



Take notice that the City of Ashland Common Council will meet in person in the City Hall Council Chambers, 601 Main Street W. Ashland, WI with the availability to attend virtually, 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, February 27, 2024 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. February 13, 2024 City Council and Committee of the Whole Meeting Minutes

4. CITIZEN PARTICIPATION PERIOD

5. MAYOR'S REPORT

A. Announcements

6. OLD BUSINESS

A. Approve an Ordinance to Amend Chapter 479 (2023-1988) Annexation of the North Right of Way of County Highway K, Town of Gingles, Ashland County, Ashland City Ordinances, to Accept the Corrected Plat of Survey (Roll) Clerk

B. Approve to Allow the City of Ashland Public Works Department to Perform Public Construction without Advertising for Competitive Bids (Public Works) Roll

7. NEW BUSINESS

A. Consider a Resolution to Declare Condition of Elevator Shaft on the South Building Wall at 514 Main Street West an Emergency per Wisconsin State Statute 62.15(1b) (Public Works) Roll



8. 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)*
- B. **Return to Open Session**
- C. **Report of Action Taken During Closed Session** *Council may return to Open Session and take action on any item discussed in Closed Session.*

9. ADJOURNMENT

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

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

MEETING MINUTES
ASHLAND CITY COUNCIL
Tuesday, February 13, 2024 – 6:00 PM
Ashland City Hall Council Chambers

1. CALL TO ORDER

The Tuesday, February 13, 2024 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

ABSENT: None

ALSO PRESENT: Mayor Matthew MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Planning Director Steven Wiley, Parks Director Sara Hudson, Police Chief Bill Hagstrom, and other interested citizens.

2. APPROVAL OF AGENDA

A motion by Seefeldt and seconded by Goyke to approve the agenda was passed unanimously by voice vote.

3. APPROVAL OF MINUTES

A. **January 30, 2024 City Council and Committee of the Whole Meeting Minutes**

A motion by Seefeldt and seconded by Ortman to approve the minutes, carried unanimously by voice vote.

4. CITIZEN PARTICIPATION PERIOD

There were no Citizens who requested to address the Council.

5. MAYOR'S REPORT

A. **Announcements**

Mackenzie made a reminder to submit area photos for display at City Hall. He also noted the benefits and encouraged all to shop local.

6. CONSENT AGENDA

- A. **Approve to Hire a Part Time Laborer for the Water/Wastewater Utility** (*Public Works*)
- B. **Approve an Agreement for Professional Services between the City of Ashland and Short Elliott Hendrickson Inc. (SEH) for the 2024 Water System Hydraulic Model Creation and Calibration** (*Public Works*)
- C. **Miscellaneous Minutes**
A motion by Seefeldt and seconded by Goyke to approve the Consent Agenda, passed unanimously by voice vote.

7. OLD BUSINESS

- A. **Approve a Resolution to Submit an Application to the Wisconsin Department of Natural Resources for State and Federal Aids for Recreation and Natural Resource Management Purposes** (*Parks and Recreation*) Roll
Ortman moved, seconded by Tochtermann to approve the resolution. The motion passed unanimously by roll call vote.
File #17767
- B. **Approve a Resolution to Vacate Undeveloped Right of Way Located at that Portion of 28th Avenue East between Lots Nine (9), Ten (10), and Eleven (11), and Lots One (1), and Two (2), Block Ninety-Seven (97) in the Lake Shore Addition to the North Line of Toll Road; Applicant Kevin Haas** (*Planning*) Roll
Ortman moved, seconded by Gregoire to approve the resolution. The motion passed unanimously by roll call vote.
File #17764
- C. **Approve a Resolution to Approve a Request to Transfer City-Owned Property Parcels No. 201-03742-0000, 201-03743-0000, and 201-03744-0000, Zoned Single-Family Residential (R-1). Applicant: Kevin Haas** (*Planning*) Roll
Ortman moved, seconded by Seefeldt to approve the resolution. The motion passed unanimously by roll call vote.
File #17765
- D. **Approve a Resolution to Approve to Submit a Wisconsin Economic Development Corporation (WEDC) Community Development Investment (CDI) Grant Application to financially Assist with the 514 Main Street West Adaptive Reuse Project** (*Planning*) Roll
Tochtermann moved, seconded by Seefeldt to approve the resolution. The motion passed unanimously by roll call vote.
File #17766

- E. **Approve to Award a Contract to Republic Services, Inc. for Garbage and Recycling Service Provider for the City of Ashland** (*Administration*) Roll
Ortman moved, seconded by Seefeldt to approve the contract with Republic Services, Inc. The motion passed unanimously by roll call vote.
- F. **Approve an Ordinance to Amend Chapter 279 (1838) Citations for Violation of City Ordinances, Ashland City Ordinances** (*Administration*) Roll
Ortman moved, seconded by Seefeldt to approve the ordinance. The motion passed unanimously by roll call vote.
File #1996
- G. **Approve an Ordinance to Amend Chapter 544 (1026) Vehicular Stopping and Parking, Ashland City Ordinances** (*Administration*) Roll
Ortman moved, seconded by Seefeldt to approve the ordinance. The motion passed unanimously by roll call vote.
File #1997
- H. **Approve an Ordinance to Amend Chapter 51 (1814) City Council Procedure, Ashland City Ordinances** (*Clerk*) Roll
Ortman moved, seconded by Seefeldt to approve the ordinance. The motion passed unanimously by roll call vote.
File #1995

