

1. Packet

Documents:

[MAY 29, 2018 COUNCIL PACKET.PDF](#)

2. Supporting Meeting Documents

Documents:

[MAY 29, 2018 COUNCIL PACKET ATTACHMENTS.PDF](#)

ASHLAND CITY COUNCIL MEETING
Tuesday, May 29, 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 May 8, 2018 Council and Committee of the Whole Meetings, and Correction to the March 27, 2018 Council Meeting and March 13, 2018 Committee of the Whole Meeting **(Voice)**

4. CITIZEN PARTICIPATION PERIOD (Clerk reads rules prior to public comments)

5. MAYOR'S REPORT

- A. Update Regarding Council Retreat
- B. Appointments

Historic Preservation

Richard Peterson, Citizen Rep.
Magge Ericson, Citizen Rep.

Term Expires: April 1, 2021
Term Expires: April 1, 2021

Board of Zoning Appeals

John Beirl
Brandon Hofstedt
Betty Harnisch, First Alternate:

Term Expires: July 13, 2021
Term Expires: July 13, 2021
Term Expires: July 13, 2021

6. CONSENT AGENDA *(Includes items that were unanimously approved by Committee of the Whole)*
(Voice)

- A. Operator's Licenses
- B. Miscellaneous Minutes
- C. Approve the Ordinance to Amend Chapter 28 (1313), Ashland City Ordinances, Duties and Responsibilities of City Administrator

7. New Business

- A. Presentation, Discussion and Possible Action Regarding City of Ashland Economic Development Strategic Plan by Kevin Stranberg *(Mayor)*

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- B.** Approve a One Year Contract Term with Attorney Tyler W. Wickman of Dallenbach, Anich & Wickman, S.C. for City Attorney Legal Services Effective May 26, 2018 (*Mayor*) **Roll**
- C.** Approve to Accept a Grant from Wisconsin Coastal Management for the City of Ashland: Update of the Waterfront Development and Comprehensive Outdoor Recreation Plans (*Parks & Rec*) **Voice**
- D.** Approve a Contract with Lowest Responsible Bidder for Beaser Avenue Median Replacement and Road Construction Project (*Public Works*) **Roll**
- E.** Approve to Purchase a 2019 Western Star Tandem Axle Chassis from U.P. Truck Center, Inc. and a Tandem Dump Box to Fit the Chassis from Universal Truck Equipment, Inc. (*Public Works*) **Roll**
- F.** Approve a Resolution to Acknowledge Review of the 2017 Compliance Maintenance Annual Report (CMAR) of the Ashland Wastewater Utility Pursuant to the Requirements of NR 208, Wisconsin Administrative Code (*Public Works*) **Voice**
- G.** Approve a Three and One-Half Year Contract with Northwest Regional Planning Commission (NWRPC) for Administration of the City of Ashland’s Community Development Block Grant (CDBG) Housing Rehabilitation Revolving Loan Fund (RLF) Program, Effective 6/1/18 (*Planning & Development*) **Roll**
- H.** Approve an Easement Agreement for Illick Holding’s, LLC (aka Carlson Building Supply) for the Benefit of Parcel No. 201-01997-000 (*Plan & Development*) **Voice**
- I.** Approve a Non-Exclusive, Temporary, Tower Attachment Lease Agreement with Norvado (*Plan & Development*) **Voice**
- J.** Approve a Resolution to Approve a Conditional Use Permit for the Construction of an Eight Foot Tall Fence at Beaser Park in the Public Park (PP) District, Parcel #201-00565-0000, Applicant: City of Ashland Parks and Recreation Department (*Plan & Development*) **Voice**

8. ADJOURNMENT

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

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

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PRESENT: Holly George, Richard Ketring (arrived at 6:20), Sarah Adams, Kate Ullman, Ana Tochterman, David Mettill, Kevin Haas, Charles Ortman, Elizabeth Franek, Dick Pufall, Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Attorney David Siegler, City Clerk Denise Oliphant, Public Works Interim Director Jim Struck, Parks and Recreation Director Sara Hudson, Human Resources Director Jan Anderson, 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.

Agenda Item 2: Approval of Agenda

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

Agenda Item 3: Approval of Minutes of the April 17, 2018 and May 1, 2018 Council Meetings

George moved, Haas seconded a motion to approve the minutes of the April 17, 2018 and May 1, 2018 Council meetings. The motion carried unanimously by voice vote.

Agenda Item 4: Citizen Participation Period

No citizens wished to speak.

Agenda Item 5: Mayor's Report

Mayor Lewis asked for Councilors to sign up for the Local Government 101 presentation to be held on May 15, 2018. The Council retreat date scheduled for May 24, 2018 will be postponed to a date yet to be determined in June. Lewis recently attended a League of Municipalities meeting and will summarize and forward updated legislation to Council. She will also be preparing and forwarding information to Council regarding the Dark Store issue of which the City of Ashland did receive notification of a legal action filed by Wal-Mart Real Estate Business Trust. Lewis introduced Jim Struck who will be filling in as Interim Public Works Director while Sharon Campbell is on medical leave. Jim served as Public Works Director from 1995 to 2005. Lewis thanked retiring City Attorney David Siegler for his service over the past five years as this would be his final City Council meeting. Lewis finally thanked the Council members for their dedication and commitment during the recent difficult grievance process at the May 1, 2018 special meeting.

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Agenda Item 5A: Appointments

Disabled Parking Enforcement Assistance Council
Cheryl Wiezorek, Term expires: August 11, 2020

Police and Fire Commission
Sara Lehr, Term expires: May 1, 2023

Board of Review
David Mettillie, Term expires: June 10, 2021
Jeff Beirl, Term expires: June 10, 2023

Economic Development-RLF Advisory Board
Kate Ullman, Council Rep., Term expires: April 15, 2021

Municipal Library Board
Clarence Campbell, Ashland County Rep., Term expires: April 30, 2021

Moore moved, George seconded a motion to approve the Mayor’s appointments. The motion carried 10-1 by voice vote; Pufall opposed.

Agenda Item 6: Consent Agenda

Agenda Item 6A: Operator’s Licenses
Aaron R. Bruney, Alexis R. Peetz

Agenda Item 6B: Miscellaneous Minutes

Agenda Item 6C: Planning and Development Report – April, 2018

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

Agenda Item 7: New Business

Agenda Item 7A: Approve License Applications for Alcohol Beverages (Including New Officers), Arcade, Recycling/Junk Dealers, Pawn Broker, Taxicab, and Mobile Home Parks (Clerk)

The City issues Alcohol Beverage, arcade, recycling/junk dealer, pawnbroker, taxicab, and mobile home park licenses. The premises are inspected by the Building Inspector, the Fire Department and the Police Department, if applicable. Per Chapter 923 of Ashland City Ordinances, all licensees are required to be current on property taxes and other billings from the City (fines, utility bills, taxes, fees, etc.)

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Also, Council approval was requested for the following new officers which were approved by the Police Department:

- Indianhead Oil Co., LLC – New Officer Christine Anagnostou (effective immediately)
- Midland Services, Inc. – New Officer Gregory Massoglia (effective immediately)
- CJ White, Inc. – New Officer Jessica Whiteaker (effective immediately)

It was recommended to approve the new officers as noted and all licenses upon satisfactory compliance with contingencies being met.

LIST OF VARIOUS LIQUOR AND FERMENTED MALT BEVERAGE LICENSE APPLICATIONS FOR JULY 1, 2018 – JUNE 30, 2019

Class B Combination License (“Class B” Liquor & Class “B” Fermented Malt Beverage)

<u>NAME</u>	<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Ashland Baking Company, Inc.	Black Cat Coffeehouse	211 Chapple Ave.
Bay Area Civic Center, Inc.	Bay Area Civic Center (BACC)	320 4th Ave. W.
Besuga Taverns, Inc.	Harbor Bar	1222 Lake Shore Drive E.
Chequamegon Hotel Corp LLC	Hotel Chequamegon	101 W. Lake Shore Drive
CJ White, Inc.	Niblick Bar & Grill	3000 Golf Course Road (CONTINGENT upon payment of outstanding utilities and 2017 Personal Property Taxes)
Compass Group USA, Inc.	Chartwells	Ponzio Campus Center, 1411 Ellis
DOS DE ORO, LLC	El Dorado	2320 Lake Shore Drive West
E Triple J, Inc.	Neighborly Bar	1301 W. Main Street
FHF Services, LLC	Freehands Lakeside	2521 Lake Shore Drive West (CONTINGENT upon payment of 2017 Personal Property Taxes and 1st Quarter 2018 Accommodations Tax)
Hanson, Bradley Alan	The 5th Quarter	301 Main St. E.

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HPL, LLC	HPL	116 14 th Avenue East
Hugo's, Inc.	Hugo's	221 Sanborn Avenue
J & P King Family Enterprises, Inc.	Mugs	515 Main Street East
JCDOC LLC	The Safari	423 Main Street East
Monroe, Jr., James Smith	Office Bar	407 Main St. W.
New China Restaurant, Inc.	New China Restaurant	300 W. Lake Shore Drive
NRS Enterprises of Ashland LLC	Stagecoach Bar & Grill	315 Main Street East
Pizza Pub of Ashland, Inc.	The Pizza Pub	1402 East Lake Shore Drive
Scott & Ar's, LLC	Scott & Ar's	612-614 Main St. W.
Scribner, Todd Michael	Oredocker Saloon	1104 Lake Shore Drive East
Second Street Bistro LLC	Second Street Bistro	201 Main Street East
The Deepwater LLC	Wilmarth's Deep Water Grille	808 West Main Street
Vintage Platter, Inc.	The Platter	315 Turner Road
Zenith Asset Company, LLC	AmericInn	3009 N. Lake Shore Drive E.

Class A Combination License ("Class A" Liquor & Class "A" Fermented Malt Beverage)

Dionysus LLC	Star Liquor	821 Main St. W.
KRPS, Inc.	Super H Foods	511 East Main Street
Super One Liquor, LLC	Super One Liquor #805	505 Ellis Avenue

"Class A" Intoxicating Liquor (Cider Only) License

ABP, Inc.	6th Street Market	1413 6th St. W.
Chequamegon Food Cooperative	Chequamegon Food Cooperative	700 Main Street West
Coffey, Inc.	Lake Shore Holiday	915 Lake Shore Drive West
Indianhead Oil Co., LLC	Holiday Station Store #459	110 Ellis Avenue

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Krist Oil Company	Krist Food Mart #65	521 Lake Shore Drive E.
Kwik Trip, Inc.	Kwik Trip 163	515 Ellis Avenue
Kwik Trip, Inc.	Kwik Trip 118	2300 Lake Shore Drive East
Kwik Trip, Inc.	Kwik Trip 110	1814 Lake Shore Drive West
Midland Services, Inc.	Midland Services, Inc.	411 Sanborn Avenue
Wagner Ashland Shell, LLC	Ashland Shell	810 Lake Shore Drive West

Class "B" Fermented Malt Beverage

Frankies Pizza LLC	Frankie's Pizza	1315 Lake Shore Drive E.
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"Class C" Wine License

Frankies Pizza LLC	Frankie's Pizza	1315 Lake Shore Drive E.
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Class "A" Retail - Fermented Malt Beverage License

ABP, Inc.	6th Street Market	1413 6th St. W.
Chequamegon Food Cooperative	Chequamegon Food Cooperative	700 Main Street West
Coffey, Inc.	Lake Shore Holiday	915 Lake Shore Drive West
Indianhead Oil Co., LLC	Holiday Station Store #459	110 Ellis Avenue
Krist Oil Co.	Krist Food Mart #65	521 Lake Shore Drive E.
Kwik Trip, Inc.	Kwik Trip 163	515 Ellis Avenue
Kwik Trip, Inc.	Kwik Trip 118	2300 Lake Shore Drive East
Kwik Trip, Inc.	Kwik Trip 110	1814 Lake Shore Drive West
Midland Services, Inc.	Midland Services, Inc.	411 Sanborn Avenue
River Rock Inn and Bait Shop LLC	River Rock Inn and Bait Shop	1200 West Lake Shore Drive
Wagner Ashland Shell, LLC	Ashland Shell	810 Lake Shore Drive West

Arcade License

National Entertainment Network, LLC, 2500 E. Lake Shore Drive
(They have a space at the Wal-Mart store for their machines for the arcade)

Junk Dealers License

Chicago Iron & Supplies, 701 22nd Avenue East

C.W.O. Auto & Scrap Removal, LLC, 2805 Holmes Road & 202 Prentice Ave.

CONTINGENT upon: .Payment of 2017 Personal Property Taxes for 2805 Holmes Road
. Payment of 2017 Personal Property and Real Estate Taxes
and 2016 Real Estate Taxes for 202 Prentice Avenue

Eagle Waste & Recycling, Inc. 405 Industrial Park Road

Waste Management, 600 Industrial Park Road

Mobile Home Park License

Fernco Development Ltd, Lenco Development Ltd and Norco Development Ltd. for Kenwood Terrace & Whispering Pines

Pawnbroker License

Bay Area Pawn, Inc. (Frank Kostka), 421 West Lake Shore Drive

Taxicab License

Sarah Bowker & Jamie Nelson (dba Ashland Drives Taxi), 522 Willis Avenue

Franek moved, Ullman seconded a motion to approve the license applications for alcohol beverages (including new officers), arcade, recycling/junk dealers, pawn broker, taxicab, and mobile home parks upon contingencies being met. The motion carried unanimously by voice vote.

Agenda Item 7B: Approve the Ice/Water Rescue Vehicle (“Ice Angel”) Agreement Between the Ashland Fire Department and Ashland County (Mayor)

By Wisconsin Statute, Ashland County is responsible for providing rescue/recovery services and costs associated therewith on all lakes, rivers, creeks and streams within its boundaries. The City of Ashland has the trained personnel capable of carrying out these functions. Ashland County has made available to the City the “Ice Angel” rescue vessel and trailer.

In May of 2017, Ashland County gave the City of Ashland written Notice of Termination of the 2003 Ice/Water Rescue Agreement with the intent of entering into a new agreement with the City of Ashland, Ashland County, and Bayfield County. After several months of negotiation, it was agreed that Ashland

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County would contract separately with the City of Ashland to continue to provide services for Ice Angel rescue operations and for financial support from Bayfield County towards maintenance and repairs.

Within the agreement, it is stated that Ashland County will contribute \$5,000 annually to help cover costs of the Ice Angel operations and maintenance. If expenses exceed this amount, additional monies will be made available by each County to cover the costs as outlined in the agreement.

The City Administration and Fire Department requested Council to approve this agreement between the City of Ashland and Ashland County.

Lewis made a clarification that it was cleaner to have a separate agreement between the City of Ashland and Ashland County, and between Ashland County and Bayfield County.

George moved, Haas seconded a motion to approve the Ice/Water Rescue Vehicle ("Ice Angel") agreement between the Ashland Fire Department and Ashland County. The motion carried unanimously by voice vote.

Agenda Item 7C: Approve and Award Bid for Crushed Aggregate to Angelo Luppino, Inc. (Public Works)

The Public Works Department advertised bids for 4000 tons of crushed aggregate for annual roadway maintenance and 100 tons of dry crushed aggregate. The bids include furnishing and delivering 4000 tons of aggregate for the Public Works stockpile and 100 tons of dry aggregate to store in the new salt shed for use in the winter. This aggregate will be used over the course of the year on city alleys, utility street cuts and miscellaneous job sites.

Bidder	Bid Amount /Ton	Total Bid Amount (4000 Ton)
Angelo Luppino, Inc.	4000 Ton \$10.33	\$41,320.00
	100 Ton \$12.33	1,233.00
Mika Construction & Transportation	4000 Ton \$12.50	\$50,000.00
	100 Ton \$12.50	1,250.00
KV Tech Construction	4000 Ton \$15.80	\$63,200.00
	100 Ton \$15.95	1,595.00
Milestone Materials	4000 Ton \$12.27	\$49,080.00
	100 Ton \$12.27	1,227.00

The Public Works Department recommended awarding Angelo Luppino, Inc. the contract.

George moved, Moore seconded a motion to approve to award the bid for crushed aggregate to Angelo Luppino, Inc. for the amount of \$42,553 to be funded through the operations and maintenance budget. The motion carried unanimously by roll call vote.

Agenda Item 7D: Approve of Bid Award to Ashland Construction, Inc. for the Main Street East and 14th Avenue East Resurfacing and Utility Replacement Project (Public Works)

Four bids were received and opened on April 26, 2018, for the Main Street East and 14th Avenue East Resurfacing and Utility Replacement project. The project limits along Main Street are 11th Avenue East to 14th Avenue East and along 14th Avenue East from Main Street to U.S.H. 2.

The project bid specifications consisted of the following work:

Main Street – Replace water main and sanitary sewer underground pipe crossings; Saw and remove concrete surface; Installing compacted gravel base; Asphalt paving.

14th Avenue – Replace water main and water services from Main Street to U.S.H. 2; Saw and remove concrete pavement; Installing compacted gravel base; Asphalt paving.

Storm Sewer – Install new 8" storm sewer pipe from the ravine at Main Street and 16th Avenue East to outfall location at north end of 16th Avenue East. The new pipe will be installed by horizontal directional bore method (trenchless) from Main Street to the outfall location so there will be no road disturbance or road repair required.

Alternate Bid 1 – Main Street East Mill and Overlay 14th Avenue East to 16th Avenue East

Bid Alternate 1 for mill and overlay of Main Street between 14th Avenue East and 16th Avenue East was not recommended for approval due to insufficient available funding.

It was recommended from the Department of Public Works to accept the low bid from Ashland Construction, Inc. for Base Bid 1A and Base Bid 1B.

Franek moved, George seconded a motion to approve to award the bid for the Main Street East and 14th Avenue East Resurfacing and Utility Replacement Project to Ashland Construction, Inc. for the amount of \$594,663.89 to be funded through Funds 470, 680, 690, Engineering/GIS General Fund, and LRIP funding. The motion carried unanimously by roll call vote.

Agenda Item 7E: Approval for Public Works Staff to Perform Work in Accordance with Chapter 194.05 for the City of Ashland Waterfront Trail Repair Project, 2017-18 (Public Works)

The City received a grant to repair washed out areas of the shoreline along Lake Superior from the October, 2017 storm. The City was soliciting bids for the heavy rip rap for the project with the intent City staff would perform the work needed for placement of the heavy rip rap along the shoreline. (Agenda item 7I deals with the bidding for this project.) A class 1 notice had been published of the intended construction.

In accordance with Chapter 194.05 (d) by a vote of three-fourths of the members-elect of the City Council, they could approve the work to be completed by Public Works.

Ortman moved, Ketring seconded a motion to approve Public Works staff to perform work in accordance with Chapter 194.05 for the City of Ashland Waterfront Trail Repair Project, 2017-2018. The motion carried unanimously by voice vote.

Agenda Item 7F: Approval of Contract with Northwoods Paving Co. and for the Public Works Staff to Perform Work in Accordance with Chapter 194.05 for Roadway Repair on North Ellis Avenue (Public Works)

In February, 2018, a water main break occurred on North Ellis Avenue adjacent to the Hotel Chequamegon that resulted in a large washout of the roadway. The water main was repaired and one lane of traffic was left open. This was acceptable during the winter months but must be opened to accommodate Marina traffic and traffic from the Superfund site.

The project consisted of repairing the curb that was damaged and repair the large washed out area and then pulverize the entire roadway from U.S.H. 2 to the waterfront trail. The project fell below the competitive bidding requirement of \$25,000. There were only two paving contractors in the area and both Northwoods Paving Co. and Angelo Luppino, Inc. were solicited. The Mayor, acting in the absence of the City Administrator, approved soliciting for bids and not advertising for this project. A class 1 notice was published of the intended construction and a report of all expenditures would be presented to the City Council at a later date.

The Public Works Department recommended entering into a contract with Northwoods Paving Co. to resurface the roadway and recommended the City Council, per Chapter 194.05, approve Public Works staff to complete the project.

George moved, Franek seconded a motion to approve the contract with Northwoods Paving Co. for the amount of \$22,995.00 to be funded through Funds 680, 100, and 470, and for the Public Works staff to perform work in accordance with Chapter 194.05 for roadway repair on North Ellis Avenue. The motion carried unanimously by voice vote.

Agenda Item 7G: Approve a Resolution to Implement an Outdoor Fitness Court at Bayview Park (Parks and Recreation)

The City of Ashland was approached by the National Fitness Campaign about its interest in obtaining a Fitness Court for the City of Ashland. The National Fitness Campaign was seeking another Wisconsin community to install a Fitness Court and Ashland met the criteria. Janesville is the other Wisconsin community to get a Fitness Court.

The Fitness Court would be located at Bayview Park, north of the main parking lot. The City would work with the National Fitness Campaign to create promotion materials for sponsorships. The National Fitness Campaign was aware that the City does not have any money to put towards this project; all funding must come from local sponsors.

The Parks and Recreation Committee requested approval by Council to implement an outdoor fitness court at the Bayview Park location.

George moved, Haas seconded a motion to approve the Resolution to implement an outdoor fitness court at Bayview Park. The motion carried unanimously by voice vote. **(File #17436)**

Agenda Item 7H: Approve a Resolution for the Wisconsin Department of Natural Resources Outdoor Recreation Grant Application for the Ashland Rails to Trail System Waterfront Trail Repair (Parks and Recreation)

The City of Ashland requested assistance from the Wisconsin Department of Natural Resources Stewardship Fund, Federal Land and Water Conservation Fund, and Recreational Trails Grant Programs for the Ashland Rails to Trail System repair.

Funds from the Stewardship grant and Land and Water Conservation grant would be used for the repair of the Waterfront Trail to either purchase blasted rock for shoreline revetment and/or repaving of the trail. After the October 27, 2017 storm, five areas along the City shoreline and Waterfront Trail were affected by the storm.

These areas are:

- Maslowski Beach to Sanborn Avenue/US HWY 2 (~2000' of shoreline affected)
- Hot Pond (~ 200' of shoreline affected)
- Kreher Park (~ 480' of shoreline affected)
- Ore Dock to Boat Houses (~ 80' of shoreline affected)
- City Water Utility (~ 50' of shoreline affected)

This was a 50/50 Match grant. The City would be responsible for a \$50,000 match in the form of labor, cash, donations, etc. A match for this grant would be coming from a \$25,000 donation already made to the City and WisDOT TAP funding.

Ortman moved, Ketring seconded a motion to approve a Resolution for the Wisconsin Department of Natural Resources Outdoor Recreation Grant application for the Ashland Rails to Trail System Waterfront Trail repair. The motion carried unanimously by voice vote. **(File #17437)**

Agenda Item 7I: Approval for the City Staff to Enter Into a Contract With a Qualified Firm for the Purchase of Heavy Riprap to Repair the Lake Superior Shoreline from Maslowski Beach to Sanborn Avenue/State Highway 112 (Parks and Recreation)

City staff asked a special request of the Common Council to approve the City entering into a contract with the lowest bidder for heavy riprap to repair the Lake Superior shoreline along the Waterfront trail from

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Maslowski Beach to Sanborn Avenue/ State Highway 112 without knowing the name of the lowest bidder before approval.

City staff asked this request due to the timeliness of the project. The City was receiving 1000 tons of heavy riprap from Ashland County to repair the shoreline in the right-of-way from Freehands Lakeside to the East. Since the City would be on site to place this rock, the City would like to repair additional portions of the trail by using the grant funds from a WDNR Recreational Trails grant to purchase no more than \$74,000 worth of extra heavy riprap for the trail repair. The City estimated this amount of rock would cover repairs to the shoreline in the right-of-way from Freehands Lakeside to Sanborn Avenue/State Hwy 112. The above dollar amount comes from the grant award.

This project was considered a public construction project and a Class 2 Notice must be published and Federal Procurement requirements must be followed. Bids can be opened no earlier than May 16 and Council would not vote on this item until May 29, putting this project two weeks behind schedule and delaying the opening of the lakefront trail into the summer season.

If given approval to this request, City staff would update Common Council at the May 29 meeting about the contracted bidder and the status of the project.

Ortman moved, Ketring seconded a motion to enter into a contract with a qualified firm for the purchase of heavy riprap to repair the Lake Superior shoreline from Maslowski Beach to Sanborn Avenue/State Highway 112 in the amount of \$87,200 to be funded through Fund 453 and a Wisconsin DNR grant. The motion carried 10-1 by voice vote; Pufall opposed.

Agenda Item 7J: Approval to Retroactively Waive the Advertising Requirements in City Ordinance 194.04 and Approve Solicitation of Bids for the Design and Engineering Documents for the City Dock, Still Accept the Proposal From SmithGroupJJR/Westbrook, and Enter into a Contract with SmithGroupJJR/Westbrook for Design and Engineering Documents to Fix the Failing City Dock at Bayview Park (Parks and Recreation)

At the April 17, 2018 Council meeting, the Common Council approved entering into a contract with SmithGroupJJR/Westbrook engineering firm for design and engineering services related to repairing the City Dock at Bayview Park. The Parks and Recreation Director misread the ordinance and neglected to follow City Ordinance Chapter 194.04 which requires advertisement for bids unless the advertisement requirement is waived by a majority vote of the City Council. The request for bids was not advertised and only solicited for the above project. Staff is now asking the City Council to waive the advertising requirements, still accept the proposal from SmithGroupJJR/Westbrook, and enter into a contract with SmithGroupJJR/Westbrook for design and engineering documents to fix the failing City Dock at Bayview Park.

