Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY

Summary of Staff Hours and Direct Labor Costs

Classification		Design Senior Engineer		Design Project Manager		Design Engineer		Design Specialist Professional		Environmental Specialist Professional		Survey Specialist Professional		Survey Technician		Design Technician		Total Direct Labor	
Avg. Hourly Wage		\$54.42		\$50.43		\$43.62		\$35.90		\$42.08		\$40.11		\$31.74		\$27.47			
Task	Activity Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
Manage Project Scope and Schedule	887	4	\$217.68	14	\$706.02	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	18	\$923.70
Manage Project Stakeholders	743	0	\$0.00	4	\$201.72	0	\$0.00	0	\$0.00	26	\$1,094.08	0	\$0.00	0	\$0.00	0	\$0.00	30	\$1,295.80
Manage Project Quality	890	7	\$380.94	0	\$0.00	6	\$261.72	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	13	\$642.66
Design Drainage	778	0	\$0.00	0	\$0.00	0	\$0.00	8	\$287.20	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	8	\$287.20
Design Erosion Control and Landscaping	768	1	\$54.42	0	\$0.00	0	\$0.00	4	\$143.60	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	5	\$198.02
Design Geometrics and Details	776	14	\$761.88	2	\$100.86	2	\$87.24	252	\$9,046.80	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	270	\$9,996.78
Develop Quantities and Estimate	786	14	\$761.88	0	\$0.00	0	\$0.00	24	\$861.60	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	38	\$1,623.48
Develop PS&E Documents	856	32	\$1,741.44	0	\$0.00	0	\$0.00	4	\$143.60	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	36	\$1,885.04
Establish Project Control	666	0	\$0.00	0	\$0.00	0	\$0.00	4	\$143.60	0	\$0.00	0	\$0.00	2	\$63.48	2	\$54.94	8	\$262.02
Conduct and Process Existing Field Survey	723	0	\$0.00	0	\$0.00	0	\$0.00	10	\$359.00	0	\$0.00	2	\$80.22	20	\$634.80	27	\$741.69	59	\$1,815.71
Analyze Archaeological and Historical Impact and Tribal Consultation	763	0	\$0.00	1	\$50.43	0	\$0.00	0	\$0.00	3	\$126.24	0	\$0.00	0	\$0.00	0	\$0.00	4	\$176.67
Analyze Hazardous Materials Site Impact	765	0	\$0.00	1	\$50.43	0	\$0.00	0	\$0.00	8	\$336.64	0	\$0.00	0	\$0.00	0	\$0.00	9	\$387.07
Analyze Natural Environment Impact	766	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	13	\$547.04	0	\$0.00	0	\$0.00	0	\$0.00	13	\$547.04
Environmental Documentation and Agency	769	0	\$0.00	4	\$201.72	0	\$0.00	0	\$0.00	35	\$1,472.80	0	\$0.00	0	\$0.00	0	\$0.00	39	\$1,674.52
Develop Traffic Control and Staging	788	10	\$544.20	0	\$0.00	57	\$2,486.34	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	67	\$3,030.54
Design Signing and Pavement Marking	819	0	\$0.00	0	\$0.00	0	\$0.00	14	\$502.60	0	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00	14	\$502.60
Coordinate Utilities	847	5	\$272.10	0	\$0.00	2	\$87.24	6	\$215.40	0	\$0.00	0	\$0.00	0	\$0.00	20	\$549.40	33	\$1,124.14
TOTAL:		87	\$4,734.54	26	\$1,311.18	67	\$2,922.54	326	\$11,703.40	85	\$3,576.80	2	\$80.22	22	\$698.28	49	\$1,346.03	664	\$26,372.99