8. NEW BUSINESS

- A. **Consideration to Approve a Resolution to Establish Water PropertyTax Equivalent for Water Utility, City of Ashland, Ashland and Bayfield Counties, Wisconsin** (*Public Works*) Roll
Ortman moved, seconded by Jackson to approve the resolution. The motion passed unanimously by roll call vote.
File #17768
- B. **Consideration of an Ordinance to Amend Chapter 194 (1848) Procurement of Goods and Services and Approval of Change Orders for Public Construction Projects** (*Clerk*) Roll
Seefeldt moved, seconded by Jackson to approve the ordinance. The motion passed unanimously by roll call vote.
File #1998
- C. **Consideration of an Appointment of Successor Agent for Black Bears Hotel C, LLC dba Chequamegon Grille at 101 Lake Shore Drive West, Ashland, Applicant Natalie Skinnies** (*Clerk*) Voice
A motion by Seefeldt and seconded by Goyke to approve was passed unanimously by voice vote.
- D. **Consideration of an Original Alcohol Beverage license Appliation for Frankie's Family Pizza, LLC dba Frankies Pizza at 1317 Lake Shore Drive East, Ashland, and Agent Michael Welty** (*Clerk*) Voice
A motion by Seefeldt and seconded by Tochtermann to approve was passed unanimously by voice vote.

9. 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)**
A motion by Seefeldt and seconded by Ortman to enter into Closed Session, passed unanimously by roll call vote.
- B. **Return to Open Session**
A motion by Ortman and seconded by Seefeldt to return to Open Session, passed unanimously by voice vote.
- C. **Report of Action Taken During Closed Session** *Council may return to Open Session and take action on any item discussed in Closed Session.*

The Mayor reported that no action was taken during Closed Session.

10. ADJOURNMENT

A motion by Goyke and seconded by Seefeldt to adjourn was passed unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant,
City Clerk

MEETING MINUTES
COMMITTEE OF THE WHOLE MEETING
Tuesday, February 13, 2024 – 6:00 PM
Ashland City Hall Council Chambers

The Tuesday, February 13, 2024 City of Ashland Committee of the Whole Meeting was called to order by Council President Charlie Ortman at 7:00 p.m.

1. Roll Call

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

ALSO PRESENT: Mayor Matt MacKenzie, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Police Chief Bill Hagstrom, Parks Director Sara Hudson, and other interested citizens.

2. Approval of Agenda

A motion by Seefeldt and seconded by Tochterman to approve the agenda, passed unanimously by voice vote.

3. Council President's Report

Ortman offered no report.

4. Administrator's Report

Kucera gave an update on the Book Across the Bay event for the upcoming weekend, and the changed race route due to poor ice conditions. This was a cooperative effort between the BATB organizers, Main Street Board, and the City, and he thanked all involved for their hard work.

5. DISCUSSION ITEMS

A. Discussion and Possible Action Regarding Updating and Enforcing Ordinances Regarding Use of Public Spaces within the City of Ashland *(Councilor Seefeldt and Ortman)*

The item was introduced by Seefeldt, and invited conversation from Hagstrom and Hudson during discussion. Ortman resolved that this item should be a recurring agenda item for future Committee of the Whole meetings.

B. Discussion and Possible Action Regarding a Potential Spring Council Retreat Date and Topics for Discussion *(Councilor Ortman)*

Ortman introduced the item and determined a date of Friday, April 26, 2024 is slated for a Council retreat with the City's department managers. The BART conference room was reserved tentatively for the event.

C. Discussion and Possible Action Regarding the City Administrator's Annual Performance Review *(Mayor)*

Mackenzie introduced the item by explaining to Council that the intent was to get the administrator reviews back on schedule to be held each March, prior to the Spring Elections. The evaluation format was distributed to the Councilors, and Mackenzie asked for any requested changes to be submitted to him before the next Council meeting. Council will review the Administrators goals and progress from last year's evaluation during the February 27, 2024 Committee of the Whole meeting, and all Councilor evaluations are due to the Mayor by March 12, 2024. The results of the evaluation will be reviewed during a closed session on March 26, 2024.

6. Items for Future Discussion

Ortman reiterated that the area homeless issue will be a recurring Committee of the Whole item. Jackson asked for a report on the Book Across the Bay after the event. Pufall requested a discussion in the near future regarding traffic and parking during reconstruction of Highway 13/Ellis Avenue next year.

7. Adjournment

A motion by Goyke, seconded by Tochtermann to adjourn, passed unanimously by voice vote.

