

ASHLAND CITY COUNCIL MEETING
Tuesday, October 9, 2018 - 5:30 P.M.
Ashland City Hall Council Chambers
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PRESENT: Holly George, Richard Ketring, Sarah Jackson, Kate Ullman, Ana Tochterman, David Mettille, Kevin Haas, Charles Ortman, Elizabeth Franek, Dick Pufall

ABSENT: Jackie Moore (excused)

ALSO PRESENT: Mayor Debra Lewis, City Administrator Brant Kucera, City Clerk Denise Oliphant, City Attorney Tyler Wickman, Finance Director Julie Vaillancourt, Police Chief Jim Gregoire, Fire Chief Wayne Chenier, Public Works Interim Director Sharon Campbell, Airport Manager Bill Moore, Planning and Development Assistant Megan McBride, Library Director Sarah Adams, Utility Manager Chanz Green, and other concerned citizens

Agenda Item 1: Call to Order

Mayor Lewis began the meeting by introducing Bad River Tribal Chairman Michael Wiggins to reflect on Indigenous People Day and presented members of the Tribe to play a Native song for Council.

Roll call was taken, a moment of silence was held, and the Pledge of Allegiance was recited.

Agenda Item 2: Approval of Agenda

George moved, 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 25, 2018 Council and Committee of the Whole Meetings

Haas moved, Pufall seconded a motion to approve the minutes of the September 25, 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, spoke to Council regarding the budget figures.

Maggie Ericson, 5 Fifield Row, spoke of the alleyway project costs and damages near Fifield Row due to flooding.

Eric Lindell, 204½ Main Street West, spoke in relation to the statewide poll on legalizing medical marijuana.

Agenda Item 5: Mayor's Report

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Agenda Item 5A: Announcements

Mayor Lewis announced the October 11th launch of the City's new website. An introduction of the Utility Manager, Chanz Green, was made to Council. Public Works Director interviews will be finalizing next week, and the Planning and Development Director search is continuing. The Bay City Cultural Center are now selling memberships. Reassurances were made regarding the City's drinking water as it appears to be cloudy due to an increased amount of air in the water, although it is safe to drink and Public Works is working to repair equipment.

Agenda Item 6: Consent Agenda

Agenda Item 6A: Miscellaneous Minutes

Mettille moved, Franek seconded a motion to approve the Consent Agenda. Ketring asked for a correction to be made on the Plan Commission meeting minutes regarding the final vote. The motion carried unanimously by voice vote.

Agenda Item 7: New Business

Agenda Item 7A: Approval of a Consultant Group to Update the City's Waterfront Development Plan and Comprehensive Outdoor Recreation Plan (CORP) (Planning and Development)

The City of Ashland received a Wisconsin Coastal Management grant of \$29,500 to update the City's Waterfront Development Plan and Comprehensive Outdoor Recreation Plan (CORP). Given the interdependent relationship between the City's Lake Superior waterfront and outdoor recreation opportunities, it was determined that the development of one collective plan, or two interdependent plans, could be completed to comprehensively guide the City into the future per the recommendation of the responding qualified firms. With approximately seventy (70) percent of the City's waterfront in public ownership, and fifty (50) percent of the City's outdoor recreation space along the waterfront, it was a natural fit to plan for these areas/amenities simultaneously. The City issued a Request for Proposals (RFP) for services and received five proposals.

Representatives from the Planning Commission, Parks and Recreation Committee, and Harbor Commission met with members of City staff to evaluate the five proposals that were received. This group narrowed the selection down to two firms; GRAEF and SmithGroup. A joint meeting was then held on October 2, 2018, which included the Planning Commission, Parks and Recreation Committee, and Harbor Commission to hear a brief presentation from each firm and discuss which consultant group they felt would best lead this project. Those present unanimously agreed to recommend GRAEF to the Common Council for approval to update the CORP and Waterfront Development Plan based on their initial proposal and in-person presentation.

City staff would work with GRAEF along with the Finance Director and City Administrator to get the overall/end cost of the project closer to \$60,000.

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Pufall moved, Haas seconded a motion to approve GRAEF as the consultant group to update the City's Waterfront Development Plan and Comprehensive Outdoor Recreation Plan (CORP). The motion carried unanimously by voice vote.

Agenda Item 7B: Approve an Ordinance to Amend Chapter 165 (2017-1900), Ashland City Ordinances, Comprehensive Fee Schedule (Planning and Development)

The ordinance amendment revised the cost to register a residential rental unit in the City of Ashland to be \$10 per building. Approval of this amendment was necessary to comply with WI Act 317 which stipulates that a community may collect a fee for registration if it is a one-time fee for the property owner and does not exceed \$10.

