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**\*AMENDED AGENDA\***  
**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, February 13, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**

**Please turn off all cell phones during the meeting.**

1. **CALL TO ORDER**
  - A. Roll Call
  - B. Moment of Silence
  - C. Pledge of Allegiance
2. **APPROVAL OF AGENDA (Voice)**
3. **APPROVAL OF MINUTES** of the January 30, 2018 Council Meeting **(Voice)**
4. **CITIZEN PARTICIPATION PERIOD (Clerk reads rules prior to public comments)**
5. **MAYOR'S REPORT**
  - A. **Appointments**  
2018-2019 Election Inspectors  
Cliff and Colleen Grand
6. **Interview, Nomination and Approval of Filling Ward 3 and Ward 4 Council Member Vacancies (Mayor)**
7. **CONSENT AGENDA** (*Includes items that were unanimously approved by Committee of the Whole*) **(Voice)**
  - A. Operator's Licenses
  - B. Miscellaneous Minutes
  - C. Planning and Development Report – January, 2018
8. **New Business**
  - A. \*
    1. **Public Hearing for Sidewalk Special Assessments Associated With the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project (Public Works) Voice**
    2. **Approval of Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in the City of Ashland, Ashland County, Wisconsin for the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project (Public Works) Voice**

- B. Presentation and Update by Betsey Harries, AADC Executive Director *(Mayor)*
- C. Approve a Resolution in Support of Financial Assistance for the Apostle Islands National Lakeshore in Responding to the Devastating Effects of a Historic Nor'Easter Storm on Lake Superior on October 27-30, 2017 *(Mayor)* **Voice**
- D. Approve a Resolution to Amend the Conditional Use Permit for New Day Shelter in the City Center (CC) District, Parcel #201-01684-0000 *(Planning & Development)* **(Voice)**
- E. Approval of Agreement by and Between the City of Ashland and Town of Sanborn for Fire Protection and Emergency Medical Services *(City Administrator)* **(Voice)**

**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 Denise Oliphant at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048*

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 1**

**PRESENT:** Richard Ketring, Carl Doersch, David Mettille, Pat Kinney, Charles Ortman, Donna Williamson, Dick Pufall, Jackie Moore

**ABSENT:** Holly George

**ALSO PRESENT:** Mayor Deb Lewis, City Administrator Mary Garness, City Clerk Denise Oliphant, City Attorney David Siegler, Planning and Development Director April Kroner, Detective Scott Morland, Concerned Citizens

**Agenda Item 1: Call to Order**

Roll Call was taken, a Moment of Silence was held, and the Pledge of Allegiance was recited. A quorum was recognized.

**Agenda Item 2: Approval of Agenda**

Doersch moved, Moore seconded a motion to approve the agenda as presented. The motion carried unanimously by voice vote.

**Agenda Item 3: Approval of Minutes of the January 9, 2018 Council and Committee of the Whole Meetings**

Doersch moved, Moore seconded a motion to approve the minutes of the January 9, 2018 Council and Committee of the Whole meetings as presented. The motion carried unanimously by voice vote.

**Agenda Item 4: Citizen Participation Period**

Barbara Witt, LaPointe, made note of the recent gathering of the Conversation Circle and handed out notes from that session. This group was formed due to the recent passing of Bad River resident, Jason Pero, to allow open discussion regarding the shooting and recent events. People from Red Cliff, Bayfield, Washburn, Ashland, Bad River, and LaPointe were present. There will be another gathering on February 6<sup>th</sup> at the Bohemian Hall and all are welcome to attend.

Libby Sutton, 710 Prentice Avenue, pointed to several items on the agenda including the 6<sup>th</sup> Street East Reconstruction Project, the Conditional Use Permit involving World Wide Precision Products, and the Conditional Use Permit involving the Deepwater parking lot.

Elizabeth Andrei, 908 9<sup>th</sup> Avenue West, spoke against the proposed parking lot near the Deepwater Restaurant.

Adam, 113½ Main Street West, voiced his concern and opposition to the parking lot Conditional Use Permit.

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 2**

David Martin, 1011 Willis Avenue, owner of the Breakwater Restaurant, spoke in favor of the need of a developed parking lot near the Deepwater Restaurant.

Sandra Goykee, Red Cliff, addressed a walk-through that took place two weeks ago near the intersection of Highway 2 and 13 in protest of the State’s investigation of the shooting of a youth from Bad River, and the treatment those walking received by the City Police Department during that protest.

Ryan Raske, 113½ Main Street, Northland College Student, encouraged the Council to maintain the walkability of the downtown area and vote against the proposal of the parking lot near the Deepwater Restaurant.

Mark Gutterer, owner of the Deepwater and Alley restaurants, explained his request and need for the Deepwater parking lot in order to remain respectful of his neighboring businesses and their private parking areas.

Brian Tochtermann, 818 Vaughn Avenue, asked Council to honor the Comprehensive Plan as it outlines directives of the downtown district in regard to the proposed parking lot along Main Street.

Charmaine Swan, 901 MacArthur Avenue, explained to Council why she voted against the proposed parking lot near the Deepwater Restaurant.

Austin, 309 Chapple Avenue, Northland College Student, expressed his concern for the proposed parking area, and to bring to the Council’s attention the lack of snow shoveling along the main walkways.

Mike Ammen, 1312 Chapple Avenue, recommended as a member of the Planning Commission to place the proposed parking lot Conditional Use Permit on hold until construction of the Cobblestone Hotel is completed to determine at that time if additional parking is necessary.

**Agenda Item 5: Mayor’s Report**

Mayor Lewis announced an event where former Mayor Dan Theno will be speaking at the NGLVC on January 31 regarding restoring democracy through fair elections. She reiterated there is a planned meeting of the Conversation Circle scheduled for February 6. A fundraising event will be held on February 21 to benefit the ore dock project.

**Agenda Item 5A: Appointments**

**Board of Canvass**

Carol Larson	Term expires January 1, 2020
Virginia Quay	Term expires January 1, 2020
Eric Erickson, Alternate	Term expires January 1, 2020

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 3**

**2018-2019 Election Inspector**  
Madeleine Lee

Doersch moved, Ketrting seconded a motion to approve the Mayor’s appointments. The motion carried unanimously by voice vote.

**Agenda Item 5B: Recognition of Service by Retiring City Councilors Jerry Teague and Joel Langholz**

The Mayor presented retiring Council members Jerry Teague and Joel Langholz with a Certificate of Appreciation for their service. This was received by the audience by a standing applause.

**Agenda Item 6: Consent Agenda**

**Agenda Item 6A: Operator’s Licenses**

Jeffrey H. McMullen, Jessica E. Sorenson, Jacob B. Anderson

**Agenda Item 6B: Miscellaneous Minutes**

Mettille moved, Moore seconded a motion to approve the Consent Agenda. The motion carried unanimously by voice vote.

**Agenda Item 7: Old Business**

**Agenda Item 7A: Request Under Ordinance 51 of a Reconsideration of the Agenda Item From January 9, 2018 for Approval of a Resolution to Select a Site Plan for a New Police Facility and Authorization to Direct C&S Design and Engineering, Inc. to Proceed with Architectural Plans for the Site Chosen (Councilor Ketrting)**

Councilor Ketrting had requested an opportunity, pursuant to Ordinance 51.24(a) to bring a motion to reconsider the Council action taken on January 9, 2018 to approve a Resolution to select 11<sup>th</sup> Avenue West as recommended by Police Dept. Internal Planning Team for a new Police facility and authorization to direct C&S Design and Engineering, Inc. to proceed with architectural plans for the site chosen

Ordinance 51.24(a) states:

(a) Motion to reconsider. Except for those motions which under parliamentary procedure are not subject to reconsideration, it shall be in order for any member who voted in the majority to move a reconsideration of such vote at the same or next succeeding regular meeting of the Council (if the action to be reconsidered was taken at a Council meeting) or at the same or next succeeding regular meeting of the Committee of the Whole (if the action to be reconsidered was taken at a meeting of the Committee of the Whole). A motion to reconsider having been lost shall not be again in order.

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 4**

For several years, the City of Ashland Police Department has functioned within the confines of City Hall. Police Department patrol operations are housed in the basement level of City Hall, and administrative services, including customer service and investigation, are housed on the third floor of City Hall. The functionality of the operation of the Police Department on two floors of City Hall does not meet the needs of the department and offers inadequate facilities for a professional police force. On numerous occasions, the patrol operations office areas in the basement have become flooded due to heavy rain events. Space is inadequate, especially when outside agencies (i.e.; the FBI, State of WI DCI, and others) are brought in on joint collaborative operations. Separate restrooms and shower facilities for men and women are not available. Relocation of police operations into a modern facility will allow for increased efficiency of operations and provide for a professional work environment for all employees of the department. Further, employee morale is proven to increase when the conditions of the work environment improve.

On September 29, 2015, the City Council approved the 2016-2020 Strategic Plan of the City. One of the strategic priorities includes facility improvements to City Hall, Police, and Vaughn Public Library.

In 2016, Ashland County had begun a process of exploring the option of adding on to the existing Ashland County Law Enforcement facility located on 6<sup>th</sup> Street East to expand law enforcement space, relocate court operations, and relocate human services and other operations of the County. The original plan was for Ashland County to start construction in 2018 if plans proceeded as expected. Late in 2016, City Administration and the Ashland Police Department believed that this presented a prime opportunity to explore the possibility of moving the City's facilities to the new expanded law enforcement center.

On September 8, 2016, the County Administrator, County Sheriff, County Board Chair, Mayor, City Administrator, Police Chief and Police Captain met to have a preliminary discussion on the possibility of collaborating with Ashland County to move the City's Police Department to the expanded facility. The Ashland Police Department and the Ashland County Sheriff were agreeable with exploring a "joint" facility of this nature because it would enable closer collaboration on law enforcement as well as be more sustainable because of the opportunity for shared resources.

On February 7, 2017, the Law Enforcement Committee for the Ashland County Board voted not to move forward with previous plans to expand the County law enforcement center at the existing site, but rather seek to secure land to build a large county building at non-centrally located potential sites, outside the core areas of the City of Ashland identified in the Comprehensive Plan as high priority for development. The County is unlikely at this time to meet their original timetable for completion of a new or remodeled facility. The desire to collaborate with the County, while noble and well-intentioned, on closer analysis, no longer appears to be in the best interest of the City of Ashland. The Ashland Police Department strongly believes that the new police facility should be located in the core of the city to provide the most effective service to the citizens of Ashland.

Due to the change in the County's direction and the likely remote location of a new County facility, as well as great uncertainty as to the City of Ashland's future cost in a potential joint venture, the City Administrator, Mayor and the Police Chief recommended and the Council agreed that the needs of the

7

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 5**

Ashland Police Department for long term permanence would not be likely to be met through a joint venture with the County Sheriff Department.

At the March 14, 2017 Committee of the Whole meeting, a motion was made by Teague, seconded by George to direct the City Administrator to prepare an RFP to secure an architectural firm to prepare up to three options as to how to proceed to develop a sustainable Ashland Police Department located centrally in the City of Ashland. The motion carried unanimously by voice vote. At the March 28, 2017 Council meeting, Moore moved, George seconded a motion to proceed with the development of a Police Department building. The motion carried unanimously on a roll call vote.

At the September 26, 2017 Council meeting, George moved, Doersch seconded a motion to approve awarding a contract to C&S/Bray for the architectural and design work for the new Police station. The final roll call vote was taken on the motion made to approve awarding the contract to C&S Design & Engineering/Bray Architects for design work of a new Police station and directing the City Administrator and Mayor to execute the required contractual documents. The motion passed 6-4 by roll call vote; Ketring, Kinney, Williamson, and Pufall opposed.

After award of contract in September, 2017, the Police Department Internal Planning team met on September 28, October 6, November 2, and December 7 with members of the C&S Design team. Tours arranged by C&S Design were taken in October, 2017 of the following police facilities by members of the committee: DeForest, Mount Pleasant, St. Francis, and Mount Horeb. The facilities selected for the tour were located in communities similar in size to Ashland and were designed by Bray Associates Architects, Inc. A space needs analysis was conducted by Ashland Police Chief Jim Gregoire and Captain Bill Hagstrom in association with Bray Associates Architects, Inc. and C&S Design, Inc.

In addition to the space needs analysis, members of the internal committee have toured potential sites in Ashland and a data and field investigation for each site has been conducted by C&S Design. Seven site options in the core City of Ashland area have been studied and preliminary designs and cost estimates have been prepared. After careful consideration of pros and cons for each site, the Police Department Internal Planning Team voted unanimously to recommend that the 11<sup>th</sup> Avenue West site plan be selected as the most viable site for the new police facility. The 3<sup>rd</sup> Avenue East site was chosen as a secondary option by the group. Next steps remaining in the process include:

- Design Development
  - Approval of schematic design
  - Design development improvements
  - Development and approval of design documents
- Construction Documents Phase
  - Formulation of construction documents, drawings, and specifications

At the January 9, 2018, City Council meeting, Ortman moved, George seconded a motion to approve a Resolution to select the 11<sup>th</sup> Avenue West site plan for a new police facility and authorization to direct C&S Design and Engineering, Inc. to proceed with architectural plans for the site recommended by the

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 6**

Police Department Internal Planning Team. The motion carried 7-2 by roll call vote; opposed were Kinney and Pufall.

After Ketring explained his reason for asking for reconsideration of this resolution, Williamson moved, Ortman seconded a motion to allow Council to reconsider the agenda item from January 9, 2018 for approval of a resolution to select a site plan for a new police facility and authorization to direct C&S Design and Engineering, Inc. to proceed with architectural plans for the site chosen. The motion carried 6-2 by roll call vote; opposed were Doersch and Moore.

Ketring moved, Pufall seconded a motion to reconsider the 3<sup>rd</sup> Avenue East site as the proposed location for the new Police Department facility. The motion failed 5-2 by roll call vote; opposed were Doersch, Mettille, Kinney, Ortman, and Moore; Williamson abstained.

After thorough discussion including comment from Mr. Stephen Schraufnagel of C&S Design & Engineering, Inc. and Detective Scott Morland, Williamson called the question, seconded by Doersch. The motion passed 7-1 by voice vote; opposed was Ortman.

Doersch moved, Mettille seconded a motion to approve the 11<sup>th</sup> Avenue West site for a new Police facility and authorization to direct C&S Design & Engineering, Inc. to proceed with architectural plans for the site. The motion carried 5-4 by roll call vote, with Mayor Lewis casting the tie-breaking vote; opposed were Ketring, Kinney, Ortman, and Williamson.

**Agenda Item 8: New Business**

**Agenda Item 8A: Approval of Design Details for the 6<sup>th</sup> Street East Project Recommended by the Public Works Department (Public Works)**

After notice of securing funds through the CDBG Grant Program, City staff began working on design for the full reconstruction of 6<sup>th</sup> Street East with the goal of a project start scheduled for late spring early summer of 2018.

In order to move forward with final design of this project, Public Works staff needed direction from Council on certain design elements. In reviewing the scope of work for this reconstruction project, the City needs to ensure the following requirements are met or exceeded:

1. Create value for the City
2. Follow good engineering practices
3. Adhere to mandated regulations
4. Incorporate the experience of the Utility and Public Works staff
5. Discuss and include value engineering suggestions.

The design cost estimate for this project is roughly \$1,454,270. This includes a 5% contingency (\$65,000). Funding for this project includes a \$500,000 CDBG Grant. Initial project scope and cost estimates required a City match of \$800,000 for a total project cost of \$1,300,000. After further review

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 7**

and design of the project, estimates show that there is a funding gap of \$154,270. The following options have been identified to change project scope that will allow for anticipated savings if the Council desires:

1. The City sidewalk design standard specifies a 5 foot wide requirement. The sidewalk from 2<sup>nd</sup> Avenue to 5<sup>th</sup> Avenue East on the south side is only 4 feet wide, but is in good condition and does not need to be replaced. There is light pedestrian traffic on this section and projected growth plans do not indicate that this would change. A savings of \$16,100 is achieved if this section of sidewalk was not replaced.
  
2. The City sidewalk policy map indicates that sidewalk should be installed on both sides of the street. Prior to the sidewalk policy, if sidewalks were installed on only one side of the street, it would be the north side. The north side of 6<sup>th</sup> Street East currently does not have sidewalk from 3<sup>rd</sup> Avenue East to 7<sup>th</sup> Avenue East. Pedestrian traffic in this area appears to be light and projected growth plans do not indicate that this would change. A savings of \$31,740 could be realized if this stretch of sidewalk was not installed.
  
3. 6<sup>th</sup> Street is 36 feet wide and allows for parking on one side while still accommodating 2 way traffic. Unlike 6<sup>th</sup> Street West, most of 6<sup>th</sup> Street East is residential. The posted speed is 25 mph. It appears that the residential areas utilize the avenues for parking rather than 6<sup>th</sup> Street. The pavement width could be reduced in width by 2 to 4 feet in the residential area and still provide for parking on one side and two way traffic. A 2 foot reduction from 3<sup>rd</sup> Avenue East to 7<sup>th</sup> Avenue East would provide a savings of \$13,290.

If items 1 and 2 with regard to sidewalk questions, were included in the project, there would be no need for a sidewalk special assessment, including the necessity of a public hearing, staff time to prepare all the documents and mail out letters, tracking the work for special assessment costs, and invoicing for special assessments.

Public Works staff recommended approval to proceed with the project and include all three of the suggested savings in the project for a total savings of \$61,130.

The requested bids will include an option to provide a pavement finish coat the same year or delay one year with the finish coat to be applied after the first winter season hoping to capture any settlement issues.

Kinney moved, Doersch seconded a motion to approve the design details for the 6<sup>th</sup> Street East project to include all three cost saving changes as recommended by the Public Works Department. The motion failed 2-6 by roll call vote; opposed were Ketring, Doersch, Mettille, Ortman, Williamson, and Moore.

Doersch moved, Mettille seconded a motion to approve the design details for the 6<sup>th</sup> Street East Project to include cost saving items #1 and #3, and retaining item #2 as part of the project plan. The motion carried 6-2 by roll call vote; opposed were Ortman and Moore.

**Agenda Item 8B: Approval of Resolution for the Wisconsin Department of Transportation – Transportation Alternative Program Grant Application (Parks & Rec)**

The City of Ashland requested assistance from the Wisconsin Department of Transportation - Transportation Alternatives Program for the Ashland Rails to Trails System (ARTS) Expansion and Repair and possible installation of bike lanes on reconstruction of US Hwy. 112 in 2019.

The Waterfront Trail and 5<sup>th</sup> Street Corridor are known as the Ashland Rails to Trails System, or ARTS. Monies from the grant will be used to fix the Waterfront Trail severely damaged during the October 27, 2017 storm as well as repaving sections of the aging 5<sup>th</sup> Street Corridor Trail, and the creation of design documents for the future Bay City Creek Trail that would run from the Ore Dock to the School District using old railroad corridors, ROWs and other public lands.

Transportation Alternative Program project costs are funded with a maximum of 80% federal and a minimum of 20% local funds, and will be from 2018 to 2022.

Mettille moved, Moore seconded a motion to approve the Resolution for the Wisconsin Department of Transportation – Transportation Alternative Program Grant Application. The motion carried unanimously by voice vote. **(File #17421)**

**Agenda Item 8C: Approval of Taxicab License Application for Sarah Bowker and Jamie Nelson for Ashland Drives Taxi at 522 Willis Avenue (Clerk)**

Sarah Bowker and Jamie Nelson applied for a license to operate a taxicab business known as Ashland Drives Taxi at 522 Willis Avenue. The Police Department and Treasurer approved this license request. Approval of this license was recommended contingent upon receiving the Certificate of Insurance.

Williamson moved, Moore seconded a motion to approve the taxicab license application for Sarah Bowker and Jamie Nelson for Ashland Drives Taxi at 522 Willis Avenue contingent upon receiving a Certificate of Insurance. The motion carried unanimously by voice vote.

**Agenda Item 8D: Approval of a Resolution Authorizing Execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement (Administrator)**

In June of 2017, the City Administrator filed a grant application with the Safe Drinking Water Program and has since received confirmation that the City will receive an additional \$300,000 in 2018 under this program. In order to authorize the City Administrator to sign the DNR Principal Forgiven Financial Assistance Agreement, a Resolution needed to be approved establishing who is authorized to sign this agreement. The Principal Forgiven Financial Assistance Agreement contains standard terms and conditions of the SDWLP award. Under the agreement, the City will be required to appropriately manage and track financial information as required by the DNR and expend funds within a three year time period.

11

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 9**

The City Administrator recommended approval of the Resolution designating the Mayor and City Administrator as authorized representatives to sign the Principal Forgiven Financial Assistance Agreement.

Ketring moved, Mettille seconded a motion to approve the Resolution authorizing execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement, and for the Mayor and City Administrator to be authorized representatives to sign the Agreement. The motion carried unanimously by voice vote. **(File #17422)**

**Agenda Item 8E: Approve Habitat for Humanity Gratis Lease Renewal (Clerk)**

Habitat for Humanity requested to renew the lease for office space 309 on the third floor of the Vaughn building. The City donates this space on a year-to-year basis in support of Habitat for Humanity's efforts to broaden access to affordable housing and shelter. The retail value of this donation is \$2,168. Including Habitat for Humanity, Vaughn third floor office space occupancy is presently 100%.

Pufall moved, Ketring seconded a motion to approve the Habitat for Humanity gratis lease for 2018. The motion carried 9-0 by voice vote; Doersch abstained.

**Agenda Item 8F: Approve a Resolution to Issue a Conditional Use Permit to Operate a Child Care Facility in the Mixed Residential/Commercial (MRC) District, Parcel #201-00364-0000, Applicant Gary LaPean (Planning and Development)**

Gary LaPean proposed to repurpose the currently vacant (formerly Printing Plus) building located at 417 9<sup>th</sup> Avenue West into a child care/preschool facility. The facility would accommodate up to 100 children under the age of 5 years old, including 16 infants. The facility would employ up to 20 staff. The hours of operation will be from 6:00 a.m. to 6:00 p.m. Monday through Friday.