Per City Ordinance Chapter 194.04, Purchases of more than \$30,000 may be authorized by the City Council upon advertisement, unless the advertisement requirement is waived by a majority vote of the

City Council. Advertisement may be supplemented by solicitation or, upon approval by a majority vote of the City Council, may be substituted for advertisement. This section applies to the purchase of tangible personal property and to services, but does not apply to construction contracts under sec. 62.15, Wis. Stats.

George moved, Ketring seconded a motion to retroactively waive the advertising requirements in City Ordinance 194.04 and approve solicitation of bids for the design and engineering documents for the City Dock, and to still accept the proposal from SmithGroupJJR/Westbrook and enter into a contract with SmithGroupJJR/Westbrook for design and engineering documents to fix the failing City Dock at Bayview Park in the amount of \$80,000 to be funded through a Wisconsin Coastal Management Grant and Fund 453. The motion carried unanimously by voice vote.

Agenda Item 7K: Approve a Contract with AMI Consulting Engineers P.A. for Engineering Work for Ashland Marina Peninsula Riprap (Harbor Commission)

In 2016, a 130-foot riprap spit structure was placed at the end of the Ashland Marina Peninsula during the sediment remediation of the Ashland/NSP Lakefront Superfund Site. The riprap was installed to help stabilize the peninsula’s shoreline and reduce wave action into the Superfund site. Under the current permits with the WDNR, the 130-foot spit will need to be removed; however, the City of Ashland, Ashland Harbor Commission, and Ashland Marina would prefer to keep the spit in place. The purpose of the engineering services, which are required by the WDNR to modify the existing permit to make the structure permanent, AMI will evaluate if the spit can remain in place and will provide recommendations on whether additional riprap is required to stabilize the spit or the shoreline.

Bidding was done and two bids were received. At their April 26, 2018 meeting, the Harbor Commission approved the bid from AMI Consulting Engineers P.A. contingent upon the City of Ashland agreeing to help provide the funds to pay for these services.

Due to the dock reconstruction project at the Marina required as a result of the storm damage last fall, the Harbor Commission’s funds were depleted at this time.

George moved, Pufall seconded a motion to approve a contract with AMI Consulting Engineers P.A. for engineering work for Ashland Marina Peninsula riprap for which the funding was yet to be determined. The motion carried unanimously by roll call vote.

Agenda Item 7L: Discuss and Approve Recommendations for the City Administrator Recruitment Process (Human Resources)

In preparation for the recruitment process for the City Administrator, the City Council’s recommendations were being sought related to:

- Wage range for the position

- Establishment of a work group to participate in the application review process, phone interviews, and their subsequent recommendation of candidates to invite for in-person interviews. The HR Director suggests the work group includes two members from City Council, one Department Head, the Mayor and the HR Director.

Other items for discussion include:

- A recap of the feedback provided by Council and Department Heads to the City Administrator competencies desired survey
- An update on the recruitment activities implemented prior to the meeting

George moved, Mettillie seconded a motion to adopt a wage range of \$80,000 to \$100,000 annually for the City Administrator. The motion carried 9-2 by voice vote; opposed were Ketring and Pufall.

Ortman moved, George seconded a motion to approve to establish a work group to participate in the application review process, phone interviews, and their subsequent recommendation of candidates, consisting of two members from City Council, one Department Head, the Mayor, and the Human Resources Director. The motion carried unanimously by voice vote.

Agenda Item 8: Closed Session

Agenda Item 8A: CLOSED SESSION per Wisconsin Statute 19.85(1)(a), (1)(b), and (1)(c) "to deliberate concerning a case which was the subject of a quasi-judicial hearing before the governmental body," "to consider dismissal, demotion, licensing or discipline of any public employee or 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." (Review by the City Council of the written decision arising from the Council's consideration at its May 1, 2018, meeting, of the appeal of the former Public Works Director of the Impartial Hearing Officer's decision in his grievance; not an evidentiary hearing. The Council will not take any final action in closed session, but will return to open session for final approval.) (City Attorney)

George moved, Haas seconded a motion to move into closed session. The motion carried unanimously by roll call vote.

Agenda Item 8B: Return to Open Session

Moore moved, George seconded a motion to return to open session. The motion carried unanimously by voice vote.

Agenda Item 8C: Action and/or Reporting on Closed Session Discussion and Action

Ullman moved, George seconded a motion to approve the written decision arising from the Council's consideration at its May 1, 2018 meeting of the appeal of the former Public Works Director of the Impartial Hearing Officer's decision in his grievance. The motion carried 8-3 by roll call vote; opposed were Ketring, Franek, and Pufall.

Agenda Item 9: Adjournment

Ketring moved, George seconded a motion to adjourn. The motion carried unanimously by voice vote.

Respectfully Submitted,

Denise Oliphant
City Clerk

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PRESENT: Holly George, Richard Ketring, Sarah Adams, Kate Ullman, Ana Tochterman, David Mettille, Kevin Haas, Charles Ortman, Elizabeth Franek, Dick Pufall, Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Attorney David Siegler, City Clerk Denise Oliphant, Human Resources Director Jan Anderson

Agenda Item 1: Roll Call

Roll call was taken by the City Clerk.

Agenda Item 2: Council President's Report

President Mettille referred to his memo distributed to Council and Administration prior to the meeting.

Agenda Item 3: City Administrator's Report

In absence of a City Administrator, there was no report.

Agenda Item 4: Approval of the Agenda

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

Agenda Item 5: Discussion and Possible Action of Chapter 28, Ashland City Ordinances, Duties and Responsibilities of City Administrator, to Ratify Chapter 28 (Ortman)

At the March 27, 2018, City Council meeting, Kinney moved, Mettille seconded a motion to approve direction of the recruitment process to fill the City Administrator position to take place in-house by the Human Resources Director. The motion carried 7-3 by voice vote; opposed were Williamson, Pufall and Ketring.

Further, Ketring moved, Williamson seconded a motion to review and discuss Chapter 28, Ashland City Ordinances, in reference to the duties and responsibilities of the City Administrator prior to the advertising and hiring of a City Administrator. Doersch offered an amendment to complete the review of Chapter 28 within one meeting. Pufall seconded, Ketring did not accept the amendment. The motion failed 1-9 by voice vote. The motion as made by Ketring carried 9-1 by voice vote; Doersch opposed.

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The Council needs to decide whether Chapter 28, Ashland City Ordinances, Duties and Responsibilities of City Administrator, should be amended at this time. The Ordinance was originally adopted in 1994 when the first City Administrator was hired and had been amended since that time to reflect the real life complex realities of a modern city government, requiring frequent judgment calls on the nuts and bolts management of the daily business of providing city services to residents.

The concern of the previous Council regarding the job description for the City Administrator appeared to revolve around defining the chain of command in reference to day to day activities of city government. By state statute, the Mayor is the Chief Executive Officer for the City and has a statutory duty to "take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties." Wis. Stats. 62.09(8)(a). The City Administrator position was created to address the complexity and professionalism required for the nuts and bolts daily management of the city and, therefore, reports to the Mayor.

Alderspersons are the individual members of the Common Council. Alderspersons in Ashland are elected from 11 Wards. The Common Council is made up of Alderspersons and the Mayor. In contrast to other city officers, the statutes do not provide a list of duties for Alderspersons. Copies of the related state statutes were included for review and should assist in understanding the duties and responsibilities of the Mayor and the Council.

Operation of any organization depends on an effective chain of command. The ultimate decision concerning policy in the City of Ashland rests with the City Council and Mayor. Issues or questions that arise in the day to day operations of the City or any aspect of an employee's job, opinions or suggestions must be directed through the chain of command for timeliness and orderliness reasons.

Recommendation: The previous City of Ashland Council has voted to fill the Administrator vacancy without the assistance of an outside recruiter. The City's current Mayor and Human Resources Director recommended that recruiting for the current vacancy of the Administrator's position should commence immediately using the existing Chapter 28 as a job description and the task be undertaken in-house as previously directed.

At the April 17, 2018 City Council meeting, Mettillie moved, Ullman seconded a motion to approve the Human Resources Director to move ahead with the search for a new City Administrator using the current Chapter 28, Ashland City Ordinance. The motion carried 9-2 by voice vote.

Ortman moved, Ketring seconded a motion to set aside a specific meeting time to review and discuss Chapter 28. Ullman offered a friendly amendment for the item to be the sole item for discussion at the next Committee of the Whole meeting, May 8, 2018. This amendment was accepted by both Ortman and Ketring. The motion carried unanimously by voice vote.

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At the May 8, 2018 Committee of the Whole meeting, after review of Chapter 28, Ashland City Ordinances, and much discussion, Ketring moved, Franek seconded a motion to create a one-time Ad Hoc Committee to work on Chapter 28 to try to improve the relations between Council, Administration and staff. George offered a friendly amendment to make only small wording changes over this and future Committee of the Whole meetings, and for the Ad Hoc Committee to review Chapter 28 along with the newly hired City Administrator in the future. This was accepted by both Ketring and Franek. The motion carried 10-1 by voice vote; Moore opposed.

Moore moved, George seconded a motion to approve as written Chapter 28, Ashland City Ordinances, regarding the duties and responsibilities of the City Administrator, and to make any changes after hiring a City Administrator. The motion failed after more discussion, 1-10; opposed were George, Ketring, Jackson, Ullman, Tochterman, Haas, Mettille, Ortman, Pufall and Franek.

Ullman moved, Ketring seconded a motion to change verbiage of Chapter 28.06(a) to read, "Supervising: Be responsible for the administrative direction, supervision, and coordination of all employees *utilizing progressive discipline* according to the established organization procedures;" After deliberation, Ullman called the question, seconded by Ortman. The motion to call the question carried unanimously by voice vote. The motion to change verbiage to Chapter 28.06(a) failed 0-11 by voice vote as all Councilors opposed.

George moved, Ortman seconded a motion to approve Chapter 28 as it currently states.

Tochterman requested for a friendly amendment to alter verbiage of Chapter 28.04(m) to read, "Goals and Objectives: Promote the *economic*-well-being ~~and growth~~ of the City of Ashland...;" This was accepted by both George and Ortman.

Tochterman requested for a second friendly amendment to alter verbiage of Chapter 28.04(n) to read, "Promoting Economic Development: Work in conjunction with appropriate *stakeholders such as* commercial, industrial, and citizen representatives to ~~define the role of the city in~~ *promoteing* the economic well-being of Ashland." George and Ortman both accepted the friendly amendment.

Franek requested clarification regarding 28.06(d), "...evaluate the performance of department heads on a regular basis;..." Human Resources Director Jan Anderson helped to define this statement and no amendment was requested.

The motion to approve to accept Chapter 28 with verbiage amendments to 28.04(m) and 28.04(n) was carried unanimously by voice vote.

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Agenda Item 6: Adjournment

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

Respectfully submitted,

Denise Oliphant
City Clerk

CORRECTION to March 27, 2018 City Council Meeting Minutes and March 13, 2018 Committee of the Whole Minutes for the following topic:

Discussion and Possible Action to Approve the City of Ashland Website Upgrade With CivicPlus and Authorize the City Administrator to Negotiate a Service Agreement for Website Service for up to a Five Year Period (Clerk)

NOTE: It was discovered after this Council meeting there were statements made in this agenda bill which were vague and required correction. *Under Where We Are Now*, the statement: "Staff have encountered hours and even days of delay to post, update or correct issues due to the sluggish response time to their requests," should be removed. *Under Support and Security*, the agenda bill states: "In an effort to prepare for the inevitable advances of technology, we must be prepared to retain the security of the City of Ashland and its citizens. Hacking is ever present and will be more so as hot-button issues arise such as elections and identity theft. At the time of recent hacking attempts on our current website, it was not made known to the City until a citizen made an inquiry to City Hall after having difficulty navigating our site. The process of identifying and correcting the issue was excessively timely and could have been potentially costly." These statements should be deleted and corrected to state: "The City of Ashland Website has never been successfully hacked and we can say with confidence that there has been no resident data that was compromised and there have been no known security breaches under the watch of the current website host." The reference to a security issue that needed to be addressed was erroneous and is intended instead to refer to a technology compatibility issue.

Under *Bringing Us All Together*, the following sentences: "Due to the aforementioned complexity to use the system, several departments chose to create their own separate websites, including Parks and Rec, both Police and Fire departments, and the Library, This translates to the public that these are separate or conflicting departments from City Hall which could not be further from reality," shall be stricken from the minutes and the following sentence shall be added: "The City would like to consolidate all the separate websites for several City departments, including Parks and Rec, Police, Fire, and Library into one website. "

The City of Ashland apologizes for any implications to the contrary resulting from the previous language.

and work assignments to ascertain whether the interests of the City are being addressed in a manner that is consistent with the City goals; Approval of any other contract terms that City Administration deems appropriate to ensure that the best interests of the City are addressed.

Ketring moved, Mettillie seconded a motion to approve the appointment of Attorney Tyler Wickman of Dallenbach, Anich, and Wickman, S.C. as City Attorney to begin at the end of May, 2018. The motion carried unanimously by roll call vote.

Agenda Item 6: Consent Agenda

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

Agenda Item 6A: Operator's Licenses

Amelia E. McPherson

Agenda Item 6B: Miscellaneous Minutes



Agenda Item 6C: Discussion and Possible Action to Approve the City of Ashland Website Upgrade With CivicPlus and Authorize the City Administrator to Negotiate a Service Agreement for Website Service for up to a Five Year Period (Clerk)

The need for government transparency and relevance in the community is imperative to maintain public trust and respect. The current City of Ashland website was developed in 2014. Due to the technological complexity of working with this site, it has been difficult to update the website to keep the site current. The necessary time commitment on the staff's end has prevented ongoing general use and updating, limiting the cost effectiveness of doing so.

Who Is CivicPlus

CivicPlus is a municipal-focused website host company who boasts as the #1 provider for local government websites, including 60+ in Wisconsin. The company employs over 200 professionals with a focus on local government organizations for 20+ years, and have expanded to more than 2700 clients throughout the U.S. and Canada. Founded and centered in Manhattan, Kansas, they have multiple locations across the U.S. to house their security systems. CivicPlus has staff on hand 24/7/365 for live support and assistance at any time, as well as online chat and video guidance to access at any time for all staff using the system.

Where We Are Now

As technology continues to change the means for communication and information, local government has not been unaffected. Mobile devices have become a household staple and the main resource for social media, news, and data. The current city website is below internet and mobile use standards that is needed to sustain the expectations of the public. When the City of Ashland redesigned its official website in 2014, the initial investment was over \$10,000. The face of this site has yet to be changed or updated, and it is cluttered and dated making it difficult for visitors to navigate. Staff are unable to

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publish documents of certain sizes due to the current limitations causing a roadblock in getting updated information to the public. Due to the structure of the site background, staff are required to rely on the site host to post information or make seemingly simple changes to the site. **Staff have encountered hours and even days of delay to post, update or correct issues due to the sluggish response time to their requests.** Our current system requires two servers for our IT personnel to monitor and maintain beyond the website host, consuming approximately 25% of that person's staff time. By utilizing CivicPlus, a cloud-based hosted system, we would no longer need two servers for the one program, and could free up valuable staff time.

Looking Into the Future

While conceding to frustrations of the current website, alternatives have been sought out to investigate options for a workable and effective website. After researching a multitude of hosts of various systems, the Clerk and Administrator narrowed the options to three. Of these three, CivicPlus has stood out in customer service, experience, and security to be the top choice. Although not the least expensive, Administration trusts CivicPlus to be the ideal fit to enhance the website experience for visitors, staff, potential businesses and citizens, and other municipalities in a way that will prove to represent the City of Ashland in the light that Council and staff would be proud.

CivicPlus boasts options and modules that are included in the contracted costs:

- | | |
|--|--|
| Employment and RFP announcements | How Do I... |
| Responsive request center | Customizable forms creation |
| Alert and Emergency news center | Payment center |
| Automatic ADA and translating compliance | Online permit and license applications |
| GIS and mapping capable | Community voice and surveys |
| Document and archive center | Drag-n-drop editing |
| Multilevel calendar | Photo Gallery |
| Bid notice and postings | Meeting notices |
| 100% mobile responsive | Analysis and auditing statistics |
| Business and resource directory | Simple, do-it-for-you formatting |

These and more are highlighted further in the CivicEngage Premium Package Modules document. Also included in the contract is a guaranteed facelift and redesign after the fourth year of service at no additional charge. Additional available modules include that to serve Parks & Rec, Human Resources and Meetings and Agendas for staff efficiency and effectiveness. If either of these modules were to be utilized through the CivicPlus system, separate software licenses could be eliminated in the long run.

Noteworthy

Responsive Request Center: The City of Ashland has a current software program beyond the City website, which includes a module to handle and track citizen complaints and requests. Though in process of implementing for some time, practical use of this system has not been achievable due to the staff time required to train and utilize it. Through CivicPlus, there is no staff time required as any complaints or comments through the website will be automatically directed to the appropriate department(s), responded back to the citizen as being received, and trackable by mapping the location of the issue. The citizen can return to the site to view any progress on his/her initial problem, and will

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receive a message when the item is completed. An analysis can be done at any time to locate problem areas to promote preventative maintenance.

Alert and Emergency News Center: Visitors of the City website would be able to choose to be alerted as to meeting notices and cancellations by logging in and choosing what type of notices they are interested in (meetings, RFPs, fire or police reports, etc.) and how they would like to receive them (by email, mobile text, etc.). Messages will be directed to the citizen the moment they are posted to the website with no additional work by staff. More importantly, emergent and urgent alerts can be funneled to the local medias, schools, medical centers, and neighboring emergency centers in the same manner, for instance Amber Alerts, School Closings, Storm Warnings, Road Closures, and water contamination notices. In many instances, time can make an incredible difference for our communities safety and security, and with CivicPlus, we can eliminate delays, phone calls, and individual email messaging.

ADA Compliance: Local governments are not excused from compliance requirements to be accessible to any persons with disabilities, whether they are hearing or visually impaired or require a language interpreter. Non-compliance creates a barrier that impacts information translation and transparency. CivicPlus has the trained personnel who will help guide Ashland’s staff to create a website that will be completely accessible throughout its design and translation capabilities to ensure compliance is maintained throughout its site.

The Options

Listed below are quotes from three of the website companies researched.

CivicPlus	Granicus	Civic Live
\$26,160/\$4850 per year	\$36,900/\$4950 per year	\$16,000/\$2800 per year

CivicPlus offers an Advantage Payment plan, which would allow the initial investment to be spread over four years bringing the payments down to \$10,178 per year for the first four years. The ease of paying over time would prevent a strain on the already tight budget in the near future and allow for unexpected and necessary expenditures.

Support and Security

In an effort to prepare for the inevitable advances of technology, we must be prepared to retain the security of the City of Ashland and its citizens. Hacking is ever present and will be more so as hot-button issues arise such as elections and identity theft. At the time of recent hacking attempts on our current website, it was not made known to the City until a citizen made an inquiry to City Hall after having difficulty navigating our site. The process of identifying and correcting the issue was excessively timely and could have been potentially costly. With CivicPlus, we are assured of virus and hacking protection 24/7/365 with constant monitoring and testing, and frequent intervals of backup in the case of a disturbance that should require shutdown. We would also have continuous software and system upgrades as they become available without interruption to our service automatically.

Support is never more than a click or phone call away at literally any time of the day or night. CivicPlus is well versed in supplying expertise in the development and implementation throughout the entire project and beyond. After implementation, continuous training will be available by a simple phone call,

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chat request or guided step-by-step help menus and videos. The availability of live customer service 24/7/365 is critical for both troubleshooting and training.

Bringing Us All Together

The current City of Ashland official website was laid out to be able to reach each department and outlet that the City has to offer. Due to the aforementioned complexity to use the system, several departments chose to create their own separate websites, including Parks and Rec, both Police and Fire departments, and the Library. This translates to the public that these are separate or conflicting departments from City Hall, which could not be further from reality. CivicPlus will help the City of Ashland reconnect and display cooperation and communication as it integrates those individual sites to develop a single incorporated site.

Staff Use and Policy

It is anticipated that all of the departments will have a designated website user to maintain their page and information. Along with a fresh look will come the ease and compliance for every department to check in consistently to be certain their pages are well kept up and current. Users will have permissions and/or limitations according to their responsibilities. This would allow any edited material to be passed to authorized personnel for proofing and approval before posting onto the site. It will be determined by administration as to what these limitations consist of and how they are applied.

Staff have also been responsible to maintain their department's pages, to keep the information organized and the public consistently informed. This also fell to the wayside as the current site is extremely difficult and time consuming to work with, again requiring the site host or IT personnel to do the work and correct errors. The ease of CivicPlus will require minimal time to review and bring up to date on a regular basis.

Recommended Motion

To approve the City of Ashland website upgrade with CivicPlus and authorize the City Administrator to negotiate a service agreement for website service for up to a five year period.

At the March 13, 2018 Council meeting, Mettill moved, Moore seconded a motion to approve the City of Ashland website upgrade with CivicPlus and authorize the City Administrator to negotiate a service agreement for website service for up to a five year period for the annual amount of \$10,178 for four years, reducing to \$4,850 on year five. The motion carried unanimously by voice vote.

NOTE: It was noted after this Council meeting there were statements made in this agenda bill which were vague and requested clarification. Under *Support and Security*, the agenda bill states: "In an effort to prepare for the inevitable advances of technology, we must be prepared to retain the security of the City of Ashland and its citizens. Hacking is ever present and will be more so as hot-button issues arise such as elections and identity theft. At the time of recent hacking attempts on our current website, it was not made known to the City until a citizen made an inquiry to City Hall after having difficulty navigating our site. The process of identifying and correcting the issue was excessively timely and could have been potentially costly." This statement should be corrected to state: "The City of Ashland Website has never been successfully hacked and we can say with confidence that there has been no resident data that was compromised and there have been no known security breaches under the watch of the current website host." The reference to a security issue that needed to be addressed was erroneous

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and is intended instead to refer to a technology compatibility issue. The City of Ashland apologizes for any implication to the contrary.

Agenda Item 7: Old Business

Agenda Item 7A: Approve a Resolution to Approve the Sale of City-Owned Property at 211 6th Street West, Parcel #201-01972-000 to the VFW/American Legion (Councilor Kinney)

February 27, 2018: Discussion and possible action of the Applicant acquiring the subject site was brought to the Committee of the Whole by Councilor. At that meeting, the VFW/American Legion (the 'Applicant') requested that the City give the subject property to the organizations due to their growth and need for improved access for aging members. It was added they intended to sell their current facility and use the proceeds from that sale towards renovations at the subject site.

The ultimate outcome of the Committee of the Whole meeting was a motion instructing staff to research the process of the City giving the building to the applicant and to assist in fundraising, and to bring the item forward for Council consideration at the March 13, 2018 meeting. The motion was approved unanimously.

March 13, 2018: Item was brought to the City Council. It was determined there are several ways to approve a conveyance to the applicant if that was the Council's desire, including amending the City's Land Acquisition and Disposition Ordinance (Ord. 478). At the meeting, a representative of the Applicant indicated they would pay \$50,000 for the property. In addition, the Applicant added they are not interested in a lease arrangement.

Council directed the process should proceed as a "city-initiated land sale, informal sales procedure" per Sec. 478.06 (c). Under this process, City staff is to negotiate the terms of the sale, the Plan Commission is to review the possible sale and make a recommendation to Council, and Council is to take final action. There is no public hearing. The Council requested this item to return to Council at the March 27, 2018 meeting.

A summary of the City's investment in the subject property was provided to the Council in the Agenda Bill. The City's total net investment in the subject property is \$154,577.

History of VFW/American Legion Location(s) Since 1990

In 1990, the City entered into an agreement with the Applicant to lease them the basement of the building that was located at 222 Ellis Avenue, the City's former Leisure Services building.

In 1997, the City terminated the lease and sold the Leisure Service building to M&I Bank. It was agreed the City would pay the Applicant \$75,000, and the Applicant would release the City's obligation to provide the Applicant a comparable alternative home.

At the same time in 1997, the City entered into an agreement to lease the Applicant the City property at 220 Main Street East (Parcel #201-01624-0000, former Water Utility building). The agreement identified

PRESENT: Holly George, Richard Ketring, Ella Teague, Kate Ullman, Carl Doersch, David Mettille, Pat Kinney, Charles Ortman, Donna Williamson, Dick Pufall, Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Mary Garness, City Attorney David Siegler, City Clerk Denise Oliphant, and Other Concerned Citizens

Agenda Item 1: Roll Call

Roll call was taken by the Clerk.

Agenda Item 2: Council President's Report

Council President Pat Kinney reported on the ongoing fundraising efforts at the Lake Superior Science Center.