Tochterman moved, Ketring seconded a motion to approve the Ordinance to amend Chapter 165 (2017-1900), Ashland City Ordinances, Comprehensive Fee Schedule. The motion carried unanimously by voice vote. **(File #17468)**

Agenda Item 7C: Approve a Resolution to Submit a Wisconsin Department of Natural Resources Recreational Boating Grant Application for the Redevelopment of the Superfund Site (Kreher Park) (Parks and Recreation)

The City of Ashland requested assistance from the Wisconsin Department of Natural Resources for a Recreational Boating Grant for the redevelopment of the western portion of the Superfund Site to install a new four-bay boat landing, boat/trailer parking area, pedestrian trail(s) and potential thoroughfare. The grant would be used to redevelop the western portion of the Superfund Site only. This is a 50/50 match grant. The match for this grant can be in the form of labor, cash, donations, etc.

The City had a contract with AMI to create, design and engineer documents for the site, the cost which was to be determined. The Parks and Recreation Department and Marina would work with the Finance Department and City Administrator to figure out the source of the match should the grant be awarded.

The City had been encouraged to apply for this grant by WDNR Waterways Commission, Xcel Energy, WDNR staff, and the other parties involved with the Superfund Site cleanup. The aforementioned parties agreed that the redevelopment of the Superfund Site with an upgraded boat launch, fish cleaning station, restrooms, parking lot, trail, thoroughfare and utilities throughout the site should coincide with the final cap of the site. This would keep construction costs reasonable and lessen the instances that the cap would need to be disturbed at a later date. The submerged land lease refers to the area of land adjacent to the lake, from Ellis Avenue to Willis Avenue, as Kreher Park.

Mettille moved, Pufall seconded a motion to approve the Resolution to submit a Wisconsin Department of Natural Resources Recreational Boating Grant Application for the redevelopment of the Superfund Site (Kreher Park). The motion carried unanimously by voice vote. **(File #17469)**

Agenda Item 7D: Approve a Resolution to Accept the Workmanship of Granger Builders, Inc., and Approve Final Payment for the New Public Works Salt Storage Shed (Public Works)

At the March 27, 2018 Council meeting, approval was granted to proceed with the construction of a new salt storage shed. The new structure would accommodate a larger quantity of salt and hold salt, sand, gravel and road patching materials in separate dry, clean bunkers.

The Public Works staff demolished the old salt storage shed and would finish grading the approach of the shed in the near future prior to the delivery of salt. A full report of the Public Works labor and equipment costs was to be presented at a later meeting.

Pufall moved, Haas seconded a motion to approve the Resolution to accept the workmanship of Granger Builders, Inc. and approve final payment of \$9,733.75 for the new Public Works salt storage shed. The motion carried unanimously by roll call vote. **(File #17470)**

Agenda Item 7E: Approve a Resolution to Accept the Workmanship of Ashland Construction Company, and Approve Final Payment for the Main Street and Sanborn Avenue Road Improvement Project (Public Works)

At the May 30, 2017 Council meeting, approval was granted to proceed with the reconstruction of the intersection of Sanborn Avenue and Main Street West. Funds from Kwik Trip of \$70,000 and a not-to-exceed cost of \$30,000 by the City were approved for the project. The contract with Ashland Construction Company was approved at the August 29, 2017 Council meeting.

The Main Street and Sanborn Avenue Road Improvement Project was substantially completed in the fall of 2017. Pavement marking and landscaping were completed this summer in 2018. The final contract costs came in at \$83,703.01, \$5,944.74 below the approved bid amount of \$89,647.75.

Mettille moved, Ketring seconded a motion to approve the Resolution to accept the workmanship of Ashland Construction Company and approve final payment of \$5,195.95 for the Main Street and Sanborn Avenue Road Improvement Project. The motion carried unanimously by roll call vote. **(File #17471)**

Agenda Item 7F: Approve the Fourth Amendment of Cooperation and Access Agreement with Northern States Power Company of Wisconsin (NSPW) (Mayor)

Northern States Power of Wisconsin (NSPW) had completed dredging 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 were 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

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Access Agreement, as amended) at the Site for the purpose of performing work as defined in the Access Agreement.

The previous Cooperation and Access Agreements, as amended, did not include prior Railroad Property to the south of the Kreher Park upland areas of the Superfund Site, which the City did not take title to until the completion of the remediation process. The Agreement included this Railroad Property in the agreement between the parties.

Pufall moved, Ortman seconded a motion to approve the Fourth Amendment of Cooperation and Access Agreement with Northern States Power Company of Wisconsin (NSPW). The motion carried unanimously by voice vote.

Agenda Item 8: Adjournment

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

Respectfully Submitted,

Denise Oliphant
City Clerk