Respectfully Submitted,
Denise Oliphant, City Clerk

SUBJECT: Approve an Ordinance to Amend Chapter 479 (2023-1988) Annexation of the North Right of Way of County Highway K, Town of Gingles, Ashland County, Ashland City Ordinances, to Accept the Corrected Plat of Survey (*Roll*) Clerk

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

CLEARANCES: City Attorney

EXHIBITS:

1. Proposed Ordinance 2024-1999
2. Corrected Plat of Survey
3. WI DOA Ordinance ID #11762, effective 08-01-2023

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED:

**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 her in Chapter 51, Ashland City Ordinances.

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

The Clerk received communication from the Wisconsin Department of Administration regarding errors found in the plat of survey map in relation to the annexation of a stretch of County Highway K, Town of Gingles. According to Jim Young, Municipal Boundary Review Team with the WI DOA:

Map Page Errors & Omission:

The current "PLAT OF SURVEY" map page (page 3) has two textual errors and an omission that I have already discussed and confirmed with the map's creator, Patrick McKuen, from Pine Ridge Land Surveying, LLC. In our discussion this afternoon, I pointed out the erroneous Section cites for both the East ¼ Corner of Section 18 (currently cited as Section "8" instead) and the Center ¼ Corner of Section 18 (currently cited as Section "14" instead). I also pointed out that this map page document omitted the required map page component that it "must show and identify the existing municipal boundary, in relation to the parcel being transferred." **Recommended Remedy:** Patrick indicated that he would have a new map edited with those 3 corrections tomorrow morning and provide a copy to the City ASAP thereafter. Please submit that new map

page document to us in a pdf format accordingly.

Although corrections have been accepted at the state level, it is recommended by counsel to return the ordinance and corrected plat of survey to Council for formal acceptance and approval, stating, although it was a scrivener's error on the plat of survey, it needs to go back because the plat of survey was part of the passing of the ordinance. Note that the scrivener's error was not in the actual legal description of the parcel being annexed but was on the drawing of the parcel on the plat of survey so the original ordinance and plat contain the correct legal description of the parcel to be annexed.

Sequential Ordinance No. 2024-1998

ORDINANCE TO AMEND CHAPTER 479 (2023-1988, ANNEXATION OF THE NORTH RIGHT OF WAY OF COUNTY HIGHWAY K, TOWN OF GINGLES, ASHLAND COUNTY, ASHLAND CITY ORDINANCES

An Ordinance adopted by the Common Council for the City of Ashland at a regular meeting of July 25, 2023 for the purpose of amending Chapter 479 (2023-1988) Annexation of the North Right of Way of County Highway K, Ashland City Ordinances.

Section I

479.03 Plat *shall be amended to read as follows:*

Attached hereto and incorporated by reference is a plat of survey reflecting the location of the subject parcel as corrected and submitted to the Wisconsin Department of Administration on February 14, 2024, and filed with the State of Wisconsin as Ordinance ID #11762.

Section II:

Effective Date. *This ordinance shall take effect upon passage and publication.*

PASSED: February 27, 2024
PUBLISHED: March 5, 2024

Councilperson

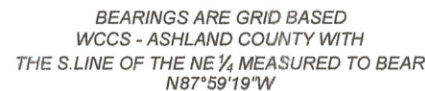
ATTEST:

Denise Oliphant, City Clerk

Matt MacKenzie, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney



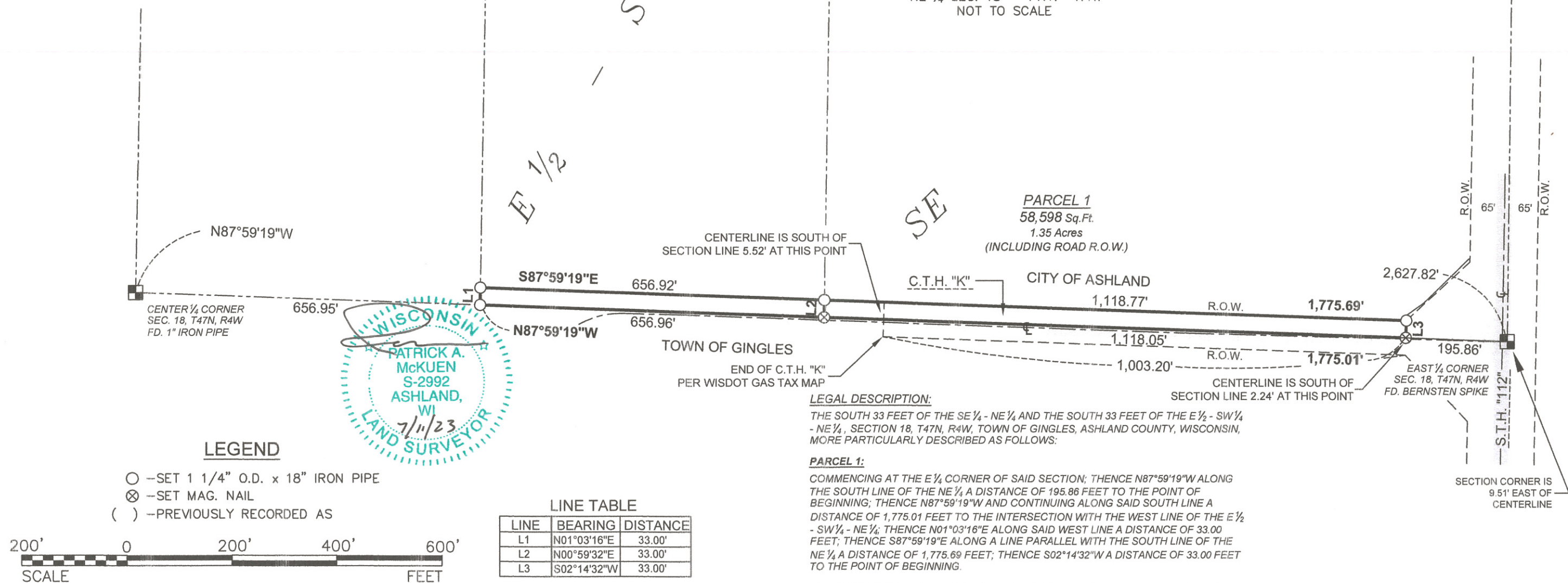
THE SOUTH 33 FEET OF THE SE ¼ - NE ¼ AND THE SOUTH 33 FEET OF THE E ½ - SW ¼ - NE ¼,
SECTION 18, TOWNSHIP 47 NORTH, RANGE 4 WEST,
TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2992, DO HEREBY CERTIFY THAT THIS MAP WAS MADE AT THE DIRECTION OF KATIE POSEWITZ, AGENT FOR THE ABOVE DESCRIBED AND MAPPED PARCELS, AND THE INFORMATION SHOWN ON THIS MAP IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM STANDARD REQUIREMENTS FOR SURVEYS UNDER AE-7 OF WISCONSIN ADMINISTRATIVE CODE.