The existing building would undergo interior renovations to create appropriate room spaces and bathroom facilities to accommodate the new use. Specific plans relate to parking and drop off were still being worked out by the applicant and would require Planning & Development approval for main entrance relocation, parking lot design, and locations and associated screening of dumpsters. Two outdoor fenced-in play areas would be added to the site; one on the north side of the property for older children totaling 8,500 square feet (85' x 100'), and one on the south side of the building for younger children totaling 2,000 square feet (40' x 50').

Total space to be used by the child care center would be approximately 9,000 square feet leaving the remaining 7,000 square feet of the building available for a future renter. There was another building located on the property that was used for general storage and was not associated with the proposed child care facility.

Mettille moved, Moore seconded a motion to approve the Resolution to issue a Conditional Use Permit to operate a child care facility in the mixed residential/commercial (MRC) district, Parcel #201-00364-0000 for applicant Gary LaPean. Ketring requested a friendly amendment to the motion to include that

12

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 10**

the applicant comply with all exterior lighting standards identified in the Ashland Unified Development Ordinance, and this was accepted by both Mettelle and Moore. The motion carried unanimously by voice vote. **(File #17423)**

**Agenda Item 8G: Approve a Resolution to Issue a Conditional Use Permit to Allow Light Manufacturing in the City Center (CC) District, Parcels #201-01925-0000, 201-01932-0000, 201-01927-0100, Applicant World Class Precision Products (Planning and Development)**

The subject property is zoned City Center, which covers the City's downtown (city center) area. This district provides a mix of traditional downtown uses including retail, entertainment, offices, services, government facilities and mixed residential. It is recognized that this district also includes various industrial uses, some of which may not be compatible with the vision for the district. If an industrial use in this district ceases to exist, the intent of the district is to encourage the parcel to transition to a use that is consistent with the vision for this area. However, the UDO identifies 'Special Requirements' regarding standards for industrial uses in this district. These standards identify that existing industrial uses are allowed to continue where they exist, and that expansion or improvements may be considered via the conditional use permit process, with special consideration given to the impact of the uses on the neighborhood. In addition, the UDO recognizes that while new industrial uses are not anticipated in the City Center District, there are unique situations in which it may be found that it is in the best interest of the neighborhood and overall community to allow the replacement of existing, more intense industrial uses with more appropriate light manufacturing, research and development, or similar industrial uses that will have less of an adverse impact on the surrounding area. This is one of those unique situations.

In 2017, Eagle Forge & Machine moved out of the 68,000 square foot building at 419 3<sup>rd</sup> Avenue East which they had occupied for numerous years. The forging process was classified as a heavy manufacturing use and causes concern for the neighboring residential neighborhood due to the noise and vibrations that resulted from the forging process. Bay City Rentals, LLC then purchased the former Eagle Forge building and occupied a portion of the building with warehousing for Deltco Plastics, along with operation of a small winding machine, and research and development for another entity. The new uses were classified as light manufacturing uses, which resulted in a decrease in intensity of use at the site, and a more appropriate use of the site which is located adjacent to single and two-family residential uses on one side. There have not been any concerns with the new light manufacturing/warehouse operations on the site reported to the Planning and Development Department since it was instituted.

Williamson moved, Ortman seconded a motion to approve a Resolution to issue a Conditional Use Permit to allow light manufacturing in the City center (CC) district, Parcels #201-01925-0000, 201-01932-0000, 201-01927-0100 for applicant World Class Precision Products. The motion carried unanimously by voice vote. **(File #17424)**

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, January 30, 2018 - 6:15 P.M.**  
**Ashland City Hall Council Chambers**  
**Page 11**

**Agenda Item 8H: Approve a Resolution to Issue a Conditional Use Permit to Operate a Parking Lot as a Principal Use in the City Center (CC) District, Parcel #201-00008-0000, Applicant: Deepwater Grille (Planning and Development)**

The subject site previously had a two-story building on it which housed Scott & AR's Bar and Angels Among Us Antique Shop. In the spring of 2015, there was a fire which destroyed the building and the site was restored to a grass base as required. The property was then purchased by Mark Gutteter. The site is approximately 50' wide (Main Street frontage) x 150' deep (7,500 sq').

The subject property is zoned City Center (CC), which covers the City's downtown area. This district provides a mix of traditional downtown uses including retail, entertainment, offices, services, government facilities and mixed residential. The UDO identifies that a parking lot as a principal use in the CC requires a conditional use permit be obtained (Ord. 750, 4.17, B, 2, g, 3). The subject property is also located within the boundary of Tax Increment District #10, which was created in 2017. The intent of the TID is to provide financial incentives and public improvements to encourage redevelopment/revitalization of this area of the downtown thus generating new tax base and an enhanced downtown experience.

Upon the Public Hearing and discussion, the Plan Commission voted (5-2) to recommend approval of the Conditional Use Permit with the following condition:

- Applicant shall submit a site design for Plan Commission review and approval that meets all UDO requirements, avoids an additional curb cut on Main Street, and addresses egress on the north side of the site

Pufall moved, Ortman seconded a motion to approve the Resolution to issue a Conditional Use Permit to operate a parking lot as a principal use in the City center (CC) district, Parcel #201-00008-0000 for Applicant Deepwater Grille. The motion failed 5-3 by roll call vote; opposed were Doersch, Mettille, Kinney, Williamson, Moore; Ketring abstained.

Doersch moved, Ketring seconded a motion to revisit this request in 18 months from today. The motion carried 6-2 by voice vote; opposed were Moore and Mettille.

**Agenda Item 9: Closed Session**

**Agenda Item 9A: Closed Session per Wisconsin Statute 19.85 (1)(e)**  
**"Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." (Revised Settlement Agreement and Release for the Full and Final Settlement of the Welch/Bretting (Bayfront, LLC) Claims in 2008 Highway 2 Sewer Reconstruction Lawsuit)**  
**(Mayor)**

**Agenda Item 9B: Closed Session per Wisconsin Statute 19.85(1)(b) and (1)(c): “Considering dismissal, demotion, licensing or discipline of any public employee of person licensed by a board or commission or the investigation of charges against such person,” and “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” (Reporting to the City Council on disciplinary action taken by City Administration with regard to a City employee; not an evidentiary hearing. The Council will not be asked to take any final action.) (Administrator)**

Moore moved, Mettill seconded a motion to move into closed session. The motion carried 7-1 by voice vote; opposed was Ketring.

At 9:14 p.m., respecting the adopted City Ordinance Chapter 51 regarding the three hour time limit of the Council and Committee of the Whole meetings, the Mayor asked Council if they wished to continue conversation and complete the closed session item or to adjourn. Ketring moved, Kinney seconded a motion to continue the current discussion and extend the Council meeting beyond 9:15 p.m. The motion carried 7-1 by voice vote; opposed was Doersch.

**Agenda Item 9C: Return to Open Session**

Ortman moved, Moore seconded a motion to return to open session. The motion carried unanimously.

**Agenda Item 9D: Action and/or Reporting on Closed Session Discussion and Action**

Regarding Item 9A: Mayor Lewis reported that the revised settlement agreement and release for the full and final settlement of the Welch/Bretting (Bayfront, LLC) claims in 2008 Highway 2 Sewer Reconstruction Lawsuit was approved by Council.

Regarding Item 9B: There was no action taken and no discussion to report.

**Agenda Item 10: Adjournment**

Moore moved, Mettill seconded a motion to adjourn. The motion carried unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant  
City Clerk

15



# AGENDA BILL

Ref: 037

COMMITTEE AGENDA:  
COUNCIL AGENDA: 5A (2/13/18)

**SUBJECT: Mayoral Appointments**

**2018-2019 Election Inspectors**

Cliff and Colleen Grand

**RECOMMENDATION: Approval**

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**DATE SUBMITTED: February 6, 2018**

**CLEARANCES: N/A**

**EXHIBITS: Volunteer Forms**

**EXPENDITURES REQUIRED: N/A**

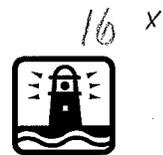
**AMOUNT BUDGETED: N/A**

**APPROPRIATION REQUIRED: N/A**

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: N/A**

**SUMMARY STATEMENT:**

The Mayor is recommending the appointments as listed.



# AGENDA BILL

Ref: 033

COMMITTEE AGENDA:  
COUNCIL AGENDA: 6 (02/13/2018)

**SUBJECT: Interview, Nomination and Approval of Filling Ward 3 and Ward 4 Council Member Vacancies**

**RECOMMENDATION:** Fill Ward 3 and Ward 4 Council Member Vacancies

---

**DEPARTMENT OF ORIGIN:** Mayor's Office

**DATE SUBMITTED:** February 5, 2018

**CLEARANCES:** City Administrator

**EXHIBITS:**

- Exhibit A: Letter(s) of Interest
- Exhibit B: Section 17.23(1) (a), Wisconsin Statutes
- Exhibit C: Ads Soliciting Interest
- Exhibit D: Resolution to Replace Ward 3 and 4 Councilor Vacancies

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION REQUIRED:** N/A

## **STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

### **SUMMARY STATEMENT:**

With the resignations of Jerry Teague and Joel Langholz, Ward 3 and 4 Council seats are vacant, effective December 31, 2017. The term for the Ward 3 seat expires on April 16, 2018 and the term for the Ward 4 seat expires on April 15, 2019. WI statutes say that the vacancy is filled by the Common Council until the next April election (2018), "unless otherwise ordered by the common council."

On January 9, 2018, the City Council approved filling the vacancy for Ward 3 until the next April election (2018) and until the end of the unexpired term for Joel Langholz on April 15, 2019.

The City Clerk published a Ward 3 and Ward 4 Vacancy notice requesting letters of interest in the positions from residents of Ward 3 and Ward 4. The deadline for submission of a letter of interest was Monday, February 5, 2018, at 4:00 p.m. Ella Teague, a Ward 3 resident, has submitted a letter of interest requesting to fill the Ward 3 vacancy through the remainder of the term ending April 16, 2018. Kate Uhlman, a Ward 4 resident, has submitted a letter of interest requesting to fill the Ward 4 vacancy through the remainder of the term ending April 15, 2019.

The Council will interview the candidates for the purpose of determining the candidate's interest in the vacancy. Upon the completion of the interview, the Council will vote on the appointment and the appointed Council member will be seated on the Council, effective February 27, 2018, pursuant to the Resolution passed on January 9, 2018 by the Council.

Eleanor aka "Ella" Teague  
1416 7<sup>th</sup> St West Ward 3  
Ashland WI 54806  
715-682-9954

City Clerk

601 Main St West  
Ashland WI 54806

This letter is in regards to the current opening on the City Council for our ward.

I am very much interested in this position.

The City of Ashland is very important to our family and the future of our city has many challenges to face in the coming months and years.

I am able to listen, study what is facing us and then react in a manner that would best serve our citizens and keep our city growing. I served the Ashland Housing Authority as chairperson for over 18 years and during this time was instrumental in bringing the housing units up to date in an efficient and orderly manner.

I have been an independent business owner for many years and understand what many small businesses face in this challenging economy.

I have served as Chairperson for Our Lady of The Lake, for three terms, also as President of the Kiwanis Club of Ashland .

I graduated from De Padua High School, Kishwaukee College Malta Illinois with an Associate of Science Degree and from Cardinal Stritch University with a Bachelor of Science Degree in Business Management.

I would consider it an honor and privilege to follow in my husband Jerry Teague's footsteps in serving our great city.

Thank you for your consideration.

Sincerely yours,

Ella Teague

RECEIVED  
JAN 30 2018

(608) 332-9570

Kate Ullman  
1222 9<sup>th</sup> Ave West  
Ashland, WI 54806

February 1, 2018

Ashland City Hall  
601 Main Street West  
Ashland, WI 54806

To Ms. Denise Oliphant, City Clerk,

I am writing to express my interest in the vacant Ashland City Council seat for Ward #4. This letter outlines the reasons for my interest in this role and my qualifications.

When my family moved to Ashland it became immediately clear that we would put down our roots here. As parents of a young child and homeowners, we have a strong stake in the vibrancy and resilience of this community for the long term. Since moving here in 2016, I have attended multiple Plan Commission and City Council meetings in order to better understand important local issues. I was recently appointed to fill a vacancy on the Library Board, an opportunity to take on a formal role supporting an institution I appreciate and utilize.

My educational background is in Economics; I earned a MS in Applied Economics from the University of Wisconsin-Madison, and have taught economics at both the high school and college level. This background provides analytical skills and knowledge related to budgetary decisions. I also have an understanding of the local, regional, and global forces that impact the context for economic development in Ashland. This training has also clarified the critical role that governments play in addressing social and environmental problems created by overreliance on markets. I am currently employed as a part-time Economics Instructor at Northland, where I draw on examples from our local and regional economies.

If appointed, I pledge to listen with respect to the ideas of my constituents in Ward #4, City employees, and fellow Counselors, and to represent my own positions honestly and transparently. I have extensive experience utilizing parliamentary procedure and feel comfortable operating in this framework during public meetings.

The City of Ashland should support and guide the development of a strong local economy to attract and retain residents and visitors, drawing on the natural assets of the region that make this place special. Concurrently, the city must maintain infrastructure, provide services, and build community in ways that are responsive to the needs of residents. I would welcome the opportunity to serve on the City Council in pursuit of these goals, as a representative of my neighbors and as a colleague to others who have dedicated themselves to this role.

Sincerely,

  
Kate Ullman

**17.23 Vacancies in city offices; how filled.**

- (1) GENERAL AND SPECIAL CHARTER CITIES. Vacancies in offices of cities operating under the general law or special charter shall be filled as follows:
- (a) In cities of the 2nd, 3rd, or 4th class, in the office of mayor, except as provided in s. [9.10](#), by appointment by the common council for the residue of the unexpired term unless a special election is ordered by the common council, in which case the person appointed shall serve until his or her successor is elected and qualified. In the office of alderperson, by the common council, except as provided in s. [9.10](#). A person so appointed shall hold office until a successor is elected and qualified. Unless otherwise ordered by the common council, a successor shall be elected for the residue of the unexpired term on the first Tuesday of April next after the vacancy happens, in case it happens no later than December 1 preceding the first Tuesday in April, but if the vacancy happens after December 1 preceding the first Tuesday in April and before that day, then the successor shall be elected on the first Tuesday in April of the next ensuing year. The common council may, if a vacancy occurs before June 1 in the year preceding expiration of the term of office, order a special election to fill a vacancy to be held on the Tuesday after the first Monday in November following the date of the order. A person so elected shall serve for the residue of the unexpired term.

**City of Ashland**

**Ward #3 and Ward #4 Council Vacancies**

The City Clerk of the City of Ashland is accepting letters of interest from Ward #3 and Ward #4 residents who wish to be considered to fill the vacancy of Ward 3 and Ward 4 Councilors due to retirements.

The individual appointed by the Council to fill the vacancy for Ward 3 will be a qualified elector of Ward #3 and will serve until the April 3, 2018 election.

The individual appointed by the Council to fill the vacancy for Ward 4 will be a qualified elector of Ward #4 and will serve until the April 2019 election.

Letters of interest in filling the Ward #3 and Ward #4 Council vacancies must be received by the Ashland City Clerk by 4:00 p.m., Monday, February 5, 2018:

City Clerk  
Ashland City Hall  
601 Main Street West  
Ashland, WI 54806

All letters of interest will be forwarded to the Ashland Common Council for consideration.

Applicants must attend the February 13, 2018, meeting of the Common Council for consideration.

**PUBLISH BOX AD, CITY SEAL LOGO ON: January 20, 2018  
January 27, 2018**

**RESOLUTION**

No. 17418

21

**RESOLUTION TO REPLACE WARD 3 AND WARD 4 CITY COUNCILOR VACANCIES**

**WHEREAS**, the Ward 3 and Ward 4 seats to the Common Council are vacant as of December 1, 2017; and,

**WHEREAS**, Wisconsin Statutes provide that the vacancy is filled by the Council until the next April election (2018), when a special election would be held to fill the remainder of the term, "unless otherwise ordered by the Common Council"; and,

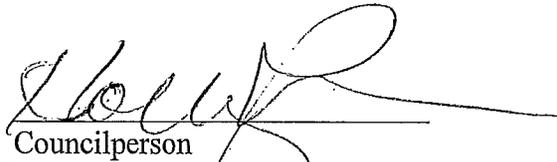
**WHEREAS**, the City Council will choose a replacement for Ward 3 to be appointed at the February 27, 2018 City Council meeting until the time of the normal Spring Election of April 3, 2018; and,

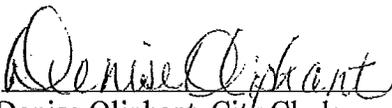
**WHEREAS**, the City Council will choose a replacement for Ward 4 to be appointed at the February 27, 2018 City Council meeting; and,

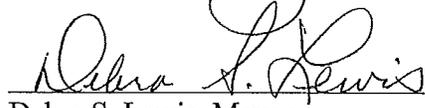
**WHEREAS**, the Ward 3 Councilor vacancy will be filled by election on April 3, 2018, and the Ward 4 Councilor vacancy will be filled by election in April of 2019.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council for the City of Ashland, Wisconsin hereby agrees that the candidates chosen at the February 27, 2018 Common Council meeting shall serve a term ending on their respective ward election dates.

PASSED: January 9, 2018

  
Councilperson

ATTEST:   
Denise Oliphant, City Clerk

  
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

  
David Siegler, City Attorney



# AGENDA BILL

Ref: 030

**COMMITTEE AGENDA:**  
**COUNCIL AGENDA: 7A (02/13/18)**

**SUBJECT:** Operator's Licenses

**RECOMMENDATION:** Approval

**DEPARTMENT OF ORIGIN:** City Clerk

**DATE SUBMITTED:** February 5, 2018

**CLEARANCES:** Approved by Police Department

**EXHIBITS:** N.A.

**EXPENDITURES REQUIRED:** N.A.

**AMOUNT BUDGETED:** N.A.

**APPROPRIATION REQUIRED:** N.A.

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

**COMPLIANCE WITH ORDINANCE 51:** Section 51.26 (b) of Chapter 51, Ashland City Ordinances, (Council Rules) permit the mayor and/or clerk to schedule items directly for Council action when a timely decision is needed by the City. The 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 OF RECORD:** N.A.

**RECOMMENDATION:** Motion to approve Operator's Licenses

**SUMMARY STATEMENT:** The following individuals have applied for an operator's license:

Linda I. Morrow  
Cari L. Babcock

Annemarie R. Pero

**AGENDA ITEM 1: ROLL CALL**

Lloyd Orensten called the Airport Commission meeting to order at 4:30 p.m.

**Present:** Rick Korpela, Tom Bouchard, John Coffey

**Absent:**

**Excused:** Lloyd Orensten

**Also Present:** John Sill, Airport Manager; Mr. Paul Mika

**AGENDA ITEM 1: Roll Call**

**AGENDA ITEM 2: APPROVAL OF MINUTES (November 16, 2017).**

**A motion was made by Rick Korpela, seconded by Tom Bouchard, to approve the November 16, 2017 minutes. The motion passed unanimously.**

**AGENDA ITEM 3: CITIZEN PARTICIPATION PERIOD**

**None.**

**AGENDA ITEM 4: COMMISSION ITEMS**

→ Mika Hangar – Taxiway

Sill noted that Mr. Mika was at the meeting today to present his case for building a taxiway on the north side of his hangar. Mika stated that he has someone interested in obtaining a hangar space from him but, does not want a back space because there is no taxiway; all the front spaces he has are full. Mika is at the meeting because he does not know what the procedure is to request a taxiway; he owns the hangar, the airport owns the land. Mika would like to know what kind of split would be involved and what he would be financially responsible for. Commissioners asked Sill what he found out from the state. Sill stated that in order for the taxiway to be a fundable project by the state, the project would have to be added to the Airport Layout Plan (ALP). But to actually do the project there would have to be a public hearing and the Commission would have to vote to add this project to the ALP. If that occurred, the project could be eligible for funding. Then the project has to go to the state for approval which could take up to a year. That would be the extent of what the airport would have to do for the paperwork. Commissioners discussed the situation. Sill will keep Mika apprised of what the commission does moving forward

→ 2018 Projects/ALP Updates

At the last meeting Sill had informed commissioners that BOA and Becher & Hoppe would be coming to the airport to do the ALP update. When they did meet Sill was discussing the main project that he wanted to get done and was told that unless the airport does an ALP update in conjunction with a project, FAA will not fund the Airport

Layout Plan update. So as not to spend our own funds on an ALP, we will need to tie it in with a project. Sill had asked the BOA last year in the spring, with all the rain and standing water, about an engineering study and/or drainage issue plan. Sill asked if such a study would qualify as a project that could be tied in with the ALP and they said yes. The airport layout update plan has been shelved until the spring when they will come up and do some surveying and look at all the drainage problem areas. Therefore, the drainage problem study is the next project that is going to get done, it does not have to be petitioned for, and the ALP update can be done in conjunction with this project. The ALP is 10 years old and they want an update and to do a new one is roughly \$40,000; by tying this update into the project the airport's part will run only 5%.

**AGENDA ITEM 5: Airport Manager's Report**

The storm windows for the terminal have arrived and were installed.

**AGENDA ITEM 6: Approval of Bills**

The list of bills was presented by Sill. The total amount of the bills came to \$19,708.65.

**A motion was made by Coffey, seconded by Korpela, to pay the bills as presented. The motion passed unanimously.**

**AGENDA ITEM 7: SET NEXT MEETING DATE**

The next Airport Commission meeting will be held January 25, 2018, at 4:30 pm, at the JFK Airport.

**AGENDA ITEM 8: ADJOURNMENT**

**A motion was made by Korpela, seconded by Coffey, to adjourn. The motion passed unanimously.**

*Kim Westman*

## City of Ashland- Housing Committee Meeting Minutes

A meeting of the Ashland Housing Committee was held on **Wednesday, December 13, 2017, at 8:30 a.m.** in the Council Chambers at City Hall, 601 Main St. West

**Committee Members Present:** Mayor Lewis, Bob Miller, Ana Tochterman, Jen Lucius, Betty Harnisch, Liz Franek

**Excused:** Mark Hoglund, Joel Langholz, Ginger Nuutinen

**Staff Present:** April Kroner, Megan McBride

**In Attendance:** Terry Schemenauer (representing Ashland County Criminal Justice), Anne Whiting (representing Ashland Drug Court), Sam Ray (representing the BRICK)

Bob Miller opened the meeting at 8:40 a.m.

