

1. Packet

Documents:

[JULY 10, 2018 COUNCIL PACKET.PDF](#)

2. Supporting Meeting Documents

Documents:

[JULY 10, 2018 AMENDED ORDINANCE FOR AGENDA ITEM 7C.PDF](#)

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

Please silence all cell phones during the meeting.

1. CALL TO ORDER

- A. Roll Call
- B. Moment of Silence
- C. Pledge of Allegiance
- D. Approve to Appoint a Ward 2 Councilperson (*Clerk*) **Roll**

2. APPROVAL OF AGENDA (Voice)

3. APPROVAL OF MINUTES of the June 25, 2018 Council Retreat, and the June 26, 2018 Council and Committee of the Whole Meetings (**Voice**)

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

5. MAYOR'S REPORT

- A. Announcements
- B. Appointments

<u>Sustainability Committee</u>	<u>Term Expires:</u>
Kaas Baichtal	June 28, 2021
Valerie Damstra	June 28, 2020
Jessica Eckhardt	June 28, 2020
Dale Kupczyk	June 28, 2020
Lissa Radke	June 28, 2020
Kate Uhlman, Council Rep.	June 28, 2021
Mary Ellen "La Mer" Riehle	June 28, 2021

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

- A. Operator's Licenses
- B. Miscellaneous Minutes

7. NEW BUSINESS

- A. Presentation by Charmaine Swan, Representative of the American Lung Association (*Mayor*)
- B. Approve a Resolution to Change the Start Time for Combined Ashland City Council and Committee of the Whole Meetings (*Clerk*) **Voice**
- C. Approve an Ordinance to Amend Chapter 544 (1026), Ashland City Ordinances, Vehicular Stopping and Parking (*Clerk*) **Voice**

- D. Approve a Resolution Accepting Workmanship of DNH, Inc., and Approve Final Payment for the Marina A-Dock Project (*Harbor Commission*) **Roll**
- E. Approve a Resolution Accepting the Workmanship of Northwoods Paving, Inc., and Approve Final Payment for the Kreher Park Entrance Road Overlay and the Main Street East from Stuntz to 11th Avenue East Mill and Overlay Projects (*Public Works*) **Roll**
- F. Approve to Accept an AARP Communities Challenge Grant (*Parks & Rec*) **Voice**

8. CLOSED SESSION

- A. **Closed Session** pursuant to Wisconsin Stats, sec 19.85(1)(c): “Considering employment, promotion, compensation, or performance evaluation data of any public employee subject to the jurisdiction or authority of the governing body” (*Approve contract for new City Administrator*)(*Human Resources*) **Roll**
- B. **CLOSED SESSION** per Wisconsin Statute 19.85 (1)(g): “Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.” (*Approve the Revised Global Agreement for the Ashland Highway 2 Sewer Litigation*)(*Mayor*) **Roll**
- C. Return to Open Session
- D. Action and/or Reporting on Closed Session Discussion and Action

9. ADJOURNMENT

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

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



AGENDA BILL

Ref: 151

COMMITTEE AGENDA:
COUNCIL AGENDA: 1D (07-10-2018)

SUBJECT: Approve to Appoint a Ward 2 Councilperson

RECOMMENDATION: As Council Desires

DEPARTMENT OF ORIGIN: Clerk

DATE SUBMITTED: July 2, 2018

CLEARANCES: City Attorney
Council President
Mayor

EXHIBITS: **A**-Letter from Richard Ketring, June 27, 2018
B-Ashland City Council Meeting, June 26, 2018 Excerpt of Minutes
C-Appointments & Vacancies FAQ 2 & 3, Wisconsin League of Municipalities (WLM)
D-Determining the Residency of Municipal Officers, WLM

EXPENDITURES REQUIRED: NA

SUMMARY STATEMENT:

A due process hearing was held during the Common Council meeting on June 26, 2016 to determine the residency of Ward 2 Councilor Mr. Richard Ketring. Mr. Ketring distributed a letter to each Councilor stating his resignation prior to the hearing and left the meeting. The remaining Councilors unanimously determined to proceed with the due process hearing by roll call vote. A final motion to determine that Mr. Ketring was no longer a resident of Ward 2 failed by roll call vote.

On June 27, 2018, Mr. Ketring submitted a letter to the Clerk's office to rescind his resignation.

After thorough research, City Attorney Tyler Wickman's legal opinion is that Mr. Ketring's resignation as Ward 2 Councilor was delivered to the council body as required under Wis. Stat. § 17.01(8). Because the letter did not give an effective date of the resignation, Wis. Stat. §17.01(13) was effective upon delivery. The statute states the resignation once delivered, "shall take effect, ..., at the time indication in the written resignation, and if no time is indicated, then upon delivery of the written resignation." The statute does not require the resignation to be accepted by anyone to be effective. Thus, because the seat is currently vacant, Council is being asked to appoint a resident for the Ward 2 position. Because the council determined Mr. Ketring did not cease to be a resident of Ward 2, he can be reappointed by the council which appointed would be through the current term pursuant to Wis. Stat. § 17.23(1)(a).

To the extent there is any ambiguity as to Mr. Ketring's resignation and status as a councilor based on the events of resignation letter, due process hearing, and rescinding of the resignation letter, by reappointing Mr. Ketring to the position, if the Council so chooses, it eliminates any ambiguity as to his status as the Ward 2 city councilor.

June 27, 2018

Ashland city council,

I hereby this instrument do rescind my offer of resignation dated 6/26/2018

Richard Ketring

A handwritten signature in black ink, appearing to read 'Richard Ketring', written in a cursive style.

Ward 2 Alderperson

Ashland, Wisconsin

RECEIVED

JUN 27 2018

Agenda Item 8A: Due Process Hearing, Discussion and Action to Determine Residency Status and Eligibility for Office of Ward 2 Councilor (City Attorney)

Citizens raised questions regarding the residency of the Ward 2 Councilor, Richard Ketring, following the fire at 504 10th Avenue West where he lived up until said fire on December 31, 2017. As noted in Wis. Stat. § 17.03(4)(c), a local elective office is vacated when the incumbent ceases to be a resident of the district from which he or she was elected.

The City Council is being asked to determine whether the Councilor for Ward 2 is still considered a resident of said Ward and thus, to determine whether or not the Ward 2 City Council position is vacant.

Attorney Colleen Daly presented documents on the City's behalf to allow City Attorney Tyler Wickman to advise Council. In light of the letter distributed by Mr. Ketring and his absence from the hearing, Tochterman moved, Ullman seconded a motion to proceed with the due process hearing to determine residency status and eligibility for the office of Ward 2 Councilor. The motion carried unanimously by roll call vote.

George moved to accept Mr. Ketring's letter of resignation from Council. As there was no second, the motion died. Mettillie moved, George seconded a motion to determine that Mr. Ketring was no longer a resident of Ward 2, City of Ashland. The motion failed 4-6 by roll call vote; opposed were Jackson, Ullman, Tochterman, Ortman, Franek and Pufall.

Appointments & Vacancies FAQ 2

Does a council member or village trustee vacate their office by temporarily moving out of the district or village they represent?

Members of municipal governing bodies and other local elected officers must, at the time of their election, be resident electors of the municipality and in the case of common council members, residents of the district from which elected.¹ A local elective office is vacated when the incumbent ceases to be a resident of the municipality or district from which he or she was elected.² In addition, a local appointive office is vacated when the incumbent ceases to be a resident of the municipality if residency is a local requirement for appointive offices.³

Because of this, questions relating to the residency of municipal officers often arise. For example, some elected municipal officers may maintain two dwelling places, one inside and one outside the municipality. Others may be forced by circumstances to temporarily move outside of the municipality or district from which they were elected. Determining whether elected officers in these and similar situations have ceased to be residents of the municipality or district from which elected is important because if they have, the office is vacant.

Standards For Determining Residency

No definition of "residence" is provided in Wis. Stat, chs. 17, 61 or 62. Most case law discusses residency in the context of municipal employees but is nonetheless helpful in determining what "residence" means. In *Eastman v. City of Madison*,⁴ the court of appeals referred to the definition of "residence" in Black's Law Dictionary when interpreting a City of Madison ordinance requiring city employees to "reside" in the city. According to the court, *Black's Law Dictionary* defines "residence" as "[p]ersonal presence at some place of abode with no present intention of definite and early removal . . . Residency implies something more than mere physical presence. . . ."⁵

In *Eastman*, a Madison police officer and firefighter sought reinstatement as Madison employees after their positions of employment were vacated for failure to comply with an ordinance requiring them to reside in Madison. The employees claimed, among other things, that they complied with the ordinance even though they had homes outside the city.

The *Eastman* court, in its analysis of the residency issue, apparently relied on the definition of "residence" in Black's Law Dictionary to initially declare that "[c]ontinuous personal presence and intention establish residency."⁶ The court also stated, however, that the employees' "declarations of intent are not conclusive. . . [since] . . . [s]uch declarations are only evidence of state of mind and 'may be suspect because of their self-serving nature.'"⁷ "The self-serving declaration cannot be conclusive but must yield to the intent which the acts and conduct of the person clearly indicate."⁸ In addition, the court of appeals expressed the view that "the location of immediate family, and the site of children's schooling is significant in determining residency."⁹

In *Eastman*, the employees kept apartments in Madison and Madison mailing addresses, telephone numbers, automobile and voter registrations. However, the court noted that the employees' spouses and families lived exclusively outside Madison and their children went to school outside of Madison. Moreover, the employees spent most of their off-duty time in their homes outside of Madison. Thus, the *Eastman* court concluded that the fact that the employees maintained apartments and voter registrations in Madison, "in light of the totality of the circumstances, establishes neither the intent nor the presence necessary for residency" under the Madison ordinance.¹⁰

When dealing with residency questions, in addition to relying on the *Eastman* case for guidance, it may be helpful to refer to the following standards governing residency for voting purposes listed in Wis. Stat. sec. 6.10:

1) The residence of a person is the place where the person's habitation is fixed, without any present intent to move, and to which, when absent, the person intends to return.

2) When a married person's family resides at one place and that person's business is conducted at another place, the former place establishes the residence. If the family place is temporary or for transient purposes, it is not the residence.

3) ...

4) The residence of an unmarried person sleeping in one ward and boarding in another is the place where the person sleeps....

5) A person shall not lose residence when the person leaves home and goes into another state or county, town, village or ward of this state for temporary purposes with an intent to return.

6) As prescribed by article III of the constitution, no person loses residence in this state while absent from this state on business for the United States or this state; and no member of the armed forces of the United States gains a residence in this state because of being stationed in this state.

7) ...

8) No person gains a residence in any ward or election district of this state while there for temporary purposes only.

9) ...

10) If a person moves to another state with intent to make a permanent residence there or exercises the right to vote as a citizen of that state by voting, the person loses Wisconsin residence.

11) Neither an intent to acquire a new residence without removal, nor a removal without intent, shall affect residence.

It is evident from *Eastman* and the standards listed above that determinations of residency must be made on a case-by-case basis. In general, temporary absences from one's residence do not result in the loss of residence. In addition, a person's intention is important, but it must be supported by and not contradicted by

the facts.

A very important factor in determining residency is continuous personal presence at a particular location. In other words, a key inquiry in determining the residency of a municipal officer is where does the person spend most of his or her non-working time? For example, when a person maintains two dwellings, one outside and one inside the municipality, the question to ask is which one does the person spend the most time at. If the person spends most of his or her non-working time at the family dwelling outside the municipality, as was the case in *Eastman*, then chances are good a court would probably find that the person is not a resident of the municipality.

Other relevant considerations in determining the residency of a person dividing time between two dwellings are the location of the person's immediate family, and the site of the children's schooling, if any. In addition, other facts should be taken into account when determining the residency of a person, such as: where the person is registered to vote, the person's mailing address, and what address appears on the person's driver's license, car registration, bank accounts and tax returns.¹¹

Who Determines the Residency of a Municipal Officer?

When questions are raised concerning the residential status of a municipal officer, who or what body is authorized to make a determination concerning the officer's residency? With regard to municipal governing body members, each city and village governing body may determine the residency of its members. This is because village boards and common councils have the power to judge the qualifications of their members.¹² Municipal governing bodies should not, however, make a determination regarding a member's residency until after a due process hearing. Also, such a determination would be subject to judicial review.

In addition to the ability of municipal governing bodies to determine the residency of their members, any individual who believes that a person holding a local elective office is not a resident of the municipality or district in which he or she serves may file a complaint with the attorney general alleging that the individual is not qualified to hold office because of a failure to meet a residency requirement.¹³ The attorney general may, when such a complaint is filed, investigate whether the allegations are true. If the attorney general finds that the allegations in the complaint are true, the attorney general may commence an action under ch. 784, Stats., for a writ of *quo warranto* to have the person's office declared vacant because of failure to meet a residency requirement.¹⁴

If the attorney general refuses to act on a complaint alleging that a particular officer is not a resident of the municipality or district in which the officer serves, the complainant may, on his own, commence a *quo warranto* action under ch. 784.¹⁵ However, only a person who has an interest which is distinct from that of the general public would have standing to commence a *quo warranto* action. *City of Waukesha v. Salbashian*.¹⁶ But, as the *Salbashian* court explained, "only a slight interest is necessary to qualify a person to apply for leave to" prosecute a *quo warranto* action.¹⁷

De Facto Officers

When an elective municipal officer, such as a common council member, moves out of the municipality or district from which elected but continues to exercise the powers and duties of the office for the remainder of his or her term, the officer's votes and any actions taken by the governing body are valid. While an elective municipal officer who ceases to be a resident of the municipality may not be considered a *de jure* officer, he or she is a *de facto* officer if "in possession of [the office], performing its duties, and claiming to be such

officer under color of an election or appointment." ¹⁰ The acts of a *de facto* officer are valid as to the public and third parties, and cannot be attacked collaterally.¹⁹

Conclusion

Occasionally, questions arise concerning the residency of a particular municipal officer. This article has reviewed various factors to consider when attempting to determine the residency of a municipal officer. The residential status of a municipal officer is important because a local elective office is vacated when an incumbent ceases to be a resident of the municipality or district from which he or she was elected. Also, a local appointive office is vacated when the incumbent ceases to be a resident of the municipality if residency is a statutory or local requirement.

End Notes

1. Sections 61.19 and 62.09(2)(a), Stats. Candidates for elective municipal offices must become resident electors of the municipality and district they seek to represent at least 28 days before the election to be eligible for office. See Wis. Stat. sec. 6.02.
2. Sec. 17.03(4)(c).
3. Sec. 17.03(4)(d).
4. 117 Wis.2d 106, 342 N.W.2d 764 (Ct. App. 1983).
5. 342 N.W.2d at 769, quoting Black's Law Dictionary 1176 (rev. 5th ed. 1979).
6. *Id.*, at 770.
7. *Id.*, quoting Restatement (Second) of Conflict of Laws.
8. *Id.*, quoting *McCarthy v. Phila. Civ. Svc. Comm.*, 19 Pa. Cmwlth. 383, 339 A.2d 634, 637 (1975), *aff'd*, 424 U.S. 645 (1976) (per curiam).
9. *Id.*
10. *Id.*
11. See Officers 743.
12. Secs. 61.32 and 62.11(3)(a).
13. Sec. 8.28(1).
14. Sec. 8.28(2).
15. Sec. 784.04(2).
16. 128 Wis.2d 334, 382 N.W.2d 53, 57 (1986).
17. *Id.*
18. *State ex rel. Reynolds v. Smith*, 22 Wis.2d 516, 522, 126 N.W.2d 215 (1964).
19. *Burton v. State Appeal Board*, 38 Wis.2d 294, 304-05, 156 N.W.2d 386 (1968); 77 Op. Att'y Gen. 228, 229 (1988).

Appointments & Vacancies FAQ 3

What is the proper procedure for resigning from a municipal elective or appointive office?

Section 17.01, Stats., sets out the procedure municipal officers must follow when resigning from office. That statute provides that resignations must be made in writing and addressed and delivered to the officer or body prescribed by statute. Sec. 17.01(13). City officers such as the mayor and members of the council must address and deliver resignations to the council by leaving a copy of the resignation with the city clerk. Other elected city officers must address and deliver resignations to the mayor. Resigning appointed city officers must present the resignation to the officer or body authorized to fill the vacancy. Sec. 17.01(8) and (13)(b).

All village officers, except the village clerk, must address and deliver resignations to the village board by leaving a copy with the village clerk. Sec. 17.01(10) and (13)(b). A resigning village clerk must present the resignation to the village president. Sec. 17.01(13)(b).

A resignation may be either immediate or prospective. Except for officers whose terms continue by law until a successor is chosen and qualifies, a resignation takes effect "at the time indicated in the written resignation." Sec. 17.01(13). If no time is indicated in the written resignation, the resignation takes effect immediately upon delivery. Sec. 17.01(13).

Resignations by officers whose term of office continue by law until a successor is chosen and qualifies, take effect upon the qualification of the successor. Sec. 17.01(13). This provision does not apply to any elective municipal offices since such offices are vacant upon the expiration of the incumbents' term. Sec. 17.03(10). The statutes explicitly provide, however, that appointed village and city officers serve until their successors are appointed and qualify unless otherwise provided by ordinance. Sec. 61.23(1) and sec. 62.09(5)(e), as modified or created by 2009 Wis Act 173. Therefore, a resignation by an appointed officer would not take effect until the successor is appointed and qualifies.

The Wisconsin Court of Appeals has concluded that under sec. 17.01(13), resignations may be made on a conditional basis. In *Ortin v. Schuett*, an elected town treasurer submitted a letter of resignation to the town board indicating that the resignation would take effect on November 1, conditioned upon the board authorizing an independent audit to clear her name. On November 6 the treasurer wrote another letter to the board withdrawing her resignation after noting that November 1 had passed without action being taken on the audit. The board met on November 6, accepted the treasurer's resignation effective November 1, and appointed a new treasurer. The court held that the treasurer's resignation never took effect because the board did not order an audit. The court concluded that the language in sec. 17.01(13) allowing an officer to indicate the "time" a resignation takes effect does not preclude the officer from conditioning a resignation on

DETERMINING THE RESIDENCY of Municipal Officers

By Claire Silverman, Legal Counsel

At the time they are elected, members of municipal governing bodies and other local elected officers must be resident electors of the municipality.¹

Common council members representing aldermanic districts must not only reside within the city, but must also be residents of the district from which they are elected.²

While virtually all elected offices have a residency requirement, the same is not true for appointive offices.

Some appointive offices are subject to a residency requirement.³ Others are not.⁴ Some municipalities have enacted local laws that require residency in order to be eligible for appointment to certain appointive offices even though state law does not impose such a requirement. Some municipalities have residency requirements for employees as well.

Where residency is an eligibility requirement for holding office, it is not enough for the office holder to be a resident at the time of election or appointment. Residency must be maintained throughout the term. A local elective office is vacated when the incumbent ceases to be a resident of the municipality or district from which he or she was elected.⁵ In addition, if residency is a local requirement for appointive offices, a local appointive office is vacated when the incumbent ceases to be a resident of the municipality.⁶

Sometimes questions arise concerning the residency of municipal officers. For example, where does an elected municipal officer reside when he or she

maintains two dwelling places, one inside and one outside the municipality? Does an elected officer who is forced by circumstances to temporarily move outside of the municipality or district from which elected cease to be a resident? Because Wis. Stat. sec. 17.03(4) provides that failure to maintain residency results in the office being vacant, determinations regarding residency are important and must be made carefully. This comment discusses what factors are pertinent in determining a municipal officer's residency.