Exhibit 2

Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY

Fee Computation Summary by Engineering Task

Task	Activity Code	Direct Labor Costs	Overhead Costs	Fixed Fee/Profit	Direct Expenses	Total
Manage Project Scope and Schedule	887	\$923.70	\$1,893.77	\$167.42	\$0.00	\$2,984.89
Manage Project Stakeholders	743	\$1,295.80	\$2,656.65	\$234.86	\$208.00	\$4,395.31
Manage Project Quality	890	\$642.66	\$1,317.58	\$116.48	\$0.00	\$2,076.72
Design Drainage	778	\$287.20	\$588.82	\$52.06	\$0.00	\$928.08
Design Erosion Control and Landscaping	768	\$198.02	\$405.98	\$35.89	\$0.00	\$639.89
Design Geometrics and Details	776	\$9,996.78	\$20,495.40	\$1,811.92	\$0.00	\$32,304.10
Develop Quantities and Estimate	786	\$1,623.48	\$3,328.46	\$294.26	\$0.00	\$5,246.20
Develop PS&E Documents	856	\$1,885.04	\$3,864.71	\$341.66	\$0.00	\$6,091.41
Establish Project Control	666	\$262.02	\$537.19	\$47.49	\$0.00	\$846.70
Conduct and Process Existing Field Survey	723	\$1,815.71	\$3,722.57	\$329.10	\$1,332.00	\$7,199.38
Analyze Archaeological and Historical Impact and Tribal Consultation	763	\$176.67	\$362.21	\$32.02	\$0.00	\$570.90
Analyze Hazardous Materials Site Impact	765	\$387.07	\$793.57	\$70.16	\$0.00	\$1,250.80
Analyze Natural Environment Impact	766	\$547.04	\$1,121.54	\$99.15	\$0.00	\$1,767.73
Environmental Documentation and Agency	769	\$1,674.52	\$3,433.10	\$303.51	\$0.00	\$5,411.13
Develop Traffic Control and Staging	788	\$3,030.54	\$6,213.21	\$549.29	\$0.00	\$9,793.04
Design Signing and Pavement Marking	819	\$502.60	\$1,030.43	\$91.10	\$0.00	\$1,624.13
Coordinate Utilities	847	\$1,124.14	\$2,304.71	\$203.75	\$208.00	\$3,840.60
TOTAL		\$26,372.99	\$54,069.90	\$4,780.12	\$1,748.00	\$86,971.01

Home Office Overhead Rate: 2.05020Percent Profit: 7.25%Overhead Rate for Purposes of Fixed Fee Calculation: 1.50000

Exhibit 3
Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY

Consultant Direct Labor Rates

Employee Name(a)	Classification(b)	Current Rate(c) 2023	% Pay Increase(d)	New Pay Rate(e) 2024	New Pay Rate(f) 2025	New Pay Rate(g) 2026	Date of Increase(h)	% Work at Current Rate(i)	% Work at 2024 Rate(j)	% Work at 2025 Rate(k)	% Work at 2026 Rate(l)	Weighted Average Hourly Rate(m)
Bill Betzig, P.E.	Design Senior Engineer	\$51.50	5.00%	\$54.08	\$56.78	\$59.62	1/1/2024	25.00%	40.00%	34.00%	1.00%	\$54.42
Dennis W Mack, P.E.	Design Project Manager	\$47.75	5.00%	\$50.14	\$52.65	\$55.28	1/1/2024	25.00%	40.00%	35.00%	0.00%	\$50.43
Average	Design Engineer	\$41.30	5.00%	\$43.37	\$45.54	\$47.82	1/1/2024	25.00%	40.00%	35.00%	0.00%	\$43.62
Jordan Disterhaft	Design Specialist Professional	\$34.00	5.00%	\$35.70	\$37.49	\$39.36	1/1/2024	25.00%	40.00%	35.00%	0.00%	\$35.90
Average	Environmental Specialist Professional	\$39.86	5.00%	\$41.85	\$43.94	\$46.14	1/1/2024	10.00%	70.00%	20.00%	0.00%	\$42.08
Dustin La Blonde	Survey Specialist Professional	\$38.00	5.00%	\$39.90	\$41.90	\$44.00	1/1/2024	10.00%	70.00%	20.00%	0.00%	\$40.11
Dave Sunde	Survey Technician	\$31.10	5.00%	\$32.66	\$34.29	\$36.00	1/1/2024	80.00%	0.00%	20.00%	0.00%	\$31.74
Nick Thompson	Design Technician	\$26.00	5.00%	\$27.30	\$28.67	\$30.10	1/1/2024	40.00%	10.00%	50.00%	0.00%	\$27.47

