

ASHLAND CITY COUNCIL MEETING

Tuesday, September 25, 2018 - 5:30 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, Liz Franek, Dick Pufall, and Jackie Moore

ABSENT: None

ALSO PRESENT: Mayor Deb Lewis, City Administrator Brant Kucera, City Attorney Tyler Wickman, City Clerk Denise Oliphant, Planning & Development Director April Kroner, Police Chief James Gregoire, Public Works Interim Director Sharon Campbell, Finance Director Julie Vaillancourt, and Other 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

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

Agenda Item 3: Approval of Minutes of the September 11, 2018 Council and Committee of the Whole Meetings

George moved, Franek seconded a motion to approve the minutes of the September 11, 2018 Council and Committee of the Whole meetings. The motion carried unanimously by voice vote.

Agenda Item 4: Citizen Participation Period

Zygmund Jablonski, 916 6th Avenue West, commented about the need to upgrade the City's aging inflow and infiltration system.

Agenda Item 5: Mayor's Report

Agenda Item 5A: Announcements

An invitation was received from the Chequamegon Veterans Center to their upcoming Open House event on September 29, 2018, and a note was read to thank the Council and staff for their assistance in acquiring their current facility from the City.

Agenda Item 5B: Appointments

Housing Committee

Steve Pierce, City Landlord Representative

Kathy Beeksma, City Housing Authority Representative

Term expires: October 1, 2020

Term expires: October 1, 2020

ASHLAND CITY COUNCIL MEETING
Tuesday, September 25, 2018 - 5:30 P.M.
Ashland City Hall Council Chambers
Page 2

Liz Franek, Renter Representative
Megan McBride, City Staff Representative
Ana Tochterman, Council Representative

Term expires: October 1, 2020
Term expires: October 1, 2020
Term expires: October 1, 2020

Planning Commission
Laurie Gregor

Term expires: April 30, 2021

George moved, Ketring seconded a motion to approve the Mayor's appointments. The motion carried unanimously by voice vote.

Agenda Item 6: Consent Agenda

Agenda Item 6A: Operator's Licenses

Phoebe L. Burchill, Jeffery F. Zunker

Agenda Item 6B: Miscellaneous Minutes

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

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

Agenda Item 7: New Business

Agenda Item 7A: Public Hearing and Approval of a Resolution to Vacate a 20 Foot Wide Platted, Undeveloped Alley Right-of-Way Adjacent to Lots 1 through 12, and Lots 13 through 24, in Block 99 of Ellis Division in the City of Ashland, Wisconsin (Planning and Development)

Dean and Carolyn Zifko requested that a portion of undeveloped alley right-of-way located within the City be discontinued as depicted on the map. The City did not anticipate future development of this 20' wide alley right-of-way. It should be noted that there were no utilities in this right-of-way; therefore, there were no easements that the City would need to maintain in this location. Upon approval of the discontinuation, the discontinued areas would revert to the adjacent property owners consistent with Wisconsin Statutes.

The applicant submitted a petition with the appropriate signatures per City Ordinance 618 and Wisconsin Statutes. The ordinance requires signatures be obtained from the owners of more than 50% of the parcels abutting the unpaved alley right-of-way to be discontinued. There are four properties abutting the alley, and signatures had been obtained from three of the four property owners. This vacation was proposed in order to consolidate the properties owned by Dean and Carolyn Zifko on either side of the undeveloped right-of-way and implement measures to prevent theft or damage to cars which are temporarily stored on the property.

ASHLAND CITY COUNCIL MEETING

Tuesday, September 25, 2018 - 5:30 P.M.

Ashland City Hall Council Chambers

Page 3

A Public Hearing was scheduled for Tuesday, September 25, 2018, for the vacation of the following portion of right-of-way: "a 20 foot wide platted alleyway adjacent to Lots 1 through 12 and Lots 13 through 24 in Block 99 of Ellis Division of the City of Ashland, Wisconsin."

Pufall moved, Mettillie seconded a motion to move into Public Hearing. The motion carried unanimously by roll call vote. Kroner verified that the notice for a public hearing was properly published. Steven Suminski, an adjacent property owner, submitted a letter and photographs expressing his disapproval of the vacation. This letter was read by Kroner and the photographs were passed to Council for viewing. Dean Zifko, applicant of the vacation, voiced his reasons for requesting the property be vacated by the City. George moved, Mettillie seconded a motion to close the Public Hearing. The motion carried unanimously by voice vote.

During Council discussion, both Zifko and Suminski were recognized unanimously to speak and answer questions for Council. George moved, Mettillie seconded a motion to approve the Resolution to vacate a 20 foot wide platted, undeveloped alley right-of-way adjacent to Lots 1 through 12, and Lots 13 through 24, in Block 99 of Ellis Division in the City of Ashland, Wisconsin as requested by Zifko. The motion carried 6-4 by roll call vote; opposed were Jackson, Ullman, Tochterman and Franek; Ketring abstained. **(File #17465)**

Agenda Item 7B: Approve the Amended Resolution to Approve the Offer to Purchase City-Owned Property Adjacent to 213 9th Avenue East, Zoned City Center (CC), Part of Parcel #201-01555-0000, by Evan Boone (Planning and Development)

At the September 11, 2018 Council meeting, Council determined to direct the Planning and Development department to amend the proposed offer to purchase City-owned property to not include both parcels that Mr. Boone had requested to purchase.