*see Residency
continued on page 442*

This legal comment is a revised and updated version of a comment originally authored by Curt Witynski and published in the April 1993 issue of the *Municipality*.

1. Wis. Stat. secs. 61.19 and 62.09(2)(a). Candidates for elective municipal offices must become resident electors of the municipality and district they seek to represent at least ten days before the election to be eligible for office. Sec. 6.02(1). See Officers 746 and 747.
2. Wis. Stat. sec. 62.09(2)(a).
3. Examples of appointed offices subject to a residency requirement include library board members under Wis. Stat. sec. 43.58 and commissioners for a redevelopment authority under Wis. Stat. secs. 66.1333 and 66.1339.
4. For example, state statutes do not require that plan commission, zoning board of appeals or police and fire commission members be municipal residents.
5. Wis. Stat. sec. 17.03(4)(c).
6. Wis. Stat. sec. 17.03(4)(d).

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see *Residency*
from page 441

STANDARDS FOR DETERMINING
RESIDENCY

The state statutes governing city and village officers do not define “resident.” Although case law provides some guidance, cases often involve municipal employees rather than municipal officers. However, the cases are useful because the courts are examining what residency means.

In *Kempster v. City of Milwaukee*,⁷ the Wisconsin Supreme Court analyzed a provision of Milwaukee’s charter requiring that the health commissioner reside in the city continuously for one year prior to appointment. The court stated:

The word “residence” as used in the charter does not mean physical location continuously. It is used in the broad sense of domicile requisite to citizenship. For the purposes of such residence there must be an actual location in the place in question, with the intention of making it a permanent home. That is sufficient to meet all the requisites of legal residence at the outset. In one sense a person may have more than one place of residence, but he can have only one which has the element of permanency essential in a legal sense to his domicile. He can have only one domicile at one time. To constitute that there must be an actual location, with the intent to make such place his home indefinitely.... To establish the domicile does not require any considerable length of time. Residence at a place for any length of time,

however short, with the concurring intention of permanently residing at such place, renders such place, in a legal sense, the person’s domicile, and, being once fixed, it will continue till abandoned, without reference to any mere absence for a temporary purpose, with the fixed intention of returning when such purpose shall be accomplished. [Citations omitted.]

Kempster, 97 Wis. at 347-348, 72 N.W. at 744 -745 (1897).

In *Eastman v. City of Madison*,⁸ a Madison police officer and firefighter sought reinstatement as Madison employees after their positions of employment were vacated for failure to comply with the city’s residency ordinance. The employees kept apartments in Madison and Madison mailing addresses, telephone numbers, automobile and voter registrations. However, the employees’ spouses and families lived exclusively outside Madison and the children attended school outside of Madison. Moreover, the employees spent most of their off-duty time in their homes outside of Madison.

The employees claimed that they complied with the residency ordinance even though they had homes outside the city. However, the court disagreed. The court of appeals referred to the definition of “residence” in BLACK’S LAW DICTIONARY in determining that the ordinance requiring city employees to “reside” in the city was not unconstitutionally vague. The court noted, “BLACK’S LAW DICTIONARY defines “residence” as “[p]ersonal presence at some place of abode with no present intention of definite and early removal.... Residence implies something more than mere physical presence....”⁹

7. 97 Wis. 343, 72 N.W. 743 (1897).

8. 117 Wis.2d 106, 342 N.W.2d 764 (Ct. App. 1983).

In analyzing the residency issue, the court declared that "[c]ontinuous personal presence and intention establish residency."¹⁰ The court noted, however, that the employees' declarations of intent are not conclusive because "[s]uch declarations are only evidence of state of mind and 'may be suspect because of their self-serving nature.'"¹¹ The court stated, "The self-serving declaration cannot be conclusive but must yield to the intent which the acts and conduct of the person clearly indicate."¹² In addition, the court of appeals indicated that "the location of immediate family, and the site of children's schooling is significant in determining residency."¹³ Thus, the *Eastman* court concluded that the fact that the employees maintained apartments and voter registrations in Madison, "in light of the totality of the circumstances, establishes neither the intent nor the presence necessary for residency" under the Madison ordinance.¹⁴

In an Illinois case more recently decided, the Seventh Circuit court of appeals found that a city employee who resided within city limits only two days per week and lived with his wife outside the city limits the remainder of the time period for twenty years, violated a city residency ordinance even though the employee paid taxes, registered his car, voted and obtained his driver's license using his city address, where his wife continuously resided in the marital home.¹⁵

In addition to case law, the statutory standards governing residency for voting

purposes are an additional source of information and guidance that should be considered when making residency determinations. Section 6.10 provides, among others not included here, the following standards:

- ✓ The residence of a person is the place where the person's habitation is fixed, without any present intent to move, and to which, when absent, the person intends to return.¹⁶
- ✓ When a married person's family resides at one place and that person's business is conducted at another place, the former place establishes the residence. If the family place is temporary or for transient purposes, it is not the residence.¹⁷
- ✓ The residence of an unmarried person sleeping in one ward and boarding in another is the place where the person sleeps.¹⁸
- ✓ A person shall not lose residence when the person leaves home and goes into another state or county, town, village or ward of this state for temporary purposes with an intent to return.¹⁹
- ✓ As prescribed by article III of the constitution, no person loses Wisconsin residence while absent from Wisconsin on state or federal business, and no member of the U.S. armed forces gains Wisconsin residence be-

cause of being stationed in Wisconsin.²⁰

- ✓ No person gains a residence in any ward or election district of this state while there for temporary purposes only.²¹
- ✓ A person loses Wisconsin residence if he or she moves to another state with an intent to make a permanent residence there or, if while there, exercises the right to vote as a citizen of that state.²²
- ✓ Neither an intent to acquire a new residence without removal, nor a removal without intent, shall affect residence.²³

It is evident from case law and the standards listed above that residency determinations must be made on a case-by-case basis. In general, temporary absences from one's residence do not result in the loss of residency. In addition, a person's intention is important, but it must be supported by and not contradicted by the facts.

One important factor in determining residency is continuous personal presence at a particular location. This inquiry focuses on where the person spends most of his or her non-working time. For example, when a person maintains two dwellings, one outside and one inside the

see Residency continued on page 446

9. 342 N.W.2d at 769, quoting BLACK'S LAW DICTIONARY 1176 (rev. 5th ed. 1979).
 10. *Id.* at 770.
 11. *Id.*, quoting Restatement (Second) of Conflict of Laws.
 12. *Id.*, quoting *McCarthy v. Phila. Civ. Svc. Comm.*, 339 A.2d 634, 637 (Pa. 1975), *aff'd*, 424 U.S. 645 (1976) (*per curiam*).
 13. *Id.*
 14. *Id.*
 15. *Gusewelle v. City of Wood River*, 374 F.3d 569 (7th Cir. 2004).
 16. Wis. Stat. sec. 6.10(1).
 17. Wis. Stat. sec. 6.10(2).
 18. Wis. Stat. sec. 6.10(4).
 19. Wis. Stat. sec. 6.10(5).
 20. Wis. Stat. sec. 6.10(6).
 21. Wis. Stat. sec. 6.10(8).
 22. Wis. Stat. sec. 6.10(10).
 23. Wis. Stat. sec. 6.10(11).

see *Residency*
from page 443

municipality, the question to ask is which dwelling does the person spend the most time at. If the person spends most of his or her non-working time at the family dwelling outside the municipality, as was the case in *Eastman*, then a court would likely conclude that the person is not a resident of the municipality.

Other relevant considerations in determining the residency of a person dividing time between two dwellings are the location of the person's immediate family, and the site of the children's schooling, if any. In addition, other facts should be taken into account when deter-

mining the residency of a person, such as: where the person is registered to vote, the person's mailing address, and what address appears on the person's driver's license, car registration, bank accounts and tax returns.²⁴

WHO DETERMINES THE RESIDENCY OF A MUNICIPAL OFFICER?

When questions are raised concerning the residential status of a municipal officer, who or what body is authorized to make a determination concerning the officer's residency? With regard to municipal governing body members, each city and village governing body may deter-

mine the residency of its members. This is because village boards and common councils have the power to judge the qualifications of their members.²⁵ Municipal governing bodies should not, however, make a determination regarding a member's residency without holding a due process hearing. Also, such a determination is subject to judicial review.

In addition to the ability of municipal governing bodies to determine the residency of their members, any individual who believes that a person holding a local elective office is not a resident of the municipality or district in which he or she serves may file a complaint with the attorney general alleging that the in-

24. See Officers 743.

25. Wis. Stat. secs. 61.32 and 62.11(3)(a).

dividual is not qualified to hold office because of a failure to meet a residency requirement.²⁶ The attorney general may, when such a complaint is filed, investigate whether the allegations are true. If the attorney general finds that the allegations in the complaint are true, the attorney general may commence an action under ch. 784, Stats., for a writ of *quo warranto* to have the person's office declared vacant because of failure to meet a residency requirement.²⁷

If the attorney general refuses to act on a complaint alleging that a particular officer is not a resident of the municipality or district in which the officer serves, the complainant may, on his own, commence a *quo warranto* action under ch. 784.²⁸ However, only a person who has an interest which is distinct from that of the general public would have standing to commence a *quo warranto* action. *City of Waukesha v. Salbashian*.²⁹ But, as the *Salbashian* court explained, "only a slight interest" is necessary to qualify a person to apply for leave to prosecute a *quo warranto* action.³⁰

DE FACTO OFFICERS

When an elective municipal officer, such as a common council member, moves out of the municipality or district from which elected but continues to exercise the powers and duties of the office for the remainder of his or her term, the officer's votes and any actions taken by the governing body are valid. While an elective municipal officer who ceases to be a

resident of the municipality may not be considered a *de jure* officer, he or she is a *de facto* officer if "in possession of [the office], performing its duties, and claiming to be such officer under color of an election or appointment."³¹ The acts of a *de facto* officer are valid as to the public and third parties, and cannot be attacked collaterally.³²

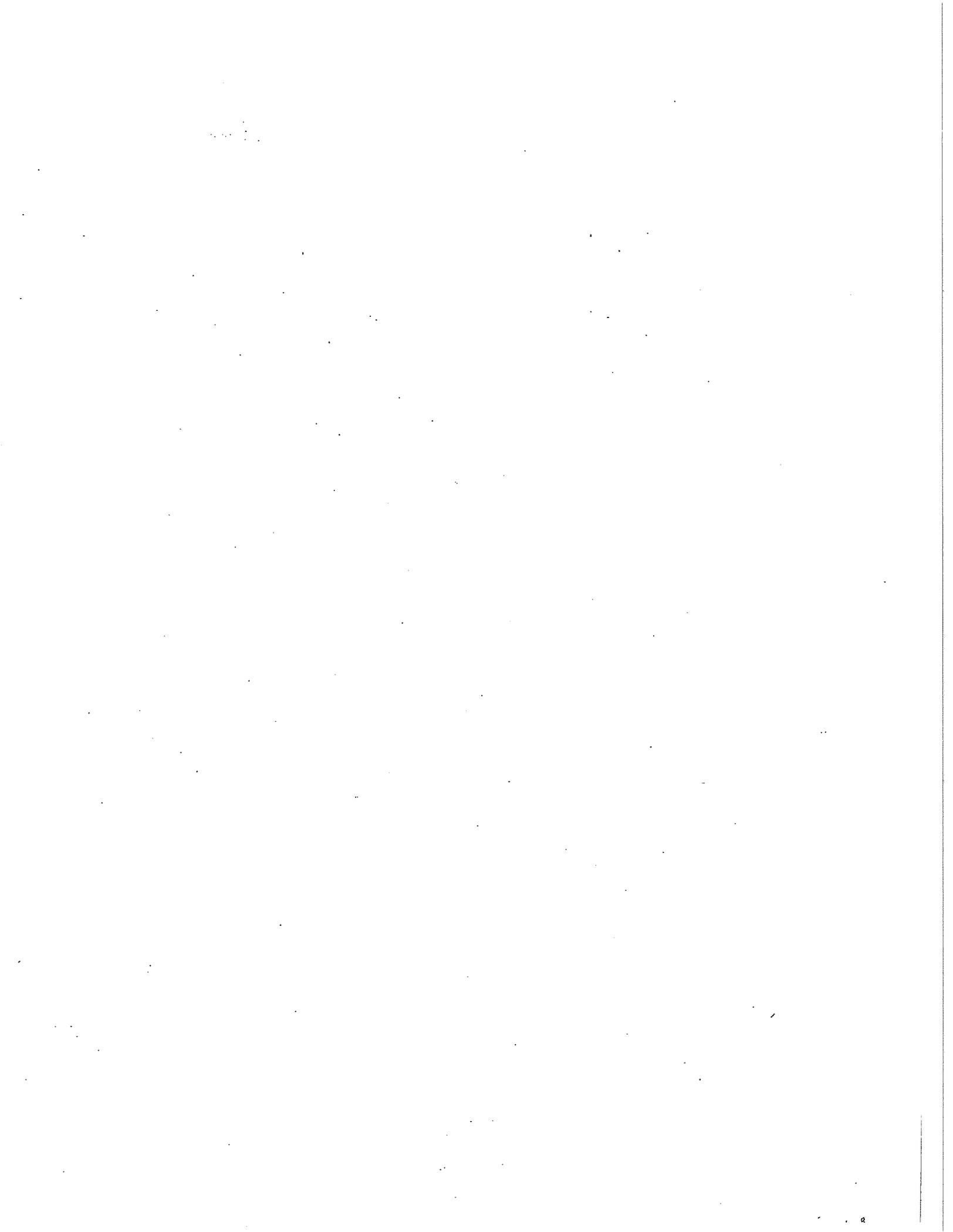
CONCLUSION

Occasionally, questions arise concerning the residency of a particular municipal officer. This Comment has reviewed various factors to consider when attempting to determine the residency of a municipal officer. The residential status of a municipal officer is important because a local elective office is vacated when an incumbent ceases to be a resident of the municipality or district from which he or she was elected. Also, a local appointive office is vacated when the incumbent ceases to be a resident of the municipality if residency is a local requirement. Thus, it is important to make sure that any determination as to residency is made by considering the relevant factors.

Governing Bodies 335 R1
 Officers 751 R1
 Officers 752 R1
 Officers 753 R1

26. Wis. Stat. sec. 8.28(1).
 27. Wis. Stat. sec. 8.28(2).
 28. Wis. Stat. sec. 784.04(2).
 29. 128 Wis.2d 334, 349, 382 N.W.2d 52, 57 (1986).
 30. *Id.*
 31. *State ex rel. Reynolds v. Smith*, 22 Wis.2d 516, 522, 126 N.W.2d 215 (1964).
 32. *Burton v. State Appeal Board*, 38 Wis.2d 294, 304-05, 156 N.W.2d 386 (1968); 77 Op. Att'y Gen. 228, 229 (1988).

“THE RESIDENTIAL STATUS OF A MUNICIPAL OFFICER IS IMPORTANT BECAUSE A LOCAL ELECTIVE OFFICE IS VACATED WHEN AN INCUMBENT CEASES TO BE A RESIDENT OF THE MUNICIPALITY OR DISTRICT FROM WHICH HE OR SHE WAS ELECTED.”



ASHLAND CITY COUNCIL RETREAT

Thursday, June 21, 2018 – 5:30 P.M.

Memorial Medical Center, Stockton Island Meeting Room

Page 1

PRESENT: David Mettille, Jackie Moore, Kate Ullman, Richard Ketring, Ana Tochterman, Kevin Haas, Dick Pufall, Liz Franek, Sarah Jackson

ABSENT: Holly George, Charlie Ortman

ALSO PRESENT: Mayor Deb Lewis, Clerk Denise Oliphant, Finance Director Julie Vaillancourt, Planning & Development Director April Kroner, Parks & Recreation Director Sara Hudson, Fire Chief Wayne Chenier, Police Chief Jim Gregoire, Library Director Sarah Adams, Public Works Interim Director Jim Struck, Public Works Administrative Manager Sharon Campbell, Kevin Stranberg of Stranberg & Associates

Agenda Item 1: Welcome and Introductions

Agenda Item 2: Icebreaker

Use one word to describe Ashland.

Agenda Item 3: Review and Ratification of Strategic Planning Goals – Presentation and Discussion

Kevin Stranberg reviewed the mission, vision and values of the City of Ashland. He asked staff and Council of the priorities for the City and at what stage each item was in achieving.

Recommendations: 1. Council to review and define the intentions of the Property Maintenance ordinance. 2. Post the City of Ashland's mission, values and vision inside the Chambers. 3. Hold a quarterly discussion during the Committee of the Whole regarding the Strategic Plan.

Agenda Item 4: Budget 101 – Presentation and Discussion

Finance Director Julie Vaillancourt reviewed the budget process to explain how funds are determined and allocated.

**Agenda Item 5: Chapter 51 Council Procedure – Presentation and Discussion of Possible Changes-
Presentation and Discussion**

Council President David Mettille requested input regarding the Committee of the Whole

- Start time: Discussed and voted to change the start time to 5:30 p.m. Will need to change by resolution at the July 10, 2018 meeting.
- Time limit: Agreed to keep the duration of the meeting at a limit of 3 hours, and vote during the meeting if extended time is needed.

ASHLAND CITY COUNCIL RETREAT

Thursday, June 21, 2018 – 5:30 P.M.

Memorial Medical Center, Stockton Island Meeting Room

Page 2

- Purpose: Ideas were shared regarding the intention of the Committee of the Whole as another opportunity for discussion of an item, how items get placed onto the Committee of the Whole agenda, the need to bypass the Committee of the Whole and place items directly to Council.
- Frequency:
- Seating arrangement:

Time did not allow for thorough discussion and will be continued at a later date.

Respectfully Submitted,

Denise Oliphant
City Clerk

ASHLAND CITY COUNCIL MEETING
Tuesday, June 26, 2018 - 6:15 P.M.
Ashland City Hall Council Chambers
Page 1

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

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Attorney Tyler Wickman, Clerk Denise Oliphant, Public Works Interim Directors Sharon Campbell and Jim Struck, Police Chief Jim Gregoire, Planning and Development Director April Kroner, 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

Haas moved, George seconded a motion to approve the agenda. The motion carried 10-1 by voice vote; Pufall opposed.

Agenda Item 3: Approval of Minutes of the June 12, 2018 Council and Committee of the Whole Meetings

George moved, Mettille seconded a motion to approve the minutes of the June 12 Council and Committee of the Whole meetings as presented. The motion carried unanimously by voice vote.

Agenda Item 4: Citizen Participation Period

Betsy Harries, AADC Executive Director, spoke regarding the upcoming closeout of the Revolving Loan Fund Program.

Donna Blazek, 922 Prentice Avenue, thanked the Police Department for a recent response in her neighborhood. She would also like to revive the paint exchange program in cooperation with Washburn and spoke of the Bohemians Hall's plans for renovation.

Nancy Rublee, RDH, Butternut, offered her insight regarding the fluoride in the City's drinking water.

Mary Rehwald, 715 Ellis Avenue, encouraged Council to retain Mr. Ketring as Councilor of Ward 2.