DATED THIS _____ DAY OF _____

**PINE RIDGE LAND SURVEYING, LLC.
PATRICK A. MCKUEN
WI P.L.S. S-2992**



LEGAL DESCRIPTION:

THE SOUTH 33 FEET OF THE SE $\frac{1}{4}$ - NE $\frac{1}{4}$ AND THE SOUTH 33 FEET OF THE E $\frac{1}{2}$ - SW $\frac{1}{4}$ - NE $\frac{1}{4}$, SECTION 18, T47N, R4W, TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

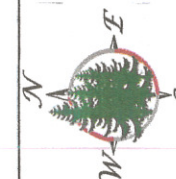
PARCEL 1:

COMMENCING AT THE E $\frac{1}{4}$ CORNER OF SAID SECTION; THENCE N87°59'19"W ALONG THE SOUTH LINE OF THE NE $\frac{1}{4}$ A DISTANCE OF 195.86 FEET TO THE POINT OF BEGINNING; THENCE N87°59'19"W AND CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 1,775.01 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE E $\frac{1}{2}$ - SW $\frac{1}{4}$ - NE $\frac{1}{4}$; THENCE N01°03'16"E ALONG SAID WEST LINE A DISTANCE OF 33.00 FEET; THENCE S87°59'19"E ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NE $\frac{1}{4}$ A DISTANCE OF 1,775.69 FEET; THENCE S02°14'32"W A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 58,598 SQUARE FEET WHICH IS 1.35 ACRES INCLUDING THE RIGHT OF WAY OF C.T.H. "K".

PATRICK A. MCKUEN, PLS
1424 1/2 LAKE SHORE DR. W.
ANN ARBOR MI 48106

**Pine Ridge
Land Surveying, LLC.**
Professional Land Surveying Services

[illegible]

POSEWITZ
PLAT OF SURVEY

PROJECT NUMBER: POSEWITZ23-18-47-
FIGURE/SHEET NO.



City Clerk
601 Main Street West
Ashland WI 54806
Phone 715-682-7071
doliphant@coawi.org

ORD11762

CERTIFICATE OF CITY CLERK

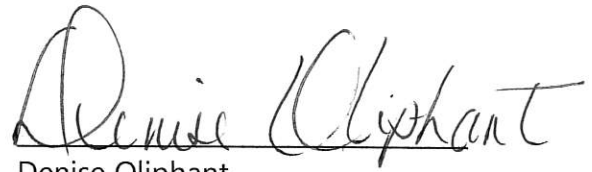
STATE OF WISCONSIN)
COUNTY OF ASHLAND)



I, Denise Oliphant, hereby certify that I am the duly appointed qualified and acting City Clerk of the City of Ashland, Ashland and Bayfield Counties, State of Wisconsin, and as such have charge of the official records of the City.

I further certify that this is a true and correct copy of Sequential Ordinance 2023-1988, Chapter 479, Ashland City Ordinances, and the original is on file in the City Clerk's office. The Common Council unanimously approved the Annexation Ordinance at their regular meeting of July 25, 2023, and was published on August 1, 2023. The population of the territory being annexed is zero (0) persons.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Ashland, Wisconsin, this 23rd day of January, 2024.


Denise Oliphant
City Clerk

Sequential Ordinance No. 2023-1988
Chapter 479 (2023-1988)

**ORDINANCE TO CREATE CHAPTER 479 (2023-1988, ANNEXATION OF THE NORTH
RIGHT OF WAY OF COUNTY HIGHWAY K, TOWN OF GINGLES, ASHLAND COUNTY,
ASHLAND CITY ORDINANCES**

An Ordinance adopted by the Common Council for the City of Ashland at a regular meeting of July 25, 2023 for the purpose of creating Chapter 479 (2023-1988) Annexation of the north right of way of County Highway K, Ashland City Ordinances.