Agenda Item 3: City Administrator's Report

Garness reported that the Lead Lateral Replacement project for 2018 has double in applications from last year. The Bayview Pier was slated for replacement this coming summer. Attorney interviews will be conducted this week. Administration was working on the Ice Angel agreement with Bayfield and Ashland Counties. Position announcements went out for Summer LTE positions. An Engineer Consultant will soon be chosen for the 6th Street West investigation.

Agenda Item 4: Approval of the Agenda

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

Agenda Item 5: Discussion and Possible Action to Approve the City of Ashland Website Upgrade With CivicPlus and Authorize the City Administrator to Negotiate a Service Agreement for Website Service for up to a Five Year Period (Clerk)

The need for government transparency and relevance in the community is imperative to maintain public trust and respect. The current City of Ashland website was developed in 2014. Due to the technological complexity of working with this site, it has been difficult to update the website to keep the site current. The necessary time commitment on the staff's end has prevented ongoing general use and updating, limiting the cost effectiveness of doing so.

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Who Is CivicPlus

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Where We Are Now

As technology continues to change the means for communication and information, local government has not been unaffected. Mobile devices have become a household staple and the main resource for social media, news, and data. The current city website is below internet and mobile use standards that is needed to sustain the expectations of the public. When the City of Ashland redesigned its official website in 2014, the initial investment was over \$10,000. The face of this site has yet to be changed or updated, and it is cluttered and dated making it difficult for visitors to navigate. Staff are unable to publish documents of certain sizes due to the current limitations causing a roadblock in getting updated information to the public. Due to the structure of the site background, staff are required to rely on the site host to post information or make seemingly simple changes to the site. Staff have encountered hours and even days of delay to post, update or correct issues due to the sluggish response time to their requests. Our current system requires two servers for our IT personnel to monitor and maintain beyond the website host, consuming approximately 25% of that person's staff time. By utilizing CivicPlus, a cloud-based hosted system, we would no longer need two servers for the one program, and could free up valuable staff time.

Looking Into the Future

While conceding to frustrations of the current website, alternatives have been sought out to investigate options for a workable and effective website. After researching a multitude of hosts of various systems, the Clerk and Administrator narrowed the options to three. Of these three, CivicPlus has stood out in customer service, experience, and security to be the top choice. Although not the least expensive, Administration trusts CivicPlus to be the ideal fit to enhance the website experience for visitors, staff, potential businesses and citizens, and other municipalities in a way that will prove to represent the City of Ashland in the light that Council and staff would be proud.

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CivicPlus boasts options and modules that are included in the contracted costs:

- ✓ Employment and RFP announcements
- ✓ Responsive request center
- ✓ Alert and Emergency news center
- ✓ Automatic ADA and translating compliance
- ✓ GIS and mapping capable
- ✓ Document and archive center
- ✓ Multilevel calendar
- ✓ Bid notice and postings
- ✓ 100% mobile responsive
- ✓ Business and resource directory
- ✓ How Do I...
- ✓ Customizable forms creation
- ✓ Payment center
- ✓ Online permit and license applications
- ✓ Community voice and surveys
- ✓ Drag-n-drop editing
- ✓ Photo Gallery
- ✓ Meeting notices
- ✓ Analysis and auditing statistics
- ✓ Simple, do-it-for-you formatting

These and more are highlighted further in the CivicEngage Premium Package Modules attachment. Also included in the contract is a guaranteed facelift and redesign after the fourth year of service at no additional charge. Additional available modules include that to serve Parks & Rec, Human Resources and Meetings and Agendas for staff efficiency and effectiveness. If either of these modules were to be utilized through the Civic Plus system, separate software licenses could be eliminated in the long run.

Noteworthy

- *Responsive Request Center:* The City of Ashland has a current software program beyond the City website, which includes a module to handle and track citizen complaints and requests. Though in process of implementing for some time, practical use of this system has not been achievable due to the staff time required to train and utilize it. Through CivicPlus, there is no staff time required as any complaints or comments through the website will be automatically directed to the appropriate department(s), responded back to the citizen as being received, and trackable by mapping the location of the issue. The citizen can return to the site to view any progress on his/her initial problem, and

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will receive a message when the item is completed. An analysis can be done at any time to locate problem areas to promote preventative maintenance.

- *Alert and Emergency News Center:* Visitors of the City website would be able to choose to be alerted as to meeting notices and cancellations by loggin in and choosing what type of notices they are interested in (meetings, RFPs, fire or police reports, etc.) and how they would like to receive them (by email, mobile text, etc.). Messages will be directed to the citizen the moment they are posted to the website with no additional work by staff. More importantly, emergent and urgent alerts can be funneled to the local medias, schools, medical centers, and neighboring emergency centers in the same manner, for instance Amber Alerts, School Closings, Storm Warnings, Road Closures, and water contamination notices. In many instances, time can make an incredible difference for our communities safety and security, and with CivicPlus, we can eliminate delays, phone calls, and individual email messaging.
- *ADA Compliance:* Local governments are not excused from compliance requirements to be accessible to any persons with disabilities, whether they are hearing or visually impaired or require a language interpreter. Non-compliance creates a barrier that impacts information translation and transparency. CivicPlus has the trained personnel who will help guide Ashland’s staff to create a website that will be completely accessible throughout its design and translation capabilities to ensure compliance is maintained throughout its site.

The Options

Listed below are quotes from three of the website companies researched.

CivicPlus	Granicus	Civic Live
\$26,160/\$4850 per year	\$36,900/\$4950 per year	\$16,000/\$2800 per year

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Support and Security

In an effort to prepare for the inevitable advances of technology, we must be prepared to retain the security of the City of Ashland and its citizens. Hacking is ever present and will be more so as hot-button issues arise such as elections and identity theft. At the time of recent

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hacking attempts on our current website, it was not made known to the City until a citizen made an inquiry to City Hall after having difficulty navigating our site. The process of identifying and correcting the issue was excessively timely and could have been potentially costly. With CivicPlus, we are assured of virus and hacking protection 24/7/365 with constant monitoring and testing, and frequent intervals of backup in the case of a disturbance that should require shutdown. We would also have continuous software and system upgrades as they become available without interruption to our service automatically.

Support is never more than a click or phone call away at literally any time of the day or night. CivicPlus is well versed in supplying expertise in the development and implementation throughout the entire project and beyond. After implementation, continuous training will be available by a simple phone call, chat request or guided step-by-step help menus and videos. The availability of live customer service 24/7/365 is critical for both troubleshooting and training.

Bringing Us All Together

The current City of Ashland official website was laid out to be able to reach each department and outlet that the City has to offer. Due to the aforementioned complexity to use the system, several departments chose to create their own separate websites, including Parks and Rec, both Police and Fire departments, and the Library. This translates to the public that these are separate or conflicting departments from City Hall, which could not be further from reality. CivicPlus will help the City of Ashland reconnect and display cooperation and communication as it integrates those individual sites to develop a single incorporated site.

Staff Use and Policy

It is anticipated that all of the departments will have a designated website user to maintain their page and information. Along with a fresh look will come the ease and compliance for every department to check in consistently to be certain their pages are well kept up and current. Users will have permissions and/or limitations according to their responsibilities. This would allow any edited material to be passed to authorized personnel for proofing and approval before posting onto the site. It will be determined by administration as to what these limitations consist of and how they are applied.

Staff have also been responsible to maintain their departments' pages, to keep the information organized and the public consistently informed. This also fell to the wayside as the current site is extremely difficult and time consuming to work with, again requiring the site host or IT personnel to do the work and correct errors. The ease of CivicPlus will require minimal time to review and bring up to date on a regular basis.

Recommended Motion

To approve the City of Ashland website upgrade with CivicPlus and authorize the City Administrator to negotiate a service agreement for website service for up to a five year period.

Mettile moved, Moore seconded a motion to approve the City of Ashland website upgrade with CivicPlus and authorize the City Administrator to negotiate a service agreement for website service for up to a five year period for the annual amount of \$10,178 for four years, reducing to \$4,850 on year five. The motion carried unanimously by voice vote.

Agenda Item 6: Adjournment

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

Respectfully submitted,

Denise Oliphant
City Clerk



AGENDA BILL

Ref: 110

COMMITTEE AGENDA:
COUNCIL AGENDA: 5B (5/29/2018)

SUBJECT: Appointments

RECOMMENDATION: Approval

DATE SUBMITTED: May 21, 2018

CLEARANCES: Mayor

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

RECOMMENDATION: The Mayor is recommending approval of the appointments as follows:

Historic Preservation

Richard Peterson, Citizen Rep. Term Expires: April 1, 2021 (reappointment)
Magge Ericson, Citizen Rep. Term Expires: April 1, 2021 (reappointment)

Board of Zoning Appeals

John Beirl Term Expires: July 13, 2021 (reappointment)
Brandon Hofstedt Term Expires: July 13, 2021 (reappointment)
Betty Harnisch, First Alternate Term Expires: July 13, 2021 (reappointment)

Richard Peterson

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OFFER TO VOLUNTEER FORM

Mayor of Ashland, City of Ashland, 601 W. Main St, Ashland, WI 54806

Phone: 715-682-7071

Fax: 715-682-7048

bwhalen@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Historic Preservation Commission

Brief Statement of education:

High School - Anoka MN - 1960 graduate

B.S. of Education - St. Cloud State (MN) 1966

Biography:

(Need a sense of who you are as an individual, examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc)

Career in Education - 1966 - 1999 - New Ulm MN - Dist. 88

Teacher / Coach at Secondary level

Volunteer - Big Top Charitavus - Whistle Stop - Bivvie -

2012 Paralympics world cup at Peleham - Chequamegon

Bay Golf Club

Individual References or Referred by (include phone #):

Steven Schaufnager

Contact Information:

Rich Peterson

715-685-9807

Name (print)

Phone

804 Mac Arthur Avenue

Address

March 7, 2012

Date

OFFER TO VOLUNTEER FORM

Mayor Debra Lewis, City of Ashland, 601 Main Street West, Ashland, WI 54806
Phone: 715-682-7071 Fax: 715-682-7048 dlewis@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Planning Commission or
Historic Preservation Commission

Brief statement of education and training:

Masters of Applied Science (Environmental Policy & Admin)
3 years on Dunnellon Planning Commission Ashland Planning
Commission - 6 months

Biography:

(Need a sense of who you are as an individual. Examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc.)

Experience as Coordinator of Volunteer Services, Weiner
Memorial Medical Center; executive director, Main Street
Program & Florida Waterfronts Program; volunteer at Northern
Great Lakes Visitor Center as Coordinator of Volunteers and Environmental
Education of School Groups; photography and gardening; historic
preservation and green building (LEED)

Individual References or Referred by (include phone #):

Elaine Peterson 715-682-9655
Esther Marie Pufall 715-682-3951

Contact Information:	Margaret (Magge) Ericson	715-682-2227
	Name (Print)	Phone Number
	615 Prentice Ave	
	Address	
	magge.e@charter.net	2 May 2014
	Email:	Date

OFFER TO VOLUNTEER FORM

Mayor Debra Lewis, City of Ashland, 601 Main Street West, Ashland, WI 54806
Phone: 715-682-7071 Fax: 715-682-7048 dlewis@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Board of Zoning Appeals. Plan Commission

Brief statement of education and training:

Familiarity with real estate transactions and municipal rules/regs in my banking experience.

Biography:

(Need a sense of who you are as an individual. Examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc.)

Born and raised in Ashland. Bachelor's Degree in Economics and MBA in Finance from UW-Madison. Employed in banking for 32 years -- at local Northern State Bank for 18 years. Currently, Bank President.

Individual References or Referred by (include phone #):

Gary Ellefson -- CEO @ Northern State Bank -- 682-2772

Gary LaPean -- business owner in Ashland -- 682-3100

Contact Information: <u>John H. Beirl 715-682-6080 or 715-292-0302</u>	
Name (Print)	Phone Number
<u>821 Third Avenue East -- Ashland, WI 54806</u>	
Address	
<u>beirlj@gmail.com or beirlj@nsbashland.com Sept. 17, 2015</u>	
Email:	Date

OFFER TO VOLUNTEER FORM

Mayor Debra Lewis, City of Ashland, 601 Main Street West, Ashland, WI 54806
Phone: 715-682-7071 Fax: 715-682-7048 dlewis@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Board of Zoning Appeals

Brief statement of education and training:

I have a Ph.D. and M.S. in sociology from Iowa State University and a BA from Augsburg College.

Biography:

(Need a sense of who you are as an individual. Examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc.)

I am an assistant professor of sustainable community development at Northland College and formally trained in social scientific data collection methods and community development. Before moving to Ashland in 2010, I worked at a variety of educational institutions (Iowa State University, St. Norbert College, and the College of Mount St. Joseph). I live in Ashland with my partner (Petra) and our three children (Cora, Owen, and Alma).

Individual References or Referred by (include phone #):

Referred by Mayor Deb Lewis (715-682-7071)

Contact Information:	<u>Brandon Hofstedt</u>	<u>715-209-0174</u>
	Name (Print)	Phone Number
	<u>705 9th Avenue W</u>	
	Address	
	<u>bhofstedt@northland.edu</u>	<u>8/7/2014</u>
	Email:	Date

Betty Harnisch

OFFER TO VOLUNTEER FORM

Mayor of Ashland, City of Ashland, 601 W. Main St, Ashland, WI 54806
Phone: 715-682-7071 Fax: 715-682-7048 bwhalen@coawi.org

I would like to be considered a nominee for the following Committee or Committees:

Ashland Planning Commission / Housing Committee

Brief statement of education and training:

Present commission member. Have attended two training sessions for commission members regarding the functions of a commission and how to evaluate the issues.

Biography:

(Need a sense of who you are as an individual, examples: general background, work history, life experiences, volunteer activities, special interests, special skills, hobbies, personality, people skills, etc)

Retired after 43 years in the health care field. The last 25 years as a Director of Quality Management and Hospital Review Services. Past member of the Ashland City Council for 7 years. Volunteer election worker. Past member of the Historic Preservation Commission. Committee member for the Comprehensive Plan. Member of the Community Involvement Plan committee for the Superfund Site. Past President of the League of Woman Voters. Present President Elect of Partners of MMC.

Individual References or Referred by (include phone #):

Dan Hymans President of MMC 715-685-8262

Joan Haukaas Member, Historic Preservation Commission & Partners Board MMC 715-682-8262

Contact Information:

Betty Harnisch
Name (print) Phone
2120 West Lake Shore Drive Ashland, WI 715-682-5476 4-11-11

Address

Date



AGENDA BILL

Ref: 107

COMMITTEE AGENDA:
COUNCIL AGENDA: 6A (05/29/18)

SUBJECT: Operator's Licenses

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

DATE SUBMITTED: May 22, 2018

CLEARANCES: 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: Approve Operator's Licenses

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

Machelle M. Bogenhagen
Taylor R. Pichler
Tyan L. Geissler

Michele E. Doris
Thomas C. Muska
JoAnn M. Martikonis

Drew D. LaBlanc
Charlene A. Whitman

Historic Preservation Commission (HPC)
March 5, 2018
Meeting Minutes

Present: Stephen G. Schraufnagel, Joan Haukaas, Richard Peterson, Dick Pufall, Magge Ericson, Megan McBride, Allen Smiles, Jeff Muse, Donna Blazek

Absent: None

Called to Order: 5:00 p.m. Adjourned 6:15 p.m.

Location: Council Chambers on the main level at the Ashland City Hall

Email Addresses: Joan Haukaas hawk722@charter.net, Dick Pufall rpufall@yahoo.com, Richard Peterson cullyskid@gmail.com, Stephen G. Schraufnagel stephenschrauf@gmail.com and stephen@csdesignengineering.com, Allan Smiles ashjewel@cheqnet.net, Magge Ericson magge.e@charter.net, Joe DeRose joe.deros@wisconsinhistory.org, Sara Chase schase@ashlanddaily.press.net, Jeff Muse jmuse@nwcep.org, Megan McBride mmcbride@coawi.org

Minutes: The previous meeting minutes of December 18, 2017 were approved. Motion to approve the October 16, 2017 meeting minutes was made by Jeff Muse and seconded by Dick Pufall. **Motion carried.**

Public Input (five minutes max): Donna Blazek requested that a variety of buildings, such as the Bohemian Hall and Hec's Bar, not be condemned. Many of the buildings that she named were a part of the 2018 Local Designation Nominees listing.

Update on Public Hearing for Nominee Listing: Megan McBride distributed the 2018 Local Designation Nominees list. The Public Hearing was moved to August 20th, 2018. Fifield Row as a Historic District will also be discussed at that meeting.

Old Business

Update on Royal Theater and Pabst Building: There is a lawsuit pending on the Pabst Building. WHEDA has a program that allows for potential renovations of specific sites; however, these sites have to be 200+ units. Therefore, Washburn, Ashland, Bayfield and Superior have combined efforts to hopefully secure this program in the future. The Royal Theater and Pabst Building are being considered for this program.

New Business

Review & Approval of Applications for Certificate of Appropriateness: None at this time.

Update on Plaques and their Placement in the Community: Rich Peterson dropped off all remaining plaques in his possession at Steve's house so that they are all in one location (Steve's garage).

Compile Future Historic Preservation Nominee Listing: Megan McBride will be working on this.

Discuss Nomination of Fifield Row as a Historic District: All those present were in agreement that we should seek funding to have this study done. They were all in favor with it being listed as a historic district.

Available Funding to look into the Historic Study for Fifield Row District: A quote for this process will be obtained from Traci Schnell.

Announcements/Reports/Comments/Questions: None at this time.

Set Future Meeting Dates: The next HPC meeting is set for Monday, May 21, 2018 @ 5:00 p.m. in the Council Chambers. The following meeting will be held on August 20, 2018, which will be the date of the Public Hearing for proposed nominee listings, as well as consideration for Fifield Row as a Historic District.

A motion to adjourn this meeting was made by Rich Peterson. The motion was seconded by Magge Ericson. **Motion carried.**

Respectfully submitted,

Stephen G. Schraufnagel, Architect
Chairman of the City of Ashland
Historic Preservation Commission

City of Ashland- Housing Committee Meeting Minutes

A meeting of the Ashland Housing Committee was held on **Wednesday, April 11, 2018, at 8:30 a.m.** in the **Ashland Fire Station,**

Committee Members Present: Mayor Lewis, Sam Ray, Ana Tochterman, Ginger Nuutinen, Mark Hoglund, Betty Harnisch, Liz Franek, Jen Lucius, Bob Miller

Staff Present: Megan McBride

Mayor Lewis opened the meeting at 8:30 a.m.

Agenda

1) **Consent Agenda**

Motion to approve the agenda. Passed unanimously.

2) **Approval of minutes from March 14, 2018**

Motion to approve minutes with correction by Liz Franek. Seconded by Betty Harnisch. Passed unanimously.

3) **Citizen Comments**

No comments.

4) **Old business**

a) **Updates**

i. **Update on Property Maintenance**

Bob Miller provided the following updates on property maintenance:

- Accessory structures: Work continues on identifying dilapidated accessory structures and sending out letters requiring repair or removal. Currently working with 14 properties identified as having the worst accessory structures as previously identified last summer and also by recent drive by inspections. Removing these structures will be the main focus of this summer’s structural property maintenance enforcement efforts.

- 107 N 9th Ave E- The owner has secured estimates and plans to move in with his brother and to demolish the house this spring/summer. HIP will assist with up to \$2,000 of this demolition cost.

- 600 Main St E- This property has been purchased by Zakovec and I met with them to discuss their plans. They have already purchased the windows and plan to begin work soon. They are planning to give the exterior a new look with a possible stone façade, new awnings and exterior paint. They are working with Crossroads who plan to utilize the building for transitional housing for recovering addicts. These future tenants will be doing a large part of the interior renovation work. The Zakovecs are also planning to have some sort of retail space on the first floor along Main Street.

- 612 6th St W- Property has been tentatively purchased by Mattson properties according to his property manager but the sale may not happen now. Buyer and seller have not yet come to an agreement on the sell price.

- 319 16th Ave E- The County has postponed taking this on tax deed but is expected to reconsider sometime this spring.

- 513-515 Main St W- People's Bank has allowed the Chamber to decorate the storefront windows and they have already made many of the required exterior improvements. They have been very cooperative and hope to sell the property soon. I told them that I would revisit the site this spring to see where they are at and discuss additional repairs needed should the property not sell.

- 600 16th Ave W- Have been working with this homeowner and will be assisting with the needed improvements through a partnership of CDBG funds, private funds and the Ashland County weatherization program.

- 101 14th Ave E- This property recently sold and the new buyer has commenced repairs.

ii. Update on CDBG

Bob Miller provided a written update of the CDBG RLF current balance and ongoing activities.

iii. Update on HIP

Megan McBride provided a written update of upcoming HIP projects and ongoing funding and marketing efforts.

b) Continued discussion on strategic plan action items to address housing in the City, reviewing committee recommendations and prioritizing action steps moving forward

Improving Quality of Housing Stock: Rentals

Rental Registration

Mayor Lewis noted that the rental registration program has been implemented, and Bob Miller provided an update on compliance and how changes in ownership were identified to notify new potential landlords of the need to register.

Voluntary Inspection Program

Ana Tochterman recommended that a Quality Certificate be used rather than referring to it as an "inspection program." She also suggested that a more concrete idea of how the program would work be determined prior to presenting to landlords again as this will likely make it easier for them to provide feedback.

Bob Miller said that since most landlords do not have difficulty filling units, primarily the landlords with quality rentals will seek out the inspection which will not help address the substandard rental units.

Ana Tochterman pointed out that quality certificates would also be helpful for people looking to rent. She suggested that a pilot program be tested with a handful of landlords to see if it would be useful and work out some of the logistical issues prior to a full launch of the program.

Mayor Lewis agreed that implementing a pilot program would be a good approach to take. She also pointed out that while most units are consistently rented now, current and upcoming new construction will likely expand and create more competition in our local rental housing market.

Mark Hoglund said that there are a lot of people looking for a place to rent, but not many that he would consider renting to.

Liz Franek suggested having a newspaper article describe the benefits of the program (once they are determined) and include testimonials from landlords who are in support of it to raise awareness and get buy-in from other landlords.

Bob Miller said that many times a prospective homebuyer will pay to have it inspected before purchasing. He suggested that the City could allocate resources to offer a similar, free service where the Building Inspector would accompany the tenant on the walk-through to ensure everything is up to code.

Ginger Nuutinen brought up Mark Hoglund's point about having a surplus of rental applicants with only a few passing his standards to rent to, and asked if there would be ways to address this.

Mark Hoglund said that part of the solution may be educating prospective tenants on what to look for when they do a walk-through. He also said that some landlords charge an application fee to ensure that applicants are truly interested.

Betty Harnisch pointed out that there are plenty of people who have a limited income but still need a place to go, who end up living in the substandard, unsafe units. She expressed frustration at not being able to bring up these low-quality, affordable rentals to ensure everyone has a safe place to live.

Ana Tochterman suggested that we identify the landlords who have the most issues with their rental properties and attempt to work with them to make repairs.

Ginger Nuutinen suggested that research be done on how other communities in Wisconsin are addressing rental issues in light of the state legislation prohibiting mandatory inspections of rental units.

Megan McBride said that she has done some research on this in the past, and will provide this information to the committee.

Ginger Nuutinen described her experience in certifying her property as a Section 8 rental, which required that she make some improvements to meet their property standards. She also noted that renting to Section 8 tenants ensured she always received

rent. She suggested that encouraging more landlords to consider renting Section 8 properties could address some of the concerns that both renters and landlords have.

Mayor Lewis summarized the recommended action items that came out of the discussion:

- 1) Start with a pilot/trial run of a voluntary inspection program, which would require creating a document explaining exactly how the program would function and what the criteria would be (possibly utilizing the Section 8 checklist as well as our City housing standards),
- 2) Identify best practices from other communities to incorporate,
- 3) Identify owners of the worst rental properties and invite them to work with the City, and
- 4) Reach out to landlords who utilize Section 8 to share their experiences and highlight the benefits for both tenants and landlords at the June Landlord Forum.

Change zoning ordinances to allow for duplexes, carriage houses, and tiny homes

Mayor Lewis asked if there are restrictions for people to build a tiny home on a small, vacant lot in the City.

Bob Miller explained that single-family residential homes can be built with reduced setbacks on any lot, even if it does not meet minimum parcel size requirements.

Ana Tochterman suggested it would be helpful to determine the specific housing goals the committee would like to achieve to then determine what regulatory barriers currently exist.

Mayor Lewis asked that the portions of our Unified Development Ordinance that would pertain to duplexes, carriage homes, tiny houses, etc. be brought to the committee for review.

Improving Quality of Housing Stock: Non-rental Residential Properties

Broad educational and media campaign

Mayor Lewis highlighted efforts to educate property owners about property maintenance expectations.

Encourage and support neighborhood clean-up programs

This initiative has not begun yet. Mayor Lewis suggested starting small by asking each neighborhood to identify 1 project that would make a difference for their area.

Bob Miller suggested that an effective way to get people involved would be to create neighborhood associations.

Mayor Lewis agreed that this would be a good idea, but pointed out that the biggest barrier to this would be having staff or volunteer time to organize.

More standardized approach to property maintenance enforcement

Ana Tochterman asked if a press release or public outreach has been done explaining how property maintenance issues are identified and the ordinance enforced.