### Agenda

1) **Consent Agenda**

Motion to approve the agenda by Bob Miller. Seconded by Jen Lucius. Passed unanimously.

2) **Approval of minutes from November 8, 2017**

Ana Tochterman provided two points of correction to the minutes.

Motion to approve minutes with correction by Betty Harnisch. Seconded by Bob Miller. Passed unanimously.

3) **Citizen Comments**

Terry Schemenauer gave a brief overview of a housing committee assembled through the county that is looking for solutions to common barriers to recovery for people that stem from housing. Options being explored include providing halfway houses as well as sober living facilities.

Mayor Lewis suggested this committee and the City of Ashland Housing Committee keep each other informed about work they are doing.

Bob Miller asked if the options they are exploring overlap with services Crossroads provides.

Terry Schemenauer explained that the services would be very similar to what Crossroads offers, but would not be faith-based.

Anne Whiting added that she has been attending committee meetings held by Crossroads to remain up to date with what they are doing.

4) Old business

a) Updates

i. Update on Property Maintenance

1. 600 Main Street East

April Kroner explained that the city was contacted by a realtor with Blue Water Realty who believed he could sell the property, thus saving the city the expense. The realtor will be working directly with the property owner to market the property, and has been given a period of two months to sell the property. If it does not sell within this time, the city will move forward with the approval process for the city to accept the property as a donation and take control of marketing.

Mayor Lewis explained that this building had bed bugs, and has been vacant for some time now.

Betty Harnisch asked when the two month time period would be up.

April Kroner said that the listing would end by the end of January or first week in February.

Bob Miller mentioned that Emory Mattson (a local landlord) has expressed interest in the building, and is scheduled to tour the building to consider the possibility of renovating into apartment units on the second floor with his business on the first floor.

2. 509 Main Street West

Bob Miller said he would follow up with People's Bank to determine when the new windows are anticipated to be installed.

3. 612 6<sup>th</sup> Street West

Bob Miller updated that all of the tenants have been evicted and the building has been cleaned out. He will follow up with the property owner to find out where he is at in the extermination process.

4. 107 N 9<sup>th</sup> Avenue East

Bob Miller explained that the property owner has had difficulty finding a demolition contractor, so he will work to connect the property owner with a contractor who the city has worked with in the past.

April Kroner updated that \$2,000 of HIP funds have been approved to assist with the cost of demolition.

ii. Update on CDBG

Bob Miller updated that work on the home on the corner of Stuntz Avenue is about halfway completed and will be finished in the spring. Two roofing projects that were approved were unable to start due to scheduling and weather issues. These projects will begin in the winter if

weather allows, otherwise they will be completed in the spring/early summer.

Mayor Lewis clarified that the current CDBG account balance is approximately \$49,000.

Bob Miller confirmed this, explaining that a loan had recently been repaid. He has also been working with the owner of 600 16<sup>th</sup> Ave W as an upcoming project which will be a \$40,000+ project.

**5) New business**

a) Update on Landlord Symposium held on December 6<sup>th</sup>

Mayor Lewis provided a brief overview of the discussion that took place, and noted that at the end of the meeting the landlords in attendance expressed that they would like to hold future meetings on a more frequent basis. The next meeting will take place in June.

April Kroner said that landlords present expressed that they would like their landlord representative on the Housing Committee to be present at future symposiums, and also asked if there could be an additional landlord representative on the committee.

Ana Tochterman suggested that if another landlord is added to the committee, that a private renter representative be added as well.

Mayor Lewis clarified that both committee members Liz Franek and Betty Harnisch are renters to fill this role.

Megan McBride said she would send a summary of the symposium to the committee prior to the next meeting.

b) Update and discussion on visit by WHEDA representatives and possible future housing projects

Mayor Lewis provided an update on the two meetings that occurred in Ashland with two representatives from WEHDA. The representatives were enthusiastic about getting more funding into this region, and proposed the idea of collaborating with other communities in our area in efforts to attract developers.

Kroner explained that the WHEDA representatives met with leaders from Hurley, Ashland, Washburn, Bayfield, and Superior to discuss potential housing. A regional project with 100-200 total units would be more likely to attract developers than any of the communities could on their own.

Mayor Lewis explained that WHEDA could help bring developers, financial incentives for developers, and access to tax credits to our area. There have been additional discussions since the meeting, and Betsey Harries (director of Ashland Area Development Corporation) is working on bringing people together to discuss how WHEDA assistance could be used to address the large need in our community of housing for those recovering from addiction. She encouraged the

committee to bring any potential housing project ideas to Mayor Lewis and planning staff.

April Kroner said she would look into the possibility of using WHEDA funds for acquisition of properties for halfway housing.

Terry Schemenauer explained that the cost is around \$150 per day for a person who comes out of treatment with Health and Human Services and is placed in a halfway house. Particularly since there are rarely vacancies in halfway houses, Ashland County currently ends up paying to ship people to the southern part of the state for these services.

Anne Whiting explained that people get sent down state for this but ultimately want to come back to the Ashland area where their families are. Therefore, people aren't able to learn how to live differently here which can become a barrier to recovery.

Mayor Lewis suggested that an appeal be made to the community for donations of homes that could work well as a sober living facility.

Anne Whiting explained that they are looking into different models to see what would work best in Ashland before they pursue acquiring a house.

Liz Franek asked if they have looked into the Teen Challenge program in Duluth.

Anne Whiting said she believed they function similarly to Crossroads as a faith-based treatment program.

Liz Franek pointed out the negative impacts to both the individuals and community when people must be sent away for treatment.

Mayor Lewis suggested that the two housing committees keep each other informed as progress is made on these efforts.

- c) Set next meeting date and discuss possible agenda items
  - The next meeting will take place on January 10<sup>th</sup>
  - The Housing Committee calendar for 2018 will be included in the next packet

- 6) **Announcements**  
No additional announcements.

- 7) **Adjournment**

Motion to adjourn by Betty Harnisch. Seconded by Liz Franek. Passed unanimously.

*Meeting was adjourned at 9:25am. Minutes done by Megan McBride*

## Minutes of the City of Ashland Plan Commission

A meeting of the Plan Commission was called to order on **Tuesday, January 16th, 2018**  
at 6:30 p.m. in the City Hall Council Chambers.

**PRESENT:** Mayor Lewis, David Mettille, Ernie Bliss, John Beirl, Mike Amman, Katie Gellatly, Charmaine Swan

**EXCUSED:**

**STAFF:** April Kroner, Megan McBride

**OTHERS:**

### MEETING AGENDA ORDER

**1) Call to Order and Roll Call**

Mayor Lewis called the meeting to order at 6:30pm.

**2) Approval of Agenda**

Motion to approve the Agenda by John Beirl. Seconded by David Mettille. Passed unanimously.

**3) Consent Agenda**

Motion to approve minutes from December 5<sup>th</sup> by Ernie Bliss. Seconded by Katie Gellatly. Passed unanimously.

**4) Public Comment**

No public comments.

**5) Action Items**

**a) Site Plan and Public Art Permit for a pergola and life-sized checkerboard in Otis Park**

Megan McBride provided background on the proposed project.

Katie Gellatly asked if the checkerboard would be painted directly on the surface of the concrete.

Megan McBride confirmed that the checkerboard would be painted directly on the concrete.

Mayor Lewis asked what the purpose of the pergola would be in that location.

April Kroner explained that it would be for photo opportunities, and as a place-making feature in the park.

Motion to approve by Ernie Bliss. Seconded by John Beirl.

David Mettille asked if the city would be asked to install electricity in that park to power the lights, as the existing outlets did not work when they attempted to place lights in the park for Christmas time. He suggested that staff discuss this with the applicant and Public Works to determine if the Christmas lights included in the plan will be possible.

Passed unanimously.

**b) Public Hearing and Consideration of a Conditional Use Permit request to operate a child care facility at 417 9th Ave W**

Motion to go into Public Hearing by David Mettille. Seconded by Katie Gellatly. Passed unanimously.

Kathy Beeksma, director of the City of Ashland Housing Authority (the adjacent property owner), provided comments prior to the meeting in support of the child care facility.

Gary LaPean explained the proposed project, contextualizing that the identified need for child care in combination with the vacancy of his building were factors that prompted his involvement. He provided preliminary design plans for the interior lay out of the building for the Plan Commission. He explained that details related to parking and traffic flow are still being worked out with the architect, but the design plans are being guided by city and state codes to ensure compliance. He stated that AADC is supporting the project, and will be underwriting the responsibility of the lease for three years until the facility can generate cash flow.

Betsey Harries explained that the AADC board is very supportive of this project as a means of addressing the significant shortage of childcare in the area, particularly for infants. AADC will be the fiscal agent which will make them eligible for grant funding as a non-profit to help with startup costs.

Mike Amman asked what the viability of this project is, and if the startup is reliant upon certain grant funding coming through.

Betsey Harries explained that they will primarily utilize grant funding for these costs, as well as fundraising. AADC has committed to making sure this project happens. She said that a feasibility study and business plan have been completed, funded by a technical assistance grant. The feasibility study indicates that this will be a viable project. Once the child care facility becomes stable and sustainable it will become its own non-profit.

Mayor Lewis asked what the anticipated opening date would be.

Betsey Harries said that they are hoping to open this fall.

Gary LaPean highlighted the collaboration between himself, AADC, and the Northwest Wisconsin Workforce Investment Board. He also said that new regulations can deter people from starting private child care centers, further limiting the number of available child care providers in the area.

Mari Kay-Nabozny explained that they reached out to local child care providers to determine needs and ensure that the new facility would not compete with private businesses. She noted that several providers they spoke with said that they would be retiring from child care in the next few years, which would increase the current shortage. Therefore, they'd like to get the center going prior to this. The property also provides opportunity for future expansion if needed.

Gary LaPean emphasized the issue of lack of available infant care in the area, which creates challenges for new parents. He also explained that he will be actively seeking a tenant for the unused portion of the building, and if it still available when the center considers expanding the remainder of the building will be offered to the EverGrow facility.

Ernie Bliss expressed concern about an active business going into the back portion of the building and creating traffic that could compromise the safety of children.

Gary LaPean explained that parking could be restored on the south side of the building to direct traffic away from areas where children will be.

Megan McBride went through the evaluation of approval criteria detailed in the staff report, leading staff to recommend approval with the condition that the applicant submit a final parking plan to staff for review.

Mayor Lewis brought up a concern that was expressed to her about the traffic that will be generated, particularly at peak drop-off times.

Gary LaPean explained that he had as many as seventy-five people working on the site, as well as semis coming and going and customers, and never experienced issues with traffic flow.

April Kroner explained that the reason staff recommended the parking plan be submitted for staff review is to ensure that traffic can flow most efficiently through the site.

Gary LaPean assured that they want this project to go through and will work with staff to ensure their plan meets all standards.

Dale Kupczyk expressed that he is strongly in favor of this project. He also pointed out that drop off times will likely be staggered for parents who work in various job sectors, which should help mitigate traffic impacts.

Betsey Harries highlighted the collaboration and cooperation that has occurred beyond the work done by AADC and Northwest Wisconsin Workforce Investment Board, as New Day Shelter and UW Extension have also been involved in partnering to make this project happen.

Motion to go out of Public Hearing by David Mettille. Seconded by Katie Gellatly. Passed unanimously.

Motion to approve Conditional Use Permit by Ernie Bliss. Seconded by David Mettille.

Ernie Bliss said that this development would help address the community need for child care, and that if the developer is willing to work with staff to ensure the most efficient layout of the parking lot he saw no issues with this project.

Katie Gellatly explained that her only initial concern was efficiency of the parking lot at peak drop-off times, so she liked the condition that the developers would continue to work with Planning and Public Works staff. She also noted that the project involves repurposing an existing building which is in line with the city's Comprehensive Plan.

Mari Kay-Nabozny explained that there is a requirement that 50% of families served by the day care be persons of low- and moderate income (LMI).

Passed unanimously.

**c) Public Hearing and Consideration of a Conditional Use Permit request to operate a parking lot as a principal use at 717 Main St W**

Motion to go into Public Hearing by Katie Gellatly. Seconded by Charmaine Swan. Passed unanimously.

Mark Gutteter explained the need for additional parking, particularly in our northern climate. The Deepwater Grille already experiences shortage of parking, which will be intensified with the addition of the new hotel. He said that the construction of a parking lot on this site would not inhibit it from future development into something that is more in line with the city's vision for the downtown. At this time he believes that a parking lot is the highest and best use of this lot and will ultimately help downtown Ashland.

April Kroner went through the evaluation of approval criteria detailed in the staff report, leading staff to recommend denial of the proposed parking lot based on the priorities and vision of the Comprehensive Plan and the inclusion of this lot in the TIF district in hopes of incentivizing the highest and best use of the property.

John Beirl acknowledged that the Comprehensive Plan identifies ample parking in our downtown, and asked if the Planning Administrator personally feels there is ample parking in that area of the downtown.

April Kroner said she does, explaining that the intent of a downtown is to be walkable and pedestrian oriented. Part of the challenge will be shifting behavior and expectations that people will always be able to park adjacent to their destination and promote the walkability of our downtown.

John Beirl pointed out that our climate does not always facilitate the walkability of our downtown.

Ernie Bliss said that practicality must also be considered, particularly during winter months and for residents who have difficulties walking.

April Kroner identified potential opportunities for shared parking, and highlighted the on-street parking in the vicinity of the restaurant. Additionally, the Hair Affair parking lot is currently underutilized, but could be a good location for employees or guests to park. Our current Comprehensive Plan recommends promoting walkability and not locating additional parking lots directly on Main Street. She also explained that the plan for the parking lot that was submitted to staff for review does not take into account the encroachment from the adjacent property, required setbacks and other UDO standards, and would add an additional curb cut directly adjacent to the McDonald's entrance which Public Works staff recommended against doing for traffic and safety concerns.

Katie Gellatly asked if there is currently a curb separating the proposed lot from the McDonald's parking lot, expressing concerns of the fronts of cars hanging out into the existing McDonald's lot.

Mark Gutteter confirmed that there is a curb separating the McDonald's lot from this site. He also explained attempts he has made to facilitate shared parking arrangements and explained why each is not a viable option. He said that he is not concerned about parking shortages in the summer as people will be more willing to walk, but for events such as Book Across the Bay or other winter events when the hotel will be full and restaurant will be busy this new parking lot will be necessary. His concern was that lack of parking would deter people from coming to his businesses.

Charmaine Swan asked if the Comprehensive Plan identified locations in our downtown where we may have parking shortages even if our downtown as a whole has sufficient parking. She also asked if public comments were received related to parking during the Comprehensive Planning process.

April Kroner said that a parking analysis was done which typically focuses on the numbers and does not include input about perceptions related to parking.

Mark Gutteter clarified that the conceptual design for the parking lot that was submitted to staff was very preliminary because he did not want to invest significant amounts of money in formal plans if the use would not be approved. He said that he would work with an architect and city staff to develop a plan that promotes efficiency and safety. He also suggested that a buffer could be placed along Main Street such as a small park with seating to ensure that the site is still attractive.

April Kroner explained that the staff recommendation for denial is based on the principals of our Comprehensive Plan, and that the Plan Commission can go along with the recommendation or recommend approval with the condition that the parking lot be designed to meet UDO standards and be submitted for approval by staff or Plan Commission.

Dale Kupczyk spoke in favor of the proposed parking lot, explaining that it would help the Deepwater and be a positive for both local and visiting customers. He also pointed out that many people will not park in a lot owned by another business or know to do so.

Randy Larson spoke in favor of the proposed parking lot, saying that particularly for hotel patrons who will be carrying bags nearby parking is important.

April Kroner clarified that there are seventy parking spaces that will be built as part of the hotel project.

Betsey Harries expressed support for the proposed project. She noted that parking needs in our downtown are not uniform, nor are the areas that are thriving and create greater parking demand. This area is one that has been growing and received more interest and activity. She said that the Comprehensive Plan should guide our planning practices, but also leave room for thoughtful decision-making for special circumstances such as this.

Motion to go out of Public Hearing by David Mettillie. Seconded by Mike Amman. Passed unanimously.

Motion to approve Conditional Use Permit with amended conditions by John Beirl. Seconded by Ernie Bliss.

John Beirl said that he does see a shortage of parking in this area when the restaurant is busy. He said he understands that this lot was just included in the TIF district and therefore the city would like to see development that would contribute to our tax base, but questioned if creating a parking lot would prevent future redevelopment on the site. He also recognized that the property owner has attempted to establish shared parking agreements with neighboring businesses and has been unsuccessful. He noted that our downtown struggles to recruit and retain businesses, and that any regulations we currently have that may stifle successful businesses in the downtown should be reviewed.

April Kroner clarified that her recommendation for denial was based on her responsibility as a professional planner, as best practices for downtowns discourage parking lots directly on Main Street and encourage promoting walkability and utilizing on-street parking.

Katie Gellatly noted that the applicant indicated willingness to redesign the layout of the proposed parking lot to meet UDO standards and take into account staff recommendations. She asked if April Kroner is aware of any models or would have suggestions that are a combination of parking lot and green space to better integrate it into the downtown. She asked if staff would work with the applicant to redesign the parking lot if approved.

April Kroner explained that there are ways to make it be more aesthetic, but these would still not add property tax value. Since this lot was included in the TIF district the desire would be to encourage development that would create additional tax base.

Katie Gellatly pointed out that the applicant already owns the lot the parking area is being proposed on, so from the perspective of a business owner she understands the frustration of the applicant owning a lot that could address their parking shortage but potentially not being able to do so if not approved by the city.

Mike Amman noted that more parking spaces than rooms were provided for the hotel project, and that the hotel will also likely not always be at maximum occupancy. Therefore, during times of the year when tourism is slower there will likely be plenty of vacant spaces for restaurant and hotel guests.

April Kroner explained that there will be approximately 70 parking spaces for the hotel, with an additional 10 located behind The Alley restaurant.

Mike Amman asked how many spaces there are in the Hair Affair parking lot to the west of the building.

April Kroner said that there are approximately 30 spaces in total.

Mike Amman asked how often this parking lot is full.

April Kroner said she has not seen it full in the past. She also suggested that restaurant and hotel staff be directed to park further away to allow more on- and off-street parking for guests once the hotel opens.

Mike Amman pointed out that underutilized parking currently exists in the Hair Affair parking lot as well as on-street which are within a block of the restaurant/future hotel. He explained that he does not want to give up a prime piece of developable land if there is not truly a need.

Charmaine Swan reflected that the most vibrant downtowns she knows do not have many parking lots and are more focused on walkability than providing nearby parking.

David Mettille acknowledged the need for closer parking for people who are older or have mobility issues, but the new proposed parking lot would not address this issue more effectively than parking that already exists. As the downtown ward councilor, he noted that he is also very aware of the agreements that were made with the creation of the TIF district to encourage appropriate development in the downtown. He agreed that a redesign of the site would be necessary, and recommended that conditions be added that the new design will avoid additional curb cuts on Main Street and will also address egress issues of using the existing vacated alleyway. He explained that the vacated alleyway would need significant repairs if it were to be utilized for guest parking.

Mark Gutteter explained that the people who own the alleyway currently do not have any incentive to repair it, but he would have a vested interest in making repairs if it was determined as the egress point for the parking lot. He stated that the underutilization of the Hair Affair parking lot is a frustration for him as well, as many of his customers park in the co-op parking lot which is not guaranteed to always be an option.

Mayor Lewis recognized and appreciated the applicant's willingness to work with the city to ensure the best layout for the parking lot would be achieved.

Passed 5-2, Charmaine Swan and Mike Amman opposed.

**d) Public Hearing and Consideration of a Conditional Use Permit to allow Light Manufacturing at 419 3rd Ave E**

Motion to go into Public Hearing by Katie Gellatly. Seconded by David Mettille. Passed unanimously.

Randy Larson explained that the tiny home project previously approved as a conditional use on this site likely will not occur, making the space that World Class would be interested in available. He also noted that this development would provide opportunities for future expansion of his own business in the industrial park.

Bob Peltonen, owner of World Class Precision Products, explained the type of light manufacturing that would occur on site and explained that there are some complications with their current location in Bayfield that has prompted them to explore other options. He said that this site is by far the best option for them.

Charles Beedlow with World Class Precision Products explained that logistically this location is highly suitable for their needs, particularly in retaining and growing their labor force. Many of their current employees commute from the Ashland area, and the smaller population in Bayfield poses challenges for employee recruitment. He noted that the shift in this neighborhood from heavy to light manufacturing is in line with Ashland's Comprehensive Plan and would greatly reduce noise in the neighborhood. To avoid any traffic concerns for neighbors, trucks would use the Ellis and 6<sup>th</sup> Street entries and would not utilize any on-street parking.

Mayor Lewis asked if there would be any emissions from the site.

Bob Peltonen said that there will be no emissions and no hazardous materials used.

April Kroner said that during her tour of the facility she observed that the machinery is very quiet, allowing for normal conversation within the building. Therefore she does not see any potential noise issues for neighbors.

Katie Gellatly asked if there will still be semi trailers coming to the property.

Charles Beedlow explained that they receive approximately five deliveries per day, the traffic from which would be directed to utilize the Ellis or 6<sup>th</sup> St entrance to the site.

Mayor Lewis pointed out that 6<sup>th</sup> Street East will be reconstructed this summer.

April Kroner said that the Ellis entrance could be used during this time.

Bob Peltonen said that he does not have any concerns about this. He also noted that the company has a strong customer base, and that the light manufacturing they do is predominately for recreational equipment. He said that they will have a much better chance of attracting employees from the surrounding Ashland area to meet their workforce needs.

Charles Beedlow explained that they also have an established relationship with WITC's machine operation program.

April Kroner went through the evaluation of approval criteria detailed in the staff report, leading staff to recommend approval with the proposed conditions.