Section I

479 Annexation of the North Right of Way of County Highway K, Town of Gingles, Ashland County *shall be created to read as follows:*

479.01 Property Annexed

The City of Ashland, pursuant to the authority granted by Wisconsin Statute 66.0223 hereby annexes the following described property owned by the City of Ashland located in the Town of Gingles, Ashland County, Wisconsin:

The South 33 feet of the SE 1/4 – NE 1/4 and the South 33 feet of the E 1/2 – SW 1/4 – NE 1/4, Section 18, T47N, R4W, Town of Gingles, Ashland County, Wisconsin, more particularly described as follows:

Commencing at the E 1/4 corner of said section: thence N87°59'19"W along the South line of the NE 1/4 a distance of 195.86 feet to the point of beginning; thence N87°59'19"W and continuing along said South line a distance of 1,775.01 feet to the intersection with the West line of the E 1/2 – SW 1/4 - NE 1/4; thence N01°03'16"E along said West line a distance of 33.00 feet; thence S87°59'19"E along a line parallel with the South line of the NE 1/4 a distance of 1,775.69 feet; thence S02°14'32"W a distance of 33.00 feet to the point of beginning.

The above described parcel of land contains 58,598 square feet which is 1.35 acres including the right of way of C.T.H. "K".

479.02 Persons Residing

There are no persons residing on or occupying the subject parcel.

479.03 Plat

Attached hereto and incorporated by reference is a plat of survey reflecting the location of the subject parcel.

479.04 Ward Designation

Pursuant to Wis. Stats. § 5.15(7), Ward 1 of the City of Ashland shall be adjusted to include the full area of the parcel annexed hereto. A copy of this ordinance shall be transmitted to the County Clerk within five days of its passage in compliance with Wis. Stats. § 5.15(4)(b).

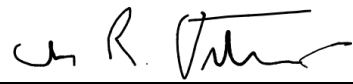
479.05 Filing Copies

Following the passage and publication of this ordinance, the City Clerk shall file seven (7) certified copies of this ordinance together with seven (7) copies of the plat showing the boundaries of the territory annexed to the Office of the Secretary of State of the State of Wisconsin.

Section II:

Effective Date. *This ordinance shall take effect upon passage and publication.*

PASSED: July 25, 2023
PUBLISHED: August 1, 2023



Councilperson

ATTEST:


Denise Oliphant, City Clerk



Matt MacKenzie, Mayor

APPROVED AS TO FORM:



Katie M. Posewitz, City Attorney

I, Denise Oliphant, am the duly qualified and acting City Clerk of the City of Ashland, Ashland and Bayfield Counties, Wisconsin. I certify that the foregoing is a true and correct Sequential Ordinance No. 2023-1988, as approved by the Common Council of the City of Ashland, on July 25, 2023, to create Ordinance Chapter 479, Annexation of the North Right of Way of County Highway K, Town of Gingles, Ashland County, Wisconsin.

I also certify that I have caused publication for public notice, this ordinance on August 1, 2023.

In witness whereof, I have executed and sealed this Certificate in my official capacity on August 1, 2023.



BEARINGS ARE GRID BASED
WCCS - ASHLAND COUNTY WITH
THE S. LINE OF THE NE 1/4 MEASURED TO BEAR
N87°59'19"W

PLAT OF SURVEY

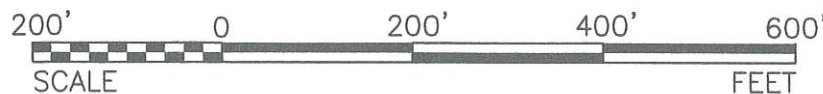
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TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2992, DO HEREBY
CERTIFY THAT THIS MAP WAS MADE AT THE DIRECTION OF KATIE POSEWITZ, AGENT FOR THE
ABOVE DESCRIBED AND MAPPED PARCELS, AND THE INFORMATION SHOWN ON THIS MAP IS
CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE
MINIMUM STANDARD REQUIREMENTS FOR SURVEYS UNDER AE-7 OF WISCONSIN ADMINISTRATIVE
CODE.

DATED THIS 11 DAY OF July, 2023

PINE RIDGE LAND SURVEYING, LLC
PATRICK A. MCKUEN
WI P.L.S. S-2992



LEGEND

- - SET 1 1/4" O.D. x 18" IRON PIPE
- ⊗ - SET MAG. NAIL
- () - PREVIOUSLY RECORDED AS

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N01°03'16"E	33.00'
L2	N00°59'32"E	33.00'
L3	S02°14'32"W	33.00'