Dave Gellatly, Solstice Outdoors, asked for the Council's consideration regarding his application for an alcohol beverage retail license for Sandbar.

ASHLAND CITY COUNCIL MEETING
Tuesday, June 26, 2018 - 6:15 P.M.
Ashland City Hall Council Chambers
Page 2

Emery Mattson, St. Highway13, inquired about the City's shutoff notice, and the sewer problems along Highway 2 as it affected multiple rental properties of his.

Zygmund Jablonski, 916 6th Avenue West, spoke in reference to the maintenance of the Highway 2 sewer system.

Robert Polencheck, 2629 Lake Shore Drive East, spoke of the Highway 2 sewer system and the effects on his property.

Agenda Item 5: Mayor's Report

Mayor Lewis spoke of the 4th of July party planned on the ore dock as a fundraiser. Pie and Pondering will be held on June 27 at the Big Top Chautauqua (formerly Pie and Politics). Movies in the Park will be shown at Pearson Park in the evening of June 29. A ribbon cutting will take place in front of the now Moore's Army Navy Store on June 27 to unveil their new name. The City received notice of receiving Federal funding for lakeshore repairs after the storm event in October, 2017. Details of this funding will be forthcoming. Senator Baldwin will be visiting Ashland on June 29 to inspect the damages incurred after the recent flooding event.

Agenda Item 6: Consent Agenda

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

Agenda Item 6A: Operator's Licenses

Jennifer L. Bloss	David M. Garrington	Luke A. Gilbertson
Kevin G. Greene	Brenda E. Hebert	Patricia A. Hmielewski
Shanaya C. Hoopman	Tina L. Jenicek	Cindy L. Korpela
Alexia E. Lawver	Allison E. Maple	Roxanne Rikkola
Karly A. Schultz	Lisa A. Sturgal	Shanne E. Thomson
Skyler J. Viano	Thomas J. Wood	Brian J. Kowalczyk
Teresa M. Stephenson	James C. Bertheaume	Elizabeth Erickson
Stephen N. White	Ellie A. Zimmer	Chayce L. Larson
Diane K. Anderson	Bruce J. Sanford	Kelsey R. Rife
Gillian S. Spivack	Peter J. Allen	Thomas H. Tardiff
Barbara J. Sanchez	Michael D. Welty	

Agenda Item 6B: Miscellaneous Minutes

Agenda Item 7: Old Business

Agenda Item 7A: Approve Berm Agreement and 4th Amendment of Cooperation and Access Agreement with Northern States Power of Wisconsin (NSPW) (Mayor)

Northern States Power of Wisconsin (NSPW) dredged sediments at the Ashland Northern States Power Lakefront Superfund Site pursuant to a Consent Decree between the U.S., State of Wisconsin, and NSPW, approved by the U.S. District Court for the Western District of Wisconsin on March 1, 2017.

The City of Ashland and NSPW are parties to a Cooperation and Access Agreement, as amended, under which the City generally granted NSPW access to City Property (as that term is defined in the Access Agreement, as amended) at the Site for the purpose of performing work as defined in the Access Agreement. NSPW has placed stone to create a temporary rock berm at the north tip of the West Peninsula adjacent to the Marina. The Final Design allows for the berm to be left in place if the City proposed to keep it as a permanent structure provided the City obtains a permit under chapter 30 of the Wisconsin Statutes ("Chapter 30 Permit") from the Wisconsin Department of Natural Resources for that purpose.

The Harbor Commission and the City of Ashland both proposed to keep the berm as a permanent structure and was pursuing a Chapter 30 Permit for that purpose. NSPW requested the agreements as a condition of leaving the Berm in place. The Agreements had been reviewed and negotiated by Richard Yde, one of the attorneys from Stafford Rosenbaum, Madison, who represented the City in the Superfund litigation which was concluded in 2014.

At the June 12, 2018 Council meeting, after much deliberation, Ortman moved, Ketring seconded a motion to disapprove the Berm Agreement and the 4th Amendment of Cooperation and Access Agreement with NSPW, return the item for further negotiations between NSPW and the City, and to bring back a negotiated agreement no later than June 26, 2018. The motion carried unanimously by voice vote.

Attorney Richard Yde was present by phone to discuss the negotiations with Council. The Council was presented with two different versions of the Berm agreement; one proposed by NSPW and one proposed by the City of Ashland. There were also four different versions of the 4th Amendment of Cooperation and Access Agreement for the Council to review.

George moved, Ketring seconded a motion to reject NSPW's version of the Berm agreement. The motion carried unanimously by roll call vote.

In introducing the next order of business, Councilor Ketring left the meeting. As discussion ensued as to the City's next option regarding the Berm Agreement, Franek moved, Haas seconded a motion to return to item 7A. The motion carried 7-4 by voice vote.

Pufall moved, Ullman seconded a motion to approve the City's version of the Berm agreement. The motion carried 8-2 by roll call vote; opposed were Ortman and Franek. George moved, Haas

seconded a motion to approve the 4th Amendment of Cooperation and Access Agreement version which does not contain Section 4, contingent that NSPW accepts the City's version of the Berm agreement. The motion carried 9-1 by roll call vote; opposed was Ortman.

Agenda Item 8: New Business

Agenda Item 8A: Due Process Hearing, Discussion and Action to Determine Residency Status and Eligibility for Office of Ward 2 Councilor (City Attorney)

Citizens raised questions regarding the residency of the Ward 2 Councilor, Richard Ketring, following the fire at 504 10th Avenue West where he lived up until said fire on December 31, 2017. As noted in Wis. Stat. § 17.03(4)(c), a local elective office is vacated when the incumbent ceases to be a resident of the district from which he or she was elected.

The City Council is being asked to determine whether the Councilor for Ward 2 is still considered a resident of said Ward and thus, to determine whether or not the Ward 2 City Council position is vacant.

Attorney Colleen Daly presented documents on the City's behalf to allow City Attorney Tyler Wickman to advise Council. In light of the letter distributed by Mr. Ketring and his absence from the hearing, Tochtermann moved, Ullman seconded a motion to proceed with the due process hearing to determine residency status and eligibility for the office of Ward 2 Councilor. The motion carried unanimously by roll call vote.

George moved to accept Mr. Ketring's letter of resignation from Council. As there was no second, the motion died. Mettillie moved, George seconded a motion to determine that Mr. Ketring was no longer a resident of Ward 2, City of Ashland. The motion failed 4-6 by roll call vote; opposed were Jackson, Ullman, Tochtermann, Ortman, Franek and Pufall.

Agenda Item 8B: Approve the Original and Renewal Class B Combination Alcohol Beverage Retail License Applications for Solstice Outdoors, LLC (Officer/Agent David Winston Gellatly) for Sandbar at 2521 Lake Shore Drive West (Clerk)

The City issues Alcohol Beverage licenses. The premises are inspected by the Fire Department and Police Department. 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, fees, etc.)

FHF Services, LLC was the current holder of the Class B Combination Alcohol Beverage Retail license for Freehands Lakeside at 2521 Lake Shore Drive West. However, FHF Services, LLC surrendered the license contingent upon the City of Ashland granting the license to Solstice Outdoors, LLC.

Solstice Outdoors, LLC (Officer/Agent David Winston Gellatly) applied for an Original and Renewal Class B Combination Alcohol Beverage Retail license for The Sandbar at 2521 Lake Shore Drive West.

The original license expires June 30, 2018. The renewal license expires June 30, 2019. It was recommended to approve the licenses and its Officer/Agent David Winston Gellatly.

Moore moved, George seconded a motion to approve the Class B Combination Alcohol Beverage Retail License Applications for Solstice Outdoors, LLC, Officer/Agent David Winston Gellatly, for The Sandbar at 2521 Lake Shore Drive West. The motion carried unanimously by voice vote.

Agenda Item 8C: Approve to Accept a \$150,000 Grant from the Otto Bremer Foundation for Use in the Phase I: Diamond Access Construction Project for the Ashland Ore Dock (Parks and Recreation)

The City of Ashland requested and had been awarded assistance from the Otto Bremer Trust to be used on Phase I: Diamond Access Construction Project for the Ashland Ore Dock.

The match for the grant would come from the Ashland Ore Dock Trust Fund. The trustees previously pledged to match up to \$1 million in grants and private funds raised toward this project.

Pufall moved, Moore seconded a motion to accept a \$150,000 grant from the Otto Bremer Foundation for use in the Phase I: Diamond Access Construction project for the Ashland Ore Dock. The motion carried unanimously by voice vote.

Agenda Item 8D: Approve to Enter into an Agreement with Fahrner Asphalt Sealers, LLC for the 2018 Line Marking Project (Public Works)

The Public Works Department advertised for proposals for pavement marking and street striping maintenance. One bid was received from Fahrner Asphalt Sealers, LLC. Fahrner has done work for the City in the past and has the equipment and experience to perform the work. The areas included in the contract were: USH 2 from Sanborn Avenue to Stuntz Avenue, the entire length of Beaser Avenue, Binsfield Road, Maple Lane, 3rd Street/Ellis Avenue to Beaser Avenue, Main Street/Stuntz Avenue to Beaser Avenue, and 26th Avenue East.

Proposals were requested for both epoxy and latex paint. Epoxy paint was approximately 37% more than using latex. Staff consulted with WisDOT regarding the type of paint to use. WisDOT had been using epoxy on new pavements and pavements that are generally less than eight (8) years old. WisDOT's recommendation was to go with the latex paint in all areas.

The total bid for Option 2 from Fahrner Asphalt Sealers, LLC for latex paint was \$94,431.45. This amount exceeded the Public Works budgeted amount. Public Works staff recommended removing from the contract the arrows and words from the Fahrner Asphalt Sealers, LLC contract. By removing this service, it reduced the contract by \$19,543.75 which then was within the Public Works budget. The Public Works staff had the equipment and stencils to do the arrows and words.

The Public Works Department's recommendation was to award the contract for pavement marking service to Fahrner Asphalt Sealers, LLC.

Mettille moved, Haas seconded a motion to approve to enter into an agreement with Fahrner Asphalt Sealers, LLC for the 2018 Line Marking project in the amount of \$74,887.77 to be supplied by the Public Works Operating and Maintenance budget. The motion carried unanimously by voice vote.

Agenda Item 8E: Approve a Resolution Accepting the Workmanship of Jake’s Excavating & Landscaping, LLC, and Approve the Final Payment for the 2017 Fifield Row Sanitary Sewer Project and the Sanborn Avenue Water Main Replacement Project (Public Works)

On September 26, 2017, the Council approved to enter into a contract with Jake’s Excavating & Landscaping, LLC to replace the sanitary sewer main servicing Fifield Row, and to replace a section of water main on Sanborn Avenue (prior to the planned WisDOT resurfacing of Sanborn Avenue/State Highway 112 in 2019). The City Council approved total expenditures for the work not to exceed \$84,860.69 on Fifield Row and \$80,720.32 on Sanborn Avenue.

The projects were both substantially completed on October 16, 2017, and the final costs came in less than the approved bid amounts by \$5,280.47 (combined). The following is the detail of the contract funding:

	Fifield Sanitary Sewer		Sanborn Ave Water Main
	<u>Fund 690</u>	<u>Fund 680</u>	<u>Fund 680</u>
Bid Amount	\$ 58,457.73	\$ 14,072.77	\$ 69,991.25
Change Orders	\$ 630.00	\$ -0-	\$ 2,955.00
Net Qty Variances	<u>\$ (9,148.72)</u>	<u>\$ 2,730.00</u>	<u>\$ (2,446.76)</u>
Contractor Final Cost	<u>\$ 49,939.01</u>	<u>\$16,802.77</u>	<u>\$ 69,499.50</u>
Fifield Contract Total	<u>\$ 66,741.78</u>		

The Public Works Department recommended approval to accept the workmanship of Jake’s Excavating & Landscaping, LLC and to approve final payment for the 2017 Fifield Row Sanitary Sewer Project and the Sanborn Avenue Water Main Replacement Project.

Ortman moved, Haas seconded a motion to approve a Resolution to accept the workmanship of Jake’s Excavating & Landscaping, LLC, and to approve the final payment for the 2017 Fifield Row Sanitary Sewer project and the Sanborn Avenue Water Main Replacement project in the combined amount of \$7,633.78 to be taken from Funds 680 and 690. The motion carried 9-1 by voice vote; opposed was Pufall. **(File #17443)**

Agenda Item 8F: Approve a Resolution to Issue a Conditional Use Permit to Construct a New Government or Community Service Facility/Police Station in the Mixed Residential/Commercial (MRC) District, Parcels #201-00361-0000, 201-00361-2000, Applicant: City of Ashland (Planning and Development)

The City of Ashland requested a Conditional Use Permit to construct a new Police Station at 414 11th Avenue West on the former Chicago Iron site. A Conditional Use Permit is required for this development because a "government or community service use" is conditional in the Mixed Residential/Commercial (MRC) zoning district. This 14,795 square foot facility would include administrative services, areas for patrol equipment and evidence storage, a detention area for detainee interviews, and a garage for protection of police vehicles.

This item was approved unanimously by Plan Commission on June 19, 2018.

Mettille moved, George seconded a motion to approve a Resolution to issue a Conditional Use Permit to construct a new government or community service facility/Police station in the Mixed Residential/Commercial (MRC) District, Parcels #201-00361-0000, #201-00361-2000 for the applicant, City of Ashland. The motion carried 9-1 by voice vote; opposed was Pufall. **(File #17444)**

Agenda Item 8G: Approve a Resolution for Ratification of the City of Ashland Disaster Declaration, Ashland County, Wisconsin for the Flooding Event on June 15, 16, & 17, 2018 (Mayor)

The City of Ashland received damages from the June 15-17, 2018 rainfall and flooding which resulted in requiring extensive cleanup efforts, as well as property damage to individual and municipal property in multiple locations within the City. Ashland County Emergency Management recommended that the City prepare a declaration of emergency following the flooding in order to make potential funding sources available to the city and its residents. Preliminary damage assessments for the City of Ashland for both public and private losses from the flooding are in the process of being compiled and are expected to exceed required thresholds.

Under s. 323.14(4) (b) of the Wisconsin State Statutes, certain powers are allowed during an emergency:

"If, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, the chief executive officer or acting chief executive officer of any local unit of government shall exercise by proclamation all of the powers conferred upon the governing body under par. (a) Or s. 323.11 that appear necessary and expedient. The proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation."

On June 19, 2018, Mayor Debra Lewis declared a disaster as allowed by law. Declaring a State of Disaster or Emergency allows the following powers as determined by s. 323.14(4) (a):

"The emergency power of the governing body conferred under s. 323.11 includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency and includes the power to bar, restrict, or remove unnecessary traffic, both vehicular and pedestrian, from the highways..."

As required by State Statute, the City Council was asked to ratify the City of Ashland Disaster Declaration approved by Mayor Debra Lewis. She reported the estimated damages exceeded \$100,000.

Haas moved, Mettill seconded a motion to approve a Resolution for ratification of the City of Ashland Disaster Declaration, Ashland County, Wisconsin for the flooding event on June 15, 16, and 17, 2018. The motion carried unanimously by voice vote. **(File #17445)**

Agenda Item 8H: Approve Ordinance to Amend Chapter 544 (1026), Ashland City Ordinances, Vehicular Stopping and Parking (Clerk)

The residents at 622 Prentice Avenue and at 713 6th Avenue West had each been permitted a reserved parking sign by Council to enable pickup along the curbside versus the driveway. It had been determined by the Disabled Parking Enforcement Assistance Council that each of these are no longer necessary, and the signage could be removed from the roadside of the homes.

The DPEAC requested Council approval for the ordinance changes to reflect the reserved signage changes.

George moved, Moore seconded a motion to approve the Ordinance to amend Chapter 544 (1026), Ashland City Ordinances, Vehicular Stopping and Parking, to remove both 622 Prentice Avenue and 713 6th Avenue West from the ordinance. The motion carried unanimously by voice vote. **(File #17446)**

Agenda Item 8I: Approve an Ordinance to Create a Sustainability Committee (Planning and Development)

The City of Ashland Planning and Development Department requested to organize and run a new City Committee dedicated to sustainability issues such as economic independence, social integration, and environmental resilience. The purpose of this Committee would be to advance sustainability topics that have been identified by the Comprehensive Plan, the resident sustainability survey that was completed last year, and move forward on projects identified by Green Tier. This Committee would also offer a space for resident engagement and diversity in City Planning initiatives which is essential for creating a City that is accessible for a range of individuals.

Tochterman moved, Haas seconded a motion to approve the Ordinance to create a Sustainability Committee. The motion carried unanimously by voice vote. **(File #17447)**

Agenda Item 8J: Approve to Accept Wisconsin Department of Natural Resources Stewardship Grant for \$300,000 to be Used for Ashland Ore Dock Redevelopment (Parks and Recreation)

Upon application, the City of Ashland had been awarded a \$300,000 grant to assist in the redevelopment of the historic Ashland Ore Dock. This grant award will be used for Ashland Ore Dock Redevelopment Project Phase 1: Diamond Access. This phase consists of the construction of the walkway from the 1916 section to the end of the 1923 section of the ore dock, allowing the public to access the whole Ashland Ore Dock and experience the diamonds.

Match (or expenditures) for the grant would be coming from the Ashland Ore Dock Charitable Trust as the Trust has agreed to match up to \$1M towards the Phase 1 project.

George moved, Jackson seconded a motion to accept the Wisconsin Department of Natural Resources Stewardship grant for \$300,000 to be used for the Ashland ore dock redevelopment. The motion carried unanimously by voice vote.

Agenda Item 9: Closed Session

Mettille moved, George seconded a motion to move into Closed Session. The motion carried unanimously by roll call vote.

Agenda Item 9A: Closed Session per Wisconsin Statute 19.85 (1)(g): "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." (Ashland Highway 2 Sewer Litigation)(Mayor)

Agenda Item 9B: Closed Session pursuant to Wisconsin 19.85 (1)(c), Wisconsin Statutes "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (City Administrator)

Agenda Item 9C: Return to Open Session

Ortman moved, Moore seconded a motion to return to Open Session. The motion carried unanimously by voice vote.

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

Mayor Lewis reported that the settlement agreements with respect to the Highway 2 Sewer Litigation was approved by Council unanimously. The Council also agreed unanimously to extend an offer to a candidate for the City Administrator position.

ASHLAND CITY COUNCIL MEETING
Tuesday, June 26, 2018 - 6:15 P.M.
Ashland City Hall Council Chambers
Page 10

Agenda Item 10: Adjournment

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

Respectfully Submitted

Denise Oliphant
City Clerk

COMMITTEE OF THE WHOLE MEETING

Tuesday, June 26, 2018

Ashland City Hall Council Chambers

Page 1

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

ABSENT: Richard Ketring

ALSO PRESENT: Mayor Deb Lewis, City Attorney Tyler Wickman, Clerk Denise Oliphant

Agenda Item 1: Roll Call

Roll call was taken by the Clerk.

Agenda Item 2: Council President's Report

Council President Mettille asked for any persons who wished to participate in the 4th of July parade to talk with him after the meeting.

Agenda Item 3: Approval of the Agenda

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

Tochterman moved, Ortman seconded a motion to extend the meeting past the 9:15 p.m. timeline in order to proceed. The motion carried unanimously by voice vote.