Betsey Harries spoke in favor of this proposed use, stating that it exemplifies the type of light manufacturing that is beneficial to the local economy without negative environmental or neighborhood impacts.

Dale Kupczyk seconded comments made by Betsey Harries, and stated his support for the proposed use.

Motion to go out of Public Hearing by David Mettille. Seconded by Ernie Bliss. Passed unanimously

Motion to approve Conditional Use Permit by John Beirl. Seconded by David Mettille.

Mike Amman said he feels this is an appropriate use for the building.

Passed unanimously.

**6) Discussion Items**

April Kroner explained that an agenda item for "discussion items" will be included in all future Plan Commission agendas. The intent of this is both for staff to be able to bring items forward for discussion, and to also allow Plan Commissioners to bring topics forward for discussion related to the UDO, Comprehensive Plan, or other planning items.

Charmaine Swan asked that an item be added to the next agenda to discuss bike plan implementation.

**7) Announcements / reports / comments / questions**

**8) Adjournment**

Motion to adjourn made by Ernie Bliss. Seconded by Mayor Lewis. Passed unanimously.

*The meeting was adjourned at 8:30p.m. Minutes by Megan McBride.*

Meeting notes for Vaughn Public Library Board    October 17, 2017

Vaughn Public Library meeting room 5:30

Present were Brian Tochterman, (president), Dinny Bolka, Clarence Campell, Jackie Moore, Michelle Jardine and Janna Levings from the board, Also present were Lynn and Kathy Allen from the Friends of the Library

Approval of the agenda – motion Clarence, seconded Michelle

Motion to go to closed session, Jackie made motion and Dinny seconded it.

Closed session – report from Janna, Brian and Michelle who had participated in interviews of new library director and their recommendations. Input from other board members who had met candidates.

Decision was made for candidate – Janna made motion and Michelle seconded it. Vote was unanimous for candidate. Brian would contact city hall to instruct them to make offer.

Motion made by Jackie to go to open session, Clarence seconded it.

Meeting adjourned.

Present were Michelle Jardine, Brian Tochtermann, Teeje Mettillie , Jackie Moore, Dinny Bolka, Janna Levings from the board.

Also present were Janice Anderson, Lynn Garrington, Kathy Draughon, Dorothy Whiting and Kate Ullman who will replace Brian as representative from Northland.

Motion to approve the agenda – motion made by Jackie and seconded by Teeje.

Meeting minutes from last meeting not completed.

Citizen participation – no comments.

Director’s report given by library staff. After this there was discussion about the retirement of Dorothy Whiting, “Grannie Goose.” She suggested a party for kids of all ages at between Christmas and New Year as this would be a good time since people might be in town for holidays.

Brian motion to recognize Dorothy’s contributions and help with party and Dinny seconded.

Discussion of library hours over holidays. Library staff suggested closed December 25 and 26 and Dec. 29 through January 1. Jackie made motion to accept these days and Clarence seconded.

Janna made a motion to go to closed session and Michelle seconded it.

Motion to approve formal acceptance letter from new director, Sarah Adams by Dinny and seconded by Michelle. Roll all – all yes.

Out of closed session

Brian tendered his resignation as president of the Vaughn Public Library Board. Suggested interim president until March. Janna was nominated as interim president and accepted. Dinny made motion and Brian seconded it. Motion passed. Meeting ended 6:10.

Motion to approve Sept. 21<sup>st</sup> meeting minutes. Motion by Teeje seconded by Brian. Approved with minor change of roll call not voice vote. Passed.

Next meeting November 30<sup>th</sup> at 5:30. New director will have started several days before this.

Meeting notes for Vaughn Public Library Board November 30, 2017

Vaughn Public Library meeting room 5:30

Present were Dinny Bolka, Clarence Campell, Jackie Moore, Michelle Jardine and Janna Levings (acting president), Teege Mettille, Kate Ulman, Rachel Coughtry from the board, Sarah Allen, new director. Also present was Elyssa from Northern Waters.

Approval of the agenda – motion Kate, seconded Jackie. Passed

Director's report.

Teeg<sup>1</sup>e made a motion that minutes from Oct. 30 approved with one correction as Clarence was present and this was not indicated on minutes. Jackie seconded. Passed.

Next meeting is December 28<sup>th</sup> at 5:30 for next meeting.

Meeting adjourned.

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<sup>1</sup> Minutes approved 12/28/17

<sup>1</sup>Meeting notes for Vaughn Public Library Board

December 28<sup>th</sup>, 2017

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*Discover Connect Enjoy* Vaughn Public Library  
Vpl.walib.org 532 W Main St 715-962-7360

Vaughn Public Library meeting room 5:30

Present were Dinny Bolka, Clarence Campbell, Jackie Moore, Michelle Jardine, Rachel Coughtry and Janna Levings (Acting President) and Sarah Adams

Approval of the agenda – motion Dinny, seconded Rachel . Passed.

Motion to approve minutes from November 30<sup>th</sup>, 2017. Motion Jackie and seconded by Clarence. Passed

Director’s Report

Motion to approve policy regarding lending of digital devices. Motion made by Jackie and seconded by Dinny. Passed.

Motion to adopt General Records Schedule. Michelle made motion and Clarence seconded it. Passed.

Dates suggested for next year’s meeting dates. 2<sup>nd</sup> Thursday in the month.

A building committee of 6-8 people suggested to go through information and create plan for renovation or building of library. Suggestions brought to next meeting.

January 11<sup>th</sup>, 2018 is next meeting.

Meeting adjourned at 6:35.

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<sup>1</sup> Minutes approved 01/11/18

# City of Ashland, Wisconsin

## Department of Planning and Development, Monthly Report

*Permit report for the month of January, 2018*

Permit type	Commercial-Additions,Remodeling,A	Property Address	Description of work	Value of work	Permit fee	Parcel ID#	Date issued
6618	Illick Holdings LLC	414 3rd Ave. East	Remodel southern half of the main building to include interior cosmetic repairs and exterior siding. Replace HVAC system with	\$30,000.00	\$175.00	1997	1/26/2018
Summary for 'Permit type' = Commercial-Additions,Remodeling,Alterations (1 detail record)				\$30,000.00	\$175.00		
<b>Sum</b>							

Permit type	Commercial-New Construction	Property Address	Description of work	Value of work	Permit fee	Parcel ID#	Date issued
6617	CJ Stock LLC, Medicine Shoppe	510 Ellis Ave.	Install new shed under 200 square feet on the east side of the existing parking lot per approved plan.	\$2,000.00	\$25.00	1989	1/26/2018
Summary for 'Permit type' = Commercial-New Construction (1 detail record)				\$2,000.00	\$25.00		
<b>Sum</b>							

Permit type	Misc Zoning Fees	Property Address	Description of work	Value of work	Permit fee	Parcel ID#	Date issued
6612	Mark Gutteter	717 main street west	Conditional Use Permit request to operate a parking lot as principal use		\$150.00	8	1/2/2018
6613	Gary and Kay Lapean	417 9th Avenue West	Conditional Use Permit request to operate child care facility		\$150.00	364	1/2/2018
6614	Thomas and Jenna Casey	616 Main Street West	CSM division of parcel fee		\$60.00	4314	1/2/2018
6615	S H Warren LLC	415 chapple ave	CSM- Condo Platt for 3 units		\$75.00	7832	1/2/2018

**Permit type Misc Zoning Fees**

Permit #	Property Owner	Property Address	Description of work	Value of work	Permit fee	Parcel ID#	Date issued
6616	Brad Dryer	10th Street and 14th Avenue East	CSM for the division of 1 parcel into 3		\$70.00	5084	1/12/2018

Summary for 'Permit type' = Misc Zoning Fees (5 detail records)

<b>Sum</b>				\$32,000.00	\$505.00		
<b>Grand Total</b>				\$32,000.00	\$705.00		

# CITY OF ASHLAND, WISCONSIN

## Year to Date Permit Evaluation Report

Permit type	Value of work	Total permit fee
<b>Commercial-Additions,Remodeling,Alterations</b>		
Summary for 'Permit type' = Commercial-Additions,Remodeling,Alterations (1 detail record)		
Sum	\$30,000.00	\$175.00
Percent	93.75%	24.82%
<b>Commercial-New Construction</b>		
Summary for 'Permit type' = Commercial-New Construction (1 detail record)		
Sum	\$2,000.00	\$25.00
Percent	6.25%	3.55%
<b>Misc Zoning Fees</b>		
Summary for 'Permit type' = Misc Zoning Fees (5 detail records)		
Sum		\$505.00
Percent		71.63%
<b>Grand Total</b>	<b>\$32,000.00</b>	<b>\$705.00</b>



# AGENDA BILL

Ref: 032

**COMMITTEE AGENDA:**  
**COUNCIL AGENDA: 8A1 (02-13-2018)**

**SUBJECT: Public Hearing for Sidewalk Special Assessments Associated with the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project**

**RECOMMENDATION:** Approve, Disapprove, or otherwise modify the City Engineer's Report on Special Assessments as presented at the Public Hearing

**DEPARTMENT OF ORIGIN:** Public Works Department

**DATE SUBMITTED:** January 16, 2018

**CLEARANCES:** City Council approved a Preliminary Resolution No 17405 on November 14, 2017 Declaring Intent to Levy Special Assessments

**EXHIBITS:** A-Preliminary Report for Sidewalk Special Assessments  
B-Resolution No 17405

<b>EXPENDITURES REQUIRED:</b>	\$ 72,379.05	Estimated Construction Cost of Sidewalk Replacement
	<u>8,685.49</u>	Estimated Engineering Const. Admin and Contingency
	\$ 81,064.54	Total Estimated Cost
	\$ 81,064.54	Total Estimated Cost
	<u>70,982.94</u>	City Portion
	\$ 10,081.60	Special Assessments

**AMOUNT BUDGETED:**

**APPROPRIATION REQUIRED:**

**COMPLIANCE WITH ORDINANCE 51:**

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

**SUMMARY STATEMENT:** WI State Statutes require that the Governing Body conduct a Public Hearing whenever proposing special assessments for public improvements.

Preliminary assessment letters and a copy of the Public Hearing Notice have been sent to all affected property owners. The letter included the anticipated special assessment amount to be charged to the property.

A Preliminary Report on Special Assessments associated with the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project has been completed by the City Engineering Department. A copy of this report has been made available for public review at City Hall.

The Preliminary Report will be revised to reflect any changes resulting from modifications approved by the City Council at the February 13, 2018 Public Hearing.

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# ASHLAND

City of Ashland, Wisconsin ~ Department of Public Works  
2020 6<sup>th</sup> Street East Ashland - WI 54806 - www.coawi.org

## NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS IN ASHLAND, WISCONSIN

### SIDEWALK SPECIAL ASSESSMENTS

### 6<sup>th</sup> STREET EAST RECONSTRUCTION AND UTILITY REPLACEMENT PROJECT

PLEASE TAKE NOTICE that the governing body of the City of Ashland, Wisconsin has declared its intention to exercise its police power in accordance with §66.0703, Stats., to levy special assessments upon property adjacent to 6<sup>th</sup> Street East between Ellis Avenue and 7<sup>th</sup> Avenue East for benefits conferred upon the property for installation of sidewalks and associated improvements..

### SPECIAL ASSESSMENT PROJECT AREA DESCRIPTION

#### 1. Sidewalks Along 6<sup>th</sup> Street East between Ellis Ave and 7<sup>th</sup> Avenue East

A report showing proposed plans and specifications, estimated costs of improvements, and estimated special assessment for each property is on file in the City Clerk's office and may be inspected there during the hours of 8:00 a.m. to 4:00 p.m., Monday-Friday.

You are further notified that the governing body of the City of Ashland, Wisconsin, will hear all interested persons, or their agents of attorneys, concerning the matter contained in the preliminary resolution authorizing the assessments and in the above described report at **6:15 p.m. on the 13th day of February, 2018**, in the Council Chambers, 601 Main Street West, Ashland. All objections will be considered at this hearing and thereafter the amount of the assessments will be fully determined.

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

Attn Daily Press: Publish with Box Ad and City Logo , Wednesday, January 24, 2018

**PRELIMINARY REPORT FOR  
for  
6TH STREET EAST  
SIDEWALK SPECIAL ASSESSMENT REPORT  
ELLIS AVENUE TO 7TH AVENUE EAST**

**January 18, 2018**



TABLE OF CONTENTS	
PAGE	TITLE
1	REPORT OPENING STATEMENT
2-3	PRELIMINARY RESOLUTION INTENT TO LEVY SPECIAL ASSESSMENTS
4-8	CITY OF ASHLAND SIDEWALK SPECIAL ASSESSMENT POLICY
9	POLICY MAP INDICATING SIDEWALK LOCATIONS
10-13	SCHEDULE A1 - SPECIFICATIONS
14-15	SCHEDULE A2 - PLANS
16	SCHEDULE B - OPINION OF PROBABLE COST
17	SCHEDULE C - PROPOSED ASSESSMENTS

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# ASHLAND

*City of Ashland, Wisconsin ~ Department of Public Works*  
2020 6<sup>th</sup> Street East Ashland - WI 54806 - [www.coawi.org](http://www.coawi.org)

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## PRELIMINARY REPORT FOR SIDEWALK SPECIAL ASSESSMENTS

### 6<sup>TH</sup> STREET EAST RECONSTRUCTION PROJECT JANUARY 18, 2018

This report is submitted in accordance with the requirements of §66.0705 Stat., and the preliminary resolution of the City Council of Ashland, Wisconsin, dated November 14, 2018 determining to level special assessments on benefited properties for public improvements in accordance with and at locations as further described in the following schedules:

- SCHEDULE A:** Project Plans and Specifications
- SCHEDULE B:** Opinion of Probable Cost for the Public Improvement;
- SCHEDULE C:** Schedule of Proposed Assessments Against Each Benefitted Parcel

The project includes reconstruction of 6th Street East from Ellis Avenue to 7th Avenue East; replacing water main and water services, replacing sanitary sewer mains; replacing storm sewer; construction of new sidewalk on the northerly side; and replacement of sidewalks on the southerly side as shown on the plans.

A Public Hearing meeting is scheduled to be held during the City Council meeting on **Tuesday, February 13, 2018 at 6:15 p.m.** At the Public Hearing the Ashland Common Council will hear all interested persons, or their agents or attorneys, concerning the matter contained in the preliminary resolution authorizing the assessments and as contained in this report. All objections will be considered at this hearing and thereafter the amount of the assessments will be fully determined.

After the Public Hearing a Final Report will be produced that reflects any changes or modifications to the proposed special assessments as approved and authorized by the Ashland Common Council.

I hereby certify that the property against which assessments are proposed has been viewed in the field and found to be benefitted by said improvements under the City's police power.

Dennis Clark  
Director of Public Works

**RESOLUTION**

No. 17405

**PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS UNDER MUNICIPAL POLICE POWER PURSUANT TO SEC. §66.0703, WISCONSIN STATS., FOR SIXTH STREET EAST RECONSTRUCTION PROJECT FROM ELLIS AVENUE TO SEVENTH AVENUE EAST**

RESOLVED, by the Ashland Common Council, City of Ashland, Wisconsin, Ashland County, Wisconsin:

1. The Ashland Common Council hereby declares its intention to exercise its police power under §66.0703, Stats., to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

**Concrete Sidewalk Installation and Replacement**

2. The property to be assessed lies within the following described assessment district:

- a. All properties adjacent to Sixth Street East from Ellis Avenue to Seventh Avenue East, City of Ashland, Ashland County, Wisconsin.

3. The total amount assessed against the properties in the described assessment district shall not exceed 40% of the cost of the improvements.

4. The Ashland Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.

5. The City Public Works Department shall prepare a report which shall consist of:

- a. Preliminary plans and specifications for the improvements.
- b. An estimate of the entire cost of the proposed improvements.
- c. A statement that the property against which the assessment are proposed will be benefitted.
- d. Schedule of proposed assessments

6. When the report is completed, the City Public Works Department shall file a copy of the report with the City Clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000 or more, to the Wisconsin State Building Commission.

7. Upon receiving the report of the Public Works Department, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof,) the time and place at which the report may be inspected, and the time and place of the public

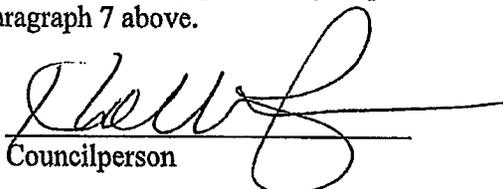
**RESOLUTION**

No. 17405

hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under ch. 985, Stats; and copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

8. The hearing shall be held at the Ashland City Hall, 601 West Main Street, Ashland, Wisconsin, at a time set by the City Clerk in accordance with §66.0703, Stats., which shall be not less than 10 nor more than 40 days after publication.

9. The number of installments in which the assessment against any parcel may be paid shall be determined at the hearing provided for in paragraph 7 above.

  
Councilperson

PASSED: November 14, 2017

PUBLISHED:

ATTEST:   
Denise Oliphant, City Clerk

  
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

  
David J. Siegler, City Attorney

(Reso2252)

**CITY OF ASHLAND, WISCONSIN  
SIDEWALK SPECIAL ASSESSMENT POLICY**

(Dated: March 24, 2006)  
(Referenced by Ordinance No. 530; Adopted May 9, 2006)

**1.0 PURPOSE**

The purpose of this Policy is to assure fair and equitable cost recovery for pedestrian infrastructure improvements and to set forth a methodology determining the amount of the assessment for the improvements and circumstances on a reasonable basis. It is the policy of the City of Ashland that all properties specially benefiting from sidewalk improvements pay a portion of their fair share of the cost of such improvements.

The policies contained herein are designed to serve as a general guide for the City Council in allocating benefit to properties. The City Council reserves the right to vary from these policies if the assessments derived by imposition of the policies create obvious inequities, where the assignment of benefit to a particular property is difficult to determine, or because of extreme or unusual circumstances, or for other good reason.

**2.0 SPECIAL ASSESSMENT PROCEDURES**

The Wisconsin Statutes prescribe the general procedures which cities must follow to specially assess property for local improvements. Typical public improvement projects for which special assessments are levied include sidewalks and related pedestrian infrastructure elements. Pertinent statute sections include §66.0703 and §66.0907. In accordance with §66.0907, municipalities may impose assessments for the costs of laying, removing, replacing, repairing, and maintaining sidewalks. Charges for sidewalk work are levied under police powers and do not require a showing of benefit to properties charged (*Lisbon Ave. v. Town of Lake*, 134 Wis. 470, 475, 113 N.W. 1099 (1908)).

The City of Ashland adopts, makes a part of this policy by reference, and incorporates the procedures for levying special assessments as contained in Wisconsin Statutes §66.0907. Whenever the provisions of this policy are contrary to those contained in §66.0703, §66.0907, or other applicable provisions of the Wisconsin Statutes or administrative regulations, the Wisconsin Statutes or administrative regulations shall control.

All special assessments levied in the City of Ashland shall be grounded in the exercise of police powers for the health, safety and welfare of the public.

It is hereby determined that all properties lying within the incorporated boundaries of the City of Ashland receive similar benefit for similar categories of improvements and therefore the rates established for the levy of special assessment shall be applied on a uniform basis throughout the City, for the benefits received, regardless of the location of the improvements and the method of financing. In no case shall the total special assessments exceed the total cost of all improvements constructed as part of the annual Capital Improvement Program (CIP).

### 3.0 ASSESSMENT BASIS

Special assessments are to be computed and based on a per linear foot of frontage basis (i.e., *front footage* basis), except in the case of residential corner lots.

The front footage of corner lots shall be determined by the side of the lot bearing the street address and front entrance of the home. All corner lots shall receive a 140 ft. *flankage credit* for sideyard sidewalk. The assessment for corner lots shall be limited to the front footage plus any remaining side footage after deducting flankage credit. All residential corner lots receive this 140 ft. flankage credit.

The following examples help to illustrate how corner lots are assessed:

- a) If a large 140' (front) by 150' (deep) corner lot is to receive all new sidewalks on both sides, then the assessment would be for 150 ft. total (140' of frontage plus 150' side yard minus the flankage credit of 140') = 150 ft. total).
- b) If a smaller 100' (front) by 140' (deep) corner lot is to receive all new sidewalks on both sides, then the assessment would be for 100 ft. total (100' of frontage plus 140' side yard minus the flankage credit of 140') = 100 ft. total). Likewise for a 50' or 75' wide lot.

If a corner lot did not have sidewalk on its frontage OR its frontage sidewalk is all in excellent shape, and the project calls for new sidewalk installation on its flanking side only; then the property would be assessed for only that portion of the flanking side that exceeds the 140 ft. flanking credit. For example,

- c) If a large 100' (front) by 150' (deep) corner lot is to receive a new side yard sidewalk (flanking side) only; then the special assessment would be for 10 feet (150' deep flanking side minus 140' flankage credit).

The flankage credit is determined to be 140 feet based on the fact that the typical Ashland lot is 140 ft. deep. The flanking side of a lot is not intended to be special assessed until the amount of sidewalk installed or replaced on the flank within any 20 year period exceeds 140 lineal feet.

### 4.0 ASSESSABLE PROJECT ELEMENTS AND COSTS

Recognizing that it is the policy of the City of Ashland to levy special assessments to recover approximately 50% of the cost of constructing sidewalk improvements. The City Council establishes the locations and priorities for sidewalk improvement projects as described in Ordinance 530, *Ordinance to Adopt a Sidewalk Construction, Maintenance, and Use Policy for the City of Ashland.*

The City Council establishes the assessment rates for sidewalk improvements. Annually the Director of Public Works/City Engineer will recommend adjustments in the special assessment rates based on construction costs experienced the previous construction season. This rate will be published in the Comprehensive Fee Schedule, adopted annually by City Council.

All construction shall be in accordance with standards as published in the most recent version of the *City of Ashland Standard Specifications for Sidewalk Construction*, unless otherwise approved in writing from the Director of Public Works/City Engineer.