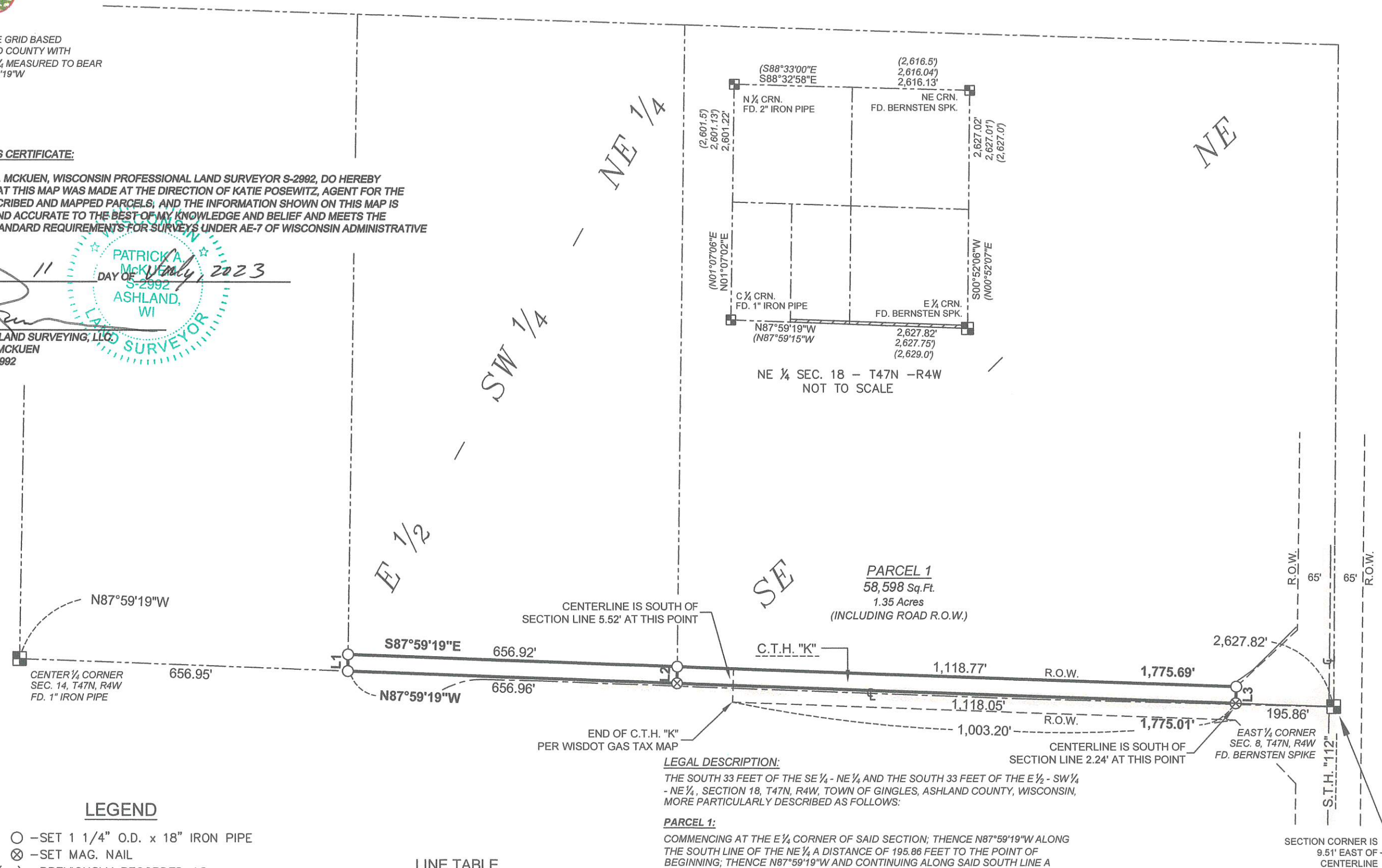
LEGAL DESCRIPTION:

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SECTION 18, T47N, R4W, TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

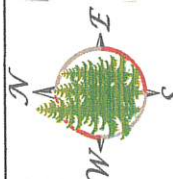
COMMENCING AT THE E 1/4 CORNER OF SAID SECTION; THENCE N87°59'19"W ALONG
THE SOUTH LINE OF THE NE 1/4 A DISTANCE OF 195.86 FEET TO THE POINT OF
BEGINNING; THENCE N87°59'19"W AND CONTINUING ALONG SAID SOUTH LINE A
DISTANCE OF 1,775.01 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE E 1/2
- SW 1/4 - NE 1/4; THENCE N01°03'16"E ALONG SAID WEST LINE A DISTANCE OF 33.00
FEET; THENCE S87°59'19"E ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE
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1.35 ACRES INCLUDING THE RIGHT OF WAY OF C.T.H. "K".



PATRICK A. MCKUEN, PLS
1424 1/2 LAKE SHORE DR. W.
ASHLAND, WI 54806
PH. 715-682-2969
WWW.PINERIDGESURVEYING.COM
PMCKUEN@PINERIDGESURVEYING.COM

Pine Ridge
Land Surveying, LLC.
Professional Land Surveying Services
Value & Quality in a Timely Manner.



DATE	REV.	NO.	BY:	REVISION DESCRIPTION

Drawn by: P. MCKUEN
Approved by: P. MCKUEN
Date Approved: 7/11/23

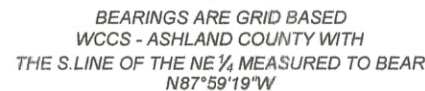
Filed With:
ASHLAND COUNTY
Field Work Completed:
7/06/23

POSEWITZ
PLAT OF SURVEY

THE S. 33' OF THE SE 1/4 - NE 1/4 AND
THE S. 33' OF THE E 1/2 - SW 1/4 - NE 1/4,
SEC. 18, T47N, R4W,
TOWN OF GINGLES, ASHLAND COUNTY, WI.

PROJECT NUMBER:
POSEWITZ23-18-47-4
FIGURE/SHEET
NO.