Agenda Item 4: Discussion and Possible Action Regarding Fluorine in the City Drinking Water (Councilor George)

Councilor George requested a discussion regarding the City's policy of adding fluorine to the drinking water. The City currently adds fluorine to the drinking water. If the Council desires to take action, an agenda bill will need to be written at a later date with the proposed action.

An online search regarding the benefits and risks of fluorination of water will produce numerous results that range from supporting the fluorination of water to opposing fluorination.

The American Dental Association (ADA) supports fluorination. The paragraph below is from the ADA. (https://www.ada.org/en/public-programs/advocating-for-the-public/fluoride-and-fluoridation?gclid=EA1alQobChMI9O7RkrHz2QIVSJF-Ch3zzQaYEAAAYASAAEgIPC_D_BwE)

Fluoride in Water is Safe and It Works

More than 70 years of scientific research has consistently shown that an optimal level of fluoride in community water is safe and effective in preventing tooth decay by at least 25% in both children and adults. Simply by drinking water, Americans can benefit from fluoride's cavity

COMMITTEE OF THE WHOLE MEETING

Tuesday, June 26, 2018

Ashland City Hall Council Chambers

Page 2

protection whether they are at home, work or school. The Centers for Disease Control and Prevention named community water fluoridation one of 10 great public health achievements of the 20th century.

The International Academy of Oral Medicine and Toxicology opposes fluorination of drinking water.

<https://iaomt.org/top-ten-reasons-oppose-water-fluoridation/>

The International Academy of Oral Medicine and Toxicology (IAOMT) is a global network of dentists, health professionals, and scientists who research the biocompatibility of dental products, including the risks of mercury fillings, fluoride, root canals, and jawbone osteonecrosis. We are a non-profit organization and have been dedicated to our mission of protecting public health and the environment since we were founded in 1984.

Top Ten Reasons to Oppose Water Fluoridation

There are many reasons to oppose water fluoridation, including safety concerns and health risks.

Reason #1 to Oppose Water Fluoridation: Fluoridation is a violation of the individual's right to informed consent to medication. Within a community water supply, fluoride is being added to the water of everyone, even if some people do not want it and still others do not even know about the fluoride being added to the water or about its health risks. Informed consumer consent is needed for water fluoridation, especially because of the alarming lack of safety for this chemical and its health risks.

Reason #2 to Oppose Water Fluoridation: Fluoride is not an essential nutrient. Fluoride is not a required component for human growth and development. In fact, fluoride has been recognized as one of 12 industrial chemicals known to cause developmental neurotoxicity in human beings. Researchers have repeatedly challenged the alleged safety and effectiveness of fluoride.

Reason #3 to Oppose Water Fluoridation: Hundreds of research articles published over the past several decades have demonstrated potential harm to humans from fluoride at various levels of exposure, including levels currently deemed as safe. Fluoride is known to impact the cardiovascular, central nervous, digestive, endocrine, immune, integumentary, renal, respiratory, and skeletal systems, and exposure to fluoride has been linked to Alzheimer's disease, cancer, diabetes, heart disease, infertility, and many other adverse health outcomes, including fluoride toxicity.

Reason #4 to Oppose Water Fluoridation: People are now exposed to fluoride from an array of sources. Since water fluoridation began in 1940s, an array of products containing fluoride have been introduced to the average consumer including water, dental products, pesticides, fluoride

COMMITTEE OF THE WHOLE MEETING

Tuesday, June 26, 2018

Ashland City Hall Council Chambers

Page 3

supplements, other prescription drugs, and many other sources. There is no current accurate estimate of just how much fluoride people are taking in from all of these sources. However, dental fluorosis is recognized as the first visible sign of fluoride toxicity. It is likewise a warning signal of the human health risks associated with fluoride exposure. According to 2010 data from the Centers for Disease Control and Prevention (CDC), 23% of Americans aged 6-49 and 41% of children aged 12-15 exhibit fluorosis to some degree.

Reason #5 to Oppose Water Fluoridation: A “one dose fits all” level is unacceptable. Susceptible populations with low body weights, such as infants and children, and individuals who consume increased amounts of water, such as athletes, military personnel, outdoor laborers, and those with diabetes or kidney dysfunction, can be more intensely effected by fluoride. Additionally, fluoride is also known to impact each individual differently based on allergies, nutrient deficiencies, genetic factors, and other variables. Notably, a bottle-fed baby in a fluoridated area gets up to 200 times more fluoride than a breast-fed baby, resulting in an increased risk of dental fluorosis and other adverse effects.

Reason #6 to Oppose Water Fluoridation: There is not a wide-spread understanding about how fluoride interacts with other chemicals. This issue is crucial to understanding risks of artificial water fluoridation, as the multiple chemicals to which we are exposed to can produce distinct reactions and interactions. For example, the fluoride added to many water supplies attracts lead, which can be found in certain plumbing pipes. Likely because of this affinity for lead, fluoride has been linked to higher blood lead levels in children.

Reason #7 to Oppose Water Fluoridation: Does it even work to prevent tooth decay? The trend of decreased decayed, missing, and filled teeth over the past several decades has occurred both in countries with and without the systemic application of fluoridated water. This suggests that increased access to preventative hygiene services and more awareness of the detrimental effects of sugar are responsible for these improvements in dental health. Research has also documented decreases of tooth decay in communities that have discontinued water fluoridation. Even proponents of fluoride have suggested that fluoride primarily works to reduce tooth decay topically (i.e. scrubbing it directly onto to teeth with a toothbrush), as opposed to systemically (i.e. drinking or ingesting fluoride through water or other means).

Reason #8 to Oppose Water Fluoridation: Ethical questions have been raised in regard to the use of fluoride, especially because of fluoride’s ties to the phosphate fertilizer and dental industries. Furthermore, researchers have reported difficulties with getting articles published that are critical of fluoride, and an urgent need for an appropriate application of the precautionary principle (i.e. first, do no harm) related to fluoride usage has emerged.

Reason #9 to Oppose Water Fluoridation: Fluoridation discriminates against those with low incomes. Research has indicated that fluoride does not aid in preventing pit and fissure decay (which is the most prevalent form of tooth decay in the U.S.) or in preventing baby bottle tooth

COMMITTEE OF THE WHOLE MEETING

Tuesday, June 26, 2018

Ashland City Hall Council Chambers

Page 4

decay (which is prevalent in poor communities). Also, research has suggested that in malnourished children and individuals of lower socio-economic status, fluoride can actually increase the risk of dental caries due to calcium depletion and other circumstances. Moreover, people on low incomes are least able to afford avoidance measures (reverse osmosis or bottled water) or medical and dental treatment for dental fluorosis and other fluoride-related ailments.

Reason #10 to Oppose Water Fluoridation: It also poses threats to animals (pets and wildlife), as well as the environment at large. Animals are exposed to fluoride in the environment through pollution of air, water, soil, and food. It is important to consider their overall fluoride exposure as a result of each of these sources. Harmful effects of fluoride, including species vulnerability, have been reported in an array of wild animals. Even domestic pets have been subjects of reports raising concerns about fluoride exposure, especially through their water and food.

At the May 29, 2018 Committee of the Whole meeting, Council determined more information regarding the cost to the City for adding fluorine to drinking water, and if there are alternatives for the Public Works to track water breaks beyond the fluorine in the water, was needed before rendering a decision. Ullman moved, Haas seconded a motion to table the item until the June 12, 2018 Committee of the Whole meeting. The motion carried unanimously on a voice vote.

A presentation was given by Tina Sopiwnik, DMD of the Northlakes Community Clinic.

George moved to postpone the discussion to the July 10, 2018 meeting to allow time for staff to supply information regarding the related costs of supplying fluoride to the drinking water, and alternatives for finding leaks in the piping, as this information was previously requested and has still not been made available. Ortman seconded, and the motion failed 5-5, with the Mayor's vote breaking the tie.

Ullman requested that an annual report from Public Works be supplied regarding the amount of fluoride in the City's drinking water and the associated costs for this.

Agenda Item 5: Adjournment

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

Respectfully Submitted

Denise Oliphant
City Clerk



AGENDA BILL

Ref: 155

COMMITTEE AGENDA:
COUNCIL AGENDA: 5B (7/10/2018)

SUBJECT: Appointments

RECOMMENDATION: Approval

DATE SUBMITTED: July 3, 2018

CLEARANCES: Mayor

EXHIBITS: Volunteer Forms

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD: NA

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

Sustainability Committee:

Kaas Baichtal	Term expires: June 28, 2021
Valerie Damstra	Term expires: June 28, 2020
Jessica Eckhardt	Term expires: June 28, 2020
Dale Kupczyk	Term expires: June 28, 2020
Lissa Radke	Term expires: June 28, 2020
Kate Ullman, Council Rep.	Term expires: June 28, 2021
Mary Ellen "La MER" Riehle	Term expires: June 28, 2021

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland
Sustainability Committee Application Form

Name:	Kaas Baichtal
Phone:	715-292-9724
Email:	kaas.baichtal@walleyepropertymanagement.com
Address:	1019 3rd Ave W, Ashland WI 54806
Employer:	Walleye Property Management, LLC
Occupation:	Landlord and caretaker

Are you a City of Ashland resident?

- Yes
 No

If so, how long have you been a resident? 11 1/2 yrs

~~If you are not a resident,~~ do you own land or a business within the City of Ashland?

- Land
 Business
 Both
 Neither

Are you more interested in:

- Attending regular (monthly) meetings
 Working on specific projects
 Both

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

How long would you like the term length to be for this Committee?

- 1 Year Term
 2 Year Term
 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

I feel I should be involved in
something city-related and sustainability
interests me.

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

I am interested in, and believe in,
sustainability. I am patient and willing to
stick with/work hard at a long-term plan
without giving up too easily or getting bored.
I can bring a landlord and rehabber point of view.

Please return by May 28 (Memorial Day), 2018.

This form can be returned to sustainability@coawi.org and mmcbride@coawi.org (send to both) or dropped at Ashland City Hall (601 Main Street W).

For questions email both sustainability@coawi.org and mmcbride@coawi.org.

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City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland
Sustainability Committee Application Form

Name:	Valerie Damstra
Phone:	715-413-0430
Email:	vodamstra@gmail.com
Address:	1223 10th Ave W, Ashland
Employer:	VW-Extension
Occupation:	Regional Natural Resources Educator

Are you a City of Ashland resident?

- Yes
 No

If so, how long have you been a resident? 8 years

If you are not a resident, do you own land or a business within the City of Ashland?

- Land
 Business
 Both
 Neither

Are you more interested in:

- Attending regular (monthly) meetings
 Working on specific projects
 Both

Find yourself next to the water

ASHLAND

City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

How long would you like the term length to be for this Committee?

- 1 Year Term
 2 Year Term
 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

I am interested in working in the community to help
further protect our water and greenspaces in our
community. I'd like to see more information and opportunities
for all residents to make their properties more sustainable
for the good of the whole community.

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

I currently work as a Natural Resources Educator, and partner
with city staff and other agencies to protect + restore Lake
Superior. I have experience with environmental communications
and marketing, and working on residential stormwater
management education programs when I lived in Michigan.

Please return by May 28 (Memorial Day), 2018.

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For questions email both sustainability@coawi.org and mmcbride@coawi.org.

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City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland Sustainability Committee Application Form

Name:	Jessica Eckhardt
Phone:	303-467-3701
Email:	jessicaeckhardt@hotmail.com
Address:	704 10th Avenue West, Ashland WI
Employer:	Northland College
Occupation:	Professor of Sociology

Are you a City of Ashland resident?

- Yes
 No

If so, how long have you been a resident? 1 year

If you are not a resident, do you own land or a business within the City of Ashland?

- Land
 Business
 Both
 Neither

Are you more interested in:

- Attending regular (monthly) meetings
 Working on specific projects
 Both

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

How long would you like the term length to be for this Committee?

- 1 Year Term
- 2 Year Term
- 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

I believe that sustaining the environment, economy, and human wellbeing begins locally. Sustainability begins with the places and people we love and want to safeguard. I would like to serve on this committee to continue Ashland's recent sustainability initiatives and to help create new plans for conserving local environments, building relationships among various community stakeholders, and promoting the wellbeing of our residents.

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

As a sociology professor, I believe that environmental and sustainability problems are inherently social issues; community members have to be involved in local efforts in order for those efforts to be successful. This humanist lens is often times overlooked, and I believe I can lend a unique perspective to the committee. Additionally, I have community organizing and research skills (e.g. interviewing, facilitating focus groups, collecting and analyzing data, writing reports) that could help the committee pursue their goals.

Please return by May 28 (Memorial Day), 2018.

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For questions email both sustainability@coawi.org and mmcbride@coawi.org.

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland
Sustainability Committee Application Form

Name:	Dale A. Kupczyk
Phone:	715-682-5867
Email:	Kupczyk@charter.net
Address:	1614 9th Ave West - Ashland
Employer:	Retired
Occupation:	Paper Industry AND Economic Development

Are you a City of Ashland resident?

Yes

No

If so, how long have you been a resident? 66 years

If you are not a resident, do you own land or a business within the City of Ashland?

Land

Business

Both

Neither

Are you more interested in:

Attending regular (monthly) meetings

Working on specific projects

Both

Find yourself next to the water.

ASHLAND

City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

How long would you like the term length to be for this Committee?

- 1 Year Term
 2 Year Term
 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

I am interested in serving on the committee to continue working to make Ashland a better place. In my working life, I worked in paper recycling and sustainable economic development.

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

In the paper industry we recycled poly coated paper. In Economic development I ran a 60,000 sqft. Business Incubator facility. Worked with focus on energy. Replaced all lights with LED + installed motion sensors on lights. Replaced toilets with Energy-Water Saver toilets.

Please return by May 28 (Memorial Day), 2018.

This form can be returned to sustainability@coawi.org and mmcbride@coawi.org (send to both) or dropped at Ashland City Hall (601 Main Street W).

For questions email both sustainability@coawi.org and mmcbride@coawi.org.

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland
Sustainability Committee Application Form

Name:	Lissa Radke
Phone:	682-7017
Email:	lissa.radke@ces.uwex.edu
Address:	201 W. Main, Ashland
Employer:	UW - Extension
Occupation:	Community Development Educator

Are you a City of Ashland resident?

- Yes
 No

If so, how long have you been a resident? 15 years

If you are not a resident, do you own land or a business within the City of Ashland?

- Land
 Business
 Both
 Neither

Are you more interested in:

- Attending regular (monthly) meetings
 Working on specific projects
 Both

Fill yourself out to the max.

City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

ASHLAND

How long would you like the term length to be for this Committee?

- 1 Year Term
 2 Year Term
 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

I'd like to see the community implement practices and initiatives that minimize environmental impacts and reduce city operation costs.

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

I've worked in several jobs where I helped develop programs related to sustainability (especially waste management, water & energy conservation, audits), and I am a committed "soldier" of household sustainable practices!

Please return by May 28 (Memorial Day), 2018.

This form can be returned to sustainability@coawi.org and mmcbride@coawi.org (send to both) or dropped at Ashland City Hall (601 Main Street W).

For questions email both sustainability@coawi.org and mmcbride@coawi.org.

sustainability

From: Kate Arnold Ullman <kateullman@gmail.com>
Sent: Thursday, May 10, 2018 9:11 AM
To: Megan McBride
Cc: sustainability
Subject: Re: Sustainability Committee Application

Hi Megan and Laura,

ee below for my answers, I didn't have access to a printer today and wanted to get this in, so I just typed them separately, I hope that is OK. Please let me know if you have any quesitons.

Sustainability Committee Application

Kate Ullman

608 332 9570

kateullman@gmail.com

1222 9th Ave West, Ashland

Employer: Northland College- Burke Center for Freshwater Innovation, Research Associate

I am a resident of the city of Ashland, and own a home here. I have lived here for almost two years.

I am interested in attending meetings and working on projects

A term of 2-3 years seems appropriate

I am interested in serving on this committee because I think that the city is well placed to pursue a variety of sustainability initiatives that could raise our profile and enhance the attractiveness and amenities that make this a great place to live, work and visit. Most importantly, these could fulfill the obligation to our community, region, and larger society to live, grow and develop responsibly.

My qualifications for serving on this committee include my academic background in Applied Economics, which included the study of social and environmental sustainability from an economics perspective. I have also taught Environmental Studies courses at the high school and college level, as well as Economics courses that incorporated environmental sustainability themes, especially pertaining to climate change.

I also have a personal interest in sustainability, and have been engaged with the city and Northland College in promoting local bike infrastructure improvements. I am on the board of the North Coast Cycling Association. My interest in sustainability extends beyond cycling and transportation, and includes water quality and issues related to pollution and runoff, energy and climate change, and the intersection of economic and environmental sustainability. My current role working for the Burke Center will be complimentary as I engage with local, regional and global issues related to water resources.

My position on the City Council will also make me a good conduit for bringing the ideas of the committee to the attention of the council.

On Wed, May 9, 2018 at 4:36 PM, Megan McBride <mmcbride@coawi.org> wrote:

Hello,

Thank you for indicating your interest in serving on a Sustainability Committee for the City of Ashland! Please find the application attached to this email, as well as an overview of the overall vision and role of the committee. Applications must be submitted by 4pm on May 28th via email (sustainability@coawi.org) or mail (601 Main Street West—Attention: Sustainability Committee), and you will be contacted with additional details and meeting dates once the committee is selected in mid-June. Please contact mmcbride@coawi.org and sustainability@coawi.org with any questions.

Thanks for your time and have a nice day!

Megan McBride

City of Ashland

Assistant Planner

715-682-7041

Find yourself next to the water.



City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806

City of Ashland
Sustainability Committee Application Form

Name:	MARY ELLEN RIEHLE ("LAMER")
Phone:	(414) 573-4630
Email:	La_Mer5@hotmail.com
Address:	P.O. Box 143
Employer:	N/A
Occupation:	Researcher/writer

Are you a City of Ashland resident?

Yes

No

If so, how long have you been a resident? Since Nov. 2010

If you are not a resident, do you own land or a business within the City of Ashland?

Land

Business

Both

Neither

Are you more interested in:

Attending regular (monthly) meetings

Working on specific projects

Both

Find yourself next to the water.

City of Ashland
Planning & Development
601 Main St W
Ashland, WI 54806



How long would you like the term length to be for this Committee?

- 1 Year Term
- 2 Year Term
- 3 Year Term

Why are you interested in serving on the City of Ashland Sustainability Committee?

WATER + SOIL CONSERVATION
SHOULD BE A PRIORITY
HERE

What qualifications or interests of yours would make you a good addition to the Sustainability Committee?

COMMUNITY GARDENING
ORGANIC COMPOSTING
TREE PLANTING GO
HAND IN HAND WITH
PROTECTING OUR WATER

Please return by May 28 (Memorial Day), 2018.

This form can be returned to sustainability@coawi.org and mmcbride@coawi.org (send to both) or dropped at Ashland City Hall (601 Main Street W).

For questions email both sustainability@coawi.org and mmcbride@coawi.org.