Mayor Lewis said that some outreach has been done but more could be helpful.

Ginger Nuutinen suggested that the property maintenance violation notification process be reevaluated to seem friendlier and more helpful.

Mayor Lewis pointed out that it is emphasized in the letter that property owners can always contact the property maintenance specialist to request an extended deadline.

Ginger Nuutinen suggested that the letter also offer resources such as the HIP program for property owners who are unable to bring their property into compliance.

Allocate funds for "raze and remove" as a last resort for non-compliant property owners

Mayor Lewis explained that it would require Council action to allocate funds for this purpose.

Ana Tochterman suggested an inventory be done to identify the homes that should be demolished to get an approximate number and assess cost. Prioritization can then be done of the homes identified in the inventory.

Recommended Action Items (submitted by Ana Tochterman):

Mayor Lewis asked Ana to elaborate on her suggestion to develop a community land trust.

Ana Tochterman described several models of how other communities have used land trusts to help address their affordable housing needs. She will do further research on existing models, including the one in Duluth.

5) New business

a) Set next meeting date and discuss possible agenda items

- The next meeting will take place on May 9th
- The primary agenda item will be review and finalization of City Strategic Housing Plan

6) Announcements

No announcements.

7) Adjournment

Motion to adjourn by Betty Harnisch. Seconded by Ginger Nuutinen. Passed unanimously.

Meeting was adjourned at 10:00am. 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, April 3rd, 2018**
at 6:30 p.m. in the City Hall Council Chambers.

PRESENT: Mayor Lewis, David Mettille, Charmaine Swan, John Beirl, Katie Gellatly, Mike Amman
EXCUSED: Ernie Bliss
STAFF: Megan McBride, Aidan Johan

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 David Mettille. Seconded by Katie Gellatly. Passed unanimously.

3) Consent Agenda

Motion to approve minutes from March 20th by John Beirl. Seconded by Charmaine Swan. Passed unanimously.

4) Public Comment

Pete Olson spoke in support of the prioritized action plan to direct future implementation of the City's Bike Plan.

5) Action Items

- a) Public Hearing and consideration on an offer to purchase a portion of city-owned land adjacent to 701 Lake Shore Dr E

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

Megan McBride detailed the Class 1 Public Hearing notice that was given, and went through the criteria of review used to inform staff's recommendation of approval of the proposed sale.

Donna Pearson Maday, the applicant, spoke in favor of the proposed sale.

Motion to go out of Public Hearing by David Mettille. Seconded by Charmaine Swan. Passed unanimously.

Motion to approve with recommended conditions by John Beirl. Seconded by David Mettille. Passed unanimously.

6) Discussion Items

- a) Discussion of potential UDO amendments pertaining to Permitted and Conditional Uses and CUP approval criteria

April Kroner provided a written overview of the purpose of CUP's, her recommendations for the process of reviewing Ashland's current conditional uses, and how new state legislation will impact our future decision criteria.

Plan Commissioners asked that additional information be provided about the zoning districts, how to access the UDO, and what other communities are doing in response to the legislative changes regulating the Conditional Use Permitting process. Discussion of potential changes to conditional uses and the CUP

review process will be a recurring agenda item until complete, at which time public informational sessions will be held to gain input and guide final ordinance amendments.

b) Update and recommendations on Bike Plan implementation

Aidan Johan went through the prioritized Action Plan he developed to guide implementation of the City's Bike Plan. He has begun looking into cost estimates and funding options for the striping of bike lanes along 11th Street.

Mayor Lewis said she would like to see bike lanes on 11th Street this year if possible, and suggested that some fundraising could be done to pay for the necessary paint and signage. She said it would be helpful to get an estimated cost for this.

Charmaine Swan said that she would like to see something done to promote bikeability on Main Street, even if it is just signage to make drivers more conscious of bikers and increase safety. She acknowledged that Main Street and also Ellis Avenue have obstacles to bikeability since there is on-street parking, but suggested that signage or education/outreach can be done to make biking safer in the meantime.

Katie Gellatly pointed out that Main Street is not very pedestrian-friendly either, which will likely require a more comprehensive review of how people move around in the Downtown to determine how to make it more walkable and bikeable.

Megan McBride suggested that Aidan's recommendation of having more visible, creative crosswalks on Main Street could help raise awareness for pedestrian traffic.

Aidan Johan said that even painting crosswalks on Main Street to match the ones on Ellis that have the large white blocks would make them more visible.

Megan McBride provided the update that bike racks created by Ashland High School students will be installed on Main Street in May.

7) Announcements / reports / comments / questions

Mayor Lewis announced that the next Council meeting on April 17th will include the newly elected Councilors and recently appointed City Attorney Tyler Wickman. She also announced that the City will be starting the hiring process for a new City Administrator as Mary Garness's last day as administrator was April 3rd.

8) Adjournment

Motion to adjourn by Katie Gellatly. Seconded by Mike Amman. Passed unanimously.
--

The meeting was adjourned at 7:30p.m. Minutes by Megan McBride.

**POLICE AND FIRE COMMISSION MEETING
ASHLAND FIRE DEPT. CONFERENCE ROOM
MARCH 19, 2018**

- 1. Call to order**

The meeting was called to order at 5:17 pm by Gordon Gilbertson
- 2. Roll Call**

Present: Gordon Gilbertson, Ed Monroe, Sara Lehr, Matthew Horning
Excused: Sarah Granley
Also present: Police Chief James Gregoire, Fire Chief Wayne Chenier, and Police Chaplain Tim Johnson
- 3. Approval of Agenda Items**

A motion was made by Matt Horning, seconded by Ed Monroe to approve the agenda. The motion passed unanimously.
- 4. Introduction of PFC Chaplain Maria Brandenburg**

Chaplain Brandenburg was unable to attend the meeting, however, Chaplain Tim Johnson was introduced by Chief Gregoire. Chaplain Johnson currently serves the Ashland and Bayfield County Sheriff's Department as well as the City of Ashland Police Department.
- 5. Approval of Minutes from the 1/8/18 meeting**

A motion was made by Ed Monroe, seconded by Sara Lehr to approve the minutes as written. The motion passed unanimously.
- 6. Police Department Report**
 - a. Administrative Report**

Chief Gregoire sent his report by email for Commission members to review before this meeting. Call volume has increased in January and February from normal. They are averaging 23.1 calls per day.
Officer Albertus graduated from Drug Recognition Expert training.
Officer Marten completed his FTO training and is now able to go out on his own.
Chief Gregoire is considering the idea of putting his report on Facebook once it has been approved by the Commission and the City Attorney.
Chief Gregoire and Chief Chenier along with Officer Greene and Captain Thimm have been in discussion with the School District to address issues involving school safety.
A motion was made by Ed Monroe, seconded by Sara Lehr to accept Chief Gregoire's report. The motion passed unanimously.
- 7. Fire Department Report**
 - b. Administrative Report**

Chief Chenier provided a handout with call data from 1/1/18 thru 3/11/18. During that time there were 2 structure fires. Calls have increased as have critical care transports. Call volume has increased 47% over last year. There have been an increase in overdose calls.
Rick Williams is the Fire Department Chaplain and meets with staff regularly.
Greg Alexander turned in his resignation effective March 5th.

Chris Pribek was promoted to Lieutenant effective January 17th. A pinning ceremony was held for LT. Pribek.

Brian Marko has retired from his POC position. Chief Chenier wanted the Commission to be aware of Brian's dedication to organizing the annual calendars which provide scholarships to local youth.

A motion was made by Matt Horning, seconded by Ed Monroe to accept Chief Gregoire's report. The motion passed unanimously.

8. Next meeting date

The next regular meeting of the Police and Fire Commission was scheduled for Monday, May 7, 2018 at 5:15 pm in the Fire Dept. Conference room.

9. Closed Session as authorized by Wisconsin State Statute 19.85(1) (c) to discuss

a. Police Dept. probation reports & FTO updates

b. Fire Dept. staff updates

A motion was made by Matt Horning, seconded by Sara Lehr to go into Closed Session. The motion passed unanimously.

10. Return to Open Session

A motion was made by Matt Horning, seconded by Ed Monroe to return to Open Session. The motion passed unanimously.

11. Report action taken in Closed Session

A motion was made by Ed Monroe, seconded by Matt Horning to approve Chief Gregoire's report on the progress reports given on promotions, achievements and reprimands of staff. The motion passed unanimously.

A motion was made by Sara Lehr, seconded by Ed Monroe to approve Chief Chenier's report on staff reports given on achievements, resignations, reprimands and the need to hire 2 positions. The motion passed unanimously.

12. Adjournment

A motion was made by Ed Monroe, seconded by Matt Horning to adjourn. The motion passed unanimously and the meeting adjourned at 6:30 pm.

Respectfully submitted,

Barb Henry
Recording Secretary
Police and Fire Commission

City of Ashland
Board of Review
Ashland City Council Chambers
May 15, 2018, 1:00 P.M.

Present: Pat Nemec, David Mettille, Ryan Long, Jeff Beirl

Also Present: City Clerk Denise Oliphant

Absent: Ed Monroe

The meeting was called to order at 1:05 p.m.

Roll Call: Roll call was taken by the Clerk. Nominations were opened for Chairperson.

Beirl nominated Monroe as the Board of Review Chairperson. Nemec seconded the motion. Beirl asked to close nominations. The motion carried unanimously by voice vote to approve Monroe as the Board of Review Chairperson.

Associated Appraisals has not completed the assessment roll at this time and therefore the Board will adjourn until the roll was completed.

Long moved, Nemec seconded a motion to adjourn the meeting until 10:00 a.m. on June 11, 2018. The motion carried unanimously.

The meeting was adjourned at 1:10 p.m.

Respectfully Submitted,

Denise Oliphant
City Clerk

Vaughn Public Library Board Meeting Minutes 3/8/2018 Meeting Room 5:30

Approved April 12, 2018

Present were: Clarence Campbell, Michelle Jardine and Janna Levings (acting president), Dinny Bolka, Jackie Moore, Sarah Allen, library director.

Called to order 5:30.

Motion to approve meeting agenda - made by Michelle and seconded by Jackie. Passed.

Motion to approve minutes from last meeting made by Michelle and seconded by Dinny. Passed

Public participation –none.

New Business – Michelle suggested looking into purchase and use of self-checkout. Sarah will investigate and get back to board.

Janna wanted to know if library could help community in any way with drug overdose epidemic. Information, flyers, resources?

Continuing business – Motion to change policy to amend registration policy as presented in library director's report. (For eliminating fines on children's books.) Dinny made motion and it was seconded by Jackie. Passed.

Director's report – summer reading grants ready to be sent out. Pamphlet ready regarding library annual report for public.

Next meeting April 12, 2018 at 5:30

Meeting adjourned at 6:40.



AGENDA BILL

Ref: 106

COMMITTEE AGENDA: 5 (05-08-2018)
COUNCIL AGENDA: 6C (05-29-2018)

SUBJECT: Approve the Ordinance to Amend Chapter 28 (1313), Ashland City Ordinances, Duties and Responsibilities of City Administrator

RECOMMENDATIONS: Approval

DEPARTMENT OF ORIGIN: Council

DATE SUBMITTED: May 8, 2018

CLEARANCES: Council President

EXHIBITS: Proposed Ordinance

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: NA

SUMMARY STATEMENT:

At the March 27, 2018, City Council meeting, Kinney moved, Mettillie seconded a motion to approve direction of the recruitment process to fill the City Administrator position to take place in-house by the Human Resources Director. The motion carried 7-3 by voice vote; opposed were Williamson, Pufall and Ketring.

Further, Ketring moved, Williamson seconded a motion to review and discuss Chapter 28, Ashland City Ordinances, in reference to the duties and responsibilities of the City Administrator prior to the advertising and hiring of a City Administrator. Doersch offered an amendment to complete the review of Chapter 28 within one meeting. Pufall seconded, Ketring did not accept the amendment. The motion failed 1-9 by voice vote. The motion as made by Ketring carried 9-1 by voice vote; Doersch opposed.

The Council needs to decide whether Chapter 28, Ashland City Ordinances, Duties and Responsibilities of City Administrator, should be amended at this time. The Ordinance was originally adopted in 1994 when the first City Administrator was hired and has been amended since that time to reflect the real life complex realities of a modern city government, requiring frequent judgment calls on the nuts and bolts management of the daily business of providing city services to residents.

At the April 17, 2018 City Council meeting, Mettillie moved, Ullman seconded a motion to approve the Human Resources Director to move ahead with the search for a new City Administrator using the current Chapter 28, Ashland City Ordinance. The motion carried 9-2 by voice vote.

Ortman moved, Ketring seconded a motion to set aside a specific meeting time to review and discuss Chapter 28. Ullman offered a friendly amendment for the item to be the sole item for discussion at the next Committee of the Whole meeting, May 8, 2018. This amendment was accepted by both Ortman and Ketring. The motion carried unanimously by voice vote.

At the May 8, 2018 Committee of the Whole meeting, after review of Chapter 28, Ashland City Ordinance and much discussion, Ketring moved, Franek seconded a motion to create a one-time Ad Hoc Committee to work on Chapter 28 to try to improve the relations between Council, Administration and staff. George offered a friendly amendment to make only small wording changes over this and future Committee of the Whole meetings, and for the Ad Hoc committee to review Chapter 28 along with the newly hired City Administrator in the future. This was accepted by both Ketring and Franek. The motion carried 10-1 by voice vote; Moore opposed.

Moore moved, George seconded a motion to approve as written Chapter 28, Ashland City Ordinances, regarding the duties and responsibilities of the City Administrator, and to make any changes after hiring a City Administrator. The motion failed after more discussion, 1-10; opposed were George, Ketring, Jackson, Ullman, Tochtermann, Haas, Mettillie, Ortman, Pufall and Franek.

Ullman moved, Ketring seconded a motion to change verbiage of Chapter 28.06(a) to read, "Supervising: Be responsible for the administrative direction, supervision, and coordination of all employees *utilizing progressive discipline* according to the established organization procedures;" After deliberation, Ullman called the question, seconded by Ortman. The motion to call the question carried unanimously by voice vote. The motion to change verbiage to Chapter 28.06(a) failed 0-11 by voice vote as all Councilors opposed.

George moved, Ortman seconded a motion to approve Chapter 28 as it currently states.

Tochtermann requested for a friendly amendment to alter verbiage of Chapter 28.04(m) to read, "Goals and Objectives: Promote the ~~economic~~ well-being ~~and growth~~ of the City of Ashland...;" This was accepted by both George and Ortman.

Tochtermann requested for a second friendly amendment to alter verbiage of Chapter 28.04(n) to read, "Promoting Economic Development: Work in conjunction with appropriate *stakeholders such as* commercial, industrial, and citizen representatives to ~~define the role of the city in~~ promoteing the economic well-being of Ashland." George and Ortman both accepted the friendly amendment.

Franek requested clarification regarding 28.06(d), "...evaluate the performance of department heads on a regular basis;..." Human Resources Director Jan Anderson helped to define this statement, and no amendment was requested.

On May 8, 2018, the motion to approve to accept Chapter 28 with verbiage amendments to 28.04(m) and 28.04(n) was carried unanimously by voice vote.

ORDINANCE TO AMEND CHAPTER 28 (1313), ASHLAND CITY ORDINANCES, DUTIES AND RESPONSIBILITIES OF CITY ADMINISTRATOR

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of May 29, 2018 for the purpose of repealing and recreating Sections 28.04(m) and 28.04(n) of Chapter 28, Ashland City Ordinances, Duties and Responsibilities of City Administrator.

SECTION I:

Section 28.04(m), shall be repealed and recreated as follows:

Goals and Objectives. Promote the well-being of the City of Ashland through public and private sector cooperation. Coordinate the development and acceptance of city-wide goals and objectives. Ensure that achievement plans are created and successfully implemented for these goals and objectives;

SECTION II

Section 28.04 (n), shall be repealed and recreated as follows:

Promoting Economic Development. Work in conjunction with appropriate stakeholders such as commercial, industrial, and citizen representatives to promote the economic well-being of Ashland.

SECTION III:

This ordinance shall take effect upon passage and publication.

PASSED: May 29, 2018
PUBLISHED:

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney



AGENDA BILL

Ref: 113

COMMITTEE AGENDA:
COUNCIL AGENDA: 7A (5/29/2018)

SUBJECT: Presentation, Discussion and Possible Action Regarding City of Ashland Economic Development Strategic Plan by Kevin Stranberg

RECOMMENDATION: As Council Determines

DEPARTMENT OF ORIGIN: Mayor

DATE SUBMITTED: May 29, 2018

CLEARANCES: Planning Director

EXHIBITS: City of Ashland Economic Development Strategic Plan – to be distributed at meeting

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: N/A

TREASURER’S CERTIFICATE IN ACCORDANCE WITH ORDINANCE 923.10: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: NA

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 Mayor has chosen to direct this item directly to Council pursuant to the authority granted to her in Chapter 51, Ashland City Ordinances, due to the need for timely action.

SUMMARY STATEMENT:

This Plan is an outgrowth of the Comprehensive Plan adopted by the Ashland City Council in 2017 that called for a specific Economic Strategic Plan to be developed for the City. Committee make-up was chosen with the goal of generating greater collaboration among key community stakeholders and assembly of a diverse committee of business and educational representatives.

The full group met four times on April 11, May 19, and October 27, 2017 and April 13, 2018. At the first meeting, the large group identified three primary areas of focus and subcommittees were formed for each of the three focus areas. Each subcommittee discussed topics from the initial meeting and were tasked with creating action steps for the large group which were subsequently adopted and revised into.

The primary areas of focus identified by the large group were: 1) Business Creation and Growth, 2) Workforce Development, and 3) Area Promotion and Advancement.

FACILITATOR: Kevin Stranberg, Memorial Medical Center

Participants: Mike Bailey, W.I.N.; Mike Bebeau, Xcel Energy; John Beirl, Ashland Plan Commission; Steve Bitzer, WITC ; Kent Dumonseau, Memorial Medical Center; Kim Dwyer, School District of Ashland; Jay Emmert, Coldwell-Banker Realty; Rick Forsythe, Ashland Business Alliance; Mary Garness, City of Ashland Administrator; Betsey Harries, Ashland Area Development Corporation; Keith Hilts, Ashland School District; Brandon Hofstadt, Northland College Center for Rural Communities; Matt Hulmer, Bretting Manufacturing; April Kroner, City of Ashland; Gary LaPean, Ashland Chamber of Commerce; Cory Larson, Deltco Mfg.; Mayor Deb Lewis, City of Ashland; David Martin, Deep Water Grille; Mary McPhetridge, Ashland Chamber of Commerce; David Mettille, Ashland City Council; Mari Kay-Nabozny, NW CEP; Charlie Ortman, Ashland Business Alliance; Rose Spieler-Sandberg, City of Ashland; Tom Wojciechowski, UW Extension

Kevin Stranberg, the facilitator of the group, will be on hand to present the plan to the Council.



AGENDA BILL

Ref: 112

COMMITTEE AGENDA:
COUNCIL AGENDA: 7B (05/29/2018)

SUBJECT: Approve a One Year Contract Term with Attorney Tyler W. Wickman of Dallenbach, Anich & Wickman, S.C. for City Attorney Legal Services Effective 5/26/18

RECOMMENDATIONS: Approval

DEPARTMENT OF ORIGIN: Mayor

DATE SUBMITTED: May 21, 2018

CLEARANCES: City Attorney David Siegler

EXHIBITS: City Attorney Agreement

EXPENDITURES REQUIRED: No additional expenditure will be required in 2018

AMOUNT BUDGETED: \$64,430 in 2018 fiscal year *for City Attorney Expenses*

APPROPRIATION REQUIRED: The annual budget provides for legal service expenses

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: N.A.

SUMMARY STATEMENT: Attorney David Siegler informed the Common Council in December, 2017, that he would be retiring as City Attorney on May 25, 2018. In response to his announcement, the City assembled an RFP for legal services.

The solicitation of proposals was advertised in the local newspaper, on the web, and with the Wisconsin League of Municipalities.

Two proposals were received by the City. Two firms were interviewed in March, 2018, and the firm of Dallenbach, Anich, & Wickman, S.C. was recommended and approved by the City Council.

Tyler W. Wickman has been in the legal profession for ten years and has operated a general practice in downtown Ashland. Mr. Wickman has served as the City Attorney for the City of Mellen.

The contract from Dallenbach, Anich, & Wickman, S.C., provides that the City Attorney shall at all times be an independent contractor of the City and not an employee, as Attorney Siegler was. Mr. Wickman's hourly rate is \$150/hour, and the City is not billed for administrative time. In addition to fees, under the proposed contract, the City will reimburse Attorney Wickman for costs such as non-standard mail postage and delivery fees, court costs, mileage outside the City of Ashland, copies after the first 100 pages for each job, and a portion of registration fees for legal continuing education

pertaining to Municipal Law. The initial contract is for one year in order to more accurately evaluate how much time will be needed to meet the demand for City Attorney services.

The average annual hours of service provided by Attorney Siegler to the City in the past is 423, multiplied by \$150/hr = \$63,450.

RECOMMENDED MOTION: Approve the one year City Attorney Agreement as proposed.

CITY ATTORNEY AGREEMENT

This Agreement is made and entered into by the City of Ashland, a Wisconsin municipal corporation, 601 Main Street West, Ashland, WI 54806, and Dallenbach, Anich & Wickman, S.C., 220 Sixth Avenue West, P.O. Box 677, Ashland, WI 54806, at the City of Ashland on the date of the last signature set forth below.

WHEREAS, the Mayor of the City of Ashland has appointed the Attorney to serve as the City Attorney for the City of Ashland for a one-year term and the Common Council of the City of Ashland has confirmed the appointment;

NOW, THEREFORE the parties agree as follows:

- 1. **Definitions.** In this Agreement, "City" means the City of Ashland, acting by and through its Common Council. "Attorney" means Dallenbach, Anich & Wickman, S.C. "City Attorney" has the meaning set forth in sec. 62.09, Wisconsin Statutes, with Tyler W. Wickman acting as primary counsel to the City.
- 2. **Appointment.** The City appoints the Attorney to serve as its City Attorney and the Attorney agrees to serve as the City's City Attorney.
- 3. **Term.** The term of the Attorney's appointment as City Attorney shall be from May 26, 2018, through May 25, 2019, with the understanding that Siegler Law Office, S.C., will be the primary attorney until May 25, 2018.
- 4. **Duties.**

(a) **General Duties.** The Attorney shall have the duties of the City Attorney as set forth in sec. 62.09(12), Wisconsin Statutes, except for those legal duties assigned by the City to special counsel pursuant to sec. 62.09 (12) (g). Sec. 62.09(12), Wisconsin Statutes, provides as follows:

(12) Attorney.

- (a) The attorney shall conduct all the law business in which the city is interested.
- (c) The attorney shall when requested by city officers give written legal opinions, which shall be filed with the clerk.
- (d) The attorney shall draft ordinances, bonds and other instruments as may be required by city officers.
- (e) The attorney shall examine the tax and assessment rolls and other tax proceedings, and advise the proper city officers in regard thereto.
- (f) The attorney may appoint an assistant, who shall have power to perform the attorney's duties and for whose acts the attorney shall be responsible to the city. Such assistant shall receive no compensation from the city, unless previously provided by ordinance.
- (g) The council may employ and compensate special counsel to assist in or take charge of any matter in which the city is interested.

The following are the primary responsibilities based upon past practice for the legal services the City will require in a City Attorney:

1/ Attend all regular scheduled meeting of the Common Council and its Committee of the Whole. Attend all work sessions and retreats of the Common Council and its committee of the whole as requested by the Council, Mayor, or Administrator. Attend other board, commission, authority meetings and advisory committee meetings as requested.

2/ Advise the Mayor, Common Council, Administrator, Department Heads, and other staff as required, on municipal legal matters.

3/ Prepare and/or review municipal agreements, contracts, etc. to be entered into by the City.

4/ Research and submit legal opinions on municipal or other legal matters as requested by the Mayor, Common Council, or Administrator.

5/Provide advice on open meeting law, data practices, records retention and privacy issues.

6/ Serve on the City's labor negotiating team and advise the Mayor, Council, Administrator, and Department Heads on contract and labor issues.

7/ Provide guidance on City personnel matters, including employee disciplinary and grievance matters.

8/ Legal work pertaining to ordinance violations, financial delinquencies, code enforcement, etc.

9/ Legal work pertaining to property acquisitions, property disposal, public improvements, special assessments, easement dedications, and rights-of-way vacations.

10/ Legal work pertaining to housing RLF loans, business RLF loans and economic development activities.

11/ Enforcement of City codes, zoning regulations, building standards through administrative and judicial actions.

12/ Coordination of outside legal counsel, as needed and directed by the Mayor, Common Council, and City Administrator.

(b) Direction. The parties understand and agree that the City Attorney's client is the City of Ashland, acting by and through its Common Council as a whole. The City may direct the work of the City Attorney through the Common Council acting as a whole, and also delegates its authority to direct the work of the City Attorney to the Mayor, the City Administrator/Clerk, Finance Director, and the Police Chief.

5. Compensation.

(a) Fee. Each attorney on the billing team will charge a rate of \$150 per hour for time spent providing legal services to the City.