Contract Completion Date: June 30, 2026

Exhibit 3a

**Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY**

Weighted Labor Rates

Design Engineer			
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
Mike LaPean, P.E.	\$ 43.00	50	\$ 21.50
Erich Masiarchin	\$ 39.60	50	\$ 19.80
		100	\$ 41.30

Environmental Specialist Professional			
Name or Employee Number	Current Rate (a)	Percent Contribution (b)	(a x b)
Anna Beckman, P.G.	\$ 36.10	60	\$ 21.66
Dan O'Connell	\$ 45.50	40	\$ 18.20
		100	\$ 39.86

Exhibit 5

Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY

Consultant Contract Total Fee Computation

Project ID: Project I.D. 8995-00-17		Total for Contract
Number of Staff Hours		664
Total Direct Labor		\$26,372.99
Total Overhead Costs		\$54,069.90
Direct Expenses		\$1,748.00
Subtotal		\$82,190.89
Fixed Fee/Profit		\$4,780.12
Subtotal		\$86,971.01
TOTAL COST		\$86,971.01

Home Office Overhead Rate	<u>2.0502%</u>
Profit	<u>7.25%</u>
Overhead Rate for Purposes of Fixed Fee Calculation	<u>150.000%</u>

Exhibit 4

Project I.D. 8995-00-17
C ASHLAND, 3RD STREET WEST
STH 112 TO STH 13
LOCAL STREET
ASHLAND COUNTY

Direct Expenses by Item

Item	Activity Code	Unit	Unit Type	Rate	Total Expenses
Manage Project Stakeholders	743				
Vehicle: Company Owned/Leased (mileage) (PIM)		320	Mile	\$0.650	\$208.00
Sub-total					\$208.00
Conduct and Process Existing Field Survey	723				
Vehicle: Company Owned/Leased (mileage)		160	Mile	\$0.650	\$104.00
Survey Equipment (Total Station-TS16, GPS-GS18)		26	Hours	\$35.000	\$910.00
Travel: Meals as Per Diem		2	Days	\$59.000	\$118.00
Travel: Lodging		2	Days	\$100.000	\$200.00
Sub-total					\$1,332.00
Coordinate Utilities	847				
Vehicle: Company Owned/Leased (mileage) (OPM)		320	Mile	\$0.650	\$208.00
					\$0.00
Sub-total					\$208.00
TOTAL					\$1,748.00

* Rental of lift equipment for site visits is not included.

SUBJECT: Consideration of a Request for Change of Agent for Kwik Trip #163, 515 Ellis Avenue, Ashland, Applicant: Bobbi Bigboy (*Clerk*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: Police Department

EXHIBITS: 1. Kwik Trip Request for Change of Agent and Application, 10-27-2023
- redacted

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

**APPROPRIATION
REQUIRED:** NA

**TREASURER'S
CERTIFICATE:** NA

COMPLIANCE WITH ORD. 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, permit the Mayor and/or Clerk to schedule items directly for Council action when a timely decision is needed by the City. The Mayor and/or City Clerk has chosen to direct this item directly to Council pursuant to the authority granted to them in Chapter 51, Ashland City Ordinances.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

The Clerk's office received an application from Kwik Trip, Inc. and a request to appoint a new agent for Kwik Trip Store #163 for their alcohol beverage license. All required paperwork for Bobbi Bigboy has been submitted with the request.

It is recommended that Council approve the application and request to appoint Ms. Bigboy as new agent for Kwik Trip Store #163.



Legal

PHONE 608-781-8988

FAX 608-793-6120

1626 Oak St., P.O. Box 2107

La Crosse, WI 54602

www.kwiktrip.com

October 27, 2023

City Clerk
City of Ashland
601 Main St. W.
Ashland, WI 54806-1537

RE: Appointment of Agent
Kwik Trip 163
515 Ellis Ave.

Dear City Clerk:

Bobbi Bigboy has been assigned to take over leadership responsibilities of our Kwik Trip 163 convenience store until a new manager has been assigned. Therefore, we would like to appoint Bobbi as the agent of the store. Please note that Bobbi is also the agent of Kwik Trip 118.