AGENDA BILL

Ref: 149

**COMMITTEE AGENDA:
COUNCIL AGENDA: 6A (07-10-2018)**

SUBJECT: Operator's Licenses

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: City Clerk

DATE SUBMITTED: July 2, 2018

CLEARANCES: Police Department

EXHIBITS: NA

EXPENDITURES REQUIRED: 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 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: NA

RECOMMENDATION: Approve Operator's Licenses

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

Elizabeth G. Barnard LaBrosse
Lynne M. Johnson
Paula M. Mainguth
Sean M. Vandervort
Kati L. Henderson
James D. Lynn
Darlene A. Zar
Alejandro M. Salas
James Allen Clevette

Karen L.S. Bressette
Tyler R. Kaspar
Julie A. Milligan
Cody J. Westlund
Erica M. Toman
Tara M. Stock
Christopher P. Sustek
Corey Alan Zink

Jennifer L. Goeltz
Debra L. Ledin
Joslyn E. Olson
Karl J. Wrege
Catherine S. Ossanna
Tanner M. Vinson
Michael L. Lawrence
Erik Brett Johnson

**ASHLAND BEAUTIFICATION COUNCIL
MEETING**

May 7, 2018

1. Roll Call: Volunteer Hours

Present:

Carol Feldmeier	5
Cynthia Meyer	6.5
Donna Lanni	15.25
Elaine Peterson	7.45
Shawna Johnson	5
Kay Saari	10
Penny Rutyna	7.45
 Volunteers: Ron Lockwood	 5

2. Approval of March 5, 2018 meeting minutes:
Motion: Cynthia Seconded: Kay Vote: Aye.

3. Administrative: \$1900 General Beautification Committee Budget.
Cynthia made motion to purchase Preen, Osmokote and garden cart, to use monies from Misc. for garden, tools, etc. and to purchase perennials and bushes within budget (\$100) from Hauser's. Penny seconded motion, Vote: Aye. Cynthia will need Rudbekia, cone flowers and Liatris from Hausers. Kay will purchase Preen to keep weeds down in mulched areas on the boulevards. Penny will pick up garden cart from Ace Hardware (Saarinen donation) Carol will pick up Osmokote from Ace or Walmart.

4. Old Business

- Sandy Naas from Ashland High School was contacted on starting canna bulbs.
- Plans for City Hall side Plot for Juniper, blue spruce, hydrangeas, peonies.
- Trail planting 50 ft. Penny will contact Sharon Campell to request Public Works to dig/prepare area.

6. New Business

- Hauser delivery of Beautification Council order of annuals on Saturday, June 2 at 9:30 AM at City Hall.
- Need BC members. Plan to place request in Ashland Press Area Reports: Beautification Council in need of members and volunteers. Volunteers to be ready for minimum of one hour a week to plant and prepare gardens. New members need to know that it is not just a policy meeting but will involve preparing, planting and weeding gardens and planters. Elaine will notify Kim and Patti at City Hall that Beautification Council has two openings for members. Applications can be picked up at City Hall.
- Carol will check with Ashland Chamber on summer events. Suggestion made to have Chamber produce a City Garden Brochure including Area Greenhouses.
- Selecting monthly Residential and Business Beauty Spots. Penny made a motion on Carol's suggestion that one council person each month will make the selection and post the Beauty Spot sign and take photo for the Ashland Daily Press for publication. Kay seconded motion, Vote: Aye.

May: Shawna

June: Penny

July: Carol

August: Donna

September: Elaine

Five business and 5 residential certificates will be presented at the end of September for the awarded Beauty Spots.

7. Date of Next Meeting: Saturday, June 2 at 8:00 AM at the Burger Barn.

8. Adjournment at 7:30 p.m. Motion to adjourn: Carol Seconded: Shawna Vote: Aye

Respectfully Submitted,

Elaine Peterson

PRC Meeting 3/21/18

- I. JW called to order at 5:27 p.m.
 - A. Roll Call
 1. Pufall Excused
 2. Eric, Jackie, JW, Stefanie, Anna, and Meghan present
 3. Sarah present
 - B. Agenda modification - none
 - C. Approval of Minutes
 1. Approval of Minutes - January 24th
 2. Jackie motions, eric seconds
 3. No comments
 4. Approved unanimously
- II. No public here
- III. Information Items
 - A. Over 250 people attended the community play day. Will do it again next year but next year will charge a small fee. Spent \$500 on the day. Chequamegon did donate some food. Anna suggested just doing a "suggested donation" for those that maybe couldn't afford it.
 - B. 130 kids in gymnastics. 11th year in a row to state. Spring session of gymnastics has started.
 - C. 6th Annual smelt run starts April 13th which is earlier than usual.
 - D. Working on the summer brochure
 - E. Grants
 - a. Sarah gave an overview of grants that were approved.
 - b. Some of the costal grants will be used for storm damage trail - to buy rock specifically
 - c. Applied for NRPA grant will pay for labor for for the summer lunch program
 - d. Applied for ashland foundation grant to assist with the rec and read summer program
 - e.
 - F. Fundraiser overview
 - a. Parks and Rec trivia went well - \$5 per team and then raffle tickets + buckets.
 - b. OLL bingo is coming up which is new.
 - c. Potential may one is "may day may day!" at the Neighborhood
 - G. Superfund Site
 - a. (see schedule)

IV. Business Items

A. Approval of Scholarships

- a. 13 applications/4 completed the work
- b. 5 out of 13 didn't accept the award when realizing they had to volunteer 1 hour per \$20
- c. Jackie motions to approve scholarships
- d. Eric seconded
- e. Motion carried unanimously

B. Fitness Court approached us

- a. 10,000 grant potential but we don't have the money to put this in but they could help us secure the funding. Provide fitness support, national promotions, business community and having fitness challenges.
- b. City \$80,000 Community - Varies Sponsor \$10,000 Installation - Varies
- c. Megan motions to approve seeking of funding for the Fitness Court
- d. Anna seconded
- e. Motion passed unanimously

C. Babe ruth baseball place fence line banners at Penn Park

- a. Eric motions to conditionally approval if following all the rules and regulation in the UDO
- b. Anna seconded
- c. Motion passes unanimously

V. Next meeting 5:15 May 16th 2018

VI.

- A. Questions - Otis park - pergola will be installed the end of May. Megan is working on the art. 3 stained glass projects
- B. Rose will be back in April to create more stain glass garbage cans

VII.

- A. Motion to adjourn jackie
- B. Megan seconds
- C. Passes unanimously

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

Present: Lloyd Orensten, Rick Korpela, Eleanor Teague & John Coffey

Absent:

Excused: Tom Bouchard

Also Present: John Sill, Airport Manager; Patrick Boerboon & Harley Hagstrom

AGENDA ITEM 1: Roll Call

AGENDA ITEM 2: APPROVAL OF MINUTES (April 10, 12 & 27, 2018).

A motion was made by Korpela, seconded by Teague, to approve the April 10, 12 & 27, 2018 minutes. The motion passed unanimously.

AGENDA ITEM 3: CITIZEN PARTICIPATION PERIOD

Hagstrom inquired as to when they would start working on the culverts and 'road' to his property.

AGENDA ITEM 4: COMMISSION ITEMS

→ New Manager

Sill stated that the new Airport Manager selected by the Airport Commission is Bill Moore. Moore has already stopped by the airport and Sill has discussed some aspects of the airport with him. Sill will get a training plan worked out with Moore and he will be starting work on August 6th.

→ Eastern Aviation Fuels Discussion/selection

Sill would like some direction from the commission as to whether the airport stays with Best Oil or makes the switch to Eastern Aviation Fuels. There was a question at the last meeting from Coffey who wanted some fuel pricing specs from Shell. Sill asked of Coffey as to whether he had received any information. Coffey did receive the information and looking on average, Coffey thought that Eastern Aviation was about \$.10/gallon cheaper than Best Oil. Sill has some concern with a switch as to how to do the finance end; dealing with the credit cards. Kovac (Shell) stated that they would send someone down to the airport to make the switch and that it should be seamless.

A motion was made Korpela, seconded by Teague, to approve switching the current fuel carrier, Best Oil, over to Eastern Aviation Fuel. The motion passed unanimously.

→ Hangar Lease Discussion

Sill spoke with David Siegler, City Attorney, about issues brought forward by the hangar

owners regarding the new lease. Sill also spoke with a BOA official at the airport manager's conference, with regard to this issue. This official is going to send Sill some information on legal precedence from the FAA on cases that might have come up. The hangar owners have privacy issues; they own the hangar and lease the property. The FAA requires the airport to know what people have in their hangars; how would the airport manager know that if they can't inspect. Every year the airport is required to sign assurances; without the assurances, when requesting funding for projects from the state, they (FAA) can refuse funding our projects. When enforcing rules required by the FAA, the hangar owners need to comply.

The other issue was the hangar liability insurance. Sill has contacted other airports about their lease programs and they all require liability insurance. Siegler also stated that he does not recommend getting rid of the liability insurance requirement. One of the issues is that some people have more than one hangar; Siegler thinks that both hangars have to be covered with liability insurance.

→ Hagstrom Easement

Hagstrom had concerns about his project. Sill stated that he thought they would get started as soon as weather permits.

AGENDA ITEM 5: Airport Manager's Report

Sill went to the Airport Manager's Conference; education was emphasized to get young people interested in aviation. They had a talk about what's happening at the congressional appropriations level. There was a seminar about construction projects and doing projects like crack sealing. Our airport project for crack sealing is stalled at the FAA at some administrative level, still waiting for approval.

Sheriff's Dept. and city police were at the airport for 3 days for driver training.

AGENDA ITEM 6: Approval of Bills

The list of bills was presented by Sill. The total amount of the bills came to \$3,165.98.

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

AGENDA ITEM 7: SET NEXT MEETING DATE

The next Airport Commission meeting will be held June 28, 2018, at 4:30 pm, at the JFK Airport.

AGENDA ITEM 8: ADJOURNMENT

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



AGENDA BILL

Ref: 156

COMMITTEE AGENDA:
COUNCIL AGENDA: 7A (07-10-2018)

SUBJECT: Presentation and Possible Discussion by Charmaine Swan, Regional Representative for American Lung Association Regarding Signage

RECOMMENDATION: As Council Desires

DEPARTMENT OF ORIGIN: Mayor

DATE SUBMITTED: July 10, 2018

CLEARANCES: Mayor's Office

EXHIBITS: Sample Signage

EXPENDITURES REQUIRED: NA

AMOUNT BUDGETED: NA

APPROPRIATION REQUIRED: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

RECOMMENDATION: As Council Desires

SUMMARY STATEMENT:

Charmaine Swan, Regional Representative for American Lung Association, has requested a few minutes to advise Council on a project to place signage in public spaces regarding smoking.

Welcome
to our
Smokefree Beach



**Smoking, including the use of
e-cigarettes, is not allowed on
the beach or pavilions
per City Ordinance 463.09.**

A S H L A N D

**† AMERICAN
LUNG
ASSOCIATION.
IN WISCONSIN**


Northwest Wisconsin
Tobacco-Free
Coalition

Welcome
to our
Smokefree Ballpark



**Smoking, including the use of
e-cigarettes, is not allowed
at the ballparks per
City Ordinance 463.09.**

A S H L A N D

**† AMERICAN
LUNG
ASSOCIATION.
IN WISCONSIN**


Northwest Wisconsin
Tobacco-Free
Coalition

Welcome
to our
Smokefree Playground



Smoking, including the use of e-cigarettes, is not allowed on or around the play structures per City Ordinance 463.09.

A S H L A N D

 **AMERICAN
LUNG
ASSOCIATION.**
IN WISCONSIN


Northwest Wisconsin
Tobacco-Free
Coalition



AGENDA BILL

Ref: 147

COMMITTEE AGENDA:
COUNCIL AGENDA: 7B (07-10-2018)

SUBJECT: Approve a Resolution to Change the Start Time for Combined Ashland City Council and Committee of the Whole Meetings

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Clerk

DATE SUBMITTED: June 29, 2018

CLEARANCES: Mayor
Council President

EXHIBITS: Proposed Resolution

EXPENDITURES REQUIRED: NA

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

RECOMMENDED MOTION: Approve to change meeting start time of combined Council and Committee of the Whole to 5:30 p.m., effective the second meeting in July, 2018.

SUMMARY STATEMENT: At the June 21, 2018 Council Retreat Meeting, Council David Mettillle asked to revisit the issue of the start time and duration of Council and Committee of the Whole meetings. There was discussion amongst the Councilors and staff regarding the reasons for moving the start time of the meetings. Suggested start times were 5:00 pm, 5:30 pm, 6:00 pm, and 6:15 pm.

As a result of a straw poll, the majority of those present chose to move the start time for the combination Council and Committee of the Whole meetings to 5:30 pm.

There was no desire at this time to change the current maximum limit of the combined meetings of three hours.

RESOLUTION

No. _____

RESOLUTION TO APPROVE THE START TIME FOR COMBINED ASHLAND CITY COUNCIL AND COMMITTEE OF THE WHOLE MEETINGS

WHEREAS, the Common Council of the City of Ashland meets on the 2nd and last Tuesdays of each calendar month; and,

WHEREAS, the Council has deemed it in their best interests for Council meetings to commence at 5:30 p.m.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Ashland, that all future meetings of the Council shall commence at 5:30 p.m. on the 2nd and last Tuesdays of each month, unless otherwise specified by the Mayor.

Councilperson

PASSED: July 10, 2018

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney



AGENDA BILL

Ref: 150

COMMITTEE AGENDA:
COUNCIL AGENDA: 7C (07-10-2018)

SUBJECT: Approve an Ordinance to Amend Chapter 544 (1026), Ashland City Ordinances, Vehicular Stopping and Parking

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Clerk

DATE SUBMITTED: July 2, 2018

CLEARANCES: Mayor

EXHIBITS: A-Chapter 544 (1026), Ashland City Ordinances
B-Proposed Ordinance

EXPENDITURES REQUIRED: NA

RECOMMENDED MOTION: Approve to amend Chapter 544.23, Ashland City Ordinances, Reserved Parking in Residential Areas.

SUMMARY STATEMENT: As allowed by WI State Statute 346.50, Restrictions on Stopping and Parking, the City of Ashland has an active Disabled Parking Enforcement Assistance Council. As an advocate for citizens in need of parking permissions, this group determines the placement of signage within the residential areas as requested by individuals with physical disabilities, among other duties. The DPEAC recommends to Council any changes in residential designated disabled parking areas for approval.

Under the current ordinance, each change of location of disabled parking signags as determined by the DPEAC requires an amendment in the ordinance to add, remove, and renumber the addresses. A simple wording change in the ordinance as proposed would eliminate the agenda item being brought to Council, and allow the DPEAC to respond in a more efficient manner for the citizens.

The Clerk's office is requesting Council to approve the proposed change of Chapter 544, Ashland City Ordinances.

CHAPTER 544. VEHICULAR STOPPING AND PARKING.

544.10. Two Hour Parking on Certain Enumerated Streets. It shall be unlawful to park any vehicle for a period of longer than two hours between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday, on any streets or avenues in the City of Ashland listed below:

All streets and avenues lying between the west line of 10th Avenue West to the east line of 3rd Avenue East and between the north line of Third Street and south line of Lake Shore Drive; and between Ellis Avenue and Third Avenue West on the north side of Lake Shore Drive; and on Main Street from the east line of 7th Avenue East to the west line of the alley located in the 600 block of Main Street East.

544.11. Exception. The following streets shall be exempted from the two hour parking provisions, except as designated:

(a) MacArthur Avenue. No parking 2:00 a.m. to 6:00 a.m. from 3rd Street to the alley located between Main and 3rd Streets.

(b) MacArthur Avenue. No parking 2:00 a.m. to 6:00 a.m. parking on the west side of the Avenue from Lake Shore Drive to Main Street West and 2-hour parking on the east side of the Avenue. No parking anytime in one-way entrance from Lake Shore Drive south for approximately 150'

(c) 10th Avenue West. no parking on the west side from Lake Shore Drive to Main Street and 2-hour parking on the east side from Lake Shore Drive to Main Street.

(d) Main Street West. No parking 2:00 a.m. to 6:00 a.m. parking on the north side of the street from 9th Avenue West to 10th Avenue West.

(e) 9th Avenue West. Unrestricted parking on the west side of the Avenue from Lake Shore Drive to Main Street West and 2-hour parking on the east side of the avenue.

544.12. Marking Places. The City shall have the authority to have markings painted or placed upon the curb of the street for the purpose of designating the parking space and the angle at which vehicles are parked to the curb. Each vehicle parking within any two hour parking zone shall park within the line or markings so established. It shall be unlawful to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area designated by such lines or markings.

544.20. Disabled parking.

(a) The provisions of sec. 346.505, Wis. Stats. are hereby adopted by reference.

(b) Except for a motor vehicle used by a physically disabled person as defined under sec.

346.503 (1), Wis. Stats., no person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or parking facility reserved, by official traffic signs indicating the restriction, for vehicles displaying special registration plates or a special identification card issued under Wisconsin Statutes or another jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

544.21. Disabled Parking Enforcement Assistance Council. The City of Ashland hereby establishes a Disabled Parking Enforcement Assistance Council as permitted by sec. 349.145, Wis. Stats. The members of the Council shall have the powers described in sec. 346.505, Wis. Stats.

544.22. Reserved Parking Places. The City of Ashland specifically designates the following parking spaces as reserved for parking for motor vehicles used by physically disabled persons:

- (a) On the north side of Main Street West, west of its intersection with Tenth Avenue West.
- (b) First space on the east side of 6th Avenue West south of the intersection of Main Street West.
- (c) One space on the west side of Sixth Avenue West, north of the intersection with Third Street West.
- (d) Two spaces on the west side of the 200 block of Vaughn Avenue; one north of the alley and one south of the alley.
- (e) On the east side of Fourth Avenue West, north of its intersection with Main Street West.
- (f) On the east side of the 200 block of 3rd Avenue West.
- (g) On the west side of the 100 block of Third Avenue West north of the intersection with Main Street.
- (h) On the north side of the 600 block of Main Street West west of the emergency exit of City Hall.
- (i) On the boulevard on the east side of the 100 block of Prentice Avenue adjacent to Country Kitchen.
- (j) On the east side of the 700 block of Beaser Avenue in front of the CESA building.
- (k) On the east side of 10th Avenue West in the first space north of Main Street.
- (l) On the east side of 3rd Avenue East in the 100 north block adjacent to the NSP building.

- (m) On the east side of the 200 Block of Chapple Avenue.
- (n) On the South Side of the 100 Block of 10th Street East, adjacent to the Middle School.
- (o) On the North Side of the 100 Block of 11th Street East, adjacent to the Middle School.
- (p) Two spaces on the south side of Admiral Leahy Drive adjacent to the Sigurd Olson Environmental Institute.
- (q) On the south side of the 1300 Block of 7th Street West, adjacent to the Beaser Park Little League Field.
- (r) On the north side of the 1200 block of Main Street West.
- (s) On the west side of the 200 block of 3rd Avenue East, south of the intersection with Main Street.
- (t) On the west side of the 200 block of 2nd Avenue West, south of the intersection with Main Street.
- (u) On the south side of the 800 block of Main Street West, east of the parking lot entrance.
- (v) On the north side of the 400 block of Main Street East, east of the intersection with Prentice Avenue.
- (w) On the north side of the 400 block on Main Street East, west of the intersection of 5th Avenue East
- (x) In Central Railyard Park, closest to the entrance of the playground.
- (y) One space on the northeast intersection of Main Street and Sixth Avenue West, adjacent to the Golden Glow Restaurant.
- (z) The first space on the intersection of Main Street and 2nd Avenue East.
- (aa) One space in front of 220 6th Street East, on the west side of the stairway for Ashland County Law Enforcement offices.
- (bb) On the east side of the 300 Block of Third Avenue West, the third parking space north of the intersection of 3rd Street.
- (cc) On the east side of the 300 block of Beaser Avenue.
- (dd) 311 Main Street East.