(b) Time. Billable legal services include, but are not limited to: office conferences, other conferences, telephone conversations, communications by e-mail/fax or other electronic means, court appearances, appearances before public bodies, reading and writing correspondence, legal research, preparing and reviewing pleadings, documents and other papers, analyzing records and reports, participating in mediation or arbitration, and attending City Council or other City meetings. The time an Attorney spends providing such legal services will be billed in increments of one-tenth of an hour (6 minutes) with six minutes being the minimum time charged. Such time may be rounded to the next higher increment (e.g. 10 minutes would be billed as .2 of an hour). Administrative staff time will not be billed to the City.

(c) Time statements. The Attorney shall submit to the City a statement of time spent each month no later than the tenth day of the following month.

(d) Mileage and Costs. In addition to fees, the City shall reimburse the Attorney for all costs incurred in providing services to the City, including, but not limited to postage and delivery services (except for anything sent by standard mail), long distance phone calls and long distance faxes, photocopies over 100 pages, fees charged by courts and other public agencies, witness fees, service costs, other costs associated with litigation, and mileage at the current federal rate, provided that mileage will never be charged between the Attorney's office in Ashland and within the City of Ashland. The City will also pay the registration fee, not to exceed \$300 of the League of Wisconsin Municipalities annual Legal Institute, or at the Attorney's request, the same amount for other continuing legal education related to municipal issues. In the event the Attorney represents other municipal clients, this fee will be distributed accordingly. Photocopies made in-house at the Attorney's office are charged at 10 cents per page after the first 100 pages. On occasional large copy jobs the Attorney will determine if the City wishes to do the copying in-house, or will job out the copying if it can be done at a lower rate.

The Attorney will include billings for costs with the time statements submitted pursuant to Paragraph 5(c), above, and the City will pay for such costs within 30 days of billing.

6. Independent contractor status. The Attorney shall at all times be an independent contractor of the City and not an employee.

7. Declination of service. The Attorney reserves the right to decline to perform a particular service if in his opinion to do so would require a violation of any law or any rule of professional responsibility.

8. **Termination.** This Agreement may be terminated by either party upon 60 days written notice to the other, provided that notice of termination by the City shall follow compliance with the requirements of sec. 17.12, Wis. Stats., and upon such termination, the Attorney shall be compensated as provided herein, and provided that upon termination by the Attorney, the Attorney shall not jeopardize any on-going legal action.

CITY OF ASHLAND

DALLENBACH, ANICH & WICKMAN, S.C.

By:

By:

 5-27-18

Debra S. Lewis

Date

Tyler W. Wickman

Date

Mayor

Attorney at Law

State Bar No: 1057612

Denise Oliphant

Date

Clerk



AGENDA BILL

Ref: 115

COMMITTEE AGENDA:
COUNCIL AGENDA: 7C (5-29-2018)

**SUBJECT: Approve to Accept a Grant from Wisconsin Coastal Management for the City of Ashland:
Update of the Waterfront Development and Comprehensive Outdoor Recreation Plans**

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks and Recreation Department
Planning and Community Development

DATE SUBMITTED: May 22, 2018

CLEARANCES: Finance Director
Mayor

EXHIBITS: Wisconsin Coastal Management Grant Application

EXPENDITURES REQUIRED:	\$29,500	Grant Award
	<u>\$29,500</u>	<u>Required Cash Match</u>
	\$59,000	Total

AMOUNT BUDGETED: \$25,500 Fund 453 Waterfront Development Capital Project

APPROPRIATION REQUIRED: \$ 4,000 Fund 453 Waterfront Development Capital Project

TREASURER'S CERTIFICATE: NA

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 Mayor has chosen to direct this item directly to Council pursuant to the authority granted to her in Chapter 51, Ashland City Ordinances, due to the need for timely action.

RECOMMENDED MOTION: Approve to Accept a Grant from Wisconsin Coastal Management for the City of Ashland

SUMMARY STATEMENT: The City of Ashland has requested and has been awarded assistance from the Wisconsin Coastal Management Program to update both the Waterfront Development Plan and Comprehensive Outdoor Recreation Plan for the City of Ashland.

The current Waterfront Development Plan was created in 2002, and did not take into account the ownership transitions which have taken place, or the ever-changing lake and natural environment. The updated plans will take into account various improvements that need to be cohesively integrated and coordinated. The plan will be written to align with priorities set forth in the City's Comprehensive Plan: Authentic Ashland 2035, and includes the development of areas such as the Northern States Power lakefront Superfund site, Bayview Pier redevelopment, Maslowski Beach, Kreher Park expansion, and Ashland Ore Dock redevelopment. The updated plan would include the entire four mile section of City waterfront.

The City's Comprehensive Outdoor Recreation Plan ("CORP") was created in 2013. The Wisconsin Department of Natural Resources, along with the National Parks and Recreation Agency, recommend that the CORP be updated every 5 years to stay current with outdoor recreation trends, park usage, land development, and the City's priorities.

1. Type of Project (check one):	<input type="checkbox"/> Coastal Wetland Protection and Habitat Restoration <input type="checkbox"/> Nonpoint Source Pollution Control <input checked="" type="checkbox"/> Coastal Resources and Community Planning <input type="checkbox"/> Great Lakes Education <input type="checkbox"/> Public Access and Historic Preservation
2. Project Title (max. 15 words): City of Ashland Planning: Update of the Waterfront Development and Comprehensive Outdoor Recreation Plans	
3. Organization applying: City of Ashland	5. Organization DUNS Number: 071499719
4. Contact Person and Address: Sara Hudson _____ 400 4 th Ave W _____ Ashland WI 54806 _____ Phone: 715-685-1644 Email: shudson@coawi.org	6. Primary County where project is located: Ashland
	7. Other Counties where project is located:
	8. Congressional District #: 7
	9. State Senate District #: 24
	10. State Assembly District #: 74
11. Total Project Cost: \$59,000	
12. WCMP Share: \$ 29,500	14. WCMP Percent: 50%
13. Applicant Share: \$ 29,500	15. Applicant Percent: 50%
16. Brief Summary of the Project (300 word maximum, use this page only). Include (1) Project Description and (2) Project Outcomes:	
<p>Project Description:</p> <p>The City of Ashland is seeking assistance from the Wisconsin Coastal Management Grant Program to update the City of Ashland’s Waterfront Development and Comprehensive Outdoor Recreation Plans.</p> <p>The current Waterfront Development Plan was created in 2002, and did not take into account the ownership transitions and taken into account the ever changing lake and natural environment. The updated plans will take into account various improvements that need to be cohesively integrated and work together. The plan will be written to align with priorities set forth in the City’s Comprehensive Plan: Authentic Ashland 2035, and includes the development of such areas as the Northern States Power lakefront Superfund site, Bayview Pier redevelopment, Maslowski Beach, Kreher Park expansion, the Ashland Ore Dock redevelopment. The updated plan would include the entire four mile section of City waterfront.</p> <p>The City’s Comprehensive Outdoor Recreation Plan (“CORP”) was created in 2013. The Wisconsin Department of Natural Resources, along with the National Parks and Recreation Agency recommend that the CORP be updated every 5 years to stay current with outdoor recreation trends, park usage land development, and City priorities.</p> <p>This proposal is for the rewrite/update of two different yet interrelated plans. Fifty (50) percent of the City’s outdoor recreation space is along the waterfront and seventy (70) percent of the City’s waterfront is in public ownership.</p> <p>Project Outcomes:</p> <ul style="list-style-type: none"> - Retention of a consultant to lead the project planning process for each project - Host two public meetings/input/listening session for each plan: one (1) for stakeholders and one (1) for general public to provide feedback on plan updates - Update of the City of Ashland’s Waterfront Plan 2019 – 2023 - Update of the City of Ashland’s Comprehensive Outdoor Recreation Plan 2019-2023 - Updates to City of Ashland Unified Development Ordinance (priority areas such upland areas as adjacent to the Ore Dock) 	



66

AGENDA BILL

Ref: 117

COMMITTEE AGENDA:
COUNCIL AGENDA: 7D (05-29-2018)

SUBJECT: Approve a Contract with Lowest Responsible Bidder for Beaser Avenue Median Replacement & Road Construction Project

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works Department

DATE SUBMITTED: May 22, 2018

CLEARANCES: Acting Public Works Director
Engineering Department Senior Civil Technician
Ashland School District

EXHIBITS: A-Bid Results (opened May 29: to be presented at Council meeting)
B-Treasurer's Certificate (to be presented at Council meeting)

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has been asked to certify that the provisions of Ordinance 923.10 have been complied with.

COMPLIANCE WITH ORDINANCE 51: NA

RECOMMENDATION: Approve entering into a contract with the lowest responsible bidder for the removal of a median strip from Beaser Avenue, as approved by Council on April 17, 2018.

SUMMARY STATEMENT: In accordance with the City's agreement with the Ashland School District, approved by City Council on April 17, 2018, the Public Works Department advertised for sealed bids which were opened at 2:00 p.m. on Tuesday, May 29, 2018.

The project consists of removing 230 feet x 18 feet of raised center median, constructing a new road base, and laying 3,950 square feet of asphalt pavement.

Per the agreement, the Ashland School District will pay all costs of the project including design and construction.



AGENDA BILL

Ref: 116

COMMITTEE AGENDA:
COUNCIL AGENDA: 7E (05-29-2018)

SUBJECT: Approve to Purchase a 2019 Western Star Tandem Axle Chassis from U.P. Truck Center, Inc. and a Tandem Dump Box to Fit the Chassis from Universal Truck Equipment, Inc.

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works Department

DATE SUBMITTED: May 22, 2018

CLEARANCES: Acting Public Works Director
Fleet Maintenance Foreman
Street Foreman
Finance Director

EXHIBITS: A-Tandem Axle Chassis Bid Tab
B-Box Bid Tab
C-Treasurer's Certificate

EXPENDITURES REQUIRED:	\$ 89,495.00	Chassis- U.P. Truck Center
	2,590.00	Chassis - 5 year Warranty
	<u>35,859.00</u>	Dump Box - Universal Truck Equipment
	<u>\$127,944.00</u>	TOTAL

AMOUNT BUDGETED:	\$ 78,151.00	Fund 460 – Balance of 2017B GO Notes
	<u>49,793.00</u>	Fund 460 - Budget Transfer In and Equipment Sales
	<u>\$127,944.00</u>	TOTAL

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: The Treasurer's Office has certified that the provisions of Ordinance 923.10 have been complied with.

COMPLIANCE WITH ORDINANCE 51:

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

RECOMMENDATION: Approve to purchase a 2019 tandem axle chassis from U.P. Truck Center, Inc. and a tandem dump box from Universal Truck Equipment, Inc.

SUMMARY STATEMENT:

The purchase of the tandem axle chassis and dump box will allow for the replacement of a 1990 International dump truck. The dump truck is used to haul various materials including snow, gravel, and brush. The 1990 International dump truck will be sold after receiving the new vehicle.

The Public Works Department advertised/solicited bids. Four sealed bids were received for the dump axle chassis. Staff reviewed the bids and U.P. Truck Center, Inc. met and/or exceeded the specifications with the lowest bid. Bids were also received from All-State Peterbilt, Rihm Kenworth, and Mid State.

The anticipated new truck is expected to be part of the fleet for 25-plus years, and it is believed with a Western Star chassis and a stainless steel box, this expectation will be met.

Two sealed bids were received for the dump box from Universal Truck Equipment, Inc. and Monroe Truck.

The Public Works staff recommends that the chassis is purchased from U.P. Truck Center, Inc. and the box purchased from Universal Trucking Equipment, Inc.



Ashland

WISCONSIN

BIDDING SUMMARY: 2018-19 Tandem Axle Chassis

BID DATE: May 14, 2018

Vendor	Make/Model	Price Per Unit TOTAL
U.P. TRUCK CENTER	WESTERN STAR	\$89,495.00
MID STATES	INTERSTATE INTERNATIONAL	\$91,000.00 / \$92,000.00 +\$750.00 Rebate " "
ALL STATES PETER BILT	PETER BILT	\$101,500.00
RIHM KENWORTH	KENWORTH	\$104,841.00

WITNESS *[Signature]* DATE 5/14/18

WITNESS *[Signature]* DATE 5/14/18



Ashland

WISCONSIN

BIDDING SUMMARY: Box to Fit 2018-19 Tandem Axle Chassis

BID DATE: May 14, 2018

Vendor	Make/Model	Price Per Unit TOTAL
MONROE	CRYSTEEL SELECT	\$37,789.00
UNIV. TRUCK EQUIPMENT	HENDERSON	\$35,859.00

WITNESS *[Signature]* DATE 5/14/18

WITNESS *[Signature]* DATE 5/14/18

Denise Oliphant

From: Barbara Clement
Sent: Friday, May 18, 2018 2:55 PM
To: Alison Gillespie
Cc: Denise Oliphant; Patti Ekstrom
Subject: RE: Compliance with ordinance 923

Alison,

Both

U.P. Truck Center Inc. of Quinnesec, MI,
Universal Truck Equipment Inc. of Galesville, WI

are in compliance with City Ordinance Chapter 923.

Barbara Clement
City of Ashland Treasurer
601 Main St W
Ashland, WI 54806

(715) 682-7056

From: Alison Gillespie
Sent: Thursday, May 17, 2018 7:46 AM
To: Barbara Clement
Subject: Compliance with ordinance 923

Barb,

Are U.P. Truck Center Inc. out of Quinnesec, MI, and Universal Truck Equipment Inc. out of Galesville, WI in compliance with Ordinance 923.

Thanks,

Alison Gillespie
Public Works/Utility Clerk
City of Ashland Department of Public Works
2020 6th Street East, Ashland, WI 54806
Tel: (715) 682-7061



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AGENDA BILL

Ref: 118

COMMITTEE AGENDA:
COUNCIL AGENDA: 7F (05-29-2018)

SUBJECT: Approve a Resolution to Acknowledge Review of the 2017 Compliance Maintenance Annual Report (CMAR) of the Ashland Wastewater Utility Pursuant to the Requirements of NR 208, Wisconsin Administrative Code

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works Department

DATE SUBMITTED: May 22, 2018

CLEARANCES: Acting Director of Public Works

EXHIBITS: A- Proposed Resolution
B-2017 Compliance Maintenance Annual Report

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: Approve the 2017 CMAR Resolution as presented.

SUMMARY STATEMENT: Annually, since 1987, Chapter NR 208 of the Wisconsin Administrative Code requires publicly and privately owned domestic wastewater plants to complete a self-evaluation of the operations of their treatment works called the Compliance Maintenance Annual Report (CMAR). The purpose of the program is to prevent water quality degradation and prevent violations of WPDES (Wisconsin Pollutant Discharge Elimination System) permits. The CMAR describes wastewater management activities and performance of the treatment works during the previous calendar year.

The CMAR scores various aspects of the wastewater system in accordance with the requirements of NR 208. The report is scored on what the WDNR refers to as a Sectional scoring system that provides a grade for each aspect of the operation of the utility including collection, staffing, and preventative maintenance, capacity, and plant loadings of the wastewater system. In addition, the report scores the financial position of the system and the certification of the operators.

The point score is then turned into an applicable grade. A response action is tied to the applicable grade of each section. The grades of the individual sections of the Utility's 2017 CMAR are summarized on page 1 of the

report. The following table from NR 208 provides a translation of the scores:

Score	Grade	Grade Points	Grade Meaning	Response Range
91-100	A	4	Good	Voluntary
81-90	B	3	Satisfactory	Voluntary
71-80	C	2	Marginal	Recommendation
61-70	D	1	Poor	Action
<61	F	0	Fail	Action

The cumulative sum of these scores is compared to the DNR scoring system to show if the Wastewater Utility should be considering and/or planning for treatment upgrades or adjustments in the operation of the Utility.

The score has been modified by the introduction of a CMOM planning initiative instituted by the DNR. CMOM stands for "capacity, management, operations, and maintenance." It is a flexible, dynamic framework for municipalities to identify and incorporate widely-accepted wastewater industry practices to: • Better manage, operate, and maintain collection systems • Investigate capacity constrained areas of the collection system • Respond to sanitary sewer overflow (SSO) events.

The CMOM approach helps municipal wastewater utility operators provide a high level of service to customers and reduce regulatory noncompliance. CMOM can help utilities optimize use of human and material resources by shifting maintenance activities from "reactive" to "predictive"—often leading to cost savings through avoided overtime, emergency construction costs, increased insurance premiums, and the possibility of lawsuits. CMOM information and documentation can also help improve communications with the public, other municipal works and regional planning organizations, and regulators.

In CMOM planning, the utility selects performance goal targets, and designs CMOM activities to meet the goals. The CMOM planning framework covers operation and maintenance (O&M) planning, capacity assessment and assurance, capital improvement planning, and financial management planning. Information collection and management practices are used to track how well each CMOM activity is meeting the performance goals, and whether overall system efficiency is improving. On an ongoing basis, activities are reviewed and adjusted to better meet the performance goals. As the CMOM program progresses, performance goals can change. For instance, an initial goal may be to develop a geographic information system (GIS) of the system. Once the GIS is complete, a new goal might be to use the GIS to track emergency calls and use the information to improve maintenance planning.

I & I (Inflow and Infiltration) is still a major problem affecting the overall operation and deferred maintenance is building. These are problems that have not been solved and still need to be addressed by the Ashland Waste Water Utility.

NR 208 requires that the City adopt a resolution that states the Council has reviewed the CMAR and identifies actions that the City will take to address the concerns arising in this year's self-evaluation. The resolution acknowledges that the Council has reviewed the CMAR and that the City will investigate inflow/infiltration issues of the Utility.

It is recommended that the Council approve the accompanying resolution.

RESOLUTION

No. _____

RESOLUTION TO ACKNOWLEDGE REVIEW OF THE 2017 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) OF THE ASHLAND WASTEWATER UTILITY PURSUANT TO THE REQUIREMENTS OF NR 208, WISCONSIN ADMINISTRATIVE CODE

WHEREAS, it is a requirement of NR 208, Wisconsin Administrative Code, to file an annual self-evaluation of the operation of the City’s Wastewater Utility to the Wisconsin Department of Natural Resources; and,

WHEREAS, this annual self-evaluation is known as a Compliance Maintenance Annual Report (CMAR); and

WHEREAS, it is a requirement of NR 208, Wisconsin Administrative Code, that the governing body of the City of Ashland acknowledges it has reviewed the CMAR.

NOW, THEREFORE, BE IT RESOLVED that the Common Council for the City of Ashland has informed the Wisconsin Department of Natural Resources that it reviewed the 2017 CMAR.

BE IT FURTHER RESOLVED that the following actions will be undertaken by the Common Council for the City of Ashland:

1. Continued review of the Utility’s infiltration and inflow issues.

Councilperson

PASSED: May 29, 2018

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM

Tyler W. Wickman, City Attorney

Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:

5/23/2018

2017

Influent Flow and Loading

1. Monthly Average Flows and (C)BOD Loadings

1.1 Verify the following monthly flows and (C)BOD loadings to your facility.

Outfall No. 701	Influent Monthly Average Flow, MGD	x	Influent Monthly Average (C)BOD Concentration mg/L	x	8.34	=	Influent Monthly Average (C)BOD Loading, lbs/day
January	0.8729	x	210	x	8.34	=	1,530
February	1.1945	x	173	x	8.34	=	1,720
March	1.1997	x	158	x	8.34	=	1,586
April	1.7433	x	132	x	8.34	=	1,914
May	2.2376	x	106	x	8.34	=	1,971
June	1.0282	x	201	x	8.34	=	1,725
July	0.9236	x	202	x	8.34	=	1,558
August	1.3765	x	155	x	8.34	=	1,776
September	1.1020	x	191	x	8.34	=	1,760
October	1.6062	x	156	x	8.34	=	2,084
November	1.0837	x	168	x	8.34	=	1,523
December	0.9693	x	195	x	8.34	=	1,579

2. Maximum Monthly Design Flow and Design (C)BOD Loading

2.1 Verify the design flow and loading for your facility.

Design	Design Factor	x	%	=	% of Design
Max Month Design Flow, MGD	3.2	x	90	=	2.88
		x	100	=	3.2
Design (C)BOD, lbs/day	3500	x	90	=	3150
		x	100	=	3500

2.2 Verify the number of times the flow and (C)BOD exceeded 90% or 100% of design, points earned, and score:

	Months of Influent	Number of times flow was greater than 90% of	Number of times flow was greater than 100% of	Number of times (C)BOD was greater than 90% of design	Number of times (C)BOD was greater than 100% of design
January	1	0	0	0	0
February	1	0	0	0	0
March	1	0	0	0	0
April	1	0	0	0	0
May	1	0	0	0	0
June	1	0	0	0	0
July	1	0	0	0	0
August	1	0	0	0	0
September	1	0	0	0	0
October	1	0	0	0	0
November	1	0	0	0	0
December	1	0	0	0	0
Points per each		2	1	3	2
Exceedances		0	0	0	0
Points		0	0	0	0
Total Number of Points					0

0

4.5

Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:
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3. Flow Meter

3.1 Was the influent flow meter calibrated in the last year?

- Yes Enter last calibration date (MM/DD/YYYY)

No

If No, please explain:

4. Sewer Use Ordinance

4.1 Did your community have a sewer use ordinance that limited or prohibited the discharge of excessive conventional pollutants ((C)BOD, SS, or pH) or toxic substances to the sewer from industries, commercial users, hauled waste, or residences?

Yes

No

If No, please explain:

4.2 Was it necessary to enforce the ordinance?

Yes

No

If Yes, please explain:

5. Septage Receiving

5.1 Did you have requests to receive septage at your facility?

- | | | |
|--------------------------------------|--------------------------------------|-------------------------------------|
| Septic Tanks | Holding Tanks | Grease Traps |
| <input checked="" type="radio"/> Yes | <input checked="" type="radio"/> Yes | <input type="radio"/> Yes |
| <input type="radio"/> No | <input type="radio"/> No | <input checked="" type="radio"/> No |

5.2 Did you receive septage at your facility? If yes, indicate volume in gallons.

Septic Tanks
 Yes gallons

No

Holding Tanks
 Yes gallons

No

Grease Traps
 Yes gallons

No

5.2.1 If yes to any of the above, please explain if plant performance is affected when receiving any of these wastes.

6. Pretreatment

6.1 Did your facility experience operational problems, permit violations, biosolids quality concerns, or hazardous situations in the sewer system or treatment plant that were attributable to commercial or industrial discharges in the last year?

Yes

No

If yes, describe the situation and your community's response.

6.2 Did your facility accept hauled industrial wastes, landfill leachate, etc.?

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Ashland Sewage Utility

Last Updated: Reporting For:
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- Yes
- No

If yes, describe the types of wastes received and any procedures or other restrictions that were in place to protect the facility from the discharge of hauled industrial wastes.

Leachate from Xcel Energy-Fly Ash and Stack Slag landfill and the Ft. James Paper-Paper mill landfill. WWTP Lab monitors BOD, pH, TSS, Temperature, Conductivity on all leachate entering the system.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:
5/23/2018 **2017**

Effluent Quality and Plant Performance (BOD/CBOD)

1. Effluent (C)BOD Results

1.1 Verify the following monthly average effluent values, exceedances, and points for BOD or CBOD

Outfall No. 001	Monthly Average Limit (mg/L)	90% of Permit Limit > 10 (mg/L)	Effluent Monthly Average (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance	90% Permit Limit Exceedance
January	30	27	7	1	0	0
February	30	27	7	1	0	0
March	30	27	7	1	0	0
April	30	27	7	1	0	0
May	30	27	6	1	0	0
June	30	27	6	1	0	0
July	30	27	5	1	0	0
August	30	27	5	1	0	0
September	30	27	5	1	0	0
October	30	27	4	1	0	0
November	30	27	4	1	0	0
December	30	27	5	1	0	0

* Equals limit if limit is <= 10

Months of discharge/yr	12		
Points per each exceedance with 12 months of discharge		7	3
Exceedances		0	0
Points		0	0
Total number of points			0

NOTE: For systems that discharge intermittently to state waters, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge. Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is 12/6 = 2.0

1.2 If any violations occurred, what action was taken to regain compliance?

2. Flow Meter Calibration

2.1 Was the effluent flow meter calibrated in the last year?

- Yes

Enter last calibration date (MM/DD/YYYY)

08/10/2017

- No

If No, please explain:

3. Treatment Problems

3.1 What problems, if any, were experienced over the last year that threatened treatment?

I&I continues to be a problem throughout the system. Failure to follow up on the CMOM program threatens us with several potential problems.

4. Other Monitoring and Limits

4.1 At any time in the past year was there an exceedance of a permit limit for any other pollutants such as chlorides, pH, residual chlorine, fecal coliform, or metals?

- Yes

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Ashland Sewage Utility

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No

If Yes, please explain:

January 7,8 and 11 pH was below 6.0. Added Sodium Hydroxide to adjust.