Assessable project elements and costs to be included in the special assessment computations are described herein:

- a) Sidewalk Removal, Saw Cutting, and other associated demolition costs: Costs for removal, saw cutting, and other associated demolition costs of existing sidewalks is to be included with construction costs.
- b) Grading and Gravel Base: The grading and construction of a gravel base for sidewalk construction will be included with construction costs.
- c) Curb, Gutter, and Pedestrian Handicap Ramps: The construction or replacement of concrete curb and gutter associated with installation of pedestrian ramps and/or adjacent sidewalks will be included in cost computations, and shall be allocated evenly as part of general sidewalk improvement construction costs. This shall include the installation of color-contrasted truncated dome devices for visually impaired pedestrians.
- d) Sidewalk Construction Costs: New sidewalk construction, or complete replacement of existing sidewalk, is to be included in the costs for construction.
- e) Replacement Sidewalk and Repairs to Existing Sidewalk: Spot repairs of existing sidewalk, including grinding, milling, mud-jacking, or individual panel replacement is to be included in the costs for construction.
- f) Tie-in Sidewalks and Driveway Aprons: Sidewalks and driveway aprons that tie-in and connect to the public walkways (carriage and entrance walks) shall be included with general construction costs only to the extent that they are removed and replaced to facilitate construction of the new sidewalk or to accommodate necessary grade changes. General improvements elected by the property owner are not included in the general project costs; and while encouraged by the City, all such improvements and related expenditures shall be independently borne by the property owner.
- g) Boulevard (Terrace) Restoration: For the purpose of this paragraph the word boulevard (terrace) means that area between the back of the curb and the sidewalk, or, in the absence of a sidewalk, the property line.

Boulevard (terrace) restoration, seeding or sodding will be included in the cost calculations. No assessments will be made for replacement of turf located outside the street right-of-way that is required to be replaced to facilitate the matching of the existing yard to the new street construction.

- h) Retaining Walls: When it is determined that the construction of retaining walls, as part of street improvements, has a shared benefit between the property owner and the City, in that the property owner usually has larger useable lot area than would be available in the absence of the wall. The cost of constructing a retaining wall will therefore be split, with 50% of the cost of constructing the first five feet (5') of height of the retaining wall special assessed to the abutting lot. The City will pay for 50% of the cost of the first five feet (5') of height and 100% of the cost above five feet (5') of height of a retaining wall. A retaining wall shall be assessed on a

square foot basis for the amount of retaining wall constructed adjacent to the benefited property.

- i) Expected Service Life: Sidewalks and related infrastructure are judged to have a normal useable life expectancy. For the purposes of determining whether or not special assessments apply to properties, the expiration of an expected service life shall be the governing criterion. Sidewalks beyond the expected service life as noted below shall be assessed; those within the service life shall be exempt from assessments. For the purpose of this policy, the life expectancy for sidewalk improvements is as follows:

Pedestrian Handicap Ramps/Truncated Dome Devices – 20 years  
 Sidewalks – 20 years

**5.0 ASSESSMENT AMOUNTS AND REPAYMENT**

This section of the policy to sets forth the amounts and repayment terms of special assessments.

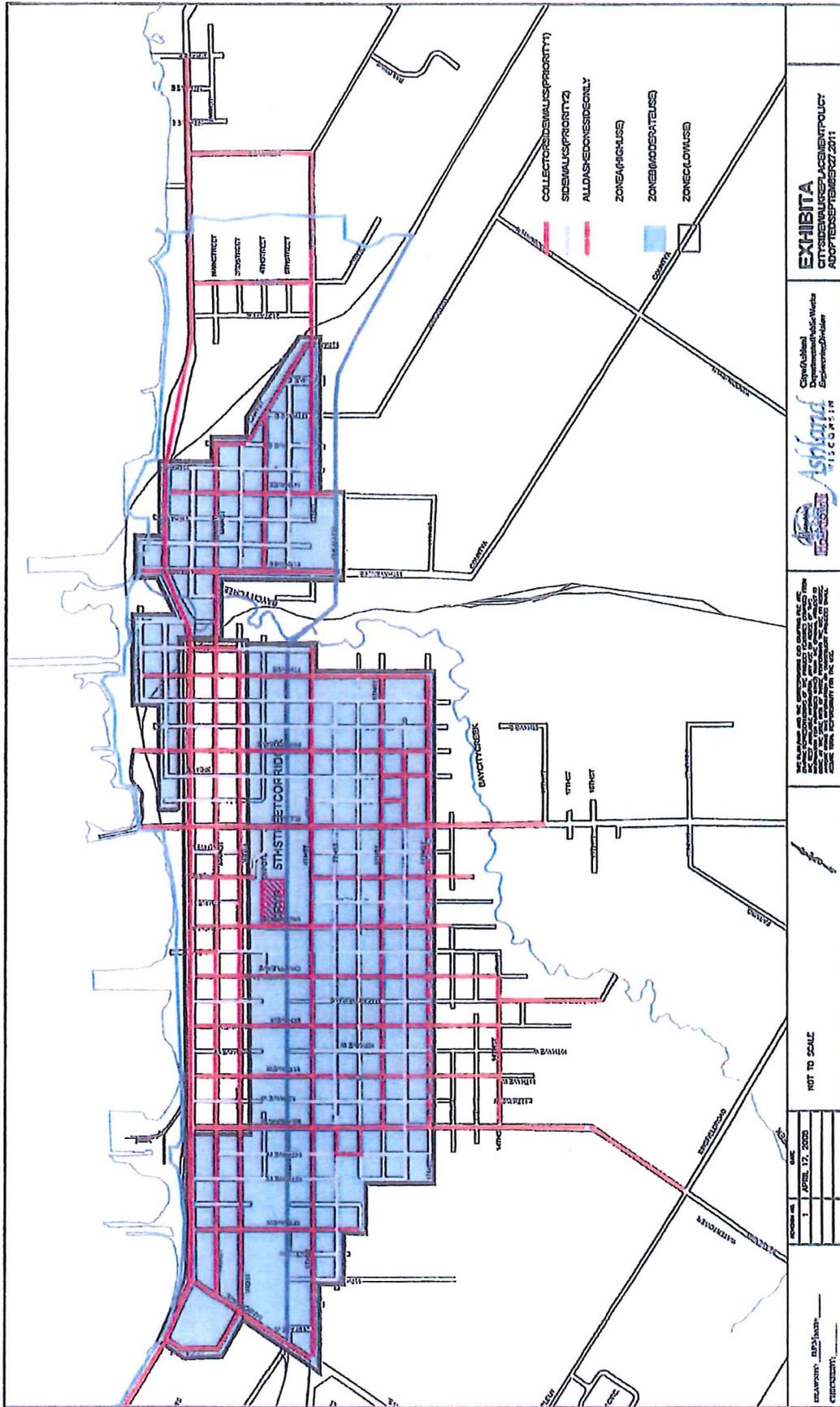
- a) Special assessments shall be for approximately 50% of the construction costs as determined by the criteria noted above. The actual assessment rate shall be set annually and adopted by Council as part of the Comprehensive Fee Schedule.
- b) Special assessments may be paid in full following completion of the work (with no interest), or through 10 equal annual installments.
- c) The interest rate shall be 1% above the City's borrowing rate (as determined by loan or bond issuance) to cover overhead expenditures associated with administration of the program.
- d) Assessments shall be due in full upon sale or transfer of the property.
- e) The payment of special assessments through installments may be extended in cases of hardship. Repayment terms may be extended to 20 years of equal installments (per 66.0715) if a resident so chooses.

**6.0 MISCELLANEOUS PROVISIONS**

It is the intention of this section of the policy to clarify special circumstances, which may arise in establishing the benefit to lots as a result of public improvements completed by the City of Ashland.

- a) The policies set forth in this document do not alter the requirements of the City's subdivision and zoning codes with regard to a developer's responsibility to provide and pay for required improvements at the time that any given property is to be improved.

- b) The City of Ashland shall special assess improvements to railroad property as permitted by the Wisconsin Statutes, except as may otherwise be determined by the City Council.
- c) The City of Ashland shall bear 100% of the costs associated with constructing sidewalks on city-owned properties.
- d) The City of Ashland's utilities shall bear 100% of the costs associated with constructing sidewalks on utility properties (allocated to the appropriate utility).
- e) Projects constructed by Federal or State monies/agencies that include full payment of sidewalk construction costs as part of the respective projects are not subject to special assessments. Those that provide partial or no payment of sidewalk construction costs will be special assessed, subject to the specific requirements of pertinent federal and state funding sources.
- f) Property owners undertaking their own work, or arranging for pre-approved contractors to do so, shall not be special assessed. However, they are responsible for completing all work as described herein and in accordance with Ordinance 530.



**ARTICLE 602 – CONCRETE SIDEWALKS AND MISCELLANEOUS CONCRETE**

**602.01 Description**

This section describes constructing concrete sidewalks, loading zones, safety islands, and steps including landings, with or without reinforcement.

**602.02 Materials**

Use the appropriate grade of concrete to meet the requirements of the specifications.

Use cement conforming to ASTM specifications as follows:

- Type I Portland cement; ASTM C150
- Type II Portland cement; ASTM C150
- Type III Portland cement; ASTM C150, for high early strength

Concrete properties shall conform to section 416.02.1 and applicable WisDOT Standard Specifications.

Furnish cast iron detectable warning fields for curb pedestrian ramps under the Curb Ramp Detectable Warning Field bid item.

**602.03 Construction**

**602.03.1 General**

The Engineer will inspect concrete curb and gutter for transverse cracking 7 days after placement. If cracks exist the Engineer will determine if a transverse crack needs repair and the type of repair needed. The Contractor shall make the concrete repair as directed by the Engineer.

**602.03.2 Preparing the Foundation**

Prepare the foundation by excavating to the lines, grades, and cross section the plans show. Do not place any subbase or base materials before the Engineer has inspected the foundation. Make repairs to the foundation as directed by the Engineer.

Place and compact subbase and base materials to the thickness and section shown on the plans.

**602.03.3 Forms**

Use wood or metal forms straight and with sufficient strength to hold the freshly placed concrete in place. Wood forms shall be at least 2 inch nominal thickness. Forms shall be the full depth of the required curb and gutter. For curves 100-foot radius or less, use flexible or curved forms of proper radius. Clean and oil all forms before placing concrete against them.

**602.03.4 Placing Concrete**

The Engineer shall be notified to inspect the form work, foundation, and reinforcement if required, prior to placing any concrete. Place the concrete on a moist foundation, deposit to the required depth, and consolidate sufficiently to bring the mortar to the surface. Strike off and finish the concrete surface to a true and even surface.

If the Engineer allows, the Contractor may construct concrete sidewalks with suitable slip form equipment.

Construct curb ramps at the locations and conforming to the details and dimensions the plans show. Install detectable warning fields for curb ramps conforming to manufacturer recommended procedures.

#### **602.03.5 Reinforcement**

If required, use reinforcement conforming to, and place it as specified on the plans.

#### **602.03.6 Joints**

For sidewalks of uniform width, construct transverse contraction joints, spaced evenly apart, the same width of the sidewalk, plus or minus 3 inches and not spaced more than 12 feet apart. For sidewalks wider than 10 feet place a contraction joint down the center line of the sidewalk for the full length.

Construct contraction joints as follows:

1. With a pointed trowel or other suitable tool at least 1 inch deep and 1/4 inch wide; then edge finish the joint.
2. Using metal slab division forms extending to the concrete's full depth.
3. By sawing the concrete to a depth of at least 1 inch and approximately 1/8 inch wide.

Place 1/2 inch transverse expansion joint filler at the following locations:

- Through the sidewalk at uniform intervals not greater than 96 feet apart.
- Between the sidewalk and back of abutting parallel curb
- Between sidewalk approaches and back of curb
- Between sidewalk and abutting concrete driveways and approaches

Place 1'' expansion joint filler between sidewalk and buildings and other rigid structures

Place full depth expansion joints in curb, gutter, or curb and gutter constructed next to asphalt pavement. Locate the joints at the beginning and end of all radiuses, on each side of every curb inlet 3 feet from the inlet, but no closer than 6 feet from another joint, and at a maximum spacing of 300 feet. Use 3/4 inch expansion joint filler.

Round all un-sawed joint edges and concrete edges with a 1/2 inch radius edger.

#### **602.03.7 Protecting and Curing**

Erect and maintain suitable barricades, if necessary, provide personnel to keep traffic off the newly constructed pavement until it is opened for service. Do not open concrete to traffic until the Engineer approves.

Repair or replace damaged concrete as the Engineer directs.

Protect the concrete from rain damage by covering with plastic or other Engineer approved material secured along the pavement edges. Provide drainage as needed to protect the work.

Maintain adequate moisture throughout the concrete mass to support hydration until the concrete develops sufficient strength to open it to service. Cure by one of the following methods:

4. Method A:

Curing Compound: Use a liquid curing compound conforming to ASTM C309, type 1-D, clear or translucent.

After finishing operations and as soon as the free water disappears, spray the concrete surface with a uniform coating of curing compound. Seal moisture in the concrete by applying a continuous water impermeable film on all exposed concrete surfaces including exposed sides. Apply the curing compound uniformly at a minimum rate of 150 square feet per gallon. If the curing compound is damaged within 72 hours after application, immediately recoat the affected area.

5. Method B: Impervious Sheeting

As soon as the concrete receives a finish and hardens sufficiently to prevent excessive marring, cover all exposed concrete surfaces with polyethylene sheeting. Use plastic sheeting conforming to ASTM C171 for white opaque polyethylene film, except that the contractor may use clear or black polyethylene for cold weather protection.

Provide sufficient material to cover all exposed surfaces and edges, with enough excess to hold the material securely in place by weighting or an alternate anchoring method.

Maintain the sheeting in place until the concrete conforms to the opening criteria.

Other curing methods may be used when so approved by the Engineer.

**602.03.8 Protecting in Cold Weather**

The Contractor is responsible for the quality of the concrete placed in cold weather. Take precautions necessary for to prevent the freezing of the concrete until it has developed sufficient strength to open it to service. Remove or replace frost damaged concrete.

No concrete placement will be allowed when the air temperature is less 35 degrees and expected to descend. The temperature of the concrete at time of placement must be at or above 50 degrees.

Do not heat the cement, add salt or chemical admixtures to the concrete mix to prevent freezing, or place concrete on a frozen foundation.

**602.04 Measurement and Payment**

The City will pay for measured quantities of work under this bid item at the contract unit price of the work acceptably completed.

Payment shall be full compensation for all foundation excavation (if not paid for separately), and preparation; all special construction required at driveway and alley entrances, or curb ramps; for providing all materials, including concrete, expansion joints, for placing, finishing, protecting, and

curing; for sawing joints; and for disposing of surplus excavation material, and restoring the work site

Crack repairs shall be paid for at the Contractors expense when it is evident that the crack development was due to non-compliance with the plans and specifications.





62

**6TH STREET EAST SIDEWALK SPECIAL ASSESSMENT  
OPINION OF PROBABLE COSTS - 1/17/18**

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
2.	Detectable Warning Field	280	SF	\$ 42.00	\$ 11,760.00
5	Restoration	1347	SY	\$ 4.25	\$ 5,724.75
	Remove Sidewalk	5526	SF	\$ 0.40	\$ 2,210.40
6.	Saw Cutting	250	LF	\$ 2.50	\$ 625.00
7	Contractor Mobilization	1	LS	\$ 1,500.00	\$ 1,500.00
<b>A. SIDEWALK CONSTRUCTION ASSOCIATED COSTS</b>					<b>\$ 21,820.15</b>
8	4-IN Concrete Sidewalk	9673	SF	\$ 4.40	\$ 42,561.20
9.	6-IN Concrete Sidewalk	583	SF	\$ 5.40	\$ 3,148.20
10	8-IN Concrete Sidewalk	795	SF	\$ 6.10	\$ 4,849.50
<b>B. SIDEWALK INSTALLATION COST</b>					<b>\$ 50,558.90</b>
11.	Engineering & Construction Admin. (6%)				\$ 4,342.74
12.	Contingency & Allowances (6%)				\$ 4,342.74
<b>C. ENGINEERING &amp; ADMIS. COSTS</b>					<b>\$ 8,685.49</b>
<b>TOTAL ESTIMATED COST A+B+C</b>					<b>\$ 81,064.54</b>

6TH STREET EAST SIDEWALK SPECIAL ASSESSMENT PRELIMINARY COST PER SQUARE FOOT CALCULATION			
	4" Concrete (ft <sup>2</sup> )	6" Concrete (ft <sup>2</sup> )	8" Concrete (ft <sup>2</sup> )
Projected Unit Bid Cost	\$4.60	\$5.60	\$6.20
Associated Construction	\$1.97	\$1.97	\$1.97
Administration & Engineering (6%)	\$0.78	\$0.78	\$0.78
<b>Price Per SF</b>	<b>\$7.35</b>	<b>\$8.35</b>	<b>\$8.95</b>
<b>40% Assessment</b>	<b>\$2.94</b>	<b>\$3.34</b>	<b>\$3.58</b>

ESTIMATED QUANTITIES BASED ON DESIGN PLAN

TA	SS NO.	STREET NAME	4 INCH AREA (SF)	6 INCH AREA (SF)	8 INCH AREA (SF)	4 INCH COST PER S.F.	EST. TOTAL COST (4")	PROPERTY OWNER 4" COST (40%)	CITY COST	6 INCH COST PER S.F.	EST. TOTAL COST (6")	PROPERTY OWNER 6" COST (40%)	CITY COST	8 INCH COST PER S.F.	EST. TOTAL COST (8")	PROPERTY OWNER 8" COST (40%)
	09	6TH ST E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	15	6TH ST E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	00	ELLIS AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	12	6TH ST E	100.00	0.00	0.00	\$7.35	\$735.00	\$294.00	\$441.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	16	6TH ST E	100.00	0.00	0.00	\$7.35	\$735.00	\$294.00	\$441.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	20	6TH ST E	0.00	150.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$1,252.50	\$501.00	\$751.50	\$8.95	\$0.00	\$0.00
	14	3RD AVE E	800.00	0.00	0.00	\$7.35	\$5,880.00	\$2,352.00	\$3,528.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	02	3RD AVE E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	10	6TH ST E	100.00	0.00	0.00	\$7.35	\$735.00	\$294.00	\$441.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	05	PRENTICE AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	02	PRENTICE AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	10	6TH ST E	25.00	75.00	0.00	\$7.35	\$183.75	\$73.50	\$110.25	\$8.35	\$626.25	\$250.50	\$375.75	\$8.95	\$0.00	\$0.00
	01	5TH AVE E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	20	PRENTICE AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	17	6TH ST E	325.00	0.00	0.00	\$7.35	\$2,388.75	\$955.50	\$1,433.25	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	21	5TH AVE E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	04	5TH AVE E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	07	WILLIS AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	05	6TH ST E	700.00	0.00	0.00	\$7.35	\$5,145.00	\$2,058.00	\$3,087.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	21	WILLIS AVE	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	00	6TH ST E	25.00	0.00	0.00	\$7.35	\$183.75	\$73.50	\$110.25	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	10	6TH ST E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00
	01	7TH AVE E	0.00	0.00	0.00	\$7.35	\$0.00	\$0.00	\$0.00	\$8.35	\$0.00	\$0.00	\$0.00	\$8.95	\$0.00	\$0.00

**RESOLUTION**

No. 17405

**PRELIMINARY RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS UNDER MUNICIPAL POLICE POWER PURSUANT TO SEC. §66.0703, WISCONSIN STATS., FOR SIXTH STREET EAST RECONSTRUCTION PROJECT FROM ELLIS AVENUE TO SEVENTH AVENUE EAST**

RESOLVED, by the Ashland Common Council, City of Ashland, Wisconsin, Ashland County, Wisconsin:

1. The Ashland Common Council hereby declares its intention to exercise its police power under §66.0703, Stats., to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work and improvements:

Concrete Sidewalk Installation and Replacement

2. The property to be assessed lies within the following described assessment district:

- a. All properties adjacent to Sixth Street East from Ellis Avenue to Seventh Avenue East, City of Ashland, Ashland County, Wisconsin.

3. The total amount assessed against the properties in the described assessment district shall not exceed 40% of the cost of the improvements.

4. The Ashland Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.

5. The City Public Works Department shall prepare a report which shall consist of:

- a. Preliminary plans and specifications for the improvements.
- b. An estimate of the entire cost of the proposed improvements.
- c. A statement that the property against which the assessment are proposed will be benefitted.
- d. Schedule of proposed assessments

6. When the report is completed, the City Public Works Department shall file a copy of the report with the City Clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000 or more, to the Wisconsin State Building Commission.

7. Upon receiving the report of the Public Works Department, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof,) the time and place at which the report may be inspected, and the time and place of the public

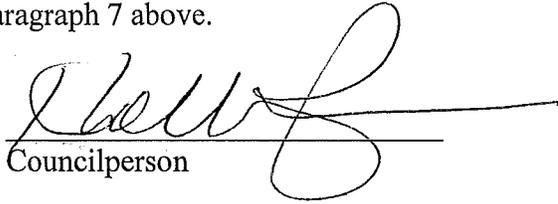
**RESOLUTION**

**No.** 17405

hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under ch. 985, Stats; and copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.

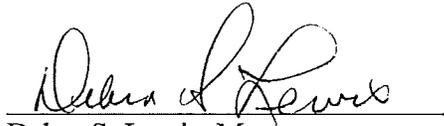
8. The hearing shall be held at the Ashland City Hall, 601 West Main Street, Ashland, Wisconsin, at a time set by the City Clerk in accordance with §66.0703, Stats., which shall be not less than 10 nor more than 40 days after publication.

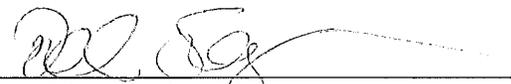
9. The number of installments in which the assessment against any parcel may be paid shall be determined at the hearing provided for in paragraph 7 above.