Enclosed please find the completed Appointment of Successor Agent and Supplemental Questionnaire forms along with a \$10.00 check for the processing fee. I respectfully request that you include this item on the agenda of your City Council meeting for consideration.

If you require any further information, please contact me at (608) 793-6262 or DHafner@kwiktrip.com. Thank you in advance for your assistance with this matter.

Yours truly,

Deanna Hafner
Licensing Agent

Enclosures

Appointment of Successor Agent – Retail Licenses

Submit this form to your licensing authority with a \$10 processing fee.

If there is a change in agent, each club, corporation, or limited liability company that holds a retail license to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent and have the appointment approved by the licensing authority pursuant to sec. 125.04(6), Wis. Stats. The following questions must be answered by the agent, and the appointment must be signed by an officer of the corporation/organization or one member of the limited liability company (only one signature is required).

Section 1: Licensee Information and Acknowledgement

Licensee Name

Kwik Trip, Inc. DBA Kwik Trip 163

Reason for Cancellation of Appointed Agent

New manager assigned to oversee store.

The undersigned appoints Bobbi L. Bigboy as
agent in accordance with sec. 125.04(6), Wis. Stats.

Signature of President / Member

Date

10-27-23

Scott P. Zietlow

Section 2: Agent Information and Acknowledgement

Agent Name

Bobbi Lynn Bigboy

Mailing Address

53814 Oak St.

City or Post Office

Ashland

State

WI

Zip Code

54806

Yes No

Agent Questions

1. Are you of legal drinking age? ☒ Yes ☐ No
2. Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? ☒ Yes ☐ No
3. Have you ever been convicted of a federal law violation? ☐ Yes ☒ No
4. Have you ever been convicted of a state law violation? ☐ Yes ☒ No
5. Have you ever been convicted of a local ordinance violation? ☐ Yes ☒ No
6. Have you completed the required responsible beverage server training course per sec. 125.04(5)(a)5, Wis. Stats.? ☒ Yes ☐ No

UNDER PENALTY OF LAW, I declare that my answers above are true and correct to the best of my knowledge and belief.

I hereby accept appointment as agent for Kwik Trip, Inc. DBA Kwik Trip 163 and
assume full responsibility of the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Signature of Agent

Date

X 10-26-23

Section 3: Licensing Authority Approval

Municipality Name

Signature of Official

Date

Title of Official

Form
AT-103

Alcohol Beverage License Application Supplemental Questionnaire

Date
X 10-26-23

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)

Kwik Trip, Inc.

2. Trade Name or DBA

Kwik Trip 163

3. Entity Type (check one)

☐ Sole Proprietor

☐ Partnership

☐ Limited Liability Company

☒ Corporation

☐ Nonprofit Organization

Part B: Individual Information

1. Name (Last, First, M.I.)

Bigboy, Bobbi L.

2. Relationship to Registered Entity (Title)

Agent

3. Email

4. Phone

5. Home Address

53814 Oak St.

6. City

Ashland

7. State

WI

8. Zip Code

54806

9. Date of Birth

10. Drivers License/State ID Number

11. Drivers License/State ID State of Issuance

WI

Part C: Address History

List in chronological order your last two residence addresses within the last 5 years. Current address for over 5 years.

Previous Address 1

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Previous Address 2

Previous City, State, Zip

Dates (MM/YYYY - MM/YYYY)

Part D: Employment History

List in chronological order your last two employers within the last 5 years.

Employer's Name

Kwik Trip, Inc.

Employer's Address

1626 Oak St., La Crosse, WI 54603

Dates Employed (MM/YYYY - MM/YYYY)

3/2017 - Present

Employer's Name

Deep Water Grill

Employer's Address

Ashland, WI

Dates Employed (MM/YYYY - MM/YYYY)

8/2015 - 3/2017

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

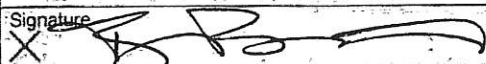
2. How long have you continuously lived in Wisconsin prior to the date of application?

Years	Months
Entire life	

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 ☒ 10-26-23