4.2 At any time in the past year was there a failure of an effluent acute or chronic whole effluent toxicity (WET) test?

Yes

No

If Yes, please explain:

4.3 If the biomonitoring (WET) test did not pass, were steps taken to identify and/or reduce source(s) of toxicity?

Yes

No

N/A

Please explain unless not applicable:

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Ashland Sewage Utility

Last Updated: Reporting For:

5/23/2018

2017

Effluent Quality and Plant Performance (Total Suspended Solids)

1. Effluent Total Suspended Solids Results

1.1 Verify the following monthly average effluent values, exceedances, and points for TSS:

Outfall No. 001	Monthly Average Limit (mg/L)	90% of Permit Limit >10 (mg/L)	Effluent Monthly Average (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance	90% Permit Limit Exceedance
January	30	27	7	1	0	0
February	30	27	7	1	0	0
March	30	27	6	1	0	0
April	30	27	9	1	0	0
May	30	27	9	1	0	0
June	30	27	6	1	0	0
July	30	27	6	1	0	0
August	30	27	6	1	0	0
September	30	27	7	1	0	0
October	30	27	6	1	0	0
November	30	27	4	1	0	0
December	30	27	7	1	0	0

* Equals limit if limit is <= 10

Months of Discharge/yr	12		
Points per each exceedance with 12 months of discharge:	7	3	
Exceedances	0	0	
Points	0	0	
Total Number of Points		0	

NOTE: For systems that discharge intermittently to state waters, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge.

Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is $12/6 = 2.0$

1.2 If any violations occurred, what action was taken to regain compliance?

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Ashland Sewage Utility

Last Updated: Reporting For:
5/23/2018 2017

Effluent Quality and Plant Performance (Phosphorus)

1. Effluent Phosphorus Results

1.1 Verify the following monthly average effluent values, exceedances, and points for Phosphorus

Outfall No. 001	Monthly Average phosphorus Limit (mg/L)	Effluent Monthly Average phosphorus (mg/L)	Months of Discharge with a Limit	Permit Limit Exceedance
January	1	0.378	1	0
February	1	0.567	1	0
March	1	0.784	1	0
April	1	0.695	1	0
May	1	0.506	1	0
June	1	0.605	1	0
July	1	0.508	1	0
August	1	0.832	1	0
September	1	1.025	1	1
October	1	0.845	1	0
November	1	0.783	1	0
December	1	0.523	1	0
Months of Discharge/yr			12	
Points per each exceedance with 12 months of discharge:				10
Exceedances				1
Total Number of Points				10

10

NOTE: For systems that discharge intermittently to waters of the state, the points per monthly exceedance for this section shall be based upon a multiplication factor of 12 months divided by the number of months of discharge.

Example: For a wastewater facility discharging only 6 months of the year, the multiplication factor is $12/6 = 2.0$

1.2 If any violations occurred, what action was taken to regain compliance?

Increased Aluminium Sulfate dosing.

Total Points Generated	10
Score (100 - Total Points Generated)	90
Section Grade	B

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Ashland Sewage Utility

Last Updated: Reporting For:

5/23/2018

2017

Biosolids Quality and Management

1. Biosolids Use/Disposal

1.1 How did you use or dispose of your biosolids? (Check all that apply)

- Land applied under your permit
- Publicly Distributed Exceptional Quality Biosolids
- Hauled to another permitted facility
- Landfilled
- Incinerated
- Other

NOTE: If you did not remove biosolids from your system, please describe your system type such as lagoons, reed beds, recirculating sand filters, etc.

1.1.1 If you checked Other, please describe:

2. Land Application Site

2.1 Last Year's Approved and Active Land Application Sites

2.1.1 How many acres did you have?

646 acres

2.1.2 How many acres did you use?

28 acres

2.2 If you did not have enough acres for your land application needs, what action was taken?

2.3 Did you overapply nitrogen on any of your approved land application sites you used last year?

Yes (30 points)

No

2.4 Have all the sites you used last year for land application been soil tested in the previous 4 years?

Yes

No (10 points)

N/A

0

3. Biosolids Metals

Number of biosolids outfalls in your WPDES permit:

3.1 For each outfall tested, verify the biosolids metal quality values for your facility during the last calendar year.

Outfall No. 002 - Belt Filter Press Cake

Parameter	80% of Limit	H.Q. Limit	Ceiling Limit	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	80% Value	High Quality	Ceiling
Arsenic		41	75									6.7					0	0
Cadmium		39	85									.7					0	0
Copper		1500	4300									280					0	0
Lead		300	840									34					0	0
Mercury		17	57									1.1					0	0
Molybdenum	60		75									7.1			0			0
Nickel	336		420									16			0			0
Selenium	80		100									3.9			0			0
Zinc		2800	7500									410					0	0

3.1.1 Number of times any of the metals exceeded the high quality limits OR 80% of the limit for molybdenum, nickel, or selenium = 0

Exceedence Points

0 (0 Points)

Compliance Maintenance Annual Report

Ashland Sewage Utility

Last Updated: Reporting For:
5/23/2018 **2017**

1-2 (10 Points)
 > 2 (15 Points)
 3.1.2 If you exceeded the high quality limits, did you cumulatively track the metals loading at each land application site? (check applicable box)
 Yes
 No (10 points)
 N/A - Did not exceed limits or no HQ limit applies (0 points)
 N/A - Did not land apply biosolids until limit was met (0 points)
 3.1.3 Number of times any of the metals exceeded the ceiling limits = 0
 Exceedence Points
 0 (0 Points)
 1 (10 Points)
 > 1 (15 Points)
 3.1.4 Were biosolids land applied which exceeded the ceiling limit?
 Yes (20 Points)
 No (0 Points)
 3.1.5 If any metal limit (high quality or ceiling) was exceeded at any time, what action was taken? Has the source of the metals been identified?

0

4. Pathogen Control (per outfall):
 4.1 Verify the following information. If any information is incorrect, use the Report Issue button under the Options header in the left-side menu.

Outfall Number:	002
Biosolids Class:	B
Bacteria Type and Limit:	Fecal Coliform
Sample Dates:	01/01/2017 - 12/31/2017
Density:	244
Sample Concentration Amount:	CFU/G TS
Requirement Met:	Yes
Land Applied:	Yes
Process:	Aerobic Digestion
Process Description:	Aerobic Digestion of waste sludge within sludge storage tank.

4.2 If exceeded Class B limit or did not meet the process criteria at the time of land application.
 4.2.1 Was the limit exceeded or the process criteria not met at the time of land application?
 Yes (40 Points)
 No
 If yes, what action was taken?

0

5. Vector Attraction Reduction (per outfall):
 5.1 Verify the following information. If any of the information is incorrect, use the Report Issue button under the Options header in the left-side menu.

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Ashland Sewage Utility

Last Updated: Reporting For:

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2017

Outfall Number:	002	0
Method Date:	07/25/2017	
Option Used To Satisfy Requirement:	Volatile Solids Reduction	
Requirement Met:	Yes	
Land Applied:	Yes	
Limit (if applicable):	>=38	
Results (if applicable):	62.70	
<p>5.2 Was the limit exceeded or the process criteria not met at the time of land application?</p> <p><input type="radio"/> Yes (40 Points)</p> <p><input checked="" type="radio"/> No</p> <p>If yes, what action was taken?</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		
<p>6. Biosolids Storage</p> <p>6.1 How many days of actual, current biosolids storage capacity did your wastewater treatment facility have either on-site or off-site?</p> <p><input checked="" type="radio"/> >= 180 days (0 Points)</p> <p><input type="radio"/> 150 - 179 days (10 Points)</p> <p><input type="radio"/> 120 - 149 days (20 Points)</p> <p><input type="radio"/> 90 - 119 days (30 Points)</p> <p><input type="radio"/> < 90 days (40 Points)</p> <p><input type="radio"/> N/A (0 Points)</p> <p>6.2 If you checked N/A above, explain why.</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>		
<p>7. Issues</p> <p>7.1 Describe any outstanding biosolids issues with treatment, use or overall management:</p> <div style="border: 1px solid black; padding: 5px;">None.</div>		

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:
5/23/2018 2017

Staffing and Preventative Maintenance (All Treatment Plants)

<p>1. Plant Staffing</p> <p>1.1 Was your wastewater treatment plant adequately staffed last year?</p> <ul style="list-style-type: none"><input type="radio"/> Yes<input checked="" type="radio"/> No <p>If No, please explain:</p> <div style="border: 1px solid black; padding: 5px;">Utility Superintendent position has been budgeted for but has not been filled for over 20 months. 1 full time operator has been budgeted for and is not being filled.</div> <p>Could use more help/staff for:</p> <div style="border: 1px solid black; padding: 5px;">Operating the sewer televising and jetting equipment to identify I&I issues. Fulfilling our CMOM obligations.</div> <p>1.2 Did your wastewater staff have adequate time to properly operate and maintain the plant and fulfill all wastewater management tasks including recordkeeping?</p> <ul style="list-style-type: none"><input type="radio"/> Yes<input checked="" type="radio"/> No <p>If No, please explain:</p> <div style="border: 1px solid black; padding: 5px;">Basic tasks are performed as required, a full staff would allow us to properly maintain and operate the plant and collection system along with CMOM obligations.</div>	
<p>2. Preventative Maintenance</p> <p>2.1 Did your plant have a documented AND implemented plan for preventative maintenance on major equipment items?</p> <ul style="list-style-type: none"><input checked="" type="radio"/> Yes (Continue with question 2)<input type="radio"/> No (40 points) <p>If No, please explain, then go to question 3:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 Did this preventative maintenance program depict frequency of intervals, types of lubrication, and other tasks necessary for each piece of equipment?</p> <ul style="list-style-type: none"><input checked="" type="radio"/> Yes<input type="radio"/> No (10 points) <p>2.3 Were these preventative maintenance tasks, as well as major equipment repairs, recorded and filed so future maintenance problems can be assessed properly?</p> <ul style="list-style-type: none"><input checked="" type="radio"/> Yes<ul style="list-style-type: none"><input type="radio"/> Paper file system<input type="radio"/> Computer system<input checked="" type="radio"/> Both paper and computer system<input type="radio"/> No (10 points)	0
<p>3. O&M Manual</p> <p>3.1 Does your plant have a detailed O&M and Manufacturer Equipment Manuals that can be used as a reference when needed?</p> <ul style="list-style-type: none"><input checked="" type="radio"/> Yes<input type="radio"/> No	
<p>4. Overall Maintenance /Repairs</p> <p>4.1 Rate the overall maintenance of your wastewater plant.</p> <ul style="list-style-type: none"><input type="radio"/> Excellent<input type="radio"/> Very good<input checked="" type="radio"/> Good<input type="radio"/> Fair<input type="radio"/> Poor	

Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:

5/23/2018

2017

Describe your rating:

Could use additional personnel to improve the overall maintenance program.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

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Ashland Sewage Utility

Last Updated: Reporting For:
5/23/2018 2017

Operator Certification and Education

1. Operator-In-Charge

1.1 Did you have a designated operator-in-charge during the report year?

- Yes (0 points)
- No (20 points)

Name:

TODD B DEETH

Certification No:

34525

0

2. Certification Requirements

2.1 In accordance with Chapter NR 114.56 and 114.57, Wisconsin Administrative Code, what level and subclass(es) were required for the operator-in-charge (OIC) to operate the wastewater treatment plant and what level and subclass(es) were held by the operator-in-charge?

Sub Class	SubClass Description	WWTP	OIC		
		Advanced	OIT	Basic	Advanced
A1	Suspended Growth Processes	X			X
A2	Attached Growth Processes		X		
A3	Recirculating Media Filters				
A4	Ponds, Lagoons and Natural		X		
A5	Anaerobic Treatment Of Liquid				
B	Solids Separation	X			X
C	Biological Solids/Sludges	X			X
P	Total Phosphorus	X			X
N	Total Nitrogen				
D	Disinfection	X			X
L	Laboratory	X			X
U	Unique Treatment Systems				
SS	Sanitary Sewage Collection	X	NA	NA	NA

0

2.2 Was the operator-in-charge certified at the appropriate level and subclass(es) to operate this plant? (Note: Certification in subclass SS, N and A5 not required in 2016; subclass SS is basic level only.)

- Yes (0 points)
- No (20 points)

3. Succession Planning

3.1 In the event of the loss of your designated operator-in-charge, did you have a contingency plan to ensure the continued proper operation and maintenance of the plant that includes one or more of the following options (check all that apply)?

- One or more additional certified operators on staff
- An arrangement with another certified operator
- An arrangement with another community with a certified operator
- An operator on staff who has an operator-in-training certificate for your plant and is expected to be certified within one year
- A consultant to serve as your certified operator
- None of the above (20 points)

If "None of the above" is selected, please explain:

0

4. Continuing Education Credits

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4.1 If you had a designated operator-in-charge, was the operator-in-charge earning Continuing Education Credits at the following rates?

OIT and Basic Certification:

Averaging 6 or more CECs per year.

Averaging less than 6 CECs per year.

Advanced Certification:

Averaging 8 or more CECs per year.

Averaging less than 8 CECs per year.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Financial Management

<p>1. Provider of Financial Information</p> <p>Name: <input style="width: 80%;" type="text" value="Julie Vaillancourt"/></p> <p>Telephone: <input style="width: 30%;" type="text" value="715-682-7190"/> (XXX) XXX-XXXX</p> <p>E-Mail Address (optional): <input style="width: 80%;" type="text" value="jvaillancourt@coawi.org"/></p>													
<p>2. Treatment Works Operating Revenues</p> <p>2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ?</p> <p><input checked="" type="radio"/> Yes (0 points)</p> <p><input type="radio"/> No (40 points)</p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: <input style="width: 150px;" type="text" value="2017"/></p> <p><input checked="" type="radio"/> 0-2 years ago (0 points)</p> <p><input type="radio"/> 3 or more years ago (20 points)</p> <p><input type="radio"/> N/A (private facility)</p> <p>2.3 Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?</p> <p><input checked="" type="radio"/> Yes (0 points)</p> <p><input type="radio"/> No (40 points)</p>	0												
<p>REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]</p>													
<p>3. Equipment Replacement Funds</p> <p>3.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: <input style="width: 150px;" type="text" value="2016"/></p> <p><input checked="" type="radio"/> 1-2 years ago (0 points)</p> <p><input type="radio"/> 3 or more years ago (20 points)</p> <p><input type="radio"/> N/A</p> <p>If N/A, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>													
<p>3.2 Equipment Replacement Fund Activity</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width: 5%; text-align: center;">\$</td> <td style="width: 35%; text-align: right;"><input style="width: 90%;" type="text" value="1,230,140.00"/></td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: center;">\$</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="0.00"/></td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td style="text-align: center;">\$</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="1,230,140.00"/></td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: center;">+</td> <td style="text-align: right;"><input style="width: 90%;" type="text" value="148,549.00"/></td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR	\$	<input style="width: 90%;" type="text" value="1,230,140.00"/>	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	<input style="width: 90%;" type="text" value="0.00"/>	3.2.3 Adjusted January 1st Beginning Balance	\$	<input style="width: 90%;" type="text" value="1,230,140.00"/>	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	+	<input style="width: 90%;" type="text" value="148,549.00"/>	
3.2.1 Ending Balance Reported on Last Year's CMAR	\$	<input style="width: 90%;" type="text" value="1,230,140.00"/>											
3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	<input style="width: 90%;" type="text" value="0.00"/>											
3.2.3 Adjusted January 1st Beginning Balance	\$	<input style="width: 90%;" type="text" value="1,230,140.00"/>											
3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	+	<input style="width: 90%;" type="text" value="148,549.00"/>											

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3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*) -

\$ 0.00

3.2.6 Ending Balance as of December 31st for CMAR Reporting Year

\$ 1,378,689.00

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

3.3 What amount should be in your Replacement Fund?

\$ 1,373,760.00

0

Please note: If you had a CFWP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

- Yes
- No

If No, please explain.

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

- Yes - If Yes, please provide major project information, if not already listed below.
- No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	SCADA/Controls and UV System Upgrade	600000	2017
2	SCADA/Controls and UV System Upgrade	600000	2018
3	SCADA/Controls and UV System Upgrade	600000	2019
4	RAS Pumps VFD	40000	2017
5	DO Prope & Transmitters Installed	15000	2017
6	Effluent Plant Water System	40000	2018
7	Annual Capital Plan for Infrastructure-Sanitary Sewer Replacement	300000	2018
8	Annual Capital Plan for Infrastructure-Sanitary Sewer Replacement	300000	2019
9	I&I Sanitary Sewer Repairs	75000	2017
10	Seal Coat Retention Basin	42500	2018
11	Airline Piping for Aeration Ditch	40000	2018
12	Main Lift Station Rehab Phase I	120000	2019
13	Final Clairifer Improvements	50000	2017
14	Site Drain Lift Station Improvements	122000	2017
15	I&I Capital Project	500000	2018
16	Main Lift Station Rehab- Phase II	120000	2020
17	Retention Basin	128000	2019
18	Annual Capital Plan for Infrastructure-Sanitary Sewer Replacment	300000	2020
19	I&I Capital Project	500000	2019
20	Waste Water Treatment Plant Site Paving	167000	2019

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21	Replace Roofing and HVAC Systems for Pre-Treatment, UV and Admin Bldgs	1000000	2019
22	Annual Capital Plan for Infrastructure- Sanitary Sewer Replacement	300000	2021
23	I&I Capital Project	500000	2020
24	Rehab 6th Ave Lift Station	70000	2020
25	Pre-Treatment and Blower Building/Site Electrical	200000	2020
26	Final Clarifieer Improvements	250000	2018
27	Sludge Aeration System	550000	2021
28	Final Clarifier Improvements	250000	2019

5. Financial Management General Comments

ENERGY EFFICIENCY AND USE

6. Collection System

6.1 Energy Usage

6.1.1 Enter the monthly energy usage from the different energy sources:

COLLECTION SYSTEM PUMPAGE: Total Power Consumed

Number of Municipally Owned Pump/Lift Stations:

	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	26,297	87,898
February	25,145	80,480
March	26,533	87,462
April	28,337	71,698
May	42,646	82,056
June	24,936	78,460
July	24,759	68,821
August	24,805	61,810
September	23,254	66,033
October	28,834	74,035
November	28,556	70,176
December	25,216	75,343
Total	329,318	904,272
Average	27,443	75,356

6.1.2 Comments:

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- Comminution or Screening
- Extended Shaft Pumps
- Flow Metering and Recording
- Pneumatic Pumping
- SCADA System
- Self-Priming Pumps

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- Submersible Pumps
- Variable Speed Drives
- Other:

6.2.2 Comments:

6.3 Has an Energy Study been performed for your pump/lift stations?

- No
- Yes

Year:

By Whom:

Describe and Comment:

6.4 Future Energy Related Equipment

6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?

7. Treatment Facility

7.1 Energy Usage

7.1.1 Enter the monthly energy usage from the different energy sources:

TREATMENT PLANT: Total Power Consumed/Month

	Electricity Consumed (kWh)	Total Influent Flow (MG)	Electricity Consumed/Flow (kWh/MG)	Total Influent BOD (1000 lbs)	Electricity Consumed/Total Influent BOD (kWh/1000lbs)	Natural Gas Consumed (therms)
January	87,898	27.06	3,248	47.43	1,853	10,175
February	80,480	33.45	2,406	48.16	1,671	8,023
March	87,462	37.19	2,352	49.17	1,779	8,136
April	71,698	52.30	1,371	57.42	1,249	4,463
May	82,056	69.37	1,183	61.10	1,343	1,787
June	78,460	30.85	2,543	51.75	1,516	704
July	68,821	28.63	2,404	48.30	1,425	370
August	61,810	42.67	1,449	55.06	1,123	260
September	66,033	33.06	1,997	52.80	1,251	367
October	74,035	49.79	1,487	64.60	1,146	521
November	70,176	32.51	2,159	45.69	1,536	1,757
December	75,343	30.05	2,507	48.95	1,539	3,973
Total	904,272	466.93		630.43		40,536
Average	75,356	38.91	2,092	52.54	1,453	3,378

7.1.2 Comments:

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7.2 Energy Related Processes and Equipment

7.2.1 Indicate equipment and practices utilized at your treatment facility (Check all that apply):

- Aerobic Digestion
- Anaerobic Digestion
- Biological Phosphorus Removal
- Coarse Bubble Diffusers
- Dissolved O2 Monitoring and Aeration Control
- Effluent Pumping
- Fine Bubble Diffusers
- Influent Pumping
- Mechanical Sludge Processing
- Nitrification
- SCADA System
- UV Disinfection
- Variable Speed Drives
- Other:

7.2.2 Comments:

7.3 Future Energy Related Equipment

7.3.1 What energy efficient equipment or practices do you have planned for the future for your treatment facility?

8. Biogas Generation

8.1 Do you generate/produce biogas at your facility?

- No
- Yes

If Yes, how is the biogas used (Check all that apply):

- Flared Off
- Building Heat
- Process Heat
- Generate Electricity
- Other:

9. Energy Efficiency Study

9.1 Has an Energy Study been performed for your treatment facility?

- No

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<p><input type="radio"/> Yes</p> <p><input type="checkbox"/> Entire facility</p> <p>Year: <input type="text"/></p> <p>By Whom: <input type="text"/></p> <p>Describe and Comment: <input type="text"/></p> <p><input type="checkbox"/> Part of the facility</p> <p>Year: <input type="text"/></p> <p>By Whom: <input type="text"/></p> <p>Describe and Comment: <input type="text"/></p>

Total Points Generated	-
Score (100 - Total Points Generated)	-
Section Grade	-

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Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

- Yes
- No

If No, explain:

A full staff would allow us to properly implement our CMOM program.

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

- Yes
- No (30 points)
- N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

- Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

Jetting, televising and smoke testing of sanitary lines to identify failing conditions along with I&I issues within our collection system, followed by grouting, slip lining, manhole rehab and sewer main replacement.

Did you accomplish them?

- Yes
- No

If No, explain:

Do to staffing issues we were unable to accomplish our major goals.

- Organization [NR 210.23 (4) (b)]

Does this chapter of your CMOM include:

- Organizational structure and positions (eg. organizational chart and position descriptions)
- Internal and external lines of communication responsibilities
- Person(s) responsible for reporting overflow events to the department and the public

- Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

Sanitary Sewer User Ordinance 711

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 01/14/2014

Does your sewer use ordinance or other legally binding document address the following:

- Private property inflow and infiltration
- New sewer and building sewer design, construction, installation, testing and inspection
- Rehabilitated sewer and lift station installation, testing and inspection
- Sewage flows satellite system and large private users are monitored and controlled, as necessary
- Fat, oil and grease control
- Enforcement procedures for sewer use non-compliance

- Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

- Equipment and replacement part inventories
- Up-to-date sewer system map

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- A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation
- A description of routine operation and maintenance activities (see question 2 below)
- Capacity assessment program
- Basement back assessment and correction
- Regular O&M training

Design and Performance Provisions [NR 210.23 (4) (e)]

What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?

- State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements
- Construction, Inspection, and Testing
- Others:

Overflow Emergency Response Plan [NR 210.23 (4) (f)]

Does your emergency response capability include:

- Responsible personnel communication procedures
- Response order, timing and clean-up
- Public notification protocols
- Training
- Emergency operation protocols and implementation procedures

Annual Self-Auditing of your CMOM Program [NR 210.23 (5)]

Special Studies Last Year (check only those that apply):

- Infiltration/Inflow (I/I) Analysis
- Sewer System Evaluation Survey (SSES)
- Sewer Evaluation and Capacity Management Plan (SECAP)
- Lift Station Evaluation Report
- Others:

0

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	<input type="text" value="5"/>	% of system/year
Root removal	<input type="text" value="0"/>	% of system/year
Flow monitoring	<input type="text" value="0"/>	% of system/year
Smoke testing	<input type="text" value="0"/>	% of system/year
Sewer line televising	<input type="text" value="2"/>	% of system/year
Manhole inspections	<input type="text" value="0"/>	% of system/year
Lift station O&M	<input type="text" value="2"/>	# per L.S./year
Manhole rehabilitation	<input type="text" value="1"/>	% of manholes rehabbed
Mainline rehabilitation	<input type="text" value="1"/>	% of sewer lines rehabbed
Private sewer inspections	<input type="text" value="0"/>	% of system/year

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Private sewer I/I removal % of private services

River or water crossings % of pipe crossings evaluated or maintained

Please include additional comments about your sanitary sewer collection system below:

Due to lack of staffing, the percent of maintenance activities are well below the goals of this utility.