Below is an excerpt of the September 11, 2018 Council meeting minutes.

"Pufall moved, Franek seconded a motion to approve the resolution to approve the offer to purchase City-owned property adjacent to 213 9th Avenue East, Zoned City Center (CC), part of Parcels #201-01553-0000 and #201-01555-0000, by Evan Boone.

Mettillie offered a friendly amendment, seconded by Moore, to authorize staff to negotiate the purchase price with a maximum price being the assessed value. Council approved the friendly amendment 8-3 by voice vote; opposed were George, Ketring, and Pufall.

George made a motion to reconsider the passing of the friendly amendment to authorize staff to negotiate the purchase request. The motion was later retracted by George. Ullman then called the question.

Ullman moved, seconded by Jackson, to authorize staff to negotiate the sale and purchase price of only the more northern, smaller strip of land (Parcel #021-01555-000) with the minimum being the assessed value, and not allow the sale of the larger portion of Parcel #201-

ASHLAND CITY COUNCIL MEETING

Tuesday, September 25, 2018 - 5:30 P.M.

Ashland City Hall Council Chambers

Page 4

01553-0000. Mettille offered a friendly amendment to negotiate the purchase price to that being not less than the assessed value, and that equivalent to recent purchases of similar nature. Both Ullman and Jackson accepted the amendment. The motion carried unanimously by voice vote. The resolution will be brought before Council on September 25, 2018 for final approval."

Due to the complicated deliberation of Council during the September 11, 2018 meeting, it was recommended by City Attorney Tyler Wickman to have Council review the amended resolution for clarity prior to approving the offer to purchase.

George moved, Ketring seconded a motion to approve the amended Resolution to approve the offer to purchase City-owned property adjacent to 213 9th Avenue East, Zoned City Center (CC), part of Parcel #201-01555-0000, by Evan Boone for the sum of \$100.00. The motion carried unanimously by voice vote. **(File #17466)**

Agenda Item 7C: Approve to Relinquish Ownership of the 1957 Chevrolet D.A.R.E. Car to the Bay Area Car Club (Police Department)

In the mid 1990s, the community came together and donated a 1957 Chevrolet to the Ashland Police Department for use as a D.A.R.E. car to display at City and school district functions. Many businesses and citizens donated their time and resources to restore this vehicle to look like a vintage 1957 police vehicle. Currently, the Bay Area Car Club stores and displays this vehicle at local events. The City of Ashland retains the title and maintains insurance for the vehicle. The cost of insuring this vehicle for the year is about \$505.00.

As the D.A.R.E. Program had been eliminated from the School District budget and no longer existed, the Police Department was no longer in need of this vehicle and had not been actively involved with the use or display of the car.

It was the Police Department's recommendation to turn ownership of this vehicle over to the Bay Area Car Club. This club had been maintaining and storing this vehicle since the 1990s. They have the resources and commitment to make sure this vehicle is properly maintained and displayed.

Ortman moved, Pufall seconded a motion to approve the transfer of ownership of the 1957 Chevrolet D.A.R.E. car to the Bay Area Car Club. The motion carried unanimously by voice vote.

Agenda Item 7D: Approve to Accept a WisDOT Transportation Alternatives Program Grant (Parks and Recreation)

The City of Ashland requested and had been awarded assistance from the very competitive WisDOT Transportation Alternative Program (TAP) Grant for installing bike lanes on Sanborn Avenue from US Highway 2 West to Maple Lane, and fixing the Ashland Rail-Trail System (ARTS) including rip rap and resurfacing. The Transportation Alternatives Program (TAP) is a legislative grant that funds projects

ASHLAND CITY COUNCIL MEETING

Tuesday, September 25, 2018 - 5:30 P.M.

Ashland City Hall Council Chambers

Page 5

that meet eligibility criteria for the Safe Routes to School Program, transportation enhancements, and/or the Bicycle and Pedestrian Facilities Program.

All TAP grants require sponsors to match 20% of approved project costs. TAP projects are capped and may not be substituted for another project. TAP projects must commence within four years of the award date.

Mettille moved, George seconded a motion to accept a WisDOT Transportation Alternatives Program Grant in the amount of \$720,000. The motion carried unanimously by roll call vote.

Agenda Item 7E: Approve a Resolution Accepting the Workmanship of Ritola Inc. and Approve Final Payment for the Beaser Avenue Median Removal and Road Construction Project (Public Works)

The Beaser Avenue Median Removal and Road Construction Project were substantially completed by July 31, 2018, and the final contract costs came in at \$8,102.79 over the approved bid amount. Per the agreement by City Council on April 17, 2018, the Ashland School District paid all costs of the project including design and construction.

Moore moved, Ortman seconded a motion to approve a Resolution accepting the workmanship of Ritola Inc. and to approve final payment for the Beaser Avenue Median Removal and Road Construction Project in the amount of \$44,349.64. The motion carried unanimously by roll call vote. **(File #17467)**

Agenda Item 7F: Approve Easement Agreement with the U.S. Post Office, 615 Main Street West, Ashland, Wisconsin (Mayor)

George moved, Ketring seconded a motion to approve an easement agreement with the U.S. Post Office at 615 Main Street West, Ashland, Wisconsin. The motion carried 10-1 by roll call vote; Ortman opposed.

Agenda Item 8: Adjournment

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

Respectfully Submitted,

Denise Oliphant
City Clerk