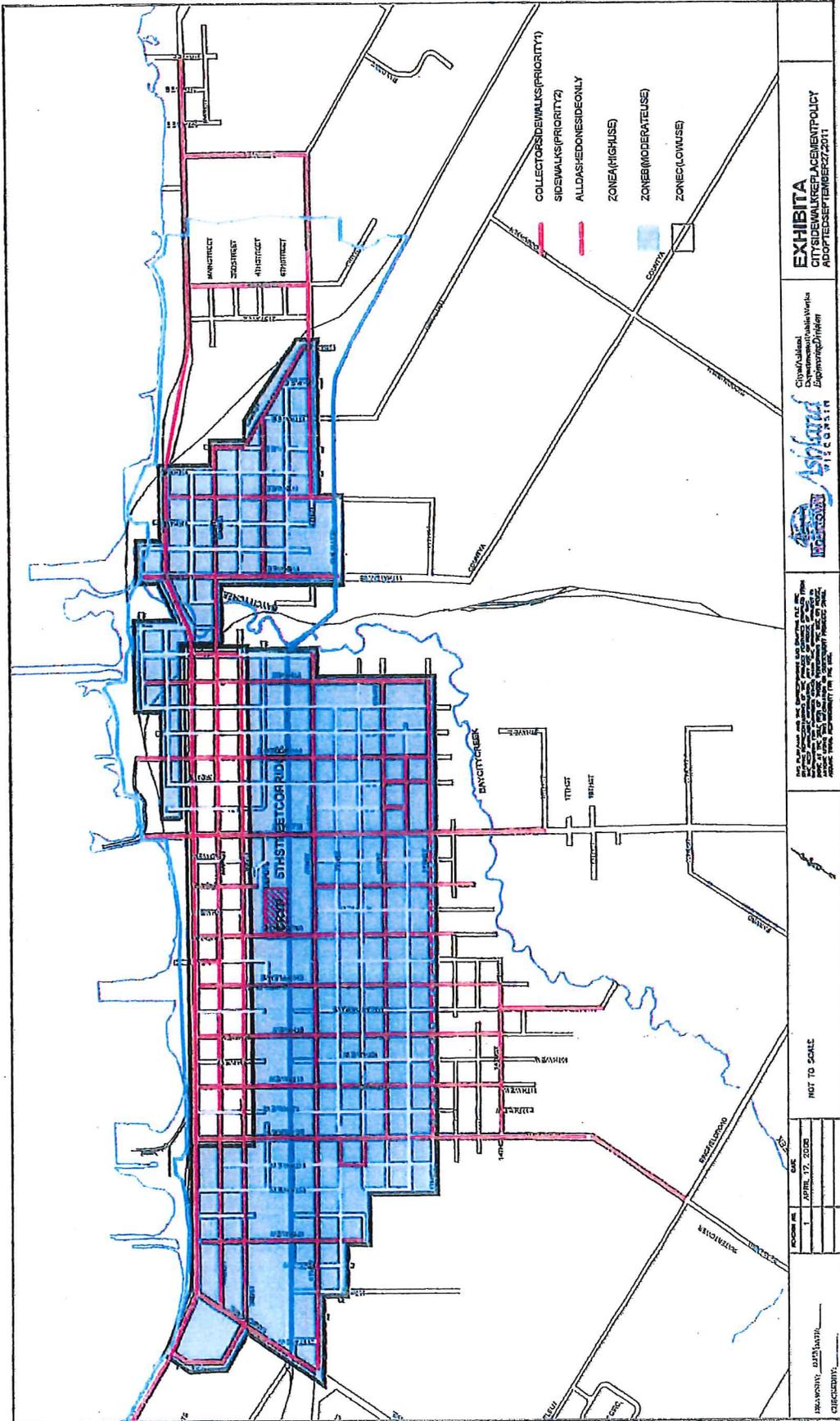
  
Councilperson

PASSED: November 14, 2017  
PUBLISHED: January 20, 2018

ATTEST:   
Denise Oliphant, City Clerk

  
Debra S. Lewis, Mayor

APPROVED AS TO FORM:  
  
David J. Siegler, City Attorney



**EXHIBIT A**  
 CITY SIDEWALK REPLACEMENT POLICY  
 ADOPTED SEPTEMBER 27, 2011



THIS POLICY APPLIES TO ALL SIDEWALKS IN THE CITY OF CHICAGO, INCLUDING THOSE IN UNINCORPORATED AREAS. THE POLICY DOES NOT APPLY TO SIDEWALKS IN UNINCORPORATED AREAS THAT ARE SUBJECT TO A SEPARATE POLICY. THE POLICY DOES NOT APPLY TO SIDEWALKS IN UNINCORPORATED AREAS THAT ARE SUBJECT TO A SEPARATE POLICY.

NOT TO SCALE

APPROVED BY	DATE
APPROVED BY	APRIL 27, 2011
APPROVED BY	
APPROVED BY	

REVISIONS: 01/10/11/11  
 SHEET NO. \_\_\_\_\_  
 SHEET TOTAL \_\_\_\_\_



# AGENDA BILL

Ref: 039

COMMITTEE AGENDA:  
COUNCIL AGENDA: 8A2 (02-13-2018)

**SUBJECT:** Approval of Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property in the City of Ashland, Ashland County, Wisconsin for the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project

**RECOMMENDATION:** Approval

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**DEPARTMENT OF ORIGIN:** Public Works Department

**DATE SUBMITTED:** February 12, 2018

**CLEARANCES:** Public Works Department  
City Attorney

**EXHIBITS:** Proposed Resolution

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION REQUIRED:** N/A

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

**COMPLIANCE WITH ORDINANCE 51:** N/A

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

**RECOMMENDATION:** Approval of the final resolution authorizing public improvement and levying special assessments against benefited property in the City of Ashland, Ashland County, Wisconsin for the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project.

**SUMMARY STATEMENT:** After Council has heard from citizens during the public hearing, Council needs to direct staff to make any appropriate changes to the assessment report and pass the final resolution authorizing public improvement and levying special assessments against benefited property in the City of Ashland, Ashland County, Wisconsin.

# RESOLUTION

No. \_\_\_\_\_

**FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENT AND  
LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY IN  
THE CITY OF ASHLAND, ASHLAND COUNTY, WISCONSIN FOR THE 6TH  
STREET EAST RECONSTRUCTION AND UTILITY REPLACEMENT  
PROJECT**

WHEREAS, the Common Council for the City of Ashland, Ashland County, Wisconsin, held a public hearing at the Ashland City Hall, 601 Main Street West, Ashland, Wisconsin, at 6:15 p.m. on February 13, 2018, for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Ashland Department of Public Works, including preliminary assessments against benefited property, and heard all persons who desired to speak at the hearing.

NOW, THEREFORE, BE IT RESOLVED, the Common Council for the City of Ashland determines as follows:

1. The report of the Ashland Department of Public Works, a copy of which is attached hereto and incorporated herein as if fully set forth herein, including the plans and specifications and assessments set forth therein, is adopted and approved.
2. The project engineer shall advertise for bids and supervise construction of the improvements in accordance with the report hereby adopted.
3. The estimated cost of the improvements is \$81,064.54, the total assessable costs are \$25,204.00 in which 40% or \$10,081.60 shall be paid by special assessment against the property benefited as indicated in the report.
4. Assessments shown on the report represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.
5. Assessments shall be due within 45 days of billing date. Assessments may be paid in cash or in twenty annual installments to the City of Ashland Treasurer. Installments shall be placed on the next tax roll after the due date for collection and shall bear interest at the rate of 3.875 percent per annum on the unpaid balance from January 1 of the year following the levy.
6. The City Clerk shall publish this resolution as a class 1 notice under Ch. 985, Stats., and mail a copy of this resolution and a statement of the final assessment against the benefited property together with notice of installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Ashland approve the final resolution authorizing public improvement and levying special assessments against benefitted properties in the City of Ashland, Ashland County, Wisconsin for the 6<sup>th</sup> Street East Reconstruction and Utility Replacement Project.

\_\_\_\_\_  
Councilperson

PASSED: February 13, 2018

PUBLISHED:

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

\_\_\_\_\_  
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
David Siegler, City Attorney

DRAFT



# AGENDA BILL

**Ref: 035**

**COMMITTEE AGENDA:  
COUNCIL AGENDA: 8B (02-13-2018)**

**SUBJECT: Presentation and Update by Betsey Harries, AADC Executive Director**

**RECOMMENDATION:** Discussion

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**DEPARTMENT OF ORIGIN:** Mayor

**DATE SUBMITTED:** February 5, 2018

**CLEARANCES:** Mayor's Office

**EXHIBITS:** N/A

**EXPENDITURES REQUIRED:** NA

**AMOUNT BUDGETED:** NA

**APPROPRIATION REQUIRED:** NA

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

**RECOMMENDATION:** Discussion

**SUMMARY STATEMENT:**

Betsey Harries, Ashland Area Development Corporation Executive Director, will be present to provide an update on the activities of AADC.



# AGENDA BILL

Ref: 034

COMMITTEE AGENDA:  
COUNCIL AGENDA: 8C (02-13-2018)

**SUBJECT: Approve a Resolution in Support of Financial Assistance for the Apostle Islands National Lakeshore in Responding to the Devastating Effects of a Historic Nor'Easter Storm on Lake Superior on October 27-30, 2017**

**RECOMMENDATION:** Approval

**DEPARTMENT OF ORIGIN:** Mayor

**DATE SUBMITTED:** February 5, 2018

**CLEARANCES:** City Attorney  
City Administrator

**EXHIBITS:** A-Proposed Resolution  
B-Copy of Draft Letter to U.S. Congress  
C-Copies of Photographs of Damage From Storm

**RECOMMENDED MOTION:** Council Approval of Resolution in support of a draft letter to the U.S. Congress seeking financial assistance for the Apostle Islands National Lakeshore in responding to the devastating effects of a historic event Nor'easter storm on Lake Superior on October 27-30, 2017.

**COMPLIANCE WITH ORDINANCE 51:** Pursuant to Ordinance 51.26(8), the Mayor has determined that due to the budgetary appropriation cycle for the U.S. Congress, this item requires action in a timely manner.

**SUMMARY STATEMENT:** Council unanimously passed a Resolution at the December 12, 2017 meeting in support of urging the United States Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System.

This request is in support of a request for specific financial assistance to the Apostle Islands National Lakeshore to repair storm damage resulting from a historic storm that took place in October, 2017. See attached Draft Letter.

Kristy Jensch, representing the Apostle Islands Historic Preservation Conservancy, will be present to answer questions about this effort. A list of those municipalities and entities who have signed on to the draft request so far is at the top of the Draft Letter attached to this Agenda Bill.

**RESOLUTION**

No. \_\_\_\_\_

**RESOLUTION IN SUPPORT OF FINANCIAL ASSISTANCE FOR THE APOSTLE ISLANDS NATIONAL LAKESHORE IN RESPONDING TO THE DEVASTATING EFFECTS OF A HISTORIC NOR'EASTER ON LAKE SUPERIOR ON OCTOBER 27-30, 2017**

*WHEREAS*, Ashland and neighboring communities are blessed by the astounding beauty of the Apostle Island National Lakeshore – 21 islands that stretch into Lake Superior offering a unique blend of cultural, historical and natural resources which allow visitors to hike, paddle, sail, and enjoy all the area has to offer; and

*WHEREAS*, in 2016, visitors to the Apostle Islands spent \$29.3 million in communities near the park - with hotels receiving the largest income at \$7.2 million and restaurants following with \$6.4 million; and

*WHEREAS*, despite a mission to make parks accessible and open, because of Congressional underfunding the National Park Service has a backlog in Wisconsin of \$9.4 million – money needed for infrastructure repairs to aging historical structures, trails, sewers, drainage, roads, and other vital infrastructure; and

*WHEREAS*, a historic-event Nor'easter storm on Lake Superior occurred on October 27-30, 2017 as a result of record-high water levels in Lake Superior, combined with very high and sustained winds, resulting in extensive damage to docks, buildings, shoreline access points, and important bluffs and cliffs that house important buildings and infrastructure; and

*WHEREAS*, it is the responsibility of Congress to maintain America's national parks to ensure our natural places and our history is preserved and documented for future generations, and for the adjacent communities that rely on the direct and indirect economic benefits generated by visits to national park sites.

**NOW, THEREFORE, BE IT RESOLVED** that the Ashland City Council joins with neighboring communities and entities to strongly encourage efforts by Congress to provide supplemental funds to the Apostle Islands National Lakeshore to repair damage resulting from the October 27-30, 2017 storm on Lake Superior.

**PASSED:** February 13, 2018

\_\_\_\_\_  
Councilperson

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

\_\_\_\_\_  
Debra S. Lewis, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David Siegler, City Attorney

*Apostle Islands Historic Preservation Conservancy  
Apostle Islands Cruises  
Apostle Islands Marina  
Bayfield Chamber of Commerce  
Bayfield Heritage Association  
Bayfield Maritime Museum*

*City of Bayfield Common Council  
Coalition to Protect America's National Parks  
Good Earth Outfitters LLC  
Town of LaPointe  
Township of Bayfield*

*Trek and Trail  
Siskiwt Bay Marina  
Washburn Area Chamber of Commerce  
Washburn Cultural Center  
Washburn Heritage Association  
Washburn Historical Society  
Wilderness Inquiry*

January \_\_, 2018

Senator Mitch McConnell, Majority Leader  
Senator Chuck Schumer, Minority Leader  
Congressman Paul Ryan, Speaker of the House  
Congresswoman Nancy Pelosi, Minority Leader  
Senator Thad Cochran, Chairman, Committee on Appropriations  
Senator Patrick Leahy, Ranking Member, Committee on Appropriations  
Senator Lisa Murkowski, Chair, Appropriations Subcommittee on Interior, Environment, & Related Agencies

Senator Tom Udall, Appropriations Subcommittee on Interior, Environment & Related Agencies  
Congressman Rodney Frelinghuysen, Chair, Committee on Appropriations  
Congresswoman Nita Lowey, Ranking Member, Committee on Appropriations  
Congressman Ken Calvert, Chair, Appropriations Subcommittee on Interior, Environment, & Related Agencies  
Congresswoman Betty McCollum, Ranking Member, Appropriations Subcommittee on Interior, Environment, & Related Agencies

Dear Senator/Representative:

We, the undersigned organizations, businesses, and governmental entities representing a broad cross-section of the community interests nationally and northern Wisconsin are writing to you to seek assistance in responding to the devastating effects of a historic event Nor'easter storm on Lake Superior on October 27-30, 2017. The storm was the result of record-high water levels in Lake Superior, combined with very high and sustained winds. It occurred after the letter of October 2, 2017, submitted to you by a host of organizations seeking help from Congress to correct the damage to other parks that occurred last year. We are grateful for the action that Congress has already taken to address the natural disasters of 2017, and by this letter we ask that the Apostle Islands National Lakeshore be added to the list of national parks in need of supplemental funds and that the October 2017 storm be included as a qualifying event for supplemental appropriations.

The October storm had far-reaching impact throughout the region. Perhaps the hardest hit location was the Apostle Islands National Lakeshore which, due the location of the Islands, absorbs the brunt of significant storms from the Northeast. Like many other national parks and public lands hit hard this year by hurricanes, wildfires and other natural calamities, the Lakeshore is in need of supplemental funds.

The impact of the storm on the Lakeshore was severe and far-reaching. Due to the winter season, it is difficult to get a full report of the damages, but the list of damaged docks, buildings, shoreline access points, and important bluffs and cliffs that house important buildings and infrastructure is long and very significant to the operations of the Lakeshore and use by the general public.

The list of damaged areas includes docks on Devils, Sand, Outer, and Rocky Islands and the main land unit, historic structures in all of those locations, the Chequamegon Point light tower on Long

Island, and beaches and shorelines throughout park. Photos of some of the damaged properties are set forth below.

The damage to these structures and locations not only impacts the historically and environmentally-significant resources of the Lakeshore, but also will have a negative impact on public use and recreation. Because the Lakeshore plays an important role for the local economy, surrounding communities are also affected by this damage. Key locations in the park are likely to be closed or restricted perhaps for years. Some may never return to fulfilling their role as valued public resources of the Lakeshore. The Park Service may choose to simply abandon the damaged facilities, despite their importance as historic resources.

The National Park Service, which manages the Lakeshore, is already operating with limited funds to support the challenges of maintaining property on the shores of Lake Superior and its severe weather. Simply put, under its usual allocation of appropriated funds, the Lakeshore will not be able to repair the damage of this historic storm and continue to perform the functions that it must undertake on a daily basis, year after year.

In 2013, Congress wisely included funds for public lands and facility restoration in the Disaster Relief Appropriations Act. These supplemental funds covered a wide range of needed activities, including repair to operational and public use facilities, coastal resiliency, damage assessments and surveys at historic resources, and grants for the restoration of historic structures.

In 2017, many national parks and other areas under federal management suffered devastating consequences from Hurricanes Harvey, Irma, and Maria, and as a result of recent wildfires we urge Congress to act again, as did in 2013, to introduce and pass supplemental appropriations bills, not only to provide the essential and basic necessities from the people and communities affected by the natural disasters of 2017, but also to support the recovery of our national parks and public lands, and their historic and natural resources. We ask that such legislation take into account the need for coastal resiliency and the establishment of long-term and innovative partnerships to meet challenges like those of 2017 in future years. We hope that, with the successful enactment of supplemental disaster relief, the necessary funds will be made available to the Apostle Islands National Lakeshore for these purposes, as it will to other areas damaged by the severe weather and natural catastrophes of 2017.

Thank you again for the attention Congress has already given to the 2017 disasters and for your leadership in supporting the general public and the public lands throughout the country in this year of extraordinary hardship.

Sincerely,

*Apostle Islands Historic Preservation Conservancy  
Apostle Islands Cruises  
Apostle Islands Marina  
Bayfield Chamber of Commerce  
Bayfield Heritage Association  
Bayfield Maritime Museum*

*City of Bayfield Common Council  
Coalition to Protect America's National Parks  
Good Earth Outfitters LLC  
Town of LaPointe  
Township of Bayfield*

*Trek and Trail  
Siskiwit Bay Marina  
Washburn Area Chamber of Commerce  
Washburn Cultural Center  
Washburn Heritage Association  
Washburn Historical Society  
Wilderness Inquiry*



138209991.1

**Hokenson Fishing Dock - Little Sand Bay**



138209954.1

**Devil's Island Boathouse**



**Devil's Island Boathouse - Before and After**

138210032.1



138209889.1

**Hadland Cabin - Rocky Island Historic District**



**Benson Dock - Rocky Island Historic District**

138210078.1



# NATIONAL WEATHER SERVICE

## Furious Winds and Snow- The October 27th-28th Storm

[Weather.gov](#) > [Duluth, MN](#) > Furious Winds and Snow- The October 27th-28th Storm

**Duluth, MN**  
Weather Forecast Office

[Current Hazards](#) [Current Conditions](#) [Radar](#) [Forecasts](#) [Rivers and Lakes](#) [Climate and Past Weather](#) [Local Programs](#)

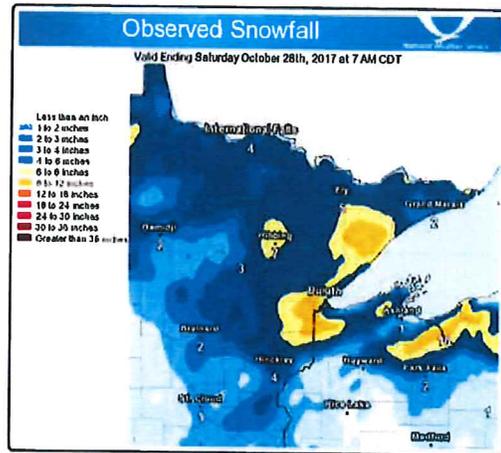
### Overview

Winter came early for much of the Northland in late October, the 27th. Some areas received upwards of a foot of snow while other areas received very little. The Lake Superior shoreline was heavily damaged by relentless waves caused by strong off lakes winds that gusted over 50 mph for many hours.

The Devil's Island lighthouse at the Apostle Islands recorded a wind gust of 68 mph around 11 am, but wind had been building and gusting over 40 mph since late the previous evening. The UMD buoy on the western tip of Lake Superior recorded a peak wind gust of 43 mph with steady winds of 35 to 40 mph overnight and most of the following day, Friday, October 27th. The buoy recorded waves of 10 to 16 feet. The weather monitoring equipment at the McQuade safe harbor recorded a peak wind of 45 mph.

The winds and subsequent waves and high surf caused portions of the lake walk in Duluth to get torn up and strewn with rocks and debris. Damage also occurred along both the north shore and south shore of Lake Superior. More information on this damage will be added.

Click on each photo for a larger view:



Waves at Black Beach in Silver Bay, MN  
Photo by Dennis Fawver



Lake Superior waves at Two Harbors, MN  
Photo by Theresa Kocka



Duluth, MN, Stoney Point  
Photo by Greg Johnson



High waves and surf flooded parts of Canal Park in Duluth  
Photo by Dawn Karlon



Crashing waves tore up portions of the lakewalk in Duluth  
Photo by Karie McWherter Simpson



These rocks were deposited on the bench by huge waves  
Photo by Andy Paasch



Erosion from the waves along Duluth's lake walk  
Photo by Ken Slatten



Duluth's Canal Park strewn with debris  
Photo by Ken Slatten



Damage to Duluth's lake walk  
Photo by Greg Johnson



High waves and surf flooded parts of Grand Marais, MN  
Photo by Sarah Holt Stover



Erosion of road along Lake Superior in Herbster, WI  
Photo by Dennis Fawer



Near McQuade Harbor; North Shore  
Photo by Justin Peck



U. S. Hwy 2, Ashland, WI  
Photo by Gary Jackson



Ashland, WI  
Photo by Gary Jackson



Ashland, WI  
Photo by Gary Jackson



Bayfield, WI  
Photo by Gary Jackson



Bayfield, WI  
Photo by Gary Jackson



Bayfield, WI  
Photo by Gary Jackson

[Snow/Ice](#) [Photos & Video](#) [Radar](#) [Storm Reports](#) [Environment](#)

### Snow/Ice

The highest snowfall amounts were a few miles inland from Lake Superior, while areas close to the lake had very little snow. The highest amounts were in the Hermantown, MN area, and eastward into northwest Wisconsin south of Superior in the Pattison State Park areas. Additional Lake effect snow brought totals even higher in the snowbelt area of northern Wisconsin where weather reporters in Gile and Mellen each reported around 14 inches of snow. The heavy wet snow brought down trees and branches that fell on power lines, creating pockets of power outages.