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

<input type="text" value="32.17"/>	Total actual amount of precipitation last year in inches
<input type="text" value="30.8"/>	Annual average precipitation (for your location)
<input type="text" value="60"/>	Miles of sanitary sewer
<input type="text" value="11"/>	Number of lift stations
<input type="text" value="0"/>	Number of lift station failures
<input type="text" value="1"/>	Number of sewer pipe failures
<input type="text" value="52"/>	Number of basement backup occurrences
<input type="text" value="52"/>	Number of complaints
<input type="text" value="1.28"/>	Average daily flow in MGD (if available)
<input type="text" value="2.2376"/>	Peak monthly flow in MGD (if available)
<input type="text" value="12.61"/>	Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

<input type="text" value="0.00"/>	Lift station failures (failures/year)
<input type="text" value="0.02"/>	Sewer pipe failures (pipe failures/sewer mile/yr)
<input type="text" value="0.02"/>	Sanitary sewer overflows (number/sewer mile/yr)
<input type="text" value="0.87"/>	Basement backups (number/sewer mile)
<input type="text" value="0.87"/>	Complaints (number/sewer mile)
<input type="text" value="1.7"/>	Peaking factor ratio (Peak Monthly:Annual Daily Avg)
<input type="text" value="9.9"/>	Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OFERFLOWS REPORTED **

Date	Location	Cause	Estimated Volume (MG)
0 5/18/2017 1:00:00 PM - 5/19/2017 11:00:00 PM	Ashland Wastewater Treatment Plant, 1901 Knight Road, Ashland WI. Backups at 1002 W. 12th St., 215 E. 11th Ave., 221 Willis Ave.	Rain, Flooding	1.1742 - 1.1742

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

What actions were taken, or are underway, to reduce or eliminate SSO or TFO occurrences in the future?

If staffing issues are addressed, we plan on utilizing the sewer televising and jetting equipment to identify I&I issues followed by necessary corrections to the collection system.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

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If Yes, please describe:

Aged and deteriorating infrastructure along with rainfall and snowmelt events allow the sanitary system to act as a drain system for a large area.

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes
- No

If Yes, please describe:

Most of all the SSO/TFO events are do to I/I issues throughout the collection system.

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

None.

5.4 What is being done to address infiltration/inflow in your collection system?

We have all the tools and equipment in place to research and address infiltration/inflow within our collection system except staffing to get it done.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Grading Summary

WPDES No: 0030767

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Influent	A	4	3	12
BOD/CBOD	A	4	10	40
TSS	A	4	5	20
Phosphorus	B	3	3	9
Biosolids	A	4	5	20
Staffing/PM	A	4	1	4
OpCert	A	4	1	4
Financial	-			
Collection	A	4	3	12
TOTALS			31	121
GRADE POINT AVERAGE (GPA) = 3.90				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

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Resolution or Owner's Statement

Name of Governing
Body or Owner:

Date of Resolution or
Action Taken:

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Influent Flow and Loadings: Grade = A

Effluent Quality: BOD: Grade = A

Effluent Quality: TSS: Grade = A

Effluent Quality: Phosphorus: Grade = B

Biosolids Quality and Management: Grade = A

Staffing: Grade = A

Operator Certification: Grade = A

Financial Management: Grade = -

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 3.90



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AGENDA BILL

Ref: 120

COMMITTEE AGENDA:
COUNCIL AGENDA: 7G (05-29-2018)

SUBJECT: Approve a Three and One-Half Year Contract with Northwest Regional Planning Commission (NWRPC) for Administration of the City of Ashland's Community Development Block Grant (CDBG) Housing Rehabilitation Revolving Loan Fund (RLF) Program, Effective 6/1/18

RECOMMENDATIONS: Approval

DEPARTMENT OF ORIGIN: Planning & Development

DATE SUBMITTED: May 21, 2018

CLEARANCES: City Attorney David Siegler
Mayor Deb Lewis
Housing Committee

EXHIBITS: A-Agreement
B-Minutes from Housing Committee meeting on 5-22-18

EXPENDITURES REQUIRED: Expenditures will come out of the CDBG RLF administration funds, Fund 240 - RLF. Expenditures will equal a 15% fee based on each approved and completed rehabilitation project

AMOUNT BUDGETED: N/A; part of the RLF program budget

APPROPRIATION REQUIRED: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

One of the six priorities identified in the City's comprehensive plan is to strengthen the housing market, including encouraging owner-reinvestment in properties, imposing standard-setting code enforcement, making the City a place where neighborhood pride is evident, and where housing options are appealing. In addition, the City of Ashland's Strategic Priorities for 2016-2020 includes a priority to be Housing Infrastructure Improvements.

SUMMARY STATEMENT:

The City of Ashland has an opportunity to partner with NWRPC to administer the City's Housing Rehab RLF program. Staff and Housing Committee recommended this partnership be established, as NWRPC has staff specifically dedicated to administering CDBG Housing Rehabilitation projects, therefore, having more expertise to provide to the program. It will also result in freeing up Building Inspector staff time to focus more on building permits/inspections and ramping up property maintenance enforcement on structures in the community.

NWRPC administers CDBG Housing RLF programs for numerous communities within its jurisdiction, and also administers a separate CDBG Housing RLF program that can be used within its region to supplement the local RLF. They also administer a different housing program, Northwest Affordable Housing, that also offers housing rehabilitation funds and down-payment assistance for home buyers. NWRPC has developed many partnerships, is experienced in administering CDBG Housing RLFs, as well as other funding options, and can also work with area landlords to get their involvement in the RLF program to make property improvements to their rental units.

The proposed agreement would run through December 31, 2021. Funds to cover the administrative fee will come directly from the RLF program budget as is allowed/customary with CDBG programs, and will be charged 15% of each approved and completed rehabilitation or down payment assistance project.

RECOMMENDED MOTION: Approve the three and one-half year agreement with NWRPC as proposed.



Northwest Regional Planning Commission

NWRPC

keeping your future as our focus

Serving communities within and counties of
ASHLAND, BAYFIELD, BURNETT,
DOUGLAS, IRON, PRICE, RUSK, SAWYER,
TAYLOR, & WASHBURN

And the Tribal Nations of
BAD RIVER, LAC COURTE ORIELLES, LAC DU
FLAMBEAU, RED CLIFF, & ST. CROIX

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**AGREEMENT
BETWEEN THE
NORTHWEST REGIONAL PLANNING COMMISSION
AND THE CITY OF ASHLAND**

WHEREAS, The Northwest Regional Planning Commission is a legally constituted regional planning agency created pursuant to the statutes of the State of Wisconsin and its own adopted by-laws; and

WHEREAS, Further pursuant to the statutes of the State of Wisconsin and the Commission's by-laws, the Commission has been granted the power to enter into contracts with any local unit of government within the region for the purpose of providing technical assistance on planning and development matters; and

WHEREAS, the City of Ashland is a local unit of government within the region; and

WHEREAS, the City of Ashland has requested technical assistance from the Commission as outlined in the Scope of Services.

NOW, THEREFORE BE IT RESOLVED, that the Northwest Regional Planning Commission and the City of Ashland agree as follows:

This Agreement entered into on the ____ day of _____, 2018, by the Northwest Regional Planning Commission, party of the first part, hereinafter referred to as the "Commission", and the City of Ashland, Wisconsin, party of the second part, hereinafter referred to as the "City."

In consideration of mutual covenants and agreements hereinafter set forth, the parties hereto, legally intending to be bound hereby, do covenant and agree for themselves and their respective successors and assigns, as follows:

SCOPE OF SERVICES:

The Commission will provide technical assistance services in the administration of the City of Ashland housing rehabilitation revolving loan fund utilizing the Division of Housing Energy and Community Resources Implementation Handbook, Housing Procedures Manual and other rules and regulations. Activities associated with the Revolving Loan Fund Administration include:

1. conduct client intake and application;
2. advertise availability of funds for low to moderate income families in local publications (when applicable);
3. verify client (income, ownership) eligibility;
4. maintain individual project files (see attached requirements);
5. maintain financial management files (see attached requirements);
6. maintain environmental review records; (see attached requirements);
7. comply with State and Federal rules regarding lead based paint;
8. consult with the Wisconsin Historical Society (when necessary);
9. comply with conflict of interest regulations;
10. obtain Housing Committee approval and loan commitment for each project;
11. maintain minutes and rehab reports from all housing committee meetings;
12. prepare technical specification and project scope of work;
13. record real estate mortgages in City's name;
14. coordinate housing quality standard (HQS) inspections, asbestos, lead-based paint clearance, and homebuyer education;
15. prepare payment requests to enable the City to pay contractors when work is completed;
16. prepare revolving loan fund annual activity reports; and
17. provide reports to appropriate city committees.

COST:

This agreement shall commence on June 1, 2018 and end on December 31, 2021. The City will pay the Commission a 15 percent administration fee based on each approved and completed rehabilitation or down payment/closing cost project using CDBG Administration funds.

IN WITNESS THEREOF, we the undersigned agree to the terms of this Agreement.

Douglas Finn, Chairman
Northwest Regional Planning Commission

Deb Lewis, Mayor
City of Ashland

Witness

Witness

Date

Date

**City of Ashland
CDBG Housing Rehabilitation Project Related Fees
CY 2018-2021**

Fixed Loan Processing Fees (included in the client CDBG loan amount)		
Individual Project Fees	Vendor	Approximate Amount
Title Search Fee	Abstract/Title Company	85.00-110.00
Housing Quality Standard (HQS) – Initial	NWRPC	325.00
HQS – Interim Payment Request (if necessary)	NWRPC	275.00
HQS – Final Project Completion	NWRPC	275.00
Mortgage Recording Fee	Register of Deeds	30.00
Asbestos, Lead-Based Paint, and Risk Assessment Project Fees (no cost to the home-owner as this is granted through the housing rehabilitation funds) <i>Not all projects will require asbestos, lead, or risk assessment related activities. Lead and Risk Assessments, when required, performed on homes pre-dating 1978.</i>		
Individual Project Fees	Vendor	Approximate Amount
Asbestos Material Collection and Report Documentation	NWRPC Asbestos Certified Inspector	195.00
Asbestos Sample	EMSL Analytical	\$11 to \$18 per sample
Lead Clearance Inspection and Report Documentation	NWRPC Lead Certified Staff	195.00
Lead Clearance Sample	EMSL Analytical	\$11 to \$18 per sample
Limited Lead Assessment	NWRPC Risk Assessor	275.00
Lead Risk Assessment	NWRPC Risk Assessor	475.00

**Housing Committee Discussion of Proposed Contract
With NWRPC to Administer CDBG Program 5-22-18**

Sheldon Johnson, the Executive Director of Northwest Regional Planning Commission (NWRPC), provided an overview of the organization. It is a county-based, quasi-public governmental entity with a Board of Directors made up of County Board chairs and a representative of the five tribal nations in the region. There are 10 counties under their jurisdiction with a population base of about 175,000 people. The four primary services that they contract with local governments for are 1) housing, 2) community planning and development (coastal management, planning, grant writing, GIS, etc.), 3) environmental services program, and 4) business assistance (administration of 8 revolving loan funds and incubator/enterprise facilities). Dick Pufall is currently the representative for our area and serves on the 11-member Board of Directors which meets monthly and also their 31-member Commission which meets twice a year.

Mayor Lewis asked him to describe their funding sources.

Sheldon Johnson explained that they are an Economic Development Administrative and therefore receive both state and federal funds. He listed some agencies they receive funding through including HUD, DOT, and Coastal Grant Management funds through the Department of Administration.

Mayor Lewis asked for an overview of how the CDBG program would work under NWRPC if the City approves the proposed contract.

Sheldon Johnson explained that they administer 19 community revolving loan funds currently, and the City of Ashland would be number 20. They also administer the regional 10 county CDBG program. They have five staff members who work full or part time with their CDBG program. They would also prepare the City's annual report that must be submitted to the DOA as well as the single audit letter. Property owners are responsible for finding contractors, but NWRPC will offer assistance if needed.

Mayor Lewis asked what the average turnaround time is for a project.

Sheldon said that from the beginning of the process to project completion it is usually about 6-8 months but is very dependent on the scope of the project. Applications that are submitted are reviewed within a week.

Mayor Lewis asked him to clarify the payment arrangement.

Sheldon Johnson explained that through the CDBG program 15% of all loans that are repaid go into an administrative fund, which they would use to cover staffing costs. The City currently transfers this money into the working fund since Bob Miller has performed these services in-house. There is no fee per month with NWRPC, so it is just based on the projects they do and they can draw up to the 15% after a project is completed.

April Kroner clarified that if the City's RLF fund runs out they can access the regional fund to get more projects completed.

Bob Miller asked where files will be kept on active and past projects.

Sheldon Johnson said that they can store and manage all active files, and this is what they do for their other current clients. He said it can be done differently if the City prefers, but this is what they do for the other communities they work with.

Bob Miller asked how they work with the local government to get checks cut for project payments.

Sheldon Johnson explained that for the other communities they manage they will send the request for payment to the local unit of government who can then cut the check from their CDBG account. NWRPC however will do all of the journaling, financial tracking, and verification of LMI eligibility data collection that is required for the CDBG program.

Ana Tocherman asked how NWRPC's staff would work with the Housing Committee on approving projects.

Sheldon Johnson said that they will follow whatever procedure the City determines. For some communities they manage they have been granted authority to approve/deny projects, and for others they work with a group such as the Housing Committee to obtain approvals. They will not bring projects to the Housing Committee that they would recommend for denial. For more complicated projects they will have somebody on the phone or in person at the Housing Committee meeting to explain, otherwise they will attend on an as-needed basis and materials will be provided to the committee to review and inform their vote. NWRPC still cannot provide information of the applicant's identity or where the house is located in the community per CDBG confidentiality rules.

Ana Tocherman asked if projects can be prioritized based on specific goals of the committee or areas they have identified to focus on for housing redevelopment.

Sheldon Johnson explained that they will not be prioritizing projects, and rather will operate on a first come, first served basis to ensure that the funds are getting back into the community and the City can tap into the regional fund to complete additional projects and make a larger impact.

Ana Tocherman asked how NWRPC advertises the program.

Sheldon Johnson said that they do a yearly press release, utilize the local unit of government's website and Facebook page, and work with staff and the local housing authority to make sure they are connecting people who are in need with the program.

Ginger Nuutinen asked what the scope of projects could be.

Sheldon Johnson explained that they do not do any cosmetic repairs, and focus on necessary renovations that have resulted from maintenance deferred due to the property owner's inability to pay for them.

Ana Tocherman asked if they could flag applications based on their location in certain identified zones by the committee.

Kathy Beeksma pointed out that this would also be helpful for tracking the impact of the program to see progress they are making in areas the Housing Committee has prioritized.

Ginger Nuutinen asked how often bankruptcy or foreclosure occurs.

Bob Miller said that there is usually about one per year, but the program has not lost a lot of money to foreclosures as they are usually able to negotiate.

Sheldon Johnson pointed out that the bank is typically in first position to be repaid, the City would always be in second with NWRPC in third.

Motion to approve the proposed contract with NWRPC by Ginger Nuutinen. Seconded by Betty Harnisch. Passed unanimously.



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AGENDA BILL
COMMITTEE AGENDA:
COUNCIL AGENDA: 7H (05-29-2018)

Ref: 121

SUBJECT: Approve an Easement Agreement for Illick Holding's, LLC (aka Carlson Building Supply) for the Benefit of Parcel No. 201-01997-0000

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Planning & Development

DATE SUBMITTED: May 23, 2018

CLEARANCES: City Attorney

EXHIBITS:
A-Easement Agreement
B-Existing Easement Location Map
C-Associated maps/photos

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

COMPLIANCE WITH ORDINANCE 51: N/A

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

RECOMMENDATION: Approval of Easement Agreement.

SUMMARY STATEMENT:

On July 11, 1989, the City Council approved an easement agreement with Carlson Lumber Company providing Carlson's use of a portion of the City's undeveloped right-of-way (which includes the 5th Street Corridor Trail) for the purpose of allowing storage and to build a fence around the storage area. The easement was for use of an area approximately 5' wide by 150' long, located along the north side of the property (see attached). The annual cost to Carlson's for the easement is \$16/year.

The property was transferred to Illick Holdings, LLC (Carlson's grandchildren) approximately two years ago and they have taken over operations of Carlson Building Supply. They are requesting to enlarge the easement area by 5' in width, resulting in a 10' x 150' easement area, so they can extend the existing building to cover the storage area. As such, the fenced-in storage area would be replaced with a building addition, resulting in a north building wall visible from the 5th Street Corridor instead of the fenced storage area. The building wall would be approximately 12' high, and would be finished with steel. The building addition would be the same length as the existing building (120') by approximately 25' wide (5' of which would be within the expanded easement area and the remaining 20' would be on the Illick property and existing easement area). Site Plan Approval is required prior to issuance of a building permit to construct the addition.

The City recommends approving the agreement. It will then be recorded with the Register of Deeds.

EASEMENT AGREEMENT

The City of Ashland (hereinafter "City") hereby grants an easement to Illick Holdings, LLC (hereinafter "Grantee"), the property owner of Parcel # 201-01997-0000, as follows:

1. The City hereby grants and conveys to the Grantee a 10' wide easement for the purpose of extending adjacent existing building eave and associated north wall for covered storage.
2. The easement area shall be approximately 10' x 120' in size as depicted on attached Exhibit A.
3. The easement shall be on City undeveloped right-of-way, also known as the 5th Street Corridor, and will not impede the trail area, maintaining a distance of approximately 20' as measured from the south side of the exiting trail to the north side of the easement.
4. Grantee shall have the sole obligation to maintain the easement area and shall indemnify and hold the City harmless for any loss, liability, claims or damages of any sort from the use or maintenance of the easement area.
5. This easement may be extinguished upon thirty days written notice from the City to the Grantee. Grantee shall not be entitled to any compensation or reimbursement for costs associated with construction of said building eave and associated north wall if the City exercises its option to extinguish said easement.
6. Grantee shall pay a sum of thirty-two dollars (\$ 32) per year for said easement.

IN WITNESS WHEREOF, THE CITY OF ASHLAND has caused this Agreement to be signed by Ms. Debra Lewis, its Mayor, and countersigned by Ms. Denise Oliphant, Clerk of the City of Ashland, Wisconsin this ____ day of _____, 2018

Debra Lewis, Mayor

Denise Oliphant, Clerk

STATE OF WISCONSIN)
ASHLAND) SS.
COUNTY)

Personally came before me this _____ day of _____, 2018, the above named Debra Lewis and Denise Oliphant to be known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public _____ County, WI
My Commission Expires _____

IN WITNESS WHEREOF, ILLICK HOLDINGS, LLC (property owner of parcel #201-01977-0000, has caused this Agreement to be signed by Ben Illick, this _____ day of _____, 2018.

Ben Illick, for Illick Holdings

STATE OF WISCONSIN)
ASHLAND) SS.
COUNTY)

Personally came before me this _____ day of _____, 2018, the above named Ben Illick to be known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public _____ County, WI
My Commission Expires _____

Exhibit A – Easement Area



10' x 150' Easement Area





CARLSON BUILDING SUPPLY

Existing Building

3RD AVE E

PROPOSED ADDITION

NORTH PARCEL LINE

EXISTING EASEMENT

PROPOSED EXPANDED EASEMENT



Existing views of Carlson building and associated storage/fence.





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AGENDA BILL

Ref: 122

COMMITTEE AGENDA:
COUNCIL AGENDA: 7I (05-29-2018)

SUBJECT: Approve a Non-Exclusive, Temporary, Tower Attachment Lease Agreement with Norvado

RECOMMENDATIONS: Approval

DEPARTMENT OF ORIGIN: Planning & Development

DATE SUBMITTED: May 23, 2018

CLEARANCES: Public Works Department

EXHIBITS: Proposed Lease Agreement

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: N/A

APPROPRIATION REQUIRED: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: NA

SUMMARY STATEMENT:

Norvado is interested in performing some testing of wireless equipment that could potentially serve phone, internet, and TV service to customers. They determined that the City's water tower is the best location to test this from, noting there is already other hardware on the water tower from other companies. Per the City's ordinance, Council must approve a lease agreement prior to the installation of any wireless communication antennae on a City-owned water tower.

The amount to be charged for the lease needs to be determined. A prior lease for installation of antennae and related equipment on the water tower charged a fee of \$2,000 per year. If that rate were to be prorated for the three month period, Norvado would like to use the tower. It would equate to \$166.67/month or \$500.01. The Council has authority to consider the fee for the lease.

Non-Exclusive Tower Attachment Lease Agreement

This Non-Exclusive Tower Attachment Lease, is made and entered into on this ____ day of _____, 2018, by and between the Ashland Water Utility ("Lessor") and Norvado ("Lessee").

WHEREAS, Lessor owns and elevated water tower ("Tower") located on Beaser Avenue property, formerly known as Ashland Elevated Watertower, upon which Lessee desires to temporarily mount certain of Lessee's antennae, other equipment, and related devices; and

WHEREAS, the Lessee desires to lease a certain designated space on the Tower for a period of three months, from June 4, 2018 through September 4, 2018, to conduct testing; and

WHEREAS, Lessor retains the right to contract with other parties to attach equipment on the Tower, provided said equipment does not cause interference with the operation of Lessee's equipment; and

WHEREAS, Lessor desires to be indemnified and held harmless from and against any and all damages caused by the operation, maintenance or installation of any and all of Lessee's equipment,

NOW, THEREFORE, for and in consideration of the terms and mutual promises herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

1. **Property:** Lessor hereby grants Lessee the right to install, maintain, operate and remove communication equipment and appurtenances as designated on Lessor's elevated water tower on Lessor's Property, which is more particularly described as Parcel #201-04928-0100 ("Property").
2. **Use:** Lessee shall be permitted to install communication equipment such as antennae, cabling, emergency power generators and related equipment on the Property. Prior to installation, all installation plans and any personal property owned by the Lessee that is to be located on the Property or attached to the Tower must be approved by the Lessor or its Designated Agent, which approval shall not be unreasonably withheld or delayed by Lessor. Any personal property owned by Lessee, whether fixed or attached to the Property or Tower, shall remain the exclusive property of Lessee. The Lessee's equipment shall be installed in a secure manner in a location approved by the Lessor and shall not be permanently attached or welded to Lessor's Tower. Lessor hereby grants Lessee designated access to the Tower and Property for the purpose of installation and maintaining the equipment and appurtenances, provided, however, that Lessee shall give Lessor prior notice before accessing the Tower or Property. In the event Lessee's use of Lessor's property requires additions or modifications to comply with applicable laws or regulations, including but not limited to FAA lighting requirements, Lessee shall be responsible for the expense of bringing the Property into compliance.
3. **Term:** The term of this lease shall be for a period of a period of three months, commencing on June 4, 2018 and terminating on September 4, 2018.
4. **Consideration:** Lessee shall pay to Lessor a lease payment in the sum of [redacted] for the rights contained herein, both with respect to the Tower and Property. The Lease payment shall be invoiced as a lump sum, and shall be due on or before the commencement date.

5. **Utilities:** Lessee will arrange for separate metering for all required electrical or other utility connections to support Lessee's equipment.
6. **Water Tower Purpose:** Lessee recognizes the primary function of the Tower is to provide water storage for Lessor and Lessor's customers. Lessee understands that Lessor may find it necessary from time to time to interrupt Lessee's use of the Tower and/or Property for maintenance. Lessor shall provide Lessee with seven (7) days prior written notice for non-emergency maintenance, and, if necessary, Lessee agrees to remove its antennae or other appurtenances from the Tower in order to facilitate said maintenance. Lessee shall have the right, if required to remove any antennae or appurtenances, to relocate said equipment in any manner as set out in this Paragraph:
 - (a). Lessee, at its sole cost and expense, may temporarily relocate its antennae to a different location on the Tower, provided, however that (i) relocation space is available on the Tower at a location sufficient to meet Lessee's coverage or engineering needs and sufficient to allow the maintenance performed by Lessor, (ii) such relocation shall not exceed the period of time during which the maintenance activity is performed, and (iii) the temporary location is approved by Lessor. A mutual effort will be made to identify any location on the Tower that is not being used or intended to be used by Lessor and that will not cause interference with any other equipment located on the Tower. Such temporary location shall not interfere with Lessor's maintenance or any other users on the Tower.
 - (b). Lessee, at its sole cost and expense, may use a temporary transmission site on the Property at a mutually-agreeable location sufficient to temporarily meet Lessee's coverage or engineering needs and which will not interfere with the Lessor's maintenance activities or any other users of the Tower.
7. **Lessor's Representations and Warranties:** Lessor represents and warrants that all operations conducted by Lessor in connection with the Tower and the Property, including lighting systems, meet with all applicable rules and regulations of the Federal Aviation Administration and all applicable codes and regulations of the City, County and State. Lessor shall maintain its lighting system in a safe and proper operating condition and shall comply with all notice requirements of the Federal Aviation Administration regarding the failure, malfunction or repair of the elevated Tower lighting systems. The cost of painting and repairing Lessor's tower shall be borne by Lessor unless said costs are the result of damage to the Tower caused by Lessee, in which case Lessee shall repair such damage, or, at its option, Lessee may reimburse Lessor for its costs and expenses incurred in such repair. Cost of painting Lessee's equipment shall be borne by Lessee, and shall be performed routinely to maintain the appearance of the equipment and shall be the same color as the Tower or of some other color approved by Lessor. Lessor shall not be responsible for damage to Lessee's equipment while performing maintenance on the Property or the elevated water tower.
8. **Termination:** Except as otherwise provided herein, this Lease may be terminated without any penalty or further liability upon written notice as follows:
 - (a) By either party upon a default of any covenant or term hereof by the other party, which default is not cured with sixty (60) days of receipt of written notice of the default, without, however, limiting any other rights available to the parties pursuant to other provisions hereof, provided, that if the defaulting party commences efforts to cure the default within such period, the non-defaulting party shall no longer be entitled to declare a default;

(b) Upon thirty (30) days written notice by Lessee if Lessee is unable to obtain or maintain, through no fault of Lessee, any license, permit or other governmental approval necessary to the construction, operation and/or maintenance of Lessee's Equipment;

(c) By Lessee pursuant to Section 10 or Section 13 of this Lease.