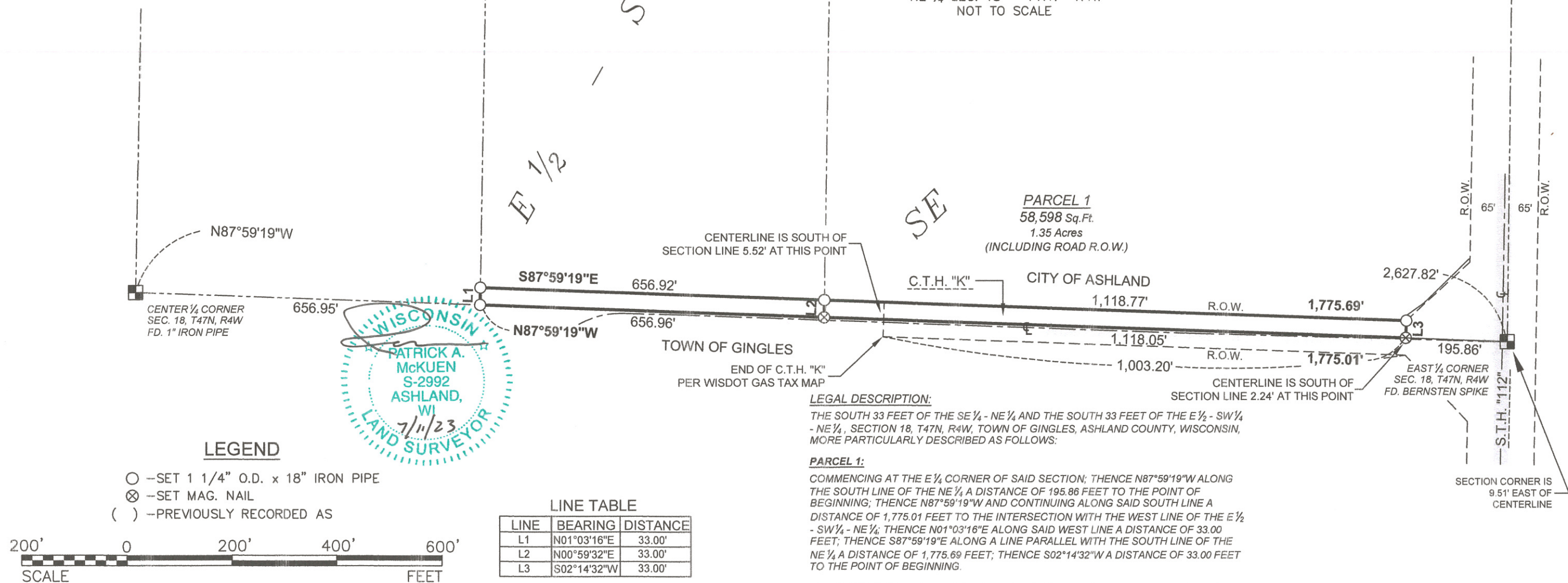
THE SOUTH 33 FEET OF THE SE ¼ - NE ¼ AND THE SOUTH 33 FEET OF THE E ½ - SW ¼ - NE ¼,
SECTION 18, TOWNSHIP 47 NORTH, RANGE 4 WEST,
TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN.



I, PATRICK A. MCKUEN, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2992, DO HEREBY CERTIFY THAT THIS MAP WAS MADE AT THE DIRECTION OF KATIE POSEWITZ, AGENT FOR THE ABOVE DESCRIBED AND MAPPED PARCELS, AND THE INFORMATION SHOWN ON THIS MAP IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEETS THE MINIMUM STANDARD REQUIREMENTS FOR SURVEYS UNDER AE-7 OF WISCONSIN ADMINISTRATIVE CODE.

DATED THIS _____ DAY OF _____

**PINE RIDGE LAND SURVEYING, LLC.
PATRICK A. MCKUEN
WI P.L.S. S-2992**



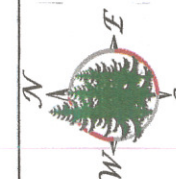
THE SOUTH 33 FEET OF THE SE $\frac{1}{4}$ - NE $\frac{1}{4}$ AND THE SOUTH 33 FEET OF THE E $\frac{1}{2}$ - SW $\frac{1}{4}$ - NE $\frac{1}{4}$, SECTION 18, T47N, R4W, TOWN OF GINGLES, ASHLAND COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE E $\frac{1}{4}$ CORNER OF SAID SECTION; THENCE N87°59'19"W ALONG THE SOUTH LINE OF THE NE $\frac{1}{4}$ A DISTANCE OF 195.86 FEET TO THE POINT OF BEGINNING; THENCE N87°59'19"W AND CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 1,775.01 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE E $\frac{1}{2}$ - SW $\frac{1}{4}$ - NE $\frac{1}{4}$; THENCE N01°03'16"E ALONG SAID WEST LINE A DISTANCE OF 33.00 FEET; THENCE S87°59'19"E ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NE $\frac{1}{4}$ A DISTANCE OF 1,775.69 FEET; THENCE S02°14'32"W A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 58,598 SQUARE FEET WHICH IS 1.35 ACRES INCLUDING THE RIGHT OF WAY OF C.T.H. "K".

PATRICK A. MCKUEN, PLS
1424 1/2 LAKE SHORE DR. W.