These locations may be changed from time to time upon Parking System recommendation by Council action and appropriate notice thereof.

544.23. Reserved Parking in Residential Areas. In addition to the locations identified in Section 544.06, the following parking spaces in residential areas are also designated as reserved parking for motor vehicles used by physically disabled persons:

- (a) 307 Beaser Avenue.
- (b) 617 Prentice Avenue.
- (c) 1006 Vaughn Avenue.
- (d) 622 Prentice Avenue.
- (e) 610 2nd Avenue West.
- (f) 213 10th Avenue West.
- (g) 304 Beaser Avenue.
- (h) 713 6th Avenue West.
- (i) 411 Beaser Avenue.
- (j) 1420 3rd Street West.
- (k) 408 14th Avenue West.

544.24. Application. The costs for placement of handicapped parking signs for spaces created under Section 544.23 shall be paid by the individual making the application. Handicapped parking spaces created under the provisions of this subsection shall be subject to the following provisions:

- (a) Original Application.
 - (1) The applicant must make a request in writing to the Disabled Parking Enforcement Assistance Council.
 - (2) The Disabled Parking Enforcement Assistance Council shall make a recommendation to the City Council.
 - (3) The City Council shall determine if a handicapped parking space permit shall be issued.

(4) Handicapped parking space permits shall expire on June 30 of each year.

(b) Renewal Application.

(1) Prior to the expiration date, the individual requesting handicapped parking sign permit must make a renewal application.

(2) The Disabled Parking Enforcement Assistance Council shall review the renewal application and make a report to the City Council.

(3) Additional Council action on handicapped parking space permits is only required for revocation of permits.

544.30. Parking Prohibited in Certain Specified Places. No person shall stop or leave any vehicle standing in any of the following places except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while vehicle is attended by a licensed operator so that it may promptly be moved in case of an emergency or to avoid obstruction of traffic:

- (a) In a loading zone;
- (b) In an alley in a business district;
- (c) Within 10 feet of a fire hydrant, unless a greater distance is indicated;
- (d) Within 4 feet of the entrance to an alley or private road or driveway;
- (e) Closer than 15 feet to the near limits of a crosswalk.

544.31. Camper Parking Restriction. No person shall park a camper in the parking spaces closest to the intersections in the Downtown Business District. These restricted parking areas shall be posted.

544.40. Bus Stops; Regulation Use of Same. The following are designated as bus stops in the City of Ashland to be used by buses and taxicabs in the loading and unloading of its passengers at the curb of the streets:

- (a) On the south side of Main Street E., east of the alley in the 100 block.
- (b) On the south side of Main Street W., east of its intersection with 2nd Ave. West.
- (c) On the north side of Main Street West, west of its intersection with 2nd Ave. West.
- (d) On the west side of 2nd Ave. West, south of its intersection with Main Street West.

- (e) On the south side of Main Street West, east of its intersection with 4th Ave. West.
- (f) On the north side of Main Street West, west of its intersection with 4th Ave. West.
- (g) On the south side of Main Street West, east of its intersection with Chapple Avenue.
- (h) On the north side of Main Street West, west of its intersection with 6th Ave. West.

542.41. Loading. The said place of loading and space allowed for bus stops shall be designated and defined by the painting of the curb yellow which shall be done by the City.

544.42. Bus Stops Signs or No Parking Signs. Signs may be placed reading “bus stop” or “no parking.” Such signs will be furnished and installed by the City.

544.43. Use of bus stops by buses and taxis. Such places so designated herein as bus stops shall be used by buses and taxicabs. No other vehicles shall at any time park within the spaces hereby designated as a bus stop.

544.50. 15 Minute Zones in Certain Enumerated Areas. It shall be unlawful to park any vehicle for a period longer than 15 minutes between the hours of 8:00 a.m. and 5:00 p.m., except on Sundays and holidays, on any streets or avenues in the City of Ashland described below:

- (a) U. S. Post Office, 615 West Main Street, from driveway in middle of block on north side of Main Street to corner of Chapple Avenue.
- (b) Ashland City Hall, 100 block, Sixth Avenue West, south half of block, west side.
- (c) On the south side of the 800 Block of Main Street West, adjacent to 802 Main Street West.
- (d) On the west side of the 200 Block of MacArthur Avenue, adjacent to 800 Main Street West.
- (e) On the north side of the 500 Block of 6th Street West, adjacent to 517 6th Street West.
- (f) On the south side of the 800 Block of Main Street West, adjacent to 822 Main Street West.
- (g) On the north side of the 500 Block of Main Street East, adjacent to 511 Main Street East.

These locations may be changed from time to time by Council action and appropriate notice thereof.

544.61. Enforcement. The City of Ashland Police Department shall be empowered to enforce the provisions of this ordinance and may issue citations for any violation of this ordinance on the form and in the manner prescribed by the City of Ashland.

544.70. Reserved Parking. It shall be unlawful to park any but appropriate identified vehicles in spaces marked reserved parking.

544.80. Penalties. Any citations or tickets issued for violations of this ordinance shall carry penalties as set forth in sections 544.81, 544.82, and 544.83.

544.81. Violation of Sections 544.10, 544.40, 544.41, and 544.50.

(a) If paid within 7 days from the date of its issuance, the forfeiture shall be \$5.00.

(b) If paid after 7 days, but within 14 days from the date of its issuance, the forfeitures shall be \$10.00.

(c) If paid after 14 days from the date of its issuance, the forfeiture shall be \$15.00.

(d) In addition to the above, the person convicted of any violation shall be responsible for all court costs and attorney fees incurred by the City in enforcing this ordinance.

544.82. Violation of Sections 544.30, 544.31, and 544.70. The owner of any vehicle determined to be in violation of the provisions of this section shall be fined not less than \$20.00 nor more than \$40.00 for each offense.

544.83. Violation of Section 544.20. The owner of any vehicle found to be in violation of the provisions of this section shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

ADOPTED: 544 (1026) 4/10/1984;

AMENDED: 544 (1063) 2/11/1986; 544 (1147) 8/9/1988; 544 (1163) 12/13/1988;
544 (1198) 7/11/1989; 544 (1248) 2/12/1991; 544 (1250) 3/12/1991;
544 (1267) 11/21/1991; 544 (1272) 2/11/1992; 544 (1293) 7/13/1993;
544 (1319) 6/14/1994; 544 (1326) 8/9/1994; 544 (1366) 2/27/1996;
544 (1367) 3/26/1996; 544 (1373) 4/30/1996; 544 (1390) 3/11/1997;
544 (1397) 6/24/1997; 544 (1400) 7/8/1997; 544 (1421) 10/28/1997;
544 (1438) 6/16/1998; 544 (1440) 6/30/1998; 544 (1445) 9/8/1998;
544 (1448) 10/13/1998; 544 (1455) 12/29/1998; 544 (1472) 4/20/1999;
544 (1478) 8/10/1999; 544 (1483) 10/26/1999; 544 (1494) 5/30/2000;
544 (1497) 7/11/2000; 544 (1507) 12/12/2000; 544 (1513) 4/17/2001;
544 (1517) 6/26/2001; 544 (1523) 9/25/2001; 544 (1529) 12/11/2001;
544 (1547) 6/25/2002; 544 (1567) 4/15/2003; 544 (1573) 7/29/2003;
544 (1582) 10/28/2003; 544 (1591) 7/13/2004; 544 (1595) 9/28/2004;
544 (1600) 3/8/2005; 544 (1606) 6/14/2005; 544 (1631) 6/13/2006;
544 (1651) 4/17/2007; 544 (1652) 4/17/2007; 544 (1653) 5/8/2007;
544 (1664) 8/14/2007; 544 (1685) 6/24/2008; 544 (1687) 7/8/2008;
544 (1693) 11/18/2008; 544 (1736) 10/12/2010; 544 (1753) 8/9/2011;
544 (1795) 10/9/2012; 544 (1803) 3/12/2013; 544 (1809) 6/25/2013;
544 (1813) 8/13/2013; 544 (1815) 9/23/2013; 544 (1818) 10/29/2013;
544 (2015-1846) 6/30/2015; 544 (2015-1860) 9/29/2015;
544 (2017-1899) 9/26/2017; 544 (2018-1901) 2/27/2018;

Sequential Ordinance No. _____

Chapter No. 544

ORDINANCE TO AMEND CHAPTER 544 (1026), ASHLAND CITY ORDINANCES, VEHICULAR STOPPING AND PARKING

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of July 1, 2017, for the purpose of removing language by amending Chapter 544, Ashland City Ordinances.

SECTION 1:

Amend Section 544.23: Reserved Parking in Residential Areas

To read as follows: In addition to the location identified in Section 544.06, parking spaces in residential areas as reviewed and approved by the Disabled Parking Enforcement Council are designated as reserved for motor vehicles used by and for physically disabled persons, and will be indicated by City issued signage in a reasonable location.

Section II:

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

PASSED: July 1, 2018
PUBLISHED: _____

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM: _____

Tyler W. Wickman, City Attorney



AGENDA BILL

Ref: 152

COMMITTEE AGENDA:
COUNCIL AGENDA: 7D (7/10/2018)

SUBJECT: Approve a Resolution Accepting Workmanship of DNH, Inc., and Approve Final Payment for the Marina A-Dock Project

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Marina

DATE SUBMITTED: June 19, 2018

CLEARANCES: Harbor Commission

EXHIBITS:
A-Proposed Resolution
B-Final Construction Report
C-Treasurer's Certificate

EXPENDITURES REQUIRED: \$ 23,000

AMOUNT BUDGETED:	\$ 69,000	Bid Award
	(44,000)	Progress payments
	<u>(2,000)</u>	<u>Installation credit</u>
	\$ 23,000	Final payment due

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: The Harbor Commission recommends final payment to DNH, Inc. for completion of Ashland Marina A-Dock installation.

SUMMARY STATEMENT: On February 12, 2018, the Council approved to enter into a contract with DNH, Inc. to install the new A-Dock at the Ashland Marina that was purchased from ShoreMaster Commercial LLC. Council approved total expenditures for the work not to exceed \$69,000 to be funded through the Marina Enterprise Fund.

The project is now substantially completed as of June 8, 2018 and approved by the Harbor Commission, and are requesting Council to approve final payment of \$23,000 to DNH, Inc.

FINAL CONSTRUCTION REPORT

PROJECT: MARINA A-DOCK REPLACEMENT

SUBSTANTIAL COMPLETION DATE: May 31, 2018

REPORT DATE: June 15, 2018

CONTRACTOR: DNH, INC.

Approved Budget:	\$69,000	
Bid Amount:	\$69,000	
Change Orders:	\$ 0	
Net Quantity Variances:	<u>\$ 2,000</u>	Construction Credit
Final Cost:	\$67,000	

PROJECT DESCRIPTION

Installation of the replacement of Dock A for the Marina.

The materials incorporated in this project comply with the project specifications. Project inspection was made during installation of the materials and to verify that plans and specifications were adhered to.

The pay quantity items installed on the project were verified. Final measurements were taken as needed to complete the pay estimates. All work pay items have been completed.

The Contractor's Performance and Payment Bond will remain in effect until the end of the warranty period to cover any warranty issues that are identified. The warranty is in effect until one year from date of Substantial Completion.

I, the Marina Manager for the City of Ashland, Wisconsin certify that the A-Dock Replacement Project is complete. The Contractor has satisfactorily completed its obligation to the City as specified in the Contract Agreement and is worthy of final payment of all compensation due.

Certified by: _____

Scott Stegmann
Marina Manager

RESOLUTION

No. _____

RESOLUTION ACCEPTING WORKMANSHIP OF DNH, INC., AND APPROVE FINAL PAYMENT ON THE INSTALLATION OF THE ASHLAND MARINA A-DOCK PROJECT

WHEREAS, the City of Ashland, hereinafter referred to as the City, and DNH, Inc., hereinafter referred to as the Contractor, entered into a contract whereby the Contractor agree to install new A-Dock at the Ashland Marina in the City of Ashland, in accordance with plans and specifications prepared by OEM industries, for the agreed price of \$67,000; and,

WHEREAS, said total final contract price has been determined to be \$67,000; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, Scott Stegmann, Marina Manager, has submitted a final report certifying that the workmanship of the Contractor has been satisfactorily completed in accordance with the original contract and approved change orders; and,

WHEREAS, it is being recommended that a final settlement be made and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by Scott Stegmann be accepted.

BE IT FURTHER RESOLVED that the City of Ashland does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Ashland hereby reserves, if any, and subject to the right of the City of Ashland to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Ashland as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$23,000 to the Contractor in full and final payment of the City's obligations under this contract.

Councilperson

PASSED: July 10, 2018

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney

Denise Oliphant

From: Barbara Clement
Sent: Friday, June 29, 2018 1:26 PM
To: Denise Oliphant
Cc: Scott Stegmann
Subject: RE: marina final payment

Denise,

DNH, Inc of Fergus Falls, MN is in compliance with City of Ashland Ordinances Chapter 923.

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

(715) 682-7056

From: Denise Oliphant
Sent: Friday, June 29, 2018 1:25 PM
To: Barbara Clement
Cc: Scott Stegmann
Subject: FW: marina final payment

Barb,

Could you please confirm that DNH, Inc. is in compliance with the City of Ashland Ordinances Chapter 923?

Thank you!

Denise Oliphant
City Clerk
City of Ashland
601 Main Street West
Ashland, WI 54806
Phone: 715-682-7071
Fax: 715-682-7048
Email: doliphant@coarwi.org

Find yourself next to the water.

ASHLAND
WISCONSIN

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AGENDA BILL

Ref: 153

COMMITTEE AGENDA:
COUNCIL AGENDA: 7E (07-10-2018)

SUBJECT: Approve a Resolution Accepting the Workmanship of Northwoods Paving, Inc., and Approve Final Payment for the Kreher Park Entrance Road Overlay and the Main Street East from Stuntz to 11th Avenue East Mill and Overlay Projects

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Public Works Department

DATE SUBMITTED: July 2, 2018

CLEARANCES: Public Works Department
Finance Department

EXHIBITS: A-Proposed Resolution
B-Final Construction Report
C-Final Pay Request with Change Order
D-Treasurer's Certificate

EXPENDITURES REQUIRED:	\$17,665.60	CP 453 Parks - Kreher Park Road Overlay
	<u>78,911.20</u>	CP 470 Streets – Main St E-Stuntz to 11 Av E-M&O
	96,576.80	Final Contract Total
	<u>(74,965.64)</u>	Progress payments
	<u>\$21,611.16</u>	Final Work Completed and Retainage Due

AMOUNT BUDGETED:	\$ 18,544.85	Fund 481
	109,886.50	Fund 470/partial FEMA Funding
	<u>6,421.57</u>	Contingency (5%)
	<u>\$ 134,852.92</u>	

APPROPRIATION REQUIRED: NA

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

STATEMENT OF CONFORMANCE WITH COMPREHENSIVE PLAN OF RECORD:

RECOMMENDATION: The Public Works Department recommends final payment to Northwoods Paving, Inc. for the Kreher Park Entrance Road Overlay and Main Street East from Stuntz to 11th Avenue East Mill and Overlay Projects.

SUMMARY STATEMENT: On August 29, 2017, the Council approved to enter into a contract with Northwoods Paving, Inc. for the resurfacing of stretches of roadway at Kreher Park and on Main Street East. The City Council approved total expenditures for the work not to exceed \$134,852.92. The project was completed this spring, and the final contract costs came in less than the approved bid amount by \$38,276.12.

Kreher Park is on the Capital Improvement Project list to have the roads throughout the campground resurfaced. After reviewing and discussing the project internally and based on the budget, it was determined the most

deteriorated area was the entrance road. Resurfacing this removed potholes and provide a more aesthetically pleasing entrance to the RV park area.

In 2016, during the July flooding, the storm inlet on Main Street East at the Stuntz Bridge washed out along with a section of guard rail. The Public Works crew repaired the inlets on both the east and west sides of the bridge. In addition, a portion of the guard rail had to be removed for the inlet repair, and the wood uprights for the guard rail had all rotted. The guard rail replacement was a part of the Mill & Overlay project on Main Street East. This project was approved by FEMA, and the City did receive \$12,115 of funding for it.

Public Works staff recommends approval of the resolution accepting the workmanship of Northwoods Paving Inc. and approve final payment for the Kreher Park Entrance Road Overlay and the Main Street East Mill and Overlay from Stuntz to 11th Avenue East Projects.

RESOLUTION

No. _____

RESOLUTION ACCEPTING THE WORKMANSHIP OF NORTHWOODS PAVING, INC., AND APPROVE FINAL PAYMENT FOR THE KREHER PARK ENTRANCE ROAD OVERLAY AND THE MAIN STREET EAST FROM STUNTZ TO 11TH AVENUE EAST MILL AND OVERLAY PROJECTS

WHEREAS, the City of Ashland, hereinafter referred to as the City, and NORTHWOODS PAVING, INC, hereinafter referred to as the Contractor, entered into a contract whereby the Contractor agreed to perform certain public works improvements under **Project No. 481201704/470201703 KREHER PARK ENTRANCE ROAD OVERLAY AND MAIN STREET EAST MILL AND OVERLAY FROM STUNTZ TO 11TH AVENUE EAST PROJECT** in the City of Ashland, in accordance with plans and specifications prepared by the City Engineering Department for the agreed price of \$128,531.35; and,

WHEREAS, said total final contract price has been determined to be \$96,576.80 as computed by the City Engineering Department using actual quantities as measured, change orders, additions, and deletions to the contract, and contract unit prices; and,

WHEREAS, the Contractor has completed all of the work set out in the specifications; and,

WHEREAS, Sharon Campbell, Interim Director of Public Works, has submitted a final report certifying that the workmanship of the Contractor is satisfactorily completed and recommends a final settlement be made, and that the City accept the work and authorize the payment of the balance presently outstanding and due the Contractor, and that there remains a balance on account of work completed and retainage in the amount of \$21,611.16.

NOW, THEREFORE, BE IT RESOLVED that the recommendation and report prepared by the City Engineering Department be accepted.

BE IT ALSO FURTHER RESOLVED that the City of Ashland does hereby accept the workmanship furnished by the Contractor, subject, however, to all guarantees and other obligations set out in the contract which the City of Ashland hereby reserves, if any, and subject to the right of the City of Ashland to commence an action or file a third party claim against the Contractor in the event that an action is commenced by anyone against the City of Ashland as a result of alleged injuries or wrongful death as a result of the condition of the work site or any other condition related to this project.

BE IT ALSO FURTHER RESOLVED that the City, through its proper officials, issues its voucher in the sum of \$21,611.16 to the Contractor in full and final payment of the City's obligations under this contract.

Introduced at a regular meeting of the Common Council of the City of Ashland held this day of July 10, 2018.