### Photos & Video:



*Media use of NWS Web News Stories is encouraged!  
Please acknowledge the NWS as the source of any news information accessed from this site.*



LOCAL

# Duluth cleans up after storm waves batter shore

## Lake Superior's high level made damage more severe

By Pam Louwagie (<http://www.startribune.com/pam-louwagie/10645326/>) Star Tribune  
NOVEMBER 4, 2017 — 6:40PM

The paved portion of Duluth's famed Lakewalk in Canal Park is clear and open again after Lake Superior storm waves buried it with dirt, rock and debris in late October.

A hulking chunk of sidewalk that washed out near the Great Lakes Aquarium has been leveled and paved, clearing the route for people to walk to Bayfront Park for the upcoming Bentleyville holiday light display.

Farther up the shore, officials expect to open a road at Brighton Beach soon, after patching it with temporary pavement.

The whopping waves that battered Duluth and much of Lake Superior's North Shore on Oct. 27 left municipal workers, business leaders and homeowners busy last week assessing damage and making repairs.

The waves ate away at sand dunes along Park Point and shifted riprap along Canal Park and other points. They raised already-high water levels even higher, flooding parking lots and basements.

"The wind pushes the water to a higher elevation, so the groundwater ... table does move up and down with the lake pretty quickly," said Jim Benning, the city's director of Public Works and Utilities.

Although the paved portion of the Lakewalk is open in tourist-popular Canal Park, a wooden boardwalk next to it will need to be repaired after sections of it were washed off their base. Workers collected the wood so it can be reinstalled.

The threshold for state emergency aid to government entities is just over \$368,000, Benning said. With a damage estimate on Friday coming in at about \$2.5 million, that threshold should be met easily.

But even if state aid isn't granted, Benning said the city will make repairs.

"We have to restore the Lakewalk (<http://www.startribune.com/ready-set-snow-commuters-treated-to-slush-and-light-snow-friday/453602743/>)," Benning said. "It's what people come to Duluth for."

The city may put in temporary protection when replacing riprap or other water protective barriers, he said, "because we still have the gales of November coming in and then whatever else might happen in the spring before we can get to full restoration next summer."

Lake Superior was just 2 inches short of its record high-water level in September and had already been eroding shorelines and seeping into basements. Residents and business owners along the shore worried about November, a month known to bring strong winds and storms. They had hoped the water levels would recede before then, as they traditionally do.

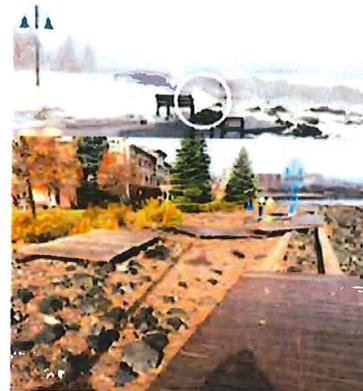
Instead, waves of historic proportions came in October.

Grandma's Saloon & Grill near the historic lift bridge closed for a day. With up to 18 inches of water in the old building's stone basement, managers worried about problems with electricity and other utilities.

Closing on a Friday took a big bite out of business; it is typically the second busiest day of the week and makes up about 25 percent of revenue, said Brian Daugherty, president of Grandma's Restaurant Co.

Daugherty said it was a storm unlike any he's seen in more than 40 years of working on Canal Park.

"It's an amazing demonstration of power," he said, describing giant waves crashing over the top of the pier to the lighthouse, submerging the walkway more often than not. "I quite frankly had never seen the waves that high before."



([http://stmedia.startribune.com/images/ows\\_150982682/](http://stmedia.startribune.com/images/ows_150982682/)) CITY OF DULUTH PHOTO

The Oct. 27 storm damaged Duluth's Lakewalk in Canal Park, with dislodged boardwalk and debris covering the asphalt path running parall...

Up the shore, the historic Glensheen mansion turned to **crowdfunding** (<https://crowdfund.umn.edu/GlensheenStorm>) to raise \$5,000 to rebuild a temporary barrier wall that was protecting the inside of its boathouse. Large chunks of its shoreline are now missing, too. Some chunks are resting 20 feet from the shoreline. The long-term fix — rebuilding a missing pier to break the waves — is projected to cost just over \$4 million.

pam.louwagle@startribune.com    612-673-7102    pamfouwagle

**AMENDED AGENDA BILL**

**AGENDA BILL**



Ref: 029

COMMITTEE AGENDA:  
COUNCIL AGENDA: **8D** (02-13-2018)

**SUBJECT: Approve a Resolution to Amend the Conditional Use Permit for New Day Shelter in the City Center (CC) District, Parcel #201-01684-0000**

**RECOMMENDATION:** Approval

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**DEPARTMENT OF ORIGIN:** Department of Planning and Development

**DATE SUBMITTED:** 2/7/2018

**CLEARANCES:** Department of Planning & Development  
Plan Commission (*Approved Unanimously 02/06/2018*)

**EXHIBITS:** A-Proposed Resolution  
B-Plan Commission Staff Report and Attachments  
C-Public Hearing Comments and Staff Responses

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION REQUIRED:** N/A

**TREASURER’S CERTIFICATE:** N/A

**COMPLIANCE WITH ORDINANCE 51:**N/A

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

*No Change.* [The proposed development conforms to the goals and community values identified in the City of Ashland’s Comprehensive Plan. The Plan states that we are a place where citizens look out for one another, and this neighborliness is a core value in our community. Supporting the expansion of a service that has been successfully helping citizens in the region when in crisis situations is a direct way to implement this value.]

**SUMMARY STATEMENT:**

See attached staff reports for information.

**RESOLUTION**

No. \_\_\_\_\_

**RESOLUTION TO AMEND THE CONDITIONAL USE PERMIT FOR NEW DAY SHELTER IN THE CITY CENTER (CC) DISTRICT, PARCEL #201-01684-0000**

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

*WHEREAS*, the original Conditional Use Permit was passed by the Common Council of the City of Ashland on July 25, 2017; and

*WHEREAS*, the applicant (Northwoods Women, Inc.) has requested to amend their Conditional Use Permit (Resolution #17380) per Chapter 781, Ashland City Ordinances; and

*WHEREAS*, the Plan Commission held a Public Hearing on February 6, 2018, and has recommended approval of an amendment to the Conditional Use Permit with the following conditions:

- a. Eliminate parking space #26 as depicted on the site plan and make it green space. A space may be provided east of space #30.
- b. A dumpster enclosure must be constructed on the site, and elevations/details of the enclosure must be submitted to the Planning Department for review and approval prior to construction.
- c. The existing storage container on the site is permitted for temporary use by Designer’s Outlet, however must be removed from the site by June 1, 2018.
- d. A bike rack must be installed on the site in conformance with the UDO.

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

PASSED: February 13, 2018

\_\_\_\_\_  
Councilperson

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

\_\_\_\_\_  
Debra S. Lewis, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
David Siegler, City Attorney

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

\* Applicant understands and accepts the conditions of approval indicated in this Resolution  
\* Applicant was provided notice of the approval by Common Council within 5 business days of such approval

A

*find yourself well in the world*

# ASHLAND

City of Ashland, Wisconsin  
601 Main Street West Ashland, WI 54806 www.co.wi.org

DEPARTMENT OF  
PLANNING &  
DEVELOPMENT

601 Main Street West  
Ashland, WI 54806

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## STAFF REPORT

Plan Commission – February 6th, 2018

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**Agenda Item # 5a: Public Hearing and Consideration to Amend the Conditional Use Permit for New Day Shelter**

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

**Property Address: 301 Ellis Ave**

**Parcel #: 201-01684-0000**

**Applicant: New Day Shelter**

**Staff Contact: Megan McBride/April Kroner**

### Background

A Conditional Use Permit request was approved for the New Day Shelter (Northwoods Women, Inc.) to operate an emergency residential facility at 301 Ellis Avenue by the Plan Commission on July 18, 2017 and by Council on July 25, 2017. The CUP was approved contingent on the following conditions:

- a. Applicant shall work with Planning on a new parking lot plan, to indicate no more than 27 spaces to be provided, and revert excessive asphalt to green space. Remaining asphalt shall be improved to eliminate breakage/holes and striped to indicate locations of parking spaces.
- b. A building permit shall be required for the addition of a fenced in smoking area, as well as for the placement of any storage sheds to accept donations. Details of fence shall be submitted to planning for review and approval.
- c. Any exterior lighting shall be shielded or be full cut-off fixtures.

New Day Shelter is requesting to amend their existing CUP in the following ways:

- They are requesting to change the location and design of the smoking shelter. They would like to relocate it to the east side of the building rather than the approved west side, as site constraints have made positioning it on the east side the only viable option. Additionally, they are amending their plan for the smoking shelter from a fenced in area to a secure, enclosed smoking shelter that will be designed to complement the principal building (see attached elevations). A secure gate will be installed on the south side of the smoking shelter for emergency egress.
- They are requesting the allowance of fencing that is 6' high (up to 4' is allowed in a front yard without a Conditional Use Permit) on the north, east, and south sides of the enclosed play area to create a physical and visual barrier from the surrounding roads. The west side of the play area would be 4' high to allow supervision of the playground by staff inside of the building. It will also be gated, as it serves as the point of access to the play area. The fence will be a board-on-board with natural wood finish.

- They would like to increase the number of allowed parking spaces from 27 (as identified in original CUP) to 30 spaces based on finalized building uses and square footages. Calculations for the allowable maximum parking spaces are attached. Per the proposed plan, 30% of the existing asphalt area will be converted to green space. The existing parking lot is in poor condition and will be replaced and striped as depicted.

### **Standards for Review**

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

### **Conditional Use Review**

The following decision criteria were used to review the submitted conditional use (Considerations for amendments are in *italics*):

1. **Consistency with Comprehensive Plan.** *No Change.* [The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. The Plan states that we are a place where citizens look out for one another, and this neighborliness is a core value in our community. Supporting the expansion of a service that has been successfully helping citizens in the region when in crisis situations is a direct way to implement this value.]
2. **Compatibility.** *The proposed amendments do not result in changes to the compatibility of the project in this location. The proposed updates to the parking area, including the removal of asphalt for new green space, the fenced play area, and installation of landscape elements along Ellis Avenue will improve the aesthetic of the site along this primary corridor.* [Staff views this location as compatible for this use, as it is located in the center of the City, close to clients' personal shopping and medical/legal services, as well as close to essential collaborating partners (law enforcement, court personnel, human services, etc.). Existing development within 500 feet of the site includes commercial uses as well as some multi-family residential development.]
3. **Importance of Services to the Community.** *No Change.* [New Day Shelter offers services and safety for victims of domestic violence and sexual abuse. They also offer extensive educational programming to the greater community in order to facilitate the elimination of this type of violence in our community. In order to continue offering these importance services to the community successfully, they are in need of a larger facility.]
4. **Neighborhood Protections.** *A 6' x 10' smoking area is proposed to be attached on the front of the building. This addition has been designed to look like an integral part of the building so as to not detract from the building aesthetics.* [There are staff members on site 24 hours a day, 7 days a week, to ensure that overnight clients' needs are being met, to ensure that all clients are kept safe, to provide coordination services with other agencies to help clients with medical/legal issues, and to provide transportation services for clients who may need assistance getting around. The Shelter will have a camera surveillance system and an alarm system, protecting clients and staff and giving staff the ability to monitor the facility grounds. Historically the area surrounding their current facility has been quiet, and they do not anticipate that this will change with the new site. No additional neighborhood protections are anticipated.]
5. **Conformance with Other Requirements:** The development must conform to all other provisions of the UDO.
  - Parking: Further details regarding building occupancy/square footage by use results in the maximum number of off-street parking spaces to be increased from 27 spaces to 30 spaces. Staff recommends that parking space #26 be removed and made into greenspace, as the site has room available for the standard 15' parking setback to be met (even though it is located within the City Center district and would be allowed to have a reduced a setback if necessary). Space #26 could also prove to be a safety hazard with vehicles backing out of the space and other vehicles turning into the driveway. An additional space may be provided east of space #30. Currently, the parking lot doesn't have visible parking stall striping, however an aerial photo of the site from 2009 depicts there are 45 parking spaces. The reduction to 30 will be a significant improvement on this site and bring it into compliance with the maximum parking allowance.

- **Trash container/dumpster screening:** The initial site plan identified that the dumpsters in front of the building would be within an enclosure, however the current plan does not identify that there will be an enclosure to screen this area. The UDO requires all trash containers to be screened from view from the public right-of-way on all 4 sides, at least 1' above the height of the container. A dumpster enclosure must be constructed on the site, and elevations/details of the enclosure must be submitted to the Planning Department for review and approval prior to construction.
- **Lighting:** Two new 20' LED light poles are proposed along the boundary of the parking area and grass area. The fixtures proposed conform to the City's lighting standards as they are designed to have zero uplight and qualify as a Nighttime Friendly product (consistent with LEED and Green Globes criteria for eliminating wasteful uplight).
- **Storage container:** The existing storage container on the site is permitted for temporary use by Designer's Outlet, however must be removed from the site by June 1, 2018.
- **Other permits:** The applicant will need to obtain 1) a sign permit from the Planning Department prior to erecting signage on the site, 2) a right-of-way permit from the Public Works Department for work within the city right-of-way for the driveway work.

**Review Recommendation**

Staff recommends APPROVAL of the Amended Conditional Use Permit contingent on:

- Eliminate parking space #26 as depicted on the site plan and make it green space. A space may be provided east of space #30.
- A dumpster enclosure must be constructed on the site, and elevations/details of the enclosure must be submitted to the Planning Department for review and approval prior to construction
- The existing storage container on the site is permitted for temporary use by Designer's Outlet, however must be removed from the site by June 1, 2018.
- A bike rack must be installed on the site in conformance with the UDO.

Additionally, as a Public Hearing is scheduled for the proposed amendment to the Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The legal requirements of a Class 2 public hearing notice were followed, and letters were sent to property owners within 200 feet of the proposed Conditional Use Permit.

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

# 301 Ellis Avenue



January 19, 2018

- City Center (CC) Zoning
- Single- and Two-Family Residential (R-2) Zoning



City of Ashland Public Works Department, GIS Division  
 City of Ashland Public Works and Planning Department

Printed from City of Ashland GIS Web Mapping



803 Lake Shore Drive West  
 P.O. Box 636  
 Ashland, Wisconsin 54806  
 Tel (715) 682 - 0330  
 Fax (715) 682 - 4308  
 Toll-free 1-800-723-0451  
 E-mail: csdesign@ncis.net  
 www.csdesignengineering.com

January 16, 2018

April Kroner, Director of Planning and Development  
 City of Ashland  
 601 Main Street West  
 Ashland, WI 54806

**RE: New Day Advocacy Center – Amendment to Existing CUP**

Dear April,

Attached please find the Conditional Use Permit (CUP) Request application for the New Day Advocacy Center to be reviewed at the upcoming Planning Commission meeting on February 13, 2018 as an amendment to the previously issued CUP for this facility. This application is requesting amendment to the smoking enclosure location as noted on July 18, 2017 Planning Commission Staff Report and a variance on the fence height requirement for front yards.

An enclosed (secure) smoking shelter will be constructed on the east side of the building for use by the clients of the New Day Advocacy Center. Their privacy and safety are high priorities, given the nature of their circumstance for utilizing the Center. The smoking shelter was originally intended to be located on the west side of the building, but the site constraints did not allow for this positioning. The only available space for the smoking shelter is on the east side of the building. In order to comply with the building code this project was reviewed and approved under, this area cannot have solid structure walls or walls abutting the existing exterior wall of the building.

The enclosure will be constructed in a way that does not draw unnecessary attention to the aesthetics of the east façade. The smoking shelter will consist of a basic covered entry with posts and a flat roof; horizontal composite wood slats will be installed between the treated wood posts to create a visual screen between the users of the smoking shelter and the traffic passing by on the adjacent roadways. A secure gate will also be installed on the south side of the smoking shelter to be used for emergency egress. See the attached detail of the smoking enclosure for additional information.

The existing paved parking lot covers the entire open area to the east side of the building. This existing parking lot is in poor condition and will be replaced. A new green space (trees, shrubs, and grass) will be created in the northeast corner of the lot and will contain a fenced in playground area for use by the clients of the New Day Advocacy Center. As noted above, safety and privacy are of utmost importance. We are looking for an exception to the 4-foot height requirement for fencing in a front yard since there is no other area on the property to place the playground and the adjacent roadway is a main thoroughfare. A 6-foot high fence is preferred on three sides (north,

STEPHEN G. SCHRAUFNAGEL, AIA  
 Registered Architect, LEED® Accredited Professional  
 Certified Commercial Building Inspector  
 Registered Home Inspector

JESSE T. SAMARZIYA, PE  
 Professional Engineer

LAUREN E. DUCHARME, RA  
 Registered Architect  
 ICC Certified Building Inspector

TREVOR L. PROVOST  
 Building Designer

AMBER D. ERICKSEN, NCARB  
 Registered Architect

BRIANNA L. WERHANOWICZ  
 Interior Designer

MITCHELL A. TROMBERG  
 Building Designer

BRIAN J. HAGSTROM  
 Building Designer

east, and south) to create a safe place for outdoor play surrounded by a physical and visual barrier. The west side of the fenced playground enclosure would be 4 feet high with two gates. This would allow supervision of the playground area from the staff within the Center. Trees and shrubs will be planted using the guidelines set forth by the City of Ashland's UDO and Planning Commission.

Please review the attachments and let us know if you have any questions or required additional information.

Sincerely,

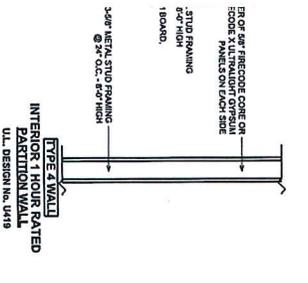
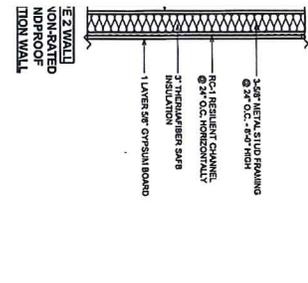
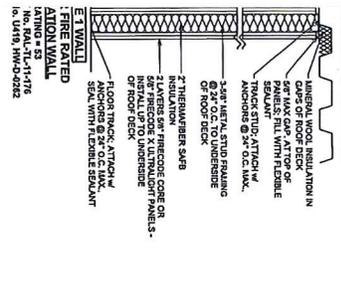
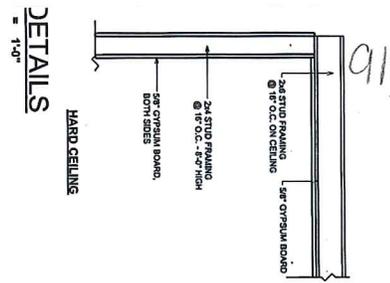
A handwritten signature in black ink, appearing to read 'Stephen G. Schraufnagel', written in a cursive style.

Stephen G. Schraufnagel, Architect  
LEED Accredited Professional

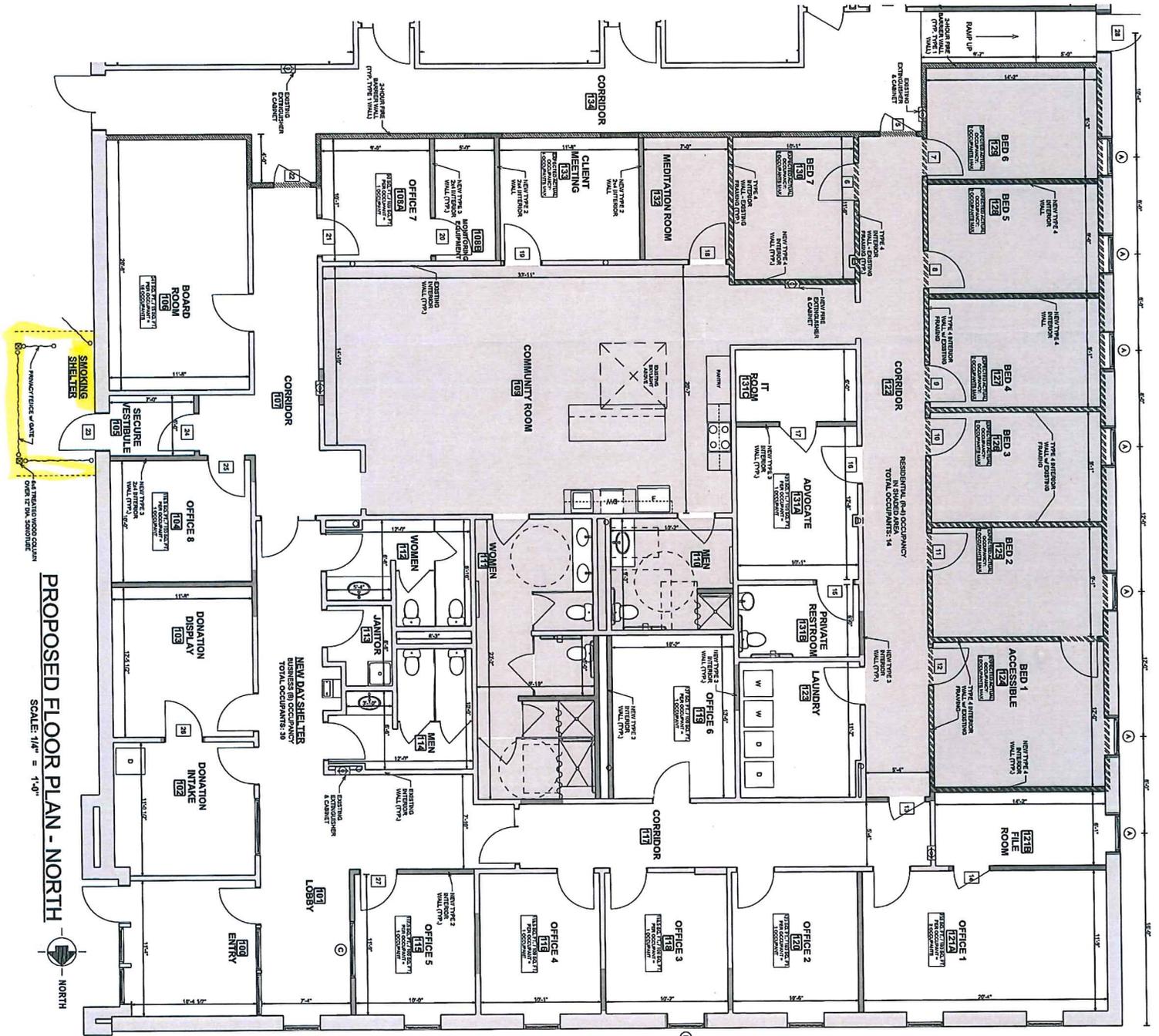
Enc.