In any of the events of default or termination of this Lease, Lessee must leave the Property in its original condition, normal wear and tear excepted.

9. Indemnification/Liability Insurance:

(a) Lessee, during the term of the lease, shall indemnify and hold the Lessor harmless from any claims, loss, liabilities and demands of any sort arising from Lessee's use of the Lessor's property.

(b) During the Term Lessee shall maintain, at its own expense, insurance covering claims for public liability, personal injury, death and property damage under a policy of general liability insurance, with limits of not less than Five Hundred Thousand Dollars (\$500,000.00) per person and One Million Dollars (\$1,000,000.00) per occurrence, and property damage insurance of not less than Fifty Thousand Dollars (\$50,000.00). Such insurance shall insure against liabilities arising out of or in connection with Lessee's use or occupancy of the Property subject to the standard exceptions found in the Commercial General Liability Insurance Policy. Lessor shall be named as an additional insured on all such policies procured by Lessee.

10. Interference: Lessee covenants that the equipment will not cause interference with the operation of any other wireless communications equipment located on the elevated tower as of the date of this Lease. Lessor shall be responsible for curing any and all interference to the operation of the equipment caused by the operation of equipment owned by a third party to this Lease which is in privity of contract with Lessor ("Third Party"). In the event that such interference cannot be eliminated or rectified to Lessee's personal satisfaction within five (5) days of the receipt of notice by Lessor from Lessee of the existence of interference ("Notice Date"), Lessor shall require the Third Party causing the interference to disconnect utility service to their equipment until such time as the interference can be eliminated or rectified to the mutual satisfaction of Lessee and Lessor. If said interference cannot be eliminated or rectified within thirty (30) days of the Notice Date, Lessor shall, at the request of Lessee, require the Third Party causing the interference to immediately remove its equipment from the elevated water tower and the Property or Lessee may, at the sole discretion and option of Lessee, terminate this Lease upon notice to Lessor.

11. Subrogation:

(a) In General. All insurance policies required under this Lease shall, if possible, contain a waiver of subrogation provision under the terms of which the insurance carrier waives all of its rights to proceed against Lessor or Lessee, as the case maybe. If waivers of subrogation are obtained, the party procuring such insurance shall use its best efforts to obtain a certificate of insurance that notes the waiver of subrogation and a copy of the insurance policy endorsement that evidenced the insurance carrier's assent to the waiver of subrogation. If both parties do not obtain waivers of subrogation from their insurers, a single waiver shall not be effective.

(b) Mutual Release. Lessor and Lessee each release the other and their respective representatives from any claims by them or anyone claiming through or under them by way of subrogation or otherwise for damage to any person or to the Property and to the fixtures, personal property, improvements and alterations in or on the Property that is the subject of this Lease that are

caused by or result from risks insured against under any insurance policy carried by them and required by this Lease; provided that such releases shall be effective only if and to the extent that the same do not diminish or adversely affect the coverage under such insurance policies. Lessor shall be named as additional insured on any insurance policy procured by Lessee, and Lessee shall be named as an additional insured on any insurance policy procured by Lessor pursuant to this Lease.

- 12. Notices:** All notices or demands by or from Lessor to Lessee, or Lessee to Lessor, shall be in writing. Such notices or demands shall be delivered to the other party at the following addresses:

Lessor: Ashland Water Utility
601 Main Street West
Ashland, WI 54806
Attn: City Clerk

Lessee: Norvado
P.O Box 67,
Cable, WI 54821

- 13. Destruction of Premises:** If the Property or the Tower are destroyed or damaged so as to hinder the effective use of the elevated water tower in Lessee's judgement, Lessee may elect to terminate this Lease as of the date of the damage or destruction by so notifying Lessor. In such event, all rights and obligations of Lessee to Lessor shall cease as of the date of the damage or destruction, and Lessee shall be entitled to the reimbursement of any fee prepaid by Lessee.
- 14. Assignment:** This lease shall not be assignable.
- 15. Entire Agreement:** This Lease represents the entire agreement and understanding of Lessor and Lessee with respect to the subject matter hereof and supersedes all offers, negotiations and other agreements. There are no representations or understandings of any kind not set forth herein. Any amendments to this Lease shall be made only in writing and executed by Lessor and Lessee.
- 16. Severability:** If any term of this Lease is found to be void or invalid, such invalidity shall not affect the remaining terms of this Lease, which shall continue in full force and effect.
- 17. Venue:** This Lease shall be construed in accordance with the laws of the State of Wisconsin. Venue shall be in Ashland County.

IN WITNESS WHEREOF, Lessor and Lessee have executed this Non-Exclusive Tower Attachment Lease Agreement as of that date and year first above written.

LESSOR CITY OF ASHLAND

By:

Attest:

Mayor

City Clerk

Personally came before me this _____ day of _____, 2018, as Mayor and City Clerk, respectively of the City of Ashland, to me known to be the persons who executed the foregoing instrument, and to me known to be such Mayor and Clerk of the said City of Ashland, Ashland County, Wisconsin, and acknowledged the same.

Notary Public
My commission expires: _____.

LESSEE:

By:

Personally came before me this _____ day of _____, 2018, the above named, to me known to be the person who executed the foregoing lease and acknowledged the same.

Notary Public
My commission expires: _____.



AGENDA BILL

Ref: 109

COMMITTEE AGENDA:
COUNCIL AGENDA: 8J (05-29-2018)

SUBJECT: Approve a Resolution to Approve a Conditional Use Permit for the Construction of an Eight Foot Tall Fence at Beaser Park in the Public Park (PP) District, Parcel #201-00565-0000, Applicant: City of Ashland Parks and Recreation Department
(Approved Unanimously by Plan Commission 05/22/2018)

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Department of Planning and Development

DATE SUBMITTED: 5/23/2018

CLEARANCES: Department of Planning & Development
Plan Commission (Approved Unanimously 05/22/2018)

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:

The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. The Comprehensive Plan encourages that the City make policies and take actions to "enhance opportunities to play and recreate within the City" and also to "improve accessibility to public spaces and recreational amenities for residents and visitors." Access to an ADA-compliant restroom in the park helps promote the comfort and usability for all visitors, and the addition of the fence to screen will enhance views of the park for nearby residents, park visitors, and people driving on adjacent roads.

SUMMARY STATEMENT:

See attached staff reports for information.

RESOLUTION

No. _____

RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF AN EIGHT FOOT TALL FENCE AT BEASER PARK IN THE PUBLIC PARK (PP) DISTRICT, PARCEL #201-00565-0000 (APPLICANT: CITY OF ASHLAND PARKS AND RECREATION DEPARTMENT)

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

WHEREAS, the Plan Commission held a Public Hearing on May 22, 2018, and has recommended approval of the Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Ashland that the Conditional Use Permit for an eight foot tall fence at Beaser Park is in accordance with the Ashland Unified Development Ordinance and is hereby approved.

PASSED: May 29, 2018

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, 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



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

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

STAFF REPORT – Plan Commission – May 22nd, 2018

Agenda Item # 5a: Conditional Use Permit Request to construct an 8 foot tall fence at Beaser Park

Zoning District: Public Park (PP)
 Property Address: 700 Beaser Avenue (Beaser Park)
 Parcel #: 201-00565-0000
 Parcel Owner/Applicant: City of Ashland Parks & Recreation Department
 Staff Contact: Megan McBride

Background

The City of Ashland Parks and Recreation Department is requesting a Conditional Use Permit to construct a fence in Beaser Park that will be eight (8) feet in height. The maximum allowable height for a fence is six (6) feet without a CUP. It will be a three-sided wooden fence used to screen the ADA compliant porta potty in the northwest corner of the park, which is placed there May through August (see attached map for location). The old bathroom building had not been utilized for several years prior to its demolition in April 2018 due to structural issues, but did effectively screen the porta potty placed on the south side of the building for the last three years. With the building's demolition, the Parks & Rec Department and Facilities Foreman would like to install the proposed fence in order to continue to screen the porta potty from view.

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:

1. **Consistency with Comprehensive Plan.** The proposed development conforms to the goals and community values identified in the City of Ashland's Comprehensive Plan. The Comprehensive Plan encourages that the City make policies and take actions to "enhance opportunities to play and recreate within the City" and also to "improve accessibility to public spaces and recreational amenities for residents and visitors." Access to an ADA complaint restroom in the park helps promote the comfort and usability for all visitors, and the addition of the fence to screen will enhance views of the park for nearby residents, park visitors, and people driving on adjacent roads.
2. **Compatibility.** Neighboring uses within 200 feet and along the same street are primarily single- and two-family residential. We see the addition of the fence for the purpose of screening in this location to be compatible and complimentary to these surrounding residential uses.
3. **Importance of Services to the Community.** With the recent demolition of the old inoperable bathroom facility which previously blocked views of the porta potty from surrounding homes and roads, the addition of this fence for screening will serve to preserve views of the park.

- 4. **Neighborhood Protections.** The fence will serve as a neighborhood protection by screening views of the porta potty on three sides. The height increase from 6 feet (allowed without a Conditional Use Permit) to 8 feet will have no negative impacts on neighboring property owners.

- 5. **Conformance with Other Requirements:**
 - a. Applicant shall obtain a fence permit prior to installation.

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit.

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The proper Class 2 Public Hearing notice was issued and discretionary letters were sent to surrounding households.

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.

Find yourself next to the water.

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ASHLAND

W I S C O N S I N

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

April 9, 2018

Dear City of Ashland Planning Commission;

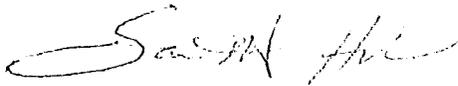
The City of Ashland Parks and Recreation Department along with the Facilities Foreman would like to place a wooden three (3) sided, 8ft high screen fence in the Northwest corner of the Beaser Ballfields to screen an ADA porta potty placed there May - August.

In April of 2018, the current bathroom building at the Beaser Ballfields will be demolished. This building has not been used for several years due to a large and costly crack in the sanitary system and cracks in the walls and foundation of the building. The City has been renting a port a potty at this location for three years and has received no complaints from program participants. The porta potty has been placed on the south side of the building. Without the building there is no place to "hide" the porta potty.

The screen fence will be constructed near/on the foundation of the old bathhouse and the porta potty will be secured to the fence to discourage vandalism.

IF you have any questions, please feel free to contact myself or Dan Homola, Facilities Foreman at dhomola@coawi.org

Thank you



Sara Hudson, Director
City of Ashland Parks and Recreation Department
715.685.1644
shudson@coawi.org

Zoning Map

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May 8, 2018



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

-  Public Park-PP
-  Single-Family Residential (R-1)
-  Single and Two-Family Residential (R-2)



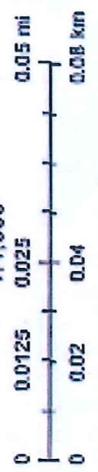
Proposed 3-sided 8ft tall wooden fence

April 9, 2018

Parcel Labels

Parcel Mapping

1:1,500



City of Ashland Public Works Department, GIS Division
 Copyright City of Ashland Public Works Department, GIS Division

5/1/2018

Plan Commission Meeting 5-22-18
Public Hearing Comments

Public Hearing and Consideration of a Conditional Use Permit request to install an eight (8) foot tall fence at Beaser Park, zoned Public Park.

Megan McBride explained that the required Class 2 public hearing notice was given for this item, and letters were sent to surrounding neighbors.

John Beirl asked why the Parks & Recreation Department is requesting to screen this porta potty when there are others around town that are not, and if we should have a standard for this.

David Mettille also asked what the cost of the fence will be, as it would likely be minimal. He said he'd prefer if the standard would be that there will be screening around all porta potties in City parks.

Staff Responses:

Sara Hudson explained that in the past the intention was to fix the bathrooms, but once the cost was determined to be \$10,000+ they decided to demo the building. The porta potty is a semi-permanent fix, and if it works then other semi-permanent porta potties in public areas (like the ore dock) can have a fence built around them too.

Dan Homola indicated that the cost of the fence will be \$900 - \$1200 and is made from treated batten and board look from the bottom to 6', top 2' is lattice.

Find yourself next to the water.

ASHLAND

City of Ashland, Wisconsin

601 Main Street West Ashland, WI 54806 www.coawi.org

CITY OF ASHLAND

ECONOMIC DEVELOPMENT STRATEGY 2018



FACILITATOR

Kevin Stranberg, Memorial Medical Center

Stakeholder Participants

Mike Bailey, W.I.N.

Mike Bebeau, Xcel Energy

John Beirl, Ashland Plan Commission

Steve Bitzer, WITC

Kent Dumonseau, Memorial Medical Center

Kim Dwyer, Ashland Area School District

Jay Emmert, Coldwell-Banker Realty

Rick Forsythe, Ashland Business Alliance

Betsey Harries, Ashland Area Development Corporation

Keith Hills, Ashland Area School District

Brandon Hofstedt, Northland College Center for Rural Communities

Matt Hulmer, Bretting Manufacturing

Gary LaPeau, Ashland Chamber of Commerce

Cory Larson, Deltco Mfg.

David Martin, Deep Water Grille

Mary McPhetridge, Ashland Chamber of Commerce

David Metille, Ashland City Council

Mari Kay-Nabozny, Northwest WI Workforce Investment Board

Charlie Orman, Ashland Business Alliance

Tom Wojciechowski, UW Extension

Mike Miller, Northland College

City of Ashland Staff

Mayor Deb Lewis, City of Ashland

Mary Garness, City of Ashland Administrator;

April Kroner, City of Ashland Planning & Development Director

Rose Spieler-Sandberg, City of Ashland Assistant Planner

Megan McBride, City of Ashland Assistant Planner

BACKGROUND

The economic development effort is an outgrowth of the City's Comprehensive Plan, AUTHENTIC ASHLAND, adopted by the Ashland City Council in 2017 that called for a specific Economic Development Strategic Plan to be developed for the City. The working group make-up was chosen with the goal of generating greater collaboration among key community stakeholders, and assembly of a diverse committee of business and educational representatives.

The working group met three times during 2017, including March 31, May 19, and October 27. At the first meeting, the group established a definition of what economic development in Ashland means, and discussed what the City may have in 2022 if it is successful at implementing economic development strategies. Three primary areas of focus were identified, and sub-committees were formed for each of the focus areas. Each sub-committee met separately to discuss topics from the initial meeting and were tasked with creating corresponding action steps for the large group. The primary areas of focus identified by the large group were: 1/ Business Creation and Growth, 2/ Workforce Development, and 3/ Area Promotion and Advancement. At the subsequent large group meetings, the members reviewed the action steps identified by the sub-committees and made amendments, prioritized strategies, and discussed the approval process and methods for public education and dissemination.

CITY OF ASHLAND ECONOMIC DEVELOPMENT

**PROVIDING AN ENVIRONMENT WHERE BUSINESSES CAN BE CREATED
AND GROW, WITH A STRONG AND QUALIFIED WORKFORCE AND
PROMOTION OF QUALITY OF LIFE.**

SUBCOMMITTEE MEMBERS

Business Retention and Growth Mayor Lewis, John Beirl, Dale Kupczyk, Cory Larson, Mary McPhetridge, Rose Spieler-Sandberg

Strong and Qualified Work Force Mary Kay-Nabozny, Rose Spieler-Sandberg, Tom Wojciechowski, Steve Bitzer, Mike BeBeau, Matt Hulmer, Kim Dwyer

Promotion and Advancement Mary McPhetridge, Gary LaPean, Jay Emmert, Mari Kay-Nabozny, David Mettille

CITY OF ASHLAND ECONOMIC DEVELOPMENT STRATEGY

STRATEGIES & ACTIONS By FOCUS AREA
BUSINESS RETENTION & GROWTH
A. Efficient System for Approval of Permits
1) Code/process review to simplify and clearly define processes and information
2) Review and adoption of best practices in other vibrant communities
3) Create a "one-stop" shop location for businesses where questions and processes can be efficiently managed
4) Develop a flow chart that clearly shows what projects need what approvals
B. Consistent Messaging between Agencies Regarding Relevant Information
1) On line "road map"
2) Packet of information available to potential businesses/entrepreneurs
3) Vital economic stakeholders all give out same information
C. Create an Accessible Inventory of all available land, retail/office space in the City and share with all stakeholder groups
D. Perform an analysis of existing business opportunities and potential linkages between users and producers in our community
STRONG & QUALIFIED WORKFORCE
A. Strengthen Connection/Partnership between businesses and the regional schools
1) Give students access to training/technology/resources
2) Inform parents
3) Strengthen connection between students and Young Professionals
B. Community Employment Needs Assessment (Industrial/Business; Retail/Service)
1) Training stackable credentials for entry positions
C. Inventory/Gap Analysis of Needs/Amenities for Workforce (Skills Gap)
D. Talent Attraction
1) Conduct "Bomerangs" Survey
2) Strengthen housing market
3) Promotion/Support of lake and amenities
PROMOTION & ADVANCEMENT
A. Conduct an Amenities Inventory
B. Link Information Between Major Players
C. Effort to reach all different generations
D. Countering Nay Sayers
E. Year Round Accessibility to Amenities in all Seasons

ASHLAND'S CHANGING LANDSCAPE

Since the inception of the economic development strategy process in 2017, much progress has made in changing the long-standing perception that it is difficult to start a business in Ashland due to lengthy and arbitrary review processes that were not well understood. Although there have been occasional bumps in the road, the overall trajectory is positive.

WHAT DOES THE CHANGING LANDSCAPE SINCE MARCH 2017 LOOK LIKE?

Connections Are Being Made: Key stakeholder groups are collaborating on projects, meeting, and problem-solving. (Examples: Downtown trash & recycling containers, bike racks, Ore Dock Sign, Addiction Task Force, Day Care Initiative, Lake Superior Science and Education Center Initiative, Parking Task Force, Business After Hours)

Communication is Improving; Collaborative Partnerships Between the City and Several Key Entities Have Been Sought; and Efforts to Improve Them Are Ongoing: AADC, Northwest Regional Planning, WHEDA, WEDC, Bad River Tribe, Ashland Chamber of Commerce, Ashland Business Alliance, Cities of Washburn and Bayfield, School District of Ashland, Northland College, WITC, Memorial Medical Center, State and Federal Government representatives, medical community, faith community.

Development is Happening:

New Housing: Lipka Apartment complex built on north side of Ashland High School on Beaser Avenue; Beaser Fire Station converted into 4-plex; Former CN Depot (Chequamegon Court Club) on Chapple Avenue converted into tri-plex.

New Services/Amenities: Chequamegon Humane Society, St. Luke's Chequamegon Clinic; NorthLakes Clinic on Main Street, Crossroads, School District of Ashland Field House and facilities improvements.

Existing Business Expansion is Happening: Key manufacturers report expanded sales and hiring, downtown retail holding its own, others innovating, MMC expansion(s).

New Businesses are Choosing Ashland: Kwik Trip, Cobblestone Inn & Suites, Burger Barn.

Downtown Ashland is Transitioning into a Service Center and Place-Based Artistic Activities Hub: Downtown retailers are developing niche-based marketing to draw and retain customer base; unique downtown activities create a sense of place downtown; ie: Tree-Lighting; Downtown Days; Expansion of Murals; Farmer's Market, Movies & Concerts in the Parks, Custom Artistic Trash/Recycling Containers; Custom Lake Superior Bike Racks, etc. More services are being offered in the core downtown.

Young and Talented Entrepreneurs and Professionals are Replacing Retiring Boomers

IMPLEMENTATION /LOOKING AHEAD

Work has commenced towards achieving the strategies and actions. The strategic partners will continue to work together to develop and implement the actions in the coming years, and will come together annually to check on progress, celebrate accomplishments, and reassess the strategies and actions based on changing conditions. Sub-Committees will continue working independently as needed, and update the large group. The City's Planning & Development Department will take the responsibility of monitoring achievements and ensuring that entities are contributing to the successfully implementation of the strategy.

Barriers identified by the group towards implementation include the role of structural poverty factors in addressing unmet needs, along with staff and financial constraints that may hinder completing actions as quickly as desired.

The next step identified includes educating the community on strategic economic development goals, and generating "buy-in" and consensus from constituent groups so that all are working in collaboration.

BID TABULATION FOR THE BEASER AVENUE MEDIAN REPLACEMENT & ROAD CONSTRUCTION PROJECT
 BID OPENING: MAY 29, 2018 AT 2:00 P.M.

PAY ITEM	ITEM DESCRIPTION	UNIT	BIDDER		RITOLA, INC.		ASHLAND CONSTRUCTION	
			BID/CONTRACT QUANTITY	UNIT PRICE	BID COST	UNIT PRICE	BID COST	
2201.0120	CLEARING & GRUBBING	ID	12	\$35.00	\$420.00	\$200.00	\$2,400.00	
2204.0110	REMOVE ASPHALT SURFACE (ROAD)	SY	115	\$4.00	\$460.00	\$7.40	\$851.00	
2204.0150	REMOVING CURB & GUTTER	LF	455	\$3.00	\$1,365.00	\$8.00	\$3,640.00	
2205.0103	COMMON EXCAVATION (ROAD)	SLS	1	\$3,647.00	\$3,647.00	\$5,500.00	\$5,500.00	
2213.0100	FINISHING ROADWAY	LS	1	\$1,000.00	\$1,000.00	\$750.00	\$750.00	
2304.0308	BASE AGGREGATE DENSE 1 1/4-INCH	TON	90	\$17.60	\$1,584.00	\$28.00	\$2,520.00	
2350.0135	GRANULAR SUBBASE COOURSE, 10-INCH (ROADWAY)	SY	205	\$5.77	\$1,182.85	\$6.00	\$1,230.00	
2455.0605	TACK COAT	GAL.	32	\$2.25	\$72.00	\$2.00	\$64.00	
2465.0107	HMA PAVEMENT (19mm) MT (58-28) (S) - 3.5 INCH	TON	70	\$130.58	\$9,140.60	\$118.72	\$8,310.40	
2460.0108	HMA PAVEMENT (9.5mm) MT (58-28) (S) - 1.75 INCH	TON	35	\$132.28	\$4,629.80	\$120.28	\$4,209.80	
2611.8100	ADJUSTING MANHOLE CASTING / COVER (EXISTING)	EA	1	\$625.00	\$625.00	\$750.00	\$750.00	
2611.0624	NEENAH R-3077 DOUBLE UNIT INLET FRAME W/ TYPE L GRATES	EA	1	\$1,875.00	\$1,875.00	\$1,600.00	\$1,600.00	
2619.1000	MOBILIZATION	LS	1	\$2,985.00	\$2,985.00	\$2,000.00	\$2,000.00	
2628.7020	INLET PROTECTION TYPE D	EA	4	\$170.00	\$680.00	\$175.00	\$700.00	
2643.0100	TRAFFIC CONTROL	LS	1	\$2,657.60	\$2,657.60	\$2,600.00	\$2,600.00	
2645.0140	GEOTEXTILE FABRIC, TYPE SAS	SY	180	\$1.65	\$297.00	\$2.50	\$450.00	
2375.1100	TENSAR GEOGRID, BX 1100	SY	255	\$1.70	\$433.50	\$4.00	\$1,020.00	
2646.0101	PAVEMENT MARKING	LS	1	\$1,980.00	\$1,980.00	\$2,000.00	\$2,000.00	
2690.0150	SAWING ASPHALT	LF	485	\$2.50	\$1,212.50	\$5.00	\$2,425.00	
			TOTAL BID		\$36,246.85		\$43,020.20	

As distributed @ meeting

Denise Oliphant

From: Barbara Clement
Sent: Tuesday, May 29, 2018 3:27 PM
To: Alison Gillespie; Denise Oliphant
Cc: Jim Struck
Subject: RE: Bids for Beaser Median Removal Project

Alison,

Ritola Inc. of Mason WI is in compliance with City Of Ashland Ordinances Chapter 923

Barbara Clement
Ashland City Treasurer

From: Alison Gillespie
Sent: Tuesday, May 29, 2018 2:58 PM
To: Barbara Clement; Denise Oliphant
Cc: Jim Struck
Subject: FW: Bids for Beaser Median Removal Project

Barb:
Is Ritola Inc, Mason, WI, in compliance with Ord 923?
Apparent low bidder on Beaser Ave Median.
Alison

Attached Bid Tabulation to present with Agenda Bill tonight.
Jim Struck will be there tonight to present it.
Do you make copies for Council?

Alison

From: Dan Maderich
Sent: Tuesday, May 29, 2018 2:46 PM
To: Tom Grosjean; Chase Rettler; Jim Struck
Cc: Alison Gillespie
Subject: Bids for Beaser Median Removal Project

To All,

The low bidder is Ritola, Inc. from Mason, WI. Unless there are other objections the City will recommend award to Ritola, Inc at tonight's City Council meeting.

Tom said the estimate was \$62,000.00.

Dan Maderich
Sr. Civil Technician
City of Ashland, WI
Phone: 715-682-7045
Cell: 715-209-7645