Passed and adopted this July 10, 2018

Councilperson

ATTEST:

Denise Oliphant, City Clerk

Debra Lewis, Mayor

APPROVED AS TO FORM,

Tyler W. Wickman, City Attorney

FINAL CONSTRUCTION REPORT

PROJECT: 2017 KREHER PARK ENTRANCE ROAD OVERLAY & MAIN STREET EAST MILL & OVERLAY FROM STUNTZ TO 11TH AVE EAST PROJECT

SUBSTANTIAL COMPLETION DATE: May 23, 2018

REPORT DATE: June 29, 2018

CONTRACTOR: Northwoods Paving, Inc.

Approved Budget:	\$ 134,852.92
Bid Amount:	\$ 128,531.35
Change Orders:	\$ (24,308.50)
Net Quantity Variances:	\$ <u>(7,646.05)</u>
Final Cost:	\$ <u>96,576.80</u>

PROJECT DESCRIPTION

Mill and overlay on Main Street East from Stuntz Avenue to 11th Avenue East; Replaced guard rail near Bay City Creek Bridge on Main Street East; and Asphalt overlay on entrance road to Kreher Park/RV Park.

The materials incorporated in this project comply with the project specifications. Project inspection was made during installation of the materials and to verify that plans and specifications were adhered to.

The pay quantity items installed on the project were verified. Final measurements were taken as needed to complete the pay estimates. All work pay items have been completed.

The Contractor's Performance and Payment Bond will remain in effect until the end of the warranty period to cover any warranty issues that are identified. The warranty is in effect until one year from date of Substantial Completion.

I, the Interim Director of Public Works for the City of Ashland, Wisconsin certify that the **2017 KREHER PARK ENTRANCE ROAD OVERLAY & MAIN STREET EAST MILL & OVERLAY FROM STUNTZ TO 11TH AVE EAST PROJECT** is complete. The Contractor has satisfactorily completed its obligation to the City as specified in the Contract Agreement and is worthy of final payment of all compensation due.

Certified by: Sharon Campbell
Sharon Campbell
Interim Director of Public Works

APPLICATION FOR PAYMENT NO.

2 FINAL

To: City of Ashland (Owner)
From: Northwoods Paving, Inc. (Contractor)
Project: Kreher Park Road Overlay and Main Street East Mill and Overlay
For Work Period: From: October 27, 2017 Thru: May 23, 2018

Table with 2 columns: Description and Amount. Rows include: 1. Original Contract Price: \$128,531.35; 2. a) Net change by Change Orders and Written Amendments (+ or -): (\$24,308.50); b) Net change by Quantity Variances (+ or -): (\$7,646.05); 3. Current Contract Price (Line 1 plus Line 2): \$96,576.80; 4. Total completed and stored to date: \$96,576.80; 5. Retainage (per Agreement): 5.00% of completed Work: \$0.00; 0.0% of stored material: \$0.00; Total Retainage: \$0.00; 6. Total completed and stored to date less retainage (Line 4 minus Line 5): \$96,576.80; 7. Less previous Payments: \$74,965.64; 8. DUE THIS APPLICATION (6 MINUS 7): \$21,611.16

Accompanying Documents:
Itemization of Quantities

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Dated _____
By: Eric Brye

Payment of the above AMOUNT DUE THIS APPLICATION is recommended

Dated _____
By: James Struck, Interim Public Works Director

Payment of the above AMOUNT DUE THIS APPLICATION is approved.

Dated _____
By: City Administrator

Dated _____
By: Debra Lewis, Mayor

Dated _____
By: Barbara Clement, Comptroller

Dated _____
By: Denise Oliphant, City Clerk

PAY QUANTITY TABULATION FOR: KREHER PARK OVERLAY PROJECT AND MAIN STREET EAST MILL & OVERLAY PROJECT
 PAY REQUEST NO. 2
 WORK DATES: 10/27/2017 - 5/23/2018

A. KREHER PARK ROAD OVERLAY		BID - ASHLAND CONSTRUCTION CO.									
ITEM NO.	ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	BID PRICE	QTY. PREVIOUS PAY REQUEST	QTY. THIS PAY REQUEST	COMPLETED QUANTITY	TOTAL PREVIOUS PAY REQUEST	TOTAL THIS PAY REQUEST	TOTAL WORK COMPLETED
1	ASPHALTIC SURFACE (WISDOT MT)	TON	225	\$77.55	\$17,448.75	0.00	216.08	216.08	0.00	\$16,757.00	\$16,757.00
2	TACK COAT (EXISTING SURFACE AND BASE COURSE SURFACE)	GAL	125	\$2.50	\$312.50	0.00	50.00	50.00	0.00	\$125.00	\$125.00
3	TRAFFIC CONTROL (PROJECT)	EACH	1	\$783.60	\$783.60	0.00	1.00	1.00	0.00	\$783.60	\$783.60
A. TOTAL					\$18,544.85					\$17,665.60	\$17,665.60

B. MAIN STREET EAST MILL AND OVERLAY (STUNTZ AVE. - 11TH AVE. E.)		PAY REQUEST TABULATION									
ITEM NO.	ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT PRICE	BID PRICE	QTY. PREVIOUS PAY REQUEST	QTY. THIS PAY REQUEST	COMPLETED QUANTITY	TOTAL PREVIOUS PAY REQUEST	TOTAL THIS PAY REQUEST	TOTAL WORK COMPLETED
3	PAVEMENT MILLING ROADWAY - 2.5 INCHES	SY	3550	\$5.25	\$18,637.50	3273.00	0.00	3273.00	\$17,183.25	\$0.00	\$17,183.25
4	TACK COAT	GAL	177	\$0.00	\$0.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
5	ADJUST MANHOLES	EACH	1	\$450.00	\$450.00	0.00	0.00	0.00	\$0.00	\$0.00	\$0.00
6	ASPHALTIC SURFACE (WISDOT MT)	TON	700	\$73.25	\$51,275.00	637.03	0.00	637.03	\$46,662.45	\$0.00	\$46,662.45
7	TACK COAT (MILLED SURFACE AND BASE COURSE SURFACE)	GAL	400	\$2.50	\$1,000.00	300.00	0.00	300.00	\$750.00	\$0.00	\$750.00
8	TRAFFIC CONTROL (PROJECT)	EACH	1	\$2,200.00	\$2,200.00	1.00	0.00	1.00	\$2,200.00	\$0.00	\$2,200.00
9	REMOVING GUARDRAIL	LF	544	\$4.50	\$2,448.00	544.00	0.00	544.00	\$2,448.00	\$0.00	\$2,448.00
10	THREE BEAM TRANSITIONS	EACH	4	\$2,750.00	\$11,000.00	4.00	0.00	4.00	\$11,000.00	\$0.00	\$11,000.00
11	MGS GUARDRAIL TERMINAL (EAT)	EACH	4	\$2,650.00	\$10,600.00	4.00	0.00	4.00	\$10,600.00	\$0.00	\$10,600.00
12	MGS GUARDRAIL WITH STEEL POSTS (WISDOT STANDARD INSTALLATION)	LF	544	\$22.75	\$12,376.00	544.00	0.00	544.00	\$12,376.00	\$0.00	\$12,376.00
CHANGE ORDER 1											
B. TOTAL					\$109,986.50				\$78,911.20		\$17,665.60
A+B TOTAL					\$128,631.35						\$96,576.80

500.06 - CHANGE ORDER

No. 1

DATE OF ISSUANCE: _____

EFFECTIVE DATE: 9/7/2017

OWNER: CITY OF ASHLAND

CONTRACTOR: Northwoods Paving

OWNER's Contract No: _____

ENGINEER _____

PROJECT: 2017 Main Street Guard Rail

ENGINEER's Contract No _____

You are directed to make the following changes in the Contract Documents:

Description: Reduce the quantity of guard rail. Items 9-12 on the bid form are removed from the scope of work and replaced per the attached Exhibit A.

Reason for Change Order: Reuse portions of existing guard rail and modify scope. Keep cost in line with FEMA reimbursement

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ <u>128,531.35</u>	Original Contract Times Substantial Completion: <u>10/20/2017</u> Ready for final payment: <u>10/20/2017</u> (days or dates)
Net Increase (Decrease) from previous Change Orders No. <u>0</u> to <u>0</u> \$ <u>0.00</u>	Net change from previous Change Orders No. <u>0</u> <u>0</u> Substantial Completion: <u>0</u> additional days Ready for final payment: <u>0</u> additional days
Contract Price Prior to this Change Order \$ <u>128,531.35</u>	Contract Times prior to this Change Order Substantial Completion: <u>10/20/2017</u> Ready for final payment: <u>10/20/2017</u> (days or dates)
Net increase (decrease) of this Change Order \$ <u>(24,308.50)</u>	Net increase (decrease) this Change Order Substantial Completion: _____ additional days Ready for final payment: _____ additional days
Contract Price with all approved Change Orders \$ <u>104,222.85</u>	Contract Times with all approved Change Orders Substantial Completion: <u>10/20/2017</u> Ready for final payment: <u>10/20/2017</u> (days or dates)

RECOMMENDED BY:

APPROVED:

ACCEPTED:

ENGINEER (Authorized Signature)/Date
 APPROVED: [Signature]

OWNER (Authorized Signature)/Date
 APPROVED: [Signature]

CONTRACTOR (Authorized Signature)/Date
 APPROVED: [Signature] 9-29-17

MODIFIED FORM 7/11/2017 for use in Excel EICDC 1910-6-8 (1996 Edition) Prepared by the Engineer Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construct

CHANGE ORDER 1 - EXHIBIT A

To(OWNER): City of Ashland
601 Main Street West
Ashland, WI 54806

Project: K182 - MATTISON
ASHLAND CO.

Application No: 1
Invoice No: 320
Invoice Date: 9/7/2017
Terms: Net 30
Due Date: 10/7/2017
Period To: 9/7/2017
Project No: K182
Contract Date:

From: Mattison Contractors, Inc.
PO Box 238
811 Highway 12
Knapp, WI 54749
(715) 665-2608

Via(Architect/
Engineer)

For:

No.	Description	Total Quantity	Unit Cost	Total Cost	Completed Units	Current Value	Prior Value	Due This Request
614.0115A	BEAM GUARD	1	EACH	75.00	1	75.00 ✓	0.00	75.00
614.0200	SINGLE BUFFER ENDS	63	LF	3,780.00	63	3,780.00 ✓	0.00	3,780.00
614.0200A	THRIE BEAM TRANSITION	3	EACH	525.00	3	525.00 ✓	0.00	525.00
614.0305	THRIE BEAM CONNECTOR PLATES	216.25	LF	4,162.81	146	2,810.50 ✓	0.00	2,810.50
	Steel Plate Beam Guard Class A			8,542.81		7,190.50	0.00	7,190.50
619.1000	MOBILIZATION	1	EA	2,000.00	1	2,000.00 ✓	0.00	2,000.00
	Mobilization			2,000.00		2,000.00	0.00	2,000.00
614.0115	TYPE II ANCHORS	3	EACH	2,925.00	3	2,925.00 ✓	0.00	2,925.00
				13,467.81		12,115.50	0.00	12,115.50

Bid Items 9-12 = (\$36,424.00)
Adjusted Cost = \$12,115.50

(-\$24,308.50) deduct

Denise Oliphant

From: Barbara Clement
Sent: Friday, June 29, 2018 11:32 AM
To: Sharon Campbell
Cc: Alison Gillespie; Denise Oliphant
Subject: RE: Treasurer's Certificate

Northwoods Paving, 610 Industrial Park Rd, Ashland is in compliance with City Ordinance Chapter 923

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

(715) 682-7056

From: Sharon Campbell
Sent: Thursday, June 28, 2018 2:24 PM
To: Barbara Clement
Subject: Treasurer's Certificate

Barb-
Can you confirm that Northwoods Paving, 610 Industrial Park Rd, Ashland is in compliance with Chapter 923?

Thank you-

Sharon Campbell
Public Works Administrative Manager

City of Ashland Public Works Department
2020 6th Street East
Ashland, WI 54806
Phone: 715.685.1646
FAX: 715.682.7907
Email: scampbell@coawi.org

Find yourself next to the water

ASHLAND
WISCONSIN



AGENDA BILL

Ref: 154

COMMITTEE AGENDA:
COUNCIL AGENDA: 7F (07-10-2018)

SUBJECT: Approve to Accept an AARP Communities Challenge Grant

RECOMMENDATION: Approval

DEPARTMENT OF ORIGIN: Parks and Recreation and Planning and Development Departments

DATE SUBMITTED: July 2, 2018

CLEARANCES: Finance Director
Mayor

EXHIBITS: A-AAPR Community Challenge Grant Summary
B-Bike Fixation Station Information

EXPENDITURES REQUIRED:	\$10,000	AARP Community Challenge Grant
	\$ 2,000	North Coast Cycling Association Match
	<u>\$ 500</u>	Staff Time - In Kind Match
	\$12,500	Total

AMOUNT BUDGETED: \$0

APPROPRIATION REQUIRED: NA

TREASURER'S CERTIFICATE: NA

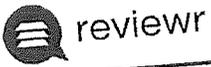
COMPLIANCE WITH ORDINANCE 51: Section 51.26 (b) of Chapter 51, Ashland City Ordinances, (Council Rules) permit the mayor and/or clerk to schedule items directly for Council action when a timely decision is needed by the City. The Mayor has chosen to direct this item directly to Council pursuant to the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

RECOMMENDED MOTION: Approve to accept an AARP Communities Challenge Grant for \$10,000 for the installation of five (5) Bike Fixation Stations in the City of Ashland.

SUMMARY STATEMENT: The City of Ashland has requested and been awarded assistance from the very competitive AARP Community Challenge Grant program to install 5 bike fixation stations along the Ashland Rails to Trails System in City parks. This grant will also pay for the concrete base for the station to attach to.

North Coast Cycling Association (NCCA) and Bay City Cycles have agreed to be partners on the project.

Bike Fixation Stations are bike stands equipped with basic tools, air pump, and whole chock (bike rack) to assist in making repairs to a bike during a bike ride. Tools are attached to the stand by braided stainless steel cables and the pump is bolted to the stand. The stands are ADA compliant and include a QRL code that links users to a repair manual.



AARP Community Challenge 2018

INSTRUCTIONS

SUBMISSION

MY SUBMISSION

PRINT

PLAN NAME
City of Ashland
ID
3991146
LOGO

CREATED DATE
5/8/18 10:29:45 PM EDT

LAST UPDATED
5/16/18 5:35:29 PM EDT

- SUBMISSION
- PERSONAL
- ATTACHMENTS
- EVALUATIONS
- MEDIA

SUBMISSION FORM

FINAL RANK

BASIC INFORMATION

DEADLINE EXTENDED UNTIL 5:00 P.M. 05/18/2018

1. NAME OF APPLICANT ORGANIZATION:
City of Ashland

IF UNIT OF GOVERNMENT, PLEASE PROVIDE A DETAILED DESCRIPTION OF YOUR AGENCY.

The City of Ashland, Wisconsin is located on the southern shores of Chequamegon Bay on Lake Superior and home to 8100 hearty, resilient, and hard-working outdoor enthusiasts. The City has a fully staffed EMS Department, Police Department, Parks and Recreation Department, Public Library, Public Works Department, Water/Wastewater Utility, Airport and Marina. The City of Ashland's mission is to always promote the betterment of Ashland. Its vision is to have a thriving community that values its environment. The City values its natural environment, rich history, unique and diverse cultures, its way of life and stewardship. The City has just over 100 full time employees and 20-50 seasonal staff. Its Common Council consists of 11 members who meet the second and last Tuesday of each month.

ADDRESS
601 Main St W

ADDRESS 2

CITY
Ashland

STATE
Wisconsin

ZIP CODE
54806

COUNTRY
United States of America

3. ORGANIZATION'S NUMBER OF EMPLOYEES, FULL AND/OR PART TIME:
120

4. ORGANIZATION'S NUMBER OF VOLUNTEER
20

5. ORGANIZATION ORGANIZATIONAL/TAX STATUS (SELECT THE ONE THAT BEST APPLIES)
A Municipality

6. ORGANIZATION TWITTER HANDLE (IF NONE, ENTER N/A) NOTE: PLEASE INCLUDE THE @ SYMBOL AT THE BEGINNING
N/A

7. ORGANIZATION FACEBOOK NAME (IF NONE, ENTER N/A)
<https://www.facebook.com/AshlandParksRec/>

8. DID YOUR ORGANIZATION APPLY FOR A GRANT IN 2017?
Yes

9. HOW DID YOU HEAR ABOUT THIS GRANT OPPORTUNITY?
A community organization

10. Organization Profile (for non-governmental organizations only).

NAME AND BRIEF HISTORY OF THE ORGANIZATION.

SHORT DESCRIPTION OF THE ISSUES THE ORGANIZATION IS INVOLVED IN, INCLUDING ISSUES FOCUSED ON OLDER ADULTS.

Based on its mission, the City of Ashland is involved in many issues ranging from improving infrastructure (roads, bike paths, sidewalks, water mains, storm sewers) to improving recreational opportunities for all ages (redevelopment of parks, beaches, campgrounds, green spaces, and gardens) to ensuring the well-being and safety of visitors and citizens by working closely with area medical and public health agencies.

Most recently the City approved a Commuter Bicycle and Pedestrian Plan to guide future decision-making and prioritize efforts at making Ashland more accessible to a variety of pedestrians. The Parks and Recreation Committee is working on a walkability map ensuring the routes from areas where older adults live have easy access to the waterfront, pedestrian trails, grocery stores, and public transportation centers.

HAS THIS ORGANIZATION BEEN INVOLVED IN OTHER LIVABLE COMMUNITIES WORK IN THIS COMMUNITY? IF YES, BRIEFLY DESCRIBE.

The City's mission is to always promote the betterment of Ashland. City Staff have been involved in numerous projects over the past several years to make Ashland a more livable community. Over the past 15 years, the City of Ashland has made a commitment to turn our rundown, post-industrial town into a vibrant City that capitalizes on and promotes its recreational opportunities. The Ashland Rails to Trail System (ARTS) is an 11.5 mile paved trail running 4.5 miles along the shoreline of Lake Superior and through the center of town. The pedestrian trail gives access for people of all abilities to downtown Ashland, 10 City parks, 4 public beaches and numerous other recreational opportunities.

In 2015 the City acquired its newest park, the historic Soo Line Ore Dock (now called the Ashland Ore Dock) which extends 1800' out into Lake Superior. For over two years the City has been working with a consulting firm on redevelopment efforts, with the first phase focusing on creating an ADA compliant walkway to the end of the dock. Once complete, all ages and abilities people will be able to access the full length of the dock for walking, fishing, sunbathing and wildlife viewing.

This summer, the City will be undertaking several projects to improve the quality of life in Ashland. At Bayview Park, a new ADA compliant fishing, swimming and viewing pier will be constructed on the footprint of an old Ore Dock. The City will also be repairing 1500' of shoreline and 1000' of pedestrian trail damaged in the severe wind and wave storm on October 27 2017. At Maslowski Beach, EPA grant dollars will be used to implement green infrastructure and infiltration system to assist in reducing E.coli and improve water quality for beach users. Also this summer the final clean up phase of the Ashland/NSP Lakefront Superfund Site will be completed. The City is looking into redeveloping the site into a public boat launch, pavilion and green space in 2019.