Cc: Tom Potterton, Board President, New Day Advocacy Center (email)





1\"/>



PROPOSED FLOOR PLAN - NORTH  
SCALE: 1/4" = 1'-0"

PROPOSED BUILDING RENOVATION FOR:  
**NEW DAY ADVOCACY CENTER**  
 301 ELLIS AVENUE, ASHLAND, WI 54806  
**PROPOSED FLOOR PLAN - NORTH**

**CS Design & Engineering, Inc.**  
 803 Lake Shore Drive West  
 Ashland, Wisconsin 54806  
 Telephone (715) 682-0330  
 Fax (715) 682-4308  
 E-Mail: esdesign@ncis.net  
 www.csdesignengineering.com

APPROVED: \_\_\_\_\_  
 ARCHITECT

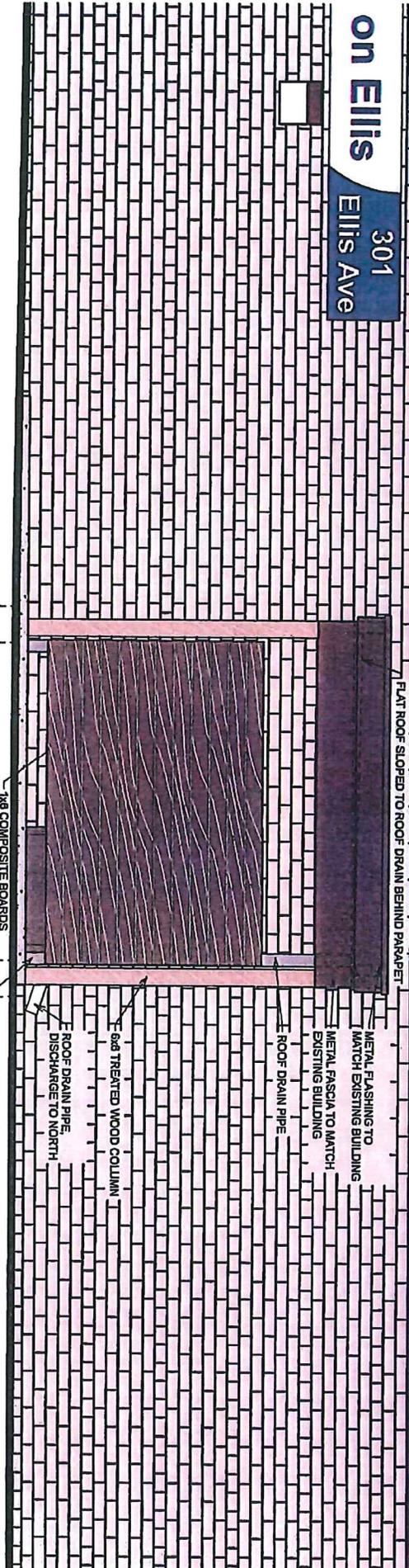
DESIGNED: S.G.S.  
 DRAWING: B.L.W.  
 SCALE: AS NOTED  
 DATE: NOVEMBER 2017

PROJECT NO.: 17-3140  
 SHEET NO.: A-5

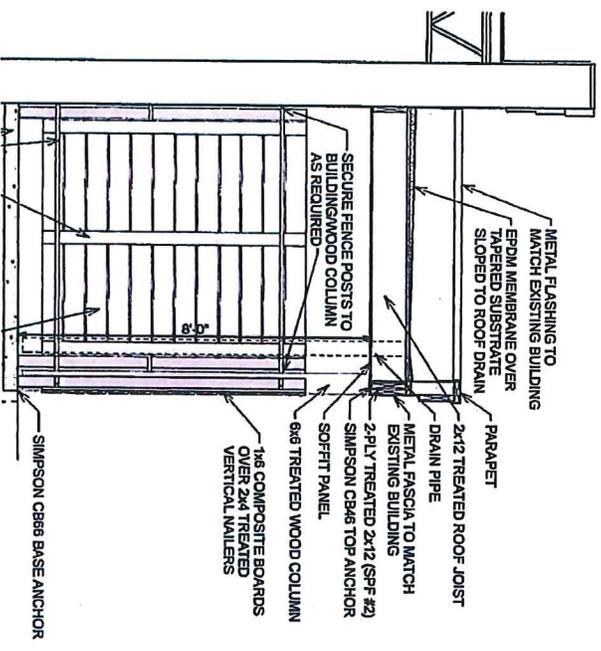
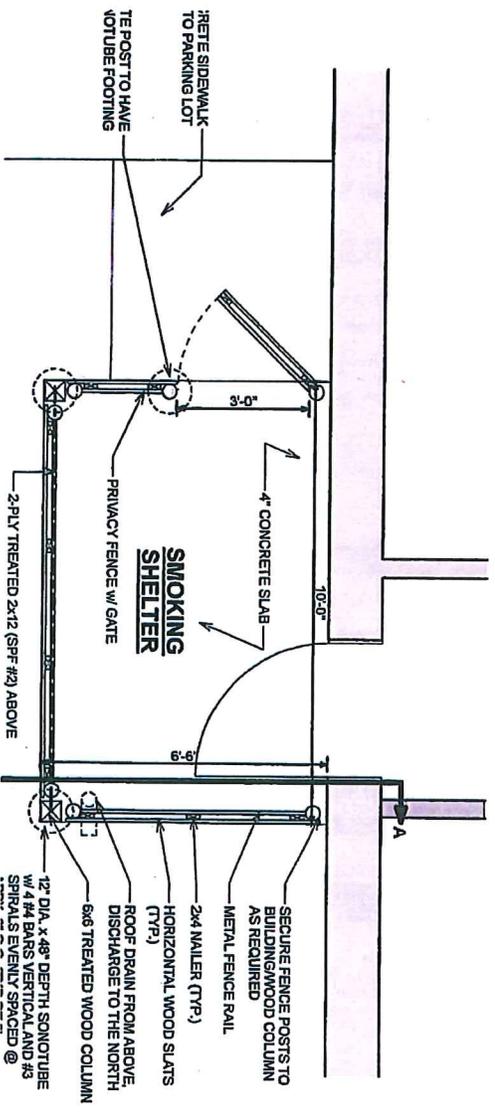
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on Ellis  
Ellis Ave  
301



ELEVATION



**New Day Shelter Parking Calculations**

**Emergency shelter:** 7 rooms  
1 per room for occupancy = 7 spaces

**Clinic (anesthesia):** 1 doctor  
5 spaces per primary care provider = 5 spaces

**Retail (designers outlet):** 1214 sq. ft  
1/250 sf GFA = 5 spaces

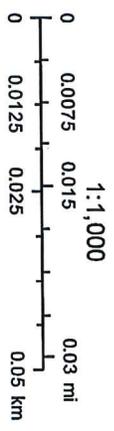
**Office (for shelter, counseling, and other?):** 3747 sq. ft  
1/300 sf GFA = 13 spaces

**Maximum Off-Street Parking Allowed: 30 spaces**

2009 Aerial of Subject Site, 301 Ellis Ave



February 2, 2018



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Plan Commission Meeting 2-6-18  
Public Hearing Comments\*

**Public Comment Period (non-agenda items and items not including a public hearing)**

Norm Engstrom, who worked on developing the bike plan, spoke in favor of the overall plan. He explained that there is currently no safe way to get to the hospital along Beaser Avenue as the road narrows considerably near the high school.

Dave Ullman, who also helped to develop the bike plan, voiced his support for the overall plan. He recognized that prioritization will need to occur as the entire plan cannot be implemented all at once. He recommended that 11<sup>th</sup> Street be prioritized as it is a primary corridor to the schools and is also quite wide so traffic tends to speed on this road. The addition of bike lanes here would be relatively easy due to its width and would also help to slow traffic.

Pete Olson, who also assisted with development of the bike plan, voiced his support for the plan and commended the Northland student Aidan Johan who created the plan.

**Public Hearing and Consideration to amend the Conditional Use Permit to allow an emergency residential facility at 301 Ellis Avenue, zoned City Center (CC). Applicant: New Day Shelter (Northwoods Women Inc.)**

Megan McBride went through the criteria of approval from the staff report and explained the amended conditions of approval.

No additional public comments.

*\*The Public Hearing notice was published with the legally required Class 2 notice for a Conditional Use Permit, and letters were sent to property owners within 200 feet*



# AGENDA BILL

Ref: 038

COMMITTEE AGENDA:  
COUNCIL AGENDA: 8E (02/13/2018)

**SUBJECT: Approval of Agreement by and Between the City of Ashland and Town of Sanborn for Fire Protection and Emergency Medical Services**

**RECOMMENDATION:** Approval of Contracts

---

**DEPARTMENT OF ORIGIN:** City Administrator

**DATE SUBMITTED:** February 7, 2018

**CLEARANCES:** City Administrator  
Mayor  
City Attorney  
Fire Chief

**EXHIBITS:** Sanborn Township Contract

**EXPENDITURES REQUIRED:** N/A

**AMOUNT BUDGETED:** N/A

**APPROPRIATION REQUIRED:** N/A

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

**COMPLIANCE WITH ORDINANCE 51:** The Mayor has authorized placement of this agenda item directly on the Council agenda due to timely action needed.

**STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:**

**RECOMMENDATION:** Approval of contract as presented.

**SUMMARY STATEMENT:** The City has been providing fire and ambulance (emergency medical) services to the City and several surrounding towns for some time. Currently, the City has contracts to provide firefighting services to the Towns of Gingles, Eileen, and Pilsen. The City is also contracted to provide ambulance services to the Towns of Gingles, Eileen, Pilsen, and White River. The City's contract with the Town of Sanborn expired on December 31, 2017.

Similar terms have been negotiated with the Town of Sanborn that are consistent with those established for those townships that have ten year agreements with the City: annual fee based on population served, and 1.5% fee increases from year to year.

The Town of Sanborn has approved the 2018 agreement with the City of Ashland to continue fire protection and emergency medical services through 2018. The City Administrator is recommending approval.

**AGREEMENT BY AND BETWEEN THE  
CITY OF ASHLAND  
AND  
TOWN OF SANBORN  
FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES**

**THIS AGREEMENT** by and between the City of Ashland, Ashland County, Wisconsin (hereafter referred to as "City") and the Town of Sanborn, Ashland County, Wisconsin (hereinafter referred to as "Town") is hereby made effective January 1, 2018.

**WITNESSETH:**

**WHEREAS**, the City has for its own use, equipment and staff to adequately provide fire protection and emergency medical services within the corporate limits of the City; and

**WHEREAS**, the Town, which is located within a close proximity to the City and is desirous of partnering with the City in providing its residents the fire protection services as required under Section 60.55, Wisconsin Statutes, and emergency medical services as required under Section 60.565, Wisconsin Statutes; and

**WHEREAS**, the City is willing to partner with the Town in providing such services on a basis of sharing the operating and capital expenses for fire protection services between the City and contracting municipalities.

**WHEREAS**, Section 66.03125, Wisconsin Statutes, permits such intergovernmental cooperative agreements to be entered into.

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties hereby agree as follows:

**ARTICLE 1  
DEFINITIONS**

1.1 Advisory Service Board shall mean a committee composed of one representative from each of the municipalities who have entered into either fire protection service or emergency medical service contracts with the City of Ashland for the purpose of meeting regularly with the Chief to discuss fire service or emergency medical service issues.

1.2 Chief shall mean the City of Ashland Fire and Ambulance Service department head.

**ARTICLE 2**  
**CITY COVENANTS**

2.1 Fire Protection Services to be Provided. The City agrees to make specified Fire Protection Services and Emergency Medical Services available to the Town that will include:

- a. Fire Suppression (Structural and Wildland);
- b. Fire Code Management (Semi-annual Fire Inspections of Department of Commerce categorized structures); and,
- c. Hazardous Material Release Spill Response.

2.2 Emergency Medical Services to be Provided. The City agrees to make specified Emergency Medical Services available to the Town that will include EMT – Paramedic.

2.3 Ambulance Service Charges. All users of emergency medical services (ambulance service) will receive an invoice for services rendered. The City agrees to charge bonafide residents of the jurisdictions under contract for emergency medical (ambulance) services the resident rate as established from time to time by the Ashland Common Council.

2.4 Transport. The City agrees to transport the sick and injured to a hospital based upon the decision of an Emergency Medical Technician (EMT) as determined by the patient’s condition, or as directed by a licensed physician under emergency conditions.

**ARTICLE 3**  
**TOWN COVENANTS**

3.1 Remitting of Payment for Services. The Town hereby covenants and agrees that it will:

- a. Remit payments to the City for fire protection services and emergency medical services in accordance with the terms of this Agreement; and
- b. Assign to the City the Town’s annual 2% dues allocation provided by the State for fire inspections no later than June 30<sup>th</sup> annually; and,
- c. Carry out its obligations as required by this Agreement.

**ARTICLE 4**  
**ADVISORY BOARD**

4.1 Advisory Board Established. There shall be an Advisory Service Board for the purpose of meeting with the Chief to discuss fire service and emergency medical service issues.

4.2 Membership. Each municipality who enters into an agreement with the City for fire protection service, emergency medical service, or both, shall designate no more than one representative to serve on the advisory board. The Town shall decide how its member to the Advisory Board will be selected. The Town has sole responsibility to inform the City of the current name, address, phone number and e-mail address (if available) of its representative to the advisory board.

4.3 Meetings. At a minimum, the Advisory Board will meet annually to discuss issues brought to the Chief's attention.

**ARTICLE 5**  
**TERM, RENEWAL, & TERMINATION**

5.1 Term. The term of this Agreement shall be for a period of one year commencing at 12:01 a.m. on January 1, 2018 and terminating at midnight on December 31, 2018.

5.2 Renewal. In the event that this contract continues for a one year time period, the annual charge for fire services and emergency services will be increased by 1.5% above the 2018 annual payment rate noted in section 6.1.

5.3 Termination. The City of Ashland understands that this agreement covers only a one (1) year term. However, if it is the Town of Sanborn determines that a continuation of a contractual arrangement will not go beyond the one (1) year term covered in this agreement, the City of Ashland would like written notification at least three (3) months in advance describing the Town of Sanborn's intent to either extend the agreement beyond 2018 or terminate this agreement on December 31, 2018.

**ARTICLE 6**  
**ANNUAL PAYMENT**

6.1. Annual Fire Service and Emergency Medical Services Charges. The annual charges to be paid by the Town for fire services and emergency medical services are as follows:

2018 Contract Year - \$ 133,093

6.2 Annual Payments to the City. All payments owed the City by the Town for fire services and emergency medical services, as provided for in Section 6.1 above, shall be due and payable to the City in two equal installments. The first installment shall be payable no later than January 31<sup>st</sup> annually. The second payment shall be payable no later than July 31<sup>st</sup> annually. Payments received after the specified date(s) shall be subject to a "late fee" penalty of \$50.00 per day for up to 10 days and \$100.00 per day for every day thereafter.

6.3. EMS Invoices. In addition to the service fee provided for in Section 6.1 above, those Town residents using the emergency medical service shall receive an invoice for services rendered by the City. Said billing shall be comprised of the base ambulance rate (Basic Life Support or Advanced Life Support) and miscellaneous supplies used to provide necessary patient care to the user. Specialized services such as motor vehicle extrication, silo extrication, search and rescue, or any other service provided by the Ashland Fire Department shall be billed to the patient/responsible party.

**ARTICLE 7**  
**EQUIPMENT PURCHASES**

7.1 Equipment Title. The City is solely responsible for all capital expenditures undertaken for the purchase of vehicles, buildings, and or land required to render the services described herein are the property of the City. Such assets, whether acquired before or during the contract term, will remain the property of the City in the event of termination, expiration, or non-renewal of this Agreement.

**ARTICLE 8**  
**MUTUAL AID AND OTHER PAYMENTS**

8.1 Mutual Aid Reimbursement. It is understood that this Agreement does not provide for the payment of mutual aid assistance by the City for area or regional responses to incidents within the Town outside the scope of this Agreement. In the event that an emergency service not party to any applicable local mutual aid agreement is called into the Town and desires to be reimbursed for providing mutual aid, hazardous material cleanup or containment, search and rescue services, or some other emergency services qualifying under Wisconsin Statute for mutual aid reimbursement, the Town agrees to be solely responsible for the payment of such services.

8.2 Right to Reimbursement. The Town assigns to the City, its right to reimbursement for costs incurred in responding to a fire call on a county trunk or state trunk highway pursuant to Section 60.557, Wisconsin Statutes.

**ARTICLE 9**  
**REPRESENTATIONS OF SERVICE**

9.1 Effectiveness of Municipal Service. It is understood by both parties that the City does not, by this Agreement, make any representations as to the effectiveness of its equipment or personnel in performing the services hereby contracted for, and that said services have been offered at the request of the Town as a substitution for the Town furnishing its own services.

- 9.2 Access. It is understood by all parties that there shall be no expectation of service if:
- a. Road conditions do not permit safe travel or access by emergency vehicles;
  - b. Weather conditions do not permit the passage of emergency vehicles;
  - c. Properties are not properly signed with fire numbers; or if,
  - d. Driveways and private roads:
    - 1. Are not configured to a proper width to permit passage by emergency vehicles;
    - 2. Do not have necessary clearances for passage of emergency vehicles;
    - 3. Do not have supporting structures such as bridges or culverts of satisfactory strength to support passage of emergency vehicles;
    - 4. Are not provided with turnarounds; or,
    - 5. Are not maintained in a proper condition to provide for the safe passage or maneuvering of emergency vehicles.

11.5 Notices of Claim, Complaints. If either party receives a notice of claim or is served with a summons and complaint for any act or omission arising from this Agreement, the party shall forthwith provide a copy to the other party. This provision is meant to provide information to both parties about any pending claim and does not relieve any third party of its obligation to properly serve any notice or legal process on a party of its obligation to properly serve any notice or legal process on a party believed by the third party to bear liability for any act or omission.

11.6 Notices. Any notice required or allowed to be given under this Agreement by one party to the other shall be addressed to the Clerk at the Ashland City Hall, 601 W. Main Street, Ashland, Wisconsin 54806, or to the Town Clerk at the address of record.

11.7 Other Cooperative Efforts. The City of Ashland and the Bad River Ambulance Service are committed to working cooperatively to develop a mentorship program whereby City of Ashland staff will assist with the development of Bad River EMS staff during the startup of the Bad River Ambulance Service. In addition, both parties mutually agree that the development of a billing agreement that considers the combined and individual efforts of the City of Ashland and Bad River Ambulance Service that is mutually beneficial is in the best interest of all concerned. To that end, the City of Ashland and Bad River EMS agree to develop an addendum to this Agreement no later than January 31, 2017 to include a mentorship program and intercept agreement.

IN WITNESS WHEREOF, THE TOWN OF SANBORN has caused this agreement to be signed by Chris Selens, its Chairman and attested to by Janice Anderson, its Town Clerk this 6th day of February, 2018.

Chris Selens  
Chairman

Janice Anderson  
Town Clerk

IN WITNESS WHEREOF, THE CITY OF ASHLAND has caused this agreement to be signed by Debra S. Lewis, its Mayor and attested to by Janice Anderson, its City Clerk, and Barbara Clement, its comptroller, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Debra S. Lewis  
Mayor

\_\_\_\_\_  
Denise Oliphant  
City Clerk

9.3 Road Access Plans. The Town agrees to develop road maintenance/access plans to insure passage by emergency vehicles.

9.4 Multiple Calls. In the event an emergency occurs in the City or in another contracting municipality while the City is dispatched to respond to an emergency in the Town, it may be necessary for the City to issue a call for mutual aid and/or removal or reallocation of selected equipment and personnel from the scene in the Town. Such determination to remove or reallocate equipment shall be made by the Fire Chief, Incident Commander, Dispatcher, or other individual assigned responsibility for the response.

**ARTICLE 10**  
**ADDRESSES & SIGNAGE**

10.1. Addresses & Signage. All areas of the Town shall be adequately addressed and all streets and roads adequately signed. Ten (10) complete and accurate lists showing fire numbers, streets and roads and property owners and water supply points shall be provided to the City prior to the effective date of this Agreement. Said lists shall be prepared and updated annually at the Town's expense.

10.2 Property Notifications. The Town is requested to notify its property owners annually of the necessity of providing proper driveway and roadway clearances for access of emergency vehicles. Such notification is intended to make property owners aware that emergency responses will be hampered if equipment cannot travel rural driveways to gain access to building sites.

**ARTICLE 11**  
**MISCELLANEOUS**

11.1 Amendments. Neither this Agreement nor any of the terms, covenants, or conditions herein may be modified or amended except by an agreement in writing approved and executed by the governing boards of all of the parties.

11.2. Indemnity. The Town hereby agrees to indemnify and hold the City harmless from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, judgments costs and expenses (including, but not limited to, reasonable attorney's fees) imposed upon, incurred by or, asserted against the City during or with respect to the term hereof, arising from any act or omission of the City under this Agreement or from any failure of the City to duly and fully perform or comply with any of all the terms of this Agreement.

11.3 Severability. If any term, covenant or condition of the Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or enforceable under applicable law, then the remainder of the Agreement shall not be affected.

11.4 Construction. The headings of the paragraphs and subparagraphs of this Agreement are for convenience only and shall in no way affect the construction or effect on any of the terms, covenants, or conditions hereof.

---

Mary Garness  
City Administrator

Approved as to form:

---

Barbara Clement  
Comptroller

---

David J. Siegler  
City Attorney