**Pine Ridge
Land Surveying, LLC.**
Professional Land Surveying Services



	DATE	REV.	NO.	BY:	REVISION DESCRIPTION

Filed With:
ASHLAND COUNTY
Field Work Completed:

Drawn by: P.MCKLJEN
 Approved by: P.MCKLJEN
(Signature)
 Date: _____
 Title: _____

POSEWITZ
PLAT OF SURVEY

PROJECT NUMBER: POSEWITZ23-18-47-
FIGURE/SHEET NO.

SUBJECT: Approve to Allow the City of Ashland Public Works Department to Perform Public Construction without Advertising for Competitive Bids (*Public Works*) Roll

RECOMMENDATION: Approve

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Unanimously approved by Committee of the Whole, January 9, 2024

EXHIBITS:

EXPENDITURES REQUIRED: \$ 17,000 - Capital Projects Fund 450

AMOUNT BUDGETED: -\$0

APPROPRIATION REQUIRED: \$ 17,000 - Capital Projects Fund 450

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORD. 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN: NA

SUMMARY STATEMENT:

Administration proposed to use \$17,000 from Capital Projects Fund 450 to construct a new office at the Bretting Community Center for the Parks & Recreation Director. This project was deemed necessary as the Director's former office was deemed necessary as the former office was reconstructed to become a part of the indoor playground.

These funds are available because the facilities master plan projects have come in under budget. Work will be done by City staff and is expected to be completed by late spring 2024.

Chapter 194.05(d) of the Ashland City Ordinances requires Council approval by three-fourths of all members-elect to allow for this class of public construction (building remodel/addition) or any part to be done directly by the City without submitting the same for bids.

SUBJECT: Consider a Resolution to Declare Condition of Elevator Shaft on the South Building Wall at 514 Main Street West an Emergency per Wisconsin State Statute 62.15(1b) (*Public Works*) Roll

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Administrator

EXHIBITS: 1. Proposed Resolution No. 17769

EXPENDITURES REQUIRED: Not to Exceed \$75,000.00

AMOUNT BUDGETED: \$100,000 ARPA

**APPROPRIATION
REQUIRED:** \$0

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

SUMMARY STATEMENT:

In May 2022, the City acquired the building located at 514 Main Street West. At the July 25, 2023 meeting, the Council declared an emergency related to the repair of a suspended sidewalk in front of the building. A significant void was located beneath the front of the building and City staff reported significant deterioration of beams supporting the sidewalk upon inspection once the building was acquired. Work on this repair has been substantially completed in winter 2024 and final concrete restoration will be completed in the spring.

City staff spent significant time evaluating options for repair of the south building wall, which had been seriously damaged by the previous installation of an elevator shaft. The footing constructed to support the elevator shaft is inadequate, which resulted in significant settlement of the elevator shaft. This settlement is ongoing and, in turn, has pulled the south building wall away from the rest of the building. This situation presents safety concerns and the overall building condition would be improved by removing the elevator shaft to relieve the pressure being applied to the south building wall by the settlement process. City staff have identified various interior lifts that will serve the purpose of maintaining a pathway to the second floor that meets the requirements of the Americans with Disabilities Act (ADA).

Removal of the existing elevator shaft will be a complex and delicate process due to the condition of the south building wall. The existing wooden deck will first need to be removed, followed by demolition of various mechanical parts associated with the elevator. Next, the masonry-style elevator shaft will need to be demolished while protecting the integrity of the building. This demolition will need to extend underground to include removal of the inadequate footing constructed to support the elevator shaft. While a portion of the existing building foundation is exposed, it should be waterproofed to support the longevity of the existing building. The excavation would then be filled with granular backfill. Finally, the roof of the existing building would need to be repaired, along with doorway openings and minor repair of brick along the south building wall.

Public Works staff reviewed the work with Ritola, Inc. and recommends that they complete the work due to familiarity with the building, ability to perform safe excavation in tight work areas such as this, and availability of skilled labor to complete the work immediately.

The Public Works Director requests Council's approval of a resolution declaring the condition of the south wall on the existing building an emergency to permit the repairs to be completed in a timely manner, ahead of the summer construction season when other projects are scheduled, which works to protect the overall welfare of the City.

RESOLUTION No. 17769

RESOLUTION TO DECLARE CONDITION OF ELEVATOR SHAFT ON THE SOUTH BUILDING WALL AT 514 MAIN STREET WEST AN EMERGENCY PER WISCONSIN STATE STATUTE 62.15(1b)

Whereas, the condition of the South building wall located at 514 Main Street West is in poor condition due to the settlement of an adjacent elevator shaft affixed to the building; and,

Whereas, the condition of the South building wall presents a safety hazard in which the welfare of the City is threatened with endangerment; and,

Whereas, the protection of the South building requires removal of the adjacent elevator shaft in order to prevent further deterioration and alleviate safety concerns; and,

Whereas, under Wisconsin Statute 62.15(1b), the emergency will need to be declared over by the Council once it no longer exists (i.e., elevator shaft is removed).

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Ashland, Wisconsin hereby agrees that the condition of the South building wall at 514 Main Street West threatens the welfare of the City, creating an emergency per Wisconsin Statute 62.15(1b) and per City of Ashland Ordinance 194.06(c).

Councilperson

PASSED: February 27, 2024

ATTEST:

Denise Oliphant, City Clerk

Matthew MacKenzie, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney