

**ASHLAND CITY COUNCIL MEETING**  
**Tuesday, November 13, 2018 - 5:30 P.M.**  
**Ashland City Hall Council Chambers**  
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**PRESENT:** Holly George, Richard Ketring, Sarah Jackson, Ana Tochterman (arrive 5:35), David Mettille, Kevin Haas, Charles Ortman, Elizabeth Franek, Dick Pufall and Jackie Moore

**ABSENT:** Kate Ullman

**ALSO PRESENT:** Mayor Debra Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Finance Director Julie Vaillancourt, Police Captain Bill Hagstrom, Fire Chief Wayne Chenier, Public Works Interim Director Sharon Campbell, Parks and Recreation Director Sara Hudson, Planning and Development Interim Director Megan McBride, Utility Manager Chanz Green, 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**

Moore 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 October 18, 2018 Committee of the Whole Budget Work Session, and the October 23, 2018 Council and Committee of the Whole Meetings**

George moved, Moore seconded a motion to approve the minutes of the October 18, 2018 Committee of the Whole Budget work session, and the October 23, 2018 Council and Committee of the Whole meetings. The motion carried unanimously by voice vote.

**Agenda Item 4: Citizen Participation Period**

*Ted, who recently moved to Ashland, noticed a boat staying at the marina belongs to someone who is listed as a registered child molester, and asked the City to not renew his monthly lease.*

**Agenda Item 5: Mayor's Report**

**Agenda Item 5A: Recognitions**

Beauty Spot Awards

Residential Awards

Hannah Sorensen, David Garrington, Opal Teeter, 223 Stuntz Ave.

David Mettille, 608 Chapple Ave.

Dale and Shirley Carli, 906 2<sup>nd</sup> Ave. W.

Cheri and David Bruch, 908 6<sup>th</sup> Ave. W.

Minda and Brian Gohr, 811 4<sup>th</sup> Ave. W.

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Business Awards

Gabriele's German Cookies, Chocolates and Gifts, 413 Main St. W.  
Bay Area Animal Hospital and Bay Area Pet Spa and Resort, 3601 U.S. Hwy. 2  
Best Western The Hotel Chequamegon, 101 Lake Shore Drive W.  
Superior Choice Credit Union, 319 Ellis Ave.  
St. Luke's Chequamegon Clinic, 2201 Lake Shore Drive E.

Beautification Council

James Dunn of DNR

**Agenda Item 5B: Announcements**

The General Election on November 6, 2018 resulted in several changes throughout the State. Superior Days will be held in February, 2019, and Council members are welcome to attend. A Community Issues Identification meeting was to be held at WITC-Ashland on November 14. A meeting was held on November 12 regarding the Kreher Park Redevelopment Project, and future meetings will be announced once scheduled. The Mayor recently toured the Water Utility and recommended if anyone wishes or hasn't done so in the past, to do the same.

**Agenda Item 6: Consent Agenda**

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

Ginger S. Castle, Angela J. Coyle, Ronette L. Silva, Amanda J. Tutor , Cindy L. Katzmark

**Agenda Item 6B: Miscellaneous Minutes**

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

Moore moved, George 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 on the Proposed 2019 City of Ashland Budget (Mayor)**

Pursuant to Section 65.90, Wisconsin Statutes, the City must hold a public hearing prior to adoption of the 2019 budget. Statute further states that a notice must be published containing the budget and the date and location of the public hearing at least 15 days prior to the hearing.

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The City's notice of the public hearing was published in the Daily Press on October 27, 2018, which is the official newspaper of the City as designated by the Council, seventeen days prior to the advertised November 13, 2018 hearing date. The notice contained the time, date and place of the public hearing as well as a summary of the 2019 budget.

A public hearing is held to receive public comment on the 2019 budget. The public hearing is not an opportunity for Council discussion or comments on the budget. The opportunity for Council discussion, or replies to the comments of the public during the hearing, would be provided during the discussion on the budget after the close of the public hearing.

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

As no citizens wished to speak, Ketring moved, Franek seconded a motion to close the Public Hearing. The motion carried unanimously by voice vote.

**Agenda Item 7B: Approve a Resolution to Adopt the 2019 Non-Represented Employees Salary/Hourly Wage Schedule (Finance)**

Employee compensation issues were discussed by Council previously at the August 8, 2017 meeting, in which City staff was directed to compile a compensation study.

As part of the 2019 budget development, Department Heads were instructed to prepare budgets with a 2% wage increase for all employees.

Mr. Kucera began as the City Administrator after the first draft of the 2019 budget was compiled. The Administrator reviewed the budgets and City employee compensation information and made recommendations for increases in various employee positions for 2019. The majority of the non-represented employees' salary/hourly wages are proposed to increase by 2%. The Administrator's recommendation for other increases/decreases was noted on exhibit C, the column highlighted in green "2019 % Change". The 2019 budget includes the wages stated on exhibit C.

The Administrator recommended approval of the 2019 Salary/Hourly wage schedule.

George moved, Tochtermann seconded a motion to approve the Resolution to adopt the 2019 non-represented employees' salary/hourly wage schedule. The motion carried unanimously by roll call vote. **(File #17475)**

**Agenda Item 7C: Approve a Resolution by the Common Council for the City of Ashland, Wisconsin to Adopt the 2019 General Fund, Debt Service Funds, Special Revenue Funds, Capital Project Funds, and Internal Service Funds Budgets (Finance)**

The City Administrator presented a balanced 2019 proposed budget to the Committee of the Whole. The Committee of the Whole deliberated the 2019 budget at the October 9 and October 18, 2018 budget work sessions. At the October 18, 2018 meeting, the Committee of the Whole recommended the 2019 proposed budgets for public hearing.

Budget highlights include the following key elements:

- Continues to provide for capital expenditures
- Maintains service levels for City provided programs
- The City Attorney is a contracted position for 2019
- The Human Resource/Safety position had been reduced to part-time for 2019
- The Building Inspector position has been replaced by a full-time Property Maintenance position and contracted services for building inspections
- Minimum of 2% wage increase for staff
- Employee Benefit Levels Unchanged
  - Health Insurance High Deductible HSA Plan—premium increase is 7.36%
- Continues funding for economic development efforts:
  - AADC funding increased from \$16,000 to \$25,000
  - Part-time intern for Planning & Development Department

After recommendation of the 2019 proposed budget at the October 18, 2018 Committee of the Whole meeting, the manufacturing assessment rolls were completed by the Wisconsin Department of Revenue. This decreased assessed value by \$25,174 and changed the mill rate from 9.7645 to 9.7651. No other changes were made to the budget that was presented at the October 18, 2018 meeting. The 2019 budget was within the Wisconsin Department of Revenue limits for Gross Levy and Expenditure Restraint.

Changes from the 2018 budget to 2019 proposed budget:

Assessed value decreased by (\$1,763,300) to \$413,813,750  
Gross levy increased by \$16,438 to \$4,040,950  
The City mill rate, per \$1000 of assessed value, increased by 0.0810 to 9.7651

The proposed 2019 Budget was funded via a variety of revenue streams, user charges, and property taxes. The total proposed 2019 budget was as follows:

Total General Fund Expenditures & Transfers to Other Funds:	\$10,726,545
Net Debt Service Levy	1,150,834
Tax Increment Financing Levy	167,210

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Direct Levy to Capital Project Funds	<u>40,000</u>
Total 2019 proposed budget	<u>\$12,084,589</u>

Franek moved, Haas seconded a motion to approve the Resolution by the Common Council for the City of Ashland, Wisconsin to adopt the 2019 General Fund, Debt Service Funds, Special Revenue Funds, Capital Project Funds, and Internal Service Funds Budgets. The motion carried unanimously by roll call vote. **(File #17476)**

**Agenda Item 7D: Approve a Resolution Adopted by the Common Council for the City of Ashland, Wisconsin to Establish the 2018 Tax Levy (Payable in 2019) for the City's General Fund, Debt Service Funds, Special Revenue Funds, Capital Project Funds, and Internal Service Funds (Finance)**

Approval of the resolution for the establishment of the Tax Levy is required to fund the proposed 2019 Budget which was considered under a separate action by the Council. The Tax Levy Resolution is perhaps more important than the Budget Resolution in that the tax bills that will be issued by the City are based upon this resolution.

The Tax Levy Resolution was prepared based on the 2019 Budget and to be in compliance with Wisconsin State laws for the maximum levy limit and expenditure restraint.

2019 proposed budget:

Assessed value of property decreased from 2018 by (\$1,763,300) to \$413,813,750  
Gross levy increased by \$16,438 from 2018 to \$4,040,950  
The City mill rate, per \$1000 of assessed value, increases from 2018 by 0.0810 to 9.7651

The 2019 budget will be funded by a tax levy of \$9.7651 per \$1,000 of valuation.

The 2019 budget summary had been provided as part of the meeting agenda item 7C.

Staff recommended Council approve the 2018 Tax Levy (Payable in 2019) as provided in the Resolution.

Mettille moved, George seconded a motion to approve the Resolution adopted by the Common Council for the City of Ashland, Wisconsin to establish the 2018 Tax Levy (payable in 2019) for the City's General Fund, Debt Service Funds, Special Revenue Funds, Capital Project Funds, and Internal Service Funds. The motion carried unanimously by roll call vote. **(File #17477)**

**Agenda Item 7E: Approve a Resolution to Exempt the City of Ashland from the Ashland County Library Levy (Finance)**

Each year, Ashland County adopts a Library Levy which is used to offset a portion of the costs that each library in the County incurs for serving non-municipal patrons. The idea is to have those County residents that do not support a local library through their municipal property tax help fund the libraries in their County. Wisconsin State Statute 43.64(2) allows the City to exempt itself (City

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residents) from the County's Library Levy. To qualify for the exemption, the City's Budget for library services must be greater than the amount that the City's share of the County library levy would be, and the City Council must annually adopt a resolution declaring the exemption.

Staff recommended the adoption of the Resolution to exempt City residents from being taxed twice for library services. Council requested a memo from the Finance Department to better explain the library levy.

Moore moved, Haas seconded a motion to approve a Resolution to exempt the City of Ashland from the Ashland County Library Levy. The motion carried unanimously by roll call vote. **(File #17478)**

**Agenda Item 7F: Approve a Resolution to Issue a Conditional Use Permit to Allow Tool and Equipment Rental, General Retail and Equipment Service and Repair at 1310 Lake Shore Drive East in the Mixed Residential/Commercial (MRC) District, Parcel #201-01174-0000, Applicant: Carlson Equipment Rental (Planning and Development)**

Carlson Rental Equipment requested a Conditional Use Permit for the following conditional uses at 1310 Lake Shore Drive East:

- Tool and equipment rental;
- General retail; and
- Equipment repair and service (future use)

The applicant wished to utilize the existing building and outdoor areas to the east and north for rental and sale of light/medium industrial and construction equipment. They also indicated future interest in expanding the existing building to accommodate servicing of their rental inventory as well as contracted repair of customer equipment. The future building expansion associated with this proposed equipment repair/service use would require Site Plan approval from the Planning Commission prior to construction.

The existing building would not undergo any structural alterations with this change in use nor would any of the existing blacktop be changed. The applicant wanted to place new equipment for display on the north side of the property facing US Hwy. 2. The display equipment would be affixed to the ground for security and shall not encroach into the public right-of-way or impede pedestrian traffic in any way. The only other proposed change to the site would be installation of a fence on the east side of the building which would enclose additional larger inventory items. The applicant shall obtain a Fence Permit from the Planning & Development Department prior to installation to ensure that it met UDO standards, provide adequate screening as outlined in the UDO, and be compatible with the surrounding neighborhood.

UDO parking regulations apply as a result of the change in use. There were 14 existing striped parking spaces on the west side of the lot, including one accessible space. Based on the square footages for each use, a maximum of 15 parking spaces would currently be allowed on site, so no alterations were

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needed to meet UDO parking requirements at the time. This development was exempt from UDO landscaping requirements as only a change in use was being proposed without alteration/expansion of the existing building structure or pavement area. Outdoor storage items shall be properly screened by a six (6) foot high sight-obscuring fence that will also be used for security of the equipment.

Mettille moved, Ortman seconded a motion to approve a Resolution to issue a Conditional Use Permit to allow tool and equipment rental, general retail and equipment service and repair at 1310 Lake Shore Drive East in the Mixed Residential/Commercial (MRC) District, Parcel #201-01174-0000, to applicant Carlson Equipment Rental. The motion carried unanimously by voice vote. **(File #17479)**

**Agenda Item 7G: Approve a Request from Ashland County to Waive Building Permit Fees for an Expansion of the Ashland County Health and Human Services Building at 630 Sanborn Avenue, Parcel #201-04730-0000 (Planning & Development)**

The value of the project reported on the Building Permit application was \$171,180 and the permit fee was calculated as \$5/\$1000 of value. Therefore, the Building Permit fee comes to \$855.90. The request to waive the building permit fees was made on the Building Permit application.

The Council recently approved waiving a Building Permit fee for Ashland County in the amount of \$572.50.

Moore moved, Haas seconded a motion to approve the request from Ashland County to waive building permit fees for an expansion of the Ashland County Health and Human Services building at 630 Sanborn Avenue, Parcel #201-04730-0000. The motion failed 0-10 by voice vote.

**Agenda Item 7H: Approve a Resolution to Set a Public Hearing Date for the Vacation of Undeveloped Public Right-of-Way Adjacent to Lots 14 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin (Planning and Development)**

Per Wisconsin state statutes, the City Council is required to set the public hearing date for all rights-of-way discontinuance/vacation with a resolution identifying the City's intention to discontinue the rights-of-way at least 40 days prior to the public hearing. The Plan Commission would review this item at their December 4, 2018 meeting and were to provide a recommendation for Council to consider along with any public comments received at the Common Council Public Hearing on January 8, 2019.

Moore moved, Mettille seconded a motion to approve a Resolution to set a public hearing date for the vacation of undeveloped public right-of-way adjacent to Lots 4 through 16, and Lots 19 through 20, in Block 8 of Commercial Addition of the City of Ashland, Wisconsin. The motion carried unanimously by voice vote. **(File #17480)**

**Agenda Item 7I: Approve to Retroactively Waive Bid Advertising Requirements and Solicit Bids per Ashland City Ordinance Chapter 194.02: Purchases of \$15,000 or Less, and Approve the Purchase of Six Bike Fixation Stations to Fulfill an AARP Grant (Parks and Recreation)**

The Parks and Recreation Director overlooked to request to have the Mayor or City Administrator waive bids for this project. Saris was the sole supplier for fixation stations. The project was fully funded by an AARP Grant in cooperation with NCSA.

**Per Ashland City Ordinance, Sec. 194.02: Purchases of \$15,000 or less.** Purchases of \$15,000 or less may be authorized by the Department Director if sufficient funds are budgeted, but if the cost is over \$5,000 then bids or proposals must be sought by advertisement or by solicitation, in which case three bids or proposals must be obtained unless the City Administrator waives the advertising or solicitation requirement, or any part thereof. The City Administrator may review any purchase or proposed purchase under this section, and may override the Department Director's authority under this section if the City Administrator deems such action in the public interest. This section applies to the purchase of tangible personal property and to services, including construction contracts for \$15,000 or less.

Ortman moved, Ketring seconded a motion to approve to retroactively waive bid advertising requirements and solicit bids per Ashland City Ordinance Chapter 194.02: Purchases of \$15,000 or Less, and approve the purchase of six bike fixation stations to fulfill an AARP Grant.

The motion carried unanimously by voice vote.

**Agenda Item 7J: Approve a Class A Combination Alcohol Beverage Retail License Application for Jay Ma Ambaji, Inc. (Including Officers and Agent Patrick Hunt) for Star Liquor at 821 Main Street West (Clerk)**

The City issues Alcohol Beverage licenses. The premises are inspected by the Fire Department and Police Department. Per Chapter 923, Ashland City Ordinances, all licensees are required to be current on property taxes and other billings from the City (fines, utility bills, fees, etc.).

Dionysus LLC was the current holder of the Class A Combination Alcohol Beverage Retail license for Star Liquor at 821 Main Street West. However, Dionysus LLC was surrendering the license contingent upon the City of Ashland granting the license to Jay Ma Ambaji, Inc.

Jay Ma Ambaji, Inc. applied for a Class A Combination Alcohol Beverage Retail license for Star Liquor at 821 Main Street West. It was recommended to approve the license and its Officers and Agent Patrick Hunt.

Mettille moved, Franek seconded a motion to approve a Class A Combination Alcohol Beverage Retail License application for Jay Ma Ambaji, Inc., including officers and Agent Patrick Hunt, for Star Liquor at 821 Main Street West. The motion carried unanimously by voice vote.

**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