PLEASE DESCRIBE YOUR DECISION-MAKING STRUCTURE. IF YOU HAVE A STEERING COMMITTEE OR OTHER SIMILAR LEADERSHIP STRUCTURE, PLEASE PROVIDE THE NAMES AND CONTACT INFORMATION.

Based on Wisconsin state statutes, the City of Ashland is governed by an 11 member common council and Mayor who design policy, approve budgets and act as a legislative branch. Major projects and grant awards must be approved by the Common Council.

Ashland City Council:

Holly George
Cell: 651-334-8921
E-Mail Address: ward1@coawl.org

Richard Ketring
Home: 715-682-8095
E-Mail Address: ward2@coawl.org

Sarah Jackson
Home: 715-292-0745
E-Mail Address: ward3@coawl.org

Kate Ullman
Cell: 608-332-9570
E-Mail Address: ward4@coawl.org

Ana Tochterman
Home: 715-292-6252
E-mail Address: ward5@coawl.org

David Mettelle
Cell #715-685-8300
E-Mail Address: ward6@coawl.org

Kevin Haas
Home: 715-650-7883
E-mail Address: ward7@coawl.org

Charlie Ortman
Cell: 7152927083
E-mail Address: ward8@coawl.org

Elizabeth Franek
Home: 715-209-6725
E-mail address: ward9@coawl.org

Dick Pufall
Home: 715-682-6116

Jackie Moore
Home: 715-209-7707
E-mail Address: ward11@coawl.org

Mayor:
Debra Lewis
Work: 715-682-7071
Email: dlewis@coawl.org

IS THIS A MEMBERSHIP ORGANIZATION?

No

ARE ANY MEMBERS OF YOUR ORGANIZATION ELECTED OFFICIALS?

Yes

EVIDENCE OF 501 (C) (3), 501(C)(4) OR 501 (C)(6) NON-PROFIT STATUS

By nature the City of Ashland is a government entity and thus considered a not for profit entity. Each year the City files a 990 with the IRS.

EVIDENCE OF 501C (FILE OPTION)

No file uploaded.

POINTS OF CONTACT

12. Grant Application Contact:

NAME

SARA A HUDSON

TITLE

Director, Parks and Recreation

ADDRESS

400 4TH AVE W
Bretting Community Center

PHONE NUMBER

7156827059

EMAIL

shudson@coawl.org

13. Project Implementation/Execution Point of Contact (If different from #12)

NAME

TITLE

ADDRESS

PHONE NUMBER

EMAIL

14. Signatory on Memorandum of Understanding (MOU)

NAME

Debra Lewis

TITLE

Mayor

ADDRESS

601 Main St W
Ashland, WI 54806

PHONE NUMBER

7156827033

EMAIL

dlewis@coawl.org

15. Signatory on financial forms (W9 and AARP Required Vendor Forms), if different from MOU signatory:

NAME

Julle Vaillancourt

TITLE

Finance Director

ADDRESS

601 Main St W
Ashland WI 54806

PHONE NUMBER

7156827091

EMAIL

jvaillancourt@coawl.org

COMMUNITY DETAILS

16. NAME OF COMMUNITY WHERE PROJECT WILL BE PHYSICALLY LOCATED/DELIVERED:

Ashland, WI

17. TOTAL POPULATION OF MUNICIPALITY WHERE PROJECT WILL BE PHYSICALLY LOCATED/DELIVERED:

8000

18. POPULATION AGE 50 AND OVER OF MUNICIPALITY WHERE PROJECT WILL BE PHYSICALLY LOCATED/DELIVERED:

1600

PROJECT DETAILS

19. Amount of this Grant Request.

10000

Note: AARP reserves the right to award less funds than requested, so applicants should be prepared to discuss how they would scale down their proposals if asked.

20. Project Proposal Summary.

Please provide a summary of your project in 2,000 characters or less. Note: this grant may not be used for the following activities:

- Partisan, political or election related activities
- Planning activities and/or assessments and surveys of communities
- Studies with no follow-up action
- Publication of books or reports
- The acquisition of land and/or buildings
- Solely to sponsor other organizations' events or activities
- Research and development for a for-profit endeavor
- The promotion of a for-profit entity and/or its products and services

The City of Ashland is seeking funding to improve biking experiences along the Ashland Rails to Trails System (ARTS), an 11.5 mile paved pedestrian trail that goes through and around the City of Ashland, by installing up to five (5) Bike Fixation Deluxe Public Work Stand stations. These stations would be located along the ARTS at City parks.

Bike Fixation stations are bike stands equipped with basic tools, air pump, and wheel chock (bike rack). Tools used to assist in making repairs are attached to the stand by a retractable braided stainless steel cable and the pump is bolted onto the stand. The station is not only UV resistant but also secure against vandalism. The stations are ADA compliant and include a QR code that links users to a repair manual, thus creating the greatest community impact by making them accessible to people of all ages and experience levels.

The City of Ashland is working with North Coast Cycling Association (NCCA) to purchase up to 5 Deluxe Bike Fixation stations to be mounted at up to 5 parks in the City. The majority, 55%, of NCCA membership is over the age of 50.

OPTIONAL PROJECT SUMMARY FILE UPLOAD

Deluxe Public Work Stand data sheet.pdf uploaded.

21. Project Livability Improvement Statement.

Please specify in 2000 characters or less the social impact that this grant will bring to the community, especially those 50 plus.

For example: This grant will improve COMMUNITY X by activating new public spaces for people of all ages to engage with each other by purchasing and installing tables and board games in a playground that is under construction to help engage all generations in social activity. Please see additional examples in Attachment E.

The Bike Fixation Stations are highly coveted amenities at trail heads and within active biking communities. These stations can be used by all levels of mechanics to fix a range of bike problems including flat tires and seat height.

They also provide opportunities for programming and education as organized bike rides, bike rodeos and bike maintenance classes can be centered around these amenities. One of the biggest obstacles to biking for many people is lack of the necessary tools or knowledge to perform a basic bike tune up. The addition of these bike stations in public parks will improve but equity an overall biking opportunities in the City by ensuring that everyone, regardless of income, age, ability, or repair experience can access the tools necessary for bicycle upkeep.

The City of Ashland Common Council adopted the City's Commuter Bike Plan in August of 2017. This plan identifies key routes and improvements to make Ashland a more bike-able city. More recently, a prioritized Action Plan for Implementation was presented to the City Plan Commission and Common Council in April of 2018 to focus and prioritize implementation of projects that will have the most significant community impact. The routes that received the highest priority for installation all center around making connections between residential areas and community amenities, anchor institutions that are frequently utilized, and the City's core downtown.

22. Project Deliverables.

Please specify the individual deliverables you will deliver with the grant funding. Please provide as much detail as you can within 2000 characters for each deliverable. See examples in Attachment E.

- Deliverable 1
- Deliverable 2
- Deliverable 3
- Add more as necessary

For example:

- Organization will partner with the CITY DEPARTMENT to purchase and install at least two fully accessible, stainless steel or concrete tables for a playground located, at 555 Sycamo Street, Anytown, Anystate, 55555, that is currently under construction in COMMUNITY X, to help engage all generations by November 5, 2018.
- The Organization will also conduct outreach to the community to communicate the new additions to the playground. This outreach will include:
 - XX
 - YY
 - ZZ

The City of Ashland will partner with NCCA to purchase up to 5 Deluxe Bike Fixation Stations. The NCCA Board will recommend up to 5 locations for the installation of the bike stations in public parks. City of Ashland Public Works Crew will work with NCCA to assist in the installation of the bike stands. After installation outreach efforts will be coordinated in conjunction with NCCA and local bike shops to promote the new stations to Ashland residents and the larger Chequamegon Bay biking community.

23. PROJECT CATEGORY. PLEASE SELECT THE CATEGORY BELOW THAT BEST DESCRIBES YOUR PROJECT, ALONG WITH THE PRIMARY CORRESPONDING SUB-CATEGORY. Deliver a range of transportation and mobility options through permanent or temporary solutions that increase connectivity, walkability, bikeability, and access to public and private trans

23B. PLEASE SELECT YOUR SUBCATEGORY

Access to amenities (e.g. Increasing accessibility features of transportation options)

24. Project Type. Please select a category for your project below.

Please note: Proposals for the project types described below will be prioritized over those that support ongoing programming or events.

Permanent physical fixtures in the community

PROJECT NARRATIVE AND BUDGET

PLEASE COMPLETE EACH SECTION WITH 2,000 CHARACTERS OR FEWER (EXCLUDING QUESTION 35)

25. The Community's Livable-Communities Activities to Date. Please provide a brief summary of the community policies, programs and services that are targeted toward older adults and how the community plans to become more livable for all ages. Also describe the role your organization/group played in the above livable community plan.

The City of Ashland, along with other community organizations including the Ashland Area Chamber of Commerce, Bay City Cycles and Thrivent Financial offer programs and services not only targeted to older adults but also to make the City more livable for all ages. The Parks and Recreation Department offers programming for all ages including gymnastics, community events, cross country ski clinics, baseball, softball, and exercise programs. Community events include Blizzard Box assembly for home bound adults, free movies in the park, free

community bike rides, bike rodeos with free helmets, and running/walking events. The City is also responsible for the maintenance and upkeep of 22 City Parks, with new playground equipment (for both young children and adults) updates at 6 of the 10 playgrounds.

The Ashland Fire Department recently partnered with Memorial Medical Center to Implement a Community Paramedic Program, where local paramedics follow up with patients referred to their medical providers to receive at home follow-up care.

The City recently completed Authentic Ashland 2035, a comprehensive plan for the City of Ashland. This plan, adopted by the Common Council, outlines key strategies to make Ashland a more livable City for people of all ages.

26. The Community Challenge Project. What aspect of your livable communities effort will this grant support? What is the community need being addressed with this grant? Why are the items requested under this grant important to your livable communities effort? How will this project have a lasting impact in the community?

The installation of up to 5 bike fixation stations along the ARTS will support the Council approved plans by making biking more accessible for people of all ages and experience levels by providing the tools and information needed for bikers to make repairs while riding in the City. These bike fixation stations will be installed so that all areas of the City will be served.

Though Ashland is rich in its natural environment, 60% of students in the Ashland School District live at or below the poverty line and the annual household income in the City of Ashland is \$37,917. Income stagnation is particularly pronounced among Ashland's aging residents, with 53.7% of homes with a householder over the age of 65 making less than \$30,000 per year according to 2015 Census data. Most residents cannot afford to purchase the necessary tools to fix their bike or to take it to the local bike shop. These stations will give people access to tools, a pump, a bike stand and an online manual (accessed via QR code) to assist in fixing their bikes.

The project also shows commitment from the City and NCCA to improve biking in the Chequamegon Bay area.

27. Who will be served? Please outline this project's key beneficiaries and how this grant will serve them.

All ages of visitors and community members will be served by this project. These stations will give people access to tools, a pump, and a bike stand to make repairs, as well as a QR code for a bike repair manual to make them useful for people of all skill and experience levels.

28. Multicultural Population. If the primary beneficiaries of this project are from a population that represents a multicultural perspective, please select the 1 or 2 populations served below. (Please note: This does not carry weight in the scoring criteria).

Native American

29. Community engagement. How have residents and local organizations been engaged in the area's livable communities activities to date? Has a steering committee been created? Describe the involvement of community non-profits and other local stakeholders in your community. How will you engage the community and involve older adults in the process as you execute this grant?

Community members have actively been engaged in all livable communities activities. Public meetings are regularly held to gain input on community projects. Community members have served on committees for the writing of Authentic Ashland 2035, Ashland Ore Dock Redevelopment Plan, City of Ashland Commuter Bike and Pedestrian Plan and the soon to be updated Ashland Waterfront Development Plan.

The City of Ashland has a great working relationship with many community non-profit entities. For the project the City will be partnering with North Coast Cycling Association to purchase bike fixation stations. Once the bike fixation stations are in place, the City and NCCA will host some Bike Maintenance 101 classes near the stations to show how they work. A press release will be created about the classes and distributed to ensure that local residents and the larger Chequamegon Bay area are aware of the opportunities created by this addition to Ashland's bike routes.

30. Geographic Community. Is the project for one municipality or neighborhood? If a neighborhood, please describe why the neighborhood was selected. Is the project for multiple towns or for neighborhoods in addition to the main town? If so, how and why were they selected?

The project will be located in one municipality, with the hope that it can be replicated in 2-3 other communities around the Chequamegon Bay.

31. Execution. Describe how the organization will execute the work. Does the organization have experience with fast timelines such as this (noting that the project must be completed by November 5, 2018)?

The City of Ashland will work with NCCA and Bay City Cycles (local bike shop) to purchase the Bike Fixation Stations. NCCA members have already been in contact with sales reps about the project. Public Works Crew members will assist with the installation by pouring concrete slabs and mounting the stations onto the slab. The City of Ashland has a lot of experience completing projects on a short timeline.

32. Timeline. Please describe the timeline and enter the project completion date in the box below. (Please note: At this point we anticipate that grantees will receive checks from AARP by late August.)

- Timeline:
- Estimated Project Completion Date:

ESTIMATED PROJECT COMPLETION DATE

8/31/18

TIMELINE

June 2018 : Purchase of Deluxe Fixation Station; July 2018 Installation of 2 stations; August 2018: Installation of 3 stations.

33. Metrics. Please describe the metrics you will be able to capture over the course of this grant activity and beyond and include goals for each metric. For Example: number of people served, number of certifications issued, structures achieving ADA-compliance, etc.

A central metric of success for this project will be the total number of bike fixation stations that are able to be installed. Funding is being requested for five (5) stations to ensure that they can be equitably distributed throughout the city at strategic locations where they will receive the most use and also provide the greatest benefit as placemaking features.

The City of Ashland will then partner with NCCA, the Ashland Area Chamber of Commerce, and Northern Great Lakes Visitor Center to survey area residents and visitors to assess awareness of the stations, usage, and future programming they'd like to see related to bike maintenance education. Additionally, bike counts will be performed in the downtown and park to assess if the addition of the stations has impacts on overall biking activity in the city.

34. Matching Funds and In-Kind Support. Are there matching funds or services planned? What is their value? Matching funds are not required. However, please detail any matching funds or in-kind support the organization will receive to contribute toward this project.

AMOUNT
\$2500

ADDITIONAL INFORMATION

\$2000 = Matching Funds; \$500 = In Kinds Support

35. Project Budget. Please specify what expenses will be covered by the grant. Itemize anticipated expenses and income (if any) for this proposal. Include in-kind services such as donated materials and/or labor.

NAME OF MUNICIPALITY/ORGANIZATION

City of Ashland

CONTRACTED SERVICES COSTS

EXPENSE

0

ADDITIONAL INFORMATION

NA

STAFF COSTS, IF ANY

EXPENSE

\$500

ADDITIONAL INFORMATION

Public Works Crew Time: 5 hours X 2 Crew Members X \$50/hr (includes benefits)

OFFICE MATERIALS & SUPPLIES, IF ANY

EXPENSE

9500

ADDITIONAL INFORMATION

Deluxe Bike Fixation Stations = 5 X \$1800

Concrete = \$500 Lump Sum (estimate)

TRAVEL EXPENSES, IF ANY

EXPENSE

0

ADDITIONAL INFORMATION

NA

TOTAL REQUESTED

EXPENSE

10,000

ADDITIONAL INFORMATION

Thank You

TERMS AND SUBMIT

Notifications

Successful applicants will be notified by email. In order to receive funding, selected applicants must execute and return a binding Memorandum of Understanding to the AARP National office to communitychallenge@aarp.org within fourteen (14) days of notification. Noncompliance with this time period may result in disqualification.

Additional Terms and Conditions

By submitting an application to AARP, the applicant agrees that:

- The decisions of AARP regarding the eligibility of participants and the validity of entries shall be final and binding.
- All submissions will be judged by AARP whose decisions and determinations as to the administration of the award and selection of award recipients are final.
- AARP has the right, in its sole discretion, to cancel, or suspend the award.
- All projects and applications shall not violate any third-party rights. Except where prohibited by law, participation in the award constitutes the Applicant's consent to AARP's use of the organization's name and corporate logo, street address, city, state, zip code, county, and names, likenesses, photographs, videos, images, and statements made or provided by the Applicant's representatives regarding the award for promotional purposes in any media without further permission, consent, payment or other consideration.

All promotional materials (such as newsletters, press releases), events and signage related to the funded project will include a statement indicating that support was received from AARP. The organization is required to capture photos of the project and encouraged to capture video. As the organization captures photos and video of the project, if an identifiable individual appears in the photos and/or videos, the organization is responsible for having him/her sign the AARP General Release (this document will be provided to grantees with the MOU and other required paperwork). In addition, the organization should not include any element in photos or videos provided to AARP that may violate third-party rights such as artwork and trademark in text and logo other than those owned by the organization and AARP. The organization should be prepared to send work in progress photos to AARP upon request. Following the grant period, grantees are required to respond to periodic requests for updates from AARP.

The organization will prepare and deliver an after-action report with visuals (photos and/or video) to AARP no later than December 3, 2018. Information on submitting the report to AARP will be shared with grantees once they are selected.

AARP and its affiliated organizations, subsidiaries, agents and employees are not responsible for late, lost, illegible, incomplete, stolen, misdirected, illegitimate, or impermissible submissions or any other error whether human, mechanical or electronic.

Please email questions to communitychallenge@aarp.org.





Deluxe Public Work Stand

- Tools securely attach by retractable braided stainless steel cable
- Large surface area for custom branding/signage; optional Bike Fixation branding as shown is available by request
- Designed to directly interface with all three of Bike Fixation's manual pumps and Wheel Chock attachments (sold separately)
- Long hose provides wide range without touching the ground
- Impact and UV resistant front won't show wear from pedal strikes
- ADA-compliant design

Specifications

Construction

Material **Formed and welded steel, cast aluminum**

Tool tethering **Retractable Stainless steel aircraft cable**

Finish Options

UV resistant powder coat, custom colors available

Galvanized

Stainless steel

Installation Options

Surface mount

Embedment

Tools Included

Phillips & standard screwdrivers

Steel core tire levers (2)

Headset/pedal wrench

8/10 & 9/11mm cone wrenches

Torx T-25

Hex key set

Dimensions

Imperial **8.5" W x 56" H x 21" D**

Metric **21.6 x 140.8 x 53 cm**

Security Rating



9/10



Retractable tools prevent tangling and aid organization



Can service two bikes at once



Includes link to online help



Patent Pending

Visit www.bikefixation.com or call 612-568-3494 (USA) for more information

Sequential Ordinance No. _____

Chapter No. 544

**ORDINANCE TO AMEND CHAPTER 544 (1026), ASHLAND CITY ORDINANCES,
VEHICULAR STOPPING AND PARKING**

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of July 10, 2018, for the purpose of removing language by amending Chapter 544, Ashland City Ordinances.

SECTION 1:

Repeal and recreate Section 544.23: Reserved Parking in Residential Areas

To read as follows: In addition to the location identified in Section 544.22, areas as reviewed and approved by the Disabled Parking Enforcement Council are designated as reserved for motor vehicles used by and for physically disabled persons and will be indicated by City issued signage in a reasonable location.

Section II:

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

PASSED: July 10, 2018
PUBLISHED:

Councilperson

ATTEST: _____
Denise Oliphant, City Clerk

Debra S. Lewis, Mayor

APPROVED AS TO FORM:

Tyler W. Wickman